

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD, MONDAY, NOVEMBER 16, 2009**

COUNCIL PRESIDENT GAMBER I d like to welcome all of you to Massillon City Council for Monday, November 16, 2009. We have in attendance with us this evening: Mayor Francis Cicchinelli, Safety Service Director Mike Loudiana, Auditor Jayne Ferrero, Law Director Perry Stergios, Engineer Keith Dylewski, and our Wastewater Treatment Plant Superintendent Keith Bledsoe. On the wall to your left are agendas for anyone who wishes to follow the meeting. Also under item #5 on the agenda is where the public can speak on any item that appears on the agenda and then under item #17 is where the public can speak on any item that does not appear on the agenda. I d also like to remind anyone with a cell phone please turn it off or turn it very far down.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Gary Anderson, Kathy Catazaro-Perry, Dave Hersher, Ron Mang, Paul Manson, Dave McCune, Donnie Peters, Larry Slagle and Tony Townsend.

Thus giving a roll call vote of 9 present.

2. INVOCATION

COUNCILWOMAN CATAZARO-PERRY – Gave the invocation for the evening.

3. PLEDGE OF ALLEGIANCE

COUNCILWOMAN CATAZARO-PERRY – Chairperson of the Rules, Courts and Civil Service Committee led those in attendance in the Pledge of Allegiance.

4. READING OF THE JOURNAL

COUNCIL PRESIDENT GAMBER Madame Clerk are the minutes of the previous meeting transcribed and open for public viewing (Yes, they are) Are there any additions or corrections to the minutes? If not the minutes stand approved as written.

5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA

MARTHA BRUNDELET – I live at in Massillon and I'm a landlord. My address is 892 8th Street NE, Massillon. I just have a few questions and comments about the licensing of the rental properties. You were questioning about this was so that you would know where they were located. Well in September 2007 there's the Ohio Revised Code Section 5323.02 that requires an owner of residential rental property to register a contact agent for the property with the county auditor's office, So therefore the properties have been registered I know I've gone over to the county office and done that. So most people probably have so you have them already registered. Now my question is what will the safety inspection include, how thorough will it be, will it include like the electrical, the furnace, you know locks or smoke detectors, how much time would it require for this. Because a complete home inspection usually takes you know a few hours. So I was wonder what they were going to do about that. Of course, we would have to take off time from work in order to be there for the inspection. Another question is if the city

okay's this property as being safe you know who is responsible if some thing goes wrong or hopefully no one would get hurt. But still will the city be responsible or partially responsible, will the landlord have some protection? Because they have the property inspected. So that's one question, then another thing is that the tenants they have if they have a problem they have they can contact like the fair housing department Marilyn Frazier she's real helpful. She has been helpful to me as a landlord also. But they have the health department and legal aid services and the code enforcement officers Mr. Saracina he's been helpful to me as well. So they have somewhere to go if they do have a problem. So and other thing is this cost of the annual licensing fee this will cause the landlord of course probably increase the rents. We've had the sewer and the taxes and insurances everybody's had increases. So it makes it a little bit harder to absorb these costs. So for my tenants probably I will have to raise their rent. Well, I've had tenants for five years and I have never raised their rent. They're very wonderful tenants, they pay on time and I appreciate that. So I never raised their rent but now maybe I'll have to raise it \$7.00 to \$10.00 a month. Unfortunately, my one tenant three months ago he lost his job he's unemployed, he has unemployment and we worked a little deal out so that he could still stay in the rental. I trust him very much I know he will find a job. So the only thing I worry about is even that \$10.00 more that I ask of him a month that might just push him that he can't afford to be there anymore. So I would lose my tenant who's been very good all this time so I'm kind of worried about that and the income for that. So just that small increase on someone like that that could be a problem for them. Then I just want to say that you know many of us have rentals I'm a small business person. I plan to use my rents as a supplement for my retirements we aren't getting rich from it. So as a small business person I hope the city would support my efforts to provide decent housing for tenants. So that's just all I have to say so thank you very much.

COUNCIL PRESIDENT GAMBER Before you leave I'd like you to notice Councilman Tony Townsend, Tony if you raise your hand. Tony is the chairman of the committee that will be bring this legislation forward. So if you want to talk with him after council and he can advise you know where to go to get some of these questions answered. For instance the item you mentioned about the county registration I don't know if anyone else knew that I certainly didn't. Make sure to get Mr. Townsend after the meeting. Thank you for coming. Is there anyone else who like to address council?

PAUL DOERING – I'm a registered professional engineer in the State of Ohio. I live at 318 4th Street NE. I'm a member of the Stark County Real Estate Investors Association which I'm also representing here tonight. I'm a housing provider in the City of Massillon. The present system which we have in Massillon is a complaint driven system for building inspections. I believe it works well I believe its already strained to capacity at times because I know myself I have made complaints about properties neighboring mine. There's been nothing done about them they have two inspectors I think they're pretty much at full capacity. I question if you know if adding all this additional inspections assignments to them is going to work. Because I don't think they can handle it because they're already at full capacity. Really these proposed fees are nothing but an attempt to balance the city's budget problems on the backs on housing providers. But these fees will only be passed on to tenants in the form of higher rents. Does Mr. Townsend's constituents understand if they want certificates of occupancies its going to be costing them more rent. Because all landlords or housing providers are going to pass them on; they need to have a certain amount of income to justify the investments that they have made in the city. Also I question why should housing providers have to pay for three years of fees in advanced. I mean they're not going anywhere is it to balance the city's budget now? Also I wonder why there should be a \$500.00 fine for not registering the property which I read about it in the newspaper. Is this a major crime on the order of DWI or something? You know why \$500.00 it is also to balance the budget? Not everyone reads each word of the newspaper and might not even know about these requirements. To conclude I would just like to say that I take pride in my rentals I offer I try to subscribe to the Stark County Real Estate Investors Code which is to provide clean, safe and affordable housing. I think the only thing this legislation is going to do is make the housing less affordable. Thank you.

COUNCIL PRESIDENT GAMBER Thank you, Mr. Doering.

## 6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT GAMBER I'll call on Councilman Anderson.

COUNCILMAN ANDERSON – Yes, I'd like to bring Resolution No. 20 – 2009 forward for consideration.

COUNCIL PRESIDENT GAMBER Mr. Anderson would like to bring Resolution No. 20 – 2009 forward as our first item of business. Are there any objections to that?

COUNCILMAN PETERS – I guess my question is why?

COUNCIL PRESIDENT GAMBER Mr. Anderson?

COUNCILMAN ANDERSON – Only as a courtesy to the gentleman from the company that was here at about 5:30pm today. Just doing him a courtesy to see if we can get things through and have him kindly fashion out of here. That's all.

COUNCIL PRESIDENT GAMBER I see no real objections so we will consider Resolution No. 20 – 2009 at this time.

RESOLUTION NO. 20 – 2009 BY: PUBLIC UTILITIES COMMITTEE

Acknowledging the authorization establishment of a government aggregation program with opt-out provisions pursuant to Section 4928 of the Ohio Revised code, (the "Aggregation Program") for the residents, businesses and other electric consumers in the City of Massillon.

COUNCIL PRESIDENT GAMBER Mr. Anderson?

COUNCILMAN ANDERSON Yes, I would like to bring Mike Loudiana up to explain a few differences in our wording.

COUNCIL PRESIDENT GAMBER Mr. Loudiana? We were given a new wording to Resolution No. 20 tonight and Mr. Anderson would like you to explain what the changes are.

SAFETY SERVICE DIRECTOR LOUDIANA – The first piece of Resolution No. 20 did not reflect the proper language as the Ohio Revised Code requires. For instance it didn't tell about the ballot and that it passed. It also I'm trying to think of what else it didn't cover. Oh, the fact that we had public hearings so it was just a matter we wanted to make sure that we follow the procedures of the Ohio Revised Code with the proper wording for the resolution.

COUNCIL PRESIDENT GAMBER Had the basic terms of the agreement change at all. Is there anything regarding the...

SAFETY SERVICE DIRECTOR LOUDIANA – No, it did not affect the agreement it was strictly on the legislation.

COUNCIL PRESIDENT GAMBER Mr. Anderson?

COUNCILMAN ANDERSON moved for suspension of the rules and passage, seconded by Councilman Mang.

The rules were suspended by a roll call vote of 9 yes.

RESOLUTION NO. 20 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ORDINANCE NO. 135 – 2009 BY COMMUNITY DEVELOPMENT COMMITTEE

Declaring the improvement of certain real property located in the City of Massillon, Ohio to be a public purpose; declaring such property to be exempt from real property taxation; designating the improvements to be made that will directly benefit or serve such real property; requiring the owner of such real property to make annual service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of service

payments; and declaring an emergency.

COUNCILMAN MANG – We have three pieces of legislation tonight all regarding the TIF program. The very first one we have 135 its Shearer's Foods. We'll be giving it first reading.

ORDINANCE NO. 135 – 2009 WAS GIVEN FIRST READING.

ORDINANCE NO. 136 – 2009 BY COMMUNITY DEVELOPMENT COMMITTEE

Declaring the improvement of certain real property located in the City of Massillon, Ohio to be a public purpose; declaring such property to be exempt from real property taxation; designating the improvements to be made that will directly benefit or serve such real property; requiring the owner of such real property to make annual service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments; and declaring an emergency.

COUNCILMAN MANG – This piece of legislation deals with again the TIF this is for the area of the Massillon Area Credit Union which this piece of property is on Erie Street. We'll be giving it first reading.

ORDINANCE NO. 136 – 2009 WAS GIVEN FIRST READING.

ORDINANCE NO. 137 – 2009 BY COMMUNITY DEVELOPMENT COMMITTEE

Declaring the improvement of certain real property located in the City of Massillon, Ohio to be a public purpose; declaring such property to be exempt from real property taxation; designating the improvements to be made that will directly benefit or serve such real property; requiring the owner of such real property to make annual service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments; and declaring an emergency.

COUNCILMAN MANG – Sorry, Mary Beth, for the long introduction. Again, this ordinance pertains again to a TIF this is the Case Farms which is on Millennium Boulevard. We'll be giving it first reading.

ORDINANCE NO. 137 – 2009 WAS GIVEN FIRST READING.

ORDINANCE NO. 138 – 2009 BY HEALTH, WELFARE & BLDG REGULATIONS

Enacting a new CHAPTER 1330 "REGISTRATION OF NON-OWNER OCCUPIED OR MULTIPLE UNITS", of the Codified Ordinances of the City of Massillon, and declaring an emergency.

COUNCILMAN TOWNSEND – Ordinances 138, 139 and 140 these ordinances are not new concepts they're new to the city however Mr. Kraft the department head of the building department will be here November 30, 2009 to answer any questions from council members or any questions from the citizens of Massillon. He will also be here to address concerns. Also I would like to speak on the comment that was made about the occupancy certificate. Many of my constituents are aware of the fees and the cost you have just many of my constituents are pretty much tired of certain type of landlords, renting homes who are in disrepair and are in need of some form of inspection. So they are aware of the cost and the fees and they are very much aware of everything that involves the certificate of occupancy. First reading.

ORDINANCE NO. 138 – 2009 WAS GIVEN FIRST READING.

ORDINANCE NO. 139 – 2009 BY HEALTH, WELFARE & BLDG REGULATIONS

Amending CHAPTER 1125 "ADMINISTRATION AND ENFORCEMENT", of the Codified Ordinances of the City of Massillon, by repealing existing Sections 1125.05 "Certificate of Occupancy", 1125.06 "Final Inspection" and 1125.07 "Fees", and enacting new Sections

1125.05 “Certificate of Occupancy”, 1125.06 “Final Inspection” and 1125.07 “Fees”, and declaring an emergency.

COUNCILMAN TOWNSEND – Geez, I’d like to apologize too Mary Beth. First reading.

ORDINANCE NO. 139 – 2009 WAS GIVEN FIRST READING.

ORDINANCE NO. 140 – 2009 BY HEALTH, WELFARE & BLDG REGULATIONS

Enacting a new CHAPTER 1331 “REGISTRATION OF VACANT BUILDINGS”, of the Codified Ordinances of the City of Massillon, and declaring an emergency.

COUNCILMAN TOWNSEND – First reading.

ORDINANCE NO. 140 – 2009 WAS GIVEN FIRST READING.

ORDINANCE NO. 141 – 2009 BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Community Partnership Fund, General Fund and the Summer Concert Fund, for the year ending December 31, 2009, and declaring an emergency.

COUNCILMAN MANSON Yes, we have three parts to this ordinance. The first part is for a total of \$40,076.97 please appropriate from the unappropriated balance of the law department community partnership fund 1228. Then it gives to where we are sending it salary, PERS, Medicare, travel, seminar, supplies, materials and equipment. Any questions we have the law director he can explain them. Part 2, is \$24,834.38 please prepare an ordinance to appropriate from the unappropriated balance of the general fund 1100 to the following accounts. We had \$20,000.00 to salary domestic violence, this was from a domestic violence grant. Sorry I didn’t mention that right of way, \$2,000.00 from Medicare, travel, seminar and supplies, materials for a total of \$24,834.00. Then section 3, is for \$2,000.00 please appropriate \$2,000.00 from the unappropriated balance of summer concert fund it gives the account number. We would like to make a payment to Mr. Bob Gessner of Massillon Cable TV for the purchase of a dressing trailer. There are carryover funds in this account. Any questions?

COUNCILMAN MANSON moved for suspension of the rules and passage, seconded by Councilman Hersher.

The rules were suspended by a roll call vote of 9 yes.

ORDINANCE NO. 141 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ORDINANCE NO. 142 – 2009 BY: FINANCE COMMITTEE

Making certain transfers in the 2009 appropriation from within the General Fund and the Street Fund, for the year ending December 31, 2009, and declaring an emergency.

COUNCILMAN MANSON We have two parts here to this. The first part please prepare legislation to make certain transfers within the 2009 appropriations from the general fund. We are taking those funds out of those particular lines and its all going to utilities \$60,038.00 to go pay the utilities. The second part we’re taking \$54,000.00 out of safety salaries and \$27,000.00 is going to street salary and \$27,000.00 will be going to street PERS. If there’s any questions I’ll get the law director or the mayor to answer them.

COUNCIL PRESIDENT GAMBER Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY – I would like to have Mr. Loudiana come up, please. Mr. Loudiana, could you explain why we’re doing this police and gas we’re taking from the gas and oil from police and fire and putting it into utilities. I went home ill on last Monday so I did not get to hear the explanation of this. (I wasn’t here either) Jayne?

SAFETY SERVICE DIRECTOR LOUDIANA – I imagine Jayne would know, to be honest with you I wasn't here and I didn't even get a copy of that.

COUNCIL PRESIDENT GAMBER Mrs. Ferrero?

AUDITOR FERRERO – It's because they have a surplus in those line items. So everywhere that we can go and can pull from we are taking from. So we're able to take that from police and fire gas and oil, garage gas and oil, contracted services, travel, seminars, health gas and oil.

COUNCILWOMAN CATAZARO-PERRY – So we are going are we out of dollars for utilities?

AUDITOR FERRERO – Yes, we're still \$140,000.00 short.

COUNCILWOMAN CATAZARO-PERRY – Thank you.

COUNCILMAN MANSON moved for suspension of the rules and passage, seconded by Councilwoman Catazaro-Perry.

The rules were suspended by a roll call vote of 9 yes.

ORDINANCE NO. 142 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

RESOLUTION NO. 21 – 2009 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

Renaming the Tremont Viaduct to the Vietnam Veterans Memorial Viaduct to honor the servicemen who lost their lives during the Vietnam War.

COUNCILMAN PETERS This resolution is dealing with the Tremont Viaduct to rename it. I'll read the resolution it won't take me all night. But the Resolution 21 is for the renaming of the Tremont Viaduct to the Vietnam Veterans Memorial Viaduct to honor the servicemen who lost their lives during the Vietnam War.

WHEREAS, the viaduct will be officially dedicated in December to honor the eighteen Massillon men who lost their lives in the Vietnam War fighting for their country.

WHEREAS, the names of the eighteen Massillon men to be honored for their ultimate sacrifice for their country are as follows: Charles J. Bair, Timothy D. Berry, Robert E. Bethune, William F. Coyne, Richard E. Fuchs, Ronald V. Hacker, David W. Hendle, Forest G. Highland Jr., Lamont D. Hill, Paul R. Maddox, Robert L. Mingle, William L. Nulph Jr., Vernon R. Riley, John R. Sinnock, Ronald V. Stanton, Gary L. Stewart, Terry C. Welty and Robert D. Wuertz.

WHEREAS, on Memorial Day of 2010 plaques will be unveiled at each end of the viaduct to honor the Massillon servicemen who gave the ultimate sacrifice for their country. An additional plaque will recount the story of "The Three Buddies" from Massillon, Timothy D. Berry, William F. Coyne and Richard E. Fuchs who were westside neighborhood friends that joined the Marines in 1965 after graduating from Washington High School. Two years later these three young servicemen lost their lives when their helicopter crashed into the South China Sea.

Now, therefore be it resolved that Massillon City Council recognizes the ultimate sacrifice these brave eighteen servicemen gave during the Vietnam War on the official record.

COUNCILMAN MCCUNE I just want to commend Mr. Peters on championing this resolution through I think that its past over due to recognize the men and women who served in Vietnam. I personally knew Robert L. Mingle he was one of the big guys in the neighborhood where I grew up. He was on the guys that looked out for those little guys like me. I'm sure all the other men's names listed on here he was quite a good young man I'm glad to see that we're doing this.

COUNCILMAN MANSON I have a question wasn't Mr. Berry 1964 didn't that come up along

the lines somewhere he graduated with me in '64 I believe. But that's not that important we can correct that typo if it is a typo.

COUNCILMAN PETERS I don't know I don't think I think they all graduated the same year.

AUDITOR FERRERO – Fuchs and Berry graduated in '64 and Coyne graduated in '65.

COUNCILMAN PETERS Yeah, that's how it was.

COUNCILMAN MANSON Lets just correct it later on and correct it in the final ordinance.

COUNCIL PRESIDENT GAMBER It will certainly be correct on the plaque if the date is on there.

COUNCILMAN PETERS I'll make sure Margy she probably already knows. So...

COUNCILMAN PETERS moved for suspension of the rules and passage, seconded by Councilman Mang.

The rules were suspended by a roll call vote of 9 yes.

RESOLUTION NO. 21 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

#### 7. UNFINISHED BUSINESS

#### 8. PETITIONS AND GENERAL COMMUNICATIONS

#### 9. BILLS, ACCOUNTS AND CLAIMS

##### A. REPOSITORY - \$720.20

COUNCILMAN MANSON I move that we pay the bill, seconded by Councilman Hersher.

Roll call vote of 9 yes to pay the bill.

#### 10. REPORTS FROM CITY OFFICIALS

A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR OCTOBER 2009 COPY FILE

B). TREASURER SUBMITS MONTHLY REPORT FOR OCTOBER 2009 COPY FILE

C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR OCTOBER 2009 – COPY FILE

D). INCOME TAX DEPT SUBMITS MONTHLY REPORT FOR OCTOBER 2009 – COPY FILE

E). WASTE DEPT SUBMITS MONTHLY REPORT FOR OCTOBER 2009 – COPY FILE

F). MAYOR'S APPOINTMENT OF TERESA EMMERLING TO AFFINITY MEDICAL CENTER BOARD OF TRUSTEES.

COUNCIL PRESIDENT GAMBER Thank you, we will file items A thru E, Mr. Law Director as far as I know there's no action required on the appointment or is there?

LAW DIRECTOR STERGIOS – My recollection is council approval is required on this one your honor from the original settlement agreement.

COUNCIL PRESIDENT GAMBER I'll ask the president pro tem to make a motion to accept the mayor's appointment.

COUNCILMAN MANG I move that we accept the appointment as so stated, seconded by Councilman Slagle.

COUNCIL PRESIDENT GAMBER Mr. Peters, you have a question?

COUNCILMAN PETERS Yeah, who is she replacing?

COUNCIL PRESIDENT GAMBER Alright, may we have the mayor come forward, please.

MAYOR CICCHINELLI – Tom Seeson has been moved up to the regular board. This is the second one of my appointees that have been moved up to the voting members. So that's why the replacements so now my replacement my two appointees will be Tim Bryan and Teresa.

Roll call vote of 9 yes to accept the mayor's appointment of Teresa Emmerling to the Affinity Medical Center Board of Trustees.

#### 11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT GAMBER Next Monday is the fourth of five Mondays in November so we will not meet. The Clerk will be on vacation next week but she is very consciences and does check in does check in occasionally during the week. Then the committee sessions will be held on November 30th. .

#### 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCILMAN MANSON Yes, I want to report as per this sheet that you gave me for 11/16 on the Ordinance No. 126 – 2009. It says second regular council meeting after first reading finance committee must report. We discussed it briefly I brought it up at last week's committee meeting asked if anybody had anything they wanted to add to what they had said at the committee meeting before. There was no response so it will continue as per what the schedule here says. I've got one other thing that I'd like to just say about committees. We will be starting on the budget on the 30th for sure.

COUNCIL PRESIDENT GAMBER When you say starting on the budget what does that mean?

COUNCILMAN MANSON Well, we'll be starting to discuss the proposal coming to us.

COUNCIL PRESIDENT GAMBER Alright.

#### 13. CALL OF THE CALENDAR

#### 14. THIRD READING ORDINANCES AND RESOLUTIONS

##### .SECOND READING ORDINANCES AND RESOLUTIONS

##### ORDINANCE NO. 134 – 2009 BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the General Fund, Wastewater Treatment Fund, Massillon Museum Fund, State Patrol Transfer Fund, Home Health Fund, OPWC Fund, Muni Motor Vehicle Fund, and the Marketplace Infrastructure Fund, for the year ending December 31, 2009, and declaring an emergency.

COUNCILMAN MANSON Yes, this was voted down from coming on to for the after first reading to bring it out for a vote. There was some questions on it I won't go over everything there we've discussed it a couple of times the only thing there was a question on part 2. The part it where says \$55,000.00 from the unappropriated balance of the wastewater treatment fund this money is needed to pay outstanding bills. The question came there was an email that went out to everybody on council from Mr. Stergios explaining what the fees where, what they came from the timing of when they first came to us. Anybody has any questions we have Mr. Stergios here, we have Mr. Dylewski, we have Mr. Bledsoe they can answer any questions you need answered. Otherwise I will be requesting to waive the rules.

COUNCILMAN MANSON moved for suspension of the rules and passage, seconded by

Councilman Hersher.

The rules were suspended by a roll call vote of 9 yes.

ORDINANCE NO. 134 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 8 YES, 1 NO.  
CATAZARO-PERRY VOTED NO.

## 16. NEW AND MISCELLANEOUS BUSINESS

### .REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA

JEANNIE HUPPERT- I live at 533 Tremont Avenue SW, Massillon. My concerns are regarding unlawful activities transpiring in our neighborhood from July 7th, 2009 till the present. My friend and I moved into the apartment at 533 Tremont on July 7th. #1 the first week of November one of our neighbors pick-up truck was broken into the dashboard and the steering column was vandalized he couldn't even get the key in the dashboard was pretty well trashed. It's parked by his house but it's the Faith Lutheran Church parking lot. #2 a car was broken into and messed up on the lot of Discount Computers Center which is 6th and Tremont SW. #3 approximately August 2009 this guy who's truck was broken into lives across from Faith Lutheran and he saw what looked like teenagers trying to break into the church. #4 approximately August 2009 I didn't know I was going to have to log these things so I just have approximate dates I didn't write down dates. Approximately August 9th the house at 511 Tremont SW was broken into number of items stolen this is approximately seven doors from where we live. #5, approximately September someone got into my friend's car and messed with some things in it. #6, there have been various vandalism and violations of business and personal properties someone pulled traction strips off of a wheelchair ramp in front of Wanda's Beauty Shop. Her door is right next to ours and we live about her shop. Someone smashed a pumpkin in our parking lot right where Wanda's customers and the residents of the building must walk from the parking lot to the sidewalk and lots of us are between 50 and 90 some years old. Someone through gravel from our parking lot into the grass where the landlord mows and onto the sidewalk which can easily throw off somebody's balance or make them fall. Kids and people playing on Wanda's wheelchair ramp including skateboards. We talked to them a number of times its pretty much quieted down but you know it shows up once in a while. Not only is this trespassing but if someone did get hurt while they were trespassing modern mentality says that they would sue the owners who's fault it would not be. Approximately mid October Zoo Tattoos and Skateboards opened their business 3 to 4 doors east of our apartment. The first three or four weeks there were many more noises out in front of our apartment and Wanda's Beauty Shop skateboards, kids yelling, some contraptions kids laid on the sidewalk to jump over with skateboards, scooters, bikes, etc. These incidents included confrontations with non customers, non visitors to the apartment, playing on Wanda's ramp, noisy on the sidewalks, etc. There was a conflict with customers of Zoo Tattoos and Skateboards their customers were parking on the lot belonging to apartment and Wanda's Beauty Shop. The landlord lives west of us some ways and like she said she can't police it all the time. She phoned the owner of Zoo Tattoos and they were pretty belligerent with her. She told the Zoo owners the parking lot at 6th and Tremont SW is only for Wanda's Beauty Shop customers the residents and guests of the apartment. Again, if somebody got hurt while they were trespassing you know they would probably sue the owners who's fault it wouldn't be. I tried to put them in order of importance the drive-thru at 6th and Lincoln Way West was almost broken into that was the rumor. There has been quite a few fires two to seven blocks from us and it gets a person pretty nervous when they're hearing fire engines and ambulances all the time. I did not have the opportunity to speak with our councilman I just had a really busy week. But I can submit this.

COUNCIL PRESIDENT GAMBER If you would now of course my follow up question have you called the police and the mayor's office or the councilman or anyone like that?

JEANNIE HUPPERT- No, I was downstairs on the red phone that's what Mary Beth told me to do and I left a voice mail for Joe Herrick about a neighborhood watch and I have not received a called from him yet.

COUNCIL PRESIDENT GAMBER When was that that you left that message?

JEANNIE HUPPERT- That was last Tuesday.

COUNCIL PRESIDENT GAMBER Alright, do me a favor before you leave do you know Mr. Peters your ward councilman?

JEANNIE HUPPERT- Okay, so I give him this?

COUNCIL PRESIDENT GAMBER Please meet with him afterwards pass that forward if you would like absolutely.

JEANNIE HUPPERT- Thank you.

COUNCIL PRESIDENT GAMBER We also have the mayor, the safety service director was here I don't know if he's still here but before you leave tonight touch several basis so that we can help you with your problem.

JEANNIE HUPPERT- Thank you.

COUNCIL PRESIDENT GAMBER Thank you for coming forward. Is there anyone else who would like to speak? Mr. Slagle?

COUNCILMAN SLAGLE Mr. Manson, you mentioned that we'll have a budget to discuss on November 30th is that already do you know if that's in your hands yet?

COUNCILMAN MANSON No.

COUNCILMAN SLAGLE Is there any that it can be gotten to us prior to the Friday before?

COUNCILMAN MANSON If I can I'll try.

COUNCILMAN SLAGLE Okay.

COUNCILMAN MANSON No, guarantees.

COUNCILMAN SLAGLE Alright, thank you.

18. ADJOURNMENT

COUNCILWOMAN CATAZARO-PERRY – I move that we adjourn, seconded by all.

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MARY BETH BAILEY, CLERK,

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GLENN E. GAMBER, PRESIDENT

