

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD, MONDAY, AUGUST 3, 2009**

COUNCIL PRESIDENT GAMBER I d like to welcome all of you to Massillon City Council for Monday, August 3, 2009. We have in attendance with us this evening: Mayor Francis Cicchinelli, Auditor Jayne Ferrero, Law Director Perry Stergios, Engineer Keith Dylewski and Community Development Director Aane Aaby. 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: 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 8 present.

**2. INVOCATION**

COUNCILMAN MANG Gave the invocation.

**3. PLEDGE OF ALLEGIANCE**

COUNCILMAN MANG Chairman of the Community Development 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**

**6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 96 – 2009 BY: COMMUNITY DEVELOPMENT COMMITTEE**

Authorizing the Mayor of the City of Massillon, Ohio, to enter into an amendment to the existing Agreement between the City of Massillon and Shearer’s Foods Inc., under the Ohio Urban Jobs and Enterprise Zone Program, and declaring an emergency.

COUNCILMAN MANG – At the work session Mr. Aaby went through some of the changes that will need to be required because of one of the port authority is no longer part of the financing. We also had the representative here from Shearer’s who didn’t bring any potato chips by the way. Anyhow, we’ll give it first reading tonight.

ORDINANCE NO. 96 – 2009 WAS GIVEN FIRST READING.

ORDINANCE NO. 97 2009 BY: FINANCE COMMITTEE

Establishing a fund entitled “Neighborhood Stabilization Program Fund”, and creating line items within said fund, and declaring an emergency.

COUNCILMAN MANSON Yes, I’ll just read what the request was: please prepare legislation to establish a fund entitled “Neighborhood Stabilization Program Fund: and create line items for said fund. Sources of revenue will be from a grant from the State of Ohio Department of Development anticipated expenses will be demolitions, housing and administration. We have Mr. Aaby here if there’s any questions we’ll try to answer them right now. I think this is something that we need to keep moving I will be asking to waive the rules if we don’t have anything that we’re stuck on.

COUNCIL PRESIDENT GAMBER Are there any questions on the ordinance?

COUNCILMAN MANSON Before you go is there anything you’d like to say Mr. Aaby? (No) Okay, we’ve covered it all at the committee meeting last week. So...

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

Roll call vote of 8 yes for suspension.

ORDINANCE NO. 97 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 98 2009 BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Neighborhood Stabilization Program Fund, Indigent Driver Alcohol Fund, Home Health Fund and the Muni Motor Vehicle License Plate Fund, for the year ending December 31, 2009, and declaring an emergency.

COUNCILMAN MANSON Okay, we have four parts here that we’re going to go through. The first one is what we just talked about setting those funds up in the previous ordinance in 97. \$75,000 will be going into an account entitled “demolition” and the account number is there and \$10,000 going into administration. They’re listed there the account numbers and there is a list also of the addresses of the places that are being looked at right now for demolition.

COUNCILWOMAN CATAZARO-PERRY – I have a question concerning section 1, the \$10,000 for the administration who will be administrating that?

COUNCILMAN MANSON I’d like to call Mr. Aaby to the microphone.

COMMUNITY DEVELOPMENT DIRECTOR AABY – In response to your question at this point it’s the community development department. So we have apportion out the percentage of our time that we’re spending on this program and then using that money for those expenses.

COUNCILWOMAN CATAZARO-PERRY – Thank you.

COUNCILMAN MANSON If you look at also the second page of what had here presented to us on that there’s a sheet there showing of demolition of \$470,000 housing development, housing development \$950,000 and general administration \$157,000. Okay, that’s part one, part two is requested that \$50,000 be appropriated from the unappropriated portion of the indigent driver alcohol fund to services and contracts for resident treatment for indigent alcohol and drug offenders at Wilson Hall. That request is from Judge Elum. Okay, the next part is for \$15,000 the health department needs to appropriate from the unappropriated balance of the home health fund its gives the account numbers to the home health services/contracts. These funds are needed to pay state mandated remittance fees for vital statistics which average \$2,500 a month and for other monthly fees for services. None of these monies will come from the general fund.

COUNCIL PRESIDENT GAMBER Mr. Peters, do you have your hand up?

COUNCILMAN PETERS – I have one. Can you put that in reverse you said something that we have attached to that whatever it was we don't have. At least Mr. Townsend and I don't have it.

COUNCILMAN MANSON This sheet do you want to look at this. Is that what you're talking about that I brought up on the first part.

COUNCILMAN PETERS – Yeah.

COUNCIL PRESIDENT GAMBER Mr. Manson, can you describe again what is on the page.

COUNCILMAN MANSON It's not in my hand right now give me a minute.

COUNCILMAN PETERS – You also said there's a list of the houses (Yes) I don't have that either. Maybe I did it and just...

COUNCILMAN MANSON I think it went out as emails now whether not everybody has it I'm...

COUNCIL CLERK MARY BETH - It went out as part of the legislation requests.

COUNCILMAN PETERS – Okay.

COUNCIL PRESIDENT GAMBER So what you're saying is every council member did not receive it.?

COUNCIL CLERK MARY BETH - No, they did receive it when they received the legislation requests. But not with the packet.

COUNCIL PRESIDENT GAMBER You received it a week ago.

COUNCILMAN PETERS – Okay, because I didn't get my legislation requests because we know the problem I had. Okay.

COUNCILMAN MANSON Mary Beth, could you make some copies of that please?

COUNCILMAN SLAGLE And as expressed last week that the items that are listed for the vacant and blighted buildings its not is if they're going to be torn down tomorrow with these funds. Its been represented that the administration's primary goal was to rehab the best they can and that tear downs only the last step in a long process. But these are the ones that they've initially listed.

COUNCIL PRESIDENT GAMBER Mr. Slagle, can I ask what you're looking at?

COUNCILMAN SLAGLE well, I'm looking at the document that was given to us last week during the work session that wasn't attached here.

COUNCIL PRESIDENT GAMBER Okay.

COUNCILMAN SLAGLE That I had to dig out.

COUNCILMAN MANSON That's what she's copying. I'll go on in section 3, oh I already did that \$15,000 for the health department. Section 4, please appropriate \$15,000 from the unappropriated balance of the municipal motor vehicle license plate fund for storm sewer and street repairs at the intersection of Case Western and John Carroll. Section of the storm sewer collapsed in this area causing a large void under the road. Then the last one the last part here is \$4,900 please appropriate \$4,900 from the unappropriated balance of the municipal motor vehicle license plate fund to perform load ratings on the Warmington Road Bridge, the Earl Road Bridge and the 17th Street Bridge. The Federal Highway Administration requires that

these load ratings be completed to bring the city into compliance with the Ohio Revised Code and also the Code of Federal Regulations. Failure to bring these bridges into compliance would jeopardize future federal funds available to the city. We have the engineer here if there's any questions. Other wise I will be asking to waive the rules.

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

Roll call vote of 8 yes for suspension.

ORDINANCE NO. 98 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 99 2009 BY: FINANCE COMMITTEE

Reducing the appropriation in the General Fund, for the year ending December 31, 2009, and declaring an emergency.

COUNCILMAN MANSON Yes, this is from the Clerk of Courts its says I am returning the \$14,800 from the budget to the City of Massillon's General Fund after an employee lay-off. There's a list of the breakdowns: \$9,000 deputy clerk's salary, \$4,350 health/life, city share Medicare \$131, PERS \$1,267. I'll be asking to waive the rule.

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

Roll call vote of 8 yes for suspension.

ORDINANCE NO. 99 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 100 2009 BY: FINANCE COMMITTEE

Authorizing the Administration of the City of Massillon, Ohio, to adopt a policy on the acceptance of gifts and gratuities, and declaring an emergency.

COUNCILMAN MANSON Yes, this request came from the safety service director Mr. Loudiana. Everybody should have gotten a copy last week of the policy. It's just Mike said that when he was here this is more less routine upgrading the policy and letting people know what the policy is. I don't think there's anything specific that triggered this.

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

Roll call vote of 8 yes for suspension.

ORDINANCE NO. 100 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 101 2009 BY: FINANCE COMMITTEE

Amending CHAPTER "AUDITOR" of the Codified Ordinances of the City of Massillon, by enacting new Subsection 1113.05 "PAYMENT OF DIRECT DEPOSIT", and declaring an emergency.

COUNCILMAN MANSON Yes, I'm prepared to ask to take this forward I know the auditor has talked about it quite a long time. She's discussed it with different people. If there's any questions we'll see if we can get them answered then see if there's enough support to move this tonight.

COUNCILMAN PETERS – I have a problem with moving it forward. I think it needs more discussion I'd like to see us discuss it at a work session because I have a lot of questions. I don't know you'd want to me to take up council's time tonight. I am against this and I'll openly tell

you that. I've told the auditor that. So I just have a lot of questions and I think we owe it to the people that we're telling that have to have this done. I think we owe them better explanations and I just don't see what the rush is.

COUNCILMAN MANSON Yes, I worked at a company about 18, 20 years ago we did this and it does cause some controversy but I do believe that its does help as far as the efficiency and there are plenty of ways for anybody to handle it. Gladly I will give this first reading and we can discuss it again Monday night and I do strongly support this.

ORDINANCE NO. 101 – 2009 WAS GIVEN FIRST READING.

RESOLUTION NO. 10 – 2009 BY: FINANCE COMMITTEE

Resolution approving and adopting an alternative method for apportioning the Stark County Undivided Local Government Fund for 2010 through 2019, authorizing the City of Massillon to execute said agreement, and declaring an emergency.

COUNCILMAN MANSON – Yes, we had Mr. Loudiana here last week discussing this. Mr. Loudiana represents the City of Massillon on this SCOG board. I attended a meeting myself last month and they discussed this formula. It's a very complex formula that they use its based on population and I'm not sure if the incomes or what all is factored into this. But this is what determines the funding that we get from the county through the state through the county for the next 10 years. I really don't see any reason for not moving this ahead. So I would be asking to waive the rules unless we have any questions that we can't answer.

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

Roll call vote of 8 yes for suspension.

RESOLUTION NO. 10 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

RESOLUTION NO. 11 – 2009 BY: FINANCE COMMITTEE

Resolution for the proposed budget for the fiscal year 2010.

COUNCILMAN MANSON – Yes, this is something that we really have to get done before August 20th. I would prefer if we take care of it tonight to give our auditor's department some time a little extra time to work on it. They were very busy down there right now in fielding a lot of questions the budget and so forth. This is not what the final budget of each department would be this is nothing more than the first request or the first budget that goes in. We have to send something to the county and we don't want it to be anything less than what we had last year I'm sure of that. We need this actually qualify for our inside millage. We have the mayor here if anybody would like to ask any questions about this. If we have any real strong opposition please let me know lets try to answer the question. Otherwise in the interest of helping the auditor's department get this thing going. Specifically the deputy auditor asked me today to try to get this through.

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

Roll call vote of 8 yes for suspension.

RESOLUTION NO. 11 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

A. REPOSITORY - \$335.78

COUNCILMAN MANSON I move that we pay the bill, seconded by Councilwoman Catazaro-Perry.

Roll call vote of 8 yes to pay the bill.

#### 10. REPORTS FROM CITY OFFICIALS

A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR JULY 2009. COPY FILE

B). AUDITOR SUBMITS MONTHLY REPORT FOR JULY 2009 COPY FILE

COUNCIL PRESIDENT GAMBER Alright, we need a motion to accept the auditor's report.

COUNCILMAN MANSON I move that we accept the auditor's report, seconded by Councilman Hersher.

Roll call vote of 8 yes to accept the auditor's report.

#### 11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT GAMBER Next committee work sessions will be Monday the 10th. Does anyone have any report any resolution, any request?

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

COUNCILMAN MANSON The only request is the one that I made of the mayor for the contracts and who all uses city cars and what how they restricted on the use I guess is what we would like to know.

COUNCIL PRESIDENT GAMBER Alright, are you asking him to provide that to you before then or to be here. What are you asking for?

COUNCILMAN MANSON I would like to have a just a letter explaining both of them. Copies of the any contracts that pertain to any of these department heads and copies of those and any letter that he can give explaining lets say the usage on the cars and anything like that.

#### 13. CALL OF THE CALENDAR

TABLED FROM JUNE 15, 2009

#### ORDINANCE NO. 78 – 2009 BY: PUBLIC UTILITIES COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Non-Surface Development Gas & Oil Lease with Ohio Valley Energy Systems, Corp., for three (3) parcels of real estate owned by the City of Massillon, and declaring an emergency.

COUNCIL PRESIDENT GAMBER We will now revisit Ordinance No. 78, Mr. Stergios have you had an opportunity to look at the new streets?

LAW DIRECTOR STERGIOS – Yes, I have and of course I can't work the copy machine because these are two sided and two different sizes of paper. But we do need to amend the ordinance to change the language in what you have which I wrote on this copy and then the attachment now incorporates 15.76 acres. Which is easier to look at the map than to tell you. But basically it was originally was 1.7 acres which was three parcels of land that the city owns. Now we're also giving them the right to the oil and gas underneath portions of Hills and Dales, Wales, Bird Avenue, Coventry, Lennox, Providence and Springhaven Circle and some other its easily seen as opposed to explaining the changes. I don't have any problem with it but I know some council member we can make a copy and look at it we can change it what you guys want to do.

COUNCIL PRESIDENT GAMBER Are you saying we need to amend the ordinance?

LAW DIRECTOR STERGIOS – Right, because the ordinance itself only references the three parcels and 1.840 acres. Well now its 15.76 acres and it's the three original parcels.

COUNCIL PRESIDENT GAMBER I guess my question is this is also to Mr. Mang if we would take say a 10 minute recess is this something that can be done in that 10 minutes.

LAW DIRECTOR STERGIOS – Oh absolutely.

COUNCIL PRESIDENT GAMBER Mr. Mang, would you want to do that or do it some other way?

COUNCILMAN MANG No, I prefer we have a 10 minute recess.

COUNCIL PRESIDENT GAMBER Alright.

#### 14. THIRD READING ORDINANCES AND RESOLUTIONS

##### ORDINANCE NO. 83 – 2009 BY: COMMUNITY DEVELOPMENT COMMITTEE

Amending CHAPTER 1113 “ADMINISTRATION AND ENFORCEMENT” of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 1113 “FEES” and enacting a new Section 1113 “FEES”.

COUNCILMAN MANG – Yes, as you know we've been over the course of the yeas we've been going through some of our fees that we charge. Again, the engineer has found some fees that we need to bring up to date. With that in mind I'd like to call the engineer up to the microphone, please? Yes, we've already received a copy of the proposed changes have questions Mr. Dylewski is here and he'd be happy to answer them.

COUNCILWOMAN CATAZARO-PERRY – Mr. Dylewski, could you explain have you see this document that Mr. Mang is passing out?

ENGINEER DYLEWSKI – Yes, I gave it to him I made it.

COUNCILWOMAN CATAZARO-PERRY – Could explain the document please and who exactly are paying these fees.

ENGINEER DYLEWSKI – That would be a developer say for a subdivision like the sheet shows it's a previous subdivision that we had in the city. We want to put an example together showing what they paid before under the current fee structure and what it would look like for the new proposed structure which is to the right of the sheet.

COUNCILWOMAN CATAZARO-PERRY – So these are for developers only?

ENGINEER DYLEWSKI –That's correct.

COUNCILWOMAN CATAZARO-PERRY – Thank you.

COUNCILMAN MANG moved to bring Ordinance No. 83 – 2009 forward for passage, seconded by Councilman McCune.

Roll call vote of 8 yes for suspension.

ORDINANCE NO. 83 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

#### . SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 88 – 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 – At the work session Aane Aaby explained the TIF portion that we're looking at. We also had David Meaks here who is putting this package together for us. We will be giving it its second reading. If there are questions on this ordinance or the next two it would be great if we had them at the work session so we can proceed with this.

ORDINANCE NO. 88 – 2009 WAS GIVEN SECOND READING.

ORDINANCE NO. 89 – 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 – Second reading.

ORDINANCE NO. 89 – 2009 WAS GIVEN SECOND READING.

ORDINANCE NO. 90 – 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 – Second reading.

ORDINANCE NO. 90 – 2009 WAS GIVEN SECOND READING.

ORDINANCE NO. 91 – 2009 BY ENVIRONMENTAL COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare specifications and to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the disposal of municipal solid waste for the City of Massillon, and declaring an emergency.

COUNCILMAN HERSHER – The contract for disposal of the city's solid waste needs to go out to bid and be renewed. Gave this first reading at the last meeting because I wanted to personally be at a work session where it was discussed. There were absolutely no questions or comments about this at the work session so I would like to pass it tonight so that we can get things ready to go out to bid for that contract.

COUNCILMAN HERSHER moved for suspension of the rules and passage, seconded by Councilman Slagle.

Roll call vote of 8 yes for suspension.

ORDINANCE NO. 91 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 93 – 2009 BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Marketplace Infrastructure Fund, for the year ending December 31, 2009, and declaring an emergency.

COUNCILMAN MANSON Yes, this would pertain to the fee that would be paid to Mr. David Meaks who's going to be the consultant on these three ordinances that we had on the TIFS that will coming up for third on August 3rd. I attempted to move this ahead last week I'd still like to see it move a little sooner than maybe than the ordinances themselves so we can get some help with the preparation on this. But we have the mayor here tonight he would like to discuss it and we have Mr. Aaby if there's any technical questions on this. I think he can do a pretty good job of answering anything and open it up to questions.

COUNCILMAN PETERS – Mr. Manson, I think and maybe Councilman Slagle can help me with this. But I think we reason we asked to wait on this is what's the sense in passing this before we actually decided to pass the other two ordinances. I don't think it's a matter of having any specific questions about that and I think that's what Councilman Slagle had asked at the last council meeting. I'm in agreement with him.

COUNCILMAN MANSON It's three ordinances? (Right) Okay, the mayor is asking to come up and discuss it.

COUNCIL PRESIDENT GAMBER Mayor?

MAYOR CICCHINELLI – More a point of information. When Mr. Meaks was here the question was asked and I'm not sure which council member asked it concerning the \$100,000 what that would go towards. In our discussions prior to presenting this to council the ordinances specifically requesting the TIF's as well as the contract for Mr. Meaks. We had discussed an opportunity to maybe do 5 or 6 of these. So when the question was asked I didn't respond but then the question was asked was this only going to be the three that are going to be covered under this contract. My recollection of those discussions would be more than those three. So what I did and I wanted to make sure that was the case correct how we remembered the discussions. I was correct Mr. Meaks has agreed to for the \$10,000 to not only do the three that you have before you now but will do three more whatever they might be for the \$10,000 fee. So it was correct so we're going to have 6 TIF requests before you for the \$10,000.

COUNCIL PRESIDENT GAMBER Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY – Mr. Mayor, do you have a contract with this gentleman?

MAYOR CICCHINELLI – We have a contract, yes, and as soon as we pass that we'll sign it. We don't have one right now because that's what this ordinance does.

COUNCILWOMAN CATAZARO-PERRY – I guess I would like to see it before we pass this.

MAYOR CICCHINELLI – Okay, no problem.

COUNCIL PRESIDENT GAMBER Mr. Manson, do you have a copy with your legislation request?

COUNCILMAN MANSON No, I don't.

MAYOR CICCHINELLI – You'll have it tomorrow.

COUNCILWOMAN CATAZARO-PERRY – Thank you.

COUNCIL PRESIDENT GAMBER Are there any other questions for the Mayor? Mr. Slagle?

COUNCILMAN SLAGLE – Do we have any idea what and I'm not questioning Mr. Meeks' \$10,000 but we have idea what it costs to prepare one of these under a typical environment where or not Mr. Meeks is in fact presenting a figure that is within the realm of what should be charged?

MAYOR CICCHINELLI – I think for professional services like this and seeing that there was a lot of effort and time took place to come up with these ordinances and as you well know and all of you know that is a pretty long ordinance with a lot of information. There were a lot of discussions held between the administration as well as Bricker and Eckler who is our bond counsel. So I'm sure Dave's major responsibility was to help prepare those ordinances which for professional services for 6 ordinances like this and all the time and effort it takes to come up with one of these ordinances. I think the monies well spent. So I mean professional services usually are in some cases expensive. In this case I don't really think its expensive I think it would be very difficult for anyone here to come up with an ordinance like that and write it. So that's why you hire out professional services sometime.

COUNCILMAN SLAGLE – I guess my only question is again is that competitive or is he the only one who does them?

MAYOR CICCHINELLI – Well, he is the one that has done these across the state and we wanted to find someone with the expertise and the experience and with that sometimes of course fees are related to it. So I feel its something that we had to do in order to accomplish what we wanted to accomplish. I mean he comes highly recommended there was a mayor specifically community that was willing to send a letter of support I mean he does work all across the state. So its not like this is something that he's experimenting with concerning Massillon he's done this elsewhere. So I think its well worth the expenditure.

COUNCIL PRESIDENT GAMBER Mr. Manson, may I ask a question? (Sure) Mr. Mayor, I noticed that the funds will come from the Marketplace Infrastructure fund will you explain that opposed to the general fund or any other pocket the city might have?

MAYOR CICCHINELLI – The Marketplace Infrastructure fund is are dollars if you look at your cash report I think there's \$450,000 in that account or that fund. Those dollars come from the one TIF that we have we have two TIFs one that pays us quite a bit of dollars would be the Massillon Marketplace TIF. That was done for primarily for infrastructure work around the plaza area on Erie and the bridge and all that other. Because the value and I think I mentioned this last week but because the value of that center has increased we have received more money. After this year there's probably going to be an excess of \$600,000 in that fund. So depending on decision will be made by the auditor's office we assume these other TIFs are passed and dollars start coming in all of those TIFs proceeds will be put in that fund. So we're going to have one fund now that's what we're talking about now. But that's more of an auditing call whether you separate it out is the question. But I think its really important in this discussion. I think all the dollars should be put in the fund for infrastructure so I think it's a good concept.

COUNCIL PRESIDENT GAMBER Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY – Now that you've said that Mr. Mayor, I just want to clarify because what I'm understanding about the TIFs is that the dollars that you generate from the TIF has to be utilized for the area that it is coming from.

MAYOR CICCHINELLI – That is part of the requirement however if you go 30 years out a lot of your infrastructure requests will have expired. If and this is a big if, if we issue bonds say on an infrastructure project and we have no plans to do that because we have no project in particular a specific project for any of these TIF related areas usually those bonds are for 20 years. Once those bonds expire the TIF is running 30 years. So there is a window of 10 additional years so yes, conceptually these dollars are to be spent in the general area where the TIFs are located. General area can mean a lot of different things. Are you saying we're going to use dollars generated in these TIFs are different parts of town? No, it would have to be within that general area of in the close proximity to the TIF areas. So but to say there are specific projects there really are not any specific projects other than what is mentioned in the ordinance.

We mentioned some that potentially could be created but right now there's nothing really on the drawing board. But...

COUNCILWOMAN CATAZARO-PERRY – So you're saying that the \$10,000 that you're going to take from the Marketplace Infrastructure fund is allowable for these three TIFs that are not close by that area?

MAYOR CICCHINELLI – Yes.

COUNCILWOMAN CATAZARO-PERRY – It is allowable.

MAYOR CICCHINELLI – It's legal, well sure it's a legal expenditure. It appears on your agenda which means it has been reviewed I mean by the legal department. So yes, its certainly a legal expenditure if that's what you're asking me.

COUNCILWOMAN CATAZARO-PERRY – That's what I'm asking.

MAYOR CICCHINELLI – Sure. Because it is in the general area anyhow all the three TIFs that we mentioned if you remember are in that general area. It's by the way there will be three other TIFs that will be hopefully presented to you this council with the \$10,000.

COUNCILWOMAN CATAZARO-PERRY – Could I ask Mrs. Ferrero to come up for a question please?

COUNCIL PRESIDENT GAMBER Can we finish with the Mayor first? Mr. Slagle?

COUNCILMAN SLAGLE I want to follow up your one comment Mr. Mayor. You had said that you also conferred with Bricker & Eickler over these? (Yes) So are additional fees with them then that are going to be charged the city for the development of the TIFs and if so what would those be?

MAYOR CICCHINELLI – There probably would be with conversations held with them yes, but I'm sure its not even going to approach these dollars. But when you do projects like this you need to make sure that there's an input from bond counsel. Bricker & Eickler tends to be one of the probably the firm in Ohio that is known pretty know for TIFs. So that's what and they do work for the city in other areas. So to answer your question yes, but I don't our discussions with them are limited we dealt strictly through David.

COUNCIL PRESIDENT GAMBER Are there any other questions for the Mayor? Thank you, Mr. Mayor. Mrs. Ferrero?

COUNCILWOMAN CATAZARO-PERRY – Mrs. Ferrero, how will we be setting up these dollars? Are you planning on I just think it might be easier to have separate accounts for these TIFs so that you can track what they're actually bringing in. I mean how what is your plan for that?

AUDITOR FERRERO – Well, everything will come out of that infrastructure that account and that's already an established account that's already in the line item. All we'd have to do is go back and take a look at that line item and we would know exactly what TIF that went to.

COUNCILWOMAN CATAZARO-PERRY – But on the new TIFs?

AUDITOR FERRERO – On the new TIFs, yeah. Each TIF...

COUNCILWOMAN CATAZARO-PERRY – And so it would stay in the same account?

AUDITOR FERRERO – Yes.

COUNCILWOMAN CATAZARO-PERRY – And you could just break it down and have like individual accounts within the account.

AUDITOR FERRERO – All we do is we go back and we would look at that line item and see exactly what TIF that was referenced to. We do that with what he does right now. Any other questions?

COUNCIL PRESIDENT GAMBER Thank you, Mrs. Ferrero? Are there any other questions? Mr. McCune?

COUNCILMAN MCCUNE I don't have a question more of a statement. I thought that the presentation that Mr. Meeks put on was very well constructed and made. I think that these TIFs represent quite a bit of revenue stream for the city. We basically already had Mr. Meeks perform quite a bit of work for us on these TIFs. I believe that I think it was mentioned \$2,000,000.00 was one of the possible increases in revenue from the one site. If I'm correct in my recollection so I really believe that \$10,000 that this contract represents is minuscule when you look at the overall scheme of things and that we should probably move forward with this so that we can look at these three additional TIFs that may come about.

COUNCILMAN PETERS Not that I disagree with you, Mr. McCune. But Mr. Meeks put a lot of time and effort into it he's doing it for a reason. He's doing it to make money he's a salesman this is what he's supposed to do. So I don't have any binding obligation to this gentleman to pass an ordinance just because he put on a good presentation. I still say we should wait until all questions are answered and everybody feels comfortable voting on the TIFs. That's all I'll say.

COUNCILMAN TOWNSEND I have a question. If we pass this ordinance and the other three do not pass are we obligated to pay Mr. Meeks the \$10,000?

COUNCIL PRESIDENT GAMBER May...I'll call Mr. Aaby up for that.

COMMUNITY DEVELOPMENT DIRECTOR AABY – The way Mr. Meeks' proposal is he would be paid a retainer upfront of \$2,250 and then once all the TIFs were approved all the documents filed and they were put into effect he would earn the balance of the money. So it's like less than 25% upfront and the balance when everything else is completed. So if we would get to a point where say council would not pass these and they would not go forward we would still owe him \$2,250 for the work that he had done to date. But if they're passed and they go forward he would not earn the balance of his money until all the six TIFs had gone through were completed, filed, the forms filed, certified by the State Department of Taxation and they were in effect. So he would not get his payment all at once.

COUNCILMAN TOWNSEND I have one more question. If my memory serves me well we were looking at three so we're talking about additional three TIFs and if so what are they?

COMMUNITY DEVELOPMENT DIRECTOR AABY – Well, they would be when we had originally met with Mr. Meeks the idea was that he would work with us on a variety of these. We did three initially but the idea was that his contract would cover more than those three and when the mayor spoke of them last he said for three additional which would be projects that may be pending shortly that would be a total of six. This contract would cover those ones you'd think after that time we would know what the format of the ordinance was we could probably do them ourselves.

COUNCILMAN TOWNSEND And like a buy three and get three free?

COMMUNITY DEVELOPMENT DIRECTOR AABY – Yeah, something like that.

COUNCIL PRESIDENT GAMBER Are there any other questions for Mr. Aaby? Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY – Mr. Aane Aaby, how can we already promised \$2,250 when we haven't approved the contract yet and the ordinance?

COMMUNITY DEVELOPMENT DIRECTOR AABY – Well, we've been having him do work and so he's submitted us a bill for that. So I would assume that in the off chance that this would

not happen he would still submit us a bill for the work that he had done. That's all I'm saying. I mean just like working with anybody if we call you know they do some work for us they'll get a bill we'll pay it we don't necessarily have to have a contract arrangement for a consultation. So...

COUNCILWOMAN CATAZARO-PERRY – Well, but council wasn't even aware of that you were working on it until just a couple of weeks ago.

COMMUNITY DEVELOPMENT DIRECTOR AABY – Yeah, that's about the time we've been working on it, yes. But I think the question was if you know how would he be paid and what would happen if you know if the TIF ordinances would not pass would we still owe him money. He has submitted us an invoice for his retainer. You know once we sign that contract you know we would owe him that money. Say if we didn't sign that contract we would still owe him the money I mean that's somebody else's question. So....

COUNCIL PRESIDENT GAMBER Mr. Slagle?

COUNCILMAN SLAGLE – Until we see the contract we don't know what he's charging us in terms of how much it's going to be. I mean in my profession you give a contract you may charge a retainer but you tell them what that's for, what's it cover and how much it is either per hour or if it's a flat fee it would be for the flat fee and they don't expect any further I think we should know its exactly what he's charging us for and what we're getting for that in terms of an hour rate that's all.

COMMUNITY DEVELOPMENT DIRECTOR AABY – We have his agreement for services here it's really a page it's little over a page. But I suppose we can have the Clerk make copies of that. It's an assigned it says a request for the services that he would provide under that contract.

MAYOR CICCHINELLI – My take on this is a little different but in defense of Aane we really did not think that there would be this much controversy when we have come up with a plan that will increase revenue for the city for future capital improvements. I think if you remember correctly folks I have said previous to the two weeks ago that we were going to present to council various TIF proposals which was along with the other revenue producing concepts that we are coming up with. I think that was mentioned in June. That all being said I'm of the belief that the contract that was presented if council votes that contract down we don't have a contract. He can invoice us, he can bill us all he wants but if we don't have if you don't appropriate \$10,000 we don't have a contract we don't sign a contract. That's just the way it's going to be. Now that's more of a legal question and a legal issue that Mr. Stergios may have to answer if there's a moral obligation because of the work that he has completed and he has done. But I mean folks we're talking about proposals that will certainly bring millions of dollars into the city coffers for future infrastructure and capital projects. Mr. Townsend mentioned or asked the question specifically what other ones we've talked about a multitude of ones like Mr. Aaby mentioned. The ones that we are going to proposed next and be included in this contract for the six total would be Case Farms, there's a parcel on Route 21 South that was purchased by the Massillon Area Credit Union. They purchased about seven acres and that's going to be some retail office there and Shearers. So the next three will be Case Farms which is near completion, Shearers which is under construction as we speak and a small seven acre tract on Route 21 at Warmington. So those are the three additional ones.

COUNCIL PRESIDENT GAMBER Thank you. Mr. Peters?

COUNCILMAN PETERS – Yeah, Mr. Mayor, you can stand there and don't take offense to this but you know the game has changed a little bit as far as I'm concerned. Council as least in my view are going to ask these questions a little bit more going forward than what we have in the past because a lot of this stuff frankly is coming back to bite us for quick decisions that have been made in the past. So I mean where you said and no offense you didn't think there would be a problem. Well, maybe you didn't think there would be a problem but council is going to ask these questions and we're going to ask to see these contracts going forward. Because I'm going to insist on it and the days of just rushing this through and housekeeping as long as I'm on city council is going to stop. That's all I want to say.

MAYOR CICCHINELLI – Well, I mean if that's the impression I left you I didn't say that in the past and that was probably a miss knower. Previous councils looked at contracts that were signed, previous councils studied contracts that were signed. So I mean to say that this is something new this isn't anything new well but the rules haven't changed Mr. Peters. I think a legislator should review all ordinances including attached contracts that are submitted to you for review. No one is saying that anyone's trying to hide any information so. I didn't mean it maybe the way it came out what I said was I find that its rather interesting that we're talking about a program that will get us millions of dollars through the years for infrastructure and there seems to be issues. The only way you can do this and we feel confident of Mr. Meeks is we needed to consult with someone that has that expertise. I think that's what you want us to do but we don't want you to just approve things that we submit to you and all information is discussed thoroughly Mr. Peters, at work sessions, at council meetings. So I think that information is gladly given to you by the administration. So I'm glad to see more input from council on these things.

COUNCILMAN PETERS – Well, the light that came on was you know and I'm sure I'm not maybe I'm speaking out of term for other council members. But I know them and I took it the same way that he's already going to bill us for \$2,500. I know these and myself I personally thought how's he going to bill us for something that city council has never approved.

MAYOR CICCHINELLI – I agree

COUNCILMAN PETERS – You know I mean I stood up in my seat when I heard that. Okay and I'm sure I'm not the only council member that did that. So what I'm saying is I think we should wait. That's what I've said from the start without going through all this. I don't see the emergency in this it might be important to pass it and not wait around but I don't see where its an emergency that has to be passed tonight.

COUNCILMAN MANSON – Yes, I guess we'd like to have the contracts before next Monday.

MAYOR CICCHINELLI – You'll have the contract tomorrow.

COUNCILMAN MANSON – We do have a problem we are experiencing some problems with email. So I'm going to request any council people that do not get it in an email contact our council clerk by Friday and make sure there's a hard copy in your mailboxes here that you can pick up that you can get a hold of. I'm going to give it second reading.

ORDINANCE NO. 93 – 2009 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT GAMBER Mr. Aaby, the document that you reference is that the contract or was that his proposal? (His proposal) Thank you.

## 16. NEW AND MISCELLANEOUS BUSINESS

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

JOHN RELFORD – I live at 35 Maple Avenue SE, here in Massillon. I have two things I'd like to speak on if I'm allowed to. One thing is on this direct deposit thing we received a letter from the auditor and this would probably be the third letter that I received...

COUNCIL PRESIDENT GAMBER Mr. Relford, you're obviously a city employee?

JOHN RELFORD – Yes.

COUNCIL PRESIDENT GAMBER Okay.

JOHN RELFORD – I work for the parks and rec. under the feeding program. Okay, can I read this letter? (You have the floor) Okay, its states: to city employee from Auditor Jayne Ferrero, subject: direct deposit. You have received two previous notices regarding mandatory direct deposit and I am reminding you for a third time that this needs to be done by September the 1st.

We are looking for every way possible to cut costs in the city and this is a cost savings that we all need to comply with. I am enclosing another copy of the direct deposit sheet and would appreciate you returning the completed form to my office ASAP. If you should have any questions please feel free to call me at 330-830-1706. I thank you in advance for your attention in this matter. Okay, let me just say this hey my job I just lost my job. So her telling us that to have this by September 1st ain't going to do no good. See our program was discontinued that's the feeding program under the parks and rec. but on this type of a matter now I believe we do live in the United States and people are given choices. See you can't tell me that I have to do something and its mandatory of doing this without even explaining anything to me. I mean you can't tell someone that they need to do this and you don't even ask them well you know why are you doing this or anything else. You can't just say well this is mandatory you know we do have choices. That's all through life in anything you are given the chances of having choices. Well a person can't speak for you she can't decide for me how I want my money managed. Then as far as that it ain't none of you all's business why I deposit my money at if I so chose to do this. That's my rights but you know hey this is the little petty stuff right here. What you people are doing you know and she's saying that you know its going to cut costs how's it going to cut costs when you turn around you know and you send someone a duplicate check but you have void on it now you're using paper in that and ink in that all over again. It don't make no sense. But the main thing is that hey people have choices if anything you know hey you should have sent the letter out asked these people okay, are you interested in doing this or do you have another way that you might like to have this done. You know before keep sending letters to peoples keep sending to people and then you tell that its mandatory but the sad part about it is you're telling us that its mandatory but you all people ain't even voted on it. You haven't even brought it before legislation you ain't even voted on it. Now how are you going to tell somebody that its something that's mandatory and these people ain't even voted on it. I don't understand that.

COUNCIL PRESIDENT GAMBER Alright and you're second point?

JOHN RELFORD – Okay, my second point. Getting into the feeding program, okay, a couple of weeks ago we were notified that you know the parks and rec. was no longer going to be having the feeding program. I'm here tonight not to try to hey you know save a job or anything like that. I'm here to speak for these kids because I know how important this program is. But see the bottom line like anything else just like what's going on in this town you know and everything else. You have mismanagement of things being done simple as that. See if you are you know allotted a certain amount of money and you know that its coming from the federal government and its funded by the federal government. You can't take that money and throw it in one pot and use that money man to where this money was allotted to this program for the operation of this program. You can't take that money and I'm going to address this to you Mr. Townsend since you are the president of the parks and rec. I know there's a lot of things that not only you don't know what's going on and that and just like this feeding program whether you guys want to hear it or believe it or not its touching every child in this town. You know the way this country is in right now this feeding program is you know to help feed these kids and that. Its very important right now is not the time to cut this program out. Its not it might not mean whole lot to some of you all but it means a lot to me. Because hey when you have kids come up to you crying and thanking you for you know hey they receiving a meal because there's a lot of them you know this is their meal until the next day. Every year these kids give me a card you know thanking you know for what we have done. There's only four people in this department, two cooks, myself and the coordinator. Now you can't tell me that you know with these four people that you know hey its hurting you know as far as the money and stuff like that, that your losing money. Because see when we were called into this meeting that we were told that its not you know furnished. I guess it wouldn't be if you've done mismanaged the money and did as is as I want you know. If you allotted \$10,000 and it was explained to the coordinator and also one of the cooks that you know hey we should have had a separate account from all the other things that was in with the parks and rec. you know. That money should not have been thrown in one pot you know in their general fund to be used and it was used but it was used on other things. See you can't operate like that.

COUNCIL PRESIDENT GAMBER Alright, we appreciate your comments. I'll let you finish if you're not finished.

JOHN RELFORD – But I will be. But I had to say this because its been bothering me all day.

See I'm out here you know going to these schools and the different things and that and seeing you know the expressions on these kids. Man, we're hurting, man. Now this is the second the time I've done lost a job. When I got this job I had 33 years in a rubber factory I lost everything. I had to start all over again this job here is part time man. You know I lose this job I ain't old enough to retire but I ain't going to let it get me done because hey I'm going to be out there looking for me a job. Because hey I got a few more years before I even be 62 you know but you can't keep having this done to you man you get frustrated. But all I'm asking for from the council and that's all of you man you all need to get you know the facts and why this program was shut down. Frank, one year you had your picture in the paper and you were speaking on how great a program this was now just think about this and then I'll be done you all. You know excuse me, but I have to talk because this is the only time that we can talk because it seems that you know one of the problems is with the lack of communication with people. See the head person can't claim to know everything he has to go through his people some times and ask you know some suggestions and things like that. I know I'm getting off you know different ways and things like that but its hard to try you know explain everything what went wrong with this program to you all you know right now. But you're going to hear more from me at the next meeting for the board and that. But I just you know you guys to think about that because this is a needed program. I was telling my wife I ain't never in my life I've been in Massillon born and raised here I've been in Massillon almost my entire life except for about four years when I left here to go to school in Dayton came back here. I ain't never in my life seen people sleeping on the streets in the City of Massillon this is happening you all. It ain't just old folks its young folks there's a young man who sleeps down there by that hotel every day young man. When you see things like that man hey it hurts you and just like you know the cutting out of this program for these kids and that it hurts me. Yeah, there was an article in the paper saying that the school was going to take this over and all this stuff but you know the shape what our school district is in. They're screwed up just like this town is screwed up man. Because no one seems to want to listen see you all represent your constituents but you also represent these kids. I'm going to say this and then I'm done Mr. Mayor, couple weeks ago you made a statement that its immoral you know to not have safety for the taxpayers and that in this town it is immoral for you all to let these kids go around here who need help from this program that to go hungry. That's all I've got to say.

COUNCIL PRESIDENT GAMBER Thank you. Mr. Townsend and Mr. Mayor, either one of you liked to respond or if you choose not to that's fine too.

COUNCILMAN TOWNSEND – I have a question for the mayor pertaining to this program. Just a real quick question how is this program funded? How is this program funded?

MAYOR CICCHINELLI – It has been through the years funded in a variety of ways. In the past CDBG monies were used where we've had other entities run a feeding program. Presently the monies are coming from parks and rec.

COUNCILMAN TOWNSEND – So is there the possibility we could refund this program through community block grant dollars?

MAYOR CICCHINELLI – Every thing is possible, yes. One of the things that I wish would have happened and it was part of the cut backs is what Mr. Relford was talking about. If he had issues like that I would have appreciated him calling you know decisions these are proposed cuts. Mr. Kaminski and I really had a lot of reservations in doing this or at least proposing it. I think that the same courtesy should have been afforded to us you know once that you were called in, John. There's always a way to help restore programs but you also have to understand folks that we have to meet our budget. We have to look at ways that to cut. So like anything else you have so many dollars to go around if this program is restored then something else has to go. These are proposals I wish we have been able to respond appropriately instead of the way it was handled. But I mean its democracy and that's why we all love it.

COUNCIL PRESIDENT GAMBER I'll call Mr. Slagle in just a moment. But Mr. Townsend the CDBG budget is always in council's hand the process starts January, February and its wrapped up by the beginning of May. So council can do anything it wants with that budget and Mr. Aaby can correct me many of the programs for CDBG are meant to be long term capital

improvement bricks and mortar types of things. I believe the budget is restricted to about 15% for programming which is what this would be considered. So out of the entire budget there's just a small amount that actually goes for these types of programs. But it is in council's hands if you want to put it back in CDBG. Mr. Slagle, you had a question.

COUNCILMAN SLAGLE – Well, it was stated that the funds that came for this program were in fact federal funds. Is that correct?

MAYOR CICCHINELLI – In some cases. This program has gone through a lot of changes through the years Mr. Slagle. I mean we've had other organizations Boys and Girls Club that they were involved. There are other programs that get into this. I think Mr. Relford did mention that the schools are going to sort of try to pick up the slack here. So I mean I the proposal which came from Mr. Kaminski included this cut. No final decisions have been there you know into the future if other dollars can be found we'll be more than happy to restore it. So I think that's a little quick to judgment.

COUNCILMAN SLAGLE – Well, that didn't answer the question, though. Were there federal funds that came in for this program?

MAYOR CICCHINELLI – I don't think this year but don't hold me to that. In the past there were federal dollars but they came from a variety of sources. Right now its primarily parks and rec. But it has changed through the years and that's why its really hard to say. Maybe it should be discussed at a work session and we'll have Mr. Kaminski here and he can explain the whole I mean the whole metamorphous from the time the feeding program started different sources of revenue that existed to pay for it. I mean its like anything else we have operated the program so that shows our sincere effort to try to maintain the program but that was one list that was on the list of potential cuts. Believe me it was a lot of anxious moments when it was being discussed because we didn't really want to do it.

COUNCIL PRESIDENT GAMBER Mr. Mayor, what I gather you are saying this will be presented in the budget that council will get for next year. Is that what you're saying?

MAYOR CICCHINELLI – Well, no what I'm telling you is that it was part of the 20% it can always be restored if dollars come in that weren't expected you can always you know restart the program.

COUNCIL PRESIDENT GAMBER Mrs. Catazaro-Perry, did you have your hand up?

COUNCILWOMAN CATAZARO-PERRY – I do have a question. Did the children get fed during the summer? So has it been suspended already?

MAYOR CICCHINELLI – I think I don't that's been the case you know summer is pretty much almost over. I don't know the conversation that the staff had with Mr. Kaminski so I mean I was not there. Let me talk to him tomorrow I will report back to council.

COUNCIL PRESIDENT GAMBER Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY – This is a huge concern for me because we're paying overtime to department heads and kids are not getting fed. This is a huge concern so this needs to be a top priority at our work session on Monday.

MAYOR CICCHINELLI – I agree.

COUNCIL PRESIDENT GAMBER Are there any other questions for the mayor? Thank you. Mr. Relford, I'd like to bring you back up but can I suggest that you answer questions rather than ask them of individuals.

JOHN RELFORD – But you see I had respond some of the things that's been said. Okay, first of all, first of all this program was also funded through the state and that because the city was being reimbursed or you know how it was happening. But as far as the mayor saying "your

meeting with Mr. Kaminski” I’m going to tell you all now I don’t know how long this gentleman has been here I have never met Mr. Kaminski. Mr. Kaminski has never come to us at any time to introduce himself now how can you work for someone and you don’t even have the common courtesy to come to the people introduce yourself you know who works for you. We didn’t meet with Mr. Kaminski we met with Mr. Martin and it was you know one day one time this is it and that’s that. But you as council people there’s a lot of questions that you people need to asking because see this town you’ve got people taking out petitions wanting to sue the city and stuff like that. Now you all better open up your eyes up because things that went down through this program and that the city is going be obligated to it. Somebody’s going to get into trouble behind this because its already been told to us...

COUNCIL PRESIDENT GAMBER Lets not get into rumors or anything...

JOHN RELFORD – This ain’t no rumor man. I’m telling you what was told to us because the coordinator and one of the cooks went to a meeting down at the state. Now those \$10,000 that was allotted to this program that they were told that the city has to pay this money back or the parks and rec. has to pay this money back. This is why I wanted the reasons why this program is being shut down. This ain’t no rumor now because everything ain’t came out. I know all of you all ain’t aware but see people do talk.

COUNCIL PRESIDENT GAMBER If I could make suggestion. Your correct Mr. Townsend is chairman of the parks and rec. committee. The two of you can get together at our next work session next Monday.

JOHN RELFORD – If Mr. Townsend return my call.

COUNCIL PRESIDENT GAMBER Mr. Mayor?

MAYOR CICCHINELLI – If and if I hear you clearly Mr. Relford you’re accusing someone of misusing misappropriation of funds. (Yes, I am) Okay, that’s the type of accusation that you should follow through the proper procedure. If you’re accusing a city employee of that then you should have contacted me.

JOHN RELFORD – Did you hear me...

COUNCIL PRESIDENT GAMBER Mr. Relford and Mr. Mayor...

MAYOR CICCHINELLI – Well I don’t know but you’re certainly throwing names around...

JOHN RELFORD – I said there was mismanagement of funds being used. I didn’t say...

COUNCIL PRESIDENT GAMBER Mr. Relford, you’ve had your opportunity to speak. Mr. Mayor, do you have a wrap up comment?

MAYOR CICCHINELLI – If there were any accusations I want that accusation to be put in writing because I do not believe that. But with that kind of strong language Mr. President, you know I we take responsible for that and we will look into that.

COUNCIL PRESIDENT GAMBER Lets my caution against saying anything you know that...

MAYOR CICCHINELLI – Well, but it doesn’t sound like its city employees. I don’t know what he’s talking about but we will look into it tomorrow.

COUNCIL PRESIDENT GAMBER Alright and check with Mr. Townsend before you leave this evening and the two of you can work out a plan for next week. Now that council is aware of it thank you for bringing this to our attention and it will be looked at. Alright, is there anyone else in the audience who would like to speak?

BONNIE FOSTER – From Ohio Valley Energy. I just wanted to make a couple of comments. The change in that lease it was stated that we were going to be given an extra an additional 15

acres, 15 plus acres. We're not asking for anything to be given to us this is a non-surface development oil and gas lease. So the City of Massillon will always own your minerals they're not being given to us it's a lease. So at that point in time you received you generate revenue off of your 15 plus acres in that 40 acre unit. So you're always going to have money coming in on a monthly basis for that 15 acres. So it increased from 1.84 to the 15 plus meaning you're going to have more money coming in on a monthly basis. You're getting paid on 15 plus acres instead of 1 something. We're not just asking to be given that its you're going to be paid for those. I just wanted to make that comment and clear that up. It also increase spud fee I don't remember the original was I think it was 1800 for the 1.8 acres and then I believe it jumped up to 7000 something. So those monies are coming into the city generated from this lease. Thank you.

COUNCIL PRESIDENT GAMBER Alright, we're back to Mr. Mang as far as a short recess to get our paperwork in order.

COUNCILMAN MANG I'd like to move for a 10 minutes recess.

COUNCIL PRESIDENT GAMBER We're now back in session for the purpose of considering Ordinance No. 78 – 2009. Mr. Mang?

COUNCILMAN MANG I'll move to Kathy Catazaro-Perry who's also a member of this committee and for her thoughts.

COUNCILWOMAN CATAZARO-PERRY – Ron and I have talked at the ten minute break and we both think that we need a little more discussion on at the work session and we would like to table the ordinance until the 17th of August, 2009.

COUNCILMAN MANG So I move that we table this legislation until August the 17th, seconded by Councilwoman Catazaro-Perry.

ORDINANCE NO. 78 – 2009 WAS TABLED UNTIL AUGUST 17, 2009 BY A ROLL CALL VOTE OF 8 YES.

18. ADJOURNMENT

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

\_\_\_\_\_  
MARY BETH BAILEY, CLERK,

\_\_\_\_\_  
GLENN E. GAMBER, PRESIDENT

