

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD, MONDAY, JANUARY 4, 2010**

COUNCIL PRESIDENT GAMBER I d like to welcome all of you to Massillon City Council for Monday, January 4, 2010. We have in attendance with us this evening: Mayor Cicchinelli, Safety Service Director Loudiana, Auditor Ferrero, Community Development Director Aaby, Law Director Stergios and Police Chief Williams. 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.

**A. APPOINTMENT OF COUNCIL CLERK**

**RESOLUTION NO. 1 2010 BY: COMMITTEE OF THE WHOLE**

Appointing Mary Beth Bailey as Clerk of Massillon City Council and establishing salary for said position.

COUNCILMAN MANG I'd like to deal with the first issue and that's being the rehiring and keeping of Mary Beth Bailey. Most of you know and I think all of you know Mary Beth has done an exceptional job for us and is always willing to help anyone, anything that they might need or want. So I'm proposing that we reappoint Mary Beth Bailey to the position of Council Clerk in City of Massillon Council, seconded by Councilman McCune.

COUNCILWOMAN CATAZARO-PERRY – It also says on here that we're going to be establishing a salary and I don't have a Resolution No. 1 in my packet. So I'm not sure what that number would be.

COUNCIL PRESIDENT GAMBER At this point we have no budget there is no number attached to this particular ordinance other than the annual salary she'll be classified as 12S unclassified. There's a range of numbers that can be plugged into that. But the category does indicate where she is in the classification status.

COUNCILWOMAN CATAZARO-PERRY – So should we strike establishing a salary since we don't have the budget passed and it's not listed tonight?

COUNCIL PRESIDENT GAMBER I don't think we need to. Section 2 shows where she is in the category in our classification of city employees as a 12S unclassified that's a very specific spot for her and whatever number council finally arrives at will be in there somewhere. If not we can amend it or if you want you know we can ask the finance chairman what his pleasure would be.

COUNCILWOMAN CATAZARO-PERRY – Maybe we should ask Mr. Manson what he would recommend.

COUNCILMAN MANSON – I think we ought to just go along with what the president said I don't see where it's a problem. That's just how I feel.

COUNCILWOMAN CATAZARO-PERRY – Well it's a concern because in the temporary budget that was proposed for tonight its one salary and in the permanent budget it's a different salary. That's all why I'm asking is there is a discrepancy and I think we should if we're going to have that in the resolution we should probably have the actual salary so that its accurate.

COUNCIL PRESIDENT GAMBER I'm entirely happy with it as it's written as 12S, but you all can do as you choose with it.

COUNCILMAN MANSON – She's been a 12S for as long as I have been here. I don't see I'm sorry I don't see it as a problem.

COUNCILMAN MANG The classification of a 12S distinguishes what her pay scale is and that's something that this body can't change at this point. That is her position as Council Clerk is a 12S so the salary that goes with that is the salary that's drawn up by the body but as Glenn said we can not put that on there and we don't have to. Because whatever salary is established which is established will be the salary that she gets paid. I believe we should bring this forth for question of vote immediately.

COUNCIL PRESIDENT GAMBER We have a second since this is strictly the appointing of a clerk we don't need to suspend the rules. Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY – We, that's fine but I still don't have the resolution in front of me I just have the written copy. Thank you, Perry.

Roll call vote of 9 yes for passage.

RESOLUTION NO. 1 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

At this time Mary Beth Bailey took her oath of office as Massillon City Council Clerk.

#### B. NOMINATION AND ELECTION OF PRESIDENT PRO-TEM OF COUNCIL.

COUNCIL PRESIDENT GAMBER Item 2 is the nomination and election of President Pro-Tem. What I will do is ask for nominations and second from the floor if there is more than one candidate we will take a secret ballot at this point I will open the floor for nominations.

COUNCILMAN ANDERSON I nominate Ron Mang, seconded by Councilman McCune.

Roll call vote of 9 yes for the election of Ron Mang as President Pro-Tem.

#### C. ADOPTION OF COUNCIL COMMITTEE ASSIGNMENTS

COUNCIL PRESIDENT GAMBER Alright then the final item then of course is the committee assignments you each have a sheet in front of you at the bottom corner its marked 1/4/10. These are the same committees that we ended the year with I saw no reason to make any changes. Once again I'll turn this over to Mr. Mang and you may discuss it and make any changes you chose.

COUNCILMAN MANG All members of council have the line up I believe everybody was passed out a copy. Is there any objections to this list that we have? Any objections? See none Mr. President I move that we precede with the names of the committee and the committee chairman as presented. Seconded by Councilman Manson.

Roll call vote of 9 yes for the adoption of the council committee assignments.

## 2. INVOCATION

COUNCILMAN MANSON Gave the invocation for tonight.

## 3. PLEDGE OF ALLEGIANCE

COUNCILMAN MANSON – Chairman of the Finance 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 (Not quite)

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

COUNCILMAN MANG Mr. President, I believe Mark Smith is here.

MARK SMITH – 706 Bebb Avenue SW.

COUNCILMAN MANG There is a piece of legislation on tonight's agenda that the mayor is going to be giving you some money I think council would like to know what that is for.

MARK SMITH – We're in the process we want to open a store over at 109 North Erie Street. What the store is I officiate in 5 sports, high school and college sports and it's an official store, referee store, the attire that they wear. It won't be all that it will also be we do things with the team's different baseball teams, different a lot of the youth groups in the area. It would be start up money for this business.

COUNCILMAN MANG Any members of council have question for Mark. If not we'll have a piece of legislation and at that point I'll probably ask the mayor to come up. Thank you, Mark.

## 6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

### ORDINANCE NO. 1 2010 BY: ENVIRONMENTAL COMMITTEE

Authorizing and directing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into the Composting Grant Agreement with the Stark-Tuscarawas-Wayne Joint Solid Waste Management District, and declaring an emergency.

COUNCILMAN HERSHER This is an annual grant agreement with the Stark-Tusc-Wayne Joint Solid Waste Management District. This particular agreement is at \$25.00 per ton of composting material. We talked about it at the work session as I indicated the agreement has to be signed it's my understanding before the 6th of January. So I did indicate at the work session that I would like to pass this and Ordinance No. 2 and all questions from the work session were answered on Monday and I have not heard of any questions or concerns since then.

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

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

### ORDINANCE NO. 1 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

### ORDINANCE NO. 2 2010 BY: ENVIRONMENTAL COMMITTEE

Authorizing and directing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into the Recycling Program Grant Agreement with the Stark-Tuscarawas-Wayne Joint Solid Waste Management District, and declaring an emergency.

COUNCILMAN HERSHER Again, this ordinance is an annual agreement with the Stark-Tusc-Wayne Joint Solid Waste Management District. This time covering recyclable material at the rate of \$25.00 per ton. Again it does need to be signed it's my understanding before the 6th so as I indicated at the work session I would like to pass this, this evening. If there are questions you know since Monday we'll get them answered.

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

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

ORDINANCE NO. 2 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ORDINANCE NO. 3 2010 BY: FINANCE COMMITTEE

Amending Ordinance No. 101 – 1975 by repealing Section 8, paragraphs (f)(1) and (f)(6) and enacting new Section 8, paragraph (f)(1) and (f)(6), and declaring an emergency.

COUNCILMAN MANSON Yes, we had quite a bit of discussion about this the other night. We have the safety service director here he made the explanation if there are any questions we'll bring him up to answer them. He can clear it up for us otherwise it's my intention to waive the rule.

COUNCILMAN SLAGLE Yeah, I've got a couple of concerns about this. They finally got we've got the pull in an ordinance and apparently it bootstraps in an earlier ordinance which is Ordinance No. 55 – 1974. I don't know I'd prefer if we had further time to discuss this frankly. I mean we can talk about it today but we just got the piece of legislation the ordinance itself handed out at the last work session. I don't think had the companion piece of legislation at the time. Although I don't know.

COUNCILMAN MANSON We can give it first reading.

COUNCIL PRESIDENT GAMBER Is that what you're doing Mr. Manson?

COUNCILMAN MANSON Well, I'm just trying to answer the questions here.

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

COUNCILWOMAN CATAZARO-PERRY At the work session at the committee meeting we requested that they take out the Etna Life which our safety service director did but in the old legislation it says \$5,000.00 in life insurance and this one new legislation says \$10,000. That's new tonight.

COUNCIL PRESIDENT GAMBER Are there any other comments? Mr. Manson?

COUNCILMAN MANSON First reading.

ORDINANCE NO. 3 – 2010 WAS GIVEN FIRST READING.

ORDINANCE NO. 4 2010 BY: FINANCE COMMITTEE

Adopting temporary appropriations from the operating and capital expenditures of the City of Massillon, Ohio, for fiscal year 2010, and declaring an emergency.

COUNCILMAN MANSON Yes, we have two ordinances on here about the budget. I was wondering it would be okay if we would go to the one that's up for second reading which is the permanent budget first clear that up. Then we'll know one way or the other whether we will need this.

COUNCIL PRESIDENT GAMBER You're talking Ordinance No. 164?

COUNCILMAN MANSON Yes.

COUNCIL PRESIDENT GAMBER Which is up for second reading tonight. Is there any objection to moving Ordinance No. 164 forward? There is not. Madame Clerk, would you please read the title to Ordinance No. 164?

ORDINANCE NO. 164 2009 BY: FINANCE COMMITTEE

Appropriating money for the current expenses and other expenses of the City of Massillon, Ohio, for the fiscal period ending December 31, 2010, and declaring an emergency.

COUNCILMAN MANSON Yes, as I stated in the meeting before myself I'm not ready to vote in favor of this but if the people want to bring this forward to attempt to waive the rule and vote on it I will make that motion. But I'm still going to vote the way I said I intend to vote.

COUNCIL PRESIDENT GAMBER Any discussion, comments? Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY Well, I didn't speak too much in our hour before our council meeting tonight because I was playing with a lot of numbers. I do not believe I've heard everybody's comments about well a budget's just a budget and its numbers. But I don't believe this annual budget Ordinance No. 164 is realistic. The 15% in police and fire is not obtainable in my opinion, the decrease that we've instituted there are services and contracts where it should be \$20,000 and its \$2,000. That's not realistic because we know we're contractually obligated to pay those and so I agree with Mr. Manson I do not think this is a workable ordinance to pass this evening. So I'm going to be voting on this tonight.

COUNCIL PRESIDENT GAMBER Another questions, comments? Mr. Manson?

COUNCILMAN MANSON Is there anybody who wants to bring it forward?

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

The rules were not suspended by a roll call vote of 7 no, 2 yes. McCune and Peters voted yes.

ORDINANCE NO. 164 – 2009 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT GAMBER Now we will go back to Ordinance No. 4 – 2010, the clerk has already read the title. Mr. Manson, this is the ordinance for a temporary budget you have the floor.

COUNCILMAN MANSON Yes, we have to this would be emergency action. We have to do the same thing waive the rules to bring this forward that's what my intention is. I think to get the year started and be able to pay our bills and make payroll at the end of the week we have to have some type of budget temporary budget in place. So I will be asking to waive the rules.

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

The rules were not suspended by a roll call vote of 7 yes, 2 no. Catazaro-Perry and Peters voted no.

COUNCILMAN MANSON Do we have some discussion here now?

COUNCIL PRESIDENT GAMBER I'll allow it we were in the middle of a vote here though? Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY Well, I spoke with Paul because we didn't have a great time for communicating our thoughts on this tonight since we only had an hour. He actually went over for an hour and ten minutes which was nice. But I still get to share all my

thoughts about the temporary budget. It's supposed to be a quarterly budget and I have some concerns about it because when you get to page two on the domestic violence that is the entire page is not quarterly it is an annual budget. So I just wanted to point that out that I have concerns with. The numbers don't match up with the annual budget even when you break it down quarterly for example this is what my concern was with the clerk's salary. Was that in the annual budget her salaries at \$34,000 when you look at the temporary budget her salary's at \$39,000. So this is not a true quarterly budget if you're going to take it from the annual budget and break it down into 25% throughout the year. It's throughout the entire pages and I only had a chance to do several of them. Street lighting is actually pretty, pretty close to being correct but I think this quarterly budget still needs some work Mr. Manson. That's what I'm bringing to everyone's attention tonight is that yes it's a somewhat of a quarterly budget but it's not truly accurate. I know I spoke with the auditor about those people retiring I know in the annual budget there was one I think there was actually four and I don't know how many are in the quarterly budget. So that is a question I have as well. But I really truly think this quarterly still needs to be worked on.

COUNCIL PRESIDENT GAMBER Mr. Peters?

COUNCILMAN PETERS With all due respect to Councilwoman Catazaro-Perry, I can understand that you have some discrepancies but we're now in a situation where we have no choice but to pass this temporary budget. I mean because you have a payroll to meet Friday unless you want to be here until tomorrow morning going over all that stuff. We've left ourselves no choice so I mean I don't want all those people knocking on my door on payday.

COUNCIL PRESIDENT GAMBER Mr. Manson?

COUNCILMAN MANSON I don't think we have to have the numbers nailed down exactly to ¼ it's a temporary budget. I don't believe we have intention that we're not going to pay anything more than what was in the permanent budget. As far as the salary just like the clerk's salary she's going to get paid what per hour that she works. I don't see the problem. I think it will work as a temporary budget. Could we get any comment out of the auditor?

COUNCIL PRESIDENT GAMBER If you're asking for it.

COUNCILMAN MANSON Yes, I'd like to have some comment on it from our auditor?

COUNCIL PRESIDENT GAMBER Are you asking a specific question?

COUNCILMAN MANSON Well, what was what did we base this on? We talked about making this like something like the first quarter of actual spending for '09. So maybe you can give us some...

AUDITOR FERRERO – It was based on six pays in 2010 the first six pays it based on that the domestic violence the reason that is fully funded is because that's a grant. That doesn't come out of any city funds so that's the reason why you're seeing that. Some of the contractual figures will look a little bit elevated in some cases because we have to pay some of those in our first quarter. We tried to go through to look at that but its never going to be exactly one quarter of what the original budget was because there's some things contractual that we have to pay.

COUNCILMAN MANSON And I can tell you with discussion with some other auditors and stuff that they usually build a little bit extra into their first quarter to make sure and there still maybe some things we have to come back and correct before this budget is becomes permanent. So I can't see where we're hurt by moving this ahead. So I will be asking to waive the rules.

COUNCIL PRESIDENT GAMBER We've already done that we've already had the vote to suspend. Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY Mr. Manson, with all due respect I know that you jumped to get this done and I do appreciate it. I know that we have to make payroll but I'm going to be voting no tonight I know there will be enough to carry this and see it through that it

will pass. But I'm voting no because I don't think this is a realistic because it comes off the annual budget that's not realistic. So I just wanted to let you know where I stand and be straightforward with you. But I do believe this is going to pass and people will receive their paychecks. I'm just voting no because I don't think it's a realistic budget for the entire year or even the quarter.

ORDINANCE NO. 4 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 8 YES, 1 NO.  
CATAZARO-PERRY VOTED NO.

ORDINANCE NO. 5 2010 BY: COMMUNITY DEVELOPMENT COMMITTEE

Authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Purchase Officials to provide an economic development "inducement grant" to assist the company in locating its operations in Massillon, and declaring an emergency.

COUNCILMAN MANG Earlier we had Mark Smith come to the microphone and explain exactly what the money was going to be used for as to starting a new business. But I'd like to bring the mayor forward to explain a little bit about this not that I'm against this matter-of-fact I totally endorse it. But we've always put Aane Aaby on the spot for giving money away and actually we're not giving money away we're trying to get new business into the city. People who come forth to the mayor who has a good, honest idea what they want to do I'm sure he's there to help them. Mr. Mayor?

MAYOR CICCHINELLI – Thank you, Mr. Mang. A couple of years ago we talked to some business folks that said that we have a lot of grant programs and loan programs for some of the larger businesses in town. But what we needed to do maybe was to look at a program for small businesses that would locate in the downtown area. So we set out to do was try to attract small businesses a variety of businesses into our downtown area. Happy to report that we've done that I think this is the sixth or seventh small business that has located in the downtown general area with assistance from us with small grants. Mr. Smith's business was sort of unique and I think its something that certainly with the officials that are going to need his business for a variety of reasons. It sort of enhances our downtown area because there aren't too many businesses like this in this whole region so this store will serve a larger geographical area than just Massillon. So we're pleased to have him selecting Massillon and downtown Massillon specifically. It's a block off Lincoln Way really on Erie Street North. So of course he chose his own location and as long as it's in the downtown area it certainly will enhance the downtown. So he explained what the business is in reality we welcome these and anyone else those of any businesses a couple of local businesses opened downtown didn't even seek our help. We had a bookstore that opened right before the holidays that never even approached us. So some people don't approach us but the money is available and its there to bring more businesses to downtown and its accomplishing its goal.

COUNCILMAN PETERS Are you going to ask if we have any comments or am I jumping out of turn.

COUNCIL PRESIDENT GAMBER Mr. Mang, has the floor at this point. You'll have an opportunity.

COUNCILMAN MANG moved for suspension of the rules and passage, seconded by Councilman McCune.

COUNCIL PRESIDENT GAMBER Mr. Peters, is there any council member who has a comment or question?

COUNCILMAN PETERS I would just like to say that I know Mr. Smith he's not only one of my ward constituents but I have talked to him about this. My former business partner for years at the Massillon Pro Am had a similar type deal where he sold official uniforms and umpire uniforms out of his store. Of course he has passed away and we haven't had a store like that in this town for quite some time and there really is a need for it. I think he's found a perfect little niche for himself and I think it will be a value to the city. I think we should do all that we can to

help him. So I'm all for it.

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

ORDINANCE NO. 5 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ORDINANCE NO. 6 2010 BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Economic Development Fund, for the year ending December 31, 2010, and declaring an emergency.

COUNCILMAN MANSON Yes, this is the appropriating the finances for the business we just talked about.

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. 6 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

- A. Copeco - \$553.00
- B. Walter Drane - \$360.00
- C. Repository - \$998.64

COUNCIL PRESIDENT GAMBER Mr. Manson?

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

Roll call vote of 9 yes to pay the bills.

10. REPORTS FROM CITY OFFICIALS

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR DECEMBER 2009. COPY FILE
- B). AUDITOR SUBMITS MONTHLY REPORT FOR DECEMBER 2009 COPY FILE
- C). MAYOR SUBMITS MONTHLY REPORT FOR NOVEMBER 2009 – COPY FILE
- D). MAYOR'S LIST OF BOARD AND COMMISSIONS – COPY FILE
- E). MAYOR GIVES STATE OF THE CITY ADDRESS TO COUNCIL.

COUNCIL PRESIDENT GAMBER Thank you, we will need a motion Mr. Manson to accept the auditor's report.

COUNCILMAN MANSON I move that we accept the auditor's report, seconded by Councilwoman Catazaro-Perry.

Roll call vote of 9 yes to accept the auditor's report.

COUNCIL PRESIDENT GAMBER Regarding item d the Mayor's list of appointments that for your information as we learned a year ago we simply looking at these names and if there was anyone who needed to be appointed officially such as recently we did to the hospital board that was done at the time. So please refer to the list of appointments. Mr. Mayor, would you like to

give your State of the City report now or would you like to defer to the end of the meeting. (Whatever you prefer, sir) Alright, Mr. Peters, you have a question? (No, I'll ask later) Everyone did receive a list of the appointments, correct? About a week ago? Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY I thought we put in place last year that we had to approve some of those.

COUNCIL PRESIDENT GAMBER Anyone whose been appointing is already on a board.

COUNCILWOMAN CATAZARO-PERRY Right, but I mean even if they're even if this is a new year we don't have to approve them.

COUNCIL PRESIDENT GAMBER No, those are five year terms if you're speaking about the rec. board those are five year terms.

COUNCILWOMAN CATAZARO-PERRY Thank you.

COUNCIL PRESIDENT GAMBER Alright, Mr. Mayor, if you don't mind I'd like to defer till the end of meeting we'll get business out of the way. Then you can have the rest of the evening.

#### 11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT GAMBER Regarding committee reports next Monday of course is the 11th we will not meet on Monday the 18th due to the national holiday. We will meet on Tuesday the 19th instead. The same thing in February our second meeting we won't meet on Monday, we will meet on Tuesday of that month. Is there anyone who has any requests or resolution or comment on behalf of a committee at this point?

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

#### 13. CALL OF THE CALENDAR

#### 14. THIRD READING ORDINANCES AND RESOLUTIONS

##### ORDINANCE NO. 146 2009 BY: COMMUNITY DEVELOPMENT COMMITTEE

Amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-2 Single Family Residential to RM-1 Multiple Family Residential.

COUNCILMAN MANG We did have a public hearing we also had input from Mr. Aane Aaby. We also had input from Mr. Gary Anderson who's the ward councilperson. I believe we covered the rezoning question pretty well but it's still on the table if someone has a question we'll try and find an answer.

COUNCIL PRESIDENT GAMBER Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY I would like to abstain from voting on this I spoke with the law director earlier my husband is the medical director here. We do gain financially from this; so I would ask that I would abstain from voting on this, this evening.

COUNCIL PRESIDENT GAMBER Mr. Mang, if you make that motion, please?

COUNCILMAN MANG moved to have Councilwoman Catazaro-Perry be excused from voting on this issue. Seconded by Councilman Slagle.

Roll call vote of 8 yes, 1 no to excuse Councilwoman Catazaro-Perry from voting. Peters voted no.

COUNCILMAN MANG moved to bring Ordinance No. 146 – 2009 forward for a vote,

seconded by Councilman Hersher.

ORDINANCE NO. 146 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 158 2009 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

Accepting the replatting of Out Lots 1024, 367 and Lot 13833, located on the east side of 1st Street NE, north of Gail Avenue NE, and including the dedication of a small portion of 1st Street NE, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

COUNCILMAN PETERS This works in conjunction with Ordinance No. 146 – 2009. It's for the street rededicating the street because of the change in zoning. We have discussed this in previous work sessions and I am waiting until Ordinance No. 164 passed before I brought this forward. So if there are or are not any questions I'm still going to bring it forward for its passage.

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.

ORDINANCE NO. 158 – 2009 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ORDINANCE NO. 159 2009 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

Accepting the replatting of Part of Out Lot 252, located on the south side of Woodruff Avenue NW, just west of 17th Street NW, and including the dedication of a portion of Woodruff Avenue NW, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

COUNCILMAN PETERS Second reading.

ORDINANCE NO. 159 – 2009 GIVEN SECOND READING.

16. NEW AND MISCELLANEOUS BUSINESS

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

COUNCIL PRESIDENT GAMBER This is when we invite anyone forward to speak a topic even if it does not appear on the agenda. Is there anyone who would like to come forward and address council this evening? I see no one coming forward so at this time I'll call Mayor Cicchinelli forward for his state of the city comments.

MAYOR CICCHINELLI – As is customary and required by the Ohio Statutory Laws which the City of Massillon since we're not a charter city we're a statutory city. I'm required at the first meeting of each year to address council and give them the state of the city as well as all the citizens of Massillon. The last maybe 15 years the local Chamber of Commerce has a breakfast later this month. I believe it's scheduled for January 22nd at 7:30am at the new eagles on Weirich Blvd. I again give the State of the City but this is a requirement and I feel it's important to abide by the law. One of the things that I think we need to do more often here in Massillon is excenuate the positive things that we have going in Massillon. As all of you know the economy generally throughout this area and throughout the state and then the country and even worldwide isn't the greatest right now. With that a lot of times you will see an increase in crime but I think if you look at Massillon and compare Massillon to most communities in this region and you know many other communities throughout the whole state you know our crime rate is extremely low. I think that's something that we should continue to be proud of. I do believe it's because of our safety forces and the excellent professional safety forces that we have assembled here that

really, really has helped keep that crime rate relatively at a low rate. If you consider that where the city is actually situated and that's in northeast Ohio and check some of the statistics from a lot of those communities throughout northeast Ohio its pretty amazing the stats that show that this is a great place to live and do business and raise a family. We should as our state of the city says toot our own horns even more so and let it be known that Massillon attracts or would like to attract additional people and additional businesses. The slower economy certainly has taken its toll I mean it wasn't too many years ago that we would say that we've had over 100 single family housing starts. This year or this past year I should say '09 we only had 15 new single family housing starts in the city. Again that's pretty reflective of the downturn in the housing market generally throughout the whole country. There are a lot of allotments that many homes can be constructed however because of the economy we're not keeping pace with what we did earlier this decade. I did point out that so far this decade even with the low 15 new homes last year that there still have been 706 new single family housing permits written so far this decade. We do have one year left in this decade now I know that's probably open for discussion because if we turn on television or open the newspaper or turn on the radio everyone says the decade has ended. But I believe that the decade runs from 2001 to 2010. So you can have it however you wish but we do have one year left and we'll see what 2010 brings as far as new single family housing starts. We're going to get a jump start in the housing market first quarter of '10 and that we're going to start construction of a new midrise senior citizen apartment building at the site of the old eagles lodge. 52 new units apartment units will be constructed there and I think you'll see you'll be very excited when you see the design because the building will fit into other buildings or with other buildings in that area. Industrial building developments project that we're extremely excited about of course is the first phase of the Shearers building which eventually will be over 200,000 square feet. But the new building that is under almost completed now is a little over 46,000 square feet. If you look at Shearers and it's certainly I consider it and many people consider it the best snack food manufacturer in the United States. To have this company in Massillon at the new location as well as the old Fleming site I think it goes well for our community. Shearers and with the additional jobs being developed at Freshmark construction is started on two additions on Southway Southeast. I think that certainly tells us that business is expanding more job opportunities for the residents. As part of a process that we've used for many years now we call on existing businesses. Heinz is of course the largest business industrial business employment wise in the city. We certainly want to maintain those jobs there so we're in constant contact with them to discuss issues that do come up. If you look at the total valuation of building permits you can see that it's down over 2008. In 2008, \$39,000,000 evaluation for the permits that were written. Last year it was \$21,000,000 so you could see a great discrepancy again reflective of the economy. '09 also saw some legislation that was proposed by the administration and passed by council. The first thing that I'd like to thank council for is implementing a service a transporting service and I can I'm happy to say that it has started and it's so far been very successful. We're excited about that and it was only possible because of the cooperation of the firefighters union and contract negotiations that made it happen. I think its going to help the city certainly now and into the future. Another initiative that was instituted as far as '09 were our non-school TIFs. I do think that the we appreciate the cooperation with council there was you had disagreement and deliberations and discussion and that's all good but I think you need to keep in mind that all of us are ultra sensitive when it comes to the needs of all of our citizens. I do believe that with the TIFs that are in place now and more hopefully to come that the revenues that are to be derived from these TIFs will provide stable and orderly growth in the area of capital improvements. The needed projects that are going to be needed in the future for infrastructure. In closing I'd like to just sort of throw out an idea that we've been kicking around for a little bit and that is a Massillon Arts District that maybe we can look at developing downtown. We've made some initial contacts with some local people and it's very, very initial stage stages of development but I do think that arts with if you look at the murals they really do attract a lot of people and that's just one type of art. But we're talking about maybe now establishing an actual district and making a considerable effort to work with the property owners to enhance the downtown even more with this type of district. You know arts can be a definite economic development tool to help the city and we're going to look at that and see and in talking to the arts community if they're interested in doing that. Happy New Year to all of you.

COUNCIL PRESIDENT GAMBER Thank you, Mr. Mayor.

18. ADJOURNMENT

COUNCILMAN MANSON – I move that we adjourn, seconded by all.

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MARY BETH BAILEY, CLERK,

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GLENN E. GAMBER, PRESIDENT



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