

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD, MONDAY, APRIL 5, 2010**

**COUNCIL PRESIDENT GAMBER B** I=d like to welcome all of you to Massillon City Council for Monday, April 5, 2010. We have in attendance with us this evening: Mayor Frank Cicchinelli, Engineer Keith Dylewski, Law Director Perry Stergios and Wastewater Treatment Plant Supervisor Keith Bledsoe. On the wall to your left are agendas for anyone who wishes to follow the meeting. Also under item #5 on the agenda is where the public can speak on any item that appears on the agenda and then under item #17 is where the public can speak on any item that does not appear on the agenda. I=d also like to remind anyone with a cell phone please turn it off or turn it very far down.

**1. ROLL CALL**

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

Thus giving a roll call vote of 7 present.

**COUNCIL PRESIDENT GAMBER B** We did hear from both absent council members. Mr. Mang is having some health issues and with Mr. McCune his mother is having health issues.

**COUNCILMAN MANSON B** I move to excuse Councilmen Mang and McCune, seconded by Councilwoman Catazaro-Perry.

Roll call vote of 6 yes, 1 no, to excuse both Councilmen Mang and McCune. Peters voted no.

**2. INVOCATION**

**COUNCILWOMAN CATAZARO-PERRY B** Gave the invocation for tonight.

**3. PLEDGE OF ALLEGIANCE**

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

**4. READING OF THE JOURNAL**

**COUNCIL PRESIDENT GAMBER B** 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**

**COUNCIL PRESIDENT GAMBER B** I will mention that with two absences tonight we still do need 7 votes to suspend. I know that we have a lot of first readings tonight, but as a

chairman you have something you'd like to get done tonight its up to you to sell suspending the rules because you need every vote.

**ORDINANCE NO. 43B 2010**  
**COMMITTEE**

**BY: COMMUNITY DEVELOPMENT**

Approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Plan; authorizing the execution and filing of the application and related assurances and certifications, and declaring an emergency.

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**COUNCILMAN HERSHER B** This is the CDBG budget we will have three readings and a public hearing on this. I'm not sure the exact date of the public hearing, but I believe its typically the first meeting in May. So first reading.

ORDINANCE NO. 43 – 2010 WAS GIVEN FIRST READING.

**ORDINANCE NO. 44 B 2010**  
**COMMITTEE**

**BY: COMMUNITY DEVELOPMENT**

Accepting an application for annexation for the Hendricks Annexation to the City of Massillon, Ohio, and declaring an emergency.

**COUNCILMAN HERSHER B** This ordinance is to accept annexation the Hendricks Annexation. It was previously approved by the Board of Stark County Commissioners. The maps and everything are already prepared and its time for us to approve the application. It's my understanding from speaking with Mr. Mang that its his wish that unless there's any concerns that we pass this, this evening.

**LAW DIRECTOR STERGIOS** – Can I approach?

**COUNCIL PRESIDENT GAMBER** B You certainly may, Mr. Law Director?

**LAW DIRECTOR STERGIOS** – Mr. Hersher, I think that I just noticed we somehow omitted attaching the legal description to this. So in section 1 it says to wit and then its blank; we need to amend it to add exhibit "a" which would be the legal description of the territory to be annexed. Maybe we should just give it first reading and make sure we get that correct. I did not see that before, the Mayor says that's okay.

**COUNCIL PRESIDENT GAMBER** B First reading.

**COUNCILMAN HERSHER B** First reading.

ORDINANCE NO. 44 – 2010 WAS GIVEN FIRST READING.

**ORDINANCE NO. 45 B 2010**  
**COMMITTEE**

**BY: COMMUNITY DEVELOPMENT**

Indicating what services the City of Massillon, Ohio, will provide to the Poets Glen Area Annexation, upon annexation, and declaring an emergency.

**COUNCILMAN HERSHER B** First reading.

ORDINANCE NO. 45 – 2010 WAS GIVEN FIRST READING.

**ORDINANCE NO. 46 B 2010**  
**COMMITTEE**

**BY: COMMUNITY DEVELOPMENT**

Authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Massillon Senior LLC to provide CDBG-R funding for sidewalk replacement along David Canary SW to assist development of the Massillon Senior Apartments Project in the City of Massillon, Ohio, and declaring an emergency. \_

**COUNCILMAN HERSHER B** First reading.

ORDINANCE NO. 46 – 2010 WAS GIVEN FIRST READING.

**ORDINANCE NO. 47 B 2010**  
**COMMITTEE**

**BY: COMMUNITY DEVELOPMENT**

Amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Tuscarawas Township (No Zoning) to R-1 Single Family Residential. \_

**COUNCILMAN HERSHER B** There's a public hearing for this ordinance scheduled for May 3rd at 7:15pm and tonight well give it first reading.

ORDINANCE NO. 47 – 2010 WAS GIVEN FIRST READING.

**ORDINANCE NO. 48 B 2010**

**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 sewer sludge removal and disposal at the Wastewater Treatment Plant in the City of Massillon. \_

**COUNCILMAN HERSHER B** We discussed this at Monday's work session. I know Councilman Peters had a couple of questions at the work session. I believe they were answered to his satisfaction Monday. I understand from the engineer since we had our work session that we're currently operating month to month on this contract. It has expired so if there's any potential whatever potential benefit from the competitive bidding process we're not taking advantage of at this time. So unless I've misread Councilman Peters' feelings about it or anybody else on council I would like to pass this, this evening.

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

The rules were suspended by a roll call vote of 7 yes.

ORDINANCE NO. 48 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**ORDINANCE NO. 49 B 2010**  
**SAFETY**

**BY: STREETS, HIGHWAYS, TRAFFIC &**

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into contract with the lowest and best bidder, upon the approval of the Board of Control for the Tremont Avenue SW Improvement Project, and declaring an emergency. \_

**COUNCILMAN PETERS B** We've spent some time discussing this not only at the work session but a lot of work has been put forth by the city engineer to get the Main Avenue Resurfacing changed over to Tremont Avenue because it was really in dire need for it be resurfaced. So this is the legislation allowing us to go out and advertise and received sealed bids to the lowest and best bidder. If there's any questions I'll try to answer them if not the engineer is here he can answer them. If there aren't any I'm going to move for passage tonight.

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

The rules were suspended by a roll call vote of 7 yes.

ORDINANCE NO. 49 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**ORDINANCE NO. 50 B 2010**

**BY: FINANCE COMMITTEE**

Making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund, General Fund, Federal Law Enforcement Trust Fund and the WIC Fund, for the year ending December 31, 2010, and declaring an emergency.

**COUNCILMAN MANSON** B Yes, I'm going to go through these we have four parts here. Hopefully we can answer all the questions and I will be asking to making a motion for passage tonight unless there's a problem that we can't answer. Section 1, is the city is proposing to utilize \$35,000 in the community development block grant recovery act funding to construct curb and sidewalk replacement along David Canary Drive SW to assist the development of Massillon Senior Apartments. It's a 52 unit, 4 story senior housing project to be constructed at this location the former site of the Eagles Fraternal organization. All units in the project who will be provided two bedrooms and one bath and service residents age 55 and over who earn 35, 50% or 60% of local area gross median incomes. Any questions on that?

**COUNCIL PRESIDENT GAMBER** – Mr. Peters?

**COUNCILMAN PETERS** – Mr. Manson, maybe I'm just totally screwed up like I always am. But what did we do Ordinance No. 46 when it was pertaining to that. Did we give that a first reading?

**COUNCILMAN MANSON** B 46, yes, we did give it first reading.

**COUNCILMAN PETERS** – Okay, I guess my question is why are we doing the finance part of this until we've had the public hearings for the rest of it?

**COUNCILMAN MANSON** B Good question.

**COUNCILMAN PETERS** – I don't have a problem with it per say but I guess I'm just asking that question.

**COUNCILMAN MANSON** B I will make a motion that we remove that part until we deal with the CDBG.

**COUNCIL PRESIDENT GAMBER** – If I could hold on Mr. Mayor, is that a separate source of funding? Is it alright Mr. Manson to call the mayor forward?

**COUNCILMAN MANSON** B Go ahead.

**MAYOR CICCHINELLI** – They are sort of on a time table to get this thing moving for the senior housing. So I understand the other ordinance given first reading it's not really a big deal but if it's delayed anymore I guess another two weeks wouldn't be a problem. But I know they're looking at having these dollars and try to do this project all at one time. There were some other dollars involved too because there was some stimulus money and so we were shuffling dollars around to make sure that we had enough to do the sidewalks. But it is of course included in our CDBG application too.

**COUNCIL PRESIDENT GAMBER** – I might mention that's going to be May 3rd until that ordinance is passed. It won't be two weeks it will be month.

**MAYOR CICCHINELLI** – For that but I think if we pass the other ordinances then of course it shows well if we pass this ordinance it shows that we're going to do it. At least they have a strong indication that the city's going to participate. They're trying to get everything closed on the property and get the project started so they can get that building under roof before next winter. So I think I understand what your question is but I think any delay you know they need

to know that there's going to be monies there. But it's coming out of our CDBG...

**COUNCILMAN PETERS** – Okay, I don't have a problem per say with any of it I just and I really didn't know it was kind of an advanced question is all those part of that ordinance that you're reading is going to pertain to the CDBG money, obviously its not. I do know by the sense of urgency because the people were here at the work session and I do know they want to move on this but...

**MAYOR CICCHINELLI** – There were some other dollars involved. So...

**COUNCILMAN PETERS** – Okay, so I mean like I said its not a great deal of money but its I don't have a problem with that. I just wanted that question answered,

**COUNCILWOMAN CATAZARO-PERRY** B I think that it's important that if we're going to be appropriating \$35,000 that we have an agreement. So Mr. President could we not go back and approve the agreement and then approve this ordinance. I think they go hand in hand and I think you need an agreement if you're going to be spending \$35,000.

**COUNCIL PRESIDENT GAMBER** – In relation to the CDBG ordinance we're required to have three readings we're required to have a public hearing. So...

**MAYOR CICCHINELLI** – It's not part of our CDBG...

**COUNCILWOMAN CATAZARO-PERRY** B It's not part of the CDBG.

**COUNCIL PRESIDENT GAMBER** – Which ordinance are you talking about?

**COUNCILWOMAN CATAZARO-PERRY** B 46, 46 – 2010, I think we should go back if that's possible and approve this first and then Mr. Hersher is in control tonight instead of Mr. Mang so I think its important that we have both in place.

**COUNCIL PRESIDENT GAMBER** – Mr. Manson, why did you request first reading on 46?

**COUNCILMAN MANSON** B That wasn't me that was community development Mr. Hersher.

**COUNCIL PRESIDENT GAMBER** – Mr. Hersher?

**COUNCILMAN HERSHER** B If there's nothing to prevent us from going back and reconsidering 46 then I would find Councilwoman Catazaro-Perry's suggestion in order. I wouldn't have a problem with the revisiting that so that we can get the agreement in place and get moving on this project. I didn't in considering 46 I didn't separate it from the regular CDBG legislation.

**COUNCIL PRESIDENT GAMBER** – Let's hold off on that is there any other discussion? Mr. Mayor, you were going to...

**MAYOR CICCHINELLI** – Yeah, its not part of our CDBG but you have understand some of these dollars there's earned income from CDBG dollars and stimulus money involved. There's all kinds of stuff involved, but in this case this is these dollars that are not part of the 2010 CDBG budget.

**COUNCIL PRESIDENT GAMBER** – Alright what I think we'll do Mr. Hersher if you don't mind we'll go back to Ordinance No. 46 and have you withdraw your first reading and make a motion.

COUNCILMAN HERSHER moved to withdraw his motion for first reading of Ordinance No. 46 – 2010.

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

The rules were suspended by a roll call vote of 7 yes.

ORDINANCE NO. 46 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**COUNCIL PRESIDENT GAMBER** – We will now return to Ordinance No. 50, Mr. Manson, you have the floor.

**COUNCILMAN MANSON** B Okay, we covered section 1, section 2, please prepare an ordinance to appropriate from the unappropriated balance of the general 1100 to the following for income tax refunds. This happens every year refunds we make. Section 3, is for \$5,545 please appropriate \$5,545 from the unappropriated balance of the federal law enforcement trust fund account number 1216 to an account number 1216.305 supplies and materials. This money will be used in conjunction with the \$15,000 contractual safety equipment money from 2009, 2010 for the purchase of 32 bulletproof vests. I checked and the bulletproof vests have a 5 year life expectancy is what they have. I talked to a patrolman and I talk to the chief. They do have to be replaced periodically and according to both of them we need it now. Section 4, is \$4,000 the health department needs to appropriate from the unappropriated balance of 1219.730 WIC account \$1,000 to be used in travel, seminar and schooling 1219.730. Funds will be needed for the upcoming meetings and newly scheduled trainings \$1,000 will be reimbursed 100% by the WIC grant which is administered by the Canton City Health Department as a guarantee agency. That pretty much explains everything. There's probably a good chance this is related to the bird flu or whatever we've been doing spending a lot of money on training and stuff. Swine flu, I'm sorry.

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

The rules were suspended by a roll call vote of 7 yes.

ORDINANCE NO. 50 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**ORDINANCE NO. 51 B 2010**                      **BY: FINANCE COMMITTEE**

Making certain transfers in the 2010 appropriations from within the General Fund, for the year ending December 31, 2010, and declaring an emergency. \_

**COUNCILMAN MANSON** B Yes, they're asking to transfer a total of \$15,000 from an account 1100.905 for state examination. The \$15,000 will be used for two different things this is a fund this is to fund additional costs for collecting delinquent taxpayers and the other part is for supplies and forms, etc for the income tax department. Any questions we can have the mayor up here otherwise I will be making a motion to approve this.

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

The rules were suspended by a roll call vote of 7 yes.

ORDINANCE NO. 51 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**ORDINANCE NO. 52 B 2010**                      **BY: FINANCE COMMITTEE**

Authorizing the Mayor of the City of Massillon, Ohio, to accept the Domestic Violence Prosecutor Grant (2009-AR-VA2-1291) that will allow the City of Massillon to continue to have a prosecutor specifically for domestic violence cases, and declaring an emergency. \_

**COUNCILMAN MANSON** B Yes, we have received a grant for a domestic violence prosecutor for the year 2010. The grant will pay \$23,710 and we have to pay the remaining cash part of this of \$8,112. If there's any questions we have Mr. Stergios here can answer them if not I will be moving for passage on this.

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

The rules were suspended by a roll call vote of 7 yes.

ORDINANCE NO. 52 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

**ORDINANCE NO. 53 B 2010**

**BY: PUBLIC UTILITIES COMMITTEE**

To provide for water service to be furnished by Aqua Ohio, Inc., to the City of Massillon, Ohio and the inhabitants thereof, and to regulate the rates under which water service shall be furnished in the City of Massillon, Ohio for and during the term of two and half (21/2) years beginning on July 1, 2010.

**COUNCILMAN ANDERSON B** We talked about this last week we have something that Jim Purtz has discussed with myself and I've discussed it with Mr. Stergios. The original deal back in I believe October was 5%, 4.75%, 4.75% and the proposal a couple of weeks ago came in at 5.25, 4.75, 4.75. It now stands at 5, 4.75, 4.75 consecutive years starting July of this year then January of next year, the following January. The negotiations between Jim and myself which is kind of strange because this should not be done I don't think by council. It should have been done by the legislative part of government not council. It should have been brought to us after it was negotiated.

**COUNCIL PRESIDENT GAMBER** – I think you misspoke we are the legislative branch.

**COUNCILMAN ANDERSON B** Well, maybe I got the wrong names what name should have come up?

**COUNCIL PRESIDENT GAMBER** – Administration?

**COUNCILMAN ANDERSON B** Yes, whatever, it should have been negotiated through the people who are going to bring it to us not by I don't think city council should have been negotiating the rates with Aqua Ohio. Having said that I'm going to give this first reading.

ORDINANCE NO. 53 – 2010 WAS GIVEN FIRST READING.

**RESOLUTION NO. 7 B 2010**  
**COMMITTEE**

**BY: COMMUNITY DEVELOPMENT**

Endorsing the proposed annexation of approximately 6.424 acres of land in Perry Township, owned by the City of Massillon, Ohio, together with 131.73 acres of land owned by the State of Ohio and Stark County Vocational School District located in Perry Township and urging the Board of Stark County Commissioners to approve the annexation.

**COUNCILMAN HERSHER B** First reading.

RESOLUTION NO. 7 – 2010 WAS GIVEN FIRST READING.

**COUNCIL PRESIDENT GAMBER** – Hang on till the end here.

**COUNCILMAN PETERS** – I'll wait till it comes to remarks.

**7. UNFINISHED BUSINESS**

**8. PETITIONS AND GENERAL COMMUNICATIONS**

**9. BILLS, ACCOUNTS AND CLAIMS**

1. Independent - \$19.56
2. Repository - \$1,229.00

**COUNCIL PRESIDENT GAMBER** B Mr. Manson, we need a motion...

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

Roll call vote of 7 yes to pay the bills.

#### **10. REPORTS FROM CITY OFFICIALS**

A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR MARCH 2010. B COPY FILE  
B). AUDITOR SUBMITS MONTHLY REPORT FOR MARCH 2010 B COPY FILE

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

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

Roll call vote of 7 yes to accept the auditor's report.

#### **11. REPORTS OF COMMITTEES**

**COUNCIL PRESIDENT GAMBER** B We will have committee sessions next Monday the 12th at 5:30pm.

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

**COUNCIL PRESIDENT GAMBER** B Mrs. Catazaro-Perry?

**COUNCILWOMAN CATAZARO-PERRY** B I actually have two things. I wanted to make sure everyone received the 2009 annual report from the clerk of court. If you did not receive one and you'd like a copy we can get one for you. Secondly the Mayor David Held will be present next Monday at our committee meeting and he will be speaking at 5:30 to talk about the performance audit that they did in North Canton.

**COUNCIL PRESIDENT GAMBER** B Mr. Slagle?

**COUNCILMAN SLAGLE** B Just to report that the Legends is up and fully operating and running had a wonderful weekend. All services are go.

**COUNCILMAN ANDERSON** B Could I add something to Larry's thing out there? Kenn has a done a really, really a great situation out there I check on it all the time. I know who council people have been out there to check on it also. For you folks who haven't gone out there you should go out there to see what's going on to have a working...we spent almost \$200,000 on that thing. There's some people who haven't even been out there to even find out if they're open, closed or what they're doing out there. But there's been some people out there who have taken tours and Kenn has run with them and everything else and he's done a good job. He's got it all cleaned up and passed all the inspections and doing this and doing that its really a good situation. It's going to be great.

**COUNCILMAN PETERS** B Okay, I'm going to I've got this while I'm still thinking about it because I'll forget okay? Going back to Resolution No. 7 that Councilman Hersher gave first reading to I want to add a couple things and I've done some checking on this resolution. I was asked today how I was going to vote on this and I honestly said well I'll wait and see how many people show up against it. As you see nobody showed up against it as far as I know. But I want to point out that the mayor gave everyone a copy of this here make sure you have it and it tells the income tax dollars that we've received from all the annexations that we've done. I think that it would do well for everyone to really look at this because we ask the mayor to go out and find additional revenues for the city and this just comes under that. This is what he's trying to do

and I think we need to not hold this up you know and give it its fair share and give people a chance to speak out. But I think we owe it to the city to move forward with this and I'm not blasting you Mr. Hersher for giving it first reading I think it was a good idea. That's all I wanted to say.

**COUNCIL PRESIDENT GAMBER** B Mr. Manson?

**COUNCILMAN MANSON** B Yeah, I'd like to comment on that myself I know what you said about the revenue and I heard what the mayor said last week about the revenue. But I think the city that has the opportunity to have a vocational school like R. G. Drage come into the city I think is a real plus for the City of Massillon. I will be strongly supporting this all the way through. I think the cost to the city will be minimal and it just to me it just makes sense if you have opportunity for something like this that you should go after it.

**COUNCIL PRESIDENT GAMBER** B Mr. Slagle?

**COUNCILMAN SLAGLE** B Yeah, I think the mayor perhaps should just give us a short explanation tonight on this so that we're perhaps have something to think about before the work session next week and perhaps have more questions. I know that I was one that asked the question about do we have an idea of what financial benefit we gain from annexation and obviously the mayor and his staff have gone through great efforts to figure that out. So perhaps the mayor can give us some enlightenment on what this actually he found out from this.

**MAYOR CICCHINELLI** – First of all I'd like to thank Mr. Slagle for suggesting that maybe in the narrative form present this kind of information which was rather interesting once it was compiled. What I passed out to you tonight we break it into two different categories. The first category is commercial and industrial and its what the streets on each area it names the area the Nova Park income tax area and then the years succeeding years and down on the left hand corner of each page it gives you the streets that we are talking about. It also in succeeding pages it gives you some of the businesses that are included. It's self explanatory. The irony of all this is that it really just scratches the surface as far as annexation. So its not all the annexations its just some of the annexations primarily of vacant land and how the city has grown into it. Because a lot of times you get we get criticized with service requirements. In realty these most of these or all these annexations the city actually grew into the area because it was primarily vacant land. The only one that wasn't was the last page and that is the Fleming the Prophecy Massillon area which in two years has brought in \$257,000. The second and then of course the years it shows you the different years. The second category you hear a lot that you don't get a lot of return on residential annexations. Well if you look at this again with the name of the area on top the streets all listed in the left hand corner and then going through there's University Village, St. Andrews both in southeast Massillon, Countryview in the southwest Massillon with the streets listed and then some of the newly annexed areas on the far, far west side of town across from Tuslaw High School all of those new allotments there there's about four of them. That's a relatively new area but still since '08 we've almost gotten like \$368,000. Then the St. Andrews Condos which are in southeast Massillon and the last couple of pages Kenyon Creek is northwest Massillon and then the last page we'll get into this more are the apartments. I did it by amounts. Also keep in mind that you notice you thought maybe it was a discrepancy on the residential they're still collecting dollars because they have until April 15th and then it takes a while because of all the different forms that have been filed with the city to actually get a count. So when you look at the business we have they have those all counted and residential it doesn't even include last year's so those will be additional dollars? One other thing as far as the resolution and I appreciate Mr. Peters comments of concerning the proposing annexation one thing I wanted to check out before I gave you this information I have known that Stark State College has a center had a center there I wanted to get that confirmed that that center is still located there and it is. So that would be additional revenue because the revenue that Mr. Meeks gave you just included the vocational school. So that is another advantage to having a university center located or another university center located in our city.

**COUNCILMAN SLAGLE** B Mr. Mayor, just to refresh my recollection where University Village and St. Andrews are they both out there at the Legends Golf Course area?

**MAYOR CICCHINELLI** – Yes, University Village and St. Andrews with the streets listed Cyprus, Augusta, Augusta Circle and then University Village all of these streets listed Bowling Green, Ohio State, Wright State listing all those. So yeah, that area came into existence primarily because of the golf course.

**COUNCILMAN SLAGLE** B So that would be a hidden benefit of the Legends that perhaps the public wasn't aware of.

**MAYOR CICCHINELLI** – Yes, it has really changed that section of our community because originally it was zoned industrial and when the course was built we changed it to residential. So it has paid off there's over 700 housing units existing just in that area as we speak. So that's a lot of housing units. We'll get into more detail on Monday but that gives you a little idea in the totals like I said \$21,389,000 so it was a number that I think stands out.

**COUNCIL PRESIDENT GAMBER** B Thank you.

**COUNCILMAN SLAGLE** B Thank you.

**COUNCIL PRESIDENT GAMBER** B Is there anyone else with any comment?

### **13. CALL OF THE CALENDAR**

### **14. THIRD READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 28 B 2010**                      **BY: COMMUNITY DEVELOPMENT COMMITTEE**

Amending CHAPTER 1121 "CONSTRUCTION OF LANGUAGE; DEFINITIONS", CHAPTER 1153 "R-1 Through R-4 ONE FAMILY RESIDENTIAL DISTRICTS" and CHAPTER 1163 "B-1 LOCAL BUSINESS DISTRICT" of the Codified Ordinances of the City of Massillon, by enacting new SubSections 1121.02(89) and (90) "DEFINITIONS", SubSections 1153.03(f)(4) "PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS" and 1163.02(k) "PRINCIPAL USES PERMITTED", and declaring an emergency.

**COUNCILMAN HERSHER** B This ordinance amends the zoning code regarding miniature golf courses including definitions and permitted use districts. It was approved by the City's Planning Commission at their February 10th meeting. It was the subject of a cracking and extremely efficiently run public hearing this evening at 7:20. This is third reading I think its worth noting that no one spoke in opposition at this evening's public hearing. I would like to bring it forward for passage this evening.

COUNCILMAN HERSHER moved for passage of Ordinance No. 28 – 2010 , seconded by Councilman Manson.

ORDINANCE NO. 28 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

- **SECOND READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 37 B 2010**                      **BY: ENVIRONMENTAL COMMITTEE**

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign an agreement with URS to perform a sewer rate study for the City's wastewater system, and declaring an emergency.

**COUNCILMAN HERSHER** B Second reading.

ORDINANCE NO. 37 – 2010 WAS GIVEN SECOND READING.

**RESOLUTION NO. 6 B 2010**

**BY: POLICE AND FIRE COMMITTEE**

Permitting the Mayor of the City of Massillon, Ohio, to enter a Memorandum of Understanding with the Stark Council of Governments (SCOG) to consolidate emergency dispatching operations to enhance safety and improve efficiency.

**COUNCIL PRESIDENT GAMBER** B Mr. McCune is the chairman, Mr. Peters, Mr. Slagle which of you would like to handle this one?

**COUNCILMAN SLAGLE** B Second reading.

RESOLUTION NO. 6 – 2010 WAS GIVEN SECOND READING.

**16. NEW AND MISCELLANEOUS BUSINESS**

- **REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA**

**18. ADJOURNMENT**

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

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MARY BETH BAILEY, CLERK,

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GLENN E. GAMBER, PRESIDENT

