

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, TUESDAY, JULY 6, 2010**

COUNCIL PRESIDENT GAMBER B I=d like to welcome all of you to Massillon City Council for Tuesday, July 6, 2010. We have in attendance with us this evening: Mayor Cicchinelli, Engineer Dylewski, Auditor Ferrero and Wastewater Treatment Superintendent Bledsoe. On the wall to your left are agendas for anyone who wishes to follow the meeting. Also under item #5 on the agenda is where the public can speak on any item that appears on the agenda and then under item #17 is where the public can speak on any item that does not appear on the agenda. I=d also like to remind anyone with a cell phone please turn it off or turn it very far down.

1. ROLL CALL

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

Thus giving a roll call vote of 9 present.

2. INVOCATION

COUNCIL PRESIDENT GAMBER B I will recognize Councilman Ron Mang who will have the responsibility for the invocation and the Pledge of Allegiance. I understand he has a guest here this evening.

COUNCILMAN MANG B I have with me tonight my grandson who traveled here from Kobe, Japan just for this meeting tonight. His name is Jack Mang, Jack will you please come to the microphone and lead us in the Lord's Prayer.

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 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 Mr. Manson, you have a request?

COUNCILMAN MANSON – Yes, we have two resolutions on tonight's agenda and I would like to move them to the front of the agenda, Resolution 10 and 11.

COUNCIL PRESIDENT GAMBER B Are there any objections to moving those forward?
There are not Madame Clerk, would you please read the title to Resolution No. 10.

RESOLUTION NO. 10 B 2010

BY: COMMITTEE OF THE WHOLE

Honoring the 2010 Perry High School State Softball Champions.

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COUNCILMAN MANSON B Alright, whereas, the Perry High School State Softball Champions represent the first sports team championship in the school history. Whereas the Perry Local School District represents a significant number of Massillon residents. Now, therefore be it resolved that Massillon City Council and the citizens of Massillon congratulate the Perry High School Softball team and the coaches for an outstanding season. The Mayor has proclamations I'm going to ask that Coach Allison Heppe and she has two players with her tonight Courtney Arnell and Anne Thatch. If you would come up to the center up here and we'll have a presentation of the proclamations. Just a couple of things I'd like to hit on I'm the Mayor is going to hit on some of it also. Like we said this is the first Perry High School sports team to win a state championship in the school's history. They had a 28-3 record and they destroyed the top ranked team in the state in their final game and put the mercy rule on them. So that shows you how bad they really did it.

MAYOR CICCHINELLI – It's with great honor that I do present this proclamation to the coach and student athletes that are here this evening. Winning a state championship is a very difficult task and I think these young ladies, coaches should be commended. As Paul mentioned this is the first sports team at Perry High School that have won a state championship, so that's a tremendous accomplishment and congratulations. Coach, I will present you with this framed proclamation and you certainly can display anywhere you would like. I do have I think there's eleven other copies of that proclamation if you need more let us know we weren't sure how many players so if you need more let us know. Good job.

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

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

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

RESOLUTION NO. 10 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

RESOLUTION NO. 11 B 2010

BY: COMMITTEE OF THE WHOLE

Honoring Washington High School Junior Devin Smith for winning the Division I Long Jump State Championship.

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COUNCILMAN MANSON B Yes, Devin's here tonight with his coach Jamie Palma. Just a couple things here that we've covered, Devin is the Division I state champ in the Long Jump first tigger to win a state title in 26 years. As the newspaper said Devin unleashed his last jump a school record 23' 4.5" on his final jump. So we'll bring them forward and the Mayor can present the proclamations.

MAYOR CICCHINELLI – Any time a student athlete from one of our area schools achieve the top whether it be track, softball, football, basketball it doesn't matter they need to be commended. This is a great fete I think it was the last Washington High School athlete to win a track state championship was 1987. So I think it goes without saying that they're few and far between a lot of competition throughout the whole state. So Devin on behalf of the citizens of Massillon and everyone involved in government I'd like to present you with this framed proclamation and we do have a copy please give to Coach Palma. Devin is a junior will be back

this coming year he plays football wide receiver I'm sure he'll be running track again next spring. Congratulations.

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

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

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

RESOLUTION NO. 11 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ORDINANCE NO. 82 B 2010
COMMITTEE

BY: COMMUNITY DEVELOPMENT

Indicating what services the City of Massillon, Ohio, will provide to the Sibila Family LLC Annexation, upon annexation, and declaring an emergency.

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COUNCILMAN MANG B These are coming fast and furious which I guess will benefit the city down the road. This piece of annexation is owned by the Sibila family so it only requires one signature which that has been brought forward. The reason for this piece of legislation as you know is so that there is no doubt in the commissioner's mind or the Sibila family as to what services will be extended to them. You'll find that this is very similar to the ones that we did for Drage and for the Hendricks. If there's no questions regarding this I'm going to be asking for suspension.

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

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

ORDINANCE NO. 82 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ORDINANCE NO. 83 B 2010
COMMITTEE

BY: RULES, COURTS & CIVIL SERVICE

Directing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with the AFSCME, Ohio Council 8, Local 996 covering the Wastewater Treatment Plant employee that shall be in effect from April 1, 2009 through April 1, 2012, and declaring an emergency.

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COUNCILWOMAN CATAZARO-PERRY B This agreement has been reached and the administration is in support of it. This did not have to go to fact finding the agreement for 2009 for a wage increase was 0, 0 in 2010 and 4% in 2011. There were no changes in the medical coverage but some minor changes in overtime the 18 month recall and the holidays. If I could bring the mayor up to explain those changes we would like him to come for that. You spoke about some changes in the overtime in Article 9 there was a typo in Article 12, 17 and 26, could you review those for council, please?

MAYOR CICCHINELLI – Okay, Article 9 there was some questions that council had concerning rotating and how we deal with it in other departments, specifically the fire and police department. The change here I think is pretty self explanatory I think you should have gotten a list or a copy of the changed ordinance. But I think we concentrated on some questions concerning fire and police and what I'm back to report to you there is a rotating list for all the departments but it may not be called rotating but its basically that's what it ends up being. For the fire department a rotating list is solely based on seniority in other words if one officer, a

captain or an assistant chief is first on duty then the next that's actually who is on duty so one of those individuals have to be asked first. Then the next in rotation officer is asked first then the rank and file are asked. So in reality your officers are asked first within the department for the overtime. It's a little different than some of the other departments and then after we go through the officers then the rank and file that list is used for overtime. For the police it's based the rotation is based on shift officers they're asked first but then if no one from the shift takes the overtime then its open to other members of the bargaining unit. In other words seniority and then that goes by seniority so there's a little difference between the two.

COUNCILWOMAN CATAZARO-PERRY B Then for wastewater treatment how is that going to function for the rotating list?

MAYOR CICCHINELLI – I think they're basically through seniority now so it's just through seniority.

COUNCILWOMAN CATAZARO-PERRY B Okay, then you were to discuss the 18 month recall and then the holidays the floating holidays.

MAYOR CICCHINELLI – Yeah, it used to be 12 months now its 18 and then I think there was one other question a member of council had how much this raise is going to cost. This is specifically just for the Wastewater Treatment Plant according to the auditor's office it will cost \$44,840 there was an article in the Independent which mentions collectively all the bargaining units but the question was specifically for wastewater.

COUNCILWOMAN CATAZARO-PERRY moved for suspension of the rules and passage, seconded by Councilman McCune.

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

ORDINANCE NO. 83 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ORDINANCE NO. 84 B 2010

BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the General Fund, Golf Fund and the 1206 Municipal Motor Vehicle License Fund, for the year ending December 31, 2010, and declaring an emergency.

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COUNCILMAN MANSON B Yes, we have three parts here we'll go through them. The first part is for \$300,000 and \$30,000 please prepare an ordinance to appropriate from the unappropriated balance of the general fund to the following accounts \$300,000 to salary – fire, \$30,000 to fire supplies and materials. Any questions? The next part is \$40,000 this is for the Legends Golf Course, please prepare an ordinance to appropriate from the unappropriated balance of the golf fund 1204 to the following accounts \$40,000 to food and beverage supplies. I think that's a good one that they're going through lots of food and beverages that's good for us. Then the third part \$1,297.80 please prepare legislation to appropriate \$1,297.80 from the unappropriated balance of the 1206 municipal motor vehicle license plate fund for motor vehicle license registration audits. These we do on a regular basis and to make sure that we are receiving the funds that we are due.

COUNCIL PRESIDENT GAMBER B Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY – Mr. Manson, could you tell what the \$30,000 for supplies and materials is for in section 1 please?

COUNCILMAN MANSON B We met with the fire chief and it's just for supplies that he needs to replenish for the fire department. That's all I can tell you.

COUNCILWOMAN CATAZARO-PERRY – Well, that's an awful lot of money for

replenishment \$30,000.

COUNCILMAN MANSON B I don't feel it is but we can get somebody up here maybe we could bring the auditor or the mayor up.

AUDITOR FERRERO – It's for EMS supplies, Kathy and this is for the entire year.

COUNCILWOMAN CATAZARO-PERRY – Okay, great that's all I needed to hear. Thank you.

AUDITOR FERRERO – We sat down and talked with him and he said that should get him through until the end of the year.

COUNCIL PRESIDENT GAMBER B Mr. Manson, your motion?

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. 84 – 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. Repository - \$381.41

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

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

Roll call vote of 9 yes to pay the bill.

10. REPORTS FROM CITY OFFICIALS

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

B). AUDITOR SUBMITS MONTHLY REPORT FOR JUNE 2010 B COPY FILE

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

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

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

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT GAMBER B The next time council meets will be Monday, July 19th work session at 6:00pm, council meeting at 7:30pm. Is there any other resolution or request or report from anyone on council or any committee? Mr. Slagle?

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCILMAN SLAGLE – Remind all members of council that the parks and rec. board will meet at 3:00pm on Thursday and to the public it's an open meeting.

COUNCIL PRESIDENT GAMBER B Where do they meet?

COUNCILMAN SLAGLE – At the recreation center.

COUNCIL PRESIDENT GAMBER B Mr. Townsend?

COUNCILMAN TOWNSEND – I have a question for Mr. Slagle. Will that request for legislation be on the agenda for the work session after the request for the name change park name change be on the...

COUNCILMAN SLAGLE – I know it's coming up with their agenda so hopefully yes.

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

- **SECOND READING ORDINANCES AND RESOLUTIONS**

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16. NEW AND MISCELLANEOUS BUSINESS

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

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18. ADJOURNMENT

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

MARY BETH BAILEY, CLERK,

GLENN E. GAMBER, PRESIDENT

