

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, JULY 19, 2010**

ACTING COUNCIL PRESIDENT MANG B I=d like to welcome all of you to Massillon City Council for Monday, July 19, 2010. We have in attendance with us this evening: Mayor Cicchinelli. 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, Donnie Peters, Larry Slagle and Tony Townsend.

Thus giving a roll call vote of 8 present.

ACTING COUNCIL PRESIDENT MANG B Mr. Manson, we will need a motion to excuse Council President Gamber and Councilman McCune.

COUNCILMAN MANSON B I make a motion to excuse Council President Gamber and Councilman McCune, seconded by Councilwoman Catazaro-Perry.

Roll call vote of 8 yes to excuse Council President Gamber and Councilman McCune.

2. INVOCATION

ACTING COUNCIL PRESIDENT MANG B I will recognize Councilman Tony Townsend for the invocation and the Pledge of Allegiance.

COUNCILMAN TOWNSEND B gave the invocation for the evening.

3. PLEDGE OF ALLEGIANCE

COUNCILMAN TOWNSEND – Chairman of the Health, Welfare and the Building Regulations Committee led those in attendance in the Pledge of Allegiance.

4. READING OF THE JOURNAL

ACTING COUNCIL PRESIDENT MANG 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

ORDINANCE NO. 85 B 2010

BY: HEALTH, WELFARE & BLDG

REGULATIONS

Amending CHAPTER 1129 “BOARD OF ZONING APPEALS” of the Codified Ordinances of the City of Massillon, by repealing existing section 1129.04 “Fees” and enacting new Section 1129.04 “Fees”.

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COUNCILMAN TOWNSEND B First reading.

ORDINANCE NO. 85 – 2010 WAS GIVEN FIRST READING.

ORDINANCE NO. 86 B 2010
REGULATIONS

BY: HEALTH, WELFARE & BLDG

Amending CHAPTER 1125 “ADMINISTRATION AND ENFORCEMENT “ of the Codified Ordinances of the City of Massillon, by repealing existing Sections 1125.01 “Enforcement”, 1125.05 “Duties of Building Inspector” (a)(b)(c) and (d), 1125.05 (b)(c) and (g) 1125.06 “Final Inspection” and Chapter 1125.07 “Fees”, and enacting new Sections 1125.01 “Enforcement”, 1125.05 “Duties of Building Inspector” (a)(b)(c) and (d), 1125.05 (b)(c) and (g) 1125.06 “Final Inspection” and Chapter 1125.07 “Fees”,

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COUNCILMAN TOWNSEND B First reading.

ORDINANCE NO. 86 – 2010 WAS GIVEN FIRST READING.

ORDINANCE NO. 87 B 2010
REGULATIONS

BY: HEALTH, WELFARE & BLDG

Amending CHAPTER 1181 “ACCESSORY BUILDINGS” of the Codified Ordinances of the City of Massillon, by repealing existing Sections 1181.01 “Regulations” (h) and (i) and creating Section 1181.02 “Solid Fuel-Fired Outdoor Heating Devices”, and enacting new Sections 1181.01 “Regulations” (h) and (i) and creating Section 1181.02 “Solid Fuel-Fired Outdoor Heating Devices”

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COUNCILMAN TOWNSEND B First reading.

ORDINANCE NO. 87 – 2010 WAS GIVEN FIRST READING.

ORDINANCE NO. 88 B 2010
REGULATIONS

BY: HEALTH, WELFARE & BLDG

Amending CHAPTER 1188 “SIGNS” of the Codified Ordinances of the City of Massillon, by repealing existing SubSections 1188.03 “General Provisions” (b) and 1188.04 “Regulation of On-Premise Signs by Zone:(a)(7), and enacting new SubSections 1188.03 “General Provisions” (b) and 1188.04 “Regulation of On-Premise Signs by Zone”(a)(7).

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COUNCILMAN TOWNSEND B First reading.

ORDINANCE NO. 88 – 2010 WAS GIVEN READING.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

A. Repository - \$398.41

ACTING COUNCIL PRESIDENT MANG B Mr. Manson, we need a motion to pay the bill.

COUNCILMAN MANSON – I make a motion to pay the bill, seconded by Councilwoman Catazaro-Perry.

Roll call vote of 8 yes to pay the bill.

10. REPORTS FROM CITY OFFICIALS

- A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR JULY 2010 B COPY FILE
- B). TREASURER SUBMITS MONTHLY REPORT FOR JULY 2010 B COPY FILE
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR JULY 2010 – COPY FILE
- D). INCOME TAX DEPT SUBMITS MONTHLY REPORT FOR JULY 2010 – COPY FILE
- E). WASTE DEPT SUBMITS MONTHLY REPORT FOR JULY 2010 – COPY FILE
- F). MAYOR SUBMITS MONTHLY REPORT FOR JULY 2010.

ACTING COUNCIL PRESIDENT MANG B Thank you. Everyone has those reports and we'll keep copies on file.

11. REPORTS OF COMMITTEES

ACTING COUNCIL PRESIDENT MANG B Monday, August 2nd is the work session at 6:00 and then the council meeting following at 7:30pm. Then the next council meeting is Monday, August 16th with a work session at 6:00pm, then starting in September there's five weeks in August so we'll be starting in September back to our normal schedule which will be with a council meeting in the very first meeting in September.

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

ACTING COUNCIL PRESIDENT MANG B Mr. Townsend?

COUNCILMAN TOWNSEND – Yes, I have a question towards one of the chairman of a committee. Question for Councilman Slagle, I received this policy in the email could you just explain it a little bit for me?

COUNCILMAN SLAGLE – No, I can't, I can explain to you that this is what I received from Kenn Kaminski when I wanted it brought to the parks and rec. department meeting. Then the June meeting was cancelled so it was discussed at the July meeting. I've asked Perry to find out whether the city council ever actually worked on this or not. Because this is a procedure set up by the parks and rec. department regarding renaming any park. So I mean I would hope you would know more about that than I would since you were the previous chairman.

COUNCILMAN TOWNSEND – Actually when you sent the email out this was the first time I've ever seen this. I have never seen this before in my life.

COUNCILMAN SLAGLE – I was surprised as you are I don't know why. I mean I didn't create it over night if that's what you're thinking.

COUNCILMAN TOWNSEND – No, I'm not thinking that its just when you sent it out I just never seen it before and when I read it, it just appeared to me that it was a lot easier to sell a park here then to rename it. I just never saw it before and I mentioned this to Kenn about the renaming of the park when we took a tour. Not one time did he ever mention that there was some type of procedure that we needed to follow to do that? Even if you look at the letter I don't know I gave you a copy of this I'm quite sure written by Perry here he states you know the ultimate decision lies with city council and not with the parks and recreation. So how would

that conflict with this procedure? You don't know?

COUNCILMAN SLAGLE – I've asked Perry that same question I think you saw the email that I copied to Perry. I frankly don't understand I'm not against renaming a park I think we should we ought to name parks if that's appropriate but there's a procedure to do it. Ultimately I believe we probably are the ultimate decider but at the same time it makes no sense to have a parks and rec. department that has a procedure set up for the purpose of accomplishing what we're doing and just ignoring them. That's all. I mean Tony, I'm just surprised I don't know what you think was happening.

COUNCILMAN TOWNSEND – No, no, when this was sent out because I had a discussion with Kenn about the name change not one time did he ever say there was a procedure. So when this was sent out when I saw it I know its not you I'm just you're the parks and rec. chairman so that's why I'm you know...

COUNCILMAN SLAGLE – That was sent to me June 16th, I followed up and said I wanted it on the June agenda but the June meeting was cancelled as you know and then it was sent to me. It was on the July agenda I can only tell you that the parks and rec. board itself did not seem keen on renaming a park. But again it hasn't been discussed enough to really make that decision. I don't think it will ultimately be a I don't know where its going to go because frankly I don't know if we ever passed this so this would effect us even.

COUNCILMAN TOWNSEND – I've never seen this before. That was my concern when I saw it in the email. I know someone had gave it to you and it was just my question is you know where did it come from.

COUNCILMAN SLAGLE – There's no date on it so we don't even when it was established.

COUNCILMAN TOWNSEND – Right.

COUNCILMAN SLAGLE – But I'm sure it wasn't created just for this scenario.

ACTING COUNCIL PRESIDENT MANG B Donnie, do you have a question?

COUNCILMAN PETERS – I have a question, comment, I want to complain I want to do everything. Mr. Slagle, I don't want you to take this the wrong way but I'm also a member of the parks and rec. committee and I have not seen a copy of this. Okay, no one has felt the need to send this to me so you guys are talking Latin as far as I don't know what's involved in this. I know that I am in support of Mr. Townsend's idea to rename Shrive Park and as a member of the committee that we can put it on the agenda. We are city council we can do what we want I don't care what the parks and rec. says. Okay, I mean and I haven't seen this so I can't comment on it. So I'm a little upset about that okay, so I think in order to get moving it would be nice if I was informed and then I could have talked to the other members of the committee including yourself. So I mean that's all I'm saying and I'm saying don't take it the wrong way I know you probably didn't think I really cared you know but I do.

COUNCILMAN SLAGLE – Well, I don't take it the wrong way. Had I known it was pressing issue today I would have dealt with it differently, but I was frankly taking the steps I needed to take...?

COUNCILMAN PETERS – I understand that and you said that straight up you said last week that's what you were going to do when you went to the parks and rec. board. I didn't go to the parks and rec. board meeting so I can't really complain but I know that's what you said. I'm not getting into a debate with you I'm just saying that I don't have a copy of that so I don't really know what you're talking about or what's involved there. That's all I'm saying I mean..

COUNCILMAN SLAGLE – Mary Beth did get it today when I heard that Tony was raising the question again from last Friday because I got the email on Monday morning then I immediately went and asked her to email this to everyone so that they see what the delay was. I mean you know I go back with T. Roy 30 years when we worked hard together on the Celeste

campaign.

COUNCILMAN PETERS – I agree with you I don't think this is even an issue. I know that the amount of people here to speak out about it but I don't think this is going to be an issue per say. That's what I'm getting at so that's all I have to say.

COUNCILMAN TOWNSEND – It's nothing on you Larry, its just when I got this my question was where did this come from considering I did speak with Kenn a month ago about it prior to coming to council. He never mentioned one time that we had this and then when I contacted Perry he sends a letter saying hey, he didn't see any reason why we couldn't change it the ultimate decision lies with council. Then all of a sudden this shows up. It's no bearing on you its not against you.

COUNCILMAN SLAGLE – And ultimately that may be true unless council actually had involvement in passing this piece of legislation this document. I don't know that my guess it must have come before Kenn if he didn't tell you about it because he wasn't aware of it. I don't know how that came about I just got it I followed up then with the parks and rec. board itself. If I had known it was pressing issue I would have taken it differently. I apologize if anyone was taking it as other than me making sure that we dotted all the I's and crossed all the T's.

COUNCILMAN PETERS – I didn't know it was pressing issue until tonight I really didn't so that's what I'm saying I mean...

COUNCILMAN TOWNSEND – It's not a pressing issue its just when I brought it up I didn't hear anything about it. Then when I received that I didn't know where this come from if there's a pressing issue it is this its this form here because its seems like to me it did come out of nowhere. After speaking with Kenn about it it was never mentioned that there was process. We talked about it a little bit and I said I'm going to check with Perry and do all of this and there was nothing. Then all of sudden this comes up after I made a hoot about it on Friday.

COUNCILMAN SLAGLE – Well, it didn't come up after I said it was sent to me on June 16th, had you called me on Friday I would have told you and said that you know I apologize I didn't send it out but I'm still trying to find out what the legal meaning of that document is. Because as I said if you got my email today I said I think we're permitted to what we want but until I know that we didn't have involvement on this I don't know that. And Kenn's out of town he's on vacation this week.

ACTING COUNCIL PRESIDENT MANG B Okay, anything else. Anything else?

COUNCILMAN MANSON – Yes, I never saw this before but I was one of the ones when we started on this a month or two ago I asked has the parks board been you know consulted on this. My reason for that is and I personally don't really see a lot wrong with this unless somebody just fabricated this out of the clear blue sky all of a sudden or something. But Gary and I had some conversation in here this afternoon that I'd like to find a little bit of the history of Shriver Park. I do know a little bit of the history of Shriver Park as far as Massillon Tigers used to play there. It was a small stadium, bleachers and stuff like that I've seen the pictures. But I'd like to know a little bit about how it was named Shriver Park if there is any history out there.

COUNCILMAN TOWNSEND – Well, did I give you a copy of this?

COUNCILMAN MANSON – I'm not sure.

COUNCILMAN TOWNSEND – I passed this out a while back and it just gives you the history of Herman Shriver 1870, passed along to two other folks in 1938 no actually 1924. They gave it to the board of education who in turn gave it over to the City of Massillon in 1938. It was published in the paper no Shriver showed up so I don't know.

COUNCILMAN MANSON – Then the other thing I brought up to Gary when we were discussing this was could it maybe be Roberson/Shriver Park or something.

ACTING COUNCIL PRESIDENT MANG B You know this conversation really belongs in committee and with the park and rec. or after its been determined whom or who can change the name of the facility. Having the discussion here there's nothing on for tonight's meeting and matter-of-fact there was nothing discussed in the work session. So we'll move right along.

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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REGINA MCNUTT – I live at 223 2nd Street, Riverview Towers. I came to address a concern about the crossing light down there and it's a caution light and there's our senior high rise well I'm in there on disability and then a new senior high rise and the light just flashes. The crossing light is not working where it says stop and go and there's concern about my neighbors in wheelchairs and myself not walking very fast across that intersection. That's my concern is about the lights not being on yet I know its under study but that's a concern I would like to address.

ACTING COUNCIL PRESIDENT MANG B Mr. Mayor?

MAYOR CICCHINELLI – We have been studying various lights throughout the whole city and that was one that was studied. It actually was recommended by the consultant to take it down. That was before we can do what we want we're only looking at their recommendation and when that study was done construction had started on the new mid rise. So I know I have been talking to Mr. Peters who is the ward councilman in the area and I think he is coming in this week to have a meeting and then decide once and for all. But I think in talking to him and he can speak for himself I mean I think what the administration is going to do is recommend to leave it up and it turn it back on. I'm going to listen to what the councilman has to say, but I think that's going to be our recommendation and hopefully his is the same as ours.

REGINA MCNUTT – Well, appreciate that because today I was crossing with one of my neighbors in a wheelchair and its hard to get across there. So I appreciate you...

MAYOR CICCHINELLI – When also when that study was done the viaduct was still closed you know so there was some things that have added additional traffic. I think Donnie if you want to say something but I know he was planning on coming in.

REGINA MCNUTT – Thank you.

ACTING COUNCIL PRESIDENT MANG B Thank you, anyone else?

ALONZO KING – 1216 Cleveland St. I just came down to acknowledge everything you know just trying to show my support because when I was growing up as a kid I didn't have no mother no father and he was there. You know he chastised me and taught me things you know how to respect people and all that. So I just came down today but there's also other things like to recognize like you know people walk around in my neighborhood and they talk about well you all got this here and got this there stuff hanging around and all that. But what I'm just saying is to come down to help out and recognize T. Roy because he was a good person to me he chastised me you know my father was in the service he stayed away and my mom was divorced

but hey I feel like they said the name is Shriver they want it to be T. Roy Roberson why not. It's just a name the park is going to be the park kids can play there. You know no big thing. Thank you.

ALEAN CASTELLANOS – 893 Walnut Rd SE. First I'd like to thank the city for coming and there's a house that's right across the street from me I don't know the address. 1106? That needs to be torn down it's a health hazard the health department came that day and they cut the grass and some trees and things like that, that I was just still wondering when are they are going to tear it down? Is it...

ACTING COUNCIL PRESIDENT MANG B Tony, can you address this?

COUNCILMAN TOWNSEND – The health department came out about maybe two to three weeks ago they cut the grass and cleaned the trash out. It is on the demolish list so it is scheduled I don't have a date but it is scheduled to be demolished. It's the house on the corner with a funny looking tree in front of it yes, that house there.

ALEAN CASTELLANOS – The other thing was I was interested in the sidewalk program I knew they were waiting for guidelines and so I was just wondering have you got funds for that especially for seniors.

COUNCILMAN TOWNSEND – \$20,000 was set aside actually the day after I proposed it I did speak with Aane Aaby the community development director and this was probably about three weeks ago and he said he was waiting on some representatives from HUD out of D.C. to provide him with additional information to kind of get the program out. What we were talking about and what he's looking in he's possibly looking at having the program for free no 50/50. He felt and he even said that here in one of the meetings that he felt that it would probably be much cleaner if he was able to just give the money out and do it. So I'll contact him tomorrow and then I'll talk with you tomorrow evening.

ALEAN CASTELLANOS – Thank you.

KATHLEEN SPENCER – My address is 1334 3rd Street SE. I'm going back to the question of Shriver Park I'm curious we have a clean up on the southeast side twice a year and last year we parked on Glenwood Southeast on the east side from the ballpark to Shriver. A gentleman came up and said to me that that was a part of Shriver Park I've been on the southeast since 1962 and we've always used the park for different things. He didn't want people parking on that side so when you guys asked the question about the park name being changed come and let us know why he can own the part on the east side of Glenwood going toward Shriver Street. He said that was a part of his property he bought the property across as a vacant lot now going and he has a building on Erie Street. He says he owns that and I told him that was news to me because we have always been parking our dumpsters there for clean up. So when you guys look into the park about changing the name look into see who owns that deed to that. To me it don't make sense how you're going to sell part of Shriver to someone who has a deed across the street who bought the lot. That's part of Shriver Park too it goes from Glenwood behind the ball field where the baseball catchers part is the fence all the way to Shriver Street on the east side going north. This man says he owns that so when you look up the about that other part look to see who owns that deed. There's a fence on the right hand side on the east side and he says he owns that from that fence all the way to Shriver that's part of Shriver Park.

ACTING COUNCIL PRESIDENT MANG B Well, I think we can get engineering to solve that problem for us find out if the individual is correct or not. Tony, you can follow that up so we know what we're talking about.

THELMA JOHNSON – I'm T. Roy Roberson's sister. I just want to address that I think that T. Roy did a lot for this city not just not just in his ward but in all the other wards. I think that he should be recognized I don't its not as far as I'm concerned park or whatever you want to do that doesn't matter to me as long as you do something to recognize my bother. I was trying to figure out how we could do something to recognize his name because I think a lot of you guys here sitting around these tables benefit from him helping you get in office. So I think maybe not

all of you but most of you and I know Cicchinelli for sure because he was at T. Roy's house all the time. But I'm saying that all of us should be doing something to recognize him because he was a good person. He may have had his you know he would say what he had to say he didn't care who it hurt but he was a person that loved Massillon and loved his ward and not just his ward but anybody who asked him to do something he was always there. I think he should be recognized and that's what I have to say. I live at 2026 Vermont Avenue SE, Massillon. Thank you.

18. ADJOURNMENT

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

MARY BETH BAILEY, CLERK,

GLENN E. GAMBER, PRESIDENT



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