

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD, MONDAY, AUGUST 2, 2010**

**COUNCIL PRESIDENT GAMBER B** I=d like to welcome all of you to Massillon City Council for Monday, August 2, 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 Larry Slagle for the invocation and the Pledge of Allegiance.

**3. PLEDGE OF ALLEGIANCE**

**COUNCILMAN SLAGLE** – Chairman of the Parks & Recreation 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**

**ORDINANCE NO. 89 B 2010**  
**COMMITTEE**

**BY: COMMUNITY DEVELOPMENT**

Accepting an application for annexation for the US 30 Richville Drive Area Annexation to the City of Massillon, Ohio, and declaring an emergency.

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**COUNCILMAN MANG B** Yes, according to the rules as we now have on annexations the paper pertaining to the annexation must now be presented to the clerk and then it will be on

record that we have these documents which will eventually to the county. Now the documents that I gave to the clerk were the documents to the annexation of the Drage property that we had here say a month ago. Tonight this piece of legislation that we have is for the Richville Drive which is part of the annexation petition that was accepted now we have to the county commissioners have accepted our petition and we need now to accept Richville Drive. The paperwork that I gave the clerk is the paperwork for the Drage application and the annexation. Tonight this piece of legislation we have is also included in there and it's for the acceptance of the Richville Drive. I will be asking for suspension of the rules.

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. 89 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

**ORDINANCE NO. 90 B 2010**

**BY: FINANCE COMMITTEE**

Making certain appropriations from the unappropriated balance of the Municipal Court Capital Improvement Fund, Parks & Recreation Fund, Golf Fund, Municipal Court Computer Fund, Indigent Drive Alcohol Fund, State Highway Fund, Safety Forces Equipment Fund, Economic Development Fund and the Muni Motor Vehicle Tax Fund, for the year ending December 31, 2010, and declaring an emergency.

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**COUNCILMAN MANSON** B Yes, we have nine parts to this ordinance we'll just start and go through with them one at a time and if there's any questions you can either stop me or wait till the end and ask me. Section 1, is for \$265,000 to appropriate \$265,000 from the unappropriated portion of municipal court capital improvement fund 1204 to equipment line item of said fund 1204.125 for audio/visual upgrades for the courtrooms. Section 2, is for a total of \$37,000 there's two parts to it the parks and recreation department is requesting a appropriation of \$37,000 from the unappropriated balance of fund 1234. \$12,000 to the account number 1234.505.2392 contract services and \$25,000 to account number 1234.505.2410 supplies. The funds will be appropriated from the unappropriated balance to support operations to the end of the year replacing money originally used for the purchase of the food and beverage at the Legends. Section 3, is for \$52,000 please prepare an ordinance to appropriate from the unappropriated balance of the golf fund 2104 to the following account: 2104.920 \$52,000 for capital purchase food and beverage. This is to make the payment that is due for the restaurant supplies and stuff in October. Then there will be one more payment due in October of 2011. Next part is for \$70,000 please appropriate \$70,000 from the unappropriated portion of the municipal court computer fund 1233 to equipment line item of said fund 1233.125.2510 for computer upgrades for courtrooms. Then the next one is section 5 for \$50,000, \$50,000 from the unappropriated portion of the indigent driver alcohol fund 1225 to services and contracts line item said fund 1225.125.2392 for payment of alcohol and drug treatment for indigent drivers. I believe this at the state hospital I'm not sure what it's called down there but that's what that is supporting. Then section 6 is a total of \$20,000 please prepare an ordinance to appropriate from the unappropriated balance of the state highway fund 1202 to the following: \$5,000 to safety PERS, \$5,000 to streets PERS and \$10,000 to street salaries. There was a typo on that did everybody get that corrected it was \$10,000?

**COUNCIL PRESIDENT GAMBER** B Now that you brought that up Mr. Manson in section 2 there's also a hand written correction the figure should be \$12,000 not \$37,000. Mrs. Catazaro-Perry?

**COUNCILWOMAN CATAZARO-PERRY** – in the future I would like to recommend that we don't just write over these numbers that you put a line through it and write error and write the correct number. Because this is very confusing...

**COUNCIL PRESIDENT GAMBER** B I completely agree I called the law director over

because I have two spots on this ordinance where there's handwritten corrections. We will call them a typo the council clerk's copy has the correct number and as long as we mention it for the record that takes care of it. But it is sloppy I agree. Sorry, Mr. Manson.

**COUNCILMAN MANSON** B Section 7 is \$15,000 please appropriate from the unappropriated balance of the safety forces equipment fund 1205 for down payment of replacement for fire alarm system for the city hall building. That goes to safety forces equipment fund equipment line item 1205.125.2530. Section 8 for \$10,000 please prepare an ordinance to appropriate from the unappropriated balance of the economic development fund 1237 to the following account 1237.845. \$10,000 services and contracts this money is needed to coordinate the start up of the arts district. The last one for \$7,000 please prepare an ordinance to appropriate from the unappropriated balance of the muni motor vehicle tax fund 1206 to the following account 1206.435 \$7,000 for gas and oil. That's all if there's any questions I'll get them answered.

**COUNCIL PRESIDENT GAMBER** B Any questions? Mr. Townsend?

**COUNCILMAN TOWNSEND** B This maybe a question for Aane. A young lady came here she visited us maybe a year ago and received about \$1,500 for her insurance business on Erie Street. I think the business lasted about three months she packed it up and moved to North Canton with her business. Can we get that money back is there way we can get...

**COUNCIL PRESIDENT GAMBER** B That's a topic for another time. Right now we're discussing this particular...

**COUNCILMAN TOWNSEND** B I just thought about it when I saw that you know it just came to me and I wanted to ask the question before it slips away.

**COUNCIL PRESIDENT GAMBER** B I'll make a note we'll bring it up at the end of the meeting if that's alright. But in terms of any question about this ordinance?

**COUNCILMAN TOWNSEND** B No.

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

**COUNCILMAN PETERS** B I just had the answer for him but that's fine. Yes, the city is going to recoup it was \$2,500 and Aane has sent out a letter to recuperate that money. They have to stay in the building for five years from the time the grant is given and if not they have to pay back the money. Aane has already sent out the letters out to her and she's been informed that she has to pay the \$2,500. I'm on top of things.

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. 90 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

**ORDINANCE NO. 91 B 2010**

**BY: FINANCE COMMITTEE**

Amending Ordinance No. 20 – 2010 by revising Sections 1, 2 and 3 for professional services to research opportunities for grants for the City of Massillon, and declaring an emergency.

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**COUNCILMAN MANSON** B Yes, what we are doing here is we're amending Ordinance No. 20 that we passed earlier in the year. Mostly it will be just taking out individual names and just excluding the names. It will just be whatever unnamed persons that may fill this position. In section 1 is just to exclude the name Dianne Oliver that was in section 1, in section 2, we added a part not to exceed the sum of \$65.00 per hour and we're removing her name from that. Section 3, is excluding Dianne Oliver's name from section 3. That's the only change in section

3.

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

**COUNCILWOMAN CATAZARO-PERRY** – Could we bring the auditor up please? Mrs. Ferrero I've had some time to think about this and as a grant writer myself I just want to say this I'm so glad we added not to exceed the sum of \$65.00 per hour. Because that is quite a salary...

**AUDITOR FERRERO** – I have found someone I found quite a few people that I've talked to and I've got one gal that's working for us right now for much less than that. So but then in other events there's sometimes that we might have to pay somebody that much depending on their expertise. So I think that that's a fair dollar amount and that's what we had agreed on in the beginning. So as long as we don't exceed it I think we'll be okay. I can assure you that I'm trying to keep it under that.

**COUNCILWOMAN CATAZARO-PERRY** – I think if we try to shoot for \$30.00 I think that would be a great amount right there. \$65.00 is quite a bit of money to write grants and maybe you come up with nothing. So I would like to say on record that I think if we could try and stay around \$30.00 I think that would be great.

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.

ORDINANCE NO. 91 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

**ORDINANCE NO. 92 B 2010**                      **BY: FINANCE COMMITTEE**

Authorizing the Mayor of the City of Massillon, Ohio, to submit an application and accept the JAG Grant FY2010 for the upgrade and development of the crime mapping program for the Massillon Police Department, and declaring an emergency.

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**COUNCILMAN MANSON B** Yes, this ordinance deals with what the public hearing was about tonight. It's a JAG grant which stands for Justice Assistance Grant its an ordinance authorizing the mayor of the city to update apply and accept the JAG grant for year 2010 for the use in the Massillon Police Department. The funds will be used to upgrade and develop crime mapping program. It is used for law enforcement software programs and related issues. Any questions we'll have the mayor or somebody come up and answer them.

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. 92 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

**ORDINANCE NO. 93 B 2010**                      **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, 2011, and declaring an emergency.

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**COUNCILMAN MANSON B** Yes, we discussed this at the last committee meeting. This is a necessary thing we do every year this has been named or called the wish list budget but what it does is it goes to the auditor's office the Stark County Auditor's office and its to make sure that we get the funds from our property taxes. The amount that we need and I can assure you that

the numbers are on here they are somewhat inflated and they will not there will be quite a bit of difference on the final budget. If you like to have the mayor come up and explain any of this we'll bring him up.

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. 93 – 2010 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

#### **7. UNFINISHED BUSINESS**

#### **8. PETITIONS AND GENERAL COMMUNICATIONS**

LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM WOOSCO INC DBA WALES DR ONE STOP 704 WALES RD NE MASSILLON OHIO 44646 TO RJ ONE STOP INC 704 WALES RD NE MASSILLON OHIO 44646

LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM ELBOW ROOM INC DBA THE ELBOW ROOM 1318 EIRE ST S 1ST FL & BSMT MASSILLON OHIO 44646 TO RIDE TO FREEDOM BAR AND GRILL LLC 1318 ERIE ST S 1ST FL & BSMT MASSILLON OHIO 44646

#### **9. BILLS, ACCOUNTS AND CLAIMS**

A. Repository - \$1,283.00

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

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

Roll call vote of 9 yes to pay the bill.

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

A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR JULY 2010 B COPY FILE  
B). AUDITOR SUBMITS MONTHLY REPORT FOR JULY 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 Councilman Hersher.

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

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

**COUNCIL PRESIDENT GAMBER** B The next committee session will be August 16th work sessions followed by the council meeting.

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

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

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

• **SECOND READING ORDINANCES AND RESOLUTIONS**

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**ORDINANCE NO. 85 B 2010**  
**REGULATIONS**

**BY: HEALTH, WELFARE & BLDG**

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 Second reading.

ORDINANCE NO. 85 – 2010 WAS GIVEN SECOND 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 Second reading.

ORDINANCE NO. 86 – 2010 WAS GIVEN SECOND 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 Second reading.

ORDINANCE NO. 87 – 2010 WAS GIVEN SECOND 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 Second reading.

**16. NEW AND MISCELLANEOUS BUSINESS**

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

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**JOHN ATKINS** – I moved to Canton today and don't know the address. I came because I wanted to thank the mayor's administration and the mayor himself for all the hard work that they and the effort that they put on behalf of my issues in the past. I know that I was a bit tough on you last time and I was a bit angry and there were some areas that I found that I probably could have improved on. I just wanted to say thank you so much and thank you again. The reason I wanted to come in here and say this because mostly people want to come in and complain and they don't want to come in and say thank you when everything is going good. The complaints that I gave you those are already investigated there's several more. One got sent to the DOJ and I spoke with the lady that you hired the fair housing she rocks. You did a stellar job by hiring her. Thank you that's it.

**COUNCIL PRESIDENT GAMBER B** Thank you very much and good luck to you.

**CHERYL ROBINSON** – Mike Robinson, he was a fireman from Massillon, he passed away about two years ago in May. He had a garbage route and when he died he passed the garbage route to his sons. Okay, we're having a problem because the city is saying that license can not be transferred as of 1979. So they're saying that my sons can not pick up in Massillon although Mike bought the route from Mr. Kelly four years ago so if license couldn't been transferred since 1979 you know he bought it from Kelly four years ago. But they will or three years ago but they will not transfer the license to my sons to pick up you know there's about maybe 80 or less customers that they pick up for just in the Massillon area. But you know the city said no we can't do it and I was wondering is there anything we could do to work it out where they can pick up these 80 or less houses in the Massillon area.

**COUNCIL PRESIDENT GAMBER B** Ms. Robinson, apparently you've been talking with city officials may I ask who you've talked to?

**CHERYL ROBINSON** – Perry.

**COUNCIL PRESIDENT GAMBER B** Mr. Stergios, anyone else?

**CHERYL ROBINSON** – No, well no not really Mr. Townsend.

**COUNCIL PRESIDENT GAMBER B** Alright, so you made an application, the application was denied?

**CHERYL ROBINSON** – No, they sent us a letter saying that they would not renew the license once Mike died. So...

**COUNCIL PRESIDENT GAMBER B** Mr. Stergios, it's entirely up to you if you would like to make any sort of response. If not that's fine.

**LAW DIRECTOR STERGIOS** – I'll make it quick we can always talk longer about it. The city has an ordinance that says we'll issue no new licenses after 1979. Probably not to pick on anyone but Mr. Mang and the mayor might be the only two who were around when we acted that. Reason being I am told was to there was 30 of them back then now we're done to eight or ten or twelve because you can't transfer them. Reasons I am unaware at times licenses were transferred to a new business or a buyer I don't know how that happened or what took place. There are some conflicting records on that in any event I discussed it with the service director and you know the ordinance says what it says. I'm not you know I don't feel that I am duty bound to disregard what the ordinance says and I think Michael Loudiana feels the same way.

Council wishes to change it or make an exception to transfer a license I think I told Ms. Robinson in the letter that would be the place to go because I can't change it and Loudiana can't change it. So that's the short version of a longer story but that's what our ordinances says.

**COUNCIL PRESIDENT GAMBER** B Mr. Stergios, may I ask does the permit follow the business regardless of who the officers are does it follow an individual?

**LAW DIRECTOR STERGIOS** – The ordinance that was passed said on or after April something of 1979 no ordinance shall be transferred directly or indirectly from its existing holder to any other entity be it death, purchase, sale, merger even though they apparently let some mergers go through.

**COUNCIL PRESIDENT GAMBER** B You indicate we've gone from 30 down to 10 or 12.

**LAW DIRECTOR STERGIOS** – Don't hold me to that I know we've gone down.

**COUNCIL PRESIDENT GAMBER** B Ballpark but has this procedure been followed in those cases?

**LAW DIRECTOR STERGIOS** – I'm assuming that's how they've been widdled down or how they have disappeared over time.

**COUNCIL PRESIDENT GAMBER** B We'll start from the left with Mr. Slagle.

**COUNCILMAN SLAGLE** – Who and when were the earlier ones passed that apparently went through even though the ordinance said they should not have?

**LAW DIRECTOR STERGIOS** – I would have to look. Mary Lou Reed has the real records on all this I have some bits and pieces.

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

**COUNCILMAN MCCUNE** B I have a statement more than anything. With the number of garbage haulers being reduced to where to the dozen or so that Perry referenced and the fact that we're trying to keep as much Massillon business as possible. I would think that this is something that we might want to revisit I'll just throw that out there for consideration by the rest of council.

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

**COUNCILMAN TOWNSEND** B Let Kathy go she had her hand up first. Oh I'm sorry I was wondering could I get a copy of that ordinance sometime this week. Also so when the license was transferred three years ago what was that an oversight or what could have happened?

**LAW DIRECTOR STERGIOS** – I have no idea I mean I have a file I don't know if it tells us in there I'm not sure how it happened. I really I don't know. I could look but I wasn't I didn't know I was going to have to answer these questions tonight. I really have no idea. It didn't come through me I don't think.

**COUNCILMAN TOWNSEND** B Well, I guess I have a statement you know I guess that ordinance is there for a good reason but when you have a father who pass away and passed the business down to his son and his son can't not have the business I think something is wrong with that ordinance.

**LAW DIRECTOR STERGIOS** – Well, not to debate the he can have the business he just doesn't get the Massillon part of the route. He's got other business I'm not debating it one way or the other I'm just saying you know that's not the only customers he has. I'm sure it's of relevance to him though or she wouldn't be here asking about it. Council passed it council can change it.

**COUNCIL PRESIDENT GAMBER** B Mr. Townsend, are you finished?

**COUNCILMAN TOWNSEND** B Yes sir.

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

**COUNCILWOMAN CATAZARO-PERRY** – I just wanted to make sure I understood it was your husband (My ex-husband) he passed away and wanted to give the business to your sons?

**CHERYL ROBINSON** – Yeah, so they have it but Massillon's saying well you can have your business but you can't pick up in Massillon because of the ordinance that was passed in 1979. But Mike bought it from Mr. Kelly three years ago and got the license.

**COUNCILWOMAN CATAZARO-PERRY** – So we already transferred the license once is what you're saying?

**CHERYL ROBINSON** – Right, right, from Mr. Kelly to Mike three years ago. So this ordinance from 1979 when this ordinance was passed you know how did Mike get the license three years ago?

**COUNCILWOMAN CATAZARO-PERRY** – Right.

**CHERYL ROBINSON** – And now he just wanted his sons to run it, but Massillon is saying no.

**COUNCILWOMAN CATAZARO-PERRY** – So what have you done for two years?

**CHERYL ROBINSON** – Well, we still have Jackson and we have Perry and you know they're saying...

**COUNCILWOMAN CATAZARO-PERRY** – So you lost the Massillon accounts is what you're saying?

**CHERYL ROBINSON** – Yeah, you know it was only like 80 customers but they were loyal customers from Mr. Kelly to Mike and you know my son had started its been about a year since they said you know you can't do it.

**COUNCILWOMAN CATAZARO-PERRY** – Oh about a year. So do you think those customers would return if we changed this?

**CHERYL ROBINSON** – Oh yes, oh no doubt yeah,

**COUNCILWOMAN CATAZARO-PERRY** – Because they were happy with the service?

**CHERYL ROBINSON** – Because we have people that Mike you know picked up for them sometimes these other garbage routes who really helps us out. We're just hoping that we can get our license back so that we can continue to pick them up.

**COUNCILWOMAN CATAZARO-PERRY** – I agree Mr. Stergios I think we should relook at that. If you could share that with everybody that would be great.

**LAW DIRECTOR STERGIOS** – It's up to you guys and I think you ought to talk to Mike Loudiana. I'm just saying what the ordinance says. I'm not creating policy or I could sit here and go on for an hour about why we have it and why I think we have it. I don't think that's my place. I think you need to have Mike come to a committee meeting and tell you what he knows and historically why he thinks it's there and maybe some other people know also.

**COUNCILWOMAN CATAZARO-PERRY** – It just seems strange though that if we sold it three to four years ago and now we're not allowing them to transfer it due to a death that's kind of contradictory.

**LAW DIRECTOR STERGIOS** – Well, I think sometimes things were done and sold and transferred and we were never told about it either. I'm not saying that happened with these people I don't know because I'm not in charge of that stuff.

**COUNCILWOMAN CATAZARO-PERRY** – I'm just think we should talk about it.

**LAW DIRECTOR STERGIOS** – Yeah, no, I agree I mean that's fine it's up to you guys.

**COUNCIL PRESIDENT GAMBER B** What I'll do is assign this to a committee and then that chairman can follow through and report back to council. Mr. Townsend?

**COUNCILMAN TOWNSEND B** Now does this only apply to all businesses which is trash?

**LAW DIRECTOR STERGIOS** – This is just trash pick up residential and commercial I think I know residential I think commercial too.

**COUNCIL PRESIDENT GAMBER B** I think having Mr. Loudiana come in and explaining the theory behind it basically we have our own department. You also don't want a 100 different companies traveling all over the streets. There's some rhyme or reason to why they're doing it but it would seem that the business once its here as long as you long you haven't sold it to someone different. That's just conjecture on our part we'll let the committee handle it. Thank you very much for coming in. Is there anyone who would like to speak to council?

**LAMAR WEBB** - 924 Roosevelt NE, I come to talk about honoring my late uncle T.R. Robinson, my aunt Thelma Johnson we're still interested in it. We were kind of a little disappointed last week when we got here and there was an ordinance that kind of appear didn't have an ordinance number didn't have a date you know kind of stalled emotion. We haven't forgotten that we just want you guys to remember that and maybe considering my uncle sometime in the future.

**WILLIAM KELLY** – 830 Walnut Rd SE, I'm 84 years old I've been in that business 50, 60 or 70 years and this has been going on between the city and the private ever since 60 or 70 years. They been cutting the profit off winter when you had to go into the basement and bring ashes up you had to go behind the houses and get the garbage nobody didn't want it but the black man. That's the only person who wanted it and now since you've brought all of these other big BFI RC Miller and they done taken a lot of your business away. Now you want to cut the little colored man out and we've only got two or three here you've been trying to cut him out for the last 70 years. What do you want to do together we stand divided we fall. I think this is what this world is all about.

**MARY KLEVER** – 1324 Pearl Avenue SE, Massillon. I'm here I don't know what stage you're at as far as renaming the Shriver Park but a lot of the community is behind renaming it and I think that should make a big difference in that community support the name change and honoring T.R. Robinson.

## **18. ADJOURNMENT**

**COUNCILMAN SLAGLE** – 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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