

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, FEBRUARY 22, 2011**

COUNCIL PRESIDENT GAMBER - I'd like to welcome all of you to Massillon City Council for Monday, February 22, 2011. We have in attendance with us this evening: Mayor Cicchinelli, Law Director Stergios, Community Development Director Aaby, Fire Chief Burgasser, Mike Saracena from the building department, Engineer Dylewski and Pat Pentello from the auditor's office. 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 – Mr. Manson, we have two absences.

COUNCILMAN MANSON – Yes, we're going to separate them though. I make a motion that we excuse Councilman McCune from tonight's meeting, seconded by Councilwoman Catazaro-Perry.

Roll call vote of 5 yes, 2 no to excuse Councilman McCune. Anderson and Peters voted no.

COUNCILMAN MANSON – I make a motion that we excuse Councilman Mang from tonight's meeting, seconded by Councilwoman Catazaro-Perry.

Roll call vote of 7 yes to excuse Councilman Mang.

2. INVOCATION

COUNCIL PRESIDENT GAMBER - I will recognize Councilman Gary Anderson for the invocation and the Pledge of Allegiance.

COUNCILMAN ANDERSON – Gave the invocation for the evening.

3. PLEDGE OF ALLEGIANCE

COUNCILMAN ANDERSON – Chairman of the Public Utilities Committee led those in attendance in the Pledge of Allegiance.

4. READING OF THE JOURNAL

COUNCIL PRESIDENT GAMBER - Madame Clerk, are the minutes of the previous meeting transcribed and open for public viewing (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. 23 - 2011 **DEVELOPMENT COMMITTEE**

BY: COMMUNITY

Authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Stark County Community Services, to provide an economic development “inducement grant” to assist the relocation of The Family Living Center in Massillon, and declaring an emergency.

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COUNCILMAN HERSHER – We all talked about this at the work session and glad that as a body we were able to find an additional 25% in this ordinance. I really don’t know of any reason or see any reason to hold this up.

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

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

ORDINANCE NO. 23 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

ORDINANCE NO. 24 - 2011 **DEVELOPMENT COMMITTEE**

BY: COMMUNITY

Amending Section 115.02 of the Massillon Code of 1985 rezoning a certain tract of land from Perry Township, R-2 Single and Two Family Residential to R-3 Single Family Residential.

COUNCILMAN HERSHER – This rezoning request was approved by the Planning Commission at its February 9th meeting. It will receive three readings here in front of council and we have a public hearing scheduled on March 21st at 7:20pm. So tonight its first reading.

ORDINANCE NO. 24 – 2011 WAS GIVEN FIRST READING.

ORDINANCE NO. 25 - 2011
COMMITTEE

BY: PUBLIC UTILITIES

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Non-Surface Development Gas & Oil Lease with Lake Region Oil, Inc., for a 1.7 acre parcel owned by the City of Massillon, and declaring an emergency.

COUNCILMAN ANDERSON – First reading.

ORDINANCE NO. 25 – 2011 WAS GIVEN FIRST READING.

ORDINANCE NO. 26 - 2011
TRAFFIC & SAFETY

BY: STREETS, HIGHWAYS,

Accepting the dedication plat for the Sterilite Street SE Extension on Out Lot 717 and Part of Out Lot 753, a 0.835 acre parcel that would extend existing Sterilite Street SE approximately 177 feet to the south and 192 feet to the west, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

COUNCILMAN PETERS – First reading.

ORDINANCE NO. 26 – 2011 WAS GIVEN FIRST READING.

ORDINANCE NO. 27 - 2011
COMMITTEE

BY: FINANCE

Making certain appropriations from the unappropriated balance of the Economic Development Fund, Marketplace Infrastructure Fund and the Local Law Enforcement Trust Fund, for the year ending December 31, 2011, and declaring an emergency.

COUNCILMAN MANSON – Yes, before I get into this do we have enough people to even waive the rule if we want to move it. Yeah, we did already okay alright we have 3 sections here we're going to be talking about. The first one is \$25,000 from economic development fund and we already went through what that's for The Family Living Center. The second one is \$10,430 and this is money that would be going back to the mayor's economic development fund. Its money that he has spent on legal fees related to TIFs and we have the mayor here and we have the law director here to discuss this if anybody has any questions. The third part is \$8,000 from the local law enforcement trust fund 1215 this money is to be used for operating funds by the special investigation unit for illegal drug trafficking investigations, gambling investigations, prostitution investigations and alcohol violation investigations. Any questions?

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. 27 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

ORDINANCE NO. 28 - 2011
COMMITTEE

BY: FINANCE

Creating an account numbered 1401.325.1500 in which to deposit a percentage of funds received for EMS services, and declaring an emergency.

COUNCILMAN MANSON – Yes, just a little discussion here. You saw your original ordinance there were a couple of problems there. The auditor's office had a problem in section 1 where it said Massillon Fire Department Capital Improvement Fund there's already a fund there we're only talking about an account setting up an account. So we don't need for it to say fund there's a fund 1401 there and it would just be an additional account added to that.

COUNCIL PRESIDENT GAMBER – Mr. Manson the account will have a name what will the name be?

COUNCILMAN MANSON – Massillon EMS Capital Improvement.

COUNCIL PRESIDENT GAMBER – We're deleting the word fund?

COUNCILMAN MANSON – Yes, if you look on what I did you get a copy of the corrections here if not Mary Beth could you get one I passed them that way. Its highlighted the only changes there are the two there like I said it said Massillon Fire Department Capital Improvement Fund and it doesn't have to say fund it shouldn't say fund. We're just setting up an account there is already a fund there. The other part is they left the retroactive out of there so you can see where that was added to it from what you originally received. Okay, now the other part is then I'm just going to give this first reading I think this is to important to be messing around with when we've got two council people missing tonight. I'm still 100% in support of this I think it only makes sense we put a program in place a year ago that's doing an outstanding job. I think you can look and you can see if you talk to the fire chief we're starting to see a lot of increase revenue this year. So I will be moving along but this is just first reading tonight.

ORDINANCE NO. 28 – 2011 WAS GIVEN FIRST READING.

RESOLUTION NO. 3 - 2011
WHOLE

BY: COMMITTEE OF THE

Supporting SARTA with a renewal levy for the Stark County Residents. _

COUNCILMAN MANSON – Yeah, it's pretty simple we have a 1/4% sales tax. This I would like to move along if we're going to support it. I think it's good for us we have a SARTA garage or a SARTA stop downtown here in the center of town. I think for the people that can not afford cars anymore I think it's an absolute must for us to supply some transportation for them.

COUNCIL PRESIDENT GAMBER – Do we have any discussion on the item? Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY – I do want to point out that this is a renewal levy so there are no new taxes. So I think that's important.

COUNCIL PRESIDENT GAMBER – There's a gentleman approaching I assume you're here to speak about this?

KIRT CONRAD – I'm the executive director with SARTA. I would like to thank the council for entertaining this motion as it was mentioned before this is a renewal of our existing ¼% sales tax that's been on the books since 1997. This is basically \$.25 on a \$100 purchase that operates that provides about 74% of our operating costs without the support we would not be able to continue to operate. We transport about 8,000 people a day across Stark County in 2,500 of those individuals are going to work so we do directly impact the local economy. We do thank you for your support.

COUNCIL PRESIDENT GAMBER – Mr. Slagle?

COUNCILMAN SLAGLE – It would appear from just visible observation that the ridership is increasing is that correct?

KIRT CONRAD – Yes, the last three months we've seen about 30,000 riders increase per month. The average ridership is about 170,000 over the last couple years we've taken a number we've changed about 50% of our routes. We cut some routes and reinvested in areas that need more service. We have cut about 12% service overall and we increased fares by 25%. So we're trying to reinvest in areas where people are demanding it and cut areas that people aren't using it. So yes we are seeing an increase in ridership.

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

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

RESOLUTION NO. 3 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR JANUARY 2011 B COPY FILE

B). TREASURER SUBMITS MONTHLY REPORT FOR JANUARY 2011 B COPY FILE

C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR JANUARY 2011 –

COPY FILE

D). INCOME TAX DEPT SUBMITS MONTHLY REPORT FOR JANUARY 2011 – COPY FILE

E). WASTE DEPT SUBMITS MONTHLY REPORT FOR JANUARY 2011 – COPY FILE

F). MAYOR SUBMITS MONTHLY REPORT FOR JANUARY 2011.

G). MAYOR’S LIST OF BOARD AND COMMISSIONS

COUNCIL PRESIDENT GAMBER – We have numerous reports from city officials all of which we will put on file. We have Item G which is the Mayor’s appointment to the recreation board; I’ve added Item H which is the building department through the personage of Mike Saracena. So we’ll ask the Mayor to come forward first at this point we have your mayoral appointment to consider.

MAYOR CICCHINELLI – I’m happy to present Esther Bryant she is in the audience she’s well known in the Massillon communities and involved in a lot of different activities. With council’s consent I would like to appoint her to the recreation board. She’s here if there’s any questions.

COUNCIL PRESIDENT GAMBER – Is there anyone who has any questions either of the mayor or the nominee? Mr. Slagle?

COUNCILMAN SLAGLE – Mrs. Bryant, can you just come up for a minute please? Are you looking forward to this position and why?

ESTHER BRYANT – Yes, I am. We have a children’s program and this is our eighth year and we use the parks all summer long. Ben Bradley also was our first board president and so because of Ben also. We use the rec. center also.

COUNCILMAN SLAGLE – You don’t hold any personal allegiance to the mayor in making your decision making on this board will you?

ESTHER BRYANT – No.

COUNCILMAN SLAGLE – You’ll make all your decisions independently?

ESTHER BRYANT – Independently.

COUNCILMAN SLAGLE – That’s good. Thank you.

COUNCIL PRESIDENT GAMBER – Mr. Peters?

COUNCILMAN PETERS – What board is that you’re talking about where you use the rec. center and so forth?

ESTHER BRYANT – No, we have a children’s program.

COUNCILMAN PETERS – I guess whose is we?

ESTHER BRYANT – Oh I’m sorry, I’ve very sorry, Lighthouse Visions, it’s

the name of it. We teach basic life skills to foster and other children. During the summer we utilize the Franklin Park and a number of the parks.

COUNCIL PRESIDENT GAMBER – Are there any other questions?
Thank you, Mrs. Bryant. Mr. Slagle, since your chairman of the park and rec. committee I'll recognize you.

COUNCILMAN SLAGLE – Yes, this is something that requires our vote based upon last year's action we passed a piece of legislation. I'm quite comfortable that Mrs. Bryant has no agenda other than the best interest of the City of Massillon and our park system. I recommend that we approve the appointment of her to the recreation board. Seconded by Councilwoman Catazaro-Perry.

COUNCIL PRESIDENT GAMBER – I have a question either for Mr. Slagle or the mayor. What is the expiration of this term?

MAYOR CICCHINELLI – I believe 2013 I'm not sure of that but I believe its 2013.

COUNCILMAN PETERS – What?

COUNCIL PRESIDENT GAMBER – This is a replacement for a board member who stepped down my question is what's the expiration of the term. If you could please verify that and email everyone so that there's no question about when this term runs.

COUNCILMAN SLAGLE – Yeah, there was some confusion over that at the rec. board meeting as well.

COUNCIL PRESIDENT GAMBER – Why would there be confusion?

COUNCILMAN SLAGLE – Not over this particular appointment but on whether when Mr. Pribich left which term he was leaving. So and I don't know if they had straightened it out then either but they were thinking it was either the 13 or 12 term.

COUNCIL PRESIDENT GAMBER – is there a glitch is there a problem of any type?

COUNCILMAN SLAGLE – No, they're appointed one year at a time for five year terms.

COUNCIL PRESIDENT GAMBER – Alright, we'll wait for the mayor to make sure that we're all on the same page with the expiration date. We have a motion and a second Madame Clerk would you please call the roll.

Roll call vote of 7 yes for the appointment of Esther Bryant to the rec. board.

COUNCIL PRESIDENT GAMBER – Welcome to the board Ms; Bryant we wish you well. And as I say under Item H, there was a request from the building department to make a report under city officials. So we'll call Mike

Saracena forward.

MIKE SARACENA – My name is Mike Saracena I'm one of two code enforcement officers in the building department. I'm here representing Chief Building Official Roger Houpt he's unable to attend this evening as he's attending a mandatory plumbers conference out of town. My question this evening is directed to Mr. Townsend. Our department has provided your committee legislation making changes to five existing ordinances. The chapters out to the codified ordinances that we are asking to be changed are 1307, 1309, 1311, 1341 and 1501. What our department would like to know is when the said five ordinances will be presented to council for a vote.

COUNCILMAN TOWNSEND – First I was a little surprised that you were showing up tonight because I wasn't aware of it. Being the committee chairman of the department you know I think I should have been made aware of that. But it seems to me that it was just included a couple of minutes ago. I have made it clear that there are some requests for legislation that I support and some I do not. But still I brought them forward even though I did not sign them and I voted no I brought them forward. The last meeting we had here I think we were discussing what 1307 I believe or 1321 it was one of them and I was informed when I submitted for the two signatures of the two gentlemen who has always supported the request I was informed that one of the committee members would not sign it unless I signed it. My position has been clear and remain the same from what two years possibly so that question probably would be best asked by Councilman Manson.

MIKE SARACENA – When its being brought to council for a vote?

COUNCILMAN TOWNSEND – It was brought but it was stated to me that there's three of us needs two signatures it was stated to me that one of the committee members would not sign it unless I sign it. Now I've made it clear over the years how I felt about some of the requests for legislation. But some along the way some other members decided they wanted to change their position far as they're not going to sign it until I sign it. That has never been the case I have never signed them there was a couple early on I have but I've made it clear that I was not going to sign the few that you just mentioned. So its not my hold up because I have always presented the requests for legislation and two of my committee members have always signed them. Now one has decided that he will no longer sign them. So that's where the problem lies for you.

MIKE SARACENA – Okay. Thank you very much.

COUNCILMAN MANSON – Are you asking me?

MIKE SARACENA – I was directed at Mr. Townsend, if you like to comment.

COUNCILMAN MANSON – He said I won't sign them Mr. Anderson didn't sign it either.

COUNCILMAN ANDERSON – And my response to that is I would have

been the only Indian on the ground it takes two signatures. Since Tony would not sign and Paul would not sign it did no good for me to sign it because you can without two signatures.

COUNCILMAN MANSON – I'll explain exactly why I didn't sign it I think here's what's going on I sit here and listen to Mr. Townsend say that he intended to move something forward and then he didn't sign it himself. I wasn't aware of it until I went and I checked the ordinances and he wasn't signing. I think there's a certain amount of gamesmanship taking place and I don't like that. I've had things that I brought forward for my committee I voted against them but I still signed them and move them forward. I think its just a game being played.

COUNCIL PRESIDENT GAMBER – Are you finished Mr. Manson?

COUNCILMAN MANSON – Yes.

COUNCILMAN TOWNSEND – Me signing the request for legislation means nothing. You know as far as getting on what the request for legislation. I have always made my position clear so its not a surprise that it wasn't signed by me. It's not a surprise I think everyone here would tell you how I felt about the one particular ordinance. I told you that at the meeting so me not but the thing is I brought it forward me signing it who cares. Most of the members here who all voted for it want to vote for it so they can bring revenue to the city so they say. So me I brought it forward he refused to sign it so that's not my problem. You know as far as games being played what I could have done was just shoved them back in this folder and left them there till next year. But I didn't I brought them forward.

MIKE SARACENA – Okay.

COUNCIL PRESIDENT GAMBER – Mr. Peters, do you have your hand up?

COUNCILMAN PETERS – Yes, I know this and maybe you can answer this Mr. President. We ask that two members of a committee sign a piece of legislation but there are other ways to bring a piece of legislation forward if those two members don't wish to sign it am I not correct?

COUNCIL PRESIDENT GAMBER – The preferred way the usual way is committee legislation where two members will sign. Generally whether the chairman supports or doesn't support you know you get the signatures to put it on. There are other ways yes there are to move legislation forward it becomes non-committee legislation.

COUNCILMAN PETERS – Correct, it would need how many signatures at that point just the two?

COUNCIL PRESIDENT GAMBER – You still need two. I'll show you the rules if you'd like to see them.

COUNCILMAN PETERS – No, I'm just bringing that there are alternatives

to bringing this forward and it could be brought forward in another way.

MIKE SARACENA – Okay. Thank you.

COUNCIL PRESIDENT GAMBER – Are there anymore questions for Mr. Saracena? Are there any procedural questions? Mr. Anderson?

COUNCILMAN ANDERSON – Yeah, but again I've got a question about the two signatures and the one signature. Does it take two signatures?

COUNCIL PRESIDENT GAMBER – It takes two signatures.

COUNCILMAN ANDERSON – So I was right in not signing it because I didn't have another signature on it.

COUNCIL PRESIDENT GAMBER – You could have signed it and then possibly with one signature another may have signed also. But with no signatures its not moving anywhere.

COUNCILMAN ANDERSON – Right.

COUNCIL PRESIDENT GAMBER – But with one signature all you need is one more.

COUNCILMAN ANDERSON – I just want to make sure it was a correct thing that I did. You're shaking your head yes.

COUNCIL PRESIDENT GAMBER – I'm saying moving legislation from a committee to the floor of council is what we do. That's how we do business.

COUNCILMAN ANDERSON – Right.

COUNCIL PRESIDENT GAMBER – Mr. Townsend.

COUNCILMAN TOWNSEND – You know and I also stated that because I opposed it I wasn't going to hold them up. I never did I just I brought them yeah I held onto them for a length of time so I can get a better understand on what some of the things meant to me. So when I got the understanding I didn't hold them up I brought them forward. So you know just something to think about you know Councilman Townsend did not hold your requests up even though I was against them I still brought them forward.

COUNCIL PRESIDENT GAMBER – Mr. Manson?

COUNCILMAN MANSON – Mr. Townsend's holding them up just as much as I am to make that clear. If I'm holding them up then Mr. Townsend's holding them up too he's on that committee.

COUNCILMAN TOWNSEND – Well they will be held as long as I'm on council at least until December 2011. So that's my position on it.

COUNCIL PRESIDENT GAMBER – Okay, as Mr. Peters and Mr. Anderson has said if someone wants to look at the other methods of bringing

legislation forward that's up to you all to take the initiative and do it. You all have copies of our rules they're available on line. Is that it for Mr. Saracena.

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT GAMBER – The next committee sessions will be Monday the 28th. Are there any reports or resolutions or requests from anyone?

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 5 - 2011 **BY: COMMUNITY** **DEVELOPMENT COMMITTEE**

Authorizing the Mayor of the City of Massillon, Ohio, to enter into a contract with Stark County Regional Planning Commission for Housing Rehabilitation Services in the City of Massillon, Ohio, and declaring an emergency. _

COUNCILMAN HERSHER – This is our third reading with this legislation. It's been discussed at work sessions that this is work that we do not believe that we could do internally for the rate that the Stark County Regional Planning Commission does this work. So I asked again at the work session if there were any questions or objections.

COUNCILMAN HERSHER moved for passage of Ordinance No. 5 – 2011, seconded by Councilman Slagle.

ORDINANCE NO. 5 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

ORDINANCE NO. 6 - 2011 **BY: COMMUNITY** **DEVELOPMENT COMMITTEE**

Petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon and Perry Township, and declaring an emergency.

COUNCILMAN HERSHER – This is also third reading for this piece of legislation. This is to petition the Board of County Commissioners to change the township lines to reflect an annexation that was approved by City Council in December of 2010.

COUNCILMAN HERSHER moved for passage of Ordinance No. 6 - 2011, seconded by Councilman Slagle.

ORDINANCE NO. 6– 2011 WAS PASSED BY A ROLL CALL VOTE OF 7 YES.

ORDINANCE NO. 10 - 2011
COMMITTEE

BY: FINANCE

Making certain appropriations from the unappropriated balance of the Capital Improvement Fund, for the year ending December 31, 2011, and declaring an emergency.

COUNCILMAN MANSON – Yes, this is the ambulance we've been talking about for six weeks. It's third reading so I'm going to bring it forward.

COUNCIL PRESIDENT GAMBER – Is that a motion? (Yes) Seconded by Councilman Hersher. Mr. Peters?

COUNCILMAN PETERS – Yes, I guess I don't know how quite to do this. Mr. Manson, in all due respect you did not put the other ordinance forward because you're reasoning was this is a very important piece of legislation and two council members are absent. I fully agree with you and I also think that this ordinance is just as important and there are two council members missing. So I'm going to make a motion that we table this.

COUNCIL PRESIDENT GAMBER – We have the motion to table, seconded by Councilman Townsend.

COUNCILMAN MANSON – What do we do with the first motion.

COUNCIL PRESIDENT GAMBER – A motion to table overrules. When would you like to table this to?

COUNCILMAN PETERS – Mr. Manson, in all due respect I'll leave that up to you but I think you have to agree with me that those two council members should probably be here to vote on something as important as this.

COUNCILMAN MANSON – We've had this six weeks.

COUNCILMAN PETERS – I understand that and those two council members were involved in the conversations and I just think that they should be here to vote on it or against it. I'll say to the next council meeting on March 7th.

COUNCIL PRESIDENT GAMBER – Your motion is to table until March 7th, seconded by Councilman Townsend.

ORDINANCE NO. 10 – 2011 WAS TABLED UNTIL MARCH 7TH, 2011
BY A ROLL CALL VOTE OF 6 YES, 1 NO. MANSON VOTED NO.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 13 B 2011
TRAFFIC & SAFETY

BY: STREETS, HIGHWAYS,

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, 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 Intersection Improvement Project, in the City of Massillon, and declaring an emergency..

COUNCILMAN PETERS – Second reading.

ORDINANCE NO. 13 – 2011 WAS GIVEN SECOND READING.

ORDINANCE NO. 14 B 2011
TRAFFIC & SAFETY

BY: STREETS, HIGHWAYS,

Amending Chapter 905, Construction of sidewalks and curbs, Chapter 907, Sidewalks contractors; and Chapter 949 Sidewalk Replacement Program, of part Nine, Title One of the Codified Ordinances of the City of Massillon, and declaring an emergency..

COUNCILMAN PETERS – I'm going to yield the floor to Councilman Townsend this is basically his project. He wants to make some amendments and move it back to first reading. I don't have a problem with that so I'll turn it over to Councilman Townsend.

COUNCILMAN TOWNSEND – Well, some of the amendments were made I took some chapters out I believe it was Chapter 907. We took out some language and added some language with the help of Aane Aaby and Keith Dylewski. I think with their expertise and community block grants and sidewalks and things like that actually I made this proposal a lot stronger. We also put in a dollar figure that's something I didn't put in I put in 50% of the total cost which kind of left it out there. So I do have the dollar figure in there. I also made it clear it for who the people who are eligible for it. So like Donnie like Councilman Peters stated that I would like to amend this ordinance to reflect the new additions.

COUNCIL PRESIDENT GAMBER – Do you have anything in writing showing these amendments?

COUNCILMAN TOWNSEND – I do but I didn't bring it but I can email it to Mary Beth tomorrow morning.

COUNCIL PRESIDENT GAMBER – May I suggest since this is second reading just give it second reading and discuss this at a work session?

COUNCILMAN TOWNSEND – There's really not a whole lot to discuss.

COUNCIL PRESIDENT GAMBER – Well that's up to these folks decide we're amending an ordinance without knowing what we're amending. If you catch my meaning there.

COUNCILMAN TOWNSEND – Well, I guess what I'm saying is that when I proposed the first proposal there's wasn't a lot of discussion. So I'm thinking maybe there...

COUNCIL PRESIDENT GAMBER – This is strictly a meeting to discuss something in the auditor’s office. (Right) The press has just been made aware of it they do require a 24 hour notice but you know its up to the auditor to make that request of the media. But they just now been notified are you satisfied Mr. Rink? Does everyone have that?

COUNCILMAN MANSON – Just to make it clear it says that if there’s no response there will be no meeting. So...

COUNCIL PRESIDENT GAMBER – It’s entirely appropriate for council members to meet with city officials but its up to that official to notify the media not just the folks that are attending. I’ve just been handed a citation chief would you like to come up and read this?

FIRE CHIEF BURGASSER – Affinity Medical Center has since they were awarded trauma center designation chest pain center certification and after the merger they began hosting EMS squad of the month. For the month of January 2011 it says EMS squad of the month Affinity Medical Center honors Massillon Fire Department as EMS squad of the month. In appreciation for your outstanding service and dedication to your community January 2011 it’s signed by Mr. Biehman and Dr. Current from the emergency department. Thank you.

18. ADJOURNMENT

COUNCILMAN ANDERSON - I move that we adjourn, seconded by all.

MARY BETH BAILEY, CLERK,

GLENN E. GAMBER, PRESIDENT

