

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, NOVEMBER 7, 2011**

COUNCIL PRESIDENT GAMBER - I'd like to welcome all of you to Massillon City Council for Monday, November 7, 2011. We have in attendance with us this evening: Auditor Ferrero, Engineer Dylewski, Community Development Director Aaby and Law Director Stergios. 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. Tonight of course we will be recognizing the passing of our colleague Ron Mang. I don't know when the last time was that a councilman passed away during the term but we're very sad that it happened here. We do have a resolution this evening I think Mr. Anderson may call for a moment of silence and he has the invocation. Then when we get to the resolution if anyone else has anything they would like to say that would be appropriate time for that. We as a council certainly send out our condolences and sympathy to Peggy and to the rest of the family.

1. ROLL CALL

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

Thus giving a roll call vote of 8 present.

2. INVOCATION

COUNCILMAN ANDERSON – Gave the invocation for the evening.

3. PLEDGE OF ALLEGIANCE

COUNCILMAN ANDERSON – Chairman of the Public Utility 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

COUNCIL PRESIDENT GAMBER – Mr. Manson, did you have a request?

COUNCILMAN MANSON – Yes, I'd like to request that we move Resolution No. 16 Mr. Mang to the front of the agenda ahead of the agenda.

COUNCIL PRESIDENT GAMBER – Is there any objection to moving Resolution No. 16 –

2011 forward?

RESOLUTION NO. 16 - 2011

BY: COMMITTEE OF THE WHOLE

A Memorial Resolution to recognize and honor the outstanding public service and recent passing of Councilman Ron Mang.

COUNCILMAN MANSON – Quite honestly I would appreciate if maybe we read the whole ordinance.

COUNCIL PRESIDENT GAMBER – Would you like to do that or have the Clerk do that?

COUNCILMAN MANSON – I have laryngitis. I would prefer that the Clerk does it.

COUNCIL PRESIDENT GAMBER – Alright, Madame Clerk.

The Clerk read the following into the record:

A Memorial Resolution to recognize and honor the outstanding public service and recent passing of Councilman Ron Mang.

WHEREAS, Massillon City Council wishes to acknowledge the exemplary public service of Ron Mang and express its sorrow to his family, and

WHEREAS, Ron passed away while serving as the Ward 1 representative, and

WHEREAS, his fellow council members showed their respect for him by electing him as President-Pro-tem, and

WHEREAS, City Councilman Ron Mang was a tireless servant of this city and its school system, and

WHEREAS, he demonstrated outstanding commitment, loyalty and devotion to Massillon that included terms as ward councilman, councilman at-large and President of Council, member and president of the Massillon School Board, member and president of the Massillon Jaycees, and

WHEREAS, the memory of a good man is a blessing, and he will be sadly missed by family, friends and community.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Through this Memorial Resolution Massillon City Council expresses its deep sorrow at the passing of Ron Mang and extends its sincere sympathy to his family.

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

COUNCIL PRESIDENT GAMBER – At this moment before we vote I would suggest that we do take a moment bow our heads for a moment of silent reflection on the memory and the service of Ron Mang.

The rules were suspended by a roll call vote of 8 yes.

RESOLUTION NO. 16 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

COUNCIL PRESIDENT GAMBER – The Clerk did arrange for a frame and we will present that to the family.

ORDINANCE NO. 122 - 2011
COMMITTEE

BY: COMMUNITY DEVELOPMENT

Authorizing the resale and conveyance of property pursuant to the City's Vacant Land Reutilization Program, establishing the fair market value of said property, and declaring an emergency.

COUNCILMAN HERSHER – I know we'll deal with these next five ordinances individually, but just to summarize all five comes as a result of Ordinance No. 107 – 2011 the Vacant Land Reutilization Program that we passed earlier this year. All of them are for the purposes of enlarging yards for residents and I'm also for each one going to make a motion to amend the ordinance for the benefit of future councils and future clerks probably especially to include the parcel number in the title. Just to make it a little easier if we if anyone ever has to go back and look these up in the future to find exactly which ordinance covered which parcel. So Ordinance No. 122 deals with a parcel at 439 Eighth Street that's parcel 06-07702. So my first motion Mr. President would be to amend the ordinance to in the title after the word property to add Parcel #06-07702. That would be after the word property and before the word pursuant in the first line of the title.

COUNCIL PRESIDENT GAMBER – Seconded by Councilman McCune. Is there any comment or discussion regarding the reason for this? Mr. Peters?

COUNCILMAN PETERS – I don't have a comment for the reason for that but I have a question for Mr. Hersher? Is it your intent to pass these on the first reading?

COUNCILMAN HERSHER – Yes, I don't see any reason...

COUNCILMAN PETERS – No, no, I totally agree I say get on with it. I just wanted to know that's why I'm asking.

COUNCILMAN HERSHER – Yeah, I'm sorry I meant to make that clear.

Roll call vote of 8 yes for the amendments made to Ordinance No. 122 – 2011

ORDINANCE NO. 122 – 2011 HAS BEEN AMENDED.

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

The rules were suspended by a roll call vote of 8 yes.

ORDINANCE NO. 122 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 123 - 2011 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

Authorizing the resale and conveyance of property pursuant to the City's Vacant Land Reutilization Program, establishing the fair market value of said property, and declaring an emergency.

COUNCILMAN HERSHER – This Ordinance No. 123 deals with a property at 811 Bernard Avenue SW. I move that we amend the ordinance to include the words Parcel #06-10396 in the title in between the words property and pursuant in the first line please.

COUNCIL PRESIDENT GAMBER – Seconded by Councilman McCune.

Roll call vote of 8 yes for the amendments made to Ordinance No. 123 – 2011

ORDINANCE NO. 123 – 2011 HAS BEEN AMENDED.

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

The rules were suspended by a roll call vote of 8 yes.

ORDINANCE NO. 123 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 124 - 2011
COMMITTEE

BY: COMMUNITY DEVELOPMENT

Authorizing the resale and conveyance of property pursuant to the City's Vacant Land Reutilization Program, establishing the fair market value of said property, and declaring an emergency.

COUNCILMAN HERSHER – This particular parcel is at 1245 Cleveland Street SW. Again, I move that we amend the ordinance to insert the words Parcel #06-06191 in between the words property and pursuant in the first line of the title.

COUNCIL PRESIDENT GAMBER – Seconded by Councilman McCune. I might make mention that the property is not at 1245 Cleveland it's adjacent to. Not that it matters that much.

COUNCILMAN HERSHER – No, you're correct.

Roll call vote of 8 yes for the amendments made to Ordinance No. 124 – 2011

ORDINANCE NO. 124 – 2011 HAS BEEN AMENDED.

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

The rules were suspended by a roll call vote of 8 yes.

ORDINANCE NO. 124 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 125 - 2011
COMMITTEE

BY: COMMUNITY DEVELOPMENT

Authorizing the resale and conveyance of property pursuant to the City's Vacant Land Reutilization Program, establishing the fair market value of said property, and declaring an emergency.

COUNCILMAN HERSHER – This parcel is also adjacent to 1245 Cleveland Street will be purchased by the same resident as the previous ordinance that we dealt with. Again, I move that we amend Ordinance No. 125 – 2011 to insert the words Parcel #06-00816 in between the words property and pursuant in the first line of the title.

COUNCIL PRESIDENT GAMBER – Seconded by Councilman McCune.

Roll call vote of 8 yes for the amendments made to Ordinance No. 125 – 2011

ORDINANCE NO. 125 – 2011 HAS BEEN AMENDED.

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

The rules were suspended by a roll call vote of 8 yes.

ORDINANCE NO. 125 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 126 - 2011
COMMITTEE

BY: COMMUNITY DEVELOPMENT

Authorizing the resale and conveyance of property pursuant to the City's Vacant Land Reutilization Program, establishing the fair market value of said property, and declaring an emergency.

COUNCILMAN HERSHER – Last one, this particular property is adjacent to 1540 Erie Street S. I move that we amend this ordinance to insert the words Parcel #06-02943 in between the words property and pursuant in the first line of the title.

COUNCIL PRESIDENT GAMBER – Seconded by Councilman McCune.

COUNCILMAN PETERS – I have a question. I'm sorry what was the address on that again.

COUNCILMAN HERSHER – It's adjacent to 1540 Erie Street S.

COUNCILMAN PETERS – Okay, thanks.

Roll call vote of 8 yes for the amendments made to Ordinance No. 126 – 2011

ORDINANCE NO. 126 – 2011 HAS BEEN AMENDED.

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

The rules were suspended by a roll call vote of 8 yes.

ORDINANCE NO. 126 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 127 - 2011

BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Wastewater Treatment Plant Fund, Park & Rec. Fund, Probation Services Fund, Muni Motor Vehicle License Fund, Parking Enforcement Fund and the Marketplace Infrastructure Fund, for the year ending December 31, 2011, and declaring an emergency.

COUNCILMAN MANSON – Yes, we have six sections here. I'll deal with them one at a time. The first part is for \$146,313.88 please prepare an ordinance to appropriate from the unappropriated balance of the wastewater treatment fund 2101 for the year ending 2011 to 2101.610.2392 for services and contracts \$146.313. This is money that had come back to the city from the Kokosing and CTI lawsuit. If there's any questions we have the engineer here he can help us with it.

COUNCIL PRESIDENT GAMBER – Mrs. Catazaro-Perry?

COUNCILWOMAN CATAZARO-PERRY – Could we bring the engineer up please? Mr. Dylewski, could you elaborate on what these dollars are for?

ENGINEER DYLEWSKI – The majority of the dollars are for the project that council earlier in the year approved to bid out which we opened bids for. So the majority of the about a \$138,000 was appropriated for that project it's the improvements to the pump station at the plant.

COUNCILWOMAN CATAZARO-PERRY – Okay, I just wanted to make sure. Are these dollars from Kokosing?

ENGINEER DYLEWSKI – Yes, it was part of the agreement back when we entered into the agreement with them that they would provide whatever they captured 10% of that back to the city.

COUNCILWOMAN CATAZARO-PERRY – And this is that amount? (Yes) Okay, thank you.

COUNCIL PRESIDENT GAMBER – Any other questions for the engineer? Thank you, Mr. Dylewski.

COUNCILMAN MANSON – Section 2 is for \$50,000 please prepare an ordinance to

appropriate from the unappropriated balance of the parks and rec. fund 1234 to the following \$50,000 to 1234.505 salary recreation department. These funds are needed to meet the salary line until the end of the year. Section 3 there's three parts to this \$40,072; \$8,000 and \$844 please prepare an ordinance to appropriate from the unappropriated balance of probation service fund 1238 to the following: 1238.125 \$40,072 for salary probation services, \$8,000 to PERS probation services and \$844 to Medicare probation services. That will take care of salaries and benefits for five bailiffs for the rest of the year. Section 4, is \$2,800 please prepare an ordinance to appropriate from the unappropriated balance of the muni motor vehicle license fund 1206 to 1206.405 \$2,800 to services and contracts. This is to pay for bridge inspections. Section 5 is for \$2,400 please appropriate \$2,400 from the unappropriated balance of the 1208 parking enforcement fund account #1208.445 this money is necessary for the last three payments to Charles Streets Associates for the shared maintenance and the utilities of the parking deck. This is an estimated as made payment amounts for every month. The last one is part section 6 for \$112.59 please prepare an ordinance to appropriate from the unappropriated balance of the Marketplace infrastructure fund 1419 to 1419.435 contracts and services. These funds are needed to pay for Marketplace proceeds and if you look on the next sheet there was a bill there for some service provided by Bricker and Eckler. That's it.

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

The rules were suspended by a roll call vote of 8 yes.

ORDINANCE NO. 127 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 128 - 2011

BY: FINANCE COMMITTEE

Reducing the appropriations in the Solid Waste Capital Fund and the Capital Improvement Fund, for the year ending December 31, 2011, and declaring an emergency.

COUNCILMAN MANSON – Okay, these both sections here are we are reducing what was appropriated. Part one the \$55,000 reduce the appropriation in the solid waste capital fund from the following account 1413.605 new equipment. These funds are being reduced as they are not needed and can not be certified. We changed the split there so that was reduced. The other one is for \$15,000 please prepare an ordinance to reduce the appropriations in the capital improvement fund 1401 from the following account 1401.420 \$15,000 Indian River real estate purchase this had been in advertently budgeted twice. So we're reducing that.

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 8 yes.

ORDINANCE NO. 128 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 129 - 2011

BY: FINANCE COMMITTEE

Making certain transfers in the 2011 appropriations from within the General Fund, for the year ending December 31, 2011, and declaring an emergency.

COUNCILMAN MANSON – Yes, this we are legislation to make the following transfers within the 2011 appropriations in the general fund 1100 in the following accounts for fiscal year ending 12-31-2011: \$11,500 from salary deputy Clerk of Courts, \$9,700 from hospital, eye, dental and life courts, PERS Clerk of Courts \$1,600 for a total of \$22,800. That is to go to police salary 1100.305.2110.

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

The rules were suspended by a roll call vote of 8 yes.

ORDINANCE NO. 129 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

- A. KELLER OFFICE SUPPLIES - \$40.00
- B. REPOSITORY – 531.78

COUNCIL PRESIDENT GAMBER – Mr. Manson?

COUNCILMAN MANSON – I move that we pay the bills, seconded by Councilman Peters.

Roll call vote of 8 yes to pay the bills.

10. REPORTS FROM CITY OFFICIALS

- A). MAYOR SUBMITS MONTHLY REPORT FOR OCTOBER 2011 B COPY FILE
- B). AUDITOR SUBMITS MONTHLY REPORT FOR OCTOBER 2011 – COPY FILE

COUNCIL PRESIDENT GAMBER – Mr. Manson, we need a motion to accept the auditor’s report.

COUNCILMAN MANSON – I move that we accept the auditor’s report, seconded by Councilman Hersher.

Roll call vote of 8 yes to accept the auditor’s report.

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT GAMBER – Next committee meeting will be Monday, November 14th.

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT GAMBER – Are there any reports of committees any resolutions or requests of council members? Mr. Townsend?

COUNCILMAN TOWNSEND – I have a question. I don’t know if this correct me if I’m wrong. This the sidewalk and curb ordinance I was expecting it to be on the agenda today. I was told a week ago that it had to get approved by Perry which he approved on Friday and today the ordinance is not on the agenda.

COUNCIL PRESIDENT GAMBER – Basically what had happened there is you and I had exchanged emails and I had asked about a legislation request with committee had signed it which they had not at that point according to the clerk. We also had nothing back from Mr. Stergios at the time...

COUNCILMAN TOWNSEND – After actually he sent his email to Mary Beth and myself prior to you sending your email to me.

COUNCIL PRESIDENT GAMBER – Somewhere around noon on Friday is when Perry sent his email and it was late in the afternoon by the time I took a look at it. But it was late Friday and I figured if anybody wanted to put it on they would put it on if not you know...

COUNCILMAN TOWNSEND – So I guess my question is and I’m just trying to find out here so it takes your approval in order for a ordinance or request for legislation to get on the agenda?

COUNCIL PRESIDENT GAMBER – No, absolutely not. Very easily could have had a

legislation request signed on Monday by the committee and that was not done. (Right) Waiting until Friday is passed the deadline to put anything on. I have no objection whether it was on or not its not my decision. I just was not part of it and by the time any of the details got worked out it was late Friday afternoon. I mean that's reasonable to expect that the Clerk can't be adding things to the agenda at that point. If you would like to put it on you know that's what work sessions are for.

COUNCILMAN TOWNSEND – Yes, I would like to put well yeah I did say at the last work session I was putting it on. I guess another...

COUNCIL PRESIDENT GAMBER – Did you sign anything did you make a request?

COUNCILMAN TOWNSEND – Well, the other concern I have is that if I would have gotten an agenda I would have known that it wasn't on there and I could have at least called down here to inquire about it and wouldn't use this time to do that. But I never received an agenda.

COUNCIL PRESIDENT GAMBER – Madame Clerk, when did you send the agendas out? (Friday around 1:00pm in the afternoon) Did you send one to Mr. Townsend? (Yes) To his council mailbox or his personal mailbox? (To the council one it's the only emails I use) Did anyone not get an agenda?

COUNCILMAN TOWNSEND – It didn't come my way. I don't have computer problems anytime, keyboard issues but that's about it.

COUNCIL PRESIDENT GAMBER – Yeah, there's no hesitation about putting ordinances on the agenda. But as I say by the time I was involved it was Thursday there was no legislation request and there was nothing from the law director. And I didn't even know whether the law director had anything in fact I believe he said that he didn't know he had anything until late Friday morning.

LAW DIRECTOR STERGIOS – Well he told me so it went to a wrong email. In any event it wasn't anyone's fault.

COUNCILMAN TOWNSEND – You know I'm not blaming anybody.

COUNCIL PRESIDENT GAMBER – So is that a satisfactory explanation?

COUNCILMAN TOWNSEND – Yeah, I was just wondering you know just wondering. That's it.

COUNCIL PRESIDENT GAMBER – It will be on the work session for Monday just you know sign the legislation request whoever else is on your committee and have them sign it.

COUNCILMAN TOWNSEND – Well actually its in the community development committee.

COUNCIL PRESIDENT GAMBER – Oh, alright. Well then.

COUNCILMAN HERSHER – Let me know that you have a request that you need signed I'd be glad to sign it. I don't have a problem with the ordinance. Talk to me at the work session.

COUNCIL PRESIDENT GAMBER – As far as the agenda from what I can tell it was sent out Friday along with everyone else's so I don't know why you wouldn't have received it.

COUNCILMAN TOWNSEND – I don't know I get so many emails.

COUNCIL PRESIDENT GAMBER – Is there any other request or discussion? Mr. Slagle?

COUNCILMAN SLAGLE – I will not be here for the work session on Monday because I will be on vacation. So I know Mr. Anderson is hoping to attend the park board meeting on Thursday at 3:00pm anyone else is welcome to attend to I'll be there as well.

COUNCIL PRESIDENT GAMBER – Mr. McCune?

COUNCILMAN MCCUNE – I will be at work Monday on the afternoon shift so I will be unable to attend the work session as well.

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 119 - 2011

BY: HEALTH, WELFARE AND BUILDING

REGUALTIONS

Enacting a new Chapter 1323 “NOTIFICATION OF FORECLOSURE FILING” of the Codified Ordinances of the City of Massillon, Ohio.

COUNCILMAN TOWNSEND – Purpose of this ordinance is just simply to require banks and mortgage companies to register homes when they become foreclosed. At that point they should or are required to appoint a property manager or a grounds keeper to secure the home to maintain the property that way it will not increase or add to blighted areas. If they fail to do so there is a penalty if they fail to do so. Other than that that’s it if there’s any questions I can possibly answer them for you.

COUNCIL PRESIDENT GAMBER – Mr. Peters?

COUNCILMAN PETERS – I should probably know the answers to these but what is the fine and penalty?

COUNCILMAN TOWNSEND – The fine and penalty I can tell you and I’m going to read the whole thing for you whoever violates this section is guilty of failing to file notice of foreclosure complaint is guilty of a minor misdemeanor which that was taken out. So scratch that this is my old copy and shall be fined \$150 bucks for residents and \$250 for commercial. Each day during which non compliance continue shall constitute a separate offence and applicable court costs.

COUNCILMAN PETERS – Thank you.

COUNCIL PRESIDENT GAMBER – Is there anyone else?

COUNCILMAN TOWNSEND moved to bring Ordinance No. 119 – 2011 forward for passage, seconded by Councilman Peters.

ORDINANCE NO. 119 – 2011 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 120 - 2011

BY: FINANCE COMMITTEE

Section 3 and 4.

Making certain appropriations from the unappropriated balance of the 1206 Muni Motor Vehicle License Tax Fund and the 1401 Capital Improvement Fund, for the year ending December 31, 2011, and declaring an emergency.

COUNCILMAN MANSON – Yes, these two parts section 3 and 4 were moved taken out of Ordinance No 120 four weeks ago I believe it was. I considered tabling these but I talked with the engineer and he talked with the contractors and the contractors said that he will do what he can to make sure that that price is met. This was approved by council these repairs were approved back I believe back in late August or September. I’m sure Mr. McCune you have some in your ward you would like done, Mr. Townsend you had some in your ward that you felt needed done. So I’m going to bring this forward for a vote.

COUNCILMAN MANSON moved to bring Ordinance No. 120 – 2011 Sections 3 & 4 forward for passage, seconded by Councilman Hersher.

ORDINANCE NO. 120 – 2011 SECTIONS 3 & 4 WAS PASSED BY A ROLL CALL VOTE OF 7 YES, 1 NO. CATAZARO-PERRY VOTED NO.

15. SECOND READING ORDINANCES AND RESOLUTIONS

16. NEW AND MISCELLANEOUS BUSINESS

17. REMARKS OF DELEGATIONS AND CITIZENS TO ITEMS NOT ON THE AGENDA

COUNCIL PRESIDENT GAMBER – Is there anyone in the audience who would like to speak to council on any topic at all we invite you forward at time to do so.

JIM HUEBNER – 55 6th Street SE here in Massillon. If I'd may I'd like to ask Mr. Anderson what the status is on the resolution/ordinance that you were looking into on the fracking issue. I haven't heard anything for about 6 to 8 weeks on that.

COUNCILMAN ANDERSON – It's kind of where it was I don't think its gone any further.

JIM HUEBNER – And why is that?

COUNCILMAN ANDERSON – Beg your pardon?

JIM HUEBNER – Why is that?

COUNCIL PRESIDENT GAMBER – If I could remind you Mr. Huebner this is an opportunity for you make comments. I permitted a question but I don't want to get into a back and forth on it. If you would like to come on Monday and you can discuss it but this is an opportunity for you to give your opinion.

JIM HUEBNER – On Monday at the working session? (Yes) You're going to grant me the opportunity to talk about it.

COUNCIL PRESIDENT GAMBER – Yes, you can talk all you want right now.

JIM HUEBNER – Did you hear that?

COUNCIL PRESIDENT GAMBER – Yeah, you can talk all you want right now. I just don't want to get back and forth with a lot of questions.

JIM HUEBNER – Well, I'm not trying back and forth I'm just wondering the last time that I was here about the well not the last time I was here but the last time I heard anything about this they were saying that they were stilling into it. That they were working on leaning towards North Canton's resolution and so I'm just asking what the status of that is.

COUNCIL PRESIDENT GAMBER – Okay, I don't want to put words in Mr. Anderson's mouth but I think he said its basically gone nowhere. Mr. Anderson, if you'd like to add anything else please do.

COUNCILMAN ANDERSON – I have nothing to add. It's going absolutely nowhere at this particular point in time.

COUNCIL PRESIDENT GAMBER – Alright, so that's the answer to your question. That's what I said I didn't want to get back into a discussion of the issue but...

JIM HUEBNER – Okay, that's fine. I think that this council's inaction on it is I don't really know what to say. I mean I went to Canal Fulton myself I sent five minutes talking to the council there and within six weeks they had a resolution passed. I think I believe Mr. Anderson you were the one that brought up that you were looking into it. You said on several occasions that you were sick and tired of hearing about every week for half an hour. I'm getting kind of sick and tired of not hearing about it. If we need to fill the chambers up again every week we

can do that. There seems to be more action that takes place when we're here than when we're not. Something else I'd like to address to the council briefly is I would appreciate it if you would take into consideration that you conduct these meetings with your backs to your constituents. I understand that this room here is sometimes used as a courtroom but I find it personally offensive that city council sits here with their backs to the audience. I and maybe its just me but I can hardly hear most of you sit 18 inches to 36 inches away from the microphones which doesn't do us any good. I've been in a number of council chambers and this is the first one I've ever been in that the council members sits with their backs to the public. I think you ought to consider some changes in the furniture arrangement here. Thank you.

COUNCIL PRESIDENT GAMBER – Is there anyone else who would like to council?

18. ADJOURNMENT

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

MARY BETH BAILEY, CLERK,

GLENN E. GAMBER, PRESIDENT

