

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, JUNE 4, 2012**

COUNCIL PRESIDENT GAMBER B I'd like to welcome all of you to Massillon City Council for Monday, June 4, 2012. We have a number of city officials with us this evening Mayor Catazaro-Perry, Auditor Ferrero, Interim Police Chief Herrick, Engineer Dylewski, Chief Building Official Kraft and Law Director Stergios. 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: Milan Chovan, Sarita Cunningham-Hedderly, Nancy Halter, Ed Lewis, Paul Manson, Donnie Peters and Tony Townsend.

Thus giving a roll call vote of 8 present.

COUNCIL PRESIDENT GAMBER – Mr. Peters, we need a motion to excuse Mr. Slagle.

COUNCILMAN PETERS – Yes, I'd like to make a motion that we excuse Councilman Slagle from tonight's meeting. Seconded by Councilman Manson.

Roll call vote of 7 yes, 1 no. Peters voted no.

2. INVOCATION

COUNCILWOMAN SCASSA B Gave the invocation for tonight.

3. PLEDGE OF ALLEGIANCE

COUNCILWOMAN SCASSA – Chairperson of the Rules, Courts and Civil Service 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

COUNCIL PRESIDENT GAMBER – We are at Item 5 where we invite the public to come forward and speak to a topic that is on the agenda. We don't have a set time limit but we do generally look for about a three minute period. If you start to run much past that I'll give you a subtle hint.

SUZI JACKSON – I live on West Main and 'm here as a citizen of Massillon. I would like to extend my thank you to Councilperson Scassa for initiating the repeal of the automatic pay raises. I hope that tonight it is passed on the first reading as it was back in 1995 at a special

meeting on December 28th. I'm glad to see that this legislation will finally be put to rest. Thank you.

PAUL DOERING – 318 4TH St NE. I wanted to talk about the registration of vacant structures and rental dwellings which I understood was going to be read for the third time this evening. Is that still the case?

COUNCIL PRESIDENT GAMBER – It on the agenda for third reading it could receive a vote tonight or it could be tabled for a future meeting.

PAUL DOERING – Well, that's what I'm here to talk about. As far as the vacant structure the proposed ordinance registration after 45 days. I believe this is too soon because many times tenants destroy insides of houses and it takes months to rebuild them. The ordinance also requires boarding up of vacant houses and I feel that boarding up such houses would tell thieves that the house is vacant and they could come and steal copper or whatever else they could get. Boarded up homes do not good and I don't think this would be good for the City of Massillon to have a lot of homes which are boarded up. There's a penalty of \$500.00 for not registering this is excessive and exceeds penalties for much more serious crimes like drunken driving. As far as the registration of rental properties this is just another tax which will be passed on to tenants in the form of higher rents. The building department is presently stretched to its limits with less inspectors than it had previously. I do not believe that there's any manpower to inspect all the rental dwellings required by the new checklist. Present building codes should be enforced with the inspectors now on the staff. I feel the penalty for not registering of \$500.00 is also excessive. Thank you.

LILA WOHLWEND – 5844 Dueber Avenue, East Sparta, Ohio. I'm also here to speak out against the registration of vacant and non-owner occupied homes. Right now with the city probably needs more than ever is a lot of good landlords moving in. Not only is that going to take over some of the vacant home issues these are the ones that are going to bring the money to fix up the homes. To bring in more people and obviously we're buying supplies in this area to put into these homes so you're also getting the tax money from that. Lets make the business easier and draw more good landlords in instead of passing laws that's going to make it more difficult or might make somebody hmmm maybe I don't want to go there. I want to see these homes cleaned up too but we need to do it in the right way. I've already talked to Nancy Halter before this meeting and I gave her my card. I am happy to sit down with anyone here and discuss problem solving issues of how we can make that happen with everybody working together and everybody happy with that result. My phone number if you want to contact me is 330-933-5695. Thank you.

SAM DAUT – 835 Cherry Road NW, Massillon. I'm not here really to speak against the ordinance that they're talking about Ordinance No. 49. But you know really all we're doing is compounding more problems for the city. We had two code enforcement officers and anybody here on city council and the majority of a lot of you have been here for a long time. People have to drive by the same abandoned properties that have been here forever. They were here before Bill left and they were here since Bill's been back. I think you need to address the ones that are still here Mr. Townsend has one that I go by down at the Coffee Cup on the corner of 3rd and Penn that's actually growing fungus on that house. It's beyond a building issue it should have been torn down years ago. You I've already spoken with Mrs. Halter about the abandoned gas station to me that's an environmental problem with the EPA. It shouldn't be a building issue it shouldn't be a fire issue. You need to address the ones that have been here and not go out and look for more to basically to try to find code enforcement. If code enforcement people were doing their jobs we wouldn't have this problem today. So as far as that goes I have more issue yet I will bring up about the sewer I don't know how many of you people on city council have received these questionnaire from the sewer department that are in business. Mrs. Cunningham, you have? Now to me first of all why I'm upset about this is not so much I don't have a problem filling this questionnaire out I've been in business in this community for 38 years. I've never received a questionnaire like this. I don't know what it's for what it's about. I've answered it but what I truly am upset about is for somebody now to ask me to fill something out

then it says I will be contacted by somebody from that department to make appointments to go through my building. So why are you asking me to why don't you just call me cause are you calling me a liar now? I mean are you going to question what I put on your questionnaire. But most of all it something you people in the environment committee should start asking just why are these going out and why are they just going out to the business community because if you want to know how much waste goes down there just call the water company. I'll send you my water bill because it takes water to put this down there. Other than that I agree with these people stop going out and looking for more places to correct the problems that you have in this community and address those issues first. Thank you.

COUNCIL PRESIDENT GAMBER – Sam, before you leave you'd mentioned the gas station you talked to Mrs. Halter which gas station is that?

SAM DAUT – That's the one right there at Main and Lincoln Way that's been abandoned for probably the last eight or ten years. The pumps have been rusting here and everybody's worried about all these pollution problems and nobody's addressing I mean how many people I drive by that all the time. I can't believe it does not bother the community to look at an eyesore like that. It was there when you were still in city council Mrs. Halter. You didn't even address the problem now and all of a sudden you're all for supporting a new amend with the building department. Where are you going to find these people if you can't find afford to keep these people in the job how are you going to go out and look for something to create more jobs somewhere else? Thank you.

TIERRA PETTITS - 1113 South Erie, Massillon, Ohio. I'm here to talk about Ordinance No. 49. I'm a single mom I'm on a fixed income I can not afford for you guys to give those taxes to my landlord which is going to cause my rent to raise. Then I'm going to have to find somewhere else to live that I can afford and there's no where in Massillon that I'll be able to live. This is where I'd rather raise my daughter at I was born and raised here. I'd rather stay here in a nice environment instead of having to move somewhere where I have to worry about my daughter walking out and getting shot or something like that. So against it hopefully all you guys hear our cries that we can't afford this tax. Thank you.

COUNCIL PRESIDENT GAMBER – Is there anyone else?

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT GAMBER – Mrs. Halter, may I make a suggestion that the items that these folks have been talking about are up for third reading later in the agenda. Would you like to bring them forward at this time and we can consider them first?

COUNCILWOMAN HALTER – Yes, thank you, Mr. President. I would move that we bring Ordinance No. 48 & 49 forward on the agenda.

COUNCIL PRESIDENT GAMBER – Is there any objection to moving those two items forward? If no bjection Madame Clerk please read the title to Ordinance No. 48.

ORDINANCE NO. 48 - 2012 REGULATIONS

BY: HEALTH, WELFARE & BLDG

Enacting a new CHAPTER 1331 “REGISTRATION OF VACANT BUILDINGS”, of the Codified Ordinances of t he City of Massillon, and declaring an emergency.

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COUNCILWOMAN HALTER – This ordinance will be tabled until July 2 and just so the public knows the committee will have a meeting next Monday at 5:00 to go over this and change some wording. If anyone on council has suggestions we'd like to hear from them. Thank you.

COUNCIL PRESIDENT GAMBER – Alright, of course we will have to have a motion to table. Once you make that motion discussion will end. Do you want any discussion tonight?

COUNCILWOMAN HALTER – Do you want me to move to table?

COUNCIL PRESIDENT GAMBER – I'm simply telling you once a motion has been made to table we move straight to the vote.

COUNCILWOMAN HALTER – Oh, that's fine.

COUNCIL PRESIDENT GAMBER – Then make your motion.

COUNCILWOMAN HALTER moved to table Ordinance No. 48 – 2012 until July 2, 2012, seconded by Councilwoman Scassa.

ORDINANCE NO. 48 – 2012 WAS TABLED UNTIL JULY 2, 2012 BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 49 - 2012 **BY: HEALTH, WELFARE & BLDG REGULATIONS**

Enacting a new CHAPTER 1330 “REGISTRATION OF NON-OWNER OCCUPIED”, of the Codified Ordinances of the City of Massillon, and declaring an emergency.

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COUNCILWOMAN HALTER – I move to table Ordinance No. 49 – 2012 until July 2, 2012, seconded by Councilwoman Scassa.

ORDINANCE NO. 49 – 2012 WAS TABLED UNTIL JULY 2, 2012 BY A ROLL CALL VOTE OF 8 YES.

COUNCIL PRESIDENT GAMBER – Alright and you also announced the committee meeting for 5:00pm next Monday. Mr. Rink does this satisfy you for notification. Alright and of course the other council members are invited and you folks are invited also. You don't really have an opportunity to participate but you can observe and see and hear what's going on. Is there a question over here from someone? Mr. Peters? (No, sir) Alright, those two items have been tabled if you would like to leave we'll hold up just a moment if you'd like to stick around for the rest of our exciting meeting we'll be to have you.

ORDINANCE NO. 56 - 2012 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

Amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Perry Township to I-1 and I-2 Industrial.

COUNCILMAN MANSON – Yes, we will be having a public hearing on this ordinance on July 2nd at 7:00pm so first reading.

ORDINANCE NO. 56 – 2012 WAS GIVEN FIRST READING.

ORDINANCE NO. 57 - 2012 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

Amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Tuscarawas Township to R-MH Mobile Home Park.

COUNCILMAN MANSON – Same thing we will be having a public hearing on this ordinance on July 2nd at 7:15pm so first reading.

ORDINANCE NO. 57 – 2012 WAS GIVEN FIRST READING.

ORDINANCE NO. 58 - 2012

BY: ENVIRONMENTAL COMMITTEE

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 Bit of Eden Pump Station Project, and declaring an emergency.

COUNCILMAN LEWIS – First reading.

ORDINANCE NO. 58 – 2012 WAS GIVEN FIRST READING.

ORDINANCE NO. 59 - 2012

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

Authorizing the Mayor of the City of Massillon, Ohio, to submit an application for Stark County Area Transportation Study (SCATS) Funding for the 2016 and 2017 funding year, and declaring an emergency.

COUNCILMAN TOWNSEND – Ordinance No. 59 a majority yes vote will simply allow the Mayor to submit an application for SCATS and that is Stark County Area Transportation Study. The projects that would include that would be listed on the application is the Main Street Avenue Improvement Project, Tremont Avenue and Lincoln Way Streetscape Project. If any of the council members have any questions I can call the engineer up and possibly he can answer them for council.

COUNCIL PRESIDENT GAMBER – Do we have any questions on any of those three projects in the application? Mr. Townsend?

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

Roll call vote of 8 yes for suspension of the rules.

ORDINANCE NO. 59 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 60 - 2012

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

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 1st Street NE Improvement Project in the City of Massillon, and declaring an emergency.

COUNCILMAN TOWNSEND – The passage of Ordinance No. 60 will simply allow the authorization for the Director of Public Service and Safety to advertise/receive bids and enter into contract with the lowest and best bidder for the 1st Street NE Improvement Project. Initially I was thinking about giving it three readings but I looked over at one of my colleagues and I felt it would be in my best interest if I did pass it. So if there are no questions I would like

to move Ordinance No. 60 forward for its vote.

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

COUNCIL PRESIDENT GAMBER – Do we have any questions? Mr. Chovan?

COUNCILMAN CHOVAN – Yes, my only question was this would be a project where the city would have to contribute also to this. We're going to authorize entering into the contract but then once we do that we're obligated to an estimated \$160,000 is that what I remember from the last meeting we had? If so where what's that funding or where do we where would we come up with that?

COUNCILMAN TOWNSEND – I will call up the engineer Mr. Dylewski.

COUNCIL PRESIDENT GAMBER – Mr. Dylewski, do you understand the question or do you need it again.

ENGINEER DYLEWSKI – Got it. Thank you.

COUNCILMAN CHOVAN – Yeah, you know we might have done this but refresh my memory if you would please.

ENGINEER DYLEWSKI – Sure, the \$160,000 is based on an estimate right now so we're not going to know what that amount is until the bids come in. So but we'll have to come back to council and then you'll have to appropriate that share of the money at that point. So it will be a combination of funds there's sanitary work in the project, there's storm sewer work in the project, municipal road fund money too for paving. So it's going to probably multiple sources to make up that...

COUNCILMAN CHOVAN – Okay, that's right thank you I do remember that now. Thanks.

COUNCIL PRESIDENT GAMBER – Mr. Lewis?

COUNCILMAN LEWIS – Since we're speaking about funding just to make sure we're clear on everything the money that would be used for this project is not coming from the general fund and no way would be taking away from any funds that could be used for safety services, correct?

ENGINEER DYLEWSKI – No, absolutely not.

COUNCILMAN LEWIS – No, so this money could be used for other purposes that would assist safety services in the city?

ENGINEER DYLEWSKI – No, I said it would not.

COUNCILMAN LEWIS – Oh, okay, I'm sorry I misunderstood your no then.

ENGINEER DYLEWSKI – No, specific funds that have specific purposes.

COUNCIL PRESIDENT GAMBER – Any more questions for Mr. Dylewski? Any other questions at all. Mr. Townsend?

COUNCILMAN TOWNSEND – No questions here.

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

ORDINANCE NO. 60 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 61 - 2012

BY: FINANCE COMMITTEE

Amending Ordinance No. 28 – 2012 by revising the 2012 budget, and declaring an emergency.

COUNCILMAN PETERS – Where we at? This ordinance is to amend Ordinance No. 28 – 2012 for two sections that were omitted. We discussed them at Monday night’s work session the auditor is here if we have any questions on them. I believe we were all clear Monday night but that could have changed in seven days. So if there aren’t any questions I’m going to move it forward for passage.

COUNCILMAN PETERS moved for suspension of the rules and passage, seconded by Councilman Manson.

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

ORDINANCE NO. 61 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 62 - 2012 **BY: FINANCE COMMITTEE**

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio to sell to the highest bidder, according to law, various vehicles and/or equipment, which is no longer needed for any municipal purpose, and declaring an emergency.

COUNCILMAN PETERS – The ordinance is just like the clerk stated it is to sell to the highest bidder property you know copy machines, vehicles, scrap, any thing that’s not needed. It’s asking our permission to sell to the highest bidder. Are there any questions?

COUNCILMAN PETERS moved for suspension of the rules and passage, seconded by Councilman Manson.

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

ORDINANCE NO. 62 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 63 - 2012 **BY: FINANCE COMMITTEE**

Amending CHAPTER 913 “EXCAVATIONS” of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 913.02 “OBTAINING A PERMIT AND FEES”, and declaring an emergency.

COUNCILMAN PETERS – Mr. President, could I ask before I do anything to bring the city engineer up? (Absolutely) Yeah, I’ll ask to do that. I’ve got a problem with these next three ordinances when we I guess when we discussed them on Monday night and maybe the clerk can help me I assumed this was going to be all one ordinance for the house numbering, the sidewalk concrete, right-of-way, sewer license and the concrete license. Am I mistaken on that now its all separate ordinances?

ENGINEER DYLEWSKI – Well, that’s probably...

COUNCIL PRESIDENT GAMBER – If I could answer for him that would be more a function of the law director who prepares the ordinances.

COUNCILMAN PETERS – I don’t care as long as somebody comes up and answers my question.

LAW DIRECTOR STERGIOS – Generally to answer your question they’re amending separate sections of the code. So it is although it maybe three differences ordinances it is much easier to track and follow the amendments by splitting them up based on the chapter that we amend. So I mean it’s just a matter of preference more than anything. But so that’s why they’re separated.

COUNCILMAN PETERS – Okay, I didn’t know because I know myself and the other finance member that was here we only signed one legislation request and it had all five items on that legislation request. Then I get here tonight of course I didn’t print them out ahead of time I have known this but then they’re all on separate ordinances. I just needed to clarify that’s all. I mean it’s not a big deal that’s why. Thank you.

LAW DIRECTOR STERGIOS – Yes.

COUNCIL PRESIDENT GAMBER – Back to Ordinance No. 63.

COUNCILMAN PETERS – Did you already read it? Okay, thank you. This is revising the existing section for obtaining a permit and fees for excavations. The fee for such shall be \$30.00 you know for each 100 feet. If there aren’t any questions we’re going to move for passage.

COUNCILMAN PETERS moved for suspension of the rules and passage, seconded by Councilman Manson.

The rules were suspended by a roll call vote of 7 yes, 1 no. Scassa voted no.

ORDINANCE NO. 63 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 7 YES, 1 NO. SCASSA VOTED NO.

ORDINANCE NO. 64 - 2012

BY: FINANCE COMMITTEE

Amending CHAPTER 913 “STANDARDS FOR CURBS, SIDEWALKS AND DRIVEWAYS” of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 917.12(b) “LICENSE REQUIRED; FEE; BOND; EXCEPTION”, and Section 917.13(b) “PERMIT REQUIRED; FEES”, and declaring an emergency.

COUNCILMAN PETERS – I won’t repeat exactly what the clerk just said. This is to change the fee for curbs, sidewalks and driveways and right-of-ways. The fee is being raised from \$25.00 to \$30.00. If there aren’t any questions I’m going to move for passage.

COUNCILMAN MANSON – You’re on the wrong page.

COUNCILMAN PETERS – Of course because they’re all screwed up. Oh, I’m sorry, okay, we’re revising the fee from \$100.00 to \$125.00. I apologize. No questions?

COUNCILMAN PETERS moved for suspension of the rules and passage, seconded by Councilman Manson.

COUNCIL PRESIDENT GAMBER – Mr. Townsend, you have a question?

COUNCILMAN TOWNSEND – Yeah, I have a question something keeps nipping at me here. I’m looking at obtaining permits and things like that I guess how did these things fall into finance? I guess I’m so used to when I hear permits and things like that they usually fall into health and welfare.

COUNCIL PRESIDENT GAMBER – What is being changed are the fees not the permit application or anything to do with the organic matter of this case Chapter 917 it’s strictly a fee. The determination was made to put it through finance. It could very easily had come through

the separate committees building or environmental. But the fee would have ended up on a finance ordinance any way. Is that a good enough answer?

COUNCILMAN TOWNSEND – Yep.

COUNCIL PRESIDENT GAMBER – Alright, anyone else? Ms. Scassa?

COUNCILWOMAN SCASSA – I'd call the engineer up I guess are we in the question phase sort?

COUNCIL PRESIDENT GAMBER – Yes, absolutely.

COUNCILWOMAN SCASSA – And I'm sorry if you answered it at last weeks work session but we're raising this \$25.00 I believe that was the figure and where did that figure come about? The raising of the additional amount?

ENGINEER DYLEWSKI – This brings us in line closer to other cities in the county and I think Mr. Peters eluded to last week too that these probably haven't been touched in many, many years. So this just gets us up closer to what's being charged by the county and other cities.

COUNCILWOMAN SCASSA – They when you say they haven't been raised in many years before your time would you say if you can recall?

ENGINEER DYLEWSKI – Yes, that's correct.

COUNCILWOMAN SCASSA – That was my question.

COUNCIL PRESIDENT GAMBER – Are there any other questions for the engineer? Thank you, Mr. Dylewski. We do have a motion and a second.

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

ORDINANCE NO. 64 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 65 - 2012 **BY: FINANCE COMMITTEE**

Amending CHAPTER 925 "SEWERS GENERALLY" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 925.13(a) "SEWER TAPPER; LICENSE AND BOND LICENSE REVOCATION", and declaring an emergency.

COUNCILMAN PETERS – This is the sewer tap in fee. We're increasing it from \$50.00 to \$125.00 same deal.

COUNCILMAN PETERS moved for suspension of the rules and passage, seconded by Councilman Manson.

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

ORDINANCE NO. 65 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 66 - 2012 **BY: FINANCE COMMITTEE**

Amending CHAPTER 1369 "NUMBERING STRUCTURES" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 1369.01(f) "SCHEME OF NUMBERING", and declaring an emergency.

COUNCILMAN PETERS – This is allowing the mayor perform well she already was allowed to perform...

COUNCIL PRESIDENT GAMBER – Mr. Peters, 66, numbering structures.

COUNCILMAN PETERS – Where is my sorry, okay this is the house numbering fee from \$5.00 to \$10.00 raising that. There shouldn't be any questions on that its pretty...are there?

COUNCILMAN PETERS moved for suspension of the rules and passage, seconded by Councilman Manson.

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

ORDINANCE NO. 66 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 67 - 2012

BY: FINANCE COMMITTEE

Amending CHAPTER 131 “MAYOR” of the Codified Ordinances of the City of Massillon, Ohio, by creating and enacting a new Subsection 131.01 “WEDDING CEREMONIES”, and declaring an emergency.

COUNCILMAN PETERS – Now for the important one this is allowing the Mayor to collect fees for performing wedding ceremonies. The fee is \$50.00 as pointed out by one of the council members on Monday night Canton charges \$75.00. So it's a bargain to come to Massillon to get married. If there's any questions.

COUNCIL PRESIDENT GAMBER – Mr. Peters, may I ask a question?

COUNCILMAN PETERS – No, go ahead.

COUNCIL PRESIDENT GAMBER – Since you mentioned the \$50.00 I will note that it says a minimum fee of \$50.00. Now how the Mayor's going to determine whether somebody pays more I don't know. But the ordinance does say a minimum of \$50.00.

COUNCILMAN PETERS – Do you want an answer to that or you just making a statement?

COUNCIL PRESIDENT GAMBER – No, I'm just making a comment.

COUNCILMAN PETERS – Alright.

COUNCILMAN PETERS moved for suspension of the rules and passage, seconded by Councilman Manson.

COUNCIL PRESIDENT GAMBER – You have a question now Mr. Lewis?

COUNCILMAN LEWIS – Yeah, now that I thought that's a good question maybe we should get an answer for that. Because as it is currently stated at minimum then what it's saying that she'll charge a minimum of \$50.00 but she could say \$100.00. What's going to decide that not that she would I don't think this is looking as a major revenue stream but for the purpose of making sure everything is written up the way it should be maybe we should ask or change it.

COUNCIL PRESIDENT GAMBER – And who would you like to call?

COUNCILMAN LEWIS – I guess the Mayor. I know this seems very simple and I actually over saw it today didn't notice it until someone stated it. But are you familiar with the purpose of the word minimum is there in that phrasing.

MAYOR CATAZARO-PERRY – I understand minimum to be that's the least amount that they could pay and that if they want to donate more that we would accept it. So we have a wedding on Wednesday and the fee will be \$50.00.

COUNCILMAN LEWIS – Okay.

COUNCIL PRESIDENT GAMBER – We do have our motion and a second are there any other questions? Roll call please to suspend.

The rules were suspended by a roll call vote of 7 yes, 1 no. Lewis voted no.

ORDINANCE NO. 67 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 7 YES, 1 NO. LEWIS VOTED NO.

ORDINANCE NO. 68 - 2012

BY: FINANCE COMMITTEE

Amending Ordinance No. 252 – 1995 effective January 1, 2014, and declaring an emergency.

COUNCILMAN PETERS – I’ve been asked everyone knows where I stand on this. But as one member of council has said to me you know we’ve passed we’ve given three readings to less important things than something like this. So I think it warrants more discussion and so I’m going to give that person that opportunity. So I’m going to give it first reading.

ORDINANCE NO. 68 – 2012 WAS GIVEN FIRST READING.

ORDINANCE NO. 69 - 2012

BY: FINANCE COMMITTEE

Amending Ordinance No. 251 – 1995 effective January 1, 2016, and declaring an emergency.

COUNCILMAN PETERS – First reading.

ORDINANCE NO. 69 – 2012 WAS GIVEN FIRST READING.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

A. NORLSON - \$277.40

COUNCIL PRESIDENT GAMBER – Mr. Peters?

COUNCILMAN PETERS – I make a motion that we pay the bills, seconded by Councilman Manson.

Roll call vote of 8 yes to pay the bill.

10. REPORTS FROM CITY OFFICIALS

A). MAYOR SUBMITS MONTHLY REPORT FOR APRIL 2012

B). AUDITOR SUBMITS MONTHLY REPORT FOR MAY 2012 B COPY FILE

COUNCIL PRESIDENT GAMBER – As I recommend very strongly that you look through there. We also the monthly report from the Auditor Mr. Peters we need a motion to accept that.

COUNCILMAN PETERS – I move that we accept the auditor’s report for May 2012, seconded by Councilman Manson.

Roll call vote of 8 yes to accept the auditor’s report for May 2012.

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT GAMBER – Next committee session will be on June 11th Mrs. Halter has mentioned a special meeting at 5:00pm for the building regulations committee and the regular work session will begin at 6:00pm.

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT GAMBER – Any requests or resolutions from anyone? Mr. Peters?

COUNCILMAN PETERS – I will not be at Monday night's work session. I've asked Mr. Chovan to ask as Council Pro-Tem. I would ask that Mr. Manson sit in my place for finance if he would do so. Also the Mayor has requested time on the agenda so I guess I'm asking the President and the Clerk how we want to do that. She wants to give her state of the city address at the June 18th.

COUNCIL PRESIDENT GAMBER – Alright, we'll put that on the agenda then. Then also since you won't be here Mr. Manson or Mr. Peters do you know if Mr. Slagle will be back next Monday? Alright that will give us one member of the finance committee.

COUNCILMAN CHOVAN – I think he I thought he was returning this week.

COUNCIL PRESIDENT GAMBER – Well whether he is or he isn't if he is not here we need to make arrangements to have another signature for the finance legislation.

COUNCILMAN PETERS – Well I mean I'm not leaving the country you can call me I'll give a signature over the phone. I'll be available.

COUNCIL PRESIDENT GAMBER – Is there anyone else? Mr. Townsend.

COUNCILMAN TOWNSEND – I just have a statement. I want to make a correction that was stated by Mr. Daut about the house across the street from the Coffee Cup that was growing fuzz and mold or whatever he was saying. He stated that it was in my ward I just want to correct that it is not in ward 4. That's it.

COUNCIL PRESIDENT GAMBER – Who's ward is that?

COUNCILMAN TOWNSEND – It's not in ward 4.

COUNCILMAN PETERS – My guess is it would be ward 3 then.

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 46 - 2012

BY: ENVIRONMENTAL COMMITTEE

Amending CHAPTER 925 "SEWERS GENERALLY" of the Codified Ordinances of the City of Massillon, Ohio, by amending existing Section 325.12 "SEWERS CONNECTION PERMIT REQUIRED; FEE" and declaring an emergency.

COUNCILMAN LEWIS – We've been discussing this for over a month now. I guess are there any questions before I move to for passage?

COUNCILMAN LEWIS moved to bring Ordinance No. 46 – 2012 forward for passage, seconded by Councilman Manson.

ORDINANCE NO. 46 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

Amending CHAPTER 937 “WASTEWATER TREATMENT REVENUE FUND” of the Codified Ordinance of the City of Massillon, Ohio, by repealing existing Section 937.05 PAYMENT DATES; PENALTY CHARGE; 937.08 “ADMINISTRATION AND DISTRUBUTION OF FUNDS; 937.09 “ANNUAL RATES FOR SEWER SERVICE AND ding agreement for the sale of the department shall be subject to the ultimate approval of City Council.

COUNCILMAN LEWIS – Yes, if I could have the engineer come up please. I received a phone call today and I visited with a constituent in the 6th ward asking about the letters that was already mentioned by a citizen earlier that were sent out. I was wondering if you could speak to when those letters were sent out and what the intent of the office was.

ENGINEER DYLEWSKI – I think it was approximately a month ago I don’t have the date in front of me. But the intent was to get an updated count those were for businesses. The way businesses are billed is based on could be based on sinks, showers, tubs, you know those type of items. So I don’t think they had an updated count in years. So I mean obviously at times maybe some are taken out of service so maybe they’re being billed too much or maybe they added more. So the intent was just to get an updated count.

COUNCILMAN LEWIS – Alright, and do we believe that we’re going to be able to actually follow through with inspection or is that just opening door in case we are able to that they’ve already been aware. Does that make sense?

ENGINEER DYLEWSKI – No, we’ll be able to follow through with that.

COUNCILMAN LEWIS – Okay, and just to clarify every commercial every business in the City of Massillon already being billed on a per unit type per whatever as you had stated. So it’s not going to change anything to their billing as far as changing the way it looks or the way it’s calculated?

ENGINEER DYLEWSKI – No.

COUNCILMAN PETERS – Unless you added a toilet.

COUNCILMAN LEWIS – Alright, that’s all.

COUNCIL PRESIDENT GAMBER – Are there other questions for the engineer? Mrs. Halter?

COUNCILWOMAN HALTER – I forgot what I was going to ask you. Never mind. Oh, I know now someone made the comment that the building department would be doing these inspections but that’s not correct right? It will be would you explain who it would be doing the inspections?

ENGINEER DYLEWSKI – Wastewater Treatment personnel.

COUNCIL PRESIDENT GAMBER – Ms. Scassa?

COUNCILWOMAN SCASSA – Looking at the legislation the legislation as it currently stands these evaluations of the rates were every two years? Is that correct?

ENGINEER DYLEWSKI – No, I think in the previous ordinance they were up for three years or as needed or requested.

COUNCILWOMAN SCASSA – Because the new what’s proposed tonight is every four years is that correct?

ENGINEER DYLEWSKI – Yes, I think last time these went through some council members wanted to push that out a little farther. So that's why that was put in there.

COUNCILWOMAN SCASSA – Okay, I was just wondering why there was difference in why the timeframe was shorter previously but now we're extending out the time for evaluations.

COUNCIL PRESIDENT GAMBER – Is there anything else for the engineer. Thank you, Mr. Dylewski.

COUNCILMAN LEWIS moved to bring Ordinance No. 47 – 2012 forward for its passage, seconded by Councilman Manson.

ORDINANCE NO. 47 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 5 YES, 4 NO WITH COUNCIL PRESIDENT GAMBER VOTED YES TO BREAK THE TIE. HALTER, PETERS SCASSA AND TOWNSEND VOTED NO.

COUNCIL PRESIDENT GAMBER – We have addressed Ordinance No. 48 & 49 – 2012.

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 like to speak to council on any topic at all whether it was on the agenda or not? If so please come to the microphone at this time state your name, address and state your comments.

BOB RICHARDS – I live at 1375 Benson Street SW. I'd like to bring up the subject I've been visiting the council meetings for the last couple years and I've listened to all the finger pointing and who's fault this is for the city's finances. To me it's the people of Massillon's fault we let it happen. Now we have to stand up and we've either get the tax reduction or we've got to pass a levy or something. We can not continue like this. At some point in time we've got to pay these bills and this carrying over year to year you know don't get me wrong I don't want to pay more taxes but I think I see a need for it. Because laying firemen off, policemen off and all these other things we need that levy. I think its up to you people in this room to start something because we need it. Thank you.

SAM DAUT – 835 Cherry Rd NW. Mr. Townsend, I apologize if it isn't in your ward then I just pointed to Mr. Manson because he's the at-large he can address the problem. That being said to you Mr. Lewis these were addressed on the 11th I received it on the 22nd. The only reason I questioned it because some commercial properties got it others didn't. It's not I mean I'm not here I don't even want to come down here and I don't come down here just basically to complain. I complain when people start reaching in my pocket you know businesses in the community and I hear from everybody. It's not easy being a small guy here anymore. You turn around and look at a lot of the businesses that have gone why the way side. Through no fault of their own. I can see where Mr. Richards coming up here and saying yes we have to correct the problem. At the rate that I'm looking at tonight's agenda it's your assessments and your increases some of these I can understand are petty. But I don't consider doubling sewer connection fees and telling me that a builder is not going to object to this. If I was a builder I would start looking for another place to build. But to me you should start realistically questioning these people that are bringing these out of committees. You're going to have to sit down and really start reading this stuff and looking at it. Because at the rate you're going we're not going to have a financial problem because before long you're going to generate enough revenue. When I was here a few months ago questioning the storm water utility the ink wasn't even dry on that you passed it and you doubled all the rates. You went even over and beyond that. You make some of these companies end up instead of paying \$4.00 some of these people are going to pay as high as \$60.00. Can you imagine if you got a bill like that? All I'm saying

is I'm not coming down here just to complain I'm just getting tired of people punished for something I didn't cause. I have a business too I have an obligation to pay my bills unfortunately I don't have a resource like you do of taxpayers. I'm just telling you stop punishing the public for something and I don't care as far as you can blame the last administration and I agree. Voters had the opportunity at that time but it wasn't just Frank alone. There are members still sitting on this city council I didn't play a part of leasing golf courses for \$600,000 over six period over a six year period. You spent \$200,000 to buy a \$10,000 hot dog stand called the Legends Restaurant. You put this city in debt don't punish us for doing it.

COUNCIL PRESIDENT GAMBER – Is there anyone else?

KEN HENDRICKS – 852 1st Street NE, Massillon. President F.O.P. Henderson Lodge 105 also spokesperson for Massillon Ohio Speaks Out. We have collected signatures electronically and handwritten from citizens of this city who are sick and tired and concerned about the layoffs. In my opinion it's a political agenda by the mayor and administration to force your own political agendas. You are putting our firefighters, our police officers at risk by overworking them and understaffing them. I've been there and done that I've seen the same shenanigans every time its contract talk time which it just happens to be again. Please use your heads do some real hard looking do something to bring these men and women back to protect us and to protect our families. I for one am sick and tired of it. Thank you. I do have the signatures to present to city council we will have more and we will be back.

COUNCIL PRESIDENT GAMBER – Is it clearly indicated on there where these are coming from? (Yes, sir it is) Alright, if you'd pass those to the clerk please they will be available to anyone on council would like to look at them.

DAVID BORRELL – 3005 Meadowcrest Street NW, Massillon. I want to address council tonight but first I want to tell council I appreciate what you're trying to do. It's not an easy job but everybody here is here because we care. We want to give you what we think should be done. It is council who holds the purse strings. It is your responsibility to address the appropriations just like a home budget. If I'm short of money I have to pick and choose what I pay. Maybe I don't pay the bank the bank's not going to like it but I'm going to make somebody else happy. You have to take that money and appropriate it the best way you can and also to protect the citizens in Massillon. Now in the last week I've read two quotes in the paper that come out the commission meeting. The first one was from the Interim Police Chief Joe Herrick that he does not believe the layoffs will save the city money and it will cost us more in overtime than it will save. The major quote that bothers me and I think it should bother all of you is from budget director Ken Koher that stated savings from the layoffs will be realized if the departments can remedy a managing problem of overtime and the circumstances that create it. I'm an old union guy I served five years as president in the steel workers. This is an negotiating tactic what this is telling me is Ken is telling you they will save money if they do away with the manning issue. But as of right now it almost looks like he's saying yeah, we are spending extra money having these people laid off. As council I'm begging you to look at the numbers and if we are letting more money go out of the system by having these people laid off it is your duty and responsibility to bring them back. Thank you.

CARRIE COMPETTY – I live at 829 Medill Avenue NE, Massillon. I would appreciate it if council would consider placing a safety service levy on November's ballot. I along with many of my friends and families support our police and fire and I believe a levy would protect those funds from being redirected from other general fund obligations. In the meantime I would ask that you consider reinstating our police and fire. Thank you.

MEAGAN KIRCHNER – 1025 Oxford Avenue NE. I wasn't going to speak because I really hate being degraded in blogs by people I do not know. However, these four gentlemen, that gentleman back there their brother and their son over there kind of need you. More importantly this is actually not an attack on you I'm willing to do actually probably a levy. I'm willing my husband pays Cleveland City we would be affected if we had a tax credit reduction. I pay city

income and so does my husband at the other job we would be affected by an income increase. We own property we'll be affected by a property levy whatever you do I personally will be affected but its important for me not only for them to have jobs but for my one year old to live in an environment that she's protected if the house fire breaks out for those gentlemen or criminals from that gentleman back there. I think that's what we're missing. You have young children, Ms. Scassa has young children some of you have grandchildren who live in this city. Interesting enough Matt Rink's editor today wrote an editorial saying more or less pleading with 2012 graduates of Massillon High School to return. I like most of these people who have graduated from the Massillon High School have retained their position within this city have decided to come back. We have to guarantee that we are making an environment where college educated young professionals want to come back and they're not going to leave. This affects this long term this is not about today, not about tomorrow this is about the future of everyone's safety and well being. So like everyone else I'm willing to raise my taxes I know that seems interesting argument coming from a republican. But this is not about republicans, it's not about democrats it's about right and wrong. It is wrong to layoff our safety service people in the idea that it is saving money when we know it's not and more importantly without allowing us to vote for an increase. If we vote for it or we don't that's the people speaking but at least give us the opportunity but don't lay then off to hold us hostage in order to do it because that's unfair as well. Thank you.

COUNCIL PRESIDENT GAMBER – Is there anyone else who would like to come forward? Mr. Peters, do you have your hand up. (No) Alright Ms. Scassa we need a motion for adjournment. We will hold off on the adjournment for just a moment.

RAY ROMANS – I live at 803 South Avenue SE. I retired in 2002 and when I retired I know that there was a quarter of a million dollars in a budget earmarked for the walking path. Where's that money and how come the path is in such deployable condition? Does anybody know?

COUNCIL PRESIDENT GAMBER – We have no specific answer right now Ray but you've made your point and the appropriate committee will be aware of it. Thank you.

RAY ROMANS – Thank you very much.

18. ADJOURNMENT

COUNCILWOMAN SCASSA – I move that we adjourn, seconded by all.

MARY BETH BAILEY, CLERK,

GLENN E. GAMBER, PRESIDENT

