

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, JUNE 18, 2012**

COUNCIL PRESIDENT GAMBER - I'd like to welcome all of you to Massillon City Council for Monday, June 18, 2012. We have in attendance with us this evening: Mayor Catazaro-Perry, Safety Service Director Maier, Budget Director Koher, Community Development Director Herncane, Health Commissioner Argent and Law Director Stergios. On the wall you will find agendas take one and follow along. 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, Andrea Scassa and Larry Slagle.

Thus giving a roll call vote of 8 present.

COUNCIL PRESIDENT GAMBER – Mr. Peters we will need a motion to excuse Councilman Townsend.

COUNCILMAN PETERS – I move that we excuse Councilman Townsend, seconded by Councilman Slagle.

Roll call vote of 7 yes, 1 no to excuse Councilman Townsend from tonight's meeting. Peters voted no.

2. INVOCATION

COUNCILMAN SLAGLE – Gave the invocation for the evening.

3. PLEDGE OF ALLEGIANCE

COUNCILMAN SLAGLE – Chairman of the Parks and Recreation 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 they stand approved as written.

5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA

COUNCIL PRESIDENT GAMBER – I ask that you please come forward state your name and address for the record and make your comments.

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 70 - 2012

BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Bond Retirement Senior Housing Fund, for the year ending December 31, 2012, and declaring an emergency.

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COUNCILMAN MANSON – Yes, we discussed this at last week’s committee meeting. This is the refinancing of the senior high rise. The refinancing is for like \$925,000, \$870,000 of it is to pay back the old bond that we’re retiring. Then there’s \$3,000 in fees and \$51,000 in contracted services. If there’s any questions I believe the mayor or somebody’s here to discuss it if anybody has any questions.

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

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

ORDINANCE NO. 70 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 71 - 2012

BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Bond Retirement Park and Recreation Fund, for the year ending December 31, 2012, and declaring an emergency.

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COUNCILMAN MANSON – Yes, same thing as the last one only this is for the recreation center. It’s for \$7,580,000, \$7,374,000 would be paying off the old bond, \$60,000 for contracted services and \$145,000 for fees. Any questions?

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

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

ORDINANCE NO. 71 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 72 - 2012

BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Summer Concert Fund and the Veterans Park/Duncan Plaza Fund, for the year ending December 31, 2012, and declaring an emergency.

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COUNCILMAN MANSON – Yes, we have two parts to this. Section 1 is for \$12,265 for the summer concert series. We talked last week the auditor said at that time that was approximately \$49,000 and may have been higher \$49,000 in that fund. They’re going to take \$12,265 out and that’s all been raised privately. The other part of this section 2 is \$2,000 from the unappropriated portion of the Veterans Park/Duncan Plaza Fund and this goes to supplies, materials, postage from said fund and pay for a park bench and other supplies for Veterans Park.

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

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

ORDINANCE NO. 72 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

RESOLUTION NO. 12 - 2012

BY: FINANCE COMMITTEE

Requesting the Stark County Auditor to certify to the City of Massillon the total current tax valuation of the city and the number of mills, required to generate a specified amount of revenue or the dollar amount of revenue that would be generated by a specified number of mills, and declaring an emergency.

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COUNCILMAN MANSON – Yes, we passed this ordinance a little earlier this year and I guess the county caught it that we did not have the dates clear in it. The law director is here he's the one that requested this be brought back. If there are any questions we'll bring the law director up he can answer them if not I will be asking to waive the rule.

COUNCIL PRESIDENT GAMBER – Are there any questions? I have a question what happens to the previous resolution?

COUNCILMAN MANSON – This will replace it I would assume.

LAW DIRECTOR STERGIOS – On page two which I don't have it says that the prior one is rescinded what I thought that I put on page two but I don't...

COUNCILMAN MANSON – It says this resolution shall be effective immediately upon passage. So I would that's all I see on page two.

COUNCIL PRESIDENT GAMBER – Generally the clerk does not copy the second page if it's only the signature. Madame Clerk, is there a section two to this resolution?

COUNCIL CLERK BAILEY – Yes, but it says just what Mr. Manson said.

COUNCIL PRESIDENT GAMBER – So there's nothing here that addresses the prior resolution? (No) Mr. Stergios, can we call you forward?

LAW DIRECTOR STERGIOS – Can I, can you table it for a moment and let me get my file or go on to something else because I put that in there and apparently it didn't get there.

COUNCIL PRESIDENT GAMBER – Alright Mr. Manson, what would you like to do here?

COUNCILMAN MANSON – Well, lets just move ahead and come back to this when Mr. Stergios is ready would that be okay?

COUNCIL PRESIDENT GAMBER – Alright. You had not made a motion had you? (No) Alright, we will hold that in abeyance temporarily. But it does seem we would need to address the prior resolution.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

A). TREASURER SUBMITS MONTHLY REPORT FOR MAY 2012 B COPY FILE

B). MAYOR GIVES STATE OF THE CITY ADDRESS TO COUNCIL

COUNCIL PRESIDENT GAMBER – We have two reports tonight the first is from the treasurer which is a printed report. The second is the mayor with the state of the city address to council, Madame Mayor?

MAYOR CATAZARO-PERRY – I'm going to address you from your backs because I can see the power point better so I do apologize. I know that we gave the state of the city with the Chamber of Commerce and I don't believe with your work schedules anyone was able to attend. So Director Maier and I and our Budget Director/Tax Administrator Ken Koher thought it would be prudent of us to give it to you as well so that you have heard it just as the residents and the business owners have. So tonight we're going to give you the state of the city. As you know in accordance with the Ohio Revised Code the mayor shall present an annual message to city legislative authority concerning the affairs of the municipal corporation. What I did at the chamber was I introduced all of you and then we also introduced the other elected officials in the city. We went through all of our budget excuse me our department directors and I don't have to do this again I don't believe I think you all know them. However we do have a new chief of police and his name is Keith Moser and we'd like to invite you to his swearing in ceremony this week and you all received that invitation. So now we're going to talk about the fiscal blizzard of 2011 during the last five years the city's general fund has been operating in shortfalls resulting in non-payment of a significant amount of city bills, invoices and other obligations. By the end of 2011 this mismanagement resulted in citywide unpaid obligations in excess of \$2.5 million dollars. Furthermore there were additional outstanding bills not reflected on the city's books amounting to nearly \$245,000 at year end. So a total of about 2.7 will all funds not just the general fund but all funds. As was the case in 2011 this year's general fund expenditures will out pace our revenue only sooner. Mr. Maier and I had lunch with the auditor on Friday and she shared with us that she is not going to be paying anymore bills so that we can make payroll starting Friday. Furthermore, salaries and benefits appropriations for our police and fire departments will be exhausted by the end of June. This year's budget was held hostage by last year's record of overspending as carry over bills had to be paid with this year's revenues. The continued liquidity crisis could be predictably expected. So this is the slide that will show you where we run out of money it's the second pay in June. The administration inherited an anemic carryover balance of \$416.79 this is equivalent to 14 minutes and 40 seconds of the 2012 general fund budget. Ideally a carryover balance could represent 15% of the annual budget or 55 days. I want to stop for a moment because there is a piece in the Independent that talked about a nest egg and I want to try to clarify the comment of the nest egg for you. We all agree that the sensible thing to do is to plan for our future but we can't plan for our future because we can't pay for our present. So we need to have that nest egg that rainy day fund that's going to allow for retirements, for capital improvements, for crisis that happen within the city, if a roof gets a hole in it and we need to buy a new roof. We have very little capital improvement dollars at this point and in fact soon will be closing that gap and it will be 100% going to the general fund and 0 to capital improvement except for what we've already expended this year. So I need to be able in our future to build reserve accounts and these accounts would serve as a budget stabilization tool with some funds being designated for employee accumulated sick leave or comp time payouts. We've had significant payouts this year almost to the tune of \$450,000 that we did not budget for. We had to take the money from the general fund because there's no way that we have this rainy day fund to be able to substitute that. We also need to build upon capital improvement projects. I was out this weekend at our wonderful cruise in and that's what I heard is your roads are poor, your roads are poor and I said I know we don't have any money to fix them. Now we are going to get 1st Street paved and of course I said that right away but there's many more roads than just 1st Street. So in closing this slide I want to say that we all need to work together to create this position for the city. We need to get our fiscal house in order and I believe that we can do that if we all work together. So here is some of the other reasons why we're having a difficulty with funds personal property tax are done, local government, the inheritance tax will go away next year. So those are all reasons and you can see at the end the total revenue how it has decreased from 2009 down to 2012. That's significant that has harmed our city. Financial restoration, when we met with the state auditors and Mrs. Halter was in on that meeting we really felt that we were very close fiscal watch or fiscal caution or fiscal emergency. At the time they told us that they could not determine that until they audited the end of the year which was December 31st 2011. That audit has just been completed and we're waiting to hear the results of that. But in the meantime we talked with them to say what can we do to help our city. These are some the ideas that they gave us: control all your expenses which we knew, find additional sources of

revenue, better utilizing our city assets, strengthen your city's infrastructure system and citywide shared sacrifices. Thank you to all of you who supported the 15% and the step freeze increase, all of those things are helping our city to realize more dollars so that we can keep our staff working. During April 2012 the city completed the refinancing of the Rec. Center and also the senior apartment center and we just completed that tonight your votes. That a housekeeping order and so that is helpful to our city instead of paying a little I think it was about \$280,000 plus for the senior housing this year we're paying \$46,000. So we're able to control our cost so that we can keep more people working. We did that also with the Rec. Center. However in this process you have to have a credit rating just like you have your own personal credit rating the city has a credit rating. Our rating is a Moody's investors rating. We were downgraded from A1 to a BAA1 with a negative outlook. The negative outlook says that they do not believe that we can pay our bills for this year and come out with a in the black by the end of the year. They identified several areas #1 lack of liquidity, we only carryover \$416.79. If you remember a few slides a head of time I said that the ideally the best percentage is 15% carryover. So we are not even near that. Most cities carryover \$2 million dollars plus. So we really have a lot of work to do in this area. We depleted the reserves the following past five consecutive years we operated in deficits. So we overspent the last five years. Uncertainty associated with the disposition of the senior apartment complex and we still have some uncertainty with that. We are working through that process and we're hoping to sell that at least sell our mortgage and get that paid for so that we will not be on the hook for that mortgage payment monthly. Also the tax credit reduction legislation that failed with city council's vote Moody's the bank and the investors were watching to see if that passed. So I want you to know that I'm committed to exercising fiscal discipline in order to bring our city to a condition of being financially stable. City government must transform the way we do business and we can not keep spending what we don't have and hope for a different result. Hope is not a strategy. So in a public sector meaningful spending reductions can be characterized as downsizing and/or reduction in force and in Massillon this means reducing services and the layoff of city employees. Some of these transformations include the layoff of 27 city employees, we will be selling non-essential city assets that you just passed recently, we've instituted mandatory furlough days and modifying work week for non-exempt non-union people, changing the split in the general fund which is coming soon, exploring and instituting additional sources of revenue, identifying and implementing additional cost saving measures. Even with all this the reduction in funding measures cited above totally nearly \$1 million dollars for the rest of the year. Even with these significant sacrifices our funding will fall short between \$1.1 and \$1.5 million dollars with a carryover of \$2 million dollars in bills. Spotlight moments: the Massillon community and city government has made many positives facets. I'm pleased to take the opportunity to feature these our health department and our director is here Terri Argent, the environmental division has developed a program to prevent mosquitoes populating by using a non-toxic larvicide instead of an insect spray containing a poisonous substance. This is done with an annual savings of \$5,000. #2, the vital statistics division can now issue Ohio birth certificates from any health departments in Ohio. This benefit is a convenience for Massillon residents. #3, the nursing division has recently obtained software to allow electronic billing of Medicaid claims This provides efficient billing and creates a cash flow and reduces the burden on nurses work schedules. Our wastewater treatment plant, the power consumption reduction in energy savings project, blending our tanks reduce the motors horse power from 30.2 to 7.5. Aeration tanks improved dissolve oxygen with duel lube controls thereby eliminating two motors. The annualize power cost savings here was \$100,000 and this is based on the first 4 months of operation. Our engineering department as we spoke earlier 1st Street will be improved this year it will come between Cherry Road and Lake Avenue. The estimated cost is \$801,000 which includes a grant from Ohio Public Works in the amount of \$558,000 work will begin this year in August and is expected to be completed in October. Our Massillon parks and recreation department maintains the Massillon Rec. Center over 30 parks and open spaces, the senior center of Massillon and the award winning 27 hole golf course The Legends of Massillon. They provide great quality service and experience and from what I've heard that the Legends Golf Course from several people have said that it never has looked better than this year. The Sippo Valley Trail Bridge reopened on April in 2012 and MAGI was a great community partner to work with. So very, very pleased about that we did a ribbon cutting ceremony. I believe Mr.

Slagle attended that. Fire department, a grant for \$470,000 was received and will cover air packs, thermal imaging and rapid intervention team deployment including firefighter accountability system. A \$296,000 grant for a tanker truck was received. The EMS transport generated the following revenue 2010 - \$503,000 and 2011 - \$724,000, 2012 year to date has produced \$211,000 and is on track to end the year at an estimated \$506,000. Overtime cost have been proportionate with and correlates to EMS activities as follows: 2010 - \$153,000, 2011 - \$356,000, call volume expected to remain at 2011 level if 4,400 calls. Our police department activities for 2011 shows increases and a decrease as follows: calls for services up in 11 - 8%, incident reports taken up 18%, arrests up by 20%, traffic crashes they were also up at 3%, uniform traffic citation increased by 36% and overtime hours decreased by 18%. However, I will note that the comp time was up increased at that time. Community and Economic Development Programs under the development of the department of community and economic include our community development block program, neighborhood stabilization program our enterprise zone program, community reinvestment area program, our TIF, our vacant land utilization program, planning and zoning activities and the neighborhood stabilization program was established in 2009. These funds was authorized under Title 3 provided \$1.5 million dollars to Massillon. These funds were used to demolish 37 residential properties and funded construction of 20 new homes. Recently the city entered into an agreement with Habitat to construct additional homes. Our summer concert series are back they continue this Thursday with Jimmy and the Soul Blazers and there's the list I think you all received a copy of the schedule and that our Duncan Plaza concerts are back as well. We have collaborated with the Lions Theater as long as we allow them to know that by 10:00 am we need to utilize the theater for rain they will allow our Duncan Plaza concerts to go over to the theater. So that is a win, win for everyone because we have to pay the band no matter what. So its wonderful that they're working with us and there's a nice schedule as well for Monday nights. These are just some local headlines that we had recently by the Independent. Baker Hughes, Inc., creates value from oil and gas reservoirs with high performance drilling evaluation completions and productions technology and services, integrated operations and reservoir consulting. They are very close to closing on this and as you have heard that the project has just been delayed due to gas prices being low and will be beginning as soon as possible. So I'd like to say in closing I do love my job as mayor I wanted to give you the state of the city with the positive and the negative. We need to work together to get out this mess that we are in. I think that having unity will really help us to lead our residents and make our city financially stronger. With that I thank you.

COUNCIL PRESIDENT GAMBER – Thank you, mayor. We will return to Resolution No. 12, the law director is passing around page 2. We had no motion on this resolution so we will proceed with the ordinance with page 2 will all see that Madame Clerk would you read section 2?

COUNCIL CLERK BAILEY – Section 2: This Resolution shall be effective immediately upon its passage, Section 3: All prior resolutions inconsistent with this resolution are hereby repealed.

COUNCIL PRESIDENT GAMBER – I think I'll recognize the law director for a moment.

LAW DIRECTOR STERGIOS – Thank you just to clarify the I talked with the people from the Massillon Museum specifically the director to verify that this is how they wanted the language. The county auditor told us if we did not word it this way essentially they would a year would overlap and they'd sort lose a year. So its fine with me that's what the museum wants and I felt it was better to say this way then we can certify it to the auditor and pass the second ordinance so it goes on the ballot. So I just thought I'd add that.

COUNCIL PRESIDENT GAMBER – Are there any questions for the law director? Thank you, Mr. Stergios. Mr. Manson, we're back to you for this resolution.

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

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

RESOLUTION NO. 12 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT GAMBER – Our next committee sessions will be on Monday, June 25th beginning at 6:00pm.

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT GAMBER – Is there any committee report or any request or resolution from a council member? Mr. Slagle?

COUNCILMAN SLAGLE – I don't have a committee report but I hope all of you read the information from the revenue from the Legends Golf Course. The information would indicate that for through May of this year the revenue is up \$175,000 from previous from last year. Much of that is obviously due to good weather but also Club Legends is doing well. I'm sure there's going to be some cost there. That's a very positive movement for the golf course. It is an excellent golf course by taking the appropriate steps without letting political decisions come into play the council at that time did an excellent choice in purchasing the Club Legends so that we could operate it. I think that's just a very positive news for the city.

COUNCIL PRESIDENT GAMBER – Mrs. Halter?

COUNCILWOMAN HALTER – There will be a special meeting of Health and Welfare and Building Regulations the 25th at 5:00pm to work on Ordinance No. 48 and 49. Thank you.

COUNCIL PRESIDENT GAMBER – Mr. Rink, may we consider you properly notified. (Yes) Thank you. Is there anything else from anyone else?

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 56 - 2012
COMMITTEE

BY: COMMUNITY DEVELOPMENT

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 giving that second reading this second reading. There will be a public hearing at 7:00pm on July 2nd to discuss the rezoning.

ORDINANCE NO. 56 – 2012 WAS GIVEN SECOND READING.

ORDINANCE NO. 57 - 2012
COMMITTEE

BY: COMMUNITY DEVELOPMENT

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 – Yes, same thing all rezonings require a public hear so there will be public hearing at 7:15pm the same day July 2nd as the previous ordinance. Second reading.

ORDINANCE NO. 57 – 2012 WAS GIVEN SECOND 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 – Yes, this is just the pump station that goes along with the annexation out there at the Bit of Eden. I believe the land owner is paying for half of it so this is just to get the bid started and get the actual cost and get the project done.

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

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

ORDINANCE NO. 58 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 6 YES, 2 NO. HALTER AND PETERS VOTED NO.

ORDINANCE NO. 68 - 2012

BY: FINANCE COMMITTEE

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

COUNCILMAN PETERS – This ordinance is to repeal Ordinance No. 252 – 1995. I said I wouldn't pass it on the first reading because at the request of some council members they wanted time to discuss it. From what I hear they discussed it at last week's work session and if there aren't any objections or if you want more discussion we can but I'm going to put it forward for its vote tonight.

COUNCIL PRESIDENT GAMBER – You said this was to repeal the ordinance do you mean to amend?

COUNCILMAN PETERS – Amend it I'm sorry, I'm sorry.

COUNCIL PRESIDENT GAMBER – Are there any questions on the ordinance? Your motion I'm sorry we have a question of Ms. Scassa?

COUNCILWOMAN SCASSA – I guess I do want to make sure that we are clear that it isn't I guess what we're taking out that ordinance from '95. Because the language on here does say repealed and I guess I do want to make sure that we're clear on that because that was one of my concerns.

COUNCIL PRESIDENT GAMBER – The language on what, what are you referring to?

COUNCILWOMAN SCASSA – Well you just used the word amended but it has repealed and that was one of my concerns I had and I call the law director was that the simple sentence pertaining to the Consumer Price Index be repealed not necessarily the entire ordinance because the entire ordinance deals with pay raise.

COUNCIL PRESIDENT GAMBER – Okay, Mr. Peters mentioned this would repeal the ordinance this ordinance will in fact amend not repeal. Now it may do something with a certain section but we are amending that ordinance we're not repealing it.

COUNCILWOMAN SCASSA – Okay and I guess that's what I want to make sure that we're

clear on.

COUNCIL PRESIDENT GAMBER – I would call the law director up to make sure...

COUNCILMAN PETERS – He just took off running but...

COUNCIL PRESIDENT GAMBER – But you are amending the ordinance you're not repealing the ordinance. You may be repealing portions of it.

COUNCILWOMAN SCASSA – That's what I guess that's just want to make sure that we're clear on because we're using amended, we're using repealed and that's...

LAW DIRECTOR STERGIOS – Without going back and getting the file the ordinance you and I talked about it is simply repealing the language the pay raise language based upon any increase in the U.S. Consumer Price Index is hereby deleted from the original ordinance. So we could its deleting that language so whether we call I guess technically its more an amendment than a repeal. But to really get goofy on you the that language was added by that old ordinance so it was an amendment then. So I think everybody's on the same page. It's repealing the Consumer Price Index increase is all its doing.

COUNCILWOMAN SCASSA – Again, like I said we had discussions about it and that was my intent and that's why I just wanted to make sure we were clear. So section 2 covers that?

LAW DIRECTOR STERGIOS – I believe it does.

COUNCILWOMAN SCASSA – Okay.

COUNCIL PRESIDENT GAMBER – Ordinance No. 252 and 251 will continue to exist have ended. Does that answer your question?

COUNCILWOMAN SCASSA – Yes.

LAW DIRECTOR STERGIOS – That's saying it another way. Okay.

COUNCIL PRESIDENT GAMBER – Are there any other questions. Mr. Manson?

COUNCILMAN MANSON – Just anybody this ordinance pertains to council and the next one pertains to the mayor and auditor right and the law director? (Yes) Okay.

COUNCIL PRESIDENT GAMBER – We're back to you Mr. Peters.

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. Chovan voted no.

ORDINANCE NO. 68 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 7 YES, 1 NO.
CHOVAN VOTED NO.

ORDINANCE NO. 69 - 2012

BY: FINANCE COMMITTEE

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

COUNCILMAN PETERS – This ordinance is to amend Ordinance No 251 – 1995 like Councilman Manson said this is for the mayor, the auditor, the law director and treasurer. The last one was for council and council president. If there aren't any questions if I don't why there would be now I'm going to move for passage.

COUNCIL PRESIDENT GAMBER – Are there any other questions. Mr. Chovan?

COUNCILMAN CHOVAN – Yeah, not really a question just I don't have all this language in front of me for the last one or for this one. I mean I have this ordinance I wanted to be able to go back to 252 – 1995. That's why I voted no on that language that's why I'm going to vote no on this not because I'm against the idea but because I don't have the language in front of me and I'm just when we're talking about amending and repealing I'm not just quite comfortable with it. I just want to tell you why I'm voting the way I am.

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. Chovan voted no.

ORDINANCE NO. 69 – 2012 WAS PASSED BY A ROLL CALL VOTE OF 6 YES, 2 NO. CHOVAN AND MANSON VOTED NO.

16. NEW AND MISCELLANEOUS BUSINESS

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

PATRICIA SOLINGER – 1235 Oak Avenue SE, Massillon, Ohio. Now that we're in here we're into a month of the layoffs. I do not support the layoffs by any means since we're into this a month are there any figures as opposed to no layoffs to what's being used as overtime? Do we have any figures on that?

COUNCIL PRESIDENT GAMBER – Well you can make comments as far as asking a questions that would come from the mayor and her department rather than council.

PATRICIA SOLINGER – Okay, well, the other thing I wanted to mention that Saturday at the car show Madame Mayor had we had all the police officers down there for control of course. Most of it mandatory overtime I might add she pulled two out for body guards and escorts. I think that's just a little over powering don't you? Mr. Cicchinelli never did that in all the years he was here. I think you're using your powers a little bit too much.

COUNCIL PRESIDENT GAMBER – Ma'am, direct your comments to the body not to an individual.

PATRICIA SOLINGER – Well, they can hear me.

COUNCIL PRESIDENT GAMBER – That's right they can here go...

PATRICIA SOLINGER – Okay, alright. The other thing is on the 26th Madame Mayor and everybody else you're having a fundraiser you've only been in office for six months. You've got three and half years what's the hurry? I mean why are you doing it now?

COUNCIL PRESIDENT GAMBER – Again, these are rhetorical questions you're asking. She's not going to answer them.

PATRICIA SOLINGER – Okay, so you're not going to answer any of them then?

COUNCIL PRESIDENT GAMBER – This is for you to make comments its not a dialogue.

PATRICIA SOLINGER – Well, my comment is I'm against the layoffs I know there's overtime I know two people one's got 120 hours in one week and one's got a 114 hours. That's just two I know personally, personally. So how is overtime that you're going to be paying these guys going to overlay the layoffs.

COUNCIL PRESIDENT GAMBER – Those are valid points my response is though this is not where you will get an answer. If you talk to her if you talk to the chairman of the police and fire committee then you'll get an answer. But this is really not the forum. This is for you to make

your comments and everybody is listening to them.

PATRICIA SOLINGER – Okay, but do they hear me?

COUNCIL PRESIDENT GAMBER – That’s another question.

PATRICIA SOLINGER – Okay, that’s all I have to say then.

COUNCIL PRESIDENT GAMBER – Now, unless someone can correct me I do think that the police are paid for by the sponsors and the organizers of the car show for what that’s worth.

PATRICIA SOLINGER – Okay.

COUNCIL PRESIDENT GAMBER – Alright that is part of their expense.

PATRICIA SOLINGER – But the other overtime they’re not.

COUNCIL PRESIDENT GAMBER – Well I don’t know which one’s you’re talking about.

PATRICIA SOLINGER – Okay, well I’m not going to give any names either.

COUNCIL PRESIDENT GAMBER – Okay, but you can talk to these people directly not now but when the meeting is over or during the week.

PATRICIA SOLINGER – Okay, I’ll do that. Thank you.

18. ADJOURNMENT

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

MARY BETH BAILEY, CLERK,

GLENN E. GAMBER, PRESIDENT

