

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, JULY 1, 2013**

COUNCIL PRESIDENT TOWNSEND B I'd like to welcome all of you to Massillon City Council for Monday, July 1, 2013. We have in attendance this evening; Law Director Perry Stergios, Interim Parks Director Doug Nist, Engineer Keith Dylewski, Community Development Director Ted Herculano, Mayor Kathy Catazaro-Perry and the Interim Safety Service Director Jim Johnson. 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 down or on vibrate.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Milan Chovan, Sarita Cunningham-Hedderly, Nancy Halter, Quenessa Hampton, Ed Lewis, Paul Manson, Donnie Peters, Andrea Scassa and Larry Slagle.

Thus giving a roll call vote of 9 present.

2. INVOCATION

COUNCILMAN PETERS B Gave the invocation for tonight.

3. PLEDGE OF ALLEGIANCE

COUNCILMAN PETERS – Chairman of the Finance Committee led those in attendance in the Pledge of Allegiance.

COUNCIL PRESIDENT TOWNSEND Councilman Peters?

COUNCILMAN PETERS – Thank you, Mr. President. I'd like to make a motion that we go into executive session with the members of city council in attendance that's all I want in there.

COUNCIL PRESIDENT TOWNSEND Okay, well done, seconded by Councilman Manson, we will go into executive.

COUNCILMAN PETERS – To discuss personnel and I'd like to have the law director come in also.

COUNCIL PRESIDENT TOWNSEND We are now back in session.

4. READING OF THE JOURNAL

COUNCIL PRESIDENT TOWNSEND - 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 TOWNSEND – We are now at item #5 this is the section of the agenda where citizens may speak on a topic that appears on tonight’s agenda. If you would like to speak on something please come to the microphone at this time and give your name, address all for the record and the topic you want to discuss at this time. I see no one. We will move onto our introductions of ordinances and resolutions.

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 61 - 2013
DEVELOPMENT COMMITTEE

BY: COMMUNITY

Authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with PolyPro Solutions, Inc., to provide an economic development “incentive grant” to assist the company in relocating its operations to Massillon, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson?

COUNCILMAN MANSON – Thank you, Mr. President. Myself, I’m kind of leaning towards moving this forward but I said if anybody had any questions or reservations about this to bring them up. I know they’ve been touring the building down there and Mr. Goss is here if anybody has any questions for him that didn’t get answered the other night. Okay.

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

The rules were suspended by a roll call vote of 9 yes.

ORDINANCE NO. 61 – 2013 WAS PASSED BY A ROLL CALL VOTE FOR 9 YES.

COUNCILMAN PETERS – Point of order, Mr. President.

COUNCIL PRESIDENT TOWNSEND B Yes, Councilman Peters.

COUNCILMAN PETERS – I just for the record I have to say council adjourned into executive session and we took no action. So that’s for the record.

COUNCIL PRESIDENT TOWNSEND B Okay, thank you.

ORDINANCE NO. 62 - 2013
DEVELOPMENT COMMITTEE

BY: COMMUNITY

Amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-1 Single Family Residential to I-1 Industrial.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson?

COUNCILMAN MANSON – Yes, we have a public hearing on this meeting scheduled for what do you have the date for that?

COUNCIL CLERK BAILEY – July 15th at 6:45pm.

COUNCILMAN MANSON – July 15th and this one will be at 6:45pm. So I'm giving that first reading.

ORDINANCE NO. 62 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 63 - 2013
DEVELOPMENT COMMITTEE

BY: COMMUNITY

Amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-1 Single Family Residential to B-3 General Business.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson?

COUNCILMAN MANSON – Same thing there will be a public hearing that night 15 minutes after the other one and first reading.

ORDINANCE NO. 63 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 64 - 2013
RECREATION COMMITTEE

BY: PARKS AND

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with Mars Horsecare US Inc., for an Ingress Easement to be used as part of the Sippo Valley Trail in the City of Massillon, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Slagle?

COUNCILMAN SLAGLE – Thank you, Mr. President. This legislation request came out of the parks and recreation committee. It's regarding the far west end of the Sippo Valley Trail which to my surprise turns out to be owned by the City of Massillon. So but out at that far west end is Mars Horsecare

US Inc., and that part of the trail where Mars Horsecare is located it's a business facility and right at the point where they're requesting that we grant them this ingress easement for the purpose of putting up a fence. The purpose of the fence is like every human being I know if a human being has an opportunity to cut something shorter they'll do so and in doing so they're going across part of this business premise which creates a hazard because these trucks are going in and out number one and also because obviously they don't want those folks there. So after discussions with Mr. Nist and Mr. Lowe spoke last week as well it was determined by the recreation board that they should approve the purpose of this easement which is basically to put up a fence to prohibit that. According to Mr. Nist this does not in any way encumber the viability of the trail in that area that it does in fact serve a viable safety purpose by keeping people off of the other premise by putting up this fence. So that was discussed last time the rec. board passed it 5-0 if Mr. Nist is here if anyone should have any questions. But I'm satisfied that for the safety of the public and because it does affect the viability of that trail in that area it's a good thing to do. Does anyone have any questions?

COUNCILMAN SLAGLE moved for suspension of the rules and passage, seconded by Councilwoman Halter.

The rules were suspended by a roll call vote of 9 yes.

ORDINANCE NO. 64 – 2013 WAS PASSED BY A ROLL CALL VOTE FOR 9 YES.

ORDINANCE NO. 65 - 2013
CIVIL SERVICE COMMITTEE

BY: RULES, COURTS AND

Amending CHAPTER 549 “WEAPONS AND EXPLOSIVES” of the Codified Ordinances of the City of Massillon, Ohio, by repealing Subsection 549.12(a) “Carrying Weapons” and enacting a new Subsection 549.12(a) “Carrying Weapons”, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Scassa?

COUNCILWOMAN SCASSA – Thank you, Mr. President, first reading.

ORDINANCE NO. 65 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 66 - 2013
CIVIL SERVICE COMMITTEE

BY: RULES, COURTS AND

Amending Ordinance No. 12 – 2013 and all other ordinances inconsistent therewith by repealing Section 1 and enacting a new Section 1, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Scassa?

COUNCILWOMAN SCASSA – Thank you, Mr. President, first reading.

ORDINANCE NO. 66 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 67 - 2013
TRAFFIC AND SAFETY

BY: STREETS, HIGHWAYS,

Vacating a portion of an unnamed, unimproved 12 foot wide alley located between Tremont Avenue SE and Oak Avenue SE, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Hampton?

COUNCILWOMAN HAMPTON – Thank you, Mr. President, first reading.

ORDINANCE NO. 67 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 68 - 2013
COMMITTEE

BY: FINANCE

Making certain appropriations from the unappropriated balance of the General Fund, 1406 Wastewater Treatment Plant Capital Improvement Fund, 2105 Stormwater Utility Fund, Income Tax Capital Improvement Fund and the Capital Improvement Fund, for the year ending December 31, 2013, and declaring an emergency.

-

COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – Thank you, Mr. President. I know we have to go through the formality but the next four ordinances they're dealing with appropriations its my intent to give first reading and on the record none of these appropriations better not be made until this body approves the ordinances. So that's I won't say that for every ordinance but anyways Ordinance No. 68 – 2013 I give first reading.

ORDINANCE NO. 68 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 69 - 2013
COMMITTEE

BY: FINANCE

Making certain appropriations from the unappropriated balance of the Economic Development Fund, for the year ending December 31, 2013, and declaring an emergency.

-

COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – Thank you, Mr. President, first reading.

ORDINANCE NO. 69 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 70 - 2013
COMMITTEE

BY: FINANCE

Reducing the appropriations in the Home Fund, for the year ending December 31, 2013, and declaring an emergency.

-

COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – First reading.

ORDINANCE NO. 70 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 71 - 2013
COMMITTEE

BY: FINANCE

Making certain transfers in the 2013 appropriations from within the General Fund, for the year ending December 31, 2013, and declaring an emergency.

-

COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – First reading.

ORDINANCE NO. 71 – 2013 WAS GIVEN FIRST READING.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

A). REPOSITORY - \$907.80

COUNCIL PRESIDENT TOWNSEND – Thank you, Councilman Peters, may I have a motion to pay the bills?

COUNCILMAN PETERS – Yes, I'd like to make a motion that we pay the bill, seconded by Councilman Slagle.

Roll call vote of 5 yes, 4 no to pay the bill. Chovan, Cunningham-Hedderly, Lewis and Peters voted no to pay the bill.

COUNCIL PRESIDENT TOWNSEND – Okay, we will pay the bills, the clerk will pay the bills and charge them to the proper account.

10. REPORTS FROM CITY OFFICIALS

A). AUDITOR SUBMITS MONTHLY REPORT FOR JUNE 2013 B COPY FILE.

B). MAYOR SUBMITS MONTHLY REPORT FOR MAY 2013 – COPY FILE.

COUNCIL PRESIDENT TOWNSEND – Okay, okay.

COUNCILMAN PETERS – Did you say the auditor?

COUNCIL PRESIDENT TOWNSEND – Yes and we need a motion to accept the auditor’s report.

COUNCILMAN PETERS – I’d like to make a motion that we accept the auditor’s report, seconded by Councilman Manson.

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

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT TOWNSEND – Do we have reports of committees?

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT TOWNSEND – Any resolutions or requests? Councilwoman Hampton?

COUNCILWOMAN HAMPTON – Thank you, Mr. President. I have a comment and I’ll be real quick. I’m receiving like several complaints throughout my ward particularly about like potholes and stuff like that. And I’m not quite sure how to direct that anymore other than trying to get someone out to at least commit to at least maybe paving two of the streets or something. I know we’re budgeting you know and the money is short and stuff like that but I mean the holes are really big. It needs to be addressed and like I said these people are calling and I understand their point. I mean because it is it really is getting out of hand where even discussing with the grass cutting and stuff like that I’ve gone out actually cutting grass and different things like that. So those are things you know I would like to see more of because the ward I mean its looking like you know in shambles right now. So that’s all I have.

COUNCIL PRESIDENT TOWNSEND – I can at least shed some light on this I spoke with Mr. Berens I believe on Friday I received some calls you’re receiving the same calls.

COUNCILWOMAN HAMPTON – Okay.

COUNCIL PRESIDENT TOWNSEND – He did assure me that he had the list from you and I and that he was going to this week he was going to go out and fill some of those potholes.

COUNCILWOMAN HAMPTON – Okay, fair enough. Thank you, Mr.

President.

COUNCIL PRESIDENT TOWNSEND – Any other resolutions or requests of council members? Councilman Slagle?

COUNCILMAN SLAGLE – Well this isn't a resolution or a request but I want to commend the Independent for removing the ability of people to make anonymous attacks on anyone when they feel it was in their interest to do so. I think the transparency of putting your name on something that you're publishing or printing in the internet version of the Independent will bring a more civil discourse to our community and it's long overdue and very welcomed that they did make that move.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis?

COUNCILMAN LEWIS – I was just going to say since you're talking to Mr. Berens about potholes and you seem to have success on the northwest end we could also use some of that asphalt. We have numerous streets that also have main potholes and since you seem to have luck maybe we could get some our way.

COUNCILMAN PETER – Southwest too.

COUNCILMAN LEWIS – Southwest side I hear that's pretty bad too.

COUNCILWOMAN HALTER – Second ward.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – First ward.

COUNCIL PRESIDENT TOWNSEND – Oh gosh, okay, let's pull it together here.

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTIONS

16. NEW AND MISCELLANEOUS BUSINESS

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

SYLVESTER MORGAN – 1525 Walnut Rd SE, Massillon. Alright, okay, now I'm with the Benchwarmers the boy's basketball team here in Massillon. We've got a good coach, a young coach, very good coach. The Benchwarmers we are sponsoring and he's doing things in Massillon that has no other coach has ever done. He's working with our kids they respect him. In fact they almost love him for him being the coach that he is. He puts in the time, him and his staff and he's like said he's doing things that's never been done in Massillon. We've had 3 OV tournaments, we have had shoot outs, we have sent our kids top players to Chicago to get recognition as a team, as

players. And now we need help we will need help in the fundraiser field. We've got a committee on the fundraisers and mayor this is to you. We have tried to get into the cruise in, we've got our own stand, we've got our own banner. All we need is the help. We get into the cruise in, we'll get into the concerts, if we could put a stand hot dogs, hamburgers, water, pop, all the above even popcorn. Okay, I know you all love popcorn. Anyways we need help and I know its late in the season but if you would think of in the next season when it rolls around to help us out me and the big fellows would greatly appreciate it all that you can do and council. All you all can do because we're growing, we're making money and it's specifically for our kids. It's all about the kids. That's why I'm here. I represent them, you've got good kids, we've got Massillon kids. You know that's what it's all about. You all agree? Amen. Thank you.

COUNCIL PRESIDENT TOWNSEND – Thank you, Mr. Morgan, we appreciate the work that you do in the community. Anyone else?

DEBBIE MCKINNEY – I live at 813 17th Street NW, Massillon. I'm a nurse and at Affinity Medical Center and I'm just here to extend an invitation to a town hall meeting next Tuesday on July 9th at the Firehouse Grille in the meeting room up above. We are going to be discussing the electronic medical records the implementation by the hospital and what it means to both the citizens of Massillon and the people that go to the hospital.

COUNCILMAN PETERS – Can you run that date by me again?

DEBBIE MCKINNEY – Yes, its July 9th at 7:00pm.

COUNCILMAN PETERS – At?

DEBBIE MCKINNEY – The upstairs of the Firehouse.

COUNCILMAN PETERS – Okay, at what time 6?

DEBBIE MCKINNEY – 7:00pm.

COUNCILMAN PETERS – Okay, thank you.

18. ADJOURNMENT

COUNCILMAN PETERS – I move that we adjourn, seconded by all.

MARY BETH BAILEY, CLERK,

TONY M. TOWNSEND, PRESIDENT



©Copyright 1998 - present City of Massillon. All Rights Reserved