

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, JULY 15, 2013**

COUNCIL PRESIDENT TOWNSEND B I'd like to welcome all of you to Massillon City Council for Monday, July 15, 2013. We have in attendance with us this evening the following city officials we have Auditor Ferrero, Debbie Bonk from the auditor's office, Interim Police Chief Bill Peel, Building Superintendent Bill Kraft, Interim Parks and Rec. Director Doug Nist, Engineer Keith Dylewski, Law Director Perry Stergios, Budget Director Ken Koher and 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 off or to vibrate.

1. ROLL CALL

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

Thus giving a roll call vote of 8 present.

COUNCIL PRESIDENT TOWNSEND And I see have Councilwoman Nancy Halter she's not here I believe she has some personal problems to attend. I would like a motion to excuse her from tonight's meeting.

COUNCILMAN PETERS B I'd like to make a motion that we excuse Councilwoman Halter from tonight's meeting. Seconded by Councilman Lewis.

Roll call vote of 8 yes to excuse Councilwoman Halter from tonight's meeting.

2. INVOCATION

COUNCILWOMAN SCASSA 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 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 – This is the part 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 state your name, address and for the record the topic you want to discuss at this time. Okay, I see no one and I will keep moving right along. Mr.

Peters, I believe you wanted to call an executive session. Did you want to start that now before we get into the reading of the ordinances?

COUNCILMAN PETERS B Yes, Mr. President, I'd like to make a motion that we enter into an executive session and the law director will tell you why I guess.

LAW DIRECTOR STERGIOS – Speaking for Mr. Peters I told him to specifically state it's the investigation of charges or complaints against a public employee and a personnel matter. I think suffices for the record.

COUNCIL PRESIDENT TOWNSEND – Seconded by Councilman Manson.

LAW DIRECTOR STERGIOS – You got to vote.

COUNCIL PRESIDENT TOWNSEND – Oh, okay.

Roll call vote of 8 yes to go into executive session to discuss personnel matters.

COUNCIL PRESIDENT TOWNSEND – Let us note that we have concluded the executive session and now we're moving right into the city council meeting.

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 72 - 2013 **COMMITTEE**

BY: COMMUNITY DEVELOPMENT

Amend Ordinance No. 36 – 2013 the Community Development Block Grant Action Plan for the FY 2013 to include amendments to two additional activities along with adding an additional activity to the program, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson?

COUNCILMAN MANSON – Yes, thank you, Mr. President. As you see there in section 2 we will have a public hearing scheduled its scheduled for August 5th at 7:00pm. Since we're revising the budget we have to go through the process again. So first reading.

ORDINANCE NO. 72 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 73 - 2013 **COMMITTEE**

BY: PARKS AND RECREATION

Amend CHAPTER 163 “RECREATION BOARD” of the Codified Ordinances of the City of Massillon, by repealing existing Subsections 163.03 “POWERS AND DUTIES”, 163.04 “PARKS AND RECREATION DEPARTMENT” and creating a new Subsection 163.06 “GOLF ADVISORY COMMITTEE OF THE LEGENDS OF MASSILLON GOLF CLUB, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Slagle?

COUNCILMAN SLAGLE – Thank you, Mr. President. This will go all three readings I encourage every council member, every member of the public, every member of the rec. board, anyone in the administration to please look this legislation over carefully, make any comments, suggestions, additions, subtractions that you feel maybe required. I think its critical that we do something with the current piece of legislation since I believe between the difference between the state statute and what our statute says its something that will only create continued problems in the future. For the entire five years I've been well the four years I've been chair of the rec. parks and rec. committee I don't know that I've ever seen anything that has so much comment,

so much time is spent on things other than productive discussions. So I would hope and encourage everyone to get involved in that. I want to readdress a couple comments made by the mayor and I'd ask her to please in the future if she has suggestions or comments get them to me in advance so I can think about them. I deliberate on things that I review and vote on. I don't make snap judgments and I would hope that in the future those comments come out. But first of all to ever suggest in public that I've been anything but a strong supporter of the rec. board is totally inaccurate. I've been one of their strongest supporters. I've always mentioned the great respect I had for the members that sat there without pay, that have to take a lot of abuse and yet they continue to do their job in the best they can see for the City of Massillon and the parks and rec. department. The comments she made was taken totally out of context and in fact I would stand by that comment if they would have in fact cancelled all the interviews that they had scheduled for that day. But they did the right thing. They re-evaluated their position went forward with the interviews and permitted the administration official to be in the meeting itself. So I took great offense with that because she was implying to the public and I've heard other people now mention this to me some anonymously and some directly that I had somehow called them buffoons. And that is not at all accurate. I have never suggested that. I have never said that. But I did say that if they cancelled a meeting for the purposes of which were to invite the five candidates that we felt should be the next park or the next recreation department director of the City of Massillon and told them to go home that yes I did in fact think they would have looked like buffoons. Because they were having people come in from out of town sacrificing their time and it would be difficult in my opinion for that not to pass out through the public. But having said that they did the right thing they went forward with the meeting, they did the interviews and they came up with a very fine selection. Secondly, I think Doug Nist is eminently qualified to run the parks and rec. department. I want to apologize to him by the administration's nanny attitude that somehow they know better about running a parks and rec. department than he does with his training and experience. I see nothing, nothing whatsoever in the administration that suggests to me for a minute that they know more about running a parks and rec. department than Mr. Nist does. If you look at the legislation one of the things I want to avoid in the future is that concern coming up. I think its very important that we have minimum qualifications for our parks and rec. department director. We have to have minimum qualifications and those qualifications have to be at least equal to the qualifications of the three directly below that person. I think if we have that that will avoid the problems in the future. I think a person who has that experience who has the educational background will be very well qualified to run our parks and rec. department. So I encourage everyone to look at this, make your comments, this is not my, its not because I felt insulted, I take everyone's comments and in the end we'll all vote on it. So we all need to look at this because if this passes which I hope something passes for this purpose we'll have to live with that for a long time. But I think it will clear up a lot of problems that I've seen occur in the last several years. So that's it first reading.

COUNCIL PRESIDENT TOWNSEND – Okay, any other comments or questions for Councilman Slagle? Okay, Ordinance No. 73 has received first reading.

ORDINANCE NO. 73 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 74 - 2013

BY: POLICE AND FIRE COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Waikem Ford Inc., for the purchase of two (2) police cruisers for the Massillon Police Department, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Chovan?

COUNCILMAN CHOVAN – Thank you, I'm going to give this first reading.

COUNCILMAN PETERS – Then, okay, if we do that I mean unless you got a definite problem with it I mean we have to change my ordinance because we got to take it all of there. Because mine is bunched in with the other appropriations.

COUNCILMAN CHOVAN – Can I well I have a reason something that came up today.

COUNCILMAN PETERS – Okay, well then when we get to that I'll have to change that. Okay, alright.

COUNCILMAN CHOVAN – So I'm just going to give it first reading.

COUNCIL PRESIDENT TOWNSEND – Ordinance No. 74 has received first reading.

ORDINANCE NO. 74 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 75 - 2013

BY: POLICE AND FIRE COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with J.D. Freidrich dba J.D. Freidrich Limited for the purchase and installation of vehicle equipment for the two (2) police cruisers for the Massillon Police Department, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Chovan?

COUNCILMAN CHOVAN – Thank you, Mr. President, same thing here first reading on this for the same reasons.

COUNCIL PRESIDENT TOWNSEND – Ordinance No. 75 has received first reading.

ORDINANCE NO. 75 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 76 - 2013

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a participation agreement with the Ohio AFSCME Care Plan for dental insurance coverage for City employees, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Scassa?

COUNCILWOMAN SCASSA – Thank you, President. As we discussed at last week's work session this is to change a dental plan provider and time is of the essence in the sense that the current contract expires August 1st and the new provider will give significant savings but the new contract is to start August 1st. And I know we had some discussion about this Monday night but again I'd just like to remind everyone that this was passed by the health care committee as it was brought in front of them. So with that being said I would like to make a motion to suspend the rules and bring Ordinance No. 76 forward for its passage.

COUNCIL PRESIDENT TOWNSEND – Are there any questions or any debate on this? Councilman Peters?

COUNCILMAN PETERS – Thank you, Mr. President. As I don't like to be blindsided so I don't want to blindside Councilwoman Scassa. I know there are a couple council people that still have some reservations about doing this. Frankly I have a few myself and I don't think they're willing to suspend tonight but I just didn't want to blindside you by that. So I just with that being said you could still make your motion but...

COUNCIL PRESIDENT TOWNSEND – She can make a motion could we see who will not vote to suspend it tonight? Then that way she'd have more informed decision on if you want to pass it.

COUNCILWOMAN SCASSA – Well, I mean if it doesn't pass tonight it'll just get first reading. So I mean it was discussed and I believe when we had Mr. Koher up again this the current contract expires August 1st and it will just go back to the old contract. Actually I don't want to misspeak so can I call Mr. Koher up?

COUNCIL PRESIDENT TOWNSEND – Sure. Mr. Koher?

COUNCILWOMAN SCASSA – I guess just so everyone's clear on if we go past the August 1st date what will happen with the plan.

BUDGET DIRECTOR KOHER – The current plan through Guardian matures August 1st I don't know if we can go to a month to month on that then. That's possible. But this plan that's proposed the Guardian plan is going to go up in price. This plan is locked in for \$56.00 per month which is going to split 50/50 for the remainder of the year its going to cost the city \$22,000. Next year around \$42,000 and we're estimating the participation level about 125 employees and their families will sign up for that. Right now I believe we have under 100 in the plan.

COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – I don't have any questions for Mr. Koher, but I just I just want to say I mean and we've done this all of us as council people you know for years I've done it and so has Councilman Manson and Slagle. You know everybody knows how the or should know especially if you're coming to council and with ordinances and so forth what the procedure of council what council is. That it could take up to three readings and and and so I this is another case of poor planning. Okay, because it can conceivable could go three readings and if I was going to bring if I was a health care provider or whatever and I was going to bring a piece of information to city council at worst I would want to know that its going to go three readings. And I'm getting awful sick of these things coming to council and saying it has to be passed on the first reading because we have a deadline. Well, if you had a deadline then you should have brought it to me eight weeks ago. So that's that's where I'm standing that's what I want to say about that.

BUDGET DIRECTOR KOHER – Well, I will pass that on to the health care cost containment committee.

COUNCILMAN PETERS – I mean its just something that's got to be known. I mean this is the procedures and there are questions out there and we are talking something of a serious nature and frankly I'm tired of making those kind of emergency decisions. So...

COUNCIL PRESIDENT TOWNSEND – Are you done with Mr. Koher? Okay, Councilwoman Scassa you still maintain your motion to suspend?

COUNCILWOMAN SCASSA – As I see some head nods I'll just this first reading. I'll withdraw my motion.

COUNCIL PRESIDENT TOWNSEND – Ordinance No. 76 has received first reading.

ORDINANCE NO. 76 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 77 - 2013
SAFETY COMMITTEE

BY: STREETS, HIGHWAYS, TRAFFIC,

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 2013 CDBG Target Neighborhood Resurfacing Program in the City of Massillon, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Hampton?

COUNCILWOMAN HAMPTON – Thank you, Mr. President. Actually we did discuss this last week at the work session Ordinance No. 77 – 2013. Its basically for the director of public service and safety of the City of Massillon to advertise and receive sealed bids and enter into contract. This is just for bids not anything they're not going out repaving. I do want to make that clear. However, you know before I even make motion or anything if anyone has any questions I would like to make the comment that you know I will eventually get off line with Keith and kind of go farther on trying to see what his future plans for other areas and different things. This is the targeted areas basically so that's one thing we've got to keep in mind. However I do realize every one of us wards actually needs to be just as addressed. Within this particular thing as far as with the asphalt and all that. So you know hopefully Keith and I can actually get together as well as everyone else maybe we can go out and see what resources we have. How that process actually goes in order to understand why it is taking so long for us to get from A to B and get people's streets repaved. Other than that if you have any questions or what not Keith is here we can bring him up.

COUNCILWOMAN HAMPTON moved for suspension of the rules and passage, seconded by Councilman Peters.

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

ORDINANCE NO. 77 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 78 - 2013 **BY: STREETS, HIGHWAYS, TRAFFIC, SAFETY COMMITTEE**

Amending CHAPTER 339 “COMMERCIAL AND HEAVY VEHICLES” of the Codified Ordinances of the City of Massillon, by repealing existing Subsection 339.13 “APPLICATION FOR SPECIAL HAULING PERMIT”, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Hampton?

COUNCILWOMAN HAMPTON – Thank you, Mr. President. Ordinance No. 78 – 2013 was discussed last week as well. It's a mandate put forward by Ohio Department of Transportation in order for the City of Massillon to be in compliance we must amend Chapter 339 the commercial and heavy vehicles of the codified ordinances of the City of Massillon by repealing existing subsection 339.13 application for special hauling permit, and declaring an emergency.

COUNCILWOMAN HAMPTON moved for suspension of the rules and passage, seconded by Councilman Peters.

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

ORDINANCE NO. 78 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 79 - 2013 **BY: FINANCE COMMITTEE**

Making certain appropriations from the unappropriated balance of the 1414 Collection System Improvement Fund, 1482 OPWC Project Fund, 1406 Wastewater Treatment Plant Capital Improvement Fund, Capital Improvement Fund and the 1206 Municipal Motor Vehicle License Plate Fund, for the year ending December 31, 2013, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – Thank you, Mr. President. I guess I might probably need the law

director up here. I think I'm going to make a motion to split the question is that what I would want to do? Or do I just want to completely amend it?

COUNCIL PRESIDENT TOWNSEND – Mr. Stergios, would you come up to the microphone?

COUNCILMAN PETERS – I just want to take section 4 out of the ordinance so that's why I'm calling to split it.

LAW DIRECTOR STERGIOS – I am assuming section 4 has to do with the contract for the police cruisers or the appropriations for buying cruisers and...

COUNCILMAN PETERS – Correct.

LAW DIRECTOR STERGIOS – I would just amend it and take it out completely and put another ordinance on with just that when you for next week. It's cleaner either...

COUNCILMAN PETERS – Thank you very much. Seeing how I went to that same school you went to I asked this to be done from the get go on this thing that should have been as a completely separate ordinance along because originally they had both of them under police and fire and I said we need to put that on a separate one well they did but they put it in with all the appropriations. I knew this was going to be a problem. So you know I know not everybody is as knowledgeable as I am. But... Well that's what we'll do then.

LAW DIRECTOR STERGIOS – I would amend it by deleting section 4.

COUNCILMAN PETERS – Alright so I got to make that motion?

LAW DIRECTOR STERGIOS – Yes sir.

COUNCILMAN PETERS moved to amend Ordinance No. 79 – 2013 by deleting section 4 from the ordinance, seconded by Councilman Manson.

Roll call vote of 8 yes to amend Ordinance No. 79 – 2013.

ORDINANCE NO. 79 – 2013 HAS BEEN AMENDED.

COUNCIL PRESIDENT TOWNSEND – Okay, Councilman Peters?

COUNCILMAN PETERS – Okay, so now I just go ahead with the regular ordinance correct? Okay, Ordinance No. 79 has still has four sections but one of them is section 5. But I'll read them as we go along. This is appropriate from the unappropriated balance of the 1414 Collection System Improvement Fund for the year ending December 31, 2013 the following: \$59,262.83 to an account entitled Griffith Avenue SW Sanitary Sewer Replacement Project 1414.610.2514. Section 2, appropriate from the unappropriated balance of the 1482 OPWC Project Fund for the year ending December 31, 2013, \$129,727.62 to an account entitled Griffith Avenue SW Sanitary Sewer Replacement Project, 1482.610.2514. Section 3, appropriate from the unappropriated balance of the 1406 Wastewater Treatment Capital Improvement Fund, for the year ending December 31, 2013 the following: \$13,415 to an account entitled Services and Contracts 1406.610.2392. Section 5 because there is no longer a section 4 appropriate from the unappropriated balance of the 1206 Municipal Motor Vehicle License Plate Fund, for the year ending December 31, 2013, the following, \$8,540 to an account entitled Services and Contracts 1206.435.2392.

COUNCIL PRESIDENT TOWNSEND – What is your motion to suspend?

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

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

ORDINANCE NO. 79 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

RESOLUTION NO. 11 - 2013
COMMITTEE

BY: COMMUNITY DEVELOPMENT

Adopting the decision of the Tax Incentive Review Committee made on March 15, 2013 wherein they recommended that those certain Enterprise Zone Agreements listed on the attached exhibit “A” be continued, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson?

COUNCILMAN MANSON – Yes, thank you, Mr. President. Everybody should have a copy of that report the recommendation of the tax review incentive review committee was to approve the continuation of the tax abatements except for one that was to Polymer Packaging. The company has been contracted and they didn’t have a problem with what we were doing here. So unless there are any problems here with anybody I intend to ask to waive the rules.

COUNCIL PRESIDENT TOWNSEND – Any questions?

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

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

RESOLUTION NO. 11 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

RESOLUTION NO. 12 - 2013

BY: PUBLIC UTILITIES COMMITTEE

Authorizing and directing the Director of Public Service and Safety to enter into an agreement with IGS Energy as the natural gas supplier of an endorsement program for the benefit of residents, small businesses, and other natural gas consumers in the City.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Cunningham-Hedderly?

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Thank you, Mr. President. We discussed we had the gentleman in last week that explained this to us. But I believe there needs to be some more dialogue so I’d like to make this first reading. .

RESOLUTION NO. 12 – 2013 WAS GIVEN FIRST READING.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

COUNCIL PRESIDENT TOWNSEND – Do we have any reports from city officials?

COUNCIL CLERK BAILEY – We did receive the treasurer’s monthly report today for June 2013.

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT TOWNSEND – Any reports from committees?

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT TOWNSEND – Any resolutions or requests of council members? We have none. How about you Mr. Slagle, usually at this time you speak something about the parks. Any reports of committees, resolutions or requests of council members? Okay, just looking out for you.

COUNCILMAN SLAGLE – Thank you. I’ve covered it, thank you, Mr. President.

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 62 - 2013 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

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 – Second reading.

ORDINANCE NO. 62 – 2013 WAS GIVEN SECOND READING.

ORDINANCE NO. 63 - 2013 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

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 – Second reading.

ORDINANCE NO. 63 – 2013 WAS GIVEN SECOND READING.

ORDINANCE NO. 65 - 2013 **BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE**

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. Considering at the last two work sessions we discussed this and I don’t think anyone had any questions whatsoever other than the comments that were made by Councilman Chovan and the law director. Based on the information that we received I’m going to be making a motion to suspend the rules on this ordinance anyone has any overwhelming objections. But as was talked about at the last work session our current ordinance is not in line with the Ohio Revised Code and by deleting the word pistol will bring us in line and hopefully avoid any litigation.

COUNCILWOMAN SCASSA moved for suspension of the rules and passage, seconded by Councilman Chovan.

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

ORDINANCE NO. 65 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 7 YES, 1 NO. SLAGLE VOTED NO.

ORDINANCE NO. 66 - 2013
COMMITTEE

BY: RULES, COURTS AND CIVIL SERVICE

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 – Second reading.

ORDINANCE NO. 66 – 2013 WAS GIVEN SECOND READING.

ORDINANCE NO. 67 - 2013
SAFETY

BY: STREETS, HIGHWAYS, TRAFFIC AND

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, second reading.

ORDINANCE NO. 67 – 2013 WAS GIVEN SECOND READING.

ORDINANCE NO. 68 - 2013

BY: FINANCE COMMITTEE

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.

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COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – Thank you, Mr. President. This appropriation has five sections we'll try and get through them as quickly as possible. Please appropriate from the unappropriated balance of the General Fund, for the year ending December 31, 2013, the following and I might add that I gave these second or first reading last time because there were some people had some questions. If any council member has a question or wants to change an appropriation or so forth now's the time to do that after I read it. First one, \$85,000 to an account entitled Disability and Pension Transfer Fire, \$85,000 to an account entitled Disability and Pension Transfer Police, \$3,000 to an account entitled Council Services and Contracts, \$2,200 to an account entitled Council Salary, \$803.00 to an account entitled Law Director Salary, \$325 to an account entitled Council PERS, \$230 to an account entitled Civil Service Commission Salary, \$50 to an account entitled Council Medicare, \$35 to an account entitled Civil Service PERS, \$10 to an account entitled Civil Service Medicare. Section 2, appropriate from the unappropriated balance of the 1406 Wastewater Treatment Plant Capital Improvement Fund, \$32,599 to an account entitled Capital Supplies, \$28,630 to an account entitled Capital

Supplies, \$22,866 to an account entitled Capital Supplies. Section 3, appropriate from the unappropriated balance of the 2105 Stormwater Utility Fund, \$10,000 to an account entitled Supplies and Materials. Section 4, appropriate from the unappropriated balance of the Income Tax Capital Improvement Fund, \$5,000 to an account entitled Air Conditioner Repairs/Annex Building. Section 5, appropriate from the and I might add on that last one the other half of the air conditioner went out today. So we'll probably see another one of them. Section 5, appropriate from the unappropriated balance of the Capital Improvement Fund, \$1,309.84 to an account entitled Lease Purchase Copier.

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. 68 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 69 - 2013

BY: FINANCE COMMITTEE

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

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COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – Thank you, Mr. President. The other half of this ordinance was passed or run through community development Councilman Manson. It was passed by council at the last council meeting. And through my mistake I didn't I gave it first reading by accident. But it doesn't matter I'm going to move that we pass it tonight its for \$7,500 to an account entitled Services and Contracts. This is the one for PolyPro Solutions who is who are presently located in Canton and are proposing to relocate its operations here in Massillon at 359 State Street NW.

COUNCIL PRESIDENT TOWNSEND – Any questions? Your motion Councilman 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 8 yes.

ORDINANCE NO. 69 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 70 - 2013

BY: FINANCE COMMITTEE

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

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COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – Thank you, Mr. President. One section the appropriations are hereby reduced in the Home Fund, for the year ending December 31, 2013 as follows: \$500 from an account entitled Home Housing Rehabilitation 1229.845.2814.

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. 70 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 71 - 2013

BY: FINANCE COMMITTEE

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

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COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – Thank you, Mr. President. One section transfer there be and hereby is transferred from the 2013 appropriation from within the General Fund, for the year ending December 31, 2013 from Hospital, Eye and Dental 1100.160.2210 \$2,000 to Bank Charges 1100.905.2396 \$2,000.

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

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

ORDINANCE NO. 71 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

16. NEW AND MISCELLANEOUS BUSINESS

COUNCIL PRESIDENT TOWNSEND – Do we have any new, miscellaneous business or any remark of delegations of the citizens to the matter that is not on the agenda? Councilman Slagle?

COUNCILMAN SLAGLE – Yes, on behalf of Moe Rickett he wants to announce that there will be a steelworkers union retirees meeting or picnic on August 3rd 2013 from 11 to 4 at the K of C and that everyone from the council is invited.

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

COUNCIL PRESIDENT TOWNSEND – Okay, we are now at #17 this is the section where anyone can speak on a topic that did not appear on the agenda. If you would like to speak on a topic that did not appear on the agenda please approach the microphone and give your name and address and the topic you want to discuss.

BROCK HERRING – I live at 3452 Banyan Avenue NW, Massillon. I really don't have a topic I simply have an invite. Is that permissible?

COUNCIL PRESIDENT TOWNSEND – Yes.

BROCK HERRING – Alright, I'm a board member with Coming Together Stark County. It is an organization that has existed 15 years started as town hall meetings on race relations and it has expanded to have as its mission diversity, inclusion and dignity for all Stark Countians. On Thursday the 18th I'm going to cheat for a moment to look at my notes to make sure I have that date right. The 18th from 6 to 7:30pm at the Cork and Canvas on 3rd Street downtown Canton just west of it is Capestrain Jewelers I was worried about saying that name. That's where we are inviting you to come as well as other Stark Countians to meet with board members see us, hear us, find out what we've done in the past, what we plan to do in the future. It is an opportunity for the Massillon Council just to meet with this organization that is trying to do good things in Stark County. The other thing is I knew that the Canton Council was going to be invited and I wanted to make sure that the Massillon Council at least had an invite. I know your schedules are busy but if you have an opening between that time please feel free to come back. Over the past few years the Coming Together Stark County Committee has given in Stark County town hall meetings on community issues. They have developed a criminal justice reform committee. They do diversity training providing educational credits. They have had a discussion on stemming the violence within Stark County and deaf community awareness events are also

given. So again hope that you can make it. If you have any questions feel free to give me a call and thank you very much for the time.

COUNCILMAN MANSON – Could we have that information one more time to...

BROCK HERRING – Okay, it is first of all Thursday the 18th from 6:00 to 7:30pm at the Cork and Canvas it's a restaurant I believe on 3rd Street in downtown Canton just west of Capestrain Jewelers. It's a sponsorship event but of course we're not asking you to sponsor us but we simply want to make you aware. Thank you very much for your time.

COUNCIL PRESIDENT TOWNSEND – Thank you. And I would like to mention that we have five Mondays in the month of July there will be no work session on the 22nd. However we will resume the work session on the 29th. Councilwoman Scassa, what is your motion to adjourn?

18. ADJOURNMENT

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

MARY BETH BAILEY, CLERK,

TONY M. TOWNSEND, PRESIDENT

