

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, AUGUST 5, 2013**

COUNCIL PRESIDENT TOWNSEND B I'd like to welcome all of you to Massillon City Council for Monday, August 5, 2013. We have in attendance this evening; Interim Police Chief Bill Peel, Building Superintendent Bill Kraft, Fire Chief Tom Burgasser, Budget Director Ken Koher, Law Director Perry Stergios, Interim Parks Director Doug Nist, Engineer Keith Dylewski, Community Development Director Ted Herncane, 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: 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 8 present.

COUNCIL PRESIDENT TOWNSEND I would like a roll call to excuse Councilman Chovan tonight.

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

Roll call vote of 7 yes, 1 no to excuse Councilman Chovan. Peters voted no.

2. INVOCATION

COUNCILMAN SLAGLE Gave the invocation for tonight.

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 TOWNSEND - Madame Clerk, are the minutes of the previous meeting transcribed and open for public viewing? (Yes, they are finally done) 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 for the record and the topic you want to discuss. I see no one.

PASTOR BERRY CARTER - I just wanted to give you my remarks on Ordinance No. 73 with the parks and rec. I know that being in Massillon community for some time I know that's been an issue in our community. So I've come to the council meetings and listened to what's been said and what's went on. It's been very it's very interested the night I was here and the law director the night I was here kind of was very explicit in what the law was in Massillon. I just after hearing all the discussions, the talks and reading what I read I just want to encourage the council members to stay with the present agenda right now that the things with the parks and rec. goes through the mayor and the city council elected officials like the law director said. So I just wanted to give my opinion tonight. Thank you.

CRAIG CONLEY – Representing Fresh Mark and wanted to make myself available should council have any questions regarding the agreement I gave to the mayor. I believe it should of been emailed to all council members and I had a hard copy delivered today just in case make sure you all got the same thing. I apologize Mr. President the Mayor told me to be here around 7:30pm I think I'm a few minutes late. But if I'm out of order I'll sit down but...

COUNCIL PRESIDENT TOWNSEND – No, no, you're just in time.

CRAIG CONLEY – I'm sorry.

COUNCIL PRESIDENT TOWNSEND – You're on time, you're fine.

CRAIG CONLEY – Okay, thank you. So I really don't have anything to add I understand a presentation was made by the architect or the engineer or whatever a week or so ago. I put together an agreement designed to preserve Genshaft Park in perpetuity. But if anybody has any questions I talk for a living so I suppose I could take on it but I'd rather invite any questions or comments that council might have.

COUNCIL PRESIDENT TOWNSEND – Well, we're going to move on into our meeting and then when this ordinance come up I'm quite sure some of the council members may have some questions for you.

CRAIG CONLEY – Okay, thank you, Mr. President.

COUNCIL PRESIDENT TOWNSEND – Okay, we're going to move into item #6 introduction of ordinances and resolutions.

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 80 - 2013

BY: ENVIRONMENTAL COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a joint venture agreement with CTI Engineers, Inc, and O'Brien & Gere for professional services for the Wastewater Treatment Plant Improvement Project at the Wastewater Treatment Plant, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis?

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT TOWNSEND – Okay, Ordinance No. 80 has received first reading.

ORDINANCE NO. 80 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 81 - 2013

BY: ENVIRONMENTAL COMMITTEE

Authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Massillon-Stark County Sewer Service Agreement Supplemental #2 for the

Wastewater Treatment Plant Improvement Project at the Wastewater Treatment Plant, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis?

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT TOWNSEND – Ordinance No. 81 has received first reading.

ORDINANCE NO. 81 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 82 - 2013

BY: POLICE AND FIRE COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sell the 1997 Chevrolet HD 3500 Ambulance to the City of Uhrichsville, which is no longer needed for any municipal purposes, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Okay, who's taking over for Councilwoman Halter?

COUNCILWOMAN HALTER – Thank you, Mr. President. We discussed this at our work session last Monday. I think everyone was in agreement to go ahead with this if there are any questions Chief Burgasser is here to answer those and if not I'll bring this forward this evening.

COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – Oh never mind. How much are we selling this thing for?

COUNCILWOMAN HALTER – \$995.00.

COUNCILMAN PETERS – It's not worth my question, that's okay, never mind.

COUNCILWOMAN HALTER 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. 82 – 2013 WAS PASSED BY A ROLL CALL VOTE FOR 8 YES.

ORDINANCE NO. 83 - 2013

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 Lake Avenue NE Resurfacing Project in the City of Massillon, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Hampton?

COUNCILWOMAN HAMPTON – Thank you, Mr. President. As read this ordinance allows the safety service director to advertise for the sealed bids and enter into contract for the lowest. So the project limits are from Wales Rd NE (SR 241) to Amherst Rd NE. The total cost of the project is estimated at \$159,620.00. The city received a grant from the Stark County Municipal Road Fund in the amount of \$152,560.00 which would be applied to the cost of the project. Any questions if possible if there are any questions or what not I can called if there are the

engineer Keith is here. If not...

COUNCIL PRESIDENT TOWNSEND – Are there any questions? No one, your motion.

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. 83 – 2013 WAS PASSED BY A ROLL CALL VOTE FOR 8 YES.

ORDINANCE NO. 84 - 2013 **BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY**

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with the Board of Stark County Commissioners, upon approval of the Board of Control, for the purchase of salt for ice control on the city streets for the 2013-2014 winter season, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Hampton?

COUNCILWOMAN HAMPTON – Thank you, Mr. President. We discussed this also at work session last week. Pretty much the same we're this allows the safety service director to enter into agreement as read with the Stark County Commissioners for the purchase of salt for ice control for the city streets for the 2013-2014 winter season. We do this every year around the same time in anticipation of the upcoming winter season. If there are any questions or if there are any questions I can call the engineer forward to answer those questions.

COUNCIL PRESIDENT TOWNSEND – Are there any questions? There are no questions, your motion.

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. 83 – 2013 WAS PASSED BY A ROLL CALL VOTE FOR 8 YES.

ORDINANCE NO. 84 - 2013 **BY: FINANCE COMMITTEE**

Making certain appropriations from the unappropriated balance of the 1482 OPWC Project Fund, General Fund, Solid Waste Department Fund, 1406 Wastewater Treatment Plant Capital Improvement Fund, 2105 Stormwater Utility Fund, Indigent Alcohol Driver Fund, 1206 Municipal Motor Vehicle License Plate Fund, EMS Capital Fund and the Summer Concert 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 ordinance has 11 sections I'll try and get through them as quickly as possible. In section 1, hereby appropriate from unappropriated balance of the 1482 OPWC Project Fund, for the year ending December 31, 2013 and I won't repeat ending December 31, 2013 on all the other ones but they all do. \$1,598,627.64 to an account entitled Levee Infrastructure Improvement Project 1482.610.2515. And if there's any questions on any of these stop me. Section 2, appropriate from the unappropriated balance of the General Fund, \$282,110.76 to an account entitled Levee Infrastructure Improvement Project \$84,272.25 to an account entitled Police Central Dispatch,

\$16,591.61 to an account entitled Police Central Dispatch, \$37,621.25 to an account entitled Fire Central Dispatch, \$3,731.65 to an account entitled Fire Central Dispatch, \$50,000 to an account entitled Income Tax Refunds. Section 3, appropriate from the unappropriated balance of the Solid Waste Department Fund, \$117,589.79 to an account entitled Street Department Salary, \$56,000 to an account entitled Street Department Unemployment Compensation, \$7,000 to an account entitled Street Department PERS. Section 4, appropriate from the unappropriated balance of the Solid Waste Department Fund, \$7,400 to an account entitled Supplies and Materials. Section 5, appropriate from the unappropriated balance of the Solid Waste Department Fund, \$20,000 to an account entitled Miscellaneous Expense General Fund Arbitrator Expense. Section 6, appropriate from the unappropriated balance of the 1406 Wastewater Treatment Plant Capital Improvement Fund, \$45,392.91 to an account entitled Supplies, Materials and Postage. Section 7, appropriate from the unappropriated balance of the 2105 Stormwater Utility Fund, \$40,350 to an account entitled Storm Sewer Repairs, \$20,000 to an account entitled Services and Contracts. Section 8, appropriate from the unappropriated balance of the Indigent Alcohol Driver Fund, \$22,000 to an account entitled Services and Contracts. Section 9, appropriate from the unappropriated balance of the 1206 Municipal Motor Vehicle License Plate Fund, \$22,656 to an account entitled Supplies, Materials and Postage, \$602.50 to an account entitled Services and Contracts. Section 10, appropriate from the unappropriated balance of the EMS Capital Fund, \$20,000 to an account entitled Fire Department Equipment. Section 11, appropriate from the unappropriated balance of the Summer Concert Fund, \$2,000 to an account entitled Summer Concert Series. Are there any questions?

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. 85 – 2013 WAS PASSED BY A ROLL CALL VOTE FOR 8 YES.

ORDINANCE NO. 86 - 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 to this hereby there be and hereby transferred from the 2013 appropriation from within the General Fund, for the year ending December 31, 2013, the following: from Real Property Tax 1100.905.2391 \$3,000 to Council Services and Contracts 1100.105.2392 \$3,000. Any questions?

COUNCIL PRESIDENT TOWNSEND – Any questions or discussion? Okay, your motion.

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. 86 – 2013 WAS PASSED BY A ROLL CALL VOTE FOR 8 YES.

ORDINANCE NO. 87 - 2013

BY: FINANCE COMMITTEE

Amending Ordinance No. 143 – 1976 by repealing Section 13 – “ALLOCATION OF FUNDS – INCOME TAX” and enacting a new Section 13 “ALLOCATION OF FUNDS – INCOME TAX” and repealing Ordinance No. 148 - 2012, and declaring an emergency.

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COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – Thank you, Mr. President. I'm going to defer to Councilman Manson.

COUNCILMAN MANSON – Thank you, Mr. Peters. What we're looking at is changing the split between the General Fund budget and the Capital Improvement. We started out the year at what 95/5 but we're reducing it to 99.75% to the General Fund and .25% to the Capital Improvement part of the budget. Any questions we discussed this the other night. I intend to yes, sir, go ahead.

COUNCIL PRESIDENT TOWNSEND – You have a question, Councilman Slagle?

COUNCILMAN SLAGLE – I think it's just terrible that we're putting .25% into the Capital Improvement so... no city can continue to last on their infrastructure doing that. But I understand why we have to do it.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis?

COUNCILMAN LEWIS – I understand why this move wants to be made but I just don't know if I can in good conscious support it. I think the biggest mistake any city makes throughout the country is when you start to neglect your capital improvements. All its going to do is get more expensive later and every city that does this just ends up continuing to fall apart because no one wants to come to roads that are not fixed or things. And I understand that we're broke and we need money but I just don't know if this is the way I think we need to go with it. It's not helping the problem at all. We're not all we're doing is what gaining you know a few thousand dollars and our streets are horrible. I mean I don't know I haven't driven through all you guys neighborhoods but I know in the sixth ward I mean every single street has a pothole. I take phone calls every day and I know that we're working on it but reducing it from .50% to .25% is to going to help it. And what am I supposed to tell these people? Sorry, too bad. I mean I don't know.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Scassa?

COUNCILWOMAN SCASSA – I was just wondering if I could call up Mr. Koher with a question.

COUNCIL PRESIDENT TOWNSEND – Okay, sure, would you come up Mr. Koher?

BUDGET DIRECTOR KOHER – Good evening, Council.

COUNCILWOMAN SCASSA – Can you tell us Mr. Koher by changing the split at this point I guess what will we hope to gain or if we don't what we won't gain?

BUDGET DIRECTOR KOHER – Well, right now and last year as well and the year before as you're well aware the city is having a liquidity crisis in the General Fund. Last year in July I think it was July we changed the split to these proportions from 98/2 to 99.75/.25%. We made it retroactive to January 1 last year. This year we're going back to July 1, what we've been able to do is put a \$142,000 into the Capital Improvement Fund. So basically what we're looking at for the rest of this year is probably about \$130,000 since a majority of the income tax collections comes in the first half of the year. So we're talking about \$130,000. And again you know we're having a liquidity crisis in the General Fund and that needs to change for well you're talking about the change to operate the city. But this is retroactive to July 1 this time instead of back to January 1 as it was last year.

COUNCILWOMAN SCASSA – Thank you.

COUNCIL PRESIDENT TOWNSEND – Anymore questions? Thank you. Councilman Peters, back to you as the chairman.

COUNCILMAN PETERS – Mr. Manson, was...

COUNCIL PRESIDENT TOWNSEND – You're deferring the whole ordinance?

COUNCILMAN PETERS – Yeah, this whole ordinance to him.

COUNCIL PRESIDENT TOWNSEND – Okay, what is your motion Councilman Manson?

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

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

ORDINANCE NO. 87 – 2013 WAS PASSED BY A ROLL CALL VOTE FOR 5 YES, 4 NO.
COUNCIL PRESIDENT TOWNSEND BROKE THE TIE DUE TO 4 YES, 4 NO.
CUNNINGHAM-HEDDERLY, HALTER, HAMPTON AND LEWIS VOTED NO.

ORDINANCE NO. 88 - 2013

BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of 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 ordinance hereby appropriate from the unappropriated balance of the Capital Improvement Fund, for the year ending December 31, 2013, the following: \$19,054.03 to an account entitled Lease Purchase Police Cruisers 1401.305.2530, \$15,918.03 to an account entitled Lease Purchase Police Cruisers 1401.305.2530. \$10,953.17 to an account entitled Lease Purchase Police Cruisers 1401.305.2530. Are there any questions?

COUNCIL PRESIDENT TOWNSEND – Councilwoman Halter?

COUNCILWOMAN HALTER – I...we haven't voted to buy the cruisers yet so should we be voting on the financing?

COUNCILMAN PETERS – Good question. Alright, that's fine I didn't realize we hadn't cause...

COUNCIL PRESIDENT TOWNSEND – Well, let me say something. I did receive an email from Milan stating that he was going to do he was going to call for second reading for that ordinance.

COUNCILWOMAN HALTER – Yeah, that's what I'm going to do when we get to it.

COUNCIL PRESIDENT TOWNSEND – Okay.

COUNCILMAN PETERS – Okay, well then I'll just we'll just give Ordinance No. 88 – 2013 first reading.

ORDINANCE NO. 88 – 2013 WAS GIVEN FIRST READING.

COUNCIL PRESIDENT TOWNSEND – Ordinance No. 88, first reading.

ORDINANCE NO. 89 - 2013

BY: FINANCE COMMITTEE

Authorizing the Mayor on behalf of Massillon City Council to enter into the Real Property Agreement between the City of Massillon and Fresh Mark, Inc., for the purpose of accepting a grant to be used solely and exclusively towards the renovation of Genshaft Park and forever

prohibiting the City of Massillon from transferring, selling, or otherwise cease using Genshaft Park for the purposes specified in the attached agreement, and declaring an emergency.

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COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – Thank you, Mr. President. Couple of things, first there's been some question as to why this is being brought through finance. Simply put its because we're receiving money and any time there's money involved or the city's receiving money and dispersing it. It has to come through finance. Secondly I would ask Mr. Conley is he still here? You don't have to come up, you don't have to come up in all fairness to all the members of council a lot of us just received this today via email and some you know haven't had a very good chance to look at it. So I would ask if Mr. Conley could maybe come back to our work session on Monday if that works for him. Because we'll probably have a lot of discussion on this at the work session. So I'm going to give this first reading Ordinance No. 89 – 2013 first reading.

ORDINANCE NO. 89 – 2013 WAS GIVEN FIRST READING.

COUNCIL PRESIDENT TOWNSEND – Mr. Conley, could you come up to the microphone so you can answer that question from Councilman Peters?

CRAIG CONLEY – In response to Councilman Peters certainly if council wants me here on Monday same time, same place approximately?

COUNCILMAN PETERS – Well, not same time our work session is at 6:00 and I'll get you I right away we'll just discuss this first so you don't have to be here all night. I just think that that's probably when most of the discussion is going to be. Other members would probably like to have you here.

CRAIG CONLEY – Well whatever pleases council I can be here if need be or if here tonight or both whatever suits council.

COUNCILMAN PETERS – Perry, did you...

COUNCILMAN SLAGLE – Mr. Stergios I think...

COUNCIL PRESIDENT TOWNSEND – Mr. Stergios, come to the microphone.

LAW DIRECTOR STERGIOS – Mr. President, ladies and gentlemen, not that I normally try to interject when no one asked me a question but the I would suggest possibly calling a special meeting for Monday at the time to at least give this second reading. Because the real answer is if you know this isn't a trick or anything the deal is if we take this money this property will be forever, ever, ever used for recreational purposes outdoor. And this isn't a threat by anybody or by me or anybody but that's the deal. We can explain that further on Monday but we also don't want everybody to walk away and say that we're not going and you know no one's threatened that don't get me wrong. But it might be advisable to call a special while we're here for committee anyhow and then if we give it second reading then we either vote it up or down on the 19th. You get my point that's all. I'll come Monday and I'll answer more questions then. But that would not be a bad way to go about it I don't think.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis?

COUNCILMAN LEWIS – I would just state that I'm in agreement with the idea of doing a special meeting for maybe like 7:00pm on that same day. My reasoning not only is because we make sure we shore this up but the last week the presenters gave us a timeline in which I believe the start is like within the next three or four weeks. We don't want to put them behind their timeframe simply because we haven't passed our piece of the legislation yet. So it probably would be wise to go ahead and have a special meeting that same night for this purpose.

COUNCIL PRESIDENT TOWNSEND – Anymore questions for Mr. Stergios? Councilman Peters?

COUNCILMAN PETERS – Well, I've already given it I've already said it haven't I that I want to give it first reading?

COUNCIL PRESIDENT TOWNSEND – What about the special meeting?

LAW DIRECTOR STERGIOS – You don't really have to decide that tonight.

COUNCILMAN PETERS – Yeah, I don't time I mean that's got that can come through me anyways. I mean I can't call a special meeting.

COUNCIL PRESIDENT TOWNSEND – Okay, any comments or questions from any other council members? Okay. So that...

COUNCILMAN PETERS – I'll get with the mayor and she can call that special meeting because I know she wants to do this deal you know as soon as possible also.

COUNCIL PRESIDENT TOWNSEND – Second reading.

COUNCILMAN PETERS – First reading.

COUNCIL PRESIDENT TOWNSEND – First reading.

ORDINANCE NO. 89 – 2013 WAS GIVEN FIRST READING.

RESOLUTION NO. 13 - 2013 **BY: FINANCE COMMITTEE**

A resolution for the proposed budget for the fiscal year 2014.

COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – Thank you, Mr. President. This resolution I'm sure I wasn't here at the work session Monday but everyone I'm sure knows what it's all about. This is the proposed budget request that are being sent over to the county. We do this every year this time of the year and we have to do this so that the county approves our you know I guess our wish list as we would call it. So if there aren't any questions I'm going to move to waive the rule.

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.

RESOLUTION NO. 13 – 2013 WAS PASSED BY A ROLL CALL VOTE FOR 8 YES.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM EL RODEO MEXICAN RESTAURANT LLC 2484 LINCOLN WAY E MASSILLON OHIO 44646 TO CHICO MEX LLC DBA CHIO FIEST 2484 LINCOLN WAY E MASSILLON OHIO 44646

LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM SOPHIA G PZOS DBA SOPHIAS RESTAURANT & LOUNGE & PATIO 7936 HILLS & DALES RD MASSILLON OHIO 44646 TO LOS TRES ERRES INC DBA BUGSYS PASTA HOUSE & LOUNGE & PATIO 7936 HILLS & DALES

9. BILLS, ACCOUNTS AND CLAIMS

A). REPOSITORY - \$2,732.80

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

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

Roll call vote of 8 yes.

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 JULY 2013 B COPY FILE.
- B). MAYOR SUBMITS MONTHLY REPORT FOR JUNE 2013 – COPY FILE.
- C). MASSILLON HEALTH DEPT. SUBMITS 2012 ANNUAL REPORT – COPY FILE
- D). MAYOR'S APPOINTMENT TO BOARDS AND COMMISSIONS.

COUNCIL PRESIDENT TOWNSEND – Okay, may I have 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 8 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 Cunningham-Hedderly?

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Thank you, Mr. President. I received an email today and I'm really concerned about this and I'm not sure where to go with it or if there is any legislation on the city books. And if you'll bear with me for a moment I'd like to read you this email it's not real long. "Councilwoman Hedderly I have contracted you before about the dog owners in the neighborhood letting their dogs run loose. While my dog and myself were attacked Sunday evening my dog had to be operated on, I had to make two trips to the ER. It has cost \$700.00 for my dog so far and I have not received by bill from the ER yet. The owner of the dog says he has no insurance he is a renter. His dog has no rabies shots so I'm up in the air about that. The police dispatcher sent out the EMS to stop my bleeding but would not send an officer or call the dog warden for me and I was in no shape to use a telephone. Right after this happened to my 80+ year old neighbor lady came walking by with her little dog. I hate to think what would have happened had she been there first. I talked to safety service director and he said from now on the would send an officer or call out a deputy dog warden. I think we need a law that if you have a dog you must have insurance covering that dog in cases like this. Especially pit bulls and pit bull mix dogs. I know I will always be in fear when I'm walking my dog in the future. If you want to contact me I live at 1017 North Avenue and his name is Gerald Ross". Maybe I could ask the mayor to come up.

COUNCIL PRESIDENT TOWNSEND – We can ask the law director to come up probably be

better. Perry, would you come up...

LAW DIRECTOR STERGIOS – I didn't hear a word she said. Just give me the general specifics.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – A man was walking his dog and a pit bull came out and attacked him and his dog and they both had to go to the hospitals, dog hospital and the regular hospital. And the dog has no rabies shots so they called the police, the police came. Do we have any legislation on the books? (Yes) And how do we go about enforcing this now that we don't have an animal control officer?

LAW DIRECTOR STERGIOS – Typically Penny at the police department sends out this report or request demanding that the dog owner show proof of rabies vaccination and all the things that are required. Then if they don't do that it ultimately comes to my office and charges might get filed once we review it. I have this one doesn't ring a bell but I get them periodically from her so. Usually it starts with the police department then comes to my office...

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Well this happened last week, but then also if the dog has no rabies shots why wasn't that dog taken to put into quarantine?

LAW DIRECTOR STERGIOS – I don't have any idea. I mean I don't know, I don't know and sometimes they take we don't have a animal control officer anymore. Jim might know.

COUNCIL PRESIDENT TOWNSEND – Jim would you come up please.

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – Evening council. This incident occurred on Sunday night the same Sunday night that the majority of our officers were tied up at Great Clips down at the Market Place down there. The gentleman I spoke to same gentleman fully understands why we did not have an officer there immediately. I told him I would look into this with the police chief, I have it on our agenda for our weekly meeting tomorrow. Okay, we were not aware when the gentleman called me that the dog has not had rabies shots yet. So I mean its being looked into. My question goes back to Perry here I mean we have an ordinance on vicious dogs but about a year and a half, two years ago as I've told many of you I know that the state did away with is classified as vicious dogs.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – But really that wouldn't matter I mean this dog came out of nowhere and attacked them.

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – Right, I mean there needs to be a report and the proper officials need to respond. I understand that. It's enforcing the vicious dog ordinance it becomes in question. At this point the dog wasn't leashed, okay, it may not be licensed, it may not have its rabies shots. That all needs to be checked and to my knowledge that falls under the responsibility of the dog warden at this point.

LAW DIRECTOR STERGIOS – Right.

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – We can coordinate that and I will make sure that that happens after I talk to chief and make sure we have the proper calls. This gentleman is fully understandable why he did not get an immediate response. So, so it is on our plate.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Alright, thank you. And you'll keep me abreast of it Mr. Johnson? (Yes) Alright, thank you.

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 62 - 2013
COMMITTEE

BY: COMMUNITY DEVELOPMENT

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, thank you, Mr. President. Okay, we have two ordinances here with rezonings that we've been talking about for three weeks. This one has to do with FiberCorr. I'll just read a brief part of this ordinance. This is known as part of Out Lot 697, a 12 acre area located to the southern portion of the property from the old railroad bed south to the property line. The applicant is FiberCorr Mills LLC. The purpose for the rezoning is an industrial building addition. We had the public hearing before the second reading. So we've done everything we need to do all our requirements. There's been some discussion on it I haven't heard any negative things from council so far if there's any questions you have I'll see if we can get them answered. Otherwise it's coming forward as third reading and we will vote. My recommendation is that we pass it.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Halter?

COUNCILWOMAN HALTER – I just wanted to mention that FiberCorr is in my ward. I had one call by a gentleman that I discussed what they were going to do and he didn't have any objection and that's the only call I've had. We were also invited to tour the building and the FiberCorr people showed us what they plan on doing on and I also recommend passage.

COUNCIL PRESIDENT TOWNSEND – Councilman Peters?

COUNCILMAN PETERS – Yes, Mr. President, I am going to abstain from voting on this ordinance because it directly affects me.

COUNCILMAN MANSON – Like I said I recommend we pass it as ward 2 Councilwoman Nancy Halter recommends we pass it. So...

ORDINANCE NO. 62 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 7 YES. PETERS ABSTAINED FROM VOTING.

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-1 General Business.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson?

COUNCILMAN MANSON – Okay, same thing we had the public hearing before the second reading. I'll just read this part of the this has to do with Part of Out Lot 96 a .577 acre tract it's further described as the southern portion of the property. The applicant is Sam Daut. The purpose for the rezoning is to match the zoning classification of Diversified Glass. That's his property his business that he's had for many years on the property adjourning this. This is for future commercial use. If there's any questions I'll try to answer them. Otherwise, I recommend that we pass this.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Halter?

COUNCILWOMAN HALTER – Again, this property is also in my ward and I've received no comments either way from the constituents. I recommend passage.

COUNCIL PRESIDENT TOWNSEND – Okay, roll call.

ORDINANCE NO. 63 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

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 – Thank you, Mr. President, this is up for third reading. It's just adding back in the provision to section 1 about the \$10,000 life insurance policy which was always a benefit but was inadvertently left out when we changed some of the health care provisions earlier in the year. So something we're just adding back in that we always had for the employees. So I recommend that we pass this tonight as it's up for third reading.

COUNCIL PRESIDENT TOWNSEND – Okay, are there any questions or discussion on this ordinance? Peters, Hampton, any questions? Okay, roll call please.

ORDINANCE NO. 66 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

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, this is also up for third reading. It was actually approved by the planning commission back in June. I've received no calls or anything nothing particular about this particular alley. So if there are no questions I plan to bring it forward for a vote.

ORDINANCE NO. 67 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

15. SECOND READING 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. It's my intention to bring this forward tonight and as you heard this is we had a public hearing before tonight's meeting. This is because of additional revenue coming in that has to be budgeted for the year 2013. Two of the areas that are being revised is \$20,294 going to the City Housing Program, \$33,000 going to

Target Area Street Program. The addition is additional funds going into city demolition. If there's any questions we can bring Mr. Herncane up get them answered and it's my intention to move this forward.

COUNCILMAN MANSON moved for suspension of the rules and passage, seconded by Councilwoman Scassa.

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

ORDINANCE NO. 72 – 2013 WAS PASSED BY A ROLL CALL VOTE FOR 8 YES.

ORDINANCE NO. 73 - 2013 **BY: PARKS AND RECREATION COMMITTEE**

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 – Second reading, thank you, Mr. President.

ORDINANCE NO. 73 – 2013 WAS GIVEN SECOND 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 – Councilwoman Halter?

COUNCILWOMAN HALTER – Second reading.

ORDINANCE NO. 74 – 2013 WAS GIVEN SECOND 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 – Councilwoman Halter?

COUNCILWOMAN HALTER – Second reading.

ORDINANCE NO. 75 – 2013 WAS GIVEN SECOND 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 there were no questions at last week's work session. No questions I believe tonight and since we are now at a month to month contract with our current provider since we missed August 1st deadline I will be making a motion to suspend the rules requiring three readings and bringing Ordinance No. 76 forward for its passage so that we can enter into this new contract with the new provider as soon as possible.

COUNCILWOMAN SCASSA 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. 76 – 2013 WAS PASSED BY A ROLL CALL VOTE FOR 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've had two work sessions where we've discussed this. It's my intention to move to suspend the rules requiring three separate readings and bring Resolution No. 12 – 2013 forward for a vote this evening.

COUNCILWOMAN CUNNINGHAM-HEDDERLY moved for suspension of the rules and passage, seconded by Councilman Manson.

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

RESOLUTION NO. 12 – 2013 WAS PASSED BY A ROLL CALL VOTE FOR 8 YES.

16. NEW AND MISCELLANEOUS BUSINESS

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

MARK HAWKINS – I live in ward 1, my address is 1108 Amherst Rd NE. I have noticed in ward 1 and I'm a dog walker just like Mike Patterson is here. There has been a steady decline in some of the homes in ward 1. This has happened year after year and I'm seeing the same problems. I mean candidly this is blight in ward 1. There are two properties where I've taken some photos and I'd be happy to share them with our representative and council. Its 823 Sheffield is a vacant property I've got some photos here that show that the windows are broken out. It's overgrown with trees and weeds. There's been some vandalism there. And it truly is an eyesore in ward 1. Then we have one rental unit on 10th Street NE its 1057 10th Street. Neighbors and residents have spoken to the landlord and we've been told several things which have not occurred. We've been told that the current renters would be moved out by August 1st

that they were actually being evicted and that did not occur. And then that the house has been sold and the new owners would be making some repairs. And we haven't seen either of those things happen yet. It's truly dilapidation and deterioration and we all know what that does to our property values. What I was seeking and maybe this would be an opportunity to get together with council at a work session we can not even locate the new owner for this home and we try our Zillow searches and our Stark County property tax searches and we can't get anything. Is there ever a data base or a list created where we can find out who is a renter and who is a landlord within our wards and within our city? In talking with Sarita and the mayor I mean our goal is to start a neighborhood association to keep our neighborhood nice and to make it a place where we want to live and where we want to raise our children. Our whole goal here is to bring our neighborhood back and make it a place where people want to live. I'd be happy to share these photos with Sarita or any of the other council members but I think just getting one voice out there and at least starting something. I mean we've got to get this started and we're not sure where it's going to go but we're optimistic about ward 1. So I'd be happy to share these photos later on Sarita.. Thank you, Mary Beth for getting me on the agenda. President Townsend, thank you and thank you council for giving me an opportunity to speak here. Thank you.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Halter?

COUNCILWOMAN HALTER – In response to Mr. Hawkins speech just now I'd like to ask Mr. Johnson to come up and address him about the ordinances that we passed last year and how we worked on that. So that you're aware of what is in place.

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – Evening again. Okay, Mr. Hawkins please be sure to catch me right after the meeting and I will get your addresses over to code enforcement tomorrow. I can't tell you if we've had comments on those properties or if there's an active file or not. But there will be after tomorrow morning. Okay, as far as that goes. Two, there are ordinances for registration of the rental properties within the city we will check that also when we go out on the complaint on the property to assure that it is registered and do our best to find the owner if they haven't already. Obviously they haven't we will. We will do our best. One of the things council that we find a year into our ordinances for registration for rentals and vacants I will tell you that you may see us back here later on in the year is the fact that we are going to need some teeth added to these ordinances. There are penalties for not registering, late penalties for not registering but its not enough at this point and code enforcement has some great ideas that they presented to me this afternoon for a possible way to put some teeth into this ordinance and it is not I will tell you at this point in time it is not taking them to court. There's a better way okay we may see a immediate registration. I'll talk to Perry about it see if its worth bringing forward to you before I put it on your table but I think it will work. So expect to see us back with some asking for some teeth into these ordinances.

COUNCILWOMAN HALTER – Mr. Johnson, as you well know I've turned in a lot of houses in my ward. I've got another list for you there's one on my street in particular that's been empty for years. Now the neighbors tell me they've been turning it in I've never turned that house in. I went up today its really bad. I did report it to the health department today because I've looked in the windows and we've got a problem.

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – Okay.

COUNCILWOMAN HALTER – But I just am hoping that after we passed the ordinance and we worked very, very hard as you well know on that ordinance it took months to pass it because we changed a lot tried to get it to where everybody was happy. I know one of the councilman said it didn't matter because it would never be enforced.

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – Well, it is being enforced there are buildings registered. I can bring you numbers of how many...

COUNCILWOMAN HALTER – Yeah, but their registered but there's no follow up on the ones that...

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – Well, there is I mean there's a three point inspection to a vacant building. If the building meets that three point inspection other than the other ordinances that are on the books then the building is in compliance for a vacant building. Now there maybe other issues when they go out there and they do site that I mean Dave told me one today that he found other issues with and he went ahead and told the owner and they're going to go ahead with this vacant house and do what they have to. So...

COUNCILWOMAN HALTER – I mean we've got we've got empty houses all over the second ward that have been turned in over a year ago that were turned in over a year ago and they're still standing nothing's been done. The orange papers on the front door and its all faded because it's been there over a year. I mean I just don't quite understand.

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – Well and you've got to realize folks you are short staffed. Mowing, you've got four to five people every day at the street department.

COUNCILWOMAN HALTER – What's that got to do with the building department?

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – Well, I'm saying as far as mowing and maintaining grass you know that maybe an orange paper for grass...

COUNCILWOMAN HALTER – I'm not as concerned about the grass as I am the structures themselves because they're falling down, they're ruining our value and nobody's going to want to live here. There's people on my street that have their house for sale and they can't sell it because of this monstrosity sitting there and I haven't seen anybody...

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – Well again, I can't tell you if that one's been turned in you know give it to me and...

COUNCILWOMAN HALTER – It was turned in there's an old orange paper on the front door.

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – Okay. We'll get them as fast as we can is all I can tell you and stay on them. So...

COUNCILWOMAN HALTER – Thank you.

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – Okay.

COUNCIL PRESIDENT TOWNSEND – Thank you. Is there anyone else?

TRAVIS KRAUSS – 8270 Nottingham Circle NW in North Canton. I'm here on behalf of a national entertainment firm Adventure Combat Operations. This is kind of on short notice at this point I believe and you have forgive me my vice president is the one normally would entertain or would be the one present at such an event such as this. Unfortunately he just got back from Afghanistan so we're giving him some time off. But just so I can alleviate redundancy is there anybody here other than some of the leadership that is familiar with who I am or what this endeavor is in reference to? No, so we have some quick fast forward to do then. Mr. President, may I? (Yes) Okay, I am very happy to I'm very happy to inform you though that despite all of the many ordinance subjects you all have to deal with this evening this is one that is has some simplicity, excitement and entertainment so I'll keep it very, very simplistic here so we all can get out of here this evening. I own an international fence contracting firm myself and the individuals that are selected to work within that firm all come from the likes of the Airborne Rangers, Navy SEALs, Special Forces, Green Berets and Delta Force. We now train the likes of those same units. We are the last these organization see before they over seas. So in a sense we are subject matter experts at training we build large connectic what we refer to as full mission profile training. Exercises for these organizations we build these organizations these organization's training exercises full mission profiles. We conduct

these types of operations either on major military bases or a lot of times what's referred to in a scenario referred to as a R.U.T. realistic urban training. These are done literally all over the country whether its Seattle, Little Rock or Miami. To give you a quick snapshot of what this would entail we're going to the City of Miami, we have a meeting with the mayor and his staff, we have a meeting with the police chief, we have a meeting with OGA's other government agencies and the adjacent organizations that will be operating with us. We will set up events that are connectic enough, robust enough, dynamic enough to where we will use for example a 13 story hotel that is positioned between the Ritz Carlton and the Marriott in the mid metro area. We conduct explosive trainings, live fire sniper shots, etc, etc. This involves rotor wing aircrafts, this involves fighter jets, etc, etc. But my point is that these are so rebus that there's times we have to receive congressional approval. So I say all that just to bridge the gap here so I don't sound completely crazy when I get to the next part. All of that has nothing to do with Massillon nor the leadership but that is our background of what we do in a quick snapshot. With that being said for years we've had people that have expressed their interest and excitement in wanting to play with us which we don't play. So we you know that company is a top secret cleared firm it is not been the opportunity well recently our our leadership has decided to stand up another firm a couple months ago they developed an LLC in short. That is completely entertainment based, completely separate although the leadership and the members are the same. What this company does now is we set up very simplistic entertainment events. It's an opportunity its basically we take the same individuals and we kind of mix it with a little bit of a Disney world adventure and we build a video game and we bring this video game to life. We've got a team with all of their equipment, this equipment is stored in a large trailer, semi truck trailer and they are presently getting ready to kick off on tour around the country. We understand everything that's involved with insurance of course we have an absolutely insane and robust insurance package. We understand everything that's involved with with all of the permits that are involved. Again, this is what we've been doing we've doing for the federal government for years now. With all this being said the request this evening is I have my staff has generated a proposal that goes into complete detail, members of the leadership have already seen this proposal. We put this together about a month ago unfortunately due to you alls schedule its had a hard time making its way to you. You should have more important ideas or I'm sorry more important subjects as you all had to discuss. Simplicity is this in two weeks in less than two weeks we are simply asking if it is permissible that we may use the one of the Heartland one of the abandoned buildings over there, one of the Heartland medical facility buildings so that we can host this event. It is completely self contained we would set up on a Thursday afternoon the events would run Friday, Saturday and Sunday. And all that we doing is we give people within the states before we move to the next state we give individuals an opportunity to go on our website which is set up like a video game. They register on our website for an opportunity to come out and participate in events and events very simplistically is an event where they get to come and chose all sorts of special equipment and all this equipment is fake its air soft base equipment. They chose this equipment they get to team up with these former special operators, these service disable special ops combat veterans. We build with all sorts of special effects we build an apocalyptic type scene where they get to come play with us and battle the zombies and look for intelligence on targets and have all sorts of fun and save the world from the apocalypse. So this event would take place on the 16th, 17th and 18th our team would pack up and then hit the road where we are heading to Toledo the following weekend and then we head to Indiana, Pennsylvania, Michigan and they hit the national tour where it will be another year or two before we come back into Ohio. So that is where we're at now. It is completely self it literally will require nothing more than for the leadership to say yeah or nay. We already understand everything needs to be done with the fire department, law enforcement, EMS, permit system with the mayor's office and literally all we need is somebody to unlock the facility and lock it back up when we're done. President?

COUNCIL PRESIDENT TOWNSEND – I don't have any comments. What you...

COUNCILMAN PETERS – Well I've got a lot of them.

COUNCIL PRESIDENT TOWNSEND – Well, I bet you do. What you can do is leave that folder with us we'll make sure the council clerk receives it. She'll distribute it to the council

members and hopefully someone will contact you within the next few days.

TRAVIS KRAUSS – Okay. Thank you.

COUNCIL PRESIDENT TOWNSEND – Okay.

COUNCILMAN PETERS – It's not doable.

COUNCIL PRESIDENT TOWNSEND – Yes, Councilman Lewis?

COUNCILMAN LEWIS – I just like to ask the mayor a quick question if that's okay in reference to this.

MAYOR CATAZARO-PERRY – Members of council.

COUNCILMAN LEWIS – Am I understanding this correctly that in order for this gentleman to be able to do this program we have to approve it as a council?

MAYOR CATAZARO-PERRY – Well, what we have to look at is first of all we have to have permission you can't just do anything on that property. You have to make sure you have permission. And so we are working through that. We also had to make sure that we had an insurance policy. So Mr. Johnson has been working with Mr. Travis and we'll see where that goes. But at this point we didn't have anything to prepare to bring to council because Mr. Johnson is still doing his due diligence before he does do that. But he has a timeframe and so we may not be able to meet his deadline.

COUNCILMAN PETERS – Not if it has to be approved by council we won't. We won't have another meeting until the 19th so. And I'm not having a special meeting for a video game I'm sorry.

COUNCIL PRESIDENT TOWNSEND – Well no, the best we can do is get your information and I'll get back with him.

TRAVIS KRAUSS – Sure, for what its worth the paper was actually I apologize it seems like we waited till the last minute. The paper was actually submitted about a month ago.

COUNCILMAN PETERS – I never seen it. So that's...

COUNCIL PRESIDENT TOWNSEND – You just have to understand its an unusual request to come to council and get permission to give you permission to use a facility within Massillon. So its kind of threw them off I know who you are we spoke a couple of times. So you know so kind of understand where they're coming from. But if you could if you have some material for us for them we can pass them out to them and I don't know maybe we'll hear something in the next couple of days.

TRAVIS KRAUSS – I'll step off and have a seat so that you can continue and I'll just wait until afterwards.

COUNCIL PRESIDENT TOWNSEND – Okay, is there anyone else?

MIKE PATTERSON – 819 Rotch Avenue NE, ward 1. And I'm in accompaniment of Mark Hawkins. The its my understanding that the city does have funds available for tearing down these really delinquent run down homes. The home that Mark referred to at 823 Sheffield the garage is completely caving in at the roof. It's leaning over on its side. And there's a lot of children that play in the neighborhood. I think this is a home that because there are funds available to tear these homes down that something should be done to clean this up. This has precluded people from selling their homes in the neighborhood. It's driven down the values of the homes in the neighborhood. And with your help we would like to you know get this neighborhood back where it should be. The streets, the streets are in horrible shape. I've heard all of you groan and moan that we need to do something. Everybody's complaining. In our

neighborhood we have Whittier Grade School. The school buses on 10th Street on Rotch on Medill and then we have the parents dropping these kids off all the time picking them up. We have a church there on the same corner and there's just entirely too much traffic not to maintain these streets. Let alone this also degrades from the property value. I think that you know it would be nice to see a street sweeper come through the neighborhood and clear the weeds out along the curb in the street where they join. It's a disgrace that we can't at least afford to do this in our own pardon me city. I have a problem with Kimble trash service because on a lot of the streets Mark walks his dog, I walk my dog throughout the neighborhood we have a lot of people that walk and talk. These trash cans will sit two, three and four days on the sidewalks. There needs to be some kind of an ordinance that preclude people from letting them sit more than a day. Now on my street Rotch there's a gentleman that pulls his daughter in a wagon while walking his son to school and he's blind. He crosses Amherst comes up the street of Rotch to Whittier. And here's these trash cans all over he's dumped his daughter out into the street in the wagon. I think you know if you guys could do something to get an ordinance passed that people can't let their trash cans sit out day after day you know it would be kind of helpful. And it also makes the neighborhood like a little better. Another issue is because a lot of these people have seen this blight in the neighborhood some of the houses that are really getting run down people are converting their homes into rental properties. Now a lot of these people that are converting their homes into rental properties really don't understand what it takes to be a somebody that rents a property. They just rent them and they kind of forget them. And I would like to see maybe some kind of a moratorium put on people taking their homes and converting them into a rental property. I don't know if there's some sort of ordinance where somebody on Sheffield for example can't sell their house so they say well I'm just going to rent it. Do they have to notify the city that they're going to make it a rental property? No.

INTERIM SAFETY SERVICE DIRECTOR JOHNSON – They have to register it as a rental property that means \$30 one time.

MIKE PATTERSON – Okay, but you know we're just getting too many rental properties throughout the city. I think I traveled for years throughout the country and other countries. And when I traveled one of the things I'd often do is I'd look around and see if this was an area that I'd like to live in. Well, quite frankly anymore when I drive around the City of Massillon its really aging and decaying. We need to do something to you know get this city back up to where it needs to be. Thank you.

COUNCIL PRESIDENT TOWNSEND – Thank you. Is there anyone else? Mr. Daut?

SAM DAUT – Yes, 835 Cherry Rd NW, Massillon. I'm going to spare you tonight. I'm here actually to thank all the members of city council on behalf of myself and Diversified Glass for passing my zoning. Thank you.

COUNCIL PRESIDENT TOWNSEND – You're welcome.

COUNCILMAN PETERS – Well, we don't get thank you from you very often.

COUNCIL PRESIDENT TOWNSEND – Is there anyone else? Councilman Slagle, what is your motion?

18. ADJOURNMENT

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

MARY BETH BAILEY, CLERK,

TONY M. TOWNSEND, PRESIDENT



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