

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, TUESDAY, FEBRUARY 18, 2014**

COUNCIL PRESIDENT TOWNSEND B I'd like to welcome all of you to Massillon City Council for Tuesday, February 18, 2014. We have in attendance with us the following city officials: Mayor Kathy Catazaro-Perry, Community Development Director Ted, Herncane, Fire Chief Tom Burgasser, Code Enforcement Jim Johnson and Dave Maley, Building Code Superintendent Bill Kraft, Police Chief Keith Moser, Park & Rec. Superintendent Doug Nist and Law Director Perry Stergios. For those of you who like to follow tonight's meeting we have agendas over to the left for anyone like I as I stated who wish to follow the meeting. Also if you look on the agenda under item #5 on the agenda is where the public can speak on any item that appears on the agenda and then under item #17 is where the public can speak on any item that does not appear on the agenda. I'd also like to remind anyone with a cell phone please turn it off or turn them down.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Milan Chovan, Michelle Del Rio-Keller, Nancy Halter, Ed Lewis, Paul Manson, Andrea Scassa, Megan Starrett and Shaddrick Stinson.

Thus giving a roll call vote of 8 present.

COUNCIL PRESIDENT TOWNSEND B Councilman Manson, I need a motion to excuse the absence of Councilwoman Cunningham-Hedderly.

COUNCILMAN MANSON – Oh I didn't even realize she'd left. I make a motion that we excuse Sarita from tonight's meeting. Seconded by Councilwoman Halter.

Roll call vote of 8 yes to excuse Councilwoman Sarita Cunningham-Hedderly from tonight's meeting.

2. INVOCATION

COUNCILWOMAN HALTER B Gave the invocation for tonight.

3. PLEDGE OF ALLEGIANCE

COUNCILWOMAN HALTER – Chairperson of the Streets, Highways, Traffic and Safety 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

RENEE BOGUE – 204 Willow Avenue NE. I have several materials for you to illustrate how false the mindless media mantra is that gas and oil drilling is safe. I have been emailing our fire

chief concerning drilling related fires. There was a question about the Hopewell Township fracking pond fire in Pennsylvania. And that was mentioned in a credo petition. The University of Pittsburgh which its website listed the Hopewell Township fire on its reported spills and accidents related to Marcellus Shale natural gas extraction webpage. You have that list in your packet. By the way this is not a comprehensive list and is constantly being updated. Also you have two pictures of that fracking pond fire. In addition, you have the violation notice for a fracking pit fire in Ohio. They were flaring gas and it caught the liner on fire. I have included an article and printed email on the gas well explosion and fire in Green County, Pennsylvania. This happened on Tuesday of last week and the fire burned intensely for five days exposing families to carcinogenic chemicals. Ian McKey, an oil and gas worker died in the explosion. I also emailed you a news clip. Note that this gas well explosion and fire occurred almost exactly ten years after a massive gas well fire kept emergency crews busy for several days in German Township only about five miles from Green County. The fire was extinguished several days later with oil experts from Texas joining forces with fire suppression experts from Halliburton. Also I just received this today it's the fossil fuel incidents in the past two weeks. You have that in your packet as well. In just two weeks on February 17th there was a fracking well blow out in North Dakota and that is currently spewing thousands of gallons of oil and toxic fracking waste. On February 13th a train carrying crude oil derails in Pennsylvania spilling 3,000 to 4,000 gallons of Canadian crude oil. On February 13th natural gas transmission pipeline explodes in Kentucky destroying two homes and causing fires in other nearby structures a sixty foot crater was left behind. On February 11th more than a 100,000 gallons of coal slurring spills into a waterway near Charleston, West Virginia. Six miles of field creek had been blackened and a smaller amount of slurring made it into the Conawonda River near Chesapeake. February 11th Chevron natural gas well explodes in Green County and that was the clip I emailed you. Again one dead and five days it took to get the five under control. The site is still not safe enough for crew to cap the well as of February 18th. Millions of gallons of water will be removed from Dunkar Creek to fill a fire suppression tanks. February 5th, 12,000 gallons of Canadian crude leaked from a train in Minnesota spreading oil along the tracks for 68 miles. February 2nd, a pipe burst in a coal ash pond in Eden, North Carolina draining 82,000 tons of coal ash mixed with 27,000,000.00 gallons of water into the Dan River and on February 1st local residents evacuated in southeast Mississippi when a train carrying fuel oil, fertilizer and Methanol derailed. In your packet is information from the Alliance of Nurses for a Healthy Environment there is a chart of pollutants associated with fracking, the root of exposure and the affects in humans including neurological, respiratory, cardio pulmonary effects cancers and much more. The original document was too small to read easily so I copied and pasted it and enlarged the font. The information on the lead was cut off as well as the organized excuse me information on lead was cut off as well as the organizations title. If you would like to see the original I have it with me. Gas and oil drilling is not safe...

COUNCIL PRESIDENT TOWNSEND – You have one minute.

RENEE BOGUE – It is polluting, risky and dangerous. We do not want drilling on taxpayer owned land in our neighborhoods in our city. Thank you.

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

SAM DAUT – 835 Cherry Rd NW and I want to speak on Ordinance No. 5. Don't quite understand the ordinance to begin with and maybe through the session tonight being a second reading somebody can explain it. First of all to me this should be an obligated debt. You owe money its like you at the hearing Ms. Keller you had mentioned that you know you're new at city council, you're a banker, you understand that if I come to you and borrow money I have an obligated debt an obligation to pay that debt. To me I don't understand why all of a sudden tonight the mayor painted a fiscal bad picture about the City of Massillon. Well naturally because if you're going to forego debt of some people and then turnaround and extort money from rest of the city to help pay these people's debt and now you want a street lighting and everything. First of all, I don't think the citizens, the small businesses of this community should be subjected to all of these fees, taxes and everything you've passed on for about the past year because we didn't create this debt. You understand? The past administration Frank Cicchinelli

destroyed this community I'm going to be the first guy to say it. It wasn't the past administration while we were out annexing land giving everybody in the suburbs, the townships all new sewers, all new storm utilities this city is in total decay. You can't look at any direction north, south, east or west of the community and not see it for yourself. You, Mr. Townsend, live in the fourth ward do you have any streets that aren't in basically disrepair? I've seen the city trucks in the last two weeks three times dragging plows on dry pavement. There is absolutely no snow I mean are we grading the surfaces on these roads? I don't understand and then you wonder why your equipment is in disrepair. We need new equipment naturally we do that's why I thought we had taxes in this community to pay for that. First of all, if this guy that owns the hotel he knew this obligation to this debt he should have paid upon it. I'm in business if I have a debt I kind of like put some money aside to help pay for that debt and try to pay it off. You can't come back to the community and take money from us to subsidize people basically on tax abatements. You bring these carpetbaggers in here and then turnaround and you want me to subsidize them, the school system is basically in the same condition a in fiscal problems because of the same reasons because you can't give these people these tax abatements and come back to the small businesses in this community and expect us to continue to subsidize it. I wouldn't have a problem I just don't believe in progressive taxes. And you Ms. Scassa, you I don't you know I shouldn't even have to be here I've no children, grandchildren so to me you people should be more responsible because its your children and grandchildren that are going to pay for that golf course, you're going to pay for that land of Oz out there that they bought that's growing up in weeks out I Tuscarawas Township that you spent thousands of dollars and tonight you should basically you should terminate this. You this shouldn't even be considered as any kind of an ordinance. Thank you.

COUNCIL PRESIDENT TOWNSEND – Thank you, Mr. Daut. Is there anyone else? Okay, we'll move into introduction of ordinances and resolutions Ordinance No. 13.

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 13 - 2014 **COMMITTEE**

BY: COMMUNITY DEVELOPMENT

Amending the Community Reinvestment Area Agreement between the City of Massillon and Midwest Health Services for the construction of a new office building within the City of Massillon, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson.

COUNCILMAN MANSON – This is we've been through this, this is just something we already approved last year its just they're changing the dates but I'm still going to just give it first reading and we have some more discussion it.

COUNCIL PRESIDENT TOWNSEND – Thank you, Ordinance No. 13 has received first reading.

ORDINANCE NO. 13 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 14 - 2014 **COMMITTEE**

BY: COMMUNITY DEVELOPMENT

Authorizing the resale and conveyance of property Parcel #06-07770 pursuant to the City's Vacant Land Reutilization Program, establishing the fair market value of said property, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson.

COUNCILMAN MANSON – Thank you, Mr. President. Same thing here I'm going to give this first reading I think we just a little more time to take a look at this. You know this is a program that we just put in a couple of years ago and everybody just take a look and feel comfortable with what we're doing. So first reading.

COUNCIL PRESIDENT TOWNSEND – Thank you, Ordinance No. 14 has received first reading.

ORDINANCE NO. 14 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 15 - 2014 **BY: HEALTH, WELFARE & BUILDING REGULATIONS**

Repealing existing CHAPTER 1323 “NOTIFICATION OF FORECLOSURE FILING” and enacting a new CHAPTER 1323 “FORECLOSURE PROPERTY REGISTRY”, of the Codified Ordinances of the City of Massillon.

COUNCIL PRESIDENT TOWNSEND – Councilman Stinson.

COUNCILMAN STINSON – This ordinance is amendment to the existing chapter and I move for first reading.

COUNCIL PRESIDENT TOWNSEND – Ordinance No. 15 has received first reading.

ORDINANCE NO. 15 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 16 - 2014 **BY: HEALTH, WELFARE & BUILDING REGULATIONS**

Repealing existing CHAPTER 1330 “REGISTRATION OF NON-OWNER OCCUPIED STRUCTURES” and enacting a new CHAPTER 1330 “REGISTRATION OF NON-OWNER OCCUPIED RENTAL STRUCTURES”, of the Codified Ordinances of the City of Massillon.

COUNCIL PRESIDENT TOWNSEND – Councilman Stinson.

COUNCILMAN STINSON – Again first reading.

COUNCIL PRESIDENT TOWNSEND – Ordinance No. 16 has received first reading.

ORDINANCE NO. 16 – 2013 WAS GIVEN FIRST READING.

ORDINANCE NO. 17 - 2014 **BY: HEALTH, WELFARE & BUILDING REGULATIONS**

Repealing existing CHAPTER 1331 “REGISTRATION OF VACANT BUILDINGS” and enacting a new CHAPTER 1331 “REGISTRATION OF VACANT BUILDINGS”, of the Codified Ordinances of the City of Massillon.

COUNCIL PRESIDENT TOWNSEND – Councilman Stinson.

COUNCILMAN STINSON – With this one I would like to motion for suspension of the followings that are necessary and move for a vote on this one. So they can get started on

finding these homes.

COUNCIL PRESIDENT TOWNSEND – Okay, he has made a motion to waive the rules are there any questions pertaining to Ordinance No. 17? Okay, you made your motion may I have a second? Seconded by Councilwoman Halter. Roll call for suspension.

COUNCILMAN LEWIS – I'm sorry, point of order. Okay, I know you asked for questions but I was still thinking I think the questions would come after the second so therefore I just have a comment that I would want to make.

COUNCIL PRESIDENT TOWNSEND – No, usually the questions can come before or after it depends on how I chose to...

COUNCILMAN LEWIS – No, but I have a comment if you want to entertained to entertain it if not we can go ahead and move forward with roll call.

COUNCIL PRESIDENT TOWNSEND – Yeah, I would prefer council members to state you know have questions or concerns or even comments about this ordinance before we go to the motions and the seconds and things of that sort. Because at that point it may either sway people not to support it or not to. So go right ahead

COUNCILMAN LEWIS – Thank you, Mr. President. I just simply want to state that I personally have not had enough time to give this serious enough consideration to commit to a vote in the positive for this piece of legislation so I will be voting no for the suspension and then if it does go on to the vote I'll be voting no again not because I'm necessarily opposed to the legislation as much as I do not feel that I have spent enough time considering it to give it a vote in the positive.

COUNCIL PRESIDENT TOWNSEND – Okay, is there anyone else? No one else, okay, Councilman Stinson has made a motion to suspend the rules seconded by Councilwoman Halter. Roll call for suspension.

Roll call vote of 7 no, 2 yes, the rules were not suspended. Del Rio-Keller and Stinson voted yes.

COUNCIL PRESIDENT TOWNSEND – Ordinance No. 17 has received first reading the motion to waive the rules did not pass.

ORDINANCE NO. 17 – 2014 WAS GIVEN FIRST READING.

ORDINANCE NO. 18 – 2014

BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Economic Development Fund, for the year ending December 31, 2014, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes, I would like to call Mr. Herncane forward at this time.

COMMUNITY DEVELOPMENT DIRECTOR HERNCANE – Mr. President, Mr. Lewis, council.

COUNCILMAN LEWIS – Mr. Herncane, would you care to just expand a little bit on this and give us a brief summary please.

COMMUNITY DEVELOPMENT DIRECTOR HERNCANE – Yes, the legislation before you is the request for an appropriation from the Economic Development Fund which is a non General Fund. The \$8,000.00 would go to an account entitled Services and Contracts for the

following expenditures: half to the City's four expenses associated with the City's Vacant Land Program. From time to time throughout the year I think we have one pending applicant at the county. From time to times folks come in and want to acquire a parcel like the one ordinance we have that's pending. These costs would be to pay the necessary fees or costs associated with acquiring them either recording fees, legal notices, things to the county. The second part is for the mentioned legal advertisements, title searches, soft costs associated with the demolition program known as Moving Ohio Forward. Currently the City has sent 20 houses or properties over for that program which will be torn down. The costs that we'll have invested in that will be reimbursed upon completion. My anticipation is that some money from that program may not be expended and it may be opened up to other communities. I guess I am anticipating some contact with those folks on I don't know if you saw the paper I think Canton's having some issues spending all their money. I want to get our ducks in a row so when Regional Planning calls us and says "hey, we have money available do you want to send us some more properties" code enforcement has those properties ready to go. I just want to make sure that when that happens which usually we don't have a lot of time in that case I just want to make sure we're ready to go if that comes up.

COUNCILMAN LEWIS – And I just want to clarify I believe you did state that this is not General Fund money. (Correct) These funds come from what source?

COMMUNITY DEVELOPMENT DIRECTOR HERNCANE – Usually the sale of City owned property. We saw that with the Holderbaum transaction. Primarily that's the main source the money that we would pay like when we pay or someone pays a \$1,000.00 for a parcel we saw several of those last year that goes into the Economic Development Fund too.

COUNCILMAN LEWIS – Does anybody else have any questions for Mr. Herncane? Thank you, sir.

COMMUNITY DEVELOPMENT DIRECTOR HERNCANE – Thanks.

COUNCIL PRESIDENT TOWNSEND – Thanks.

COUNCILMAN LEWIS – With that this seems like a fairly standard piece of business I do remember doing things similar to this in the past. It is it is money that is in a fund all we're doing is placing it into an account allowing Mr. Herncane to use it as he has presented today. With that and there being no questions I would then make the motion that we suspend the rules requiring three readings and bring this forward for a vote Ordinance No. 18 – 2014.

COUNCILMAN LEWIS 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. 18 – 2014 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madame Clerk, Ordinance No. 18 has passed.

ORDINANCE NO. 19 – 2014

BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Local Law Enforcement Trust Fund, for the year ending December 31, 2014, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes, again this is the ordinance that we had a presentation from the chief about it at the committee meeting. I will again invite anyone that has any questions

regarding this issue to please send me an email so that I can contact the chief or of course you're free to contact any city official yourself if you'd like to do that as well. We'll discuss it again at the committee meeting and I will be giving this reading.

ORDINANCE NO. 19 – 2014 WAS GIVEN FIRST READING.

COUNCIL PRESIDENT TOWNSEND – Thank you, Ordinance No. 19 has received first reading.

ORDINANCE NO. 20 – 2014

BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Indigent Interlock/Alcohol Monitoring Fund, for the year ending December 31, 2014, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes, this legislation is coming from the municipal court it is their money that they have budgeted. He's simply taking it from you know a fund level into the account level for his use and it is their money to use as they see fit seeing how they are the court. Unless there are any questions I would make a motion that we suspend the rules requiring three readings and bring this forward for a vote.

COUNCILMAN LEWIS 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. 20 – 2014 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

COUNCIL PRESIDENT TOWNSEND – Thank you Madame Clerk Ordinance No. 20 has passed.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

A. REPOSITORY - \$1,577.60

COUNCIL PRESIDENT TOWNSEND – Thank you, I would like to ask Councilman Lewis for a motion to pay the bills.

COUNCILMAN LEWIS – I make a motion that we pay the bills. Seconded by Councilwoman Scassa.

Roll call vote of 8 yes to pay the bills.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madame Clerk, the clerk will pay the bills and charge them to the proper account.

10. REPORTS FROM CITY OFFICIALS

A. MAYOR SUBMITS MONTHLY REPORT FOR DECEMBER 2013.

B. TREASURER SUBMITS MONTHLY REPORT FOR JANUARY 2014

COUNCIL PRESIDENT TOWNSEND – Thank you.

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT TOWNSEND – Do we have any reports of committees?
Councilman Lewis?

COUNCILMAN LEWIS – I'd like to announce that Thursday at 6:00pm we will be holding a budget meeting here in council chambers. Obviously the finance committee members have been notified and are made aware of this. Also all council members are welcome to come this meeting and discuss the upcoming budget. We're doing this also I would like to announce that at the next work session that we are having on the 24th I will not be present at that meeting I will be out of town Andrea Scassa will be running the finance committee meeting at that time.

COUNCIL PRESIDENT TOWNSEND – Is there anything else?

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT TOWNSEND – Okay, do we have any resolutions or requests of council members? Okay, well let's move call of the calendar. We have four ordinances that were tabled from the February 3rd, 2014 meeting and we will start off with Ordinance No. 136.

13. CALL OF THE CALENDAR - TABLED FROM FEBRUARY 3, 2014

ORDINANCE NO. 136 - 2013

BY: PUBLIC UTILITIES COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Non-Surface Development Gas & Oil Lease with Everflow Eastern Partners LP., for the 8.10 acres of real estate owned by the City of Massillon, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes, Ms. or Councilwoman Cunningham-Hedderly was unable to be here in attendance tonight and asked me to handle these pieces for her. Also these pieces of legislation are directly tied to public notices that have to be sent out to landowners and that process is still being completed. With that in mind she has asked that we go ahead and table these yet again this time though until March 17th instead of just one meeting forward. I believe and if you could please double check me Mary Beth that March 17th would be the second session of March.

COUNCIL CLERK BAILEY – Yes, it will be.

COUNCILMAN LEWIS – Thank you, with that I make a motion that we table Ordinance No. 136 – 2013 to March 17th. Seconded by Councilman Stinson.

ORDINANCE NO. 136 – 2013 HAS BEEN TABLED UNTIL MARCH 17, 2014 BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 137 - 2013

BY: PUBLIC UTILITIES COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Non-Surface Development Gas & Oil Lease with Everflow Eastern Partners LP., for the 10.65 acres of real estate owned by the City of Massillon, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – I move that we table Ordinance No. 137 – 2013 until March 17th. Seconded by Councilman Stinson.

ORDINANCE NO. 137 – 2013 HAS BEEN TABLED UNTIL MARCH 17, 2014 BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 148 - 2013

BY: PUBLIC UTILITIES COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign an amendment and extension of an existing Oil and Gas Lease. The well lease area includes part of The Legends Golf Course property with a requested lease area from the City of Massillon of 9.77 acres, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes, I make a motion that we table Ordinance No. 148 – 2013 until March 17th. Seconded by Councilman Stinson.

ORDINANCE NO. 148 – 2013 HAS BEEN TABLED UNTIL MARCH 17, 2014 BY A ROLL CALL VOTE OF 8 YES.

ORDINANCE NO. 149 - 2013

BY: PUBLIC UTILITIES COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign an amendment and extension of an existing Oil and Gas Lease. The well lease area includes the property known as Shriver Park, with a requested lease area from the City of Massillon of 5.40 acres, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes, I make a motion that we table Ordinance No. 149 – 2013 until March 17th. Seconded by Councilman Stinson.

ORDINANCE NO. 149 – 2013 HAS BEEN TABLED UNTIL MARCH 17, 2014 BY A ROLL CALL VOTE OF 8 YES.

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 2 - 2014

BY: COMMUNITY DEVELOPMENT

COMMITTEE

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

COUNCIL PRESIDENT TOWNSEND – Councilman Manson.

COUNCILMAN MANSON – Yes, thank you, Mr. President. We've been talking about this now six weeks. It's a very nice project it will utilize some land that really could become vacant if Ashland was pulling out their if they were just leaving. They the developers did a nice job they had a meeting with the residents on their own and myself I've heard no negative feedback whatsoever. So I move that we bring this forward for passage today.

COUNCIL PRESIDENT TOWNSEND – Are there any questions? There are no questions you made your motion may I have a second? Seconded by Councilwoman Scassa.

ORDINANCE NO. 2 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 5 - 2014 **COMMITTEE**

BY: COMMUNITY DEVELOPMENT

Authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement between the City of Massillon, Downtown Massillon Hotel, Ltd., and Charles Street Ltd., which would permit, if certain conditions are met, canceling the promissory note associated with the loan for the Hampton Inn project and release the related mortgages and any other liens related to the financing of the project upon payment in the amount of \$1.4 million to the City, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson.

COUNCILMAN MANSON – Yes, thank you, Mr. President. Everybody should have a copy of the ordinance and a copy of a proposed amendment. The only difference from the original ordinance is that we plugged in Section 2 and that would push everything else down that was 2, 3, 4 and 5 before. Section 2 now would state provided this ordinance is passed the final agreement and all associated documents shall be presented to council for final approval prior to execution by the Mayor or her designee. You're not voting for this but I would like to pass this amendment tonight and this will go back to first reading and we'll start on this again.

COUNCILMAN MANSON moved to amend Ordinance No. 5 – 2014, Seconded by Councilwoman Scassa.

Roll call vote of 8 yes to amend Ordinance No. 5 – 2014.

ORDINANCE NO. 5 – 2014 WAS GIVEN FIRST READING.

COUNCIL PRESIDENT TOWNSEND – Thank you, the ordinance is now at first reading.

ORDINANCE NO. 6 – 2014 **COMMITTEE**

BY: PARKS AND RECREATION

Establishing the new 2014 Club Legends Room/Tent fees to be charged at The Legends of Massillon Golf Course, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Del Rio-Keller.

COUNCILWOMAN DEL RIO-KELLER – I'd like to give this second reading.

ORDINANCE NO. 6 – 2014 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT TOWNSEND – Second reading.

ORDINANCE NO. 7 – 2014 **COMMITTEE**

BY: PARKS AND RECREATION

Establishing the new 2014 Facility/Pavilion Cancellation fees for the Massillon Parks and Recreation Department, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Del Rio-Keller.

COUNCILWOMAN DEL RIO-KELLER – Again, I'd like to give this second reading.

ORDINANCE NO. 7 – 2014 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT TOWNSEND – Thank you, Ordinance No. 7 has received second reading.

ORDINANCE NO. 9 – 2014

BY: STREETS, HIGHWAYS, TRAFFIC &

SAFETY COMMITTEE

Accepting the dedication of road right of way and replat for the property located at 1306 17th Street SW owned by Jamie Gresser. The dedication includes approximately 0.119 acres of the existing roadway area and replat of the adjoining property, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Halter.

COUNCILWOMAN HALTER – Thank you, Mr. President, second reading.

ORDINANCE NO. 9 – 2014 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT TOWNSEND – Ordinance No. 9 has received second reading.

ORDINANCE NO. 10 – 2014

BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Safety Forces Improvement Fund, for the year ending December 31, 2014, and declaring an emergency.

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COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes, this ordinance is closely tied to the previous that we gave first reading to earlier tonight. So I will be giving this second reading.

ORDINANCE NO. 10 – 2014 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT TOWNSEND – Thank you, Ordinance No. 10 has received second reading.

16. NEW AND MISCELLANEOUS BUSINESS

COUNCIL PRESIDENT TOWNSEND – Is there any new or miscellaneous business?
Councilman Lewis?

COUNCILMAN LEWIS – I neglected to mention when I called the meeting for Thursday at 6:00pm that the finance committee and also expounded it that it's a budget meeting for all members of council. That I would also leave the door open that we could also look at the mayor's financial restoration plan during that time as well. Since it is a meeting that its not typically scheduled I feel like I should probably state that so that we're all ready before that discussion as well.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Scassa?

COUNCILWOMAN SCASSA – And this I'm assuming sir is this your public notice?

COUNCILMAN LEWIS – Yeah, this is my public notice that we'll be discussing the budget and the mayor's financial restoration plan Thursday at 6:00pm.

COUNCIL PRESIDENT TOWNSEND – Okay, did Mr. Grazier get that? Okay, once again,

do we have any new or miscellaneous business?

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

COUNCIL PRESIDENT TOWNSEND – Okay, we have arrived at #17 this is the part where if you would like to speak on something that does not appear on tonight's agenda please come to the microphone and state your name, address and the purpose that you would like to come up.

NADINE CHRISTIE – I live at gosh I can't remember my address 166 Par Four Circle SE. My first time here so if I say anything wrong or offend somebody I'm sorry I don't know how all this goes. I've lived in Massillon all my life but yet I've never attended a council meeting. Two things I'd like to speak on: the first is the snow plowing that's why I am here. My development or our allotment never gets plowed. I've lived there for 10 years and over the ten years I've always had to call to get my street plowed. It's unfortunate but they drive down Richville they pass us all the time and no one comes in to Championship and if they do come into Championship they may do Championship but all the circles are left unplowed. I call every single time we have a significant snow fall and today I called again for the fifth time this year. And still no truck. So anyway that is why I'm really here I know there's a plan in place to look at all of this again and I know my allotment I've heard is probably not on the map that was on Massillon but we've been dedicated for over 10 years. So I would really like to get something worked out and something done because it is kind of crazy that I can't get out of my driveway and go to work. Luckily for me I can work at home and I'm able to do that. But anyway that was the first thing. Second thing is I work with taxes so I know how important taxes are to making a city function and with that being said I am one of the people that works in Canton so my money goes to Canton and I am all for reducing the reciprocity and I would pay additional money out to the City of Massillon. I know we can't function on the money that we take in right now you can cut cost all you want but at some point you can't cut any further. So I am all for it I am one of the people that is affected by it. But its something to look at I mean I know its hard and you don't want to be the bad person that brings that says we need to tax more people or lower the reciprocity or increase the income tax but at some point in time its just got to get done. If we want this city to get back to the glory days and believe me I'm all for that it needs to get done. I voted for the increase in the city income tax I'd be for it again. But again if that's something that has to go before the citizens of Massillon its probably not likely to get voted on. The reciprocity issue I'm understanding from reading the paper that is something that you guys can consider and do on your own I'd consider it. So that's just my opinion. Thank you.

COUNCIL PRESIDENT TOWNSEND – Thank you, is there anyone else?

CHIEF TOM BURGASSER – The fire chief City of Massillon. I apologize I'm going to read from a script a little bit but I've got some figures and I don't want to memorize them and I don't want to botch it. Several months ago the auditor told the newspaper that there have been no new revenue streams in the City in the six years that's been here. I disagree with that and I'd like to offer my perspective. There's actually been three new revenue streams; one from the building department and two from my department. First new revenue in my department is EMS transport for the previous four years EMS transport brought in gross revenue totaling \$2,720,000.00 for approximately \$680,000.00 annually. After paying for every expense generated by EMS and retaining 10 percent for capital expenses the fire department returned \$1,181,000.00 to the General Fund during that time period. Also during that time period our residents saved approximately \$910,000.00 and waived deductible and co-pay fees. Sadly this is not the time to talk about service but I believe our services have improved greatly and many lives have been saved as a result of this program. Second revenue stream comes about after writing a grant to return 10 employees from my department this results in an average annual return to the city of \$870,000.00 this year and last year. The grant allowed us to return employees, answer our calls and reduce overtime costs by an additional \$800,000.00 for 2013 alone. The grant runs out in October and I've indicated that to you in every monthly report since we've received it. The exception for three employees who are veterans and will continue to be funded for another twelve months equally another \$250,000.00 if they are not laid off. Then we lose that money. Because

of how we have responded to being given these funds we have placed ourselves in the best possible position to be awarded an additional grant and additional funding for another two years. But we won't know that until March or April of 2015. My point is my department has done everything possible to assist in managing this city through its fiscal crisis. It is time to act now before our safety forces and our residents are negatively impacted anymore than they already have been. I view the fiscal crisis as a freight train coming at us on the tracks and time is of the essence again in my opinion. The city needs our elected officials to partner with each other and move us forward and I would ask please ask yourselves what can I do to help and then do everything possible to make it happen. It worked for me. Thank you.

COUNCIL PRESIDENT TOWNSEND – Is there anyone else? See no one need a motion to adjourn.

18. ADJOURNMENT

COUNCILWOMAN HALTER – I move that we adjourn, seconded by Councilman Chovan.

MARY BETH BAILEY, CLERK,

TONY M. TOWNSEND, PRESIDENT

