

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, MARCH 17, 2014**

COUNCIL PRESIDENT TOWNSEND B I'd like to welcome all of you to Massillon City Council for Monday, March 17, 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, Budget Director Ken Koher, Engineer Keith Dylewski, Debbie Bonk from the Auditor's Office, 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, Sarita Cunningham-Hedderly, Michelle Del Rio-Keller, Nancy Halter, Ed Lewis, Paul Manson, Andrea Scassa, Megan Starrett and Shaddrick Stinson.

Thus giving a roll call vote of 9 present.

2. INVOCATION

COUNCILMAN MANSON Gave the invocation for tonight.

3. PLEDGE OF ALLEGIANCE

COUNCILMAN MANSON – Chairman of the Community Development Committee led those in attendance in the Pledge of Allegiance.

4. READING OF THE JOURNAL

COUNCIL PRESIDENT TOWNSEND - Madame Clerk, are the minutes of the previous meeting transcribed and open for public viewing? (Yes, they are) Are there any additions or corrections to the minutes? If not the minutes stand approved as written.

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

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 26 - 2014

BY: PUBLIC UTILITIES COMMITTEE

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a one, two or three year contract with an energy service provider to be determined by the competitive bidding process, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Cunningham-Hedderly.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Thank you, Mr. President. As Mr. Koher discussed with us during the work session its time again to send out for competitive bidding for the electricity for the city. It is my intention to move to suspend the rules requiring three separate readings and bring Ordinance No. 26 – 2014 forward for a vote this evening.

COUNCIL PRESIDENT TOWNSEND – Thank you, do I have a second? Seconded by Councilman Stinson. Roll call for suspension.

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

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

ORDINANCE NO. 26 – 2014 WAS PASSED BY ROLL CALL VOTE OF 9 YES.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madame Clerk, Ordinance No. 26 has passed.

ORDINANCE NO. 27 - 2014

BY: RULES, COURTS & CIVIL SERVICE

COMMITTEE

Authorizing the Auditor of the City of Massillon, Ohio, to enter into contract with Clark, Schaefer, Hackett and Company to provide services for the annual audits of the City of Massillon for the period of January 1, 2013 through December 31, 2017, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Scassa.

COUNCILWOMAN SCASSA – Thank you, Mr. President. This legislation was discussed at the last work session and due to the fiscal emergency status we have to have an outside firm do our annual audit. Our Auditor Jayne Ferrero was at the work session and she spoke to the fact of the criteria that the state uses and I believe she said ultimately the state picked this firm. So there's no confusion as to where the choosing of this firm came from. In addition to the figures I believe she had said the state comes in usually around \$36,000. So these figures are in line. And due to the nature of having to have these yearly audits and the timing of it it was asked if we would pass this on first reading or make a motion to suspend the rules. I don't believe anyone had any questions if they do I can maybe ask our deputy auditor if she could answer them. Seeing no questions at this point I make a motion to suspend the rules and bring Ordinance No. 27 forward for passage.

COUNCIL PRESIDENT TOWNSEND – Are there any questions for Deputy Bonk?

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

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

ORDINANCE NO. 27 – 2014 WAS PASSED BY ROLL CALL VOTE OF 9 YES.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madame Clerk, Ordinance No. 27 has passed.

ORDINANCE NO. 28 - 2014

BY: FINANCE COMMITTEE

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

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes, this piece of legislation is just appropriating to cover the cost of the insurance that we had done a transfer of it at the last work session as well. There were no discussions at that time; do I see any discussion or questions at this time about this particular ordinance?

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

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

ORDINANCE NO. 28 – 2014 WAS PASSED BY ROLL CALL VOTE OF 9 YES.

COUNCIL PRESIDENT TOWNSEND – Thank you, Ordinance No. 28 has passed.

ORDINANCE NO. 29 - 2014 **BY: FINANCE COMMITTEE**

Amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – MUNICIPAL COURT of Ordinance No. 127 – 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES – MUNICIPAL COURT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES – MUNICIPAL COURT, in the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

ORDINANCE NO. 29 – 2014 WAS GIVEN FIRST READING.

COUNCIL PRESIDENT TOWNSEND – Thank you, first reading.

ORDINANCE NO. 30 - 2014 **BY: FINANCE COMMITTEE**

Appropriating money for current expenses and other expenses of the City of Massillon, Ohio, for the fiscal period ending December 31, 2014, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes, this particular legislation is popularly known as the budget. I will be making comments during section 12 of tonight’s agenda as to when we will be holding a special meeting. But as for tonight I will be giving it first reading.

ORDINANCE NO. 30 – 2014 WAS GIVEN FIRST READING.

COUNCIL PRESIDENT TOWNSEND – Thank you, Ordinance No. 30 has received first reading.

ORDINANCE NO. 31 - 2014 **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. 126 – 2013, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes, I will be using or moving this legislation along with Ordinance No. 30 so I'll also be giving this first reading.

ORDINANCE NO. 31 – 2014 WAS GIVEN FIRST READING.

COUNCIL PRESIDENT TOWNSEND – Thank you, Ordinance No. 31 has received first reading.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

11. REPORTS OF COMMITTEES

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

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT TOWNSEND – Any resolutions or requests yes, Councilman Lewis?

COUNCILMAN LEWIS – Yes, in regards to the budget as we all know that we have to have one passed by the 31st of March. Seeing how March is a 5 Monday month we are all we wouldn't normally have a meeting scheduled next week on the 24th but I would like to call a special meeting for the purposes of discussion and passage of the budget for March 24th at 6:00pm.

COUNCIL PRESIDENT TOWNSEND – Okay and at that meeting you will be discussing Ordinance No. 30...

COUNCILMAN LEWIS – We will be discussing Ordinance No. 30 – 2014; we will also be discussing Ordinance No. 31 – 2014.

COUNCIL PRESIDENT TOWNSEND – Thank you.

13. CALL OF THE CALENDAR - TABLED FROM FEBRUARY 18, 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 – Councilwoman Cunningham-Hedderly.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Thank you, Mr. President, I would like a second to table this indefinitely.

COUNCIL PRESIDENT TOWNSEND – May I have a second? Seconded by Councilman Stinson.

ORDINANCE NO. 136 – 2013 HAS BEEN TABLED INDEFINITELY BY A ROLL CALL

VOTE OF 9 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 – Councilwoman Cunningham-Hedderly?

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Thank you, Mr. President, as with Ordinance No. 136 I wish to table this indefinitely but I do need a second.

COUNCIL PRESIDENT TOWNSEND – I'm sorry councilwoman could you repeat that I was conferring with the council clerk.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Certainly as with Ordinance No. 136 I would like to table this indefinitely and I'm asking for a second.

COUNCIL PRESIDENT TOWNSEND – Seconded by Councilman Stinson.

ORDINANCE NO. 137 – 2013 HAS BEEN TABLED INDEFINITELY BY A ROLL CALL VOTE OF 9 YES.

COUNCIL PRESIDENT TOWNSEND – Thank you, Ordinance No. 137 – 2013 has been tabled indefinitely.

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 – Councilwoman Cunningham-Hedderly?

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Thank you, Mr. President, it is my intention to table Ordinance No. 148 and I do need a second.

COUNCIL PRESIDENT TOWNSEND – Seconded by Councilman Stinson.

ORDINANCE NO. 148 – 2013 HAS BEEN TABLED INDEFINITELY BY A ROLL CALL VOTE OF 9 YES.

COUNCIL PRESIDENT TOWNSEND – Thank you, Ordinance No. 148 – 2013 has been tabled indefinitely.

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 – Councilwoman Cunningham-Hedderly?

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Thank you, Mr. President, it's my intention to table this indefinitely and I do need a second.

COUNCIL PRESIDENT TOWNSEND – Seconded by Councilman Stinson.

ORDINANCE NO. 149 – 2013 HAS BEEN TABLED INDEFINITELY BY A ROLL CALL VOTE OF 9 YES.

COUNCIL PRESIDENT TOWNSEND – Thank you, Ordinance No. 149 – 2013 has been tabled indefinitely.

14. THIRD 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. What we have here is an ordinance we've been talking about for more than two months now. We amended it I believe February 3rd went back to first reading and we have given it three more readings. I think everybody has a pretty good understanding you know just a couple points I'd like to make and then I'd also like to ask the administration to comment on this because I believe they're on board with what we're trying to do here. I know part of the concern on this that I wanted to get straightened out is to make it clear that we still own part of that project over there the parking deck and stuff like that. I think that's clear it goes on as it has in the past. Also something that I'd like to clear up and this is something I just had in some conversation with some people and they didn't realize it and just a point I want to make a lot of people think that maybe they paid nothing back to the city on this. They've paid so far \$866,000.00 and this is another \$1.4 million that brings the total to \$2,266,000.00 that they will have repaid as part of this project. I know talking with Mr. Herncane we looked at this you know and what that amounts to is about what the principle on the loan was when it was originally done. So you're looking at something that maybe amounted to an interest free loan during that period of time. We used CDBG funds to supplement this thing. I still believe it's an asset to the city the parking deck's an asset to the city, the SARTA garage is an asset to the city. It may not have worked out perfectly but maybe that's why cities are not bankers; maybe we shouldn't be in the banking business. But at the time we did try to do something we were losing a hotel so we tried to do something that was good for the downtown Massillon area. None of us including me was here when this decision was made. The administration wasn't here I look at this as you know we're talking a lot about trying to get our house in order and this is just one thing that would go towards that. We would be removed from this the money would go into escrow so the city could not use it it will go in there. There will be another there will be \$85,000 a year approximately that will be come out of the escrow account to pay for the annual payment and at the end there's a \$980,000 balloon payment that's going to be there and that would take care of that. So in a sense we would be out of this. It would give us probably another \$40,000 to \$50,000 I believe in CDBG funds to spend annually that we would have and everybody can move on. I would like the administration if they're in support of this to give us some let the council know how they feel about this.

MAYOR CATAZARO-PERRY – Good evening, Mr. President, members of council. Tonight is a very special vote that you're going to make. Many residents have been waiting for this night they want to be out of the hotel business. I will reiterate what Mr. Manson said this company has will have paid \$2.2 million dollars by the time this is voted on tonight then we'll go back and get the \$1.4 million they have paid \$800,000 thus far, \$800,000 plus. So in essence they do get a interest free loan and they have received an interest free loan from the city. I did not like the contract when it was made and when I became a council person but I wasn't here when the contract was made. Neither were any of you. But I do think that the Hampton Inn and I've always said it it is an asset to the city it's a beautiful hotel. It gets used throughout the week above 79% I believe was stated Monday thru Friday. That is excellent. Those numbers are excellent. They've had record years when they had a the down turn of the economy they struggled as well. So I think that tonight is a very special vote you will be freeing up if you vote yes \$80,000 a year for the next all the years thru 2019. That balloon payment is \$900,000 and that was our largest concern is the \$900,000 balloon payment because if we don't do this tonight if you vote no we're still facing that in 2019. Which will take approximately 2 years of our CDBG funds which are allocated for our target streets as well as many of our non for profit organizations. So we believe that this is the right thing to do we've been working on this since 2012 when I became the mayor. And I think that it's a very important vote tonight. Yes, we're not getting everything we need back from what we gave. But sometimes you have to cut your business transaction and move forward and I think that's what you'll do tonight by voting yes. You'll be placing our residents out of the hotel business. Thank you.

COUNCIL PRESIDENT TOWNSEND – Okay, Councilman Manson.

COUNCILMAN MANSON moved to bring Ordinance No. 5 – 2014 forward for passage, seconded by Councilman Chovan.

ORDINANCE NO. 5 – 2014 WAS PASSED BY A ROLL CALL VOTE OF 6 YES, 3 NO. HALTER, SCASSA AND STARRETT VOTED NO.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madame Clerk, Ordinance No. 5 has passed.

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 – Yes, I believe all we're doing here is changing some dates from March 1st 2014 back to December 31st of 2014. This is the third ordinance in the last year that we've been dealing with so I am unless there's some questions I move that we bring this forward for passage.

COUNCIL PRESIDENT TOWNSEND – Are there any questions for Councilman Manson or Mr. Herncane?

COUNCILMAN MANSON moved to bring Ordinance No. 13 – 2014 forward for passage, seconded by Councilman Chovan.

ORDINANCE NO. 13 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madame Clerk, Ordinance No. 13 has passed.

ORDINANCE NO. 15 - 2014
REGULATIONS

BY: HEALTH, WELFARE & BUILDING

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 – Thank you, Mr. President, we’ve talked about this over the last several meetings. It’s been in the newspaper; it’s been talked about repeatedly in council and I don’t think there’s any questions. If there are...

COUNCILMAN STINSON moved to bring Ordinance No. 15 – 2014 forward for passage, seconded by Councilwoman Halter.

ORDINANCE NO. 15 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madame Clerk, Ordinance No. 15 has passed.

ORDINANCE NO. 16 - 2014
REGULATIONS

BY: HEALTH, WELFARE & BUILDING

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 – Thank you, Mr. President. This one ties in with the one we just passed somewhat with registering non-rental properties.

COUNCIL PRESIDENT TOWNSEND – Okay, are there any questions for Mr. Stinson or someone from the building code enforcement office?

COUNCILMAN LEWIS – I just want to make a point of clarification I suppose on this anyone that is already registered a property under the older ordinance will be grandfathered in. However if they change hands then obviously it would be under the new ordinance.

COUNCILMAN STINSON – Yes.

COUNCILMAN STINSON moved to bring Ordinance No. 16 – 2014 forward for passage, seconded by Councilwoman Halter.

ORDINANCE NO. 16 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madame Clerk, Ordinance No. 16 has passed.

ORDINANCE NO. 17 - 2014
REGULATIONS

BY: HEALTH, WELFARE & BUILDING

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 – Thank you, once again this is just a repeal of the old one adding some new language. We've talked about it it's been in paper. Any questions?

COUNCIL PRESIDENT TOWNSEND – Are there any questions for Councilman Stinson or Mr. Maley or Mr. Johnson? There are no questions, Councilman Stinson.

COUNCILMAN STINSON moved to bring Ordinance No. 17 – 2014 forward for passage, seconded by Councilwoman Halter.

ORDINANCE NO. 17 – 2013 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madame Clerk, Ordinance No. 17 has passed.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 21 - 2014 **COMMITTEE**

BY: COMMUNITY DEVELOPMENT

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a purchase agreement between the City of Massillon and the Community Improvement Corporation of Massillon, Inc., for the sale of real estate located on the south side of Lincoln Way West (SR 172) adjacent to Holy Trinity Church known as Outlot #967 containing 3 acres of land, upon approval of the Board of Control.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson.

COUNCILMAN MANSON – Second reading.

ORDINANCE NO. 21 – 2014 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madame Clerk, Ordinance No. 21 has received second reading.

ORDINANCE NO. 22 - 2014 **REGULATIONS**

BY: HEALTH, WELFARE & BLDG

Enacting a new CHAPTER 1351 “OUTDOOR FURNITURE RESTRICTION” of the Codified Ordinances of the City of Massillon.

COUNCIL PRESIDENT TOWNSEND – Councilman Stinson.

COUNCILMAN STINSON – This one is in regards to furniture being outside and the restriction of where it can you know the type of furniture that can be outside. Are there any questions? Yes, Mr. Manson.

COUNCILMAN MANSON – I would like another reading to just have a little more time to study this thing just a little bit. I don't disagree I don't want to see couches on front porches and stuff like that but I just want to get into a little bit deeper into this on the yard furniture.

COUNCIL PRESIDENT TOWNSEND – Are there anymore questions or comments from council members? So this mean I have to remove my refrigerator and couch off my porch?

Councilman Lewis?

COUNCILMAN LEWIS – I would just think that to me it makes no difference either way but out of respect for the request of the councilman maybe give it second reading.

COUNCILMAN STINSON – Second reading.

ORDINANCE NO. 22 – 2014 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT TOWNSEND – Second reading, thank you, Ordinance No. 22 has received second reading.

ORDINANCE NO. 23 - 2014 **BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY**

Accepting the vacation of Saint Luke Street NW, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Halter.

COUNCILWOMAN HALTER – Second reading, Mr. President.

ORDINANCE NO. 23 – 2014 WAS GIVEN SECOND READING.

COUNCIL PRESIDENT TOWNSEND – Thank you, Ordinance No. 23 has received second reading.

ORDINANCE NO. 25 – 2014 **BY: COMMITTEE OF THE WHOLE**

MASSILLON CITY COUNCIL FINANCIAL RECOVERY PLAN

COUNCIL PRESIDENT TOWNSEND – Councilman Manson.

COUNCILMAN MANSON – Thank you, Mr. President. We had a little discussion before we started tonight on this. I guess the what I heard was a consensus was that we remove the percentages that were in there and the law director indicated the easiest way to do that is just to put a period after the second one 181.03 and we just cut out “to be allocated and expended exclusively”. Having said that I make a motion to amend Ordinance No. 25 – 2014.

COUNCIL PRESIDENT TOWNSEND – Okay, we’ll get to that he did make a motion I think we have a question you fine?

COUNCILMAN LEWIS – I’m fine.

COUNCIL PRESIDENT TOWNSEND – Okay, make a motion.

COUNCILMAN MANSON moved to amend Ordinance No. 25 – 2014 to reflect the changed language, seconded by Councilman Chovan.

ORDINANCE NO. 25 – 2014 WAS AMENDED BY A ROLL CALL VOTE OF 9 YES.

COUNCIL PRESIDENT TOWNSEND – Okay, reverts back to first reading. Councilman Manson or do we have a question? Councilman Lewis?

COUNCILMAN LEWIS – I just wanted to verify that Council Clerk Bailey does have the amended ordinance that was presented by Mr. Perry Stergios earlier today and she followed what correction was made? (Yes) Thank you.

COUNCIL PRESIDENT TOWNSEND – I do believe it all went out in the email to each council member? Thank you. Okay, Councilman Manson?

COUNCILMAN MANSON – Alright, now I have a little bit of a question. I think the law director may have to answer this our normal council rules would be that we would have to have a motion to waive the rule requiring three separate readings and bring this ordinance forward for passage or can we just have an up or down vote on this because of the way the fiscal emergency legislation or the rules, the guidelines for the fiscal emergency?

LAW DIRECTOR STERGIOS – Mr. President, you should waive the rule requiring three separate readings just like normal.

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

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

ORDINANCE NO. 25 – 2014 WAS PASSED BY A ROLL CALL VOTE OF 8 YES, 1 NO. DEL RIO-KELLER VOTED NO.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madame Clerk, Ordinance No. 25 has passed.

16. NEW AND 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.

MICHAEL HENDERSON – I’ve said this before a while back but and I know...

COUNCIL PRESIDENT TOWNSEND – Excuse me sir your address.

MICHAEL HENDERSON – State Avenue 215 State Avenue. One of the most annoying things that I encounter in the city every single day and maybe everyone else doesn’t share that but I do. Is and I’ve brought this up before the idea of the traffic lights and I know when this budget stuff gets resolved and so forth but its an issue. I do not for the life of me understand why there’s a traffic light that I’m not intelligent enough to figure out a traffic light at State and 1st Street NE and yet there’s an intersection at Cherry and Amherst where that kind of turns that odd freaky intersection. There’s no traffic light there that is a confusing crazy intersection and yet we have traffic lights at places on intersections where it should be rudimentary to figure out either stop signs some other alternative. That is something that wastes so much time I see people significantly avoiding those traffic lights for stop signs. I spoke with Nancy Halter about this before and she raised an excellent point that these traffic lights encourage people to speed through the traffic lights and thus cause collisions that are more significant than if we had a stop sign in place on many of these things. Again, exhibit “a” is Amherst and Cherry its Cherry and Amherst where it kind of Cherry kind of veers to the north and heads up towards Marcs that way. That intersection is a freaky intersection and we don’t have a light there we have this yellow sequence that allows people turn left and then a stop sign this way. It’s just weird and I’ve seen people from out-of-town have issues with that intersection. It’s just a nonsensical mess and every single day that I have to go to work or travel through Massillon there are a lot of other lights in the area its just a disaster as far as time waste and so forth and plus I believe and I agree with the council lady that it adds an added danger because people want to speed up and go through there and I’ve seen it obviously I’ve been there for a while now a little bit of a while now over at State Avenue but that’s just that’s an issue. I want to kind of encourage you to kind of see if we can look and see if there’s a plan we can get that. I know there are other major

issues right now but that I'm not going to let that go because that's every single day that's an annoyance and a danger. I can't go through Amherst and State Avenue NE near the hospital I just can't go through that when it's green are you kidding me? I've had a least four, five times in the last six months where somebody sped through because they want to beat the light. And had I not just okay I'm not taking for granting that its green I would be in serious problems. So a lot of these lights and not to mention their antiquated I know the funding and money is kind of swarming around that's all wrapped up in there. But I don't want to lose sight of the importance of these lights a lot of these lights are ill advised, they're old and they're just problematic and they are a constant reoccurring nuisance for me for the time I've lived in this town. So I just want to make sure that I want to encourage you to kind of get that on the agenda somewhere somehow because I don't think it's just me saying I'm sure there's other folks who share this as well. So alright thank you for your time.

COUNCIL PRESIDENT TOWNSEND– Is there anyone else? Going once, going twice.
Councilman Manson?

18. ADJOURNMENT

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

MARY BETH BAILEY, CLERK,

TONY M. TOWNSEND, PRESIDENT

