

**CORRECTED
MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, JULY 7, 2014**

ACTING COUNCIL PRESIDENT MANSON I'd like to welcome all of you to Massillon City Council for Monday, July 7, 2014. The president is out of town at a seminar. We have in attendance with us the following city officials: Mayor Kathy Catazaro-Perry, Community Development Director Larry Marcus, Engineer Keith Dylewski, Treasurer Maude Slagle, former Councilman at Large Larry Slagle, Budget Director Ken Koher and Bob Zedell from the Prosecutor's Office. 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

COUNCILWOMAN NANCY HALTER Gave the invocation for tonight.

3. PLEDGE OF ALLEGIANCE

COUNCILWOMAN NANCY HALTER – Chairperson of the Streets, Highways, Traffic and Safety Committee led those in attendance in the Pledge of Allegiance.

4. READING OF THE JOURNAL

ACTING COUNCIL PRESIDENT MANSON - 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

ACTING COUNCIL PRESIDENT MANSON – We'll go to #5 remarks of delegations and citizens to matters on the agenda. This is the opportunity for anybody here attending the meeting tonight that wishes to come to the microphone and comment on anything that is on tonight's agenda. Seeing no one we will move onto #6 on the agenda introduction of ordinances and resolutions

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ACTING COUNCIL PRESIDENT MANSON – Yes, Mr. Chovan?

COUNCILMAN CHOVAN – I'm assuming this is the right point in the meeting to do this but I would like the council to reconsider I move that we reconsider Ordinance No. 84 – 2014 that we passed on June 16th.

ACTING COUNCIL PRESIDENT MANSON – Do we have a second for that motion?
Seconded by Councilwoman Cunningham-Hedderly. Clerk please take the roll call for reconsideration.

Roll call vote of 7 yes, 2 no to reconsider Ordinance No. 84 – 2014. Scassa and Stinson voted no.

ACTING COUNCIL PRESIDENT MANSON – Okay, now we will reconsider that Ordinance No. 84. That was to reconsider now I believe its just a simple majority now that it takes to for whatever action if it passes or if it goes down. Clerk please take the roll.

COUNCIL CLERK BAILEY – Do you want me to read what it is?

ACTING COUNCIL PRESIDENT MANSON – Yes, please.

COUNCIL CLERK BAILEY – Ordinance No. 84 would be section 2 and it is an ordinance making certain appropriations from the unappropriated balance of the Parking Enforcement Fund, for the year ending December 31, 2014, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – I ask that if you would please read the whole ordinance we are reconsidering the whole ordinance. Okay, we're not reconsidering one part of this we are reconsidering the whole ordinance right Mr. Chovan that's what your motion was?

COUNCILMAN CHOVAN – That's correct, that's what Mr. Zedell just informed me it was the procedure even though its section 2 that we're questioning we are actually going to vote whether we want to approve or disapprove the entire ordinance. If we vote no and we're not approving it at that point the finance committee comes up with a new ordinance that has sections 1 and 3 but does not have section 2 and that would be done at the next meeting.

ACTING COUNCIL PRESIDENT MANSON – Okay, Mr. Zedell, I see you back there shaking your head a little is there something that you disagree with there and is there something we should clear up before we move any further? Why don't you come up to the microphone please so you can be heard by everybody.

BOB ZEDELL – As you know I'm filling in rather last minute here and I've had a whole have not had a whole lot of opportunity to review this. I'm also not particularly familiar with the procedure that we're doing right at this point. Although I'm certain that we are permitted to do that.

ACTING COUNCIL PRESIDENT MANSON – Yes, the rule is that after you've taken action on an ordinance at the next meeting regular meeting that anybody that was on the prevailing side can move for reconsideration. And that's what we have just done here. I'll make it clear a little bit that there were some people talking primarily about section 2 but there are other parts to the ordinance so if its your recommendation we deal with the whole ordinance...

BOB ZEDELL – We may run into some problems after talking with Keith just briefly. I did note section 1 is a significant amount of money and he's informed that we're also under contract with that for that already.

ACTING COUNCIL PRESIDENT MANSON – Okay.

BOB ZEDELL – So I think may be running into problems if we take do take if we take that out.

ACTING COUNCIL PRESIDENT MANSON – Can we do what we what was talked about there as far as take section 2 of that ordinance they can be separated when they're passed. Could it be separated now on reconsideration? Or could we we voted to reconsider the whole ordinance can we reconsider could we separate that now? And pass sections 1, 3, 4 and 5?

BOB ZEDELL – I supposed it would help if we clarified just a little bit about what what it is about the ordinance in general that people are seeking to rescind. I mean are they actually seeking to rescind the entire thing or just section 2?

ACTING COUNCIL PRESIDENT MANSON – Mr. Chovan, would you...

COUNCILMAN CHOVAN – Just only section 2.

BOB ZEDELL – Well I think you did ask me that earlier at first I thought well yeah I mean it looks like you know you have an ordinance number although you have sections inside of it I think if you take an action that assuming that this is going to go through that section 2 is going to be not essentially repealed but in fact reconsidered at this point in time I can't see why not. I can't really point to anything that says yes or anything that says no. I would that's why after speaking with Keith I would kind of wish to err on the side of caution as far as that's a \$3,000,000.00 encumbrance there that has to be done its obvious and that's why I asked him about it.

ACTING COUNCIL PRESIDENT MANSON – Yes, Mr. Lewis?

COUNCILMAN LEWIS – If it is the desire of council to move forward on this I would think most reasonable exercise would be would be to make a motion to divide the question dividing out section 2 and then allowing us to vote on sections 1 and 3 and passing them to keep them intact and then we can have a discussion on section 2 and continue. But that preserves the sections that we're not wanting to be addressed.

BOB ZEDELL – That would probably work I wouldn't see why not.

ACTING COUNCIL PRESIDENT MANSON – Okay, what do we have to do to go back and amend the ordinance here? Or amend the motion?

COUNCILMAN LEWIS – I don't think you have to I think another motion being made say by Mr. Chovan simply stating lets divide the question. So then we would take the we're reconsidering or dividing voting on the first section first and third section and then we can vote on the second section however we decide.

COUNCILMAN STINSON – I have a question we are reconsidering the pay or the position?

ACTING COUNCIL PRESIDENT MANSON – We're reconsidering that part of the ordinance.

COUNCILMAN STINSON – Which is the pay?

ACTING COUNCIL PRESIDENT MANSON – The pay and benefits.

COUNCILMAN STINSON – Benefits. So if you remove the pay and benefits then there will be no position?

ACTING COUNCIL PRESIDENT MANSON – I would assume but I...

BOB ZEDELL – What you're removing your appropriating funds...

COUNCILMAN STINSON – For a position...

BOB ZEDELL – Well for right for the pay in a position. Was the position ever eliminated?

ACTING COUNCIL PRESIDENT MANSON – No.

COUNCILMAN STINSON – See that's the question.

BOB ZEDELL – I believe it's always been there. It's there now despite the fact that no one's filling it. I believe it was a resignation I'm going strictly on memory. So if it was a resignation the position remains there unfilled. That I can tell you.

COUNCILMAN LEWIS – It's now filled you're absolutely correct it was resigned and this all is coming about because an appropriation was made for a hire and it's now been filled.

BOB ZEDELL – Okay, that was after this was enacted.

COUNCILMAN LEWIS – Correct.

COUNCILMAN STINSON – So, am I correct that by reconsidering section 2 we're taking the pay and benefits away from this person that's in this position?

ACTING COUNCIL PRESIDENT MANSON – Right.

BOB ZEDELL – That's what it says yes.

ACTING COUNCIL PRESIDENT MANSON – Okay...

COUNCILMAN STINSON – Okay, so we've got somebody volunteering to do the parking thing?

COUNCILWOMAN CUNNINGHAM-HEDDERLY – No, Shaddrick.

COUNCILMAN STINSON – So, then somebody needs to clear...

ACTING COUNCIL PRESIDENT MANSON – Okay, let's if you wish to speak please raise your hand. Go ahead Cunningham-Hedderly.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – It went from a part time position and then they added the working in the tax department to a full time position with full benefits.

COUNCILMAN STINSON – But section 2 only affects the parking part. Correct?

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Not in my understanding its working with the tax department is a full time position.

COUNCILMAN STINSON – That's what we have the ordinance tonight for is for the tax part of it. Correct? I'm trying to figure out why did we take away the benefits and the pay will that still be a position?

ACTING COUNCIL PRESIDENT MANSON – Okay, Mr. Lewis?

COUNCILMAN LEWIS – My understanding on this issue is regardless of your personal opinion of the hire that is made. All this reconsidering would do would be to defund the position. It would not eliminate the position; the person would not necessarily have to be removed from that position. They could remain in that position but then we would they would get paid because we're obligated to pay them because they're employed. So we find ourselves in quite the in my opinion quite the sticky situation of having a defunded position while still having an employee. Same thing we could do to any position within the city simply take away the funding it doesn't eliminate that line. If the goal was to get rid of the position then I would assume the appropriate route would be to go into the classification list and make an amendment to the classification list and remove the position all together. Then that position would not exist and then that person could not fill that position because the position is not there. That's just my preliminary opinion on the subject.

ACTING COUNCIL PRESIDENT MANSON – Mr. Chovan?

COUNCILMAN CHOVAN – Thank you. The question that came up at our last committee meeting if you remember was not that we don't want the parking enforcement position but when this ordinance was put before us, the assumption was made by me and many of the rest of you that I've spoken to that we were just doing filling the position as it had been before which was a part time position. There was a never a mention of making this a full time position giving somebody benefits and splitting their time 16 hours out of the work week from parking enforcement and the rest from the income tax department and paying part of the salary and benefits from the income tax department. That's the issue right here as we when we talked about this ordinance this ordinance the question was asked and was you know is this a direct replacement for the person that we had before? "Yes". You know maybe we should have gone further and said is this all this person is going to do? We didn't do that. So, basically we were not given the whole story when we voted on this. That's the reason that I want to vote to reconsider not that we won't come back in and still have this position some time later that's I mean that's not my intent to do away with the position; Lord knows we need it downtown. But I have a real problem with the way it was put in and made a full time position with benefits. You know like I don't even know the person that was in the income tax department that we lost. Were they full time or were they part time? Do we know that? If they were part time and we never paid benefits before now we're creating a position that is going to have benefits. And if they were full time before with benefits in the income tax department then what makes us think we can cover that position with half the person's time. So, my whole thought was that this position was created to be able to create a job for somebody and give them full time and give them benefits and it was done that by taking two different positions and creating one out of it. That's what I object to and that's why I wanted to reconsider section 2 so that we can clean this whole thing up.

ACTING COUNCIL PRESIDENT MANSON – Okay, Bob would this work; we voted to reconsider Ordinance No. 84 okay and it passed to reconsider it. Okay, now can Mr. Chovan make a motion to separate the ordinance and make one part of this sections 1, 3, 4 and 5 and the other part section 2 and then we reconsider both parts and vote on it?

BOB ZEDELL – Well, the last time it was there were no three readings right it was declared an emergency measure?

ACTING COUNCIL PRESIDENT MANSON – What reading was it?

COUNCIL CLERK BAILEY – Correct it was passed on first reading.

BOB ZEDELL – Passed on first reading. Alright, I wouldn't see a problem with doing that no.

ACTING COUNCIL PRESIDENT MANSON – Mr. Stinson?

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COUNCILMAN STINSON – Can we bring the administration up?

ACTING COUNCIL PRESIDENT MANSON – Sure.

COUNCILMAN STINSON – Thank you.

ACTING COUNCIL PRESIDENT MANSON – Somebody from the administration who are you asking for?

COUNCILMAN STINSON – The mayor.

MAYOR CATAZARO-PERRY – Good evening, Council, Mr. President. You know Mr. Chovan we have given you all the information that you requested and I'm offended and I am put out that you would not call my office and ask any question about this position. And we thought it was the right thing to do we had someone that retired and resigned in the income tax department to put this together so that we'd have one person in there that could serve in the

position for both jobs. Now you didn't make a big deal when I hired Mr. Marcus who's a male, white male but you're going to make a big deal because this is a black female...

ACTING COUNCIL PRESIDENT MANSON – Tone it down.

MAYOR CATAZARO-PERRY – No, I'm...

ACTING COUNCIL PRESIDENT MANSON – Tone it down, tone it down.

MAYOR CATAZARO-PERRY – I'm going to finish I'm tired of that.

ACTING COUNCIL PRESIDENT MANSON – You're out of order, you're out of order.

MAYOR CATAZARO-PERRY – I'm not out of order.

ACTING COUNCIL PRESIDENT MANSON – Yes you are out of order.

MAYOR CATAZARO-PERRY – It's a black female and that's your problem with it.

ACTING COUNCIL PRESIDENT MANSON – You're out of order.

MAYOR CATAZARO-PERRY – Shame on you.

ACTING COUNCIL PRESIDENT MANSON – You are out of order.

MAYOR CATAZARO-PERRY – This is a free world.

ACTING COUNCIL PRESIDENT MANSON – You're finished. Is there any questions that you'd like to ask of the mayor? Let's keep it on track. Yes, Mr. Chovan?

COUNCILMAN CHOVAN – Was the income tax position a full time or part time position?

MAYOR CATAZARO-PERRY – Part time position; 16 hours we said that last week when you asked the question.

COUNCILMAN CHOVAN – It was previously correct? I mean the person that left was part time.

MAYOR CATAZARO-PERRY – The person that left before that was full time with benefits. She was ill.

COUNCILMAN CHOVAN – Right but then how so but do you understand my question why if it was full time position before why do we think we can cover it with a part time position now?

MAYOR CATAZARO-PERRY – It was a part time position. The full time position that left before that we filled that with a part time person that had the full time had the benefits. We have enough money to cover that.

COUNCILMAN CHOVAN – In the income tax department?

MAYOR CATAZARO-PERRY – Absolutely. We thought it was prudent on the administration's part.

COUNCILMAN CHOVAN – My point being though, if it was full time before somebody resigned and you refilled it or you filled it with a part time person (correct) why and the parking enforcement was a part time thing before (correct) why do we want to create a full time position with the benefits if two part time positions handled the job before?

MAYOR CATAZARO-PERRY – Because there's a law that if you have over 30 hours you must give benefits. New law.

COUNCILMAN CHOVAN – Well, where would 30 hours come in, I mean the parking enforcement was 16 hours is what we were told.

MAYOR CATAZARO-PERRY – Parking enforcement is not 16 hours.

COUNCILMAN CHOVAN – That's what we were told in the last meeting...

MAYOR CATAZARO-PERRY – No you were not. Income tax was 16 that's what you were told.

COUNCILMAN CHOVAN – Well how much is parking enforcement?

MAYOR CATAZARO-PERRY – 24 to 30 hours is the part time is the part time parking enforcement. That's what you were told.

COUNCILMAN CHOVAN – How many how many hours...

MAYOR CATAZARO-PERRY – Once you hit 30 hours you must give benefits.

COUNCILMAN CHOVAN – So, if somebody so parking enforcement officer plus that's working in the income tax department also what do you imagine their full hours to be?

MAYOR CATAZARO-PERRY – Well we're hoping to rotate them so when we have the problems in the downtown area that they're going to be able to cover those problem times. Which we have significant problem times at this time because there are employees and business owners that park in front of their businesses all day long.

COUNCILMAN STINSON – My original question for the mayor was if this...

ACTING COUNCIL PRESIDENT MANSON – Go ahead Shaddrick we want to keep this under control it already got out of control once. So go right ahead.

COUNCILMAN STINSON – My original question for you when I brought you up was to ask you if the income tax position was full time can it go back to being a full time position?

MAYOR CATAZARO-PERRY – Right now, Ken needs a 16 hour person.

COUNCILMAN STINSON – That's all he needs?

MAYOR CATAZARO-PERRY – Right now.

COUNCILMAN STINSON – But it was originally was a full time position?

MAYOR CATAZARO-PERRY – The last lady the, most recent lady that rescind was 16 hours prior to that it was a full time position and she left on a medical leave.

COUNCILMAN STINSON – This is but with this new income tax coming up wouldn't it be prudent to have a full time person back in there?

MAYOR CATAZARO-PERRY – It may work into a full time again. But we didn't want to go right out we're still in fiscal emergency we're trying to watch our money and we felt it was prudent to leave it at 16 hours. So if you add 16 for income tax and 16 for parking just 16 you're still at 32. And so we need the parking more than 16 hours.

ACTING COUNCIL PRESIDENT MANSON – Ms. Starrett?

COUNCILWOMAN STARRETT – So, would it not be a cost saving measure if we hire a part time 16 hour person in income tax and then another part time person in parking enforcement that works 20 to 29 hours a week and then we do not pay either of them benefits and we save money by not having to pay benefits at that point? And we would both have part time people.

MAYOR CATAZARO-PERRY – You're not getting great people. And the point was if I'll go back into last week...

COUNCILWOMAN STARRETT – But won't both of the other both of those positions were already part time and we could probably fill them with no problem because plenty of people need jobs and the city is trying to make cost saving measures at this point.

MAYOR CATAZARO-PERRY – People need benefits and I want to bring up the point that the conversation last Monday was not about the part time the issue was that because the police department we did not offer that to the young girls in the police department. We did not do that because they make much more than \$11.00 an hour. This position is \$11.00 an hour and \$9.00 hour. The ladies in the police department make about \$18.00 or \$19.00 an hour. That's why we did not offer to them.

ACTING COUNCIL PRESIDENT MANSON – Megan you're up yet.

COUNCILWOMAN STARRETT – You did not answer my question I was asking is it going would it be cost saving to the city to not pay benefits to two separate part time employees? That is the question.

MAYOR CATAZARO-PERRY – This person could take on both jobs with a master's degree and she's also going to be able to handle the clientele that get angry when they get a ticket. So she's educated and she is the person that we chose for the position.

COUNCILWOMAN STARRETT – I'm not asking about the person...

MAYOR CATAZARO-PERRY – I answered your question Mrs. Starrett.

COUNCILWOMAN STARRETT – I was asking if it was a cost saving measure...

MAYOR CATAZARO-PERRY – I answered your question.

COUNCILWOMAN STARRETT – No you did not. Thank you.

COUNCILWOMAN HALTER – Mayor, I'm just curious to know have these jobs ever been posted or advertised?

MAYOR CATAZARO-PERRY – No, we do not post them?

COUNCILWOMAN HALTER – So they're not offered to people that live in Massillon then. You just chose...

MAYOR CATAZARO-PERRY – You can not discriminate Mrs. Halter. You can't just hire people that live in Massillon.

COUNCILWOMAN HALTER – Well, I know but why don't you advertise there's so many people that live here that don't have jobs that need jobs...

MAYOR CATAZARO-PERRY – We have jobs all over our city. Shearer's is hiring, Fresh Mark is hiring...

COUNCILWOMAN HALTER – I'm not talking about that I'm talking about the jobs in the city by the city...

MAYOR CATAZARO-PERRY – Did you have someone in mind?

ACTING COUNCIL PRESIDENT MANSON – Okay, stop the arguing please.

MAYOR CATAZARO-PERRY – If you have someone in mind then you should give me their name. I'm speaking you're not going to interrupt me...

ACTING COUNCIL PRESIDENT MANSON – You're out of line...

MAYOR CATAZARO-PERRY – No, you're out of line, Mr. President. I'm tired of you interrupting me...

ACTING COUNCIL PRESIDENT MANSON – She had the floor.

MAYOR CATAZARO-PERRY – I'm answering the answer.

ACTING COUNCIL PRESIDENT MANSON – You're out of line.

MAYOR CATAZARO-PERRY – You're out of line.

ACTING COUNCIL PRESIDENT MANSON – Mr. Zedell...

MAYOR CATAZARO-PERRY – No, I'm answering the question...

ACTING COUNCIL PRESIDENT MANSON – You would please step into this...

MAYOR CATAZARO-PERRY – Mrs. Halter if you have someone... you broke it...

ACTING COUNCIL PRESIDENT MANSON – Yes.

MAYOR CATAZARO-PERRY – If you have someone in mind please let me know.

COUNCILWOMAN HALTER – I do not I'm talking about the citizens of Massillon that's who I have in mind. Thank you.

MAYOR CATAZARO-PERRY – Well, you did ask me if there was a job for your son.

COUNCILWOMAN HALTER – Oh! I don't want my son working for you.

MAYOR CATAZARO-PERRY – I mean is that what its about?

ACTING COUNCIL PRESIDENT MANSON – This personal stuff get back on the issue.

MAYOR CATAZARO-PERRY – I'll be happy to entertain a prudent...

ACTING COUNCIL PRESIDENT MANSON – Mr. Chovan...

MAYOR CATAZARO-PERRY – employee...

ACTING COUNCIL PRESIDENT MANSON – Make your decision on what...

MAYOR CATAZARO-PERRY – You need to let me know who they are...

ACTING COUNCIL PRESIDENT MANSON – Mayor you're finished.

COUNCILMAN CHOVAN – Thank you in light of Mr. Zedell's comments then I propose to divide the question and reconsider section 2 separately from the rest of the ordinance.

ACTING COUNCIL PRESIDENT MANSON – And you would reconsider sections 1, 3, 4 and 5 together because we already moved...

COUNCILMAN CHOVAN – That is correct.

ACTING COUNCIL PRESIDENT MANSON – Okay, is there a second for that motion? Seconded by Councilwoman Cunningham-Hedderly. We will vote on sections 1, 3, 4 and 5 the question is you know to reconsider them to pass or to turn them down.

COUNCILMAN LEWIS – Point of order Mr. President. We have to vote on the motion to divide first.

ACTING COUNCIL PRESIDENT MANSON – Okay, I’m sorry. Alright, roll call on the question of dividing as I stated it.

Roll call vote of 9 yes to divide the ordinance.

ACTING COUNCIL PRESIDENT MANSON – Okay, the first part we will consider then is section 1, 3, 4 and 5 we will vote to reconsider those. Roll call on those.

COUNCILMAN LEWIS – Point of order we are voting essentially to re-pass...

ACTING COUNCIL PRESIDENT MANSON – We are voting to pass or turn down, yes, we have reconsidered already so if you’re voting if you want this part of the section to pass its yes if you want it to go down it would be no. Correct Mr. Zedell?

COUNCILMAN LEWIS – And its sections 1, 3, 4 and 5.

Roll call vote of 9 yes for passage of sections 1, 3, 4 and 5.

ACTING COUNCIL PRESIDENT MANSON – We voted to pass, approve Ordinance No. 84 – 2014 sections 1, 3, 4 and 5. Now we will vote on passage of the question that of Ordinance No. 84 – 2014 section 2. Yes, Mr. Lewis.

COUNCILMAN LEWIS – Can we confer with the representative from the law department once again before we move forward.

ACTING COUNCIL PRESIDENT MANSON – Sure, come up for a minute Mr. Zedell please.

COUNCILMAN LEWIS – I guess my first question we’re dividing the question. We’ve already passed sections 1, 3, 4 and 5 and now we’re at section 2. Since we’ve already voted to reconsider and there’s seems to still be possibly some answers to questions out there are we allowed or able to allow that to go back to committee because we’ve already yanked it and essentially suspend it until the next meeting giving us one committee meeting to get more information to discuss. My concern is especially with the elevated emotions of this evening that we may make a decision without all the information that we need to make the proper decision. I want to make sure that we handle this carefully...

ACTING COUNCIL PRESIDENT MANSON – I guess maybe what you’re saying is if we would vote to table it for two weeks.

COUNCILMAN LEWIS – Yes, I want to make sure we can do that considering it is a motion to reconsider is where this all started.

ACTING COUNCIL PRESIDENT MANSON – I would think I think we can table it for two weeks but we’ll have to ask Mr. Zedell to comment on that.

BOB ZEDELL – It’s really kind of difficult, you know, being called out to do this on the spur of the moment. It really is. Alright, essentially what you’ve done so far is decided that we’re going to divide this into two sections. We’ve voted to reconsider those sections and pass them so, now we have an ordinance without a section 2. It would seem well I mean it is now before us this section 2 correct?

ACTING COUNCIL PRESIDENT MANSON – I would believe we could take any action right? Pass it, turn it down or table it and reconsider it in two weeks.

BOB ZEDELL – Right, because I was thinking that.

COUNCILWOMAN STARRETT – We’ve already brought to reconsideration now we’ve got to determine what we’re doing.

ACTING COUNCIL PRESIDENT MANSON – Mr. Chovan.

COUNCILMAN CHOVAN – Yeah, I think the proper procedure here is we did bring it up for reconsideration and the mayor is correct according to the rules you have to bring it up at the next meeting for reconsideration. So, if we reconsider it and we vote it down doesn't mean it can't come back again later as another issue. But, I mean you can't I don't think you can table it now. I mean you have to reconsider within the next regularly scheduled meeting after an ordinance has passed and that is tonight. The mayor is correct.

BOB ZEDELL – Right we'd have it would be inconsistent I agree.

ACTING COUNCIL PRESIDENT MANSON – Okay.

BOB ZEDELL – That does make more sense.

ACTING COUNCIL PRESIDENT MANSON – Any other discussion on that? Okay, that's the way we'll do it. We will take section 2 of Ordinance No. 84 now for a vote for passage. Any more questions before we vote?

COUNCILMAN STINSON – I do have a question. So, if we vote to pass it tonight or decline it tonight then does someone have to motion to reconsider that next week? Or in the next official meeting?

ACTING COUNCIL PRESIDENT MANSON – Boy, we're really getting deep now, Bob.

COUNCILMAN STINSON – I'm just asking because that's what we're saying here.

BOB ZEDELL – You would have any power next week that you have right now. You've got to figure out whether you're going to keep this part of the statute tonight or you're not. That does make sense? If you turn it down you can re-propose the same thing next week or something different.

ACTING COUNCIL PRESIDENT MANSON – Megan?

COUNCILWOMAN STARRETT – I have the rules in front of me and the rules state that no motion to reconsider shall be made more than once on any subject matter. So therefore, if we reconsider tonight nobody can make a motion to reconsider at the next meeting it would have to become a whole new ordinance if somebody wanted to bring it in front of council again. You can not continue to make motions to reconsider.

COUNCILMAN STINSON – You could table it.

ACTING COUNCIL PRESIDENT MANSON – So, it won't be up for reconsideration he thinks we have to operate on it, work on it tonight that we can't table it. Right? That was his opinion that we can't table it. Any other conversation? Could you...is there anything here that you want to add to this or...Andrea?

COUNCILWOMAN SCASSA – I just want to be clear I guess when the next vote is taken what a yes vote is and what a no vote is.

ACTING COUNCIL PRESIDENT MANSON – Okay, a yes is to pass it just we did before, a no would be turning it down.

COUNCILWOMAN SCASSA – Okay, that's in light of all these votes.

COUNCILMAN STINSON – I have a question also. So are we turning down the position or we're just turning down paying benefits to this position.

ACTING COUNCIL PRESIDENT MANSON – We're turning down the funding is the way I

understand it.

COUNCILMAN STINSON – So, without funding this position does not exist?

ACTING COUNCIL PRESIDENT MANSON – The position still exists as far as it is in our you know we have a job classification for it. It still does exist.

COUNCILMAN STINSON – Now the fact that there's a person already hired in this position and they've been working for several weeks now, will they lose their job after we vote tonight?

ACTING COUNCIL PRESIDENT MANSON – I can't answer that.

COUNCILMAN STINSON – Can anybody?

ACTING COUNCIL PRESIDENT MANSON – I don't see anybody.

COUNCILMAN STINSON – Does anybody have an answer? Madam Mayor?

MAYOR CATAZARO-PERRY – If you don't have funding, Mr. Shaddrick, you can't pay the person in the position. And she's already been here for a few weeks. So I'm not sure what you're going to do to pay her.

COUNCILMAN STINSON – Is there legal ramifications for pulling this position from her?

MAYOR CATAZARO-PERRY – It would be up to her.

COUNCILMAN STINSON – Okay, thank you.

ACTING COUNCIL PRESIDENT MANSON – Mr. Chovan?

COUNCILMAN CHOVAN – Thank you. I would think since the person was hired with both income tax department and parking enforcement as part of their responsibility, this does not affect at all their ability to work at the income tax department and get a portion of the pay that was coming from them. The question is whether one person should be hired to do both of these jobs and given benefits as Councilwoman Starrett brought up. Or if we should have two separate part time positions. That was my question from day one.

COUNCILMAN STINSON – So, then we would keep this person in the income tax position?

COUNCILMAN CHOVAN – Yep, that's not up to us but it could.

COUNCILMAN STINSON – Or we could keep them in this parking position and not the income tax position.

COUNCILMAN LEWIS – No.

COUNCILMAN STINSON – It could go either way? No, its not a choice.

COUNCILMAN CHOVAN – It's not our choice. Our choice is what to fund.

COUNCILMAN STINSON – Where the funding is coming from.

COUNCILMAN CHOVAN – Right, so if we don't fund the parking enforcement now, the person could still stay on and be paid for and be working for the income tax department until we sort through all this.

COUNCILMAN STINSON – And the income tax part is coming tonight also if I am correct?

COUNCILMAN CHOVAN – I don't think so.

COUNCILMAN STINSON – We've already approved that part too.

COUNCILMAN LEWIS – That’s wasn’t something that needed…

COUNCILMAN CHOYAN – That never came in front of us and won’t.

ACTING COUNCIL PRESIDENT MANSON – Okay, does anybody have anything new to add? Yes, Mr. Lewis?

COUNCILMAN LEWIS – Just to further belabor this point according to Robert’s Rules of Order the effect of the adoption of this motion is to place before the assembly the original question in the exact position it was occupied before it was voted upon. I would interpret that to mean that if it was in the exact position then it could its open to all motions and things that can be done to any other ordinance as such. So if before it was passed we were able to table it, then after you reconsider it you should be able to table it. You just have to make the motion to reconsider it at the next meeting. Which we’ve done. That would be my interpretation.

ACTING COUNCIL PRESIDENT MANSON – I don’t think that had anything for me.

COUNCILMAN LEWIS – I’m just putting it out there.

ACTING COUNCIL PRESIDENT MANSON – Alright, does anybody else? Mr. Zedell, do you want to comment anymore?

(Mr. Zedell was not at a microphone to pick up all of his statement)

BOB ZEDELL – I don’t have that wealth of knowledge I really don’t. Normally when somebody asks me for a legal opinion I at least get an opportunity to check on it.

ACTING COUNCIL PRESIDENT MANSON – Okay, we will now have roll call on the second part of the Ordinance No. 84 section 2 for passage, yes is for passage, no is for defeat.

SECTION 2 OF ORDINANCE NO. 84 – 2014 WAS DEFEATED BY A ROLL CALL VOTE OF 6 NO, 3 YES. LEWIS, SCASSA AND STINSON VOTED YES.

ACTING COUNCIL PRESIDENT MANSON – The section 2 of Ordinance No. 84 has been turned down. Okay, I’m glad that’s passed right or wrong. Move on.

ORDINANCE NO. 89 - 2014 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

Authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Han Rye to provide an economic development “inducement grant” to assist the business in renovations expenses at 24 Lincoln Way West, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Yes, this is my ordinance community development Mr. Rye is here I explained to him that we’d like to have him come to next week’s committee meeting and explain a little bit about the project and what he’s doing down there. And also give us some highlights of what he does for the City of Massillon. He’s a solid businessman here in Massillon; a solid property owner and I don’t think there should be any problem, but I would like to have him come to the committee meeting and explain the project to us. So, having said that I will give this first reading.

ORDINANCE NO. 89 – 2014 WAS GIVEN FIRST READING.

ACTING COUNCIL PRESIDENT MANSON – Okay, move onto Ordinance No. 90 – 2014.

ORDINANCE NO. 90 - 2014 **BY: ENVIRONMENTAL COMMITTEE**

Authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for

and receive sealed bids and enter into contract, upon award and approval of the Board of Control, with the lowest and best bidder for the pre-purchase of Integrated Fixed Film Activated Sludge (IFAS) System equipment along with the pre-purchase of vertical turbine solids handling (VTSH) pumps, motors and associated valves at the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Mr. President. This is kind of just getting the ball rolling on the 2013 Wastewater Treatment Plant improvement project. This is so they can actually get out there and get some bids to buy the equipment which then they will find a company to install the equipment they apparently have to buy the equipment first and then have a specific company install the equipment based on what equipment they buy. Are there any questions about this tonight or any issues? Does anybody have any concerns? Because if nobody has any concerns at this point I would ask that we could suspend the rules requiring three readings and go for a vote tonight. As I said, this has already been approved as part of the 2013 Wastewater Treatment Plant improvement project.

COUNCILWOMAN STARRETT moved for suspension of the rules and passage, seconded by Councilwoman Cunningham-Hedderly

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

ORDINANCE NO. 90 – 2014 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ACTING COUNCIL PRESIDENT MANSON – Ordinance No. 90 has passed.

ORDINANCE NO. 91 - 2014

BY: STREETS, HIGHWAYS, TRAFFIC AND 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 construction of a salt storage structure to be located at the Department of Public Works on Walnut Road SW, in the City of Massillon, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Councilwoman Halter.

COUNCILWOMAN HALTER – Thank you, Mr. President, this ordinance is mainly just to put this out for bids. We'd like to get these bids in and get this process started. This would be for the construction of the salt storage structure that we talked about last year. I would like to bring this forward tonight so that we can get this process started. Are there any questions or concerns from anyone? Okay, then I move to suspend the rules requiring three separate readings and bring Ordinance No. 91 – 2014 forward for a vote.

COUNCILWOMAN HALTER moved for suspension of the rules and passage, seconded by Councilwoman Starrett.

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

ORDINANCE NO. 91 – 2014 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ACTING COUNCIL PRESIDENT MANSON – Ordinance No. 91 has passed.

ORDINANCE NO. 92 - 2014

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY

Accepting the dedication of road right of way areas for the property of Campbell Oil Co., and Key Bank, located at 7377 Hills and Dales Rd NE. The request includes the dedication of

approximately 0.271 acres of the existing roadway area and replat of the adjoining property, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Councilwoman Halter.

COUNCILWOMAN HALTER – Thank you, Mr. President, this again we talked about Monday night. This is the construction going on out on Hills and Dales Rd. This was approved by the Planning Commission at their meeting in May. This is another that I would like to bring forth tonight for a vote. Are there any questions or concerns? If not I move to suspend the rules requiring three separate readings and bring Ordinance No. 92 – 2014 forward for a vote.

COUNCILWOMAN HALTER moved for suspension of the rules and passage, seconded by Councilwoman Starrett.

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

ORDINANCE NO. 92 – 2014 WAS PASSED BY A ROLL CALL VOTE OF 9 YES.

ACTING COUNCIL PRESIDENT MANSON – Ordinance No. 92 has passed.

ORDINANCE NO. 93 - 2014

BY: FINANCE COMMITTEE

Making certain appropriations from the unappropriated balance of the Street Construction Fund, 1414 Collection System Improvement Fund, 2105 Stormwater Utility Fund and the 1401 Income Tax Capital Improvement Fund, for the year ending December 31, 2014, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Councilman Lewis.

COUNCILMAN LEWIS – Yes, I'll briefly go through these sections. The first section for \$75,000 is part of the expenses due to the retirement I believe of two individuals. This is money that is owed to them. The second section of \$30,000 is part of the sanitary sewer improvements. This is all part of making sure our catch basins or other aspects of our sewer lines are being properly replaced and brought up to current standards. The \$25,000 is similar aspect its going to be storm sewer repairs as well. Then in the section 3 the \$15,000 is setting up money to put aside for the disposal of street sweeping, clippings. Obviously we don't have \$15,000 worth of clippings at this moment but this should be able to take care of this summer's clean up. Then the last section here is for the purchase of software and hardware of five desk top computers. These computers need to be used in the civil service commission for one computer, one computer for the council clerk office and three computers for the building department. We did a similar measure with the auditor's office and I believe someone else earlier in this year. This is just our continued opportunity to use capital improvement dollars to try to upgrade computer systems in the city. Unless there's any questions any of these sections.

COUNCILWOMAN HALTER – I have a question Mr. Lewis; I'm sorry. I have a question Mr. Lewis on the section 2 that they're taking money from this collection system and putting it in sanitary sewer?

COUNCILMAN LEWIS – Mr. Dylewski would you like to come forward to speak to this?

ENGINEER DYLEWSKI – Mr. President, members of council, Ms. Halter?

COUNCILWOMAN HALTER – I just was curious as to why they're taking the money out of the collection system and putting it in the it says the account entitled sanitary sewer improvements which is not catch basins correct?

ENGINEER DYLEWSKI – No, the catch basins is the \$25,000 that's the storm sewer that's the next section. This is for sanitary sewer repairs; manholes...

ACTING COUNCIL PRESIDENT MANSON – Councilman Lewis.

COUNCILMAN LEWIS – Yes, Ill briefly go through these sections. The first section for \$75,000 is part of the expenses due to the retirement I believe of two individuals. This is money that is owed to them. The second section of \$30,000 is part of the sanitary sewer improvements. This is all part of making sure our catch basins or other aspects of our sewer lines are being properly replaced and brought up to current standards. The \$25,000 is similar aspect its going to be storm sewer repairs as well. Then in section 3, the \$15,000 is setting up money to put aside for the disposal of street sweeping, clippings. Obviously we don't have \$15,000 worth of clippings at this moment but this should be able to take care of this summer's clean up. Then the last section here is for the purchase of software and hardware of five desk top computers. These computers need to be used in the civil service commission for one computer, one computer for the council clerk office and three computers for the building department. We did a similar measure with the auditor's office and I believe someone else earlier this year. This is just our continued opportunity to use capital improvement dollars to try to upgrade computer systems in the City. Unless there's any questions on any of these sections.

COUNCILWOMAN HALTER – I have a question Mr. Lewis, I'm sorry. I have a question Mr. Lewis on the Section 2, they're taking money from this collection system and putting it in sanitary sewer?

COUNCILMAN LEWIS – Mr. Dylewski would you like to come forward to speak to this?

ENGINEER DYLEWSKI – Mr. President, members of council, Ms. Halter?

COUNCILWOMAN HALTER – I was just curious as to why you're taking the money out of the collection system and putting it in the it says the account entitled sanitary sewer improvements which is not catch basins correct?

ENGINEER DYLEWSKI – No, the catch basins is the \$25,000 that's the storm sewer that's the next section. This is for sanitary sewer repairs; manholes...

COUNCILWOMAN HALTER – That's included in the collection system then, and that 1414 account is specifically for sanitary purposes included.

ENGINEER DYLEWSKI – Right.

COUNCILWOMAN HALTER – Okay, thank you. I thought that was just for catch basins.

ENGINEER DYLEWSKI – No, the next section, the 25 is from the storm water utility fund, that's for storm sewers.

COUNCILWOMAN HALTER – Thank you very much.

ACTING COUNCIL PRESIDENT MANSON – Any other questions while we have Mr. Dylewski?

COUNCILMAN ED LEWIS – While we have you up here, just for the clarification, as Ms. Halter was leading to 1414 would be the collection system for when we see 2105 that is that storm water utility fund that is funded by that fee that we see on our sewer bills. Is that accurate?

ENGINEER DYLEWSKI – Correct. 2105 is yes.

COUNCILMAN LEWIS – Thank you.

ACTING COUNCIL PRESIDENT MANSON – Okay, Mr. Lewis.

COUNCILMAN LEWIS – With that, I make a motion that we suspend the rules requiring three readings and bring Ordinance No. 93-2014 forward for a vote.

ACTING COUNCIL PRESIDENT MANSON – Second. Del Rio-Keller.

Vote on Suspension. – 9 yes

ACTING COUNCIL PRESIDENT MANSON – We will now vote on passage of Ordinance 93-2014.

Vote – 9 yes.

ACTING COUNCIL PRESIDENT MANSON – Ordinance 93-2014 is passed. Ordinance 94.

ORDINANCE NO. 94 – 2014 **BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a grant from Target Corporation for the Massillon Police Department, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Mr. Lewis.

COUNCILMAN LEWIS – This Ordinance is pretty simple. It's simply us accepting a grant from the Target Organization in the amount of \$1,000 so that the Police Department can buy some new equipment. Are there any questions? Seeing none, I make a motion that we suspend the rules requiring three readings and bring Ordinance No. 94 – 2014 forward for a vote.

Roll Call for Suspension – 9 yes

ACTING COUNCIL PRESIDENT MANSON – Now we're passing Ordinance 94.

Roll Call for Passage – 9 yes.

ACTING COUNCIL PRESIDENT MANSON – Ordinance 94 is passed. Ordinance 95.

ORDINANCE NO. 95 – 2014 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the Law Enforcement Fund, for the year ending December 31, 2014, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Mr. Lewis.

COUNCILMAN LEWIS – Yes, this is a mirror Ordinance from 94. This is us appropriating, in other words, accepting the \$1,000 from the Target Corporation, we have to appropriate the funds in order for them to be spent on the items that they had requested. Now are there any questions?

ACTING COUNCIL PRESIDENT MANSON – Does anyone have any questions?

COUNCILMAN LEWIS - Seeing none, I make a motion that we suspend the rules requiring three readings and bring Ordinance No. 95-2014 forward for a vote.

ACTING COUNCIL PRESIDENT MANSON – Roll Call for suspension.

Roll Call for suspension – 9 yes

ACTING COUNCIL PRESIDENT MANSON – Roll Call for passage.

Roll Call for passage – 9 yes

ACTING COUNCIL PRESIDENT MANSON – Ordinance 95-2014 is passed. Ordinance 96.

ORDINANCE NO. 96-2014 **BY FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the

Economic Development Fund, for the year ending December 31, 2014, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Mr. Lewis.

COUNCILMAN LEWIS – First reading.

ACTING COUNCIL PRESIDENT MANSON – First reading on Ordinance No. 96. Ordinance No. 97.

ORDINANCE NO. 97 – 2014 **BY: FINANCE COMMITTEE**

AN ORDINANCE establishing a fund entitled “Foreclosure Property Administration Fund 1220”, and creating line items within said fund, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Mr. Lewis

COUNCILMAN LEWIS – I’m going to do a little bit of an explanation here so that we are all on the same page. If we look in that Ordinance No. 86, which is up for second reading today, you will see that it is asking us to establish a fund entitled “Vacant Foreclosure Depository Fund”. This has to do with the Ordinance that we passed which requires the \$10,000 bond to be placed in for vacant properties such as that banks might rule for foreclosure and things of that nature. Out of that \$10,000, the City is allowed to take 10% of \$1,000 and utilize it for Administrative cost for on that the City may incur while managing those properties or what not. This fund in No. 97 will be the account of funds that that 10% goes into and as of we are looking to pass. If you look, we also have Ordinance No. 87, which was stating, supposedly, to do the same thing, but it was not able to do that. What the plan is, is to pass No. 97, if you want to create that fund and defeat No. 87 and that’s the plan for this evening. Are there any questions?

ACTING COUNCIL PRESIDENT MANSON – No questions, Mr. Lewis.

COUNCILMAN LEWIS – Seeing no questions, I make a motion that we suspend the rules requiring three readings and bring Ordinance No. 97-2014 forward for a vote.

ACTING COUNCIL PRESIDENT MANSON – Ordinance No. 97-2014 for waiver. (You mean suspension?) I’m sorry, for suspension.

Roll Call for suspension – 9 yes

ACTING COUNCIL PRESIDENT MANSON – Okay, now Ordinance No. 97, we’ll vote for passage.

Roll Call for passage – 9 yes

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

Letter from Ohio Division of Liquor Control regarding the transfer of liquor license to Massillon Two LLC dba Firehouse Grille & Pub, 48 – 2nd St. SE, Suite A, Massillon, Ohio 44646 from Elks One Inc dba Firehouse Grille & Pub, 48 – 2nd St. SE, Suite A, Massillon, Ohio 44646.

ACTING COUNCIL PRESIDENT MANSON – Which Ward is this? Ms. Halter, did you get communications on this?

COUNCILWOMAN HALTER – Yes, sir.

ACTING COUNCIL PRESIDENT MANSON – Okay. Are there any questions? No questions.

9. BILLS, ACCOUNT & CLAIMS

10. REPORTS FROM CITY OFFICIALS

Auditor's monthly report for June 2014

Mayor's monthly report for May 2014

ACTING COUNCIL PRESIDENT MANSON – Mr. Lewis for approval for the acceptance of the Auditor's Report.

COUNCILMAN LEWIS – I make a motion that we accept the Auditor's Report for the month of June 2014; Acting Council President Manson second.

9 yes to accept the Auditor's report for June 2014.

ACTING COUNCIL PRESIDENT MANSON – Okay, with the Auditor's Report.

11. REPORTS OF COMMITTEES

12. RESOLUTIONS & REQUESTS OF COUNCIL MEMBERS

ACTING COUNCIL PRESIDENT MANSON – Yes, Mrs. Halter?

COUNCILWOMAN HALTER – I have two (2) requests, Mr. Manson. One would be after Item #17 on the Agenda, after the people have the right to speak to us, I would like to go into Special Executive Session for personnel matters. And my second request...

ACTING COUNCIL PRESIDENT MANSON – On that, I agree, we will slot that in after #17; that way we won't be holding anybody up that doesn't want to stay in case that meeting takes a little time.

COUNCILWOMAN HALTER – And then, also, I have a request of Police and Fire Committee, I would like us to take a look at writing some legislation regarding fireworks in the City of Massillon, since there is no longer an event on the 4th of July, the fireworks seems to be getting more and more all over the City. It is my understanding that the Police don't have any real teeth in any kind of an ordinance to control it, nor does the Fire Department. I'd like to take a look at that, maybe work on that and get something done before next year. Thank you Mr. President.

ACTING COUNCIL PRESIDENT MANSON – Mrs. Halter, that would probably come under Rules & Courts, correct? No? Okay, we'll talk later about that and find out where we should put that.

COUNCILWOMAN HALTER – Okay.

13. CALL OF CALENDAR

14. THIRD READING OF ORDINANCES & RESOLUTIONS

ORDINANCE NO. 79 – 2014

BY: STREETS, HIGHWAYS, TRAFFIC &

SAFETY

AN ORDINANCE creating a Roads Improvement Commission, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Mrs. Halter?

COUNCILWOMAN HALTER – Thank you, Mr. President. We've discussed this now, this is the third reading, again, it would be, if passed and if the Income Tax passes in November, we would put together, we would create a Roads Commission that would consist of one Council Member of the Streets and Highways Committee and Ms. Starrett has already volunteered, we'd have one other Member of Council, the City Engineer, one representative

of the City Auditor's office and one citizen that would be appointed by the Mayor. It would be these people that would get together and work on improvements and repaving of streets, so there would be more money available to do that; the City Engineer's office now plans the repaving and repairing of streets in the areas that are considered under the CDBG funding, which is Community Development Block Grant Fund. So, this would be for the rest of the City. So, since this is the third reading, I'd like to bring it forward tonight for passage.

ACTING COUNCIL PRESIDENT MANSON – Any discussion? I don't think we need to sign it for a second, Ms. Starrett. Any discussion? Any comment? I would like to comment. I haven't said anything about this, so far, I've been mulling it over, back and forth. I can't see where this hurts anything and can see where it may help us have better communications between the Engineering Department and Council. I don't think it's a bad idea for us to sit down periodically; myself, I'll be supporting this. Anybody else have any questions or comments? Roll Call for passage.

Roll Call for passage – 7 yes; 2 no

ACTING COUNCIL PRESIDENT MANSON – Ordinance No. 79 has passed. Move on to Second Reading and Resolutions. Ordinance No. 86.

15. SECOND READING OF ORDINANCES& RESOLUTIONS

ORDINANCE NO. 86 – 2014 **BY: FINANCE COMMITTEE**

AN ORDINANCE establishing a fund entitled “Vacant Foreclosure Depository Fund”, and creating line items within said fund, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON –Mr. Lewis.

COUNCILMAN LEWIS – Yes, I'd spoken to this earlier this evening, I also stated that by the passage of No. 97, we have essentially obligated ourselves to passage of No. 86. They do go hand in hand. I'm sorry, are there any questions? Seeing none, I make a motion that we bring Ordinance 86 – 2014 for passage.

ACTING COUNCIL PRESIDENT MANSON – Roll Call for suspension.

9 yes for suspension

ACTING COUNCIL PRESIDENT MANSON – Roll Call for passage.

9 yes for passage

-

ACTING COUNCIL PRESIDENT MANSON – Ordinance No. 86 is passed. Ordinance No. 87.

ORDINANCE NO. 87 – 2014 **BY: FINANCE COMMITTEE**

AN ORDINANCE establishing a fund entitled “Vacant Foreclosure Registry Expense Fund”, and creating line items within said fund, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Mr. Lewis.

COUNCILMAN LEWIS – Again, we have spoken of this Ordinance already. Be it set forth by Ordinance No. 87 have already been accomplished in Ordinance No. 97, so if there are not any questions, I'll be bringing this forth as well.

ACTING COUNCIL PRESIDENT MANSON – Any questions?

COUNCILWOMAN STARRETT - Mr. Lewis, is this the one that you said we needed to vote

“No”?

COUNCILMAN LEWIS – In order to stay consistent with what we’ve done already this evening, you would vote “No”.

COUNCILWOMAN STARRET- Thank you.

ACTING COUNCIL PRESIDENT MANSON – Okay, Mr. Lewis.

COUNCILMAN LEWIS – I make a motion that we suspend the rules requiring three (3) readings and bring Ordinance No. 87 – 2014 forward for defeat. Second by Councilwoman Del Rio Keller.

ACTING COUNCIL PRESIDENT MANSON – Roll Call for suspension.

9 yes for suspension

ACTING COUNCIL PRESIDENT MANSON – Roll Call for passage...making clear how we....

COUNCILMAN LEWIS – If you wish to remain consistent with all actions that we’ve taken this evening, you would vote “No”.

ACTING COUNCIL PRESIDENT MANSON – Roll Call to defeat.

Passage defeated by vote of 9 no.

ACTING COUNCIL PRESIDENT MANSON – Ordinance No. 88

ORDINANCE NO. 88 – 2014 **BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to establish salary and wage schedules for the non-bargaining unit, CLASSIFIED AND UNCLASSIFIED EMPLOYEES AND SUPERVISORS, and declaring an emergency.

ACTING COUNCIL PRESIDENT MANSON – Mr. Lewis.

COUNCILMAN LEWIS – Yes, I would like to first state that this particular Ordinance is only addressing the compensation levels, it’s not necessarily addressing any specific positions or structures or hierarchies within the City, simply stating this person as a S9 would make this much money with this many years of experience, make this much money, that is all it is speaking to. It’s not speaking to what position, answers to what person or how many secretaries we are going to have in the office...none of that. It’s simply setting the wage scales. Now we have not had a lot of discussion on this, I do not have a clear indication of what the opinions of other Council Members are and I was wondering if there would be any discussion this evening and I would also possibly like to hear back from other members of the Finance Committee to see if they would like to suspend this evening or possibly give second reading and give anybody the opportunity for further discussion.

ACTING COUNCIL PRESIDENT MANSON – Mrs. Halter.

COUNCILWOMAN HALTER – I would prefer that you give it second reading.

ACTING COUNCIL PRESIDENT MANSON – Anybody else?

COUNCILWOMAN CUNNINGHAM-HEDDERLY - We do need more discussion on it. Thank you.

COUNCILMAN LEWIS – Anybody else?

COUNCILWOMAN SCASSA – Thank you. I guess one thing I just want to bring up is that I highlighted in the right hand bottom corner, it does indicate that the freeze on step increases until further notice. So, like you were saying, not necessarily talking about specific individuals or getting into necessarily specific positions, but more so just talking about the classifications of the actual like you said, 2S or 3S or whatever that may be, but, I just wanted to, I guess, confirm or make sure all of us understand this correctly with these classifications, whether they have or have not had any increases, I guess, within these specific classifications. I don't think that Mr. Koher was at our last meeting to ask, so I don't know if that's something you want to save for Work Session or...

COUNCILMAN LEWIS – If you would like to ask in here or would you, we have two (2) Council Members who would like to get a second reading, at this time. I'm not objectionable to either direction; whatever the members agree with. Now I do, again, I do hear some whispering, the question is to whether or not this is the second or third reading, I can see on my agenda dated Monday, June 16, 2014, it was under the Introduction of Ordinances for first reading, so, I would assume that since this is the next meeting after that, that this would, in fact, still be second reading. I don't see any reasons to believe that this was brought up all the way back in May or beginning of June.

COUNCILWOMAN SCASSA – I just want to say, that I was getting sort of a delay to give a second reading for Mr. Koher, so, we can maybe discuss it at the next work session.

ACTING COUNCIL PRESIDENT MANSON – I would like to recommend that we go to second reading, too.

COUNCILMAN LEWIS - Well, in light of this, I wanted to clarify that we were at second reading, it does seem to be the case, so I would give this second reading.

ACTING COUNCIL PRESIDENT MANSON – Second reading for Ordinance No. 88. Motion, oh, I'm sorry, we're going to go to #17. Anybody out there, please come forward, come to the microphone, identify yourself, name, address and make your comments.

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

BOB HARRIS – 2455 Cypress Drive S.E., Massillon, OH. I'm representing the Homeowner's Association and we're requesting that Ordinance No. 32 – 2014, regarding the authorization, the lease agreement, that that be untabled and voted down. We'd like to see that come to an end finally. And, second, I'll make it short, Mr. Stinson, I'm going to invite you and Mr. Townsend and Mr. Nist to the Annual Homeowner's meeting at the Legends on Sunday, August 24, 2014 at 3:00 p.m. We'd very much like to see what Mr. Nist plans are for the Legends and also, he was told he had to have a three to five year business plan to present, I think to Council or to Park and Recreation, we'd very much like to see what is happening with that as well. So, Sunday, August 24, 2014 at 3:00 p.m. Thank you.

ACTING COUNCIL PRESIDENT MANSON – Is there anyone else?

GEORGIANN SOMBRIO – 240 Commonwealth Ave. N.E., Massillon, OH. I live next door to a vacant house. It's been vacant for, I'd say somewhere between 8 – 10 years. I call the City constantly about getting the grass mowed. On the double strip, the weeds are so high that when we pull out of our driveway, we can't see down the street. You can't walk on the sidewalk in front of this house because the weeds are just engulfing the sidewalk, so people have to walk in the street in order to get down the street. The last time I spoke someone at the City, they said that the owner has contacted the City and that they would let the house go for the back taxes and the mowing charges, which comes to \$10,000, but the house is, it doesn't look bad on the outside, but it is bad. There is a family of raccoons that live in there that have come out of the chimney and, I've seen this myself, because when I was closing my curtains, I saw this big ole raccoon coming out of the chimney. There are possums, squirrels and just any other kind of rodents or... we've seen mouse and rats last fall and I tried to get the people that own it, they're

from Indiana, to tear the house down because, in the past, there has been water damage done in the house, so I really don't know what the inside of the house looks like, but I can tell you that I'm really tired of the weeds. I mean, they are more than waist high.

ACTING COUNCIL PRESIDENT MANSON – Mrs. Halter is this your ward?

COUNCILWOMAN HALTER – Yes it is and I have turned that house, several houses on Commonwealth many times.

GEORGEANNE SOMBRIO – Well, the thing is that they mowed the house down at 2nd and Commonwealth, they mowed that yard and they didn't do this one. And they said, well, they got detoured or they got sent some place else. Well, if you're right there on the street, why can't you just mow that one? It's going to take them a couple of hours to get thru all this. I mean, there are trees growing where they shouldn't be trees and it's deplorable...and I live next door. And I'm tired of it.

ACTING COUNCIL PRESIDENT MANSON – The Safety Service Director is here, is that who is handling these through the Administration, Mr. Hennon?

SAFETY SERVICE DIRECTOR HENNON – Yes

ACTING COUNCIL PRESIDENT MANSON – Could you maybe get her address after the meeting and look into it?

SAFETY SERVICE DIRECTOR HENNON – Absolutely, absolutely. The sooner the possible.

GEORGEANNE SOVRIO – The house in question is at 236 Commonwealth.

SAFETY SERVICE DIRECTOR HENNON – Okay, thank you.

GEORGEANNE SOMBRIO – Okay, thank you. Thank you.

ACTING COUNCIL PRESIDENT MANSON - I'll look into it too.

GEORGEANNE SOVRIO – Oh, and one more thing, I do want to thank the Street Dept. for finally filling in the potholes on Green, I've been calling about that as well. My daughter lives on Green between 6th and 9th, and a lot of those homes don't have garages and the people have to park on the street and the only place for you to drive is in the middle of the street, where the potholes are and it was really bad, so they finally fixed those today and I thank you.

ACTING COUNCIL PRESIDENT MANSON – Okay. I there anybody else that has any comments or questions?

CINDY BALAS -BRATTON – 927 3rd St. NE. I just have comment, it's more like a, it was just odd. There were on July 4th, of course there weren't City fireworks and we stayed home and over on Commonwealth, between 2nd and 3rd where the little alley is, we know which house it is, but they send up fireworks like, they're really nice, but they're really scary. We have kitties and they run like crazy which is no big deal, that's our problem. But what has me concerned is I called the Police because I was afraid. These are big fireworks, they're beautiful, they are. And so, I called the Police and they came out and the guy said, well are they aiming them at your house and I said "No", but they are going to come on my property, thank goodness it's wet and then they said that since it wasn't a threat to our home or us, that they couldn't do anything. And I didn't think that that sounded right to me and when Mrs. Halter said about that there is no Ordinance, I told the officer I said officer, when buy the fireworks from somebody's place in Ohio, you sign a waiver saying I will not fire these, light them, set them off in the State. Well, how can you throw a ... in that and not do that? The kids will be heartbroken if you don't. But then I called back and I said, there still doing it. And the lady on the phone, I said, isn't there some kind of rule and she said, this is what she said, now I'm quoting this woman on the phone, "The Administration said that because there were on July 4th, they were

letting the people shoot off fireworks because it was a special occasion” and that just bothered me. I don’t know if she was trying to appease every call that came in every second or whatever that she was told to or if it was the Police Chief or, but, when you say Administration, Kathy I think you is and you told my husband, you didn’t offer us that.

MAYOR KATHY CATAZARO-PERRY – Did you have a name of who said that to you?

CINDY BALAS-BRATTON – No, it was just on the phone.

MAYOR KATHY CATAZARO-PERRY – Did you call 911?

CINDY BALAS-BRATTON – Yeah.

MAYOR KATHY CATAZARO-PERRY – Okay.

CINDY BALAS-BRATTON – And I said Massillon Police for fire. ‘Cause when you called...

MAYOR KATHY CATAZARO-PERRY – That’s not what your husband said in the e-mail. In the e-mail, your husband said someone came out and the Police officers told you that.

CINDY BALAS-BRATTON – Yes, well it was both things.

MAYOR KATHY CATAZARO-PERRY – They both said it?

CINDY BALAS-BRATTON – Yeah.

MAYOR KATHY CATAZARO-PERRY – Yeah, well, that’s not true...not true at all. The Administration does not support that.

CINDY BALAS-BRATTON – Well, if we can get some kind of Ordinance and stuff.

MAYOR KATHY CATAZARO-PERRY – I’ll go into ... and see what’s up.

CINDY BALAS-BRATTON – Okay, well, thank you very much. You all do a real hard job it was hot time in the old town tonight. (Whew!!) (What time was that?) 10:00p. Thank you, sorry.

ACTING COUNCIL PRESIDENT MANSON – Okay. Anybody else that has any comments? No one else? (Mr. President). Yes.

TIM ALRECHT – 1593 Championship Cir. SE, Massillon. November, I just moved, basically moved from Louisville to Massillon. And moved over because of the golf course. And we bought, basically, property adjoining the Legends Golf Course, ‘cause that’s what attracted us to the course. Upon talking to Mr. Nist, when the Independent article came out and the Canton Repository article, he mentioned that in back of our house, which we bought on the Legends Golf Course, was going to a green space or a walking path. And I’d hope to think that the Council when you voted, to take the considerations of the Course and so forth, if they build the 18-hole Course, that you’d take into account the people that bought, that are living on the course, that moved there for that reason and the property taxes which we are going to lose. And I’d appreciate your consideration in that, I know it’s a very important house, that’s why we moved here, is to get on that golf course and plus Massillon is a City of Champions and truly believe it. And it’s kind of displeasing knowing people from the outside community come here, you know what I’m saying, and you’re losing things, day by day. I appreciate your time and so forth, and I hope I have the opportunity to meet with Mr. Stinson and, hopefully, with yourself, as possibly, thanks.

ACTING COUNCIL PRESIDENT MANSON – Thank you. Anybody else have any comments? Seeing none, Mrs. Halter?

COUNCILWOMAN HALTER – I move that we adjourn, but I also move that we go into

Executive Session for personnel reasons.

ACTING COUNCIL PRESIDENT MANSON – Second? Mr. Lewis. All in favor? Can we have all of Council and Mr. Zedell.

18. ADJOURNMENT

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COUNCILWOMAN HALTER – I make a motion that we adjourn.

MARY BETH BAILEY, CLERK,

ACTING COUNCIL, PRESIDENT PAUL MANSON



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