

**MINUTES OF THE SPECIAL MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, MARCH 24, 2014**

ACTING COUNCIL PRESIDENT MANSON Tony's not here and nobody knows if he called off so we're going to start the meeting at 6:00pm. So anybody has a problem bring it up; law director, you have a problem? (No, I have no problem) Alright, we'll call this meeting to order. Tonight we're having a special meeting to discuss this year's budget. Since I wasn't prepared to do this we will dispense with a lot of the proper stuff and just I'll say that all council people are here but Megan Starrett and...

COUNCILWOMAN HALTER – We have to do...

COUNCILWOMAN CUNNINGHAM-HEDDERLY – We have to have a roll call.

ACTING COUNCIL PRESIDENT MANSON We will I'm just okay after the roll call. Okay, we'll have the roll call go ahead with the roll call. Thank you.

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 and Shaddrick Stinson.

Thus giving a roll call vote of 8 present.

ACTING COUNCIL PRESIDENT MANSON Thank you. Okay, we will I'll recognize everybody here we have all oh can I have a motion to excuse Councilwoman Starrett?

COUNCILMAN CHOVAN B Yeah, I so move, seconded by Councilman Lewis.

Roll call vote of 8 yes to excuse Councilwoman Starrett.

ACTING COUNCIL PRESIDENT MANSON Okay, we have in attendance all council people except Mrs. Starrett and Mr. Townsend. We have Ken Koher from the income tax department, Mayor Catazaro-Perry, Debbie Bonk from the auditor's department and the Law Director Perry Stergios. So having said that I'll turn the meeting over to you Mr. Lewis, chairman of finance.

COUNCILMAN LEWIS B I believe we probably need a reading of the ordinance.

ACTING COUNCIL PRESIDENT MANSON Okay.

ORDINANCE NO. 30 – 2014

BY: FINANCE COMMITTEE

An Ordinance 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.

ACTING COUNCIL PRESIDENT MANSON Okay, now its your...

COUNCILMAN LEWIS – Thank you, I guess I'll open this up but does anyone have any questions, concerns, comments that they want to start the discussion with feel free to do so. The only thing I really have to say myself is that this budget is calculated at the 99.5 for operations, .5 for capital improvements. I spoke with Mr. Koher last week probably so many conversations now and one of the things he mentioned there's a couple account for the police and fire where he could potentially see that they may need a little additional funds later in the year. But we're also up right in our income tax collections so we have every reason to believe that that should be okay by year's end. I also personally would like us as we fulfill those commitments to also keep a close eye on capital improvement dollars as more money becomes available to us that we don't lose track of that and later on in the year maybe look at those line items to see if there's something we could do that could address the roads and other things. But make sure we fulfill obligations to our safety services first. Those are just some of my thoughts. Any thoughts or comments from anyone else?

ACTING COUNCIL PRESIDENT MANSON Go ahead Ms. Scassa.

COUNCILWOMAN SCASSA Okay, I guess looking at the different workbooks or worksheets that we had and then at our final product. And I did go back through the ordinance before us versus the March 3rd spreadsheets that we were given and I noticed that some further cuts have been made. I guess did we hit the mark that we had to get to for the cuts?

COUNCILMAN LEWIS – Mr. Koher, you might as well come forward.

BUDGET DIRECTOR KOHER – Alright, good evening. What is your question?

COUNCILWOMAN SCASSA B I guess looking at the different budgets I know we had talked about what was it over \$200,000 that had to be cut and I noticed the amounts that were cut specifically like Councilman Lewis had said from police and fire and some from other departments. I guess with the budget that's before us did we hit where we needed to hit cut wise so that our budget is I guess balanced in the manner that we were charged with doing this year from the auditor?

BUDGET DIRECTOR KOHER – We its still like it or not we it appears short but we had to scale back in some of the larger items there so it would in effect balance in that way. We are and I did talk with Mr. Lewis about this there's some comfort level there in that the first two months of this year we are up 8% in income tax over last year and March we're little bit ahead right now in March too. So that's said there appears to be reason to anticipate more monies being added to the certificate later in the year to cover that mostly in police and fire. Now the street lighting is scaled back too in anticipation of passing a street lighting ordinance that was hit with about \$70,000 taken off that. We need to find an additional \$36,000 for the we've gotten some new information on the workers comp rate and the change in the plan due to our status in fiscal emergency. We'll need another \$36,000 before the end of the year in the workers comp line item. Now to get to where it is matching up with the auditor's certificate there we were targeting 1.82% off each and every area in the General Fund there except in the courts and clerk of courts there and the elected official's salaries and some of the contractual payments there. We were able to accomplish that not across the board but some more heavily than the 1.82 and some less. For instance the health department they've already cut the heck of their budget and move it mostly down to the WIC and other areas not the general fund. So there wasn't a lot more room in their health department budgets to trim that there. Council and the auditor, the income tax we moved back the refund amount a little bit you know we'll see if that works or not there. But then I took a few extra furlough days too and then there's all kinds of movement in the general fund there. But overall I think we're about \$2,000 under what the certificate is. So for you know \$17 - \$18 million dollar general fund budget that's minuscule.

ACTING COUNCIL PRESIDENT MANSON – Ms. Halter?

COUNCILWOMAN HALTER – I have a couple questions you mentioned the street lights. Did we ever get out of the contract with AEP and are we back on with Ohio Edison or that's all resolved?

BUDGET DIRECTOR KOHER – Yeah, we got back in that special tariff program last May or June I believe.

COUNCILWOMAN HALTER – Okay and then on the income tax you and I had talked about looking for people that work outside the city in live in Massillon but work in Jackson or Perry if they were filing taxes. Did we ever find that...?

BUDGET DIRECTOR KOHER – We did do the state mailing list. And again in December we had quite a few people walking in you know wondering why they had to file a couple of years. We've gotten another program we're working on where we will be contacting Aqua Ohio matching up those bills with the sewer bills and with the income tax make sure we're not missing anybody that we could find that way too. So you know it's a numbers thing there if you find you know so many people there that could mean a couple hundred thousand dollars. So we're pursuing that avenue too.

COUNCILWOMAN HALTER – And I wondered if and you probably don't know this if I had asked a long time ago about where or not survey was being done on wastewater on the sewer bills. I think they said they were talking about it I never heard if it was...

BUDGET DIRECTOR KOHER – An updated survey? (Yeah) I think we did the commercial properties last year there.

COUNCILWOMAN HALTER – Thank you.

COUNCILMAN LEWIS – The only other comments that I have to make is I want to make sure that we do point out that the council budget we did reduce the travel, seminar and school by \$500.00, we reduced supplies, materials and postage by \$1,000.00 and then the original budget that we were looking at had I believe Mary Beth's salary at 39,788.60 and this budget as presented to us has her salary at \$38,550.00 so that was also reduced. So I don't know how council wants to proceed on all of those matters, but I did want to open it up for discussion since we're taking a \$1,500 is about a 2% cut and we took probably closer to almost a \$3,000 cut so we're probably at 3% or so of reduction.

COUNCILMAN CHOVAN – Say that again I don't follow what you're saying.

COUNCILMAN LEWIS – Okay, well essentially I think the most contentious point that I know I've heard voiced is that the salary for Mary Beth was cut. The original budget came in at \$39,000 number that would include five furlough days already taken off of her. So her salary would be like 40 some thousand five furlough days takes it 39 its further reduced down to \$38,500.

COUNCILMAN CHOVAN – Isn't that why we cut our services and contracts out and supplies down in half to prevent that?

COUNCILMAN LEWIS – That was my understanding when we had that conversation.

COUNCILMAN CHOVAN – So then why's it cut?

COUNCILMAN LEWIS – Would you like to address that Mr. Koher?

BUDGET DIRECTOR KOHER – What's your question?

COUNCILMAN CHOVAN – Well, I mean we had reduced \$1,500 out of the council budget by giving taking our supplies, materials and postage from \$2,000 to \$1,000 and by eliminating the travel, seminar and schooling \$1,500 there's we did that to keep the clerk's salary at the \$39,788.60 level.

BUDGET DIRECTOR KOHER – Okay.

COUNCILMAN CHOVAN – And I'm looking at an old copy I didn't get the new copy but I see what the numbers are its \$38,550 is that what you show it is?

COUNCILMAN LEWIS – Correct.

COUNCILMAN CHOVAN – And it should be \$39,788.60?

BUDGET DIRECTOR KOHER – Well this what you have before you is the what the mayor proposes as the permanent budget. If you want to amend that line item that will need to be amended by council to do that. The mayor is standing firm on she believes that amount is appropriate.

COUNCILMAN CHOVAN – Well then why did we cut \$1,500 out of the other line items? That's why we did that to keep that there to keep the dollars equal but not to take it out of that salary item.

COUNCILMAN LEWIS – I think the conversation that would need to be had if we're going to talk about this is it is our employee so we do have the authority to set the salary of what we want if we feel that it needs to be set at a different one.

ACTING COUNCIL PRESIDENT MANSON Mr. Stergios, can I recognize myself to speak because I get to vote? (Yes, absolutely) You know Mr. Koher made a point that you know it appears maybe this balanced budget is still not exactly balanced and we know that. Okay, but he did make the point there's about \$2,000 that we have about \$2,000 there to play with. Myself, I recommend that we just amend it its only \$1,238 amend it and bring it forward tonight and lets vote on the thing. That's the only we disagreed on right now.

COUNCILMAN LEWIS – I would entertain a motion for an amendment I mean if someone wants to well who do I have on my finance committee out there. Andrea or Michelle I guess do you guys have any thoughts or opinions on it? It can come from anyone.

COUNCILWOMAN SCASSA – My are you looking for a thought, opinion or?

COUNCILMAN LEWIS – Thought or opinion.

COUNCILWOMAN SCASSA – Okay, my I guess thought is and I've voiced this all along and its absolutely nothing personal I voted for the temporary budget and I said I was going to vote for it but I disagree with council and its not based on any type of job performance but I just feel even though this is a minuscule amount that any type of increase to the lone employee that we have I don't I don't like that in these times I guess for a very ineloquent way of putting it. And as insignificant as that amount of money may be I still think that we need to be the leaders and like I said the one employee we have increasing her salary as small as it maybe and I understand you know the reasoning for other council members in increasing that and I have no problem with that thinking that when we reduced it I guess a few years ago some feel that was mistake. I feel that we all voted on that and like I said I I just don't feel comfortable raising our salary our one employee salary at this juncture when other people are either taking furloughs or are being decreased. And like I said it has no bearing on job performance its nothing personal its just the way I feel. I won't vote no for this budget simply because of that aspect but I have made that clear last year when we were going over the temporary budget and I guess I just want my feelings to be made. So I'm sorry Ed I won't be making the motion to amend it because I feel that way and like I said its nothing personal it has nothing to do with job performance but those are my feelings. And they haven't changed since we went over this last year.

COUNCILMAN LEWIS – I guess anybody else have any comments or anything for discussion?

ACTING COUNCIL PRESIDENT MANSON Nancy.

COUNCILWOMAN HALTER – I was waiting for Michelle but well I respectfully agree to

disagree its not a raise its what she should have. I don't think she should be on the same level as the other administrative assistance in the mayor's office they've only been on the job two years. We made a mistake we admitted we made a mistake she is taking furlough days; she's taking five same as they do. But I just think this is what we decided to do and we had it that way in the budget and somehow it got reduced. So I'm willing to make the motion if you need if you need be or if you want to make it that's fine.

COUNCILMAN LEWIS – I can make the motion I don't know I guess I'll make one last comment before I make a motion and that is we agree and not all of us necessarily we're not compelling anyone to do this but we kind of had almost what we would call a gentleman's understanding that we would cut the \$1,000 from postage and \$500 from travel as an understanding because we didn't want to touch Mary Beth's salary when it was given to us at the \$39,000. To me that is us admitting as Ms. Halter said there was a mistake made in her salary we're trying to correct that injustice that was made to her and we're willing to take it on the chin ourselves if we end up coming short on a line item that as council members some of us have vocalized that we're willing to take that out of our own pocket to make sure that that gets cleared up instead of taking it out of hers. That's kind of where we come with that. I'm willing to make a motion unless there's another or any other conversations.

ACTING COUNCIL PRESIDENT MANSON Go ahead I'll recognize Ms. Cunningham-Hedderly to speak before we...

COUNCILWOMAN CUNNINGHAM-HEDDERLY Thank you, because my understanding was we could personally its not required of us but like for instance I could bring in a case of paper to try to make up for that. Correct?

COUNCILMAN LEWIS – Correct.

COUNCILMAN CHOVAN – Right. So we talked about...

COUNCILWOMAN CUNNINGHAM-HEDDERLY Because that was my understanding at a couple meetings ago...

COUNCILMAN LEWIS – That if we run out of supplies that council members have some council members have stated that they would be willing to finance the supply side of things.

COUNCILWOMAN CUNNINGHAM-HEDDERLY Right.

ACTING COUNCIL PRESIDENT MANSON Is there any other discussion; anybody else? Is that a motion did you make the motion?

COUNCILMAN LEWIS – I would like to make a motion that we amend Ordinance No. 30 - 2014 I guess we're going to look if you amend it as in council fund line 1100.105.2111 account name council clerk salary amend it from \$38,550.00 to \$39,788.60.

BUDGET DIRECTOR KOHER – You want the corresponding PERS and Medicare to changed with that?

COUNCILMAN LEWIS – Correct.

BUDGET DIRECTOR KOHER – Then that change will be \$1,429.97.

COUNCILMAN LEWIS – To our overall budget for council.

ACTING COUNCIL PRESIDENT MANSON Repeat that again please.

BUDGET DIRECTOR KOHER – It's going to increase the total to \$156,466.95 that covers the your amended amount to the salary, to PERS and to Medicare. That changes the total General Fund to \$17,887,828.45.

ACTING COUNCIL PRESIDENT MANSON Do you have a second?

COUNCILWOMAN HALTER – I'll second.

COUNCILMAN LEWIS moved to amend Ordinance No. 30 – 2014, seconded by Councilwoman Halter.

Roll call of 6 yes, 2 no for the amendment. Scassa and Stinson voted no.

ORDINANCE NO. 30 – 2014 WAS AMENDED BY A ROLL CALL VOTE OF 6 YES, 2 NO. SCASSA AND STINSON VOTE NO.

ACTING COUNCIL PRESIDENT MANSON The amendment has passed. We now go back to first reading. Do you want to have further discussion about the budget?

COUNCILMAN LEWIS – I would leave that open does anyone else feel that there's a need for further discussion otherwise I would fully intend to just move it forward for passage. Okay, with that seeing no discussion I make a motion that we suspend the rules requiring three readings on Ordinance No. 30 – 2014 and bring it forward for a vote.

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

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

ORDINANCE NO. 30 – 2014 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ACTING COUNCIL PRESIDENT MANSON Okay, well that took care of that. Budget is in place.

COUNCILMAN LEWIS – We have No. 31.

ACTING COUNCIL PRESIDENT MANSON B Oh, I'm sorry, I'm sorry. Okay, clerk would you please read Ordinance No. 31 – 2014.

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.

COUNCILMAN LEWIS – Yes, this is the legislation that deals specifically with allowing the budget to be made with the 99.5 for operations, .5 for capital improvements. I've already pretty much stated my peace that obviously I do not like this I've always been the biggest opponent of going to this level. But in conversations with the administration and given the fiscal emergency status that we are in I do feel that we probably need to go ahead and enter into this level with the understanding that as new funds become available throughout the course of the year we can make adjustments to address the issues of the city at that time. Is there any conversation, discussion that needs to take place otherwise I intend to bring this forward for a vote?

ACTING COUNCIL PRESIDENT MANSON The only questions I would have is the action we took on the previous one does it effect Ordinance No. 31 in any way that we have to change it?

COUNCILMAN LEWIS – We can ask Mr. Koher but I believe we still lie within the limits...

ACTING COUNCIL PRESIDENT MANSON We're just talking about replacing the old...

COUNCILMAN LEWIS – Mr. Koher, could you please come forward? (Yes, sir) With the amendment that was just made to the last ordinance we are still within the 99.5%/.5% split correct?

BUDGET DIRECTOR KOHER – We currently we're under 98/2 this would date it back to January 1st. The amount of the original projection would put it where it covers all the payments that are going out of the capital improvement fund. If we're ahead this year there'll be more going in than that.

COUNCILMAN LEWIS – Any questions? That is one slight distinction I didn't realize at first but I don't know if that changes anybody's mind with essentially means the first quarter this year we've been operating at 98/2 with the passage of this that would raise erase that and put it at 99.5/.5 for the entire year.

BUDGET DIRECTOR KOHER – As you mentioned earlier if I may we can look at what we have maybe in September or so and I don't know if would be appropriate just to designate you know if we have it a lump sum and to transfer to that.

COUNCILMAN LEWIS – I think we're going to have to I don't think we're going to have a choice.

ACTING COUNCIL PRESIDENT MANSON Anybody? So we don't have to change this then 31 right now?

BUDGET DIRECTOR KOHER – No

ACTING COUNCIL PRESIDENT MANSON No, we can just pass it as is

COUNCILMAN LEWIS – Yes, we can.

ACTING COUNCIL PRESIDENT MANSON Okay, that's the only question I had just...

BUDGET DIRECTOR KOHER – Hopefully by September we'll know where we stand with the FEMA grant too. That's a huge question mark hanging over the city's finances.

COUNCILMAN LEWIS – I guess we can just bring it forward for a vote we already passed the budget so we really don't have much of a choice the budget's passed and with those numbers calculated in it. Well we will definitely I know I for sure will definitely be readdressing this especially with the awful condition of roads out there and everything else we have. I mean to pass a budget at 99.5/.5 for the entire year I don't know we'll possibly ever going to be able to fund the repair and replacement of these roads. So we can move this forward tonight and if it passes fine but be sure that we will be readdressing this later in the year and make sure we do not find ourselves in the same position where the roads are so in such an awful state. I guess with that I make a motion that we bring Ordinance No. 31 – 2014 forward or suspend the rules requiring three readings and bring it forward for a vote.

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

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

ORDINANCE NO. 31 – 2014 WAS PASSED BY A ROLL CALL VOTE OF 8 YES.

ACTING COUNCIL PRESIDENT MANSON Okay, now that's everything. Can I have a motion to adjourn? Councilwoman Cunningham-Hedderly?

COUNCILWOMAN CUNNINGHAM-HEDDERLY I so move.

ACTING COUNCIL PRESIDENT MANSON Seconded by Councilman Stinson. Meeting adjourned.

MARY BETH BAILEY, CLERK,

PAUL MANSON, ACTING PRESIDENT



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