

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, JUNE 6, 2016**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, June 6, 2016. We have in attendance with us the following city officials: Mayor Kathy Catazaro-Perry, Auditor, Jayne Ferrero, Chief Deputy Auditor, Debbie Bonk, Law Director, Bob Cyperski, Economic Development Specialist, Dave Maley, Parks and Rec. Superintendent, Kim O'Farrell and Income Tax/Budget Director, and Mike McKee. On the wall to your left are agendas for anyone who wishes to follow tonight's meeting. Also if you look at the agenda, under item #5 is where the public can speak on any item that appears on tonight's agenda and then under item #17 is where the public can speak on any item that does NOT appear on tonight's agenda. I want remind anyone with cell phones, please turn them down or set them to vibrate.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Jill Creamer, Sarita Cunningham-Hedderly, Dave Irwin, Ed Lewis, Linda Litman, Paul Manson, Andrea Scassa and Megan Starrett.

Roll call of 8 present

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – I make a motion that we excuse Councilman Chovan.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. Roll call to excuse Councilman Chovan.

8 yes to excuse Councilman Chovan.

COUNCIL PRESIDENT ISTNICK – Councilman Chovan has been excused.

2. INVOCATION

COUNCILWOMAN CREAMER - Gave the invocation for tonight.

3. PLEDGE OF ALLEGIANCE

COUNCILWOMAN JILL CREAMER – Chairperson of the Parks & Recreation Committee led those in attendance in the Pledge of Allegiance.

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Madam Clerk, are the minutes of the previous meeting transcribed and open for public viewing?

COUNCIL CLERK ROLLAND – Yes they are.

COUNCIL PRESIDENT ISTNICK – Are there any corrections or additions?

COUNCIL CLERK ROLLAND – No, there are not.

COUNCIL PRESIDENT ISTNICK – Thank you.

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

COUNCIL PRESIDENT ISTNICK – We have arrived at #5. This is the part of the agenda where citizens may speak on a topic that appears on tonight's agenda. If you would like to speak on something, please come to the microphone at this time. Give your name and address for the record and the topic you want to discuss. In addition, please print your name and address on the Sign-In Sheet on the table before you so that your name and address appears correct on our records.

STACEY THOMAS – I live at 1122 Kendal Ave. N.E. and I am here to address the topic of the purchase of the fire station on Wales Rd. I own the property catty-corner from the fire station. I have three children that are middle school age and I am concerned that the purchase may be by, I understand, a landscaping business and will involve maybe expansion of the property and trucks and piles of dirt and rocks and a lot of more traffic and a lot more health concerns for my children and the children in the neighborhood and I'd really like to see that property remain residential and I'm just here to voice my concern for that. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Stacey. Stacey, did you sign your name?

STACEY THOMAS – I did.

COUNCIL PRESIDENT ISTNICK – Thank you.

JOE IMMLER – I live at 205 – 22nd St. S.E. in Massillon. And I'm a little bit concerned about the closing of Fire Station #3 and not repairing it. It disturbs me greatly because it is by fire station where I get people to come quickly. Last year, I called for an ambulance for my neighbor that lives behind me and Station #3 being closed, it took the ambulance nine minutes to arrive to her house because they had to come from Station #2, clear across the other side of town and fire departments generally like to respond and be at something in front of your house in 3 – 4 minutes, which with Station #3 being closed isn't going to happen. I did watch the remarks from the Fire Chief at the last meeting and I still quite don't understand why we have to close the station and sell it when it could be fixed, repaired, for a lot less money than it's going to cost to build new fire stations, believe me. Canton, Ohio, just built a Station #4 and it was almost \$4 million dollars and I don't think Massillon has that kind of money and to build a combined station #1 and #3, I'll bet you it's going to be \$10 million dollars, which I know we don't have. So, I probably am too late, but I'd like to see you not sell the fire station, but to have it repaired and put back into service. And also, I think it's odd that a city that needs money would sell a station at bids of \$69,000 when it was appraised for taxes at \$130,000. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Joe. Is there anyone else that would like to speak?

KIM KOCHER – Good evening, thank you for the opportunity. I'm not a "she" that took and bid for the fire department, the other bid. I want it as a residential. I have a few classic cars I'd like to put in it and a motor coach through the summer time. I want it for residential use only and it was my understanding when it was put in the paper that it said residential, not commercial and that's how I based my bid and last week it was discussed for a moments of the lower price of the bids. Well, I see a lot of financial responsibility there to fix it up to where it would be nice for the community. I feel as though it would be the best asset for the community as a residential, not a business. And that was my point and that's how I just want to thank you. My address is 822 Windsong Cir., I signed the sheet, but they had me down as a "she" and I'm just clearing that up. Thank you for the opportunity.

COUNCIL PRESIDENT ISTNICK – Thank you, Kim. Is there anyone else?

JIM WALKER – 1326 W. Main Ave. W. Tonight is the first reading of this, am I correct on that?

COUNCIL PRESIDENT ISTNICK – What ordinance are you referring to?

JIM WALKER – No. 81, I'm sorry. I wanted to speak on Ord. No. 81, that's the fire station.

COUNCIL CLERK ROLLAND – Right.

JIM WALKER – Its first reading. Declaring it an emergency doesn't obviate the first two readings, does it?

COUNCIL PRESIDENT ISTNICK – That would depend upon the Council person, whether they wanted...

JIM WALKER – Okay. Can I address my question then to whether there's a plan to move this to a third reading tonight? Because that will affect the remarks that I make.

COUNCIL PRESIDENT ISTNICK – Well, this really isn't a question/answer...

JIM WALKER – Well, may I ask or not? May I know that? Because I have two sets of remarks.

COUNCIL PRESIDENT ISTNICK – First reading?

COUNCIL CLERK ROLLAND – It'll be first reading.

JIM WALKER – First reading only? Thank you. Okay, so, as I said, my name is Jim Walker, 1326 Main Ave. W. I'm speaking tonight before the first reading of Ord. No. 81 – 2016 and I'm of the opinion that the property which formally constitute our City's Fire Station #3 should not be sold. I've come to believe that given the geographic expansion of our City's boundaries in several directions, critical fire, EMT and other emergency response times have already been compromised city wide and the situation was significantly worsened with the closure of Station #3. I submit the mileage benchmarks established by the International Organization of Standards or ISO as it's commonly known, referred to, are regularly exceeded in this City and those set forth for the onset of brain damage due to a lack of oxygen, which is something under 5 minutes, by the American Association of Critical Care Nurses cannot be met and a large number of emergency situations at this time. Further, it is likely and common that perhaps Station #2, near my house, would be called upon to supplement the two remaining east of the river firehouses, especially Station #1. This will result in an increase exposure for many of my Ward 5 neighbors as well as most of Ward 6. Increased response time can also increase the risk, this isn't brought out a lot, to our safety personnel through their having to address larger fires and/or material spills with every passing minute. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Jim. Jayne, did you get his name and address?

JAYNE FERRERO – Yes.

COUNCIL PRESIDENT ISTNICK – Thank you.

TOM MATTHEWS – Thank you. I reside at 1041 – 3rd St. N.E., Massillon and I also would like to address Ord. No. 81 – 2016 concerning the selling of the Wales Rd. fire station. I'm not questioning Chief Burgasser's qualifications and certifications, not at all. His education was one of the factors that lead me to recommend that he be hired, appointed to the Fire Department some 26 years ago. I only raised the issues that I did concerning selling the fire station to start some dialogue among you, the final decision makers in this City in hopes it would disclose some facts that I think are needed before this important decision is made. As far as the study that was done concerning fire station locations, who would know better where a fire station in Massillon should be located than those that have answered calls in the City. That study was obtained from department records from 2011 and 2012. The station in question was in operation until May 2012, therefore, I feel that study was absolutely flawed because current data wasn't used. An issue I have not seen addressed or heard addressed was the fire insurance ratings in the City. The insurance service office, ISO, is the facility that establishes fire insurance rates for the City through an inspection and gathering records and so forth. Are they aware that Fire Station #3 has been closed? When I was an active firefighter, a long time ago, ISO was the authority on the number of fire stations they should have and the location of those stations. Not the Ohio Fire Chiefs. If the station was such in dangerous condition that it had to be closed, why was it left open for over two weeks after these discrepancies we found? And why hasn't a plan, wasn't and hasn't a plan been developed to assure that the same response times for the area that were in place when the station was still in operation, are being met today? As for the number of personnel that are assigned to a unit, the information that you were provided are only recommendations, it's not law, it's recommendations. And they also indicate that a four person crew is substantially better than a three person crew and a five person crew is substantially better than a four person. Where does it end? What is the optimal crew size? I believe response time is every bit, if not more, important than the size of the crew. I believe you would rather have a little smaller crew arrive at your fire emergency in possibly 3 – 4 minutes than a large crew in 5, 6, 7 minutes. I applaud the EMS outcomes Chief Burgasser described in his remarks last week. I was not surprised to hear these, though. Because I know Massillon has a group of very dedicated fire/medics. It would be of value to know what the response time was to these calls where they had these "good saves" and from what area of the City they originated. I would not be surprised to find that they were in areas where there was a good response time. Just for information purposes, it was brought up some of the issues they're doing, the public. We were doing CPR training and conducting other public classes as far back as the 1970's. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Tom. Is there anyone else that would like to speak on a topic on the agenda for this evening?

SAM THOMAS – I'm the president of the Massillon Wash Gravel Company, regarding the fire station. We put in a bid also on the property. Just a little background, we started in 1924. We were in the City of Massillon from the 1930's to 1996, when we sold the assets at the company. We are not looking to use it as a storage facility. The trucks would be used during the day. They would be parked inside at night. There would not really be any traffic because we load up in the morning, go out to the job, come back at the end of the day and we're gone. We don't have walk in traffic or anything like that. The one big advantage, I see for the City is if they would sell the property to us, is that our payroll, which you guys aren't collecting but 1 or 2 employees of ours for City Income Tax, roughly if you would get your 2% City income tax, you'd be looking between \$8,000 to \$10,000 a year in City Income Tax revenue from our company. So, that's all I really had to tell you.

COUNCIL PRESIDENT ISTNICK – Thank you, Sam.

SAM THOMAS – You're welcome.

COUNCIL PRESIDENT ISTNICK – Is there anyone else?

DANIEL BIDDLE – Good evening. I live at 1011 Wales. I live across Kendal Rd. where there is a vacant lot next to my house. I'm sure you received an e-mail from me today. I tried to keep it as polite and to the point as possible. I can agree with everybody that is here this evening that either wants to keep the fire station open and possibly renovate it. I can agree with somebody that may want to purchase it and keep it under residential use. Unfortunately, if it is sold, I cannot support having a commercial business across the street from my house. I don't think anybody that owns property in that area, in their right mind, would want more commercial business put smack dab into a neighborhood like this. I believe the gentleman when he says that there is not going to be any heavy traffic. However, I have a home that I like. That I have invested money into and I am not going to see a commercial business go in and sink the value of my home because there is a concrete company across the street from me. This is not the first time I have been to an ordinance meeting whether it's been for a variance, whether it's been for the passing of a zoning issue, but, what I do feel is that I think some of the public opinion goes unheard, strongly. I really think it's more in the best interest of the City of Massillon, that they bring in the business and hope that they can collect the extra tax dollars and say, "The heck with everybody else. We're doing this for us". Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Dan.

DANIEL BIDDLE – You're welcome.

COUNCIL PRESIDENT ISTNICK – Mrs. Ferrero, do you have everyone's names and addresses.

JAYNE FERRERO – Yes.

COUNCIL PRESIDENT ISTNICK – Is there anyone else in the audience that would like to speak? Councilman Lewis.

COUNCILMAN LEWIS – Yes, Madam President. In referencing Ord. No. 82 under the Section of Introduction of Ordinances and Resolutions, upon further review, it was discovered that we do not have the proper signatures or verbal consents to have it placed on this evening's agenda. With that consideration, I would like to make a motion that we remove Ord. No. 82 – 2016 from this evening's agenda.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. Are there any questions or discussion? Madam Clerk, roll call.

8.yes to remove Ord. No. 81 from the agenda

COUNCILMAN LEWIS – Point of order? Ord. No. 82.

COUNCIL PRESIDENT ISTNICK – Ord. No. 82 has been removed from the agenda.

COUNCIL CLERK ROLLAND – Ord. 82? I'm sorry.

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 73 – 2016 BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to convey real estate obtained from the State of Ohio pursuant to Ordinance No. 2 – 2016 to the Community Improvement Corporation (CIC), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes, I'm going to ask that a representative from the Law Director's office come up and explain this. I'm going to ask Madam President, would you please call him?

COUNCIL PRESIDENT ISTNICK – Bob Cyperski, would you come up?

BOB CYPERSKI – Good evening. Yes, this property is necessary to be sold basically there's a cemetery that's being sold and we have, we being the City, have a piece of property in there. It makes it a land lot, the piece of property. If that piece, the City's piece, is not sold, there's no easement otherwise. And so, this property needs to be sold and the way to properly do this and the easiest way is to convey it to the CIC and therefore, get the property moving along to get it sold. Any questions?

COUNCIL PRESIDENT ISTNICK – Sarita?

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Sir, did I understand you said the cemetery is being sold?

BOB CYPERSKI – That's my understanding. A piece of the cemetery is being sold and our City lot, that we own, that we bought from the State of Ohio is being sold, yes.

COUNCIL PRESIDENT ISTNICK – Anyone else? Thank you, Mr. Cyperski.

BOB CYPERSKI – Thank you.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes. I make a motion that we waive the rule requiring three separate readings and bring Ord. No. 73 – 2016 forward for passage.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. Roll call for suspension.

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 73 has passed. Ord. No. 74 – 2016.

ORDINANCE NO. 74 – 2016 BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE approving the proposed rate increase for Massillon tax payers and non-tax payers for the regular and deluxe birthday party packages at the Massillon Recreation Center, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – First reading.

COUNCIL PRESIDENT ISTNICK – Ordinance No. 74 has received first reading. Ord. No. 75 – 2016.

ORDINANCE NO. 75 – 2016 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2105 Stormwater Utility Fund and the 1414 Collection System Improvement Fund, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes, thank you. This ordinance has three different appropriations into it. Section 1 is for \$30,000 for storm sewer repairs and then another \$20,000 for storm sewer repairs. This is to, in part, to repair one of the failed sewer lines that resulted in a sink hole in one of our streets and it also is for the repair of catch basins over the course of this summer. Section 2 is for \$24,286. This is another failed sewer line or utility line within the City that resulted in a sink hole in the streets that had to be repaired immediately. Are there any questions about any of these appropriations? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 75 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. Roll call for suspension.

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 75 – 2016 has passed. Ord. No. 76 – 2016.

ORDINANCE NO. 76 – 2016 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1305 Bond Retirement-Wastewater Treatment Fund, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. I'd like to call the Auditor, please.

COUNCIL PRESIDENT ISTNICK – Thank you.

JAYNE FERRERO – Mrs. President, members of Council, Mr. Lewis.

COUNCILMAN LEWIS – Yes, Madam Auditor, would you please clarify. This is simply part of the bond retirement fund that is related to the expansion that we are doing down there and this is to pay for a piece of that project?

JAYNE FERRERO – And these are fees that are not allowed to be rolled into that loan.

COUNCILMAN LEWIS – Okay. Are there any questions or comments for the Auditor? Thank you for your clarification. If there are no other questions or discussion this evening, I would make the motion that we suspend the rules requiring three readings, bringing Ord. No. 76 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. Roll call for suspension

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 76 – 2016 has passed. Ord. No. 77 – 2016.

ORDINANCE NO. 77 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1401 Income Tax Capital Improvement Fund, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I'd like to call forward the Safety Service Director. Oh, he's not present, sorry. The Mayor.

COUNCIL PRESIDENT ISTNICK – Thank you, Mayor.

MAYOR CATAZARO-PERRY – Good evening.

COUNCILMAN LEWIS – Yes, Madam Mayor. Which repairs would be included in this again for the record?

MAYOR CATAZARO-PERRY – Let me pull that, Mr. Lewis. The repairs for Ord. No. 77, I believe, are going to be from the pipes that broke in the basement of the Municipal Building.

COUNCILMAN LEWIS – Correct, okay.

JAYNE FERRERO – And it's for the generator too. The generator repair.

COUNCILMAN LEWIS – So it'll go for the pipes and the generator. I thought I remembered a pipe that was going between the two buildings as well. Is that on there as well?

JAYNE FERRERO – It is.

COUNCILMAN LEWIS – Okay. Are there any questions for the Auditor or for the Mayor in this appropriation? Thank you, Madam Mayor.

COUNCIL PRESIDENT ISTNICK – Thank you, Mayor.

MAYOR CATAZARO-PERRY – You're welcome.

COUNCILMAN LEWIS – Are there any questions or discussion in general to this ordinance? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 77 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. Roll call for suspension.

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 77 – 2016 has passed. Ord. No. 78 – 2016.

ORDINANCE NO. 78 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1222 Waste Management Grant Fund, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. The City receives a grant based upon its recycling efforts every year that we can then use to further “green” technology or other “green” programs within the City. This was discussed at the last Committee meeting. Are there any questions or conversation this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 78 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. Roll call for suspension.

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 78 – 2016 has passed. Ord. No. 79 – 2016.

ORDINANCE NO. 79 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation Fund, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance is coming from our Parks and Recreation Dept. The Parks and Recreation Board has already approved the request for the appropriation of the \$250,000. These funds are being requested so that they may do more tree removal of potentially harmful trees within our parks system. It also is to fund the Services/Contracts line. Many of their summer programming and other classes that the Parks and Recreation Dept. offers is paid for out of their Services/Contracts line. At the last Committee meeting, we did all receive a copy of their expenses so that we could have a detailed understanding of why these funds were needed. Is there any discussion or questions this evening? We do have the Park and Recreation Dept. Director present, if need be. Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 79 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. Roll call for suspension.

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 79 – 2016 has passed. Ord. No. 80 – 2016.

ORDINANCE NO. 80 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1433 Parks and Recreation Capital Improvement Fund, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance was brought to us to pay for the repair or replacement in the locker rooms.

KIM O'FARRELL – Men's and ladies locker rooms.

COUNCILMAN LEWIS – Men's and ladies locker rooms. This was something that we did discuss previously and we are now just taking care of the appropriation side of those repairs. Are there any questions or discussion this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 80 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. Roll call for suspension.

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 80 – 2016 has passed. Ord. No. 81 – 2016.

ORDINANCE NO. 81 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE to approve the highest and best bidder for the sale of land and building owned by the City of Massillon located at 955 Wales Road N.E., and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. I will say that my intention is to give first reading to this ordinance this evening, but would like to say that I intend a lengthy discussion at our next Work Session which is the 13th at 6:30 p.m. Where anyone that is interested can most certainly attend, but we do not have a comment section. But please attend, none the less. With that being said, first reading.

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Lewis. Ord. No. 81 – 2016 has received first reading. Ord. No. 82 – 2016.

COUNCIL CLERK ROLLAND – That's the one, I believe, we removed from the agenda.

COUNCIL PRESIDENT ISTNICK – It is.

COUNCIL CLERK ROLLAND – Okay.

COUNCIL PRESIDENT ISTNICK – Res. No. 12 – 2016.

RESOLUTION NO. 12 – 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on April 28, 2016, wherein the Zoning Board of Appeals denied a variance from the Massillon Zoning Code on a storage building location which does not meet the minimum side setback of ten (10) feet, on property known as Parcel No. 601879 in the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – First reading.

COUNCIL PRESIDENT ISTNICK – Res. No. 12 – 2016 has received first reading.

7. **UNFINISHED BUSINESS**

8. **PETITIONS & GENERAL COMMUNICATIONS**

Request for a Stock Change of Liquor License for Ayala Enterprises, LLC, DBA Joe's Main Mart located at 2304 Main Ave. W., Massillon, OH 44647. Class C1 and Class C2.

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk.

9. **BILLS, ACCOUNTS & CLAIMS**

Copeco Inc.	-	\$ 92.47	-	Staples for Sharp Copier
Keller's Office Furniture	-	<u>40.00</u>	-	1 case of Copy Paper
		\$132.47		

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we pay the bills.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. Roll call to pay the bills.

8 yes to pay the bills

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk.

10. **REPORTS FROM CITY OFFICIALS**

Mayor's Report – April 2016

11. **REPORTS OF COMMITTEES**

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be Monday, June 13, 2016 at 6:30 p.m.

12. **RESOLUTIONS & REQUESTS OF COUNCIL MEMBERS**

13. **CALL OF CALENDAR**

Tabled April 4, 2016 until June 6, 2016

AN ORDINANCE authorizing the Director of the Parks and Recreation Department of the City of Massillon, Ohio, to sell, auction, scrap and/or dispose of all and any park recreation vehicles, machinery, park equipment and/or materials from the Senior Center and The Legends of Massillon Golf Course, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This evening everyone should have received at their location a list of items to be sold or scrapped. This is coming from the Parks and Recreation Dept. It lists all the items, what their use is, model number and serial number, if able to be recognized. My recommendation as I've already spoken with the Director of Parks and Recreation Dept. is that I will table this again this evening until our next Council meeting. This will give us plenty of time to review these documents and discuss at the next meeting. With that being said, I make a motion that we table Ord. No. 7 – 2016 until the meeting of June 20, 2016.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. Roll call.

8 yes to table Ord. No. 7 – 2016 until June 20, 2016

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 7 – 2016 has been tabled.

14. THIRD READING OF ORDINANCES & RESOLUTIONS

15. SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 70 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1419 Marketplace Infrastructure Fund and the 1206 Municipal Motor Vehicle License Plate Fund, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – These next two pieces are dealing with what we've discussed in the TIF for the Marketplace Infrastructure Fund and as you know, this was a big discussion. There was a cooperative effort that we're working on with the school board in order to have these passed or at least \$1.2 million and when you add that with the Municipal Motor Vehicle License Plate Fund to the entire funding it'll become \$1.4 million. This will allow us to do projects the entire length of 17th St. N.W. and S.W. repaving. It'll allow us to repave parts of Amherst, parts of 11th St. N.E., I believe parts of 8th St. N.E., parts of Federal, Tommy Henrich and 1st St. in downtown Massillon, so it is a great amount of repaving that can be done. And it is also a great example of what \$1.4 million dollars can do in the City of Massillon as far as repairs to our roads. Which is the approximation of what the levy in August would also generate for road resurfacing. So it does give everyone a good idea of the kind of repair and moving forward that we're looking at. The first one in Ord. No. 70 is actually making the appropriations and Ord. No. 71 is approving the change to the TIF language. Is there any discussion tonight about Ord. No. 70 – 2016; if not, my intention is to move for passage? Seeing no discussion, I make a motion suspending the rules that require three readings and bring Ord. No. 70 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. Roll call for suspension.

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 70 – 2016 has passed. Ord. No. 71 – 2016.

ORDINANCE NO. 71 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE amending Ord. No. 151 – 1999, passed August 2, 1999, as previously amended by Ord. No. 90 – 2015, passed July 27, 2015, amending Ord. No. 90 – 2015 as so passed relating to the Marketplace Development and Public Infrastructure Improvements; authorizing related matters, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Again, is there any discussion or questions this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 71 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. Roll call for suspension.

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 71 – 2016 has passed.

16. NEW & MISCELLANEOUS BUSINESS

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

GEORGE GLIBA – I live at 222 Lake Ave. N.E. This is kind of a two-fold thing. You hired a new Park & Recreation guy, Steve Pedro, and I frequent the park down there at Sippo Lake Park, Reservoir Park, the running and biking area and this is about Memorial Day weekend. There's a geese population down there that craps all over the trail. You can't even walk down there from day to day. I mean, it needs a constant upkeep. So, Memorial Day weekend comes and I guess they cleaned off the trail on Friday, but from Saturday, Sunday, Monday, that trail wasn't touched down at Sippo Reservoir Campbell walking path. I took a video of the trail to show the Mayor, perhaps, of all the crap that was there that just piled up for three days. So I called Steve, well, I called the Park and Recreation Dept. on Tuesday and got a hold of Steve and he said that he's aware of the situation. You know, there's a goose population up there and he's trying to deal with it. Now, to me, somebody's that trying to make a statement for the City that's just been hired in, to leave that trail for three days, you couldn't even walk down there. The stench was terrible. I'd be hard pressed to say if anybody in here went down there that whole weekend. Because if they did, they would've been hot. I pump into somebody that's from Dalton. They said, well, I didn't know they were from Dalton. I said that this is ridiculous down here. I said, you can't even walk down here. I go, I'm going to the Mayor's meeting on Tuesday, I'm going to talk to the Mayor and they said well, if we lived here, we'd go with you, they were from Dalton. They didn't even get half around the trail before they took off. Now, I think there should be an accountability for that. If he's aware of the situation, there's a goose population, they're crapping all over the upper part where the pavilion is where people are supposed to cook out and everything, what is he doing for three days?

COUNCIL PRESIDENT ISTNICK – George, can we call the Mayor up?

GEORGE GLIBA – Yeah, sure.

COUNCIL PRESIDENT ISTNICK – Thank you. Thank you, Mayor.

MAYOR CATAZARO-PERRY – Thank you very much.

GEORGE GLIBA – So this is a rebuttal? (Laughter).

MAYOR CATAZARO-PERRY – Well, I just want to inform you of what we're doing to correct that. So, we agree with you, the geese love our path, they love it. So, the Parks and Rec. Director is sitting right here.

GEORGE GLIBA – Right here?

MAYOR CATAZARO-PERRY – That's Kim and she's aware of it. Many of our staff walk that track and so we're very aware of it. What we have done to correct it is, there is a brush machine... you can't just sweep it off and that's what they've been trying to do. So we have ordered the part for the sweeper and the sweeper will be scheduled to come through, as soon as it's finished on a scheduled basis and then she's also purchasing a power washer apparatus because you can't just brush it, you've got to power wash it. It's staining the track, so we're very aware of that and we're working to rectify that situation.

GEORGE GLIBA – Well, when I talked to Steve he never mentioned any of that. He never said, we're getting this, we're getting that. But, to leave something for three days. And he tried to fire back at me and say, "You know, we don't have the money and we don't have the hours". And I'm like, well, when I get hired into a job, you're not guaranteed the weekends off, you're not guaranteed this off and, you know, for three days, why couldn't he even step up to the plate. He's the guy in charge. Three days... you ought to see this video I have.

MAYOR CATAZARO-PERRY – Well, I'd love to see, but everyone has my cell phone number. You can always call me, even on the weekends. I answer e-mails at 11:00 p.m., so you can always call me.

GEORGE GLIBA – What would you have done differently? What could I have done differently?

MAYOR CATAZARO-PERRY – I would have, you know the old saying, I would have called Kim and Kim would have addressed the problem. So, you can always call me.

GEORGE GLIBA – You see what I'm trying to... you couldn't foresee that happening?

MAYOR CATAZARO-PERRY – Well, here's, but...

GEORGE GLIBA – To leave that for three days...

MAYOR CATAZARO-PERRY – But, he is correct on a couple of fronts, he is.

GEORGE GLIBA – I agree he's correct on maybe the money, but, I'm assuming he's a salary guy. So he should take an hour of his time.

MAYOR CATAZARO-PERRY – But it's more than an hour when you're brushing it with a broom.

GEORGE GLIBA – Not the upper part.

MAYOR CATAZARO-PERRY – Okay. I agree with you on that.

GEORGE GLIBA – Maybe two at the most, maybe two.

MAYOR CATAZARO-PERRY – But we are addressing it and we have to be more efficient with it because it's a daily, it could be a daily thing and we're working on... as soon as we get the apparatus back and it's in working order, she's going to be scheduling it and I'm guessing it's going to be every morning before people walk. So, that is taking...

GEORGE GLIBA – That would be great.

MAYOR CATAZARO-PERRY – Yes.

GEORGE GLIBA – If I see some type of something happening, wheels moving, things spinning, you know. Because that whole neighborhood, you know, is a pretty nice neighborhood and for them to deal with that, I don't see how the City could just let that whole community down like that, I mean, I really don't, for three days.

MAYOR CATAZARO-PERRY – Now look at the positive side. Have you noticed some improving in the mowing?

GEORGE GLIBA – Well, I did the other day notice some improvement. You actually blew off the grass off the track. You're getting better. I mean, last year, you used to cut the grass and the grass would be on the track and the branches would be on the track and I'm thinking, you know, come on man, we can do better than that.

MAYOR CATAZARO-PERRY – You know, I am a high level person as well and that's why when I heard about the droppings, that it looks so bad... because we have given a promise to the Campbell Oil family that we would maintain that. And so, we need to...

GEORGE GLIBA – What are the other options though? Can you catch and release with the geese?

MAYOR CATAZARO-PERRY – Some people actually catch them and kill them and give them to the poor, which that's not an option for us.

GEORGE GLIBA – But they're not leaving. They're multiplying.

MAYOR CATAZARO-PERRY – Well, the other thing is that you're not supposed to feed them and we do have an issue with people feeding our geese in the park. So, do you want... I can give you a little vest and we'll put you out there and tell them "Don't feed the geese".

GEORGE GLIBA – And do what?

MAYOR CATAZARO-PERRY – No, but honestly...

GEORGE GLIBA – Do you got some type of citation pad I could have too? (Laughter).

MAYOR CATAZARO-PERRY – We actually just posted, if you have taken note, we just posted signs. We've also had issues with dogs that are not on a leash. So, that has been posted and I don't know if the community here realizes that when you have a dog, it must be on a leash. So, we have recognized that. What's happening in the park, and Kim posted those just last week. So, anytime you have an issue, we'll be happy to address it if we know about it.

GEORGE GLIBA – Yeah, but, do you feel like somebody might have the ball that weekend? Do you get the feeling, for three days? People coming to visit Massillon, do you feel what I'm feeling?

MAYOR CATAZARO-PERRY – Yes. We have to have a better process in place to address this and Kim is, she's working to improve that.

GEORGE GLIBA – What about July 4th? It's on a Monday, so is that in the wheel house, going? Like July 4th is Monday. That Saturday, Sunday.

MAYOR CATAZARO-PERRY – Well, just so the audience knows that on July 3rd at the Rec Center, we will be having our 3rd of July Celebration and know that the Director is here, she will make sure that something happens over the weekend of the holidays. So, we just have to get that piece of equipment fixed and schedule it properly and let me just say, Kim is new and Steve is new. And since they've been here, they have really tried to improve our park system and I hope that the residents can see that. Because they are trying and we're not perfect by any means. But they are doing the best job that they can and when you bring us concerns, Jayne actually, the Auditor, brought me the concern on Friday, no Thursday, Jayne and I addressed it right away with Kim about the dogs not on a leash and about the goose droppings. So, as soon as I know about it, I will get it corrected, but I need to know about it and I'll give you my cell phone before you leave tonight.

GEORGE GLIBA – So, what you're saying, ultimately, the geese win? Because they're leaving...

MAYOR CATAZARO-PERRY – If you can solve the geese problem, you're going to make a lot of money because...

GEORGE GLIBA – That's why I'm trying to figure out. You can't walk even on the grass there. I mean, not only the track, but, so is there a catch and release, maybe?

MAYOR CATAZARO-PERRY – We do not have that. We can discuss it, we'll be happy to discuss it. I have to, I'm going to have to study it. I don't if any of the Council members of aware of a catch and release, but I'm going to have to research it.

GEORGE GLIBA – Because, like I said, they're multiplying. They ain't leaving and that's on you, you know. That was my ultimate goal was to just try to get them out of there because they're not leaving. It's like costing you hours every day, if you didn't want catch and release, you know, that would take care of a lot of the problem, I don't know. This is all new to me, you know, the whole situation, but you know, that's our livelihood down there and that's our taxpayer dollars and I'm just trying to speak for the whole area, you know.

MAYOR CATAZARO-PERRY – I understand.

GEORGE GLIBA – You can't even, you know, take your kids down there, your grandkids or nothing, you know. That's not a resource, it's a hazard.

MAYOR CATAZARO-PERRY – We actually used to have containers to feed the ducks, way back. You could put a nickel or quarter in, I remember, and you could feed them. But they really do cause a lot of problems for us when people feed them and they are multiplying. So, Kim just said though, she believes the numbers are down from the geese.

KIM O'FARRELL – We're just trying better options than killing.

GEORGE GLIBA – I never said that. I don't want that.

KIM O'FARRELL – When you do a round up, you're killing and my theory is that rather than conquer the poop trail, get machines fixed and take care of it that way on a daily basis as opposed to wiping out nature.

GEORGE GLIBA – Well, what I'm saying is you're taking care of the track. You can't walk on the grass. All that grass...

KIM O'FARRELL – But there's ways to reduce the geese. And we started off with the

lights and we track how many geese are in the parks, you know, we're tracking them. We started off with 130 and we went down to 40 and I have somebody going out there. This was even before Steve started. Do you see the lights?

GEORGE GLIBA – I counted 29 new ones.

KIM O'FARRELL – Yeah, but did you see the lights? So now what we're doing is taking one of the lights and we've got a little bit more sight.

GEORGE GLIBA – And what's that going to do?

KIM O'FARRELL – Again, this is not wiping them all out again.

GEORGE GLIBA – I understand that. I'm trying to make a park a resource.

KIM O'FARRELL – Right. Understood.

GEORGE GLIBA – Not a hazard.

KIM O'FARRELL – Correct.

GEORGE GLIBA – You can't walk on the grass. So, at no time did I want to try to kill the geese. I thought of catch and release. You catch them, take them up to Lake Erie, release them. That way, they're long gone. Not Jackson...

KIM O'FARRELL – They won't find their way back, right?

GEORGE GLIBA – Well, you know, it's just not a good resource down there. I mean it is to run and walk, but you can't walk on the grass or have a picnic. I mean, I don't think Mr. Manson would want to take his family down there for a picnic and seeing all that crap down there, you know? I mean, is that like open for discussion now between the Council or is that just like the Parks Director, you, the City now. Is that where we're at?

MAYOR CATAZARO-PERRY – There's a Parks & Rec Committee person.

GEORGE GLIBA – Yeah, I just heard that tonight. I didn't know what their, when their meetings were.

MAYOR CATAZARO-PERRY – You can also go to the Park Board.

GEORGE GLIBA – I mean, Steve didn't mention that.

MAYOR CATAZARO-PERRY – Kim can tell you about the Park Board meeting. They're held on a monthly basis and you're welcome to attend that and share your concerns there.

GEORGE GLIBA – Okay. But, I was just trying to, you know, make everyone aware of the situation down there. You can't really do a whole lot with that situation and that's a lot of, it affects a lot of people in that 17th St., Stoner area and Campbell and all that and then, you know, Perry's right up the road, you know. They'd probably be better off wanting to go up to Jackson, you know? We want to keep people here. That's what we want, right?

COUNCIL PRESIDENT ISTNICK – Thank you, Mayor. Thank you, George. Thank you for your comments.

GEORGE GLIBA – Thank you.

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilman Creamer.

COUNCILWOMAN CREAMER – I make a motion to adjourn.

COUNCIL PRESIDENT ISTNICK – Seconded by all. Meeting adjourned.

DIANE ROLLAND, CLERK OF COUNCIL CLAUDETTE ISTNICK, PRESIDENT