

**MINUTES OF SPECIAL MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, SEPTEMBER 28, 2015
6:00 p.m.**

COUNCIL PRESIDENT TOWNSEND – This meeting will come to order. This Special Meeting was called by members of the Finance Committee for the purpose to discuss and possibly pass Ordinances No. 139 – 2015, Ordinance No. 140 – 2015 and Ordinance No. 141 – 2015. Madam Clerk, roll call please.

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.

Roll call of 9 present.

COUNCIL PRESIDENT TOWNSEND – Thank you, Madam Clerk. We will move into the ordinances. Ordinance No. 139 – 2015.

ORDINANCE NO. 139 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1401 Income Tax Capital Improvement Fund and the 1239 Mandatory Drug Fine Fund for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes. I'd like to call the Chief of Police.

COUNCIL PRESIDENT TOWNSEND – Would you like to come up, Chief Moser?

COUNCILMAN LEWIS – The back mic is fine, I believe. Are you able to speak to any of these or is there another representative that would want to speak to those?

KEITH MOSER – I can speak to these.

COUNCILMAN LEWIS – Okay. The purchase for the transport van, the dollars; where do the dollars originate from?

KEITH MOSER – From the mandatory drug fines assessed through the courts and the...

COUNCILMAN CHOVAN – No, that's not. That's for the transport van, not the...

KEITH MOSER – Oh, the transport van, I'm sorry. The transport van, those are from our transport fees. A certain portion of that is set aside for maintenance and replacement of the transport vehicle.

COUNCILMAN LEWIS – And then the lease/purchase for the K-9 cruiser is coming from the Drug Fine Fund?

KEITH MOSER – That is correct, right.

COUNCILMAN LEWIS – Correct. And then, does anybody else have any other questions while we have the Chief? I'm looking at here, there would be a billed-out, I assume with both of these that are a part of this?

KEITH MOSER – That is correct, yes.

COUNCILMAN LEWIS – Is that one of these other ordinances or is that going to be soon coming? I don't think it's one of the other ordinances. Safety Director Smith: Thank you, Chief.

JOEL SMITH – I'm sorry, well the Chief can certainly can help me here. What we're doing here with the lease/purchase on the van is that the \$10,786.26 is the annual payment for the van itself and just that. It's for the first payment of three for a lease/purchase. The billed-out cost is approximately \$20,000, I think; in that range. The account currently has about \$28,000 in it, maybe a hair more, that's built since the first of the year. So, there's enough money in the account to get us going. By the time the van gets here in about four months because it has to be ordered through Ford, we'll have the remainder of the money in there and we'll come back to Council to authorize the expenditure to outfit it. On the Drug Fine money then, this is the total amount that's in the account. The vehicle itself, I think I attached to this the information. It's about \$29,000 and change and then the billed-out is somewhere between \$10,000 and \$15,000. Depending on all the equipment that we buy. Is that correct Chief?

KEITH MOSER – Yes.

JOEL SMITH – Depending on the radios that we purchase and the radar and all the associated. The cage for the K-9 and everything. So it'll be more than this total amount, but that's close. We're probably a couple of thousand short, but again, we're ordering the vehicle. It'll take up to twelve weeks to get and we'll finish the billed-out with other monies that the Police Dept. has.

COUNCILMAN LEWIS – Are there any other questions from members of Council?

JOEL SMITH – I would remind everyone that this Drug Fine Account comes from drug violators. It's monies that they've paid in over several years through the court system. This is all money from drug violators that we're spending to buy this K-9 vehicle.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Scassa.

COUNCILWOMAN SCASSA – Mr. Smith, I believe last week you had said and I'm not sure if it was from this fund, but you were checking with the Law Director to make sure that we were within our rights with using this fine money for this. Have you heard back from the Law Director?

JOEL SMITH – Yes. He did give us a legal opinion and said we are within our rights. We have a policy in place. It does fit what the State code mandates for us and it is an appropriate expenditure.

COUNCIL PRESIDENT TOWNSEND – Is there anyone else that has any questions? Thank you. Councilman Lewis, you still have the floor.

COUNCILMAN LEWIS -

Thank you, Mr. President. Members of Council, in front of you is Ordinance No. 59 which talks about making some changes to the rates for golf and some specials out at The Legends Golf Course. On the back page of your packet that was delivered on Friday, you will see that we're looking to lower the senior rate from \$23 down to \$21. Weekends after 1:00 p.m. currently \$40 all day, changing that to \$25. \$35 junior/senior, changing that to \$17, that's for 9 holes. Then a twilight special as well as a Mother's Day special which, unfortunately, we did not have in time, but a special that would be for Father's Day, Veteran's Day and one for Memorial Day. I know it's not on your packet, but Memorial Day would read exactly as Veteran's Day. Basically we're looking to pass these. They were to go into effect May 1st, we did not make the May 1st deadline due to the Park and Rec meeting getting delayed several weeks, so, we'd like to try to pass these so that the golf course can start the rates. Sitting behind me is Kim O'Ferrell. I mentioned her earlier in conversation. Kim O'Ferrell is our department head now as the Assistant Director of Parks and Recreation, so she is here if anyone has any questions that I cannot answer. Sarita?

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Does she need to come?

COUNCIL PRESIDENT TOWNSEND – You have a question for her?

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Well, yeah.

COUNCIL PRESIDENT TOWNSEND – Would you come up please, Kim.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – How was the decision made or how did you come about on the prices?

KIM O'FERRELL – Unfortunately, I'm new to the department. I've only been here a month as the assistant director, so, Terri put these fees together with Mr. Nist prior to me coming and I think, Joel, do you have a little bit more insight on those were determined?

COUNCILWOMAN DEL RIO-KELLER – I know one of the discussions were rounds of play, the more rounds of play we have, the more money we have come in, but certainly, Mr. Smith, would you like to come up?

KIM O'FERRELL – Yeah.

COUNCIL PRESIDENT TOWNSEND – Thank you. Are you complete with...

KIM O'FERRELL – It's just hard to answer questions when I wasn't present. Those decisions were made prior to me coming on board so it's...

COUNCILWOMAN CUNNINGHAM-HEDDERLY – I thought he had something to add.

COUNCIL PRESIDENT TOWNSEND – Well, once you're finished with her then we'll call him up. You're done? Okay, would you come up Mr. Safety Service Director, Joel?

JOEL SMITH – Thank you. I think I can try to answer your question, ma'am. Again, this was done on the April 23rd Park and Rec meeting that these rates were presented. I'm not sure if they were presented by Doug Nist or someone else, but the Park Board voted to go ahead and approve these at their April 23rd meeting. As we know, we didn't get it here in a timely manner and that's why we're here today. The point of this is you can charge 10 people \$40 or a 100 people \$25; where are you going to make more money? The key is to try to get more golfers on our golf course so we can make as much money as we can on that course and help us pay all the bills that, obviously, we need to pay. So, the Park Board passed this, I guess is what I'm saying and we're just here to confirm what they passed.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Thank you.

COUNCIL PRESIDENT TOWNSEND – Are there any more questions?

COUNCILMAN CHOVAN – Yes.

COUNCIL PRESIDENT TOWNSEND – Councilman Chovan?

COUNCILMAN CHOVAN – Thank you. So, I'm assuming we're doing this to be competitive with surrounding golf courses.

JOEL SMITH – We are, sir and there's other things that our new manager down at the golf course has suggested even on top of this to try and manage things. This one p.m. rate on the weekends, we've got to be competitive with the other courses. The other courses all around here at \$40; there's not a course out there that doesn't reduce their rates after 1:00 p.m.

COUNCILMAN CHOVAN – I played yesterday for \$21 at the senior rate at the Tammy and that's what they're proposing.

JOEL SMITH – And the other thing we need to address is Friday considered a weekend? Well, there isn't any other courses in the area that I know of and at least Terry told me this that charge a weekend rate on Friday and so this reduction at 1:00 p.m. would include the weekend rate being Friday as well. So we need to become more competitive with the market out there. We've got to get more golfers down there to help us make the repairs that clearly are needed there. I spent an hour and a half with our grounds keeper this morning and he took me around and I looked at everything and there's a lot to be done and Aaron's leaving us as you all know. He's leaving us at the end of the week. We've got some serious

issues we need to address and Kim and I spent the afternoon going around to the parks today. And I'll take this time to say that I'm extremely impressed with this woman right here. She's only been on the job three weeks and she's impressed the heck out of me, so far in two days. You have anything else for me?

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis?

COUNCILMAN LEWIS – I will say, in general, I'm inclined to think that if the Park Board did pass this already for the same reasons that I've already stated before, to respect the authority of the Park Board, one recommendation to keep in mind, though, whenever we're talking about rates, I personally would love it if we could have something where it says "this is the proposed rate, this is what Tam O'Shanter, this is... just so that we get rid of some of these questions. Just an idea for future proposals.

JOEL SMITH – You're right.

COUNCILMAN LEWIS – And you weren't here to propose this, so it's not you. It's just these...

JOEL SMITH – You're right, Mr. Lewis. And I want to apologize to you personally that we didn't have this ready for last week. That was our fault and you were right to argue that point, sir.

COUNCILMAN LEWIS – No problem. Thank you.

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

COUNCILWOMAN HALTER – I just wanted to mention, under Section 1 it says that these rate adjustments for The Legends will be for the year 2014. I think that might be a typo.

COUNCIL PRESIDENT TOWNSEND – Okay, Council Clerk can correct that. Councilwoman Del Rio-Keller, you still have the floor.

COUNCILWOMAN DEL RIO-KELLER – Thank you. Any other questions or concerns? I will add that when we changed rates the last time, I know that Councilman Lewis had asked if we could develop a range so that as the golf course wanted to make changes if it fell within the range, they would not have to continue to come back to Council and get these changes approved. I did talk to Perry today and if you recall, at that meeting Perry said absolutely not. Anytime that the Park and Rec Board wants to make changes to rates, it must come in front of Council. He still feels that way today, so, good idea, but I guess we'll continue to follow this format and change the rates so that we're aware of it. Any other questions? Do you need me to amend this or...

COUNCIL PRESIDENT TOWNSEND – No, she can take care of errors.

COUNCILWOMAN DEL RIO-KELLER – Okay, thank you. Seeing no other questions, I will make a motion to waive the rule requiring three (3) readings a bring Ordinance No. 59

forward for a vote.

COUNCIL PRESIDENT TOWNSEND – Seconded by Councilman Stinson. Roll call for suspension.

9 yes for suspension

COUNCIL PRESIDENT TOWNSEND – And for passage.

9 yes for passage

COUNCIL PRESIDENT TOWNSEND – Thank you, Madam Clerk. Ordinance No. 59 – 2015. If nothing else, this meeting is adjourned.

DIANE ROLLAND, CLERK OF COUNCIL TONY M. TOWNSEND, PRESIDENT