

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, AUGUST 3, 2015**

COUNCIL PRESIDENT TOWNSEND – Welcome to the Massillon City Council Meeting for Monday, August 3, 2015. We have in attendance with us the following city officials: Community Development Director, Larry Marcus, City Engineer, Keith Dylewski, Safety Service Director, Joel Smith, Mayor Kathy Catazaro-Perry, Auditor, Jayne Ferrero, Deputy Chief Auditor, Debbie Bonk and Law Director, Perry Stergios. 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: 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

2. INVOCATION

COUNCILWOMAN NANCY HALTER - Gave the invocation for tonight.

3. PLEDGE OF ALLEGIANCE

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

4. READING OF THE JOURNAL

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

COUNCIL CLERK ROLLAND – No sir, they are not. Our website was updated and I looked today and they have not yet been posted on the updated website.

COUNCIL PRESIDENT TOWNSEND – Okay, thank you very much.

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

COUNCIL PRESIDENT TOWNSEND – 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. Seeing no one. Councilman Manson.

COUNCILMAN MANSON – Yes. I'd like to make a motion that we amend tonight's agenda. We omitted Ord. No. 79. It should have been coming out under the Call of the Calendar. So, I'd like to make that motion to amend that that it will be called out under Call of the Calendar.

COUNCIL PRESIDENT TOWNSEND – Okay, thank you. Seconded by Councilman Lewis. Roll call to amend the agenda to reflect Ord. No. 79.

9 yes to amend the agenda to reflect Ord. No. 79 under Call of the Calendar

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 106 – 2015

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Massillon Development Foundation to provide an economic development gap funding to assist the business commercial development and extension of Millennium Road, for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson.

COUNCILMAN MANSON – Yes, thank you, Mr. President. We had quite a bit of discussion on this the other night. We had people here from MDF and I guess I'll ask, are there any questions that anybody needs answered? They did say that they wanted to keep this project moving. I don't think we can go wrong. It is going to be helping that industrial area, development wise. But if there's any reasons that anybody would like to wait, just make them clear. Otherwise I will be, yes, oh I'm sorry.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Halter?

COUNCILWOMAN HALTER – Thank you Mr. President. I was just noticing under Section 1 that the total amount not to exceed Thirty Thousand Dollars and in parenthesis it says \$35,000. Is that a typo?

COUNCIL PRESIDENT TOWNSEND – I'm not sure. Council Clerk?

COUNCIL CLERK ROLLAND – Yes.

COUNCILWOMAN HALTER – So it should be \$35,000?

COUNCIL CLERK ROLLAND – Let me look at the request for legislation.

COUNCIL PRESIDENT TOWNSEND – So which is the typo? Is it \$30,000 or \$35,000?

COUNCIL CLERK ROLLAND - \$35,000.

COUNCIL PRESIDENT TOWNSEND – Okay, alright. And the Council Clerk can correct that. Anything else, Councilwoman Halter?

COUNCILWOMAN HALTER – No thank you.

COUNCIL PRESIDENT TOWNSEND – Thank you. Councilman Manson, you still have the floor.

COUNCILMAN MANSON – I make a motion that we waive the rule requiring three (3) separate readings and bring Ord. No. 106 – 2015 forward for passage.

COUNCIL PRESIDENT TOWNSEND – Thank you. Seconded by Councilwoman Scassa. 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. Ord. No. 106 has passed. Ord. No. 107.

ORDINANCE NO. 107 – 2015

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – WASTEWATER TREATMENT DEPARTMENT of Ordinance No. 127 – 1997 by amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – WASTEWATER TREATMENT DEPARTMENT, and establishing new classifications and eliminating classifications under Section 2(D) OCCUPATION LIST OF CLASS TITLES – WASTEWATER TREATMENT DEPARTMENT in the City of Massillon, Ohio and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Scassa.

COUNCILWOMAN SCASSA – Thank you. First reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ord. No. 107 has received first reading. Ord. No. 108.

ORDINANCE NO. 108 – 2015

BY: HEALTH, WELFARE & BLDG. RELATIONS COMMITTEE

AN ORDINANCE establishing the Housing Market Reinvestment Program (HMRP), and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Stinson.

COUNCILMAN STINSON – Thank you, Mr. President. First reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ord. No. 108 has received first reading. Ord. No. 109.

ORDINANCE NO. 109 – 2015

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE adopting a “Petty Cash Policy” that shall be in effect in the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Scassa.

COUNCILWOMAN SCASSA – Thank you. First reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ord. No. 109 has received first reading. Ord. No. 110.

ORDINANCE NO. 110 – 2015

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE adopting a “Cash Drawer Policy” that shall be in effect in the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Thank you. Councilwoman Scassa.

COUNCILWOMAN SCASSA – First reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ord. No. 110 has received first reading. Ord. No. 111.

ORDINANCE NO. 111 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance is the follow-up to the Millennium Blvd. Ext. Project that we already passed in the Community Development Committee. This is the funding for that project. The City will be acting as a pass-through for many other entities where we are taking money from other TIF's that exist within the City to help this project along. So this is just the bulk sum and then the next ordinance has a little bit of a break down for us to look at as well. Are there any questions? Seeing none, I make a motion that we suspend the rules requiring three (3) readings bringing Ord. No. 111 – 2015 forward for a vote.

COUNCIL PRESIDENT TOWNSEND – Thank you. Seconded by Councilwoman Del Rio-Keller. 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. Ord. No. 111 has passed. Ord. No. 112.

ORDINANCE NO. 112 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1422 Shearer's TIF Fund, the 1430 Menard's TIF Fund, the 1426 Case Farms TIF Fund and the 1237 Economic Development Fund, for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – This is the second part of the funding for the Millennium Blvd. Project. Are there any questions or comments? Seeing none, I make a motion that we suspend the rules requiring three (3) readings, bringing Ord. No. 112 – 2015 forward for a vote.

COUNCIL PRESIDENT TOWNSEND – Thank you. Seconded by Councilwoman Scassa. 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. Ord. No. 112 has passed. Ord. No. 113.

ORDINANCE NO. 113 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1414 Collection System Improvement Fund and the 1212 Summer Concert Fund, for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Thank you. Councilman Lewis.

COUNCILMAN LEWIS – Yes. Could I have the City Engineer step forward?

COUNCIL PRESIDENT TOWNSEND – Okay. Mr. Dylewski.

KEITH DYLEWSKI – Mr. President, members of Council, Mr. Lewis.

COUNCILMAN LEWIS – Yes. Would you please provide Council with a summary, once again of the Southway Sanitary Sewer Ext. Project, the funding for it?

KEITH DYLEWSKI – The funding for it, sure. The money's being appropriated from the 1414 account and then once the sewer is constructed and businesses or residents would hook onto it, they'll be assessed a frontage fee based on the total frontage of their parcel which would go back into the 1414 account.

COUNCILMAN LEWIS – Thank you. And that's the portion that I wanted to make sure that we were all aware of; that we're putting this money up up front, but as people start to hook in, some of that money will go back into the account for future use. Anybody have any questions for the City Engineer? Thank you. The other part, Section 2 of this ordinance is the Summer Concert Series and as I say every time, this is a fund that is donated into for the purpose of providing the Summer Concert Series, we simply act as the gatekeepers of the money. It really is a donated fund. Are there any questions or comments to Ord. No. 113? Seeing none, I make a motion that we suspend the rules requiring three (3) readings, bringing Ord. No. 113 – 2015 forward for a vote.

COUNCIL PRESIDENT TOWNSEND – Seconded by Councilwoman Del Rio-Keller. 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. Ord. No. 114 has passed.

COUNCIL CLERK ROLLAND – No. 113.

COUNCIL PRESIDENT TOWNSEND – No. 113, yes. Ord. No. 114.

ORDINANCE NO. 114 – 2015 **BY: FINANCE COMMITTEE**

AN ORDINANCE to reduce appropriations in the 1234 Park and Recreation Fund, for the year ending December 31, 2015, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ord. No. 114 has received first reading. Ord. No. 115.

ORDINANCE NO. 115 – 2015 **BY: FINANCE COMMITTEE**

AN ORDINANCE amending CHAPTER 181 "INCOME TAX" of the Codified Ordinances of the City of Massillon and enacting new Section 181.031 LEVY OF ADDITIONAL TAX to reflect the increase in the municipal income tax rate from one and eighth-tenths (1.8%) to two percent (2.0%) to be effective January 1, 2017, subject to approval of the electors of the City of Massillon at a Primary Election to be held in the spring of 2016.

COUNCIL PRESIDENT TOWNSEND – Thank you. Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ord. No. 115 has received first reading. Ord. No. 116.

ORDINANCE NO. 116 – 2015 **BY: FINANCE COMMITTEE**

AN ORDINANCE amending Section 181.15 “CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY” OF CHAPTER 181 “INCOME TAX” of the Codified Ordinances of the City of Massillon by enacting a new Section 181.15 “CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY” of said CHAPTER 181 “INCOME TAX”.

COUNCIL PRESIDENT TOWNSEND – Thank you. Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT TOWNSEND – Thank you. Ord. No. 116 has received first reading. Resolution No. 7.

RESOLUTION NO. 7 – 2015 **BY: FINANCE COMMITTEE**

A RESOLUTION approving the 2016 Stark County Tax Budget for the City of Massillon, Ohio, as listed on the attached Exhibit “A”, and declaring an emergency.

COUNCIL PRESIDENT TOWNSEND – Thank you. Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is the wish list that we send into the County every year. It essentially justifies the needs for the funding that we currently have. And like I said, we do this annually. Are there any questions? Seeing none, I make a motion that we suspend the rules requiring three (3) readings, bringing Res. No. 7 – 2015 forward for a vote.

COUNCIL PRESIDENT TOWNSEND – Thank you. Seconded by Councilwoman Scassa. 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. Res. No. 7 has passed.

7. **UNFINISHED BUSINESS**

8. **PETITIONS & GENERAL COMMUNICATIONS**

9. **BILLS, ACCOUNTS & CLAIMS**

10. **REPORTS FROM CITY OFFICIALS**

Mayor’s Report – June 2015
Treasurer’s Report – June 2015

COUNCIL PRESIDENT TOWNSEND – Thank you, Madam Clerk and those reports will filed that in the appropriate area.

11. **REPORTS OF COMMITTEES**

COUNCIL PRESIDENT TOWNSEND – Councilman Manson?

COUNCILMAN MANSON – Yes. Thank you, Mr. President. The first thing, I’m sure

everybody heard at least around in this circle here, is that the Fiscal Plan was approved by the Commission today, unanimously. I think there may have been one (1) Commission person missing. So, it's our job to, eventually, pass that ordinance to put it on the ballot for next spring. I don't imagine that there's a big rush. It can't be dealt with by the Board of Elections until December anyhow. So, just let everybody know that's what went on today.

COUNCIL PRESIDENT TOWNSEND – Okay. Is there anyone else?

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

COUNCIL PRESIDENT TOWNSEND – Councilman Manson?

COUNCILMAN MANSON – Yes, one is our website. Maybe somebody can tell me where we stand on our website. I understand whoever is putting the content on there, that has changed, I guess. And I don't think we've been getting our Council minutes from our meetings on there yet and also, I think that there's several reports, monthly reports from the Administration that aren't there yet. And I'd like to know when this going to be taken of?

COUNCIL PRESIDENT TOWNSEND – Is there someone who can come up and speak to us about the website?

MAYOR CATAZARO-PERRY – Good evening, Mr. President, member of Council. We do have a new website and we have a few quirks to work out, but it is a very business friendly website and I'd like for you to go and take a look at it. Larry St. Jean will be posting your minutes on the website as they forward and so, we're very excited about it.

COUNCIL PRESIDENT TOWNSEND – Does that answer your question?

COUNCILMAN MANSON – Okay.

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

COUNCILMAN MANSON – Mr. St. Jean...excuse me.

COUNCIL PRESIDENT TOWNSEND – Yes.

COUNCILMAN MANSON – Yes, Mr. St. Jean I contacted him once and he said that if there was anything else to contact him again, so, I guess that's who we should be going to if we aren't seeing what we want on there.

COUNCIL PRESIDENT TOWNSEND – Okay. Yes, you still have the floor.

COUNCILMAN MANSON – I have another part under there. I'm asking the Administration and the Community Development Dept. to come to Council's Committee meeting next week and address the problems in the Community Development Dept. over the payment of the people that inspect the zoning; zoning code violations. I understand that there has been communications back and forth between the City and the State, I believe the State Auditor's office, but I'm not sure exactly who it would be. I'd like to see all of these and I'd like to have somebody come, either Mr. Marcus or the rest of the Administration, and explain what has happened and what is taking place to try to correct this problem.

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

13. **CALL OF CALENDAR**

Tabled at July 20, 2015 Meeting until August 3, 2015

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning the north portion of a certain tract of land from I-1 Light Industrial to RM-1 Multiple Family Residential and the south portion of a certain tract of land from I-1 Light Industrial to A-1 Agriculture.

COUNCIL PRESIDENT TOWNSEND – Councilman Manson?

COUNCILMAN MANSON – Yes. Thank you, Mr. President. We had a Public Hearing before tonight's Council meeting to take comments from the public, either for or against it. There was nobody objecting to this. The developer did explain what their intent is and it's in Ms. Scassa's ward. I don't know if she would care to comment on it, but, I will be recommending that we bring it forward for passage tonight.

COUNCIL PRESIDENT TOWNSEND – Councilwoman Scassa?

COUNCILWOMAN SCASSA – As I stated during the Public Hearing, I have not received any communication from any constituents in Ward 3 or any neighbors specifically around this area. Neither in support or in opposition. So, and it has been, I believe, in the paper and we had our Public Hearing tonight.

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

COUNCILMAN MANSON – I move that we bring Ord. No. 79 forward for passage.

COUNCIL PRESIDENT TOWNSEND – Seconded by Councilman Chovan. Roll call for passage.

9 yes for passage

COUNCIL PRESIDENT TOWNSEND – Thank you. Ord. No. 79 has passed.

14. THIRD READING OF ORDINANCES & RESOLUTIONS

15. SECOND READING OF ORDINANCES AND RESOLUTIONS

16. NEW & MISCELLANEOUS BUSINESS

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

COUNCIL PRESIDENT TOWNSEND – Is there anyone else? Councilwoman Halter, I need a motion to adjourn.

18. ADJOURNMENT

COUNCILWOMAN DEL RIO-KELLER – I move that we adjourn.

COUNCIL PRESIDENT TOWNSEND – Seconded by Councilwoman Starrett. This meeting is adjourned.

DIANE ROLLAND, CLERK OF COUNCIL TONY TOWNSEND, PRESIDENT