

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD TUESDAY, JANUARY 19, 2021**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Tuesday, January 19, 2021. We have in attendance with us the following city officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Chief Counsel, Bill Bartos, Chief Engineer, Jason Popiel, Community Development Director, Samantha Walters, Economic Development Director, Dave Maley and Park and Recreation Director, Steve Pedro. Under item #5 on the agenda 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’d like to remind all of you that if you are not speaking, please mute your mics so that we can hold all the background noise to a minimum

COUNCIL PRESIDENT ISTNICK – Roll call.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Jill Creamer, Mike Gregg, Ted Herncane, Ed Lewis, Linda Litman, Mark Lombardi, Jamie Slutz, Megan Starrett and Jim Thieret.

Roll call of 9 present

2. INVOCATION

COUNCILWOMAN JILL CREAMER

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILWOMAN CREAMER

COUNCIL PRESIDENT ISTNICK – Thank you, Councilwoman Creamer.

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 additions or corrections to be made?

COUNCIL CLERK ROLLAND – No, there are not.

COUNCIL PRESIDENT ISTNICK – Then the minutes stand approved as written.

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

6. NEW AND MISCELLANEOUS BUSINESS

COUNCIL PRESIDENT ISTNICK – I know that we just voted on new committee assignments a few weeks ago to fill openings for Nancy Halter and I would like to thank those of you who worked on four committees temporarily until her position was filled; Jill Creamer, Linda Litman and Ted Herculane, thank you, I appreciate that. On January 12th, retired police officer, Jamie Slutz has stepped in to fill Nancy Halter's vacant spot as Council-at-Large for the remainder of 2021. So, now I would like to submit new committee assignments including Councilman Slutz for the remainder of 2021. Before I share the assignments for your approval, I would like to make a few comments. I served on Council from 2000 to 2004 as Councilwoman for Ward 3 as a Republican and presently I am serving on Council as Council President since 2016 as an Independent. I have no political agenda. My only agenda is to do what is best for Massillon. When I was on Council back in 2000, I told the President of Council I was interested in being on the Finance Committee since I had a math background. He told me that it wasn't going to happen and by God, it never did. Not for the next four years that I served. When it came time to vote for the Committee assignments presented by the President, I believe it was a unanimous vote to accept. I guess I thought that's how it was always done. The President presents the assignments and Council approves it. My selection for these committees are not based on party affiliation, they are based on what I believe can best serve the people of Massillon. Having said that, I am submitting the following Committee assignments for the remainder of 2021 for your approval. I am hopeful that someone will make a motion to accept these Committee assignments. Councilman Lombardi is going to share them on the screen. I don't see it up on the screen, at this point.

COUNCILMAN LOMBARDI – Those are up now, Mrs. Istnick.

COUNCIL PRESIDENT ISTNICK – Thank you. Councilman Herculane.

COUNCILMAN HERNCANE – Madam President. I make a motion that we accept this slate as presented.

COUNCILMAN LEWIS – Real quick for discussion, though. We have not had discussion yet.

COUNCILWOMAN LITMAN – Madam President, I will second that.

COUNCIL PRESIDENT ISTNICK – Thank you. We are now open for discussion.

COUNCILMAN LEWIS – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILMAN LEWIS – I just want to make sure that we point out to the members of Council that while we appreciate your service and your thought on this list, in no means do Council Rules state the President of Council has to submit a list of Committees at this time. They are only to do so at the beginning of a session which would have occurred in January of 2020 and won't occur again until January 2022. Obviously, we can still consider this list and see what we think of it. But, I just wanted to point that out to all members of Council.

COUNCIL PRESIDENT ISTNICK – Thank you. I appreciate that.

COUNCILMAN LEWIS – I guess along with that; I do have a question.

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILWOMAN LITMAN – If we do not have any further discussion, I believe we could call for a vote.

COUNCILMAN LEWIS – I do have a question.

COUNCIL PRESIDENT ISTNICK – Go ahead.

COUNCILMAN LEWIS – Why would we affect Committees that were not affected by the departure of Mrs. Halter? For example, in Finance Committee, we're removing a member from the Finance Committee that was in no way impacted by the vacancy of Mrs. Halter, just to put another person on.

COUNCIL PRESIDENT ISTNICK – That is what was done in January. A person that was on Finance was removed and I thought Councilwoman Litman did an excellent job with her banking background.

COUNCILMAN LEWIS – Madam President, that is not accurate. In January, nobody was on any Committees. You're speaking of a previous session of Council; you're not speaking of this session of Council when those referrals were made.

COUNCIL PRESIDENT ISTNICK – Okay. Any other questions or concerns?

COUNCILMAN HERNCAINE – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes, Councilman Herncane.

COUNCILMAN HERNCAINE – Thank you. I guess I would just add that we covered this the last time as well and the Rules do state that you shall "present at the beginning of a term" but it doesn't state that you cannot present a list at any other time at any other regular meeting. So, I appreciate Mr. Lewis' sentiments, but I don't believe that's entirely accurate.

COUNCILMAN LEWIS – Madam President, actually, the Rules states that a Councilmember may present a list. Like I said, I'm not arguing whether or not this list should be reviewed, not that would not be up for debate right now. I was just simply stating what the Rule states.

COUNCIL PRESIDENT ISTNICK – Thank you.

COUNCILMAN GREGG – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILMAN GREGG – I'm just curious as to why I was removed from the Finance Committee after having served on it this entire past year?

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman had served on it prior to that and then a year ago, she was removed and you were put on and I thought she did an excellent job and I, at that point, didn't see any reason why she was removed with her banking background.

COUNCILMAN GREGG – Well, I have 37 years in financial services as well, Madam President. Which I think is just as applicable background as banking. In fact, my background does include banking.

COUNCIL PRESIDENT ISTNICK – I hear your concerns. Anyone else?

COUNCILMAN LEWIS – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes, Councilman Lewis.

COUNCILMAN LEWIS – Overall, I just think that there is no reason to cause this much of a shake-up on Committees simply because a member of Council resigned their position and that position was filled. In the past, by example of a previous session of Council in which we had the death of a Councilman and that position was filled by Councilman Harris, he simply just stepped into the role that was vacated. I would propose that we do likewise tonight. That we just simply have Mr. Slutz fill the positions vacated by Mrs. Halter. We've spent entirely too much time discussing and debating Committees and this seems to be the cleanest and easiest solution and it will allow us to move on and deal with the parts of the City that matter and that is the legislations and the appropriations and policies that affect everyday life. So, my recommendation tonight would be to vote "no" on this proposal, for that reason and also it makes no sense at all to remove Mr. Gregg from a Committee that he served on and did nothing wrong and did a fine job. So, I would recommend that we vote "no" and then I will follow that up with a proposal to simply replace Mrs. Halter's positions with Mr. Slutz as designed in January 2020.

COUNCIL PRESIDENT ISTNICK – Any other questions or comments? Then I would call for a roll call.

5 no; 4 yes to accept Council President Istnick's proposed Committee changes

COUNCIL PRESIDENT ISTNICK – Thank you. It has failed. Councilman Lewis.

COUNCILMAN LEWIS – Yes, I'd like to make a motion that we assign Committees using January 2020 Committee assignments as our basis in replacing Councilwoman Halter with Councilman Slutz. I do believe Mr. Lombardi does have that if it needs to be displayed for anyone, and I would need a second.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Gregg. Do you want to put it up, Councilman Lombardi?

COUNCILMAN LOMBARDI – Yes, let me get it here.

COUNCIL PRESIDENT ISTNICK – Okay, thank you.

COUNCILMAN LEWIS – So this list, as shown, should reflect that everyone has the exact same Committee assignments that they had until December 2020.

COUNCIL PRESIDENT ISTNICK – You’re going to have to give me just a minute, please.

COUNCILMAN LEWIS – I’m just wondering if any Councilmembers have any questions?

COUNCILWOMAN STARRETT – Not that it matters, but my name is spelled wrong.

COUNCIL CLERK ROLLAND – Don’t worry, Megan. I’ve got the original at the office.

COUNCILWOMAN STARRETT – Thank you, Diane.

COUNCILWOMAN LITMAN – Madam President, I do have a comment to make.

COUNCIL PRESIDENT ISTNICK – Go ahead.

COUNCILWOMAN LITMAN – Thank you, Madam President. My position has always been regarding the Committee assignments should be made based on the experience or forte each of our Council members may have. What they’re bringing to the table that is going to be able to benefit the City to the greatest extent. So, as I look at Committee assignments as I believe President Istnick had mentioned, I was a member of the Finance Committee in the prior term and when January 2020 came about, it appeared to me that Mr. Lewis made a play for placing individuals on Committees based on their political affiliation and I think that is the furthest from the way that Committee assignments should be made. For example, we now have a retired policeman and a retired fireman on our Council and for example, where I think their experience could be used more so or to the greatest extent may be on a different Committee than what they are currently assigned by Mr. Lewis January 2020. I think that’s also the case for our Finance Committee. Even for our Community Development Committee, it just doesn’t appear to me that the assignments that were previously made were based on any experience or any background that could have benefited the community based on what legislation may be flowing through those specific Committees. So, I just wanted to make my comments clear. I had only had requested to be placed back on Finance because I too have 28 years of investment management, wealth management experience as well as general banking and recordkeeping for our employee benefit area. So, I just wanted to make those comments there. Thank you, Madam President.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

COUNCILMAN HERNCANE – Madam President. I have a question.

COUNCIL PRESIDENT ISTNICK – Go ahead.

COUNCILMAN HERNCANE – I guess I’d like to ask why I would be removed from the Community Development Committee if that is my background?

COUNCIL PRESIDENT ISTNICK – I have no answer for that. Councilman Lewis.

COUNCILMAN LEWIS – This is just simply replacing the vacated seat with the new member of Council. This was based off the list of January 2020. Halter vacated the position, Slutz replaces her and goes into the same seats that she held when she resigned. That’s all there is

to this; this list of assignments. It's the cleanest, simplest way to go about it and let us move forward.

COUNCIL PRESIDENT ISTNICK – Anyone else? We have a motion and a second, roll call.

7 yes; 2 no to accept the proposed Committee assignments by replacing Councilwoman Halter's positions on Committees with Councilman Slutz

COUNCIL PRESIDENT ISTNICK – Then the new Committees stand approved and Diane, you will get those e-mailed to everybody?

COUNCIL CLERK ROLLAND – Yes, Madam President, I will.

COUNCIL PRESIDENT ISTNICK – Thank you.

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 4 – 2021

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending the rules of Massillon City Council by amending RULE 18 and RULE 18.1 of SECTION 121.02 "RULES OF COUNCIL" of the Codified Ordinances of the City of Massillon, Ohio, and enacting RULE 18.2 and RULE 18.3 of SECTION 121.02 "RULES OF COUNCIL" of the Codified Ordinances of the City of Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – Thank you, Madam President. This is legislation that we've discussed in a couple of special Rules & Courts Committee meetings and then also in regular Committee Work Sessions. Are there any questions or concerns at this time? Hearing none, I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 4 – 2021 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – Just a minute, Diane. Before we go onto passage, Councilman Thieret, did you have your hand up?

COUNCILMAN THIERET – Yes, I did. I don't see emergency language there. Is that so we can bypass three reads?

COUNCILMAN LEWIS – I can answer that, Madam President, if you want me to.

COUNCIL PRESIDENT ISTNICK – Go ahead. Thank you.

COUNCILMAN LEWIS – Yes, emergency language and three readings is two separate issues. So, we can suspend the rules requiring three readings and not have emergency language in it. It just means that this Rule will not take affect for thirty-days.

COUNCILMAN THIERET – Right, okay.

COUNCIL PRESIDENT ISTNICK – Thank you. And for passage, Diane.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 4 – 2021 has passed. Ord. No. 5 – 2021.

ORDINANCE NO. 5 – 2021

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

AN ORDINANCE to approve the vacation of Penmount Ave. S.E., Massillon, Ohio, an unimproved 40-foot wide right of way located south of Forest Ave. S.E., and running in a westerly direction from Candell St.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. As we worked on this in the Work Session, this action has already been approved by the Planning Commission and I don't see any reason to take it through three readings. There's no public hearing. So far, we've had no objections as I recall from the engineers. Am I correct on that, Mr. Popiel?

JASON POPIEL – Yes, you're correct. It did pass with the Planning Commission in early November.

COUNCILMAN THIERET – Okay. So, I'd like to make a motion that we suspend the rules requiring three readings and bring Ord. No. 5 – 2021 up for vote today.

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

COUNCILMAN HERNCANE – As I stated at the Work Session, I have a conflict. I'll be abstaining.

8 yes; 1 abstained for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes; 1 abstained for passage

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 5 – 2021 has passed. Ord. No. 6 – 2021.

ORDINANCE NO. 6 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1203 Community Development Block Grant (CDBG) Fund, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance is related to our CDBG appropriations. As we've stated before, CDBG has a different fiscal year than us. Theirs runs from July to June, ours being January through December. So, all we're doing is reappropriating these dollars into this new budgetary year for it. Are there any questions? Ms. Walters is on the line if we do have any discussion this evening.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. My question would be does this, since it is such a specific dollar amount, does it bring the balance for that specific CDBG year to zero; is it all allocated with this legislation?

SAMANTHA WALTERS – Yes, it is.

COUNCILWOMAN LITMAN – Do we have any additional dollars from the last year, since this is actually for year ending December 31, 2020? Is there carryover that we are using within this, that ordinance as well or is it only the allocated dollars for that year?

SAMANTHA WALTERS – I believe there are some carryover funding from the 2019 program year which ended in June of 2020, but most of those funds and I don't have an exact amount, I can definitely get that you, but most of those funds are allocated, just not expended yet.

COUNCIL PRESIDENT ISTNICK – Any other questions or comments? Seeing none, Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 6 – 2021 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 6 – 2021 has passed. Res. No. 1 – 2021.

RESOLUTION NO. 1 – 2021

BY: COMMITTEE OF THE WHOLE

A RESOLUTION consenting to the appointment of Margy Vogt to the Historic Preservation Commission of the City of Massillon, Ohio, for the term expiring December 31, 2021.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis, do you want to take these?

COUNCILMAN LEWIS – Sure. Thank you. As the title says, we just are approving Margy Vogt’s appointment to the Preservation Commission. I make a motion that we suspend the rules requiring three readings, bringing Res. No. 1 – 2021 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK- Thank you, Madam Clerk. Res. No. 1 – 2021 has passed. Res. No. 2 – 2021.

RESOLUTION NO. 2 – 2021

BY: COMMITTEE OF THE WHOLE

A RESOLUTION consenting to the appointment of Jeffrey Thornberry to the Historic Preservation Commission of the City of Massillon, Ohio, for the term expiring December 31, 2021.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. As the title states, is there any discussion? I make a motion that we suspend the rules requiring three readings, bringing Res. No. 2 – 2021 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Res. No. 2 – 2021 has passed. Res. No. 3 – 2021.

RESOLUTION NO. 3 – 2021

BY: COMMITTEE OF THE WHOLE

A RESOLUTION consenting to the appoint of Edward Grier to the Recreation Board of the City of Massillon, Ohio, for the term expiring December 31, 2025.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Again, as the title states; I do have a quick question for the Mayor, if she’s available.

MAYOR CATAZARO-PERRY – Yes. Good evening, Councilman Lewis, Madam President, Members of Council.

COUNCILMAN LEWIS – Madam Mayor, is this his second term or third?

MAYOR CATAZARO-PERRY – This will be his second.

COUNCILMAN LEWIS – Okay.

MAYOR CATAZARO-PERRY – And you're permitted two consecutive terms.

COUNCILMAN LEWIS – Thank you.

MAYOR CATAZARO-PERRY – Your welcome.

COUNCILMAN LEWIS – I guess I would open up for any further questions or discussion, if anyone has any. Hearing none, I make a motion that we suspend the rules requiring three readings, bringing Res. No. 3 – 2021 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Res. No. 3 – 2021 has passed. I have a question before we proceed. One the screen, what is the triangle with the exclamation point in the upper left hand corner representing?

COUNCILMAN LEWIS – Connectivity issues.

COUNCIL PRESIDENT ISTNICK – So, everyone with that exclamation cannot hear?

COUNCILMAN LEWIS – It just means that if their video feed goes gray and you see that, that just means that they're having an interruption in their connection. So, they may or may not be able to hear at that time. The only one we have right now is Jamie Slutz; his second sign-in that he has, but his first sign-in seems to be working okay.

COUNCIL PRESIDENT ISTNICK – Okay, but they both have that marked. Okay, thank you.

8. UNFINISHED BUSINESS
9. PETITIONS AND GENERAL COMMUNICATIONS
10. BILLS, ACCOUNTS AND CLAIMS

11. REPORTS FROM CITY OFFICIALS

Auditor's Report - December 2020

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we accept the Auditor's Report.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. Roll call.

9 yes to accept the Auditor's Report

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be next Monday, January 25, 2021 at 6:30 p.m. Does anyone have anything to add?

COUNCILMAN LEWIS – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILMAN LEWIS – I just wanted to report out that at the first Work Session of February, I'm not quite sure of the date, if Diane would be able to inform me, that would be great. I have spoken with Ms. Busby of the West Stark Chamber and she will be joining us to introduce herself and what's going on at the Chamber of Commerce and other matters related to that. She's been there for approximately six months now and in speaking to her, we agreed that that would be a good idea for her to meet some Council members. We were hoping that we would eventually get into Chambers to that, but since that's not happening, we're going to have to do it virtually.

COUNCIL CLERK ROLLAND – Okay, Ed. That's going to be February 8th.

COUNCILMAN LEWIS – Alright, thank you.

COUNCIL CLERK ROLLAND – Your welcome.

COUNCIL PRESIDENT ISTNICK – Anyone else?

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes, Councilwoman Litman.

COUNCILWOMAN LITMAN – I've also had conversation with Ms. Busby regarding our DORA that we had spoken about previously. She was very interested in taking the lead on pursuing whether that would be something that would be beneficial to our community. So, hopefully at that introduction, she may be able to address the conversations she and I have had regarding the outdoor designated refreshment area. Thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilwoman Creamer.

COUNCILWOMAN CREAMER – Yes. I'd just like to announce, since there were some questions previously, there will be a Park and Recreation Board meeting on Wednesday, January 20th at 5:35 p.m.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – I just wanted to clarify. Mrs. Creamer, I believe that is a virtual meeting, is it not; and there is a number to call in for that meeting?

COUNCILWOMAN CREAMER – It is a Uberconference meeting. You are correct.

COUNCIL PRESIDENT ISTNICK – Anyone else?

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

14. CALL OF THE CALENDAR

15. THIRD READING ORDINANCE AND RESOLUTIONS

ORDINANCE NO. 136 – 2020

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tracts of land from R-1 One Family Residential to B-1 Local Business, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. If we could just table this ordinance until after the Public Hearing on February 16, 2021 at 6:00 p.m. and then we will have a vote on that at that time. So, I would ask that we table Ord. No. 136 – 2020 until February 16, 2021.

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

9 yes to table Ord. No. 136 – 2020 until February 16, 2021

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 136 – 2020 has been tabled until February 16, 2021. Ord. No. 151 – 2020.

ORDINANCE NO. 151 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE amending SECTION 181.01 "PURPOSE AND AUTHORITY TO LEVY TAX; RAGE" of the Codified Ordinances of the City of Massillon, Ohio, and authorizing the continuation of an existing two-tenths of one percent (0.2%) levy on income, to be effective January 1, 2022, for five (5) years, for the purpose of City Street Maintenance and Repair and

the City Street Department, subject to the approval of the electors of the City of Massillon, Ohio, at an election to be conducted at the Primary Election on May 4, 2021.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. We should have all received some corrective language for this ordinance related to, obviously, an issue in which we had to put some repeal language in it to make it accurately represent what was happening and also some typographical errors. Tonight, I will have to make a motion to amend this ordinance, but prior to doing so, I wanted to ask if anyone has any discussion or questions this evening? Hearing none, I make a motion that we amend Ord. No. 151 – 2020 in its entirety per the amended version of the ordinance that Council Clerk distributed via e-mail to all Councilmembers.

COUNCIL PRESIDENT ISTNICK – Seconded by...

DAVE MALEY – Mr. Lewis.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg, are you seconding or do you have a question?

COUNCILMAN GREGG – I was seconding, but it sounds like someone else has a question.

COUNCIL PRESIDENT ISTNICK – Oh, I'm sorry. Seconded by Councilman Gregg. Question?

DAVE MALEY – Mr. Lewis, I don't have the amendment in front of me, but is there emergency language on this or do we need emergency language?

COUNCILMAN LEWIS – Oh. Good catch.

DAVE MALEY – I would suggest, Mr. Bartos, since you rewrote that. Do we need emergency language on this?

COUNCILMAN LEWIS – We would.

BILL BARTOS – Madam President, Mr. Lewis. The emergency language is contained in the Resolution as we did in 2015. The Resolution is what's required to direct the, which follows here, the Resolution is what is required to direct the Board of Elections to place Ord. No. 151 – 2020 on the ballot. Keep in mind that this Ord. No. 151 – 2020 cannot take effect until it has been considered by the electors of the City of Massillon. So, emergency language would not mean that it would go into effect immediately and so, just like in 2016, there was no emergency language. Emergency language here would, essentially, mean nothing because this ordinance cannot take effect until it's been considered by the voters and, in fact, if you note in Section 5, the ordinance will not take effect anyway until January 1, 2022.

COUNCILMAN LEWIS – Thank you.

DAVE MALEY – Thank you. Mr. Bartos.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – We have a motion and a second.

COUNCIL PRESIDENT ISTNICK – Okay. Do you need to add the emergency language or not?

COUNCILMAN LEWIS – No, as Mr. Bartos wrote.

COUNCIL PRESIDENT ISTNICK – Okay. Roll call for the amendment.

9 yes to amend Ord. No. 151 – 2020 in its entirety

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 151 – 2020 has been amended in its entirety. Councilman Lewis, does this take it back to first reading?

COUNCILMAN LEWIS – It does.

COUNCIL PRESIDENT ISTNICK – Okay, Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 151 – 2020 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 151 – 2020 has passed. Res. No. 19 – 2020.

RESOLUTION NO. 19 – 2020

BY: FINANCE COMMITTEE

A RESOLUTION directing the Stark County Board of Elections to conduct an election at the Primary Election on May 4, 2021, for the purpose of providing the electors of the City of Massillon, Ohio, with the opportunity to approve or disapprove an ordinance providing for the continuation of an existing two-tenths of one percent (0.2%) levy on income, to be effective January 1, 2022, for five (5) years, for the purpose of City Street Maintenance and Repair and the City Street Department, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This coincides with what we just passed. This has the emergency language as Mr. Bartos had pointed out so that we can get this in in time for the filing deadline of February 3rd. Are there any questions or discussion this evening? Hearing none, I make a motion that we bring Res. No. 19 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Res. No. 19 – 2020 has passed.

16. **SECOND READING ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 2 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Massillon Recreation Center to offer all full-time Massillon City School employees with Massillon City School Healthcare a 50% discount on a single two (2) year membership to the Massillon Recreation Center effective January 1, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I would ask if there is any discussion or questions this evening related to this ordinance?

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. I just wanted to make sure that all Councilmembers were aware that there are approximately 400 Massillon City School employees who are on their medical plan as well, and when you're looking at a 50% discount, I can see this being appropriate now because, of course, we don't have nearly the traffic at the Rec. Center that we would have in a non-COVID environment. So, I guess I would just caution that this is for a two-year period first that I would be in agreement for. Because I do believe that over the next two years, we're still going to be very low on attendance. However, after COVID has come and gone and we have our regular routine of individuals that and members that are at the Rec. Center, if we add even another 200 to the attendance at a 50% discount, it's going to be a very busy place, which, of course, might be good, but then we have residents who are paying full price for their membership who will be waiting for equipment or for gym or for classes, etc. So, I am in agreement with this being for a two-year period, however, thereafter, I think it definitely has to be further evaluated.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 2 – 2021 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 2- 2021 has passed.

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

MAYOR CATAZARO-PERRY – Good evening, Madam President. I just wanted to give Council an update that the hospital did close today and they'll be recording it tomorrow.

COUNCIL PRESIDENT ISTNICK – Excellent news. Thank you. Anyone else?

L.J. DELUCA – Madam President. 2954 Veterans Blvd. S.E., Massillon, Ohio. Sorry, I had trouble getting on there. Hello to Diane Rolland, we appreciate what you do and President Pro Tem, Ed Lewis. I'm going to talk here a little bit about economic development at PACE and I'll explain coming up here. Hendrickson USA needed 60 acres and an additional 20 acres in Navarre, Ohio. When they looked in Massillon, it was a little too industrial for them. They also went to Alliance and the Mayor there, really didn't have an impact because they said that this is what we're going to have, this is what we're going to do for Hendrickson USA. Also Tractor Supply; let's talk about them, distribution center. They need 100 acres. They're breaking ground, I believe, in April 2021, in Navarre, not in Massillon. They looked at five different states, but we got to remember, Tractor Supply, to try to latch onto them, they had the big boys with them. That's J.L.L. For those of you in development and real estate like me to, Jones, Lang, LaSalle. They could have went anywhere and really, David Maley, the Economic Development Director, I don't think he had a chance to get Tractor Supply to be fair with him. Because it was on a state level. On the Massillon Energy Technology part with Steve DePetro, controls about 248 acres of that land and he's doing a great job. I remember that Republic Short-line when you had the pipes going out; the Roper Pipeline. He brought more money in there and developed that, Steve. That's kudos to him and Garrett Slutz who I think is his son-in-law. These people come in and they do a lot of good and Steve DePetro has a good private investment there and many others. Remember this, the City of Massillon did not buy any of that land and that is a good thing. Private investors did. They got a lot of things there. Also, Perry and Navarre had a JEDD, Joint Economic Development District, where they share the taxes, if you know what I mean. What happened was Navarre and Perry didn't put Massillon in a JEDD because I think the former Mayor, Frank Ciccinielli, was marching south annexing the land. Maybe that's why Massillon wasn't in this JEDD to share the taxes. That would have been a big thing with Perry and Navarre. And I also remember the City of Canton, Ohio, and Canton Twp., you guys know where that is, the Fairmont exit. Canton Twp. needed city water from the City of Canton. So they set up a JEDD to share in the taxes. And GoJo, remember them? Doing things in China. They're bringing that back. That was a big win for Dave Maley and the Mayor. They got Massillon, they got Akron, you got Cleveland and the I-X Center even closed, Wooster. And then I remember the Massillon Development Foundation; 50 acres to Shearer's Food, the Finefrock Industrial Park in the '60's and '70's. I think that that was really the first project for the Massillon Development Foundation and Debbie Busby will look at that too. Really here what I want to say is about PACE. It's something new; not too many states are doing it and I hope we can use it here in the State of Ohio. It's a new economic development tool, property assessment and really what it is is a real simple and effective way to finance energy in renewable energy buildings, commercial, retail, non-profit, multi-family. Property owners save money and makes the buildings more valuable and it's a real estate play with windows also roofing, but it's great. And finally John Isenhutch, co-owner of the land where Rt. 21, where the Building 9 used to be, Mr. Isenhutch and his partners, they have about 35 acres there, Madam President, it's along Walnut Rd. near Rt. 21 and First St.,

they're looking at this. Maybe this PACE financing is good. You got to remember, every city is losing population and as I said earlier, timing is everything and I'll end it up with this; for Dave Maley and the Mayor, Baker Hughes, BJ Services, just went bankrupt. I think what the new BJ Services there along the south side of US Rt. 30, I'm over here at the Legends of Massillon, guess what? We might redeem ourselves again, maybe have another 108 acres here to sell. Because they look for green land, they look for a lot of land and that might be good, in a sense, for Massillon, Ohio. Thank you very much, Madam President, and you all have a good night. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you Mr. DeLuca. Anyone else?

18. ADJOURNMENT

COUNCILWOMAN CREAMER – I make a motion to adjourn.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT