

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD TUESDAY, FEBRUARY 16, 2021**

**COUNCIL PRESIDENT ISTNICK** – Welcome to the Massillon City Council Meeting for Tuesday, February 16, 2021. We have in attendance with us the following city officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Chief Deputy Auditor, Debbie Bonk, Chief Deputy Auditor, Stefanie Myers, Chief Counsel, Bill Bartos, Chief Engineer, Jason Popiel, Economic Development Director, Dave Maley, Police Chief, Keith Moser and Health Dept. Commissioner, Terri Argent. 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**

**COUNCILMAN TED HERNCANE**

**3. PLEDGE OF ALLEGIANCE**

**LED BY COUNCILMAN HERNCANE**

**COUNCIL PRESIDENT ISTNICK** – Thank you, Councilman Herncane.

**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
7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

**ORDINANCE NO. 15 – 2021**

**BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE**

AN ORDINANCE amending the OCCUPATION LIST OF CLASS TITLES, 705 – 730 HEALTH DEPARTMENT, in the City of Massillon, Ohio, and declaring an emergency

**COUNCIL PRESIDENT ISTNICK** – Councilman Gregg.

**COUNCILMAN GREGG** – Thank you, Madam President. This, as we discussed in our Committee Meeting this past week, is a Request for Legislation by the Health Dept. to be able to fill a position where an individual is retiring, also to combine a position to better suit the needs of the Health Dept. Are there any questions? I believe Terri Argent is on the line with us. Are there any questions or comments from City Council? Okay, hearing and seeing none, I see no reason to delay this legislation, so, I'd like to make a motion that we suspend the rules requiring three readings of the legislation and bring forward Ord. No. 15 – 2021 for a vote.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Herncane. 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. 15 – 2021 has passed. Ord. No. 16 – 2021.

**ORDINANCE NO. 16 – 2021**

**BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE**

AN ORDINANCE to accept the dedication of road right of way and easements for Country View Meadows, Phase 2 subdivision, Massillon, Ohio.

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret.

**COUNCILMAN THIERET** – Yes. This has already been through the Planning Commission, does this one have the emergency language on it?

**COUNCIL PRESIDENT ISTNICK** – Councilman Gregg is shaking his head, no.

**COUNCILMAN THIERET** – Well, then we can do this one at first reading. Are there any comments to this?

**COUNCIL PRESIDENT ISTNICK** – Seeing none, Ord. No. 16 – 2021 has received first reading.

**COUNCILMAN THIERET** – Thank you.

**COUNCIL PRESIDENT ISTNICK** – Thank you. Ord. No. – 17 – 2021.

**ORDINANCE NO. 17 – 2021**

**BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids according to law and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 2021 Community Development Block Grant (CDBG) Target Neighborhood Resurfacing Program in the City of Massillon, Ohio, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret.

**COUNCILMAN THIERET** – Thank you, Madam President. This one is just to get bids and, again, we've been through this. The understanding is that the sooner we get bids out, the best opportunity we have to get new contractors in there. If there are any questions, I know our engineer Popiel is on the line if anyone has any questions about this. Hearing none, I'd like to make a motion that we suspend the rules requiring three readings and bring Ord. No. 17 – 2021 forward for a vote tonight.

**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. Ord. No. 17 – 2021 has passed. Ord. No. 18 – 2021.

**ORDINANCE NO. 18 – 2021**

**BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids according to law and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 2021 Catch Basin Replacement Project I, in the City of Massillon, Ohio, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret.

**COUNCILMAN THIERET** – Thank you, Madam President. Again, this is another opportunity for us to get the bids out for our catch basin replacements. If there are any questions, again, on this, Jason is also on the line. Any questions for this or comments? Hearing none, I make motion that we waive the rules requiring three readings and move Ord. No. 18 – 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. Ord. No. 18 – 2021 has passed. Ord. No. 19 – 2021.

**ORDINANCE NO. 19 – 2021**

**BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids according to law and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 2021 Catch Basin Replacement Project II, in the City of Massillon, Ohio, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret.

**COUNCILMAN THIERET** – Thank you, Madam President. Again, this is Phase II of the catch basins for the year, replacement project. Again, the sooner we get the bids out, the sooner we have contractors going to bid. Are there any questions or comments from Council? Hearing none, I make a motion that we waive the rules requiring three readings and move Ord. No. 19 – 2021 forward for a vote tonight.

**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. Ord. No. 19 – 2021 has passed. Ord. No. 20 – 2021.

**ORDINANCE NO. 20 – 2021**

**BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids according to law and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 2021 MRF Erie Street South Resurfacing Project II, in the City of Massillon, Ohio, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret.

**COUNCILMAN THIERET** – Thank you, Madam President. Again, this is another opportunity for us to get bids for this project, get them in and get them done; the South Erie Project. Are

there any questions or comments from Council? Hearing none, I make a motion that we waive the rules requiring three readings and move Ord. No. 20 – 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. Ord. No. 20 – 2021 has passed. Ord. No. 21 – 2021.

**ORDINANCE NO. 21 – 2021**

**BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids according to law and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 2021 Castlewest Underdrain Improvement Project, in the City of Massillon, Ohio, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret.

**COUNCILMAN THIERET** – Thank you, Madam President. Again, this is the last one this evening that is requiring us to authorize the Safety Service Director to get bids on this project. Are there any comments or concerns from Council? Hearing none, I make a motion that we waive the rules requiring three readings and move Ord. No. 21 – 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. Ord. No. 21 – 2021 has passed. Ord. No. 22 – 2021.

**ORDINANCE NO. 22 – 2021**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1220 Foreclosure Property Administration Fund, for the year ending December 31, 2021, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This allocation will assist us in addressing vacant properties that are blighted, as discussed at the last meeting. Are there any questions or discussion this evening? Hearing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 22 – 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. 22 – 2021 has passed. Ord. No. 23 – 2021.

**ORDINANCE NO. 23 – 2021**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for the Sidewalk Replacement Program, for the year ending December 31, 2021, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This will allow homeowners and business owners to be able to apply to be able to receive some assistance when doing sidewalk replacement. I do believe that it brings value to our community. The only question that I have, is there any reason that is known that it must be voted on tonight? I'll entertain a comment from a member of the Administration, Madam President.

**COUNCIL PRESIDENT ISTNICK** – Ms. Sylvester, Mayor, Mr. Maley?

**BARB SYLVESTER** – I can answer that. The emergency language is on there because as the ordinance is written, the application has to be submitted to the City by April 30<sup>th</sup>, the end of April. So, we're closing in on that time and as the Mayor notified everyone at the Work Session that we are getting calls here at the City inquiring about it because residents have been aware that the ordinance has passed. So, that is the reason that we did put the emergency language on there for a timely process for the applications that'll come in.

**COUNCILMAN LEWIS** – Thank you.

**COUNCIL PRESIDENT ISTNICK** – Is that okay, Mr. Lewis?

**COUNCILMAN LEWIS** – Yes. Does anyone in the Finance Committee with just moving forward this evening? Hearing no objections, any other comments from members of Council? I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 23 – 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. 23 – 2021 has passed. Ord. No. 24 – 2021.

**ORDINANCE NO. 24 – 2021**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1304 Bond Retirement Senior Housing Fund, for the year ending December 31, 2021, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This is an appropriation for \$430,000

**COUNCIL PRESIDENT ISTNICK** – Seconded by Council. 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. 24 – 2021 has passed. Ord. No. 25 – 2021.

**ORDINANCE NO. 25 – 2021**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for Unemployment Benefits, for the year ending December 31, 2021, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. As discussed, this is related to something that is being seen throughout the State where falsified unemployment claims are being made. The City is working to make sure all false claims are corrected and things are done in the appropriate manner, but we do need a little bit of an appropriation in that account while we work through these processes and struggles. Are there any questions or discussion this evening? Hearing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 25 – 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. 25 – 2021 has passed. Ord. No. 26 – 2021.

**ORDINANCE NO. 26 – 2021**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1421 Wastewater Treatment Plant Upgrade Fund, for the year ending December 31, 2021, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. Is there any discussion this evening regarding this piece of legislation? Hearing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 26 – 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. 26 – 2021 has passed. Res. No. 4 – 2021.

**RESOLUTION NO. 4 – 2021**

**BY: FINANCE COMMITTEE**

A RESOLUTION authorizing the sale, during calendar year 2021, of city-owned motor vehicles and pieces of related equipment which are not needed for public use, or are obsolete or unfit for the use for which they were acquired, by internet auction, and declaring the same to be an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes, Madam President, I'd like to call upon Safety Service Director Sylvester.

**COUNCIL PRESIDENT ISTNICK** – Okay.

**BARB SYLVESTER** – Yes sir.

**COUNCILMAN LEWIS** – Yes, I know we had brought this up last week; is there a list of vehicles that you have in mind already?



**BARB SYLVESTER** – Right now, the only vehicle that we do have in mind is the maintenance vehicle that we did have from the hospital at Affinity. But the maintenance person no longer has a use for that. But that is the one vehicle that we do have at this time and if you recall, last year when I put this together it was later into the year. So, we wanted to be in advance this year and have it in place for any revenue that we are to bring into the City for any vehicles but are no longer of use. When we did that for the last few months of last year, the total that we brought in revenue was \$56,375. So, that's the reason we're wanting to put it into place now, in advance.

**COUNCILMAN LEWIS** – Thank you, Ms. Sylvester.

**BARB SYLVESTER** – Your welcome.

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Litman.

**COUNCILWOMAN LITMAN** – Thank you, Madam President. I just have a question of the Safety Service Director, as well. I'm sure that there is a fee that we pay to the internet provider of this site. Could she inform us as to what percentage of the sale we pay for the internet sale?

**BARB SYLVESTER** – I can get that information and send it to you at that time. This is the site that the public entities do use and I can give you all of the information on that.

**COUNCILWOMAN LITMAN** – That's fine. I was just wondering what the fee is that we're paying. Thank you.

**COUNCIL PRESIDENT ISTNICK** – Any other questions or concerns? Councilman Lewis.

**COUNCILMAN LEWIS** – I make a motion that we suspend the rules requiring three readings, bringing Res. No. 4 – 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. Res. No. 4 – 2021 has passed.

## 8. UNFINISHED BUSINESS

## 9. PETITIONS AND GENERAL COMMUNICATIONS

A Request for a New Liquor License for Tiger Island Mexican Grille, LLC located at 426 – 3<sup>rd</sup> St. S.E., Massillon, OH 44646. This location is formerly The Coffee Cup. Permit Class is D3 and is located in Ward 3.

**COUNCIL PRESIDENT ISTNICK** – Has Councilman Gregg received this information?

**COUNCILMAN GREGG** – Yes, I have.

**COUNCIL PRESIDENT ISTNICK** – Are there any questions or concerns?

**COUNCILMAN GREGG** – I have none.

**COUNCIL PRESIDENT ISTNICK** – Anyone else?

**10. BILLS, ACCOUNTS AND CLAIMS**

The Repository	-	\$ 1,390.40	Publication of December Ordinances
Copeco	-	125.99	Wireless HP Printer
Copeco	-	<u>64.98</u>	Ink Jet Cartridges – 1 Black; 1 Color
<b>Total</b>	-	<b>\$ 1,581.37</b>	

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – I make a motion to pay the bills.

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

9 yes to pay the bills

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. The Clerk will pay the bills and charge them to their proper accounts.

**11. REPORTS FROM CITY OFFICIALS**

Auditor’s Report - January 2021

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

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

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Gregg. Roll call.

9 yes to accept the Auditor’s Report

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. The Auditor’s Report has been excepted.

**12. REPORTS OF COMMITTEES**

**COUNCIL PRESIDENT ISTNICK** – Our next Work Session will be next Monday, February 22, 2021 at 6:30 p.m.

**COUNCIL CLERK ROLLAND** – Madam President.

**COUNCIL PRESIDENT ISTNICK** – Yes.

**COUNCIL CLERK ROLLAND** – There will also be a Rules, Courts and Civil Service Meeting at 6:00 p.m.

**COUNCIL PRESIDENT ISTNICK** – Okay.

**COUNCILMAN HERNCANE** – Isn't that Health and Welfare?

**COUNCIL CLERK ROLLAND** – Is it Health and Welfare?

**COUNCILMAN GREGG** – I believe it is, Diane. I did not call a meeting.

**COUNCIL CLERK ROLLAND** – Okay. That is in regards to the rentals.

**COUNCIL PRESIDENT ISTNICK** – Anyone else have anything?

### 13. **RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS**

**COUNCIL PRESIDENT ISTNICK** – Councilman Herncane.

**COUNCILMAN HERNCANE** – Thank you, Madam President. Recently I met with Amy Hopkins who is the new Regional External Affairs Director at First Energy. Her office is here in Massillon on S. Erie St. She wanted to introduce herself to City Council and with our current remote set-up, I suggested, if she was willing, to call in maybe at our next Work Session for a brief five-minute introduction so that the members of Council can kind of get a name as the new lady in charge at First Energy, if that would be okay? It won't take long.

**COUNCIL PRESIDENT ISTNICK** – That would be fine.

**COUNCIL CLERK ROLLAND** – Councilman Herncane.

**COUNCILMAN HERNCANE** – Yes ma'am.

**COUNCIL CLERK ROLLAND** – If you would have her call me or send me her e-mail address so that I can send her the meeting link.

**COUNCILMAN HERNCANE** – I will do that.

**COUNCIL CLERK ROLLAND** – Thank you.

**COUNCILMAN HERNCANE** – Thanks.

**COUNCIL PRESIDENT ISTNICK** – Anyone else?

14. **CALL OF THE CALENDAR**

**ORDINANCE NO. 127 – 2020** **BY: COMMUNITY DEVELOPMENT COMMITTEE**  
**Tabled January 4, 2021 until February 16, 2021**

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from RM-1 Multi-Family Residential to R-2 One Family Residential, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Starrett.

**COUNCILWOMAN STARRETT** – Thank you, Madam President. A couple of things before I ask that we vote on this ordinance and the next ordinance. These comments will apply to both of them. First off, we did have our Public Hearing tonight on Ord. No. 127 – 2020 and Ord. No. 136 – 2020. We did not have anybody in attendance speaking negatively upon the ordinances and we did have some favorable comments. Also, everybody should have received an e-mail from Mr. Bartos from the Law Department. These ordinances were placed on the agenda with emergency language. I'm going to be asking to amend that tonight and remove the emergency language. One, because it just doesn't seem to be necessary for zoning ordinances and two, there's actually some Supreme case law out there now that states that the Ohio Revised Code section that allows for emergency language should not be applying to zoning ordinances and rezoning ordinances. So that needs to be removed so we can make sure that we're doing things properly. Any questions on that?

**BILL BARTOS** – Madam Chairwoman.

**COUNCILWOMAN STARRETT** – Yes. Madam President.

**COUNCIL PRESIDENT ISTNICK** – Mr. Bartos, go ahead.

**BILL BARTOS** – I just wanted to say that I sent that e-mail just to you as the Chairwoman of the Committee and the Council President; just to clarify, because of the motion that will need to be made tonight. But I'll be happy to send it to all members of Council tomorrow just to clarify. But, we did have the similar discussion during the Progressive rezoning discussion, if all members will remember. Because of the issue with having the emergency language in the zoning and we actually did not have that language in that ordinance. These ordinances kind of came to be during my COVID absence. So, that's why these amendments are necessary. So, it won't happen again.

**COUNCIL PRESIDENT ISTNICK** – That's quite alright. Councilwoman Starrett.

**COUNCIL CLERK ROLLAND** – Councilwoman Starrett.

**COUNCILWOMAN STARRETT** – Yes.

**COUNCIL CLERK ROLLAND** – I believe I sent the amended versions of these ordinances to the Council members. Did you not receive them?

**COUNCILWOMAN STARRETT** – Yes, we received those.

**COUNCIL CLERK ROLLAND** – Okay.

**COUNCILWOMAN STARRETT** – At this time, I would ask that we amend Ord. No. 127 – 2020 to remove the emergency language from the ordinance.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Lewis. Roll call for the amendment.

9 yes to amend Ord. No. 127 – 2020 to remove the emergency language

**COUNCIL PRESIDENT ISTNICK** – Thank you. Ord. No. 127 – 2020 has been amended to remove the emergency language. Councilwoman Starrett.

**COUNCILWOMAN STARRETT** – Thank you, Madam President. That brings this back to first reading, so, at this time I would ask that we waive the rules requiring three readings and bring Ord. No. 127 – 2020 forward for a vote tonight.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Lewis. 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. 127 – 2020 has passed. Ord. No. 136 – 2020.

**ORDINANCE NO. 136 – 2020**                      **BY: COMMUNITY DEVELOPMENT COMMITTEE**  
**Tabled January 19, 2021 until February 16, 2021**

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning 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. I also intend to amend this to remove emergency language tonight, but before I do that, is there any further discussion on this ordinance? Hearing none, I make a motion that we amend Ord. No. 136 – 2020 to remove the emergency language.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Lewis. Roll call for the amendment.

9 yes to amend Ord. No. 136 – 2020 to remove the emergency language

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 136 – 2020 has been amended to remove the emergency language. Councilwoman Starrett, I have a question and

if this is a stupid question, I apologize. So, in order to suspend the rules, does it need emergency language?

**COUNCILWOMAN STARRETT** – No, emergency language is to make the ordinance go into immediately effect for things like the health and safety of the municipality.

**COUNCIL PRESIDENT ISTNICK** – Thank you. Councilwoman Starrett.

**COUNCILWOMAN STARRETT** – Thank you, Madam President. This brings this ordinance back to first reading, so, at this time I would ask to waive the rules requiring three readings and bring Ord. No. 136 – 2020 forward for a vote.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Lewis. 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. 136 – 2020 has passed.

**15. THIRD READING ORDINANCE AND RESOLUTIONS**

**16. SECOND READING ORDINANCES AND RESOLUTIONS**

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

**GEORGE SIMMONS** – I actually don't live in Massillon, but I own property at 1730 Huron St.; I own rentals back there in Walnut Hills and I've seen that this about the fees that you guys are about to, or you're going to talk about putting on and I've seen some chatter already online and I just wasn't sure if there's going to be a workshop to talk about things back and forth because I own properties in Canton and in Massillon and in Canton and North Canton and the way that its done is not too favorable to a landlord and I've had great success in Massillon and I've actually been selling my properties in other places and buying more and in Massillon, I've been working with Jim Johnson. If there's ever an issue on any of my properties, I get an e-mail or a letter in the mail and I address them quickly and Canton has where they charge \$80 a year and landlords don't really get anything for the value of the dollar. So, while you guys are discussing how that I could go about doing those fees and stuff; I know there are some unfavorable landlords in the area, but I won't say their names, but instead of imposing something that basically penalizes everybody that has a rental in Massillon, maybe something that's more based on merit or if we keep our properties up or if we get tag for something, you'll get a warning. If you get tagged again, then the fees will start coming out. Maybe you can make it more heavy inspection fees. So, if you guys got to keep wasting your time to come out to inspect and inspect and inspect, start tagging them and make them pay more money and if they get "x" amount of bad tags from you guys, then their fee would go up. Canton used to be \$20 a year; that was okay. But, again, the landlords don't really get anything out of that and I don't mind if you guys charge something, but I need something out of that other than hiring more people to find me more money. So, if there's something that can be done to help us

keep the properties nice and to follow the rules, I'm all for it. I have a great working relationship with you guys and I would just like to know if there's going to be a workshop or is there something that we can do to maybe throw ideas back forth or something that would work for you guys and work for the landlords instead of just rubber stamping a fee and not really getting much out of it and that's just kind of what I wanted to say/ask.

**COUNCIL PRESIDENT ISTNICK** – Thank you, George. This is not a Q & A, but is there somebody that he could call to get an answer from that?

**COUNCILMAN LEWIS** – Madam President, in my opinion, he could communicate with the Chairperson of Health and Welfare and they could work it out that way.

**COUNCIL PRESIDENT ISTNICK** – Okay. And that is Councilman Slutz.

**COUNCILMAN SLUTZ** – Yes.

**GEORGE SIMMONS** – Councilman Slutz? Thank you very much.

**COUNCIL PRESIDENT ISTNICK** – Thank you for your comments. Councilman Thieret.

**COUNCILMAN THIERET** – He can also tune in next week.

**COUNCIL PRESIDENT ISTNICK** – At 6:00 p.m.?

**COUNCILMAN THIERET** – Yes, at 6:00 p.m. we'll be discussing this.

**GEORGE SIMMONS** – Is that going to be Monday or Tuesday?

**COUNCIL PRESIDENT ISTNICK** – Monday.

**GEORGE SIMMONS** – Monday at 6:00 p.m., okay. Awesome, thank you. I'm a week early.

**COUNCIL PRESIDENT ISTNICK** – Anyone else? Anyone else from the community that would like to speak?

## 18. ADJOURNMENT

**COUNCILMAN HERNCANE** – I make a motion that we adjourn.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilwoman Litman. Meeting adjourned. Thank you everyone.

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DIANE ROLLAND, COUNCIL CLERK

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CLAUDETTE ISTNICK, PRESIDENT