

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD TUESDAY, FEBRUARY 22, 2022**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Tuesday, February 22, 2022. We have in attendance the following City officials: Mayor Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Chief Counsel, Bill Bartos and Economic Development Director, Dave Maley. Under #5 on the agenda is where the public can speak on any item that appears on tonight’s agenda and under #17 is where the public can speak on any item that does NOT appear on tonight’s agenda. I’d like to remind everyone keep your mics off until you’re ready to speak, mute your cell phones and anyone calling in, please mute yourself so that we can hold all the background noise to a minimum. Thank you.

COUNCIL PRESIDENT ISTNICK – Roll call.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Jill Creamer, Mike Gregg, Julie Harwig Smith, Ted Herncane, Ed Lewis, Mark Lombardi, Mike Snee, and Jim Thieret.

Roll call of 8 present

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Councilman Lewis.

COUNCILMAN LEWIS – I’d like to make a motion that we excuse Councilman Slutz.

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

8 yes to excuse Councilman Slutz

COUNCIL PRESIDENT ISTNICK – Thank you. Councilman Slutz has been excused.

2. INVOCATION

COUNCILWOMAN JULIE HARWIG SMITH

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILWOMAN JULIE HARWIG SMITH

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Thank you, Councilwoman Harwig Smith. Madam Clerk are the minutes of the previous meeting transcribed and open for public viewing?

COUNCIL CLERK ROLLAND – Yes, they are.

COUNCIL PRESIDENT ISTNICK – Are there any corrections or additions to be made?

COUNCIL CLERK ROLLAND – No, there are not.

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

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

DAVID RAMSEY – I live at 2993 Sunnybrook St. N.W., Massillon, OH. This is about Glick and the replat for building more houses on that lane. This Christmas, I got to spend with my basement torn apart. He decided that he was going to start digging before the water main was marked. So, he hit the water main while the sewer pipe is open and three houses on our street had sewer forced up through the toilets into their homes. So, that's why I'm against it. Thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else?

MATT SHELF AUNT – I live at 1755 Greendale caddy-cornered from said corner lot. He'd come down here and wanted four houses, had it measured out for four houses and by building one house at a time, he got away, I was involved in the building of \$24 million dollar building that we built in Hudson for the company and we had to go through the topographical map phase where water run-off and everything was considered. So, by doing one house at a time, he's getting away from that. He has changed the lay of the land and it used to be a dip where the first house is and he made that a really smooth run-off and also by adding hard surface, there's additional roof run-off plus the run-off of sidewalks and driveways and what else is going to be there. So, on the side towards Raynelle there is a small indentation which used to be adequate for a ditch, but if you put in a side road, I don't know if it's just access for construction or whatever, but he just laid in gravel; no pipe, no drainage. Now what happens when it rains hard, it zips right across the road because of the grass and everything is all smooth where some weeds and trees and things that would take in that water. Now the water run-off, it shoots on there. The new section of road you just made where it ends right there; it just pours across there. So, if you cannot get rid of that water quick enough, that will freeze underneath that base; that'll just ruin that new asphalt you put down. So, they need to go in and fix the drainage there before he even puts more houses in. There more houses he puts in, the more drainage problem you're going to have. So, I believe its R-3 out there and if its R-3, nine hundred foot of frontage must be had, I think. So, when I went out and measured, the way he's got it plotted out now with four houses, he's about right there. Because he's got odd pieces that just won't work and then on the other side is Stark County sewer which I'm hooked to and he's hooking to the Massillon side which is on the left side. So, his other part of the property drops down, so he built a lift station to get it up over the hump so it would drain properly. And so, adding a fifth house, I don't know how that's going to happen and right now, in front of my house, I bet that is twelve feet deep where that pipe lies and it's lots of clay and there is a sandstone sub-straight. So, drainage over there is real bad and so, it's just like, we're not trying to keep him from making a living; we're trying to keep him within the confines of what is legal to your code. Thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else?

HARRY BARRIS – I live at 185 Harmony St. N.W., Massillon, Ohio; across the street from where this contractor is building these houses. I'm the first person to ever build and buy my home in that allotment sixty-some years ago and I have never seen anybody build anything like this contractor's doing to us out there now. And a lot of the problem is coming from the

City of Massillon Building Dept. I hate to say that; I've done business with them myself, but for some reason, they're bending over backwards to give this guy variances that he don't deserve. That one house on the three houses that he built across the street, he could have only built two homes, but the City found it where they could give him a variance from one house to another to allow them to get another house in there and he's still wanting to do more houses on the other acres that he's got to build on. I think it's three more acres he might have there. When we confronted the City about what he was doing out there, they deny all this stuff. But yet, we know it's going on and you don't know how much we have been after this guy to get the City to make him do what's right and what Mr. Shaufont said is true; he came out there without even having a permit to dig those lines across the street and he hit the water line. We've had not just three homes get sewage backup, but we also had this recently, another one across the street from me, it had some sewer backup and the City had to come out open up that drain going down Sunnybrook. The other one is, Mr. Shaufont here had said about the water going across the street is because this contractor don't do anything that he should do. The City Building Dept. isn't doing what they should do. They would have made him put culvert across there instead of just filling that ditch in with gravel. I've been in the building trades all my life and I know what he's doing and what he's doing is he's doing everything he can to screw us over; excuse my language. And we're doing everything we can do to put a stop to him. All we want him to do is to do it right according to the rules. The City said all of our allotment and every home that's ever been built out is on 100' x 200' lots, except on the south side of Sunnybrook. Those lots could vary in length but the width was still there and when the City said that they allowed from 100' lots, they allowed it to go down to 90'. Well, they gave this contractor a variance of another 10' so he could get another house in there. That's wrong. That is totally wrong. You want to build the houses, then damit building them according to the City laws and quit giving this man all these breaks because the City can get money from now through eternity for the houses that he's building. We know that and we're not against that, but we want him to do it right. If you're going to have a 90' lot, but now he's wanting to come in and change the lot sizes again for the rest of these houses that he can't put as many as he wants to put on there and that's what I'm trying to get across to the City is to put a stop to this contractor, make him live to the rules. We shouldn't have to fight for this. I'm getting to old to be standing here arguing about this contractor. Another family up there that they thought he was self-insured but he says he's covered by the insurance company and now the insurance companies don't want to honor their claim against him for all the sewage that was backed up into their homes. That's wrong. Thank you for your time.

COUNCIL PRESIDENT ISTNICK – Thank you, Harry. Anyone else?

SARAH AFFOLTER – I live at 190 Harmony St., so there's only one house between ours and where Kevin's building. There is always problems down there and I think Kevin would know if he's in the wrong and if he does, he always fixes it. I don't understand why there's always issues. The house I have, I had bought off of him. He has done work for me after that as well. But, no matter what, they're always picking on this guy. Smallest little thing, biggest little thing. I understand the sewage backup, but I also know that they're paying for that too. So, I myself had sewage backup, not at the same time they did. In mine, they wanted to blame it on him. It had nothing to do with him. It was the City's problem. It was a City backup issue. But that's the first thing that they want to do. Another one of Kevin's; another one of his and that's not true. Sometimes I know we're neighbors and he's trying to make our housing more valuable. So, I don't understand why there's always such issues when this man wants to do some work. If there's a tree limb, they'll probably call about or something. That's just how it has always been there and I've only been there six years and it's like it's a constant battle. When they go

from one neighbor to a new neighbor and they try to recruit that new neighbor to go onto their thinking on how he works, that's not right. If I have a problem I can contact him. I have no problem with that and I sort of wish the neighbor would just...I don't know all the codes and I don't pretend to act like I know, but it's just that it's not this or that; everything's together. So, no matter what this guy does, there's always an issue and they make it a big issue and it's a constant thing talking from household, to household, to household and it just keeps going. It needs to stop. Let the guy make the housing. It's improving the value of our homes. I am not against that. So, I just don't understand why. Let him help the community. He helps us. He would help anybody; any one of these neighbors that even don't like him. He would help any one of them. All they would have to do is just ask. Talk to the guy. He's not a bad guy. If he's wrong he would, like I said, he would fix it. They were talking about the gravel. Okay, so if you put blacktop over it, okay; we did have winter and the street plows do take that out because, Lord knows, I got a lot of the gravel in my yard. That's not bad and before he dug, I am also going to say; those water lines were marked because I seen them myself before he started digging. So, if people have to be there, I don't know. But I do know that those lines were marked before he even started to dig. He's trying. He put the gravel in, he put blacktop over it just to cover over the gravel, I get that. But sometimes these people like want it right now and weather plays a part in a lot of things and everything else. In the end, I think he will do what he has to do and there again, I'm not saying and I understand what protocol he has to do or anything like that. I don't know all that and, like I said, I don't pretend like I do. But, talk to him. People don't got to be calling all the time with this problem and that problem. It's a community. We should be able to talk to our neighbors. We should be able to work it out instead of going as far as we ago and I think that just sort of needs to put down. I have a problem with none of my neighbors. Whether they like me or not, I don't know, but I would help any one of that had asked, would ask; my husband would too. We're that kind of people and he is too. So, I guess that's about what I wanted to say. He has treated us good. We've always treated him with respect, so, if you treat him with respect, he's going to treat you with respect and these things wouldn't even go as far as they go. It's sort of ridiculous of how it works. Just keep an open mind on that as well. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Sarah. Anyone else?

LAUREN RAMSEY – I live at 2993 Sunnybrook St. N.W., Massillon, Ohio. I'm one of three homes whose basement was flooded when Mr. Glick severed the sewer line in Massillon. Of course, the first thing you do when you have a problem is you go straight to the source. You ask Mr. Glick himself, what happened? So, he pulled up on his phone a diagram of an old map for Massillon City and said, "Well, I looked at this map and the water lines were here according to the map. So that's where I dug". I said, "Did you wait for the City?". So, he kind of gave us the runaround. So, of course, I didn't really get very far with Mr. Glick. I sent an email, immediately to Frank Silla. I got a response back from Massillon City's Engineering team, Greg McCue, who said the following, "I believe Mr. Glick began excavating immediately after calling the Ohio Utility Protection Service in lieu of waiting 48 hours. The City's Sewer Inspector was notified by a text at 12:49 p.m. that day from our own technician. Mr. Glick was excavating and needed an inspection. The City's Sewer Inspector arrived on-site at 1:15 p.m. and it was apparent that the water line was broken. Our sewer inspector immediately called his contact at Aqua Ohio to notify them of the situation as Mr. Glick was frantic and unsure who to call. Aqua crews arrived on-site at approximately 1:45 p.m. to repair their water line severed by Mr. Glick. I was notified by our Sewer Inspection as Aqua crews were making the repair that a large amount of water was infiltrating into our sanitary sewer system and causing back-ins on Sunnybrook. Three back-in calls were logged at our wastewater plant facility. The City

dispatched a sewer crew and they attempted to make certain that there was not a blockage in the sewer line at that location. It was reported that there was extraordinary amount of water in that line and the line was not able to handle the flow due to the break. We notified our wastewater plant operations that if anyone additional was to call, take down their information and provide them with Mr. Glick's insurance information." Our basement was ruined before Christmas and we were supposed to host. It was an absolutely devastating time. It was something just seeing the walls and floor being ripped out of our home and I just feel like if Mr. Glick is to continue to do anything in our neighborhood that it needs to be done according to Massillon's code and not according to a diagram on his phone. Thank you for your time.

COUNCIL PRESIDENT ISTNICK – Thank you, Lauren. Anyone else?

NEVIN GLICK – I am Kevin's son. We have been doing business for 30 some years; before I was even born. We do everything to the code, what we're provided with, what they ask of us and everything. The road is permanently fixed. The gravel was torn out, there was concrete put down and asphalt put over it. We will not need to dig up the road anymore. We are done tying into anything. So, there should be no more problems with that. The gravel that one of them was talking about at the edge of the road; there will be a culvert put in there, installed soon. I'm planning on building a house for myself there, is what I was hoping to do. It's been taking a lot longer than expected; about six months. I was hoping to be in the house by now, but it's not happening because of what's going on. But, we do try to do everything to the codes and everything that the City is asking of us. We are still trying to meet those as to get this through, whatever we have to do. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

6. NEW AND MISCELLANEOUS BUSINESS

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 35 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer 2.8257 acres (2.6082 acres from Parcel No. 680220 and 0.2175 acres from Parcel No. 680671) from the western portion of 401 Walnut Rd. S.W., located in Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. At the Work Session we had spokesperson Matt Hall from the Boys & Girls Club who spoke to us and stated that with Council's approval, moving forward their hopes is to build a new facility on that parcel. He stated that the new facility is needed to expand outreach, expand program offering and increase efficiencies. It's going to be, he stated, approximately an 18-month project and hopefully start in the spring or the summer of 2022. If Dave Maley could come up and just give us any additional information you may have regarding this request and answer any questions that Council may have?

COUNCIL PRESIDENT ISTNICK – Mr. Maley if you could come up here.

DAVE MALEY – Madam Chairman, I think you pretty much covered it. This is for the Boys & Girls Club. It's a property that the City owns. It's part of the Street Dept. which is on the lower side of the property. We currently lease that section of property to the Boys & Girls Club. It's a 99-year lease and I think we're in the 20th year. We are looking to basically turn that parcel over to CIC and then CIC would quit-claim deed it over to the Boys & Girls Club for a new facility that they would build. Now the other question we went through last week was that we are in the process of replatting it, so we would require to get a new parcel number. As soon as that comes through and we are able to record it, we will get a new parcel number and then amend this ordinance to include the parcel number.

COUNCILWOMAN CREAMER – Thank you. Anyone have any questions for Mr. Maley? First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 35 – 2022 has received first reading. Ord. No. 36 - 2022

ORDINANCE NO. 36 – 2022

BY: ECONOMIC DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Casey Conkle to provide an economic development “inducement grant” to fund start-up costs including build-out, equipment, etc. for Casey’s Play Care, located at 209 Ohio Ave. N.E., Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – Thank you, Madam President. First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 36 – 2022 has received first reading. Ord. No. 37 – 2022.

ORDINANCE NO. 37 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation Fund, for the year ending December 31, 2022, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is an appropriation of \$210,000.00 to be utilized by The Legends. A lot of it for their sand traps, bunker repairs and other needed updates to the facilities. Are there any questions or discussion this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 37 – 2022 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Gregg. Roll call for suspension. 8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 37 – 2022 has passed. Ord. No. 38 – 2022.

ORDINANCE NO. 38 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund, for the year ending December 31, 2022, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 38 – 2022 has received first reading.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

A Request for a New Liquor License for Don't Pass Go, LLC, DBA Don't Pass Go, located at 805 Wales Rd. N.E., Massillon, OH 44646. Permit Class is D1 and is located Ward 1.

A Request for a New Liquor License for Ventura Communications, Inc., located at 45 – 1st St. N.W., Massillon, OH 44647. Permit Class is D3 and is located in Ward 2.

A Request for an Economic Transfer (TRES) from Magoo Properties, LLC, DBA The Shoppes at Wagram Center, located at 12990-98 National Rd. S.W., Etna Twp., Pataskala, OH 43062 to Ventura Communications, Inc., 1st Floor and Patio, located at 45 – 1st St. N.W., Massillon, OH 44647. Permit Classes are D1 and D2 and is located in Ward 2.

10. BILLS, ACCOUNTS AND CLAIMS

The Repository	-	\$ 629.92	Publication of December Ordinances
The Repository	-	64.12	Publication of Notice of Public Hearing
U.S. Bank Equip.	-	<u>133.35</u>	February Payment for Copier
Total	-	\$ 827.39	

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

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

8 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

Mayor's Report - January 2022
Auditor's Report - January 2022

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

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

8 yes to accept the Auditor's Report.

COUNCIL PRESIDENT ISTNICK – Thank you. The Auditor's Report has been accepted.

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be Monday, February 28, 2022, at 6:30 p.m.

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. I just wanted to take a moment and speak to the fact that we've received a concern from a citizen regarding public speaks at Work Sessions and I will just say that last week it was inadvertent that no one had the opportunity to and that was based primarily on the fact that we haven't had a public speaks at Work Sessions for a few months now. So, that was inadvertent. It was not intended at all. However, it does highlight an idea that I've slowly been thinking about and have addressed in other ways and that is the appropriateness of public speaks during a Work Session. We don't have any governing rules or regulations stating that they will be in existence and how they will be structured. So I do make a request of the Rules & Courts Committee at the next Work Session if they would take up that discussion and see if it is something that this Council would want to pursue and if we did want to pursue, if we would at least formally place it within the rules and regulations of this Council so that all citizens are aware of how it will operate and this Council would know what the expectation is.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

14. CALL OF THE CALENDAR

15. THIRD READING ORDINANCE AND RESOLUTIONS

ORDINANCE NO. 1 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from R-1 One Family Residential to B-3 General Business District.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. We had a public hearing this evening at 6:00 p.m. regarding this ordinance. We had one individual, the applicant's representative, Les Hoffman, did speak regarding this request stating that the zone change from R-1 One Family Residential to B-3 General Business District. The thoughts are going to be a retail facility, detailing cars, used cars. This was recommended for approval by the November 10, 2021 Planning Commission. Are there any Council members that have any questions or anything to discuss regarding this request?

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – Thank you, Madam President. I just wondered if we had any negative comments regarding this?

COUNCILWOMAN CREAMER – We had one individual and it was just the applicant's representative.

COUNCILMAN GREGG – And he was for this?

COUNCILWOMAN CREAMER – Correct.

COUNCILMAN GREGG – Okay. Thank you.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Seeing none, I make a motion to put Ord. No. 1 – 2022 up for a vote.

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

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 1 – 2022 has passed. Ord. No. 4 – 2022.

ORDINANCE NO. 4 – 2022

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

AN ORDINANCE to accept the dedication of a sanitary sewer easement for Candell St. S.E., Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. I've been advised that the requirements haven't been met by the City yet. So, I would like to table this until further notice.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Creamer to table Ord. No. 4 – 2022 indefinitely. Roll call.

8 yes to table Ord. No. 4 – 2022 indefinitely

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 4 – 2022 has been tabled indefinitely. Ord. No. 5 – 2022.

ORDINANCE NO. 5 – 2022

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

AN ORDINANCE to accept the dedication of road right of way and approve the Replat of Out Lot 927, Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. I've also received similar notification on this one to table it until the requirements of the City Building and Code Dept. has been fulfilled.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I just wanted to make a request of Mr. Thieret. Is this the one that we had the citizens speak about?

COUNCILMAN THIERET – That's what this one is, yes.

COUNCILMAN LEWIS – We maybe should make this for the last meeting in March. That way, those citizens at least know that there's a time that it may come back up. Because if we do indefinitely, they won't know when it might show back up.

COUNCILMAN THIERET – That's fine. I have no objection to that. I was just advised that they don't have the requirements met. The last regular session?

COUNCIL PRESIDENT ISTNICK – March 21st.

COUNCILMAN THIERET – That sounds about right, yes. Thank you.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman. Roll call to table Ord. No. 5 – 2022 until March 21, 2022.

8 yes to table Ord. No. 5 – 2022 until March 21, 2022

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 5 – 2022 has been table until March 21, 2022. Ord. No. 6 – 2022.

ORDINANCE NO. 6 – 2022

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

AN ORDINANCE to accept the dedication of sanitary sewer easements in the City of Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. I've been advised accordingly on this one also that the requirements have not been met yet, so, let's go with the same date; the 21st of March to table Ord. No. 6 – 2022 until then.

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

8 yes to table Ord. No. 6 – 2022 until March 21, 2022

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 6 – 2022 has been tabled until March 21, 2022. Councilman Herncane.

COUNCILMAN HERNCANE – Madam President, I have a question on these three. Were these issues that came up subsequent to these ordinances being submitted to Council? I guess I'm curious; if all three have not met requirements, why are they on the agenda?

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – The question I asked also. I don't have any answer except that the requirements weren't met by the City.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Mr. Thieret, you can correct me if I'm wrong, but I believe they came to us and then the Law Dept. reviewed them and caught something that they didn't like and they're trying to work through it.

COUNCILMAN HERNCANE – Okay. Thank you.

COUNCILMAN THIERET – That's what we were told last session.

COUNCIL PRESIDENT ISTNICK – Thank you.

16. **SECOND READING ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 11 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE amending Chapter 920 "Erosion/Sediment Control", Sections 920.01(b), 920.07(a), and 920.10(b) of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – Thank you, Madam President. This ordinance is just to codify the ordinance which was discussed last Work Session. I would like to move forward unless anybody has heard from any of their constituents; any opposition to any of these ordinances, if you could raise your hand now. Seeing none, I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 11 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 11 – 2022 has passed. Ord. No. 12 – 2022.

ORDINANCE NO. 12 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the Sippo Sanitary Sewer Replacement Project, all in accordance with Sections 153.65 to 153.73 of the Ohio Revised Code and the City of Massillon Qualifications-Based Selection (QBS) Process, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – If there's no opposition to this, I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 12 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 12 – 2022 has passed. Ord. No. 13 – 2022.

ORDINANCE NO. 13 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Sippo Sanitary Sewer Replacement Project, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – Thank you, Madam President. I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 13 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 13 – 2022 has passed. Ord. No. 14 – 2022.

ORDINANCE NO. 14 – 2022 **BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the 26th St. N.W. Area Storm Sewer Improvement Project, all in accordance with Sections 153.65 to 153.73 of the Ohio Revised Code and the City of Massillon Qualifications-Based Selection (QBS) Process, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 14 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 14 – 2022 has passed. Ord. No. 15 – 2022.

ORDINANCE NO. 15 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 26th St. N.W. Storm Sewer Improvement Project, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 15 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 15 – 2022 has passed. Ord. No. 16 – 2022.

ORDINANCE NO 16 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the, 20th St. S.E. Area Storm Sewer Improvement Project, all in accordance with Sections 153.65 to 153.73 of the Ohio Revised Code and the City of Massillon Qualifications-Based Selection (QBS) Process, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – Thank you Madam President. I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 16 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 16 – 2022 has passed. Ord. No. 17 – 2022.

ORDINANCE NO. 17 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 20th St. S.E. Area Storm Sewer Improvement Project, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – Thank you. I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 17 – 2022 has passed.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 17 – 2022 has passed. Ord. No. 18 – 2022.

ORDINANCE NO. 18 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the North Erie Canal/Burton Ave. N.E. Storm Sewer Improvement Project, all in accordance with Sections 153.65 to 153.73 of the Ohio Revised Code and the City of Massillon Qualifications-Based Selection (QBS) Process, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – Thank you, Madam President. I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 18 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 18 – 2022 has passed. Ord. No. 19 – 2022.

ORDINANCE NO. 19 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the North Erie Canal/Burton Ave. N.E. Storm Sewer Improvement Project, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 19 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 19 – 2022 has passed. Ord. No. 20 – 2022.

ORDINANCE NO. 20 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract for the inspection of the Tuscarawas River Protection Project, all in accordance with Sections 153.65 to 153.73 of the Ohio Revised Code and the City of Massillon Qualifications-Based Selection (QBS) Process, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – I've seen the before and after renditions to this Tusc. River Protection Project and I just wanted to take a second and say that I'm really in favor of this one. I think the citizens of Massillon are really going to enjoy what this is going to look like for our City after this is done. With that said, I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 20 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 20 – 2022 has passed. Ord. No. 21 – 2022.

ORDINANCE NO. 21 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Tuscarawas River Protection Project, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 21 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 21 – 2022 has passed. Ord. No. 22 – 2022.

ORDINANCE NO. 22 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Hills and Dales Road Pipe Replacement Project, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 22 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 22 – 2022 has passed. Ord. No. 29 – 2022.

ORDINANCE NO. 29 – 2022

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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the Erie St. S. Improvement Project, all in accordance with Sections 153.65 to 153.73 of the Ohio Revised Code and the City of Massillon Qualifications-Based Selection (QBS) Process, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. Is there any other discussion needed for this ordinance? Seeing none, I move that we waive the rules requiring three readings and bring Ord. No. 29 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 29 – 2022 has passed. Ord. No. 32 – 2022.

ORDINANCE NO. 32 – 2022 **BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit applications for funding to the Ohio Public Works Commission for the funding year 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Are there any questions or discussion this evening? Seeing none, I make a motion that we waive the rules requiring three readings, bringing Ord. No. 32 – 2022 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 32 – 2022 has passed. Madam Mayor, did you have something you wanted to report? Do you know anything about Batman? There's a man running around town dressed as Batman.

MAYOR CATAZARO-PERRY – I wonder where's Robin? Good evening, Madam President, Members of Council. I do want to report just two things this evening. First,

I'd like to thank you for voting all the infrastructure legislation through and that gives us an opportunity for Greg to get out and really go out to bid for these items and I do appreciate that. So, thank you. Our ladder truck has come in and we paid for that with our Workers' Comp. money; a little over \$900,000.00 and it will be out in service sometime in April. So, they're adding a few things to it and then you'll see it soon. The other thing I wanted to report is Det. Dadisman and officers from our Police Dept. has just obtained two one-pound bags of meth and we got that off the streets. So, just a great job by our officers and our detective. I think that's really important that when something like this happens that you all know. Because we do have drugs in our City as every city does, but they are working hard to get it off the streets. So, thank you.

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

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilwoman Harwig Smith.

COUNCILWOMAN HARWIG SMITH – I'd like to make a motion to adjourn.

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

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT