

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, APRIL 4, 2022**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, April 4, 2022. We have in attendance the following City officials: 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 and please, mute your cell phones. 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, Jamie Slutz, Mike Snee, and Jim Thieret.

Roll call of 9 present

2. INVOCATION

COUNCILMAN MARK LOMBARDI

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN LOMBARDI

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Lombardi. 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 – 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 – Councilman Gregg.

COUNCILMAN GREGG – I just want to mention that I will not be at the meeting two weeks from tonight; the next regular Council meeting.

COUNCIL PRESIDENT ISTNICK – Thank you.

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT ISTNICK – Ord. No. 55 – 2022.

ORDINANCE NO. 55 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Mayor and/or the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Capital Improvement Community Park, Recreation/Conservation Project Pass Through Grant Agreement with the Ohio Department of Natural Resources (ODNR), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. As stated, this request is authorizing the Mayor and/or the Director of Public Service to enter into an Agreement with ODNR and the City of Massillon. This is for a \$500,000.00 grant to be used for the construction of a park and recreation/conservation facility described as the Massillon Reservoir Park Splash Pad. I believe there was some conversation at the Work Session and it does have emergency language. I don't know if further discussion is needed. Regarding this request.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I think there's probably still some questions out there. If we could just at least give it first reading, maybe and have another Work Session on it.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer. Anyone else? Councilman Gregg.

COUNCILMAN GREGG – I feel the same way. I think additional time is needed so that this can be studied and see if there's any public comment.

COUNCILWOMAN CREAMER – I would just like to ask Administration to have those parties available at the Work Session to answer any questions that Council may have at Monday's Work Session. First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 55 – 2022 has received first reading. Ord. No. 56 – 2022.

ORDINANCE NO. 56 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

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

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. This request has been recommended for approval by the City Planning Commission at the March 16, 2022 meeting. There are four parcels located on Lincoln Way. Parcel #600764, parcel #607402, parcel #612594 and parcel #601670 and as stated, the request is from Multiple-Family Residential District to General Business District. We did have the applicant, Tim Kaufman from AKG Development here at the Work Session discussing this request to Council. I believe the proposal is for a Starbucks at this location. Does anyone from Council have any questions regarding this? Seeing none, I do believe there is a public hearing that has been scheduled for May 16th at 6:00 p.m. First reading.

COUNCIL PRESIDENT ISTNICK – Thank you, Councilwoman Creamer. Ord. No. 56 – 2022 has received first reading with a public hearing on May 16, 2022 at 6:00 p.m. Ord. No. 57 – 2022.

ORDINANCE NO. 57 – 2022

BY: ECONOMIC DEVELOPMENT COMMITTEE

AN ORDINANCE adopting the recommendations of the Massillon Tax Incentive Review Committee (TIRC) with regard to the renewal and termination of Massillon Enterprise Zone (EZ) Projects.

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – Thank you, Madam President. This ordinance is to accept the recommendations of the TIRC Committee for the City of Massillon’s two remaining Enterprise Zone Tax abatement programs. Are there any questions or comments from anyone on Council? Seeing none, I’d like to make a motion that waive the rules requiring three readings and bring Ord. No. 57 – 2022 forward for a vote tonight.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Harwig Smith. 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. 57 – 2022 has passed. Ord. No. 58 – 2022.

ORDINANCE NO. 58 – 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 sign the LPA Federal Local-Let Project Agreement for the Erie Street South Improvement Project, PID 116456, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. Correct me if I'm wrong, Director, I believe this is to get us started on the project between Tremont and Lincoln Way on Erie; continuation of the project. This will allow us to open that up. Correct? She said yes. So, is there any further discussion on this? We briefly touched on this at the last Work Session. Seeing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 58 – 2022 up 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. 58 – 2022 has passed. Ord. No. 59 – 2022.

ORDINANCE NO. 59 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1212 Summer Concert Series Fund, for the year ending December 31, 2022, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. We do this periodically. We act as a pass-through for the Summer Concert Series. 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. 59 – 2022 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. 59 – 2022 has passed. Ord. No. 60 – 2022.

ORDINANCE NO. 60 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2022.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is an appropriation of \$891.00. Again, we're a pass-through for the annual breakfast that the Mayor holds. This is money collected and now need to be appropriated. Any questions or discussion this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 60 – 2022 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. Ord. No. 60 – 2022 has passed. Ord. No. 61 – 2022.

ORDINANCE NO. 61 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a donation from Greif Packaging and a donation from a private citizen of Massillon, on behalf of the Massillon Police Department, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. Greif has periodically given donations to the Police Department. Are there any questions or discussion this evening? Seeing none, I make a motion we suspend the rules requiring three readings, bringing Ord. No. 61 – 2022 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. 61 – 2022 has passed. Ord. No. 62 – 2022.

ORDINANCE NO. 62 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to enter into a one (1) year Agreement with the Village of Brewster, Ohio, for the purpose of providing prosecutorial services, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. The next four that we have in front of us are all similar in nature. They deal with the Village of Brewster, the Village of Navarre, the Village of Beach City and the City of Canal Fulton and they're agreements with our Law Director for the City of Massillon. I would open that and entertain any discussion on any of these four at this time. Otherwise, my intention is to move through all four and bring them forward for a vote tonight. Seeing none, I would like to make a motion to suspend the rules requiring three readings, bringing Ord. No. 62 – 2022 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. Ord. No. 62 – 2022 has passed. Ord. No. 63 – 2022.

ORDINANCE NO. 63 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to enter into a one (1) year Agreement with the Village of Navarre, Ohio, for the purpose of providing prosecutorial services, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 63 – 2022 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. 63 – 2022 has passed. Ord. No. 64 – 2022.

ORDINANCE NO. 64 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to enter into a one (1) year Agreement with the Village of Beach City, Ohio, for the purpose of providing prosecutorial services, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I'd like to make a motion that we suspend the rules requiring three readings, bringing Ord. No. 64 – 2022 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. Ord. No. 64 – 2022 has passed. Ord. No. 65 – 2022.

ORDINANCE NO. 65 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to enter into a one (1) year Agreement with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I'd like to make a motion to suspend the rules requiring three readings, bringing Ord. No. 65 – 2022 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. 65 – 2022 has passed. Ord. No. 66 – 2022.

ORDINANCE NO. 66 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into three (3) year contracts with the Board of Trustees of Local Organized Government in Cooperation (L.O.G.I.C.) for Police Dispatch Services and Fire & EMS Dispatch Services, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 66 – 2022 has received first reading. Ord. No. 67 – 2022.

ORDINANCE NO. 67 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE amending and approving the Wage Scale for City of Massillon Police Department Supervisors, specifically the wage differential for the position of Captain, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes, I'd like to request that the Chief of Police be at the next Work Session and with that said, first reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 67 – 2022 has received first reading.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

A Request for a New Liquor License for Ventura Communications, Inc., located at 45 – 1st St. N.W., Massillon, OH 44647. Permit Class is D1 and is located in Ward 2.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret did you receive a copy of this?

COUNCILMAN THIERET – Yes I did, thank you.

COUNCIL PRESIDENT ISTNICK – Thank you.

A Request for a Transfer of a Liquor License from Canton Pizza, Inc. DBA Pizza Hut located at 2400 Lincoln Way E., Massillon, OH 44646 to SFR X Holdings, LLC DBA Pizza Hut of OH located at 2400 Lincoln Way E., Massillon, OH 44646. Permit Class is D1 and is located in Ward 3.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg did you receive a copy of this?

COUNCILMAN GREGG – Yes I did, thank you.

10. BILLS, ACCOUNTS AND CLAIMS

U.S. Bank Equip. Finance - \$ 133.35 April Payment for Copier

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.

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

Mayor's Report - February 2022
Treasurer's Report - February 2022

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be Monday, April 11, 2022, at 6:30 p.m.

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

14. CALL OF THE CALENDAR

15. THIRD READING ORDINANCE AND RESOLUTIONS

COUNCIL PRESIDENT ISTNICK – Ord. No. 39 – 2022.

ORDINANCE NO. 39 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from O-1 Office District to B-2 Central Business District.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you Madam President. Due to the public hearing scheduled for April 18, 2022 at 6:00 p.m., I would like to make a motion to table Ord. No. 39 – 2022 until April 18, 2022.

COUNCIL PRESIDENT ISTNICK – April 18th?

COUNCILWOMAN CREAMER – Correct.

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

9 yes to table Ord. No. 39 – 2022 until April 18, 2022

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 39 – 2022 has been tabled until April 18, 2022.

16. SECOND READING ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT ISTNICK – Ord. No. 50 – 2022.

ORDINANCE NO. 50 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Second reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 50 – 2022 has received second reading.

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

18. **ADJOURNMENT**

COUNCIL PRESIDENT ISTNICK – Councilman Lombardi

COUNCILMAN LOMBARDI – Thank you, President Istnick. I'd like to make a motion to adjourn.

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

9 yes to adjourn.

COUNCIL PRESIDENT ISTNICK – Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT