

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD MONDAY, MAY 2, 2022**

**COUNCIL PRESIDENT ISTNICK** – Welcome to the Massillon City Council Meeting for Monday, May 2, 2022. We have in attendance the following City officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Law Director, Justin Richard, 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

**COUNCIL PRESIDENT ISTNICK** – Councilman Snee.

**2. INVOCATION**

**COUNCILMAN MIKE SNEE**

**3. PLEDGE OF ALLEGIANCE**

**LED BY COUNCILMAN SNEE**

**4. READING OF THE JOURNAL**

**COUNCIL PRESIDENT ISTNICK** – Thank you, Councilman Snee. Madam Clerk are the minutes of the previous meeting transcribed and open for public viewing?

**COUNCIL CLERK ROLLAND** – No, they are not. I’m still working on them.

**COUNCIL PRESIDENT ISTNICK** – Okay.

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

**6. NEW AND MISCELLANEOUS BUSINESS**

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes, it’s been requested that we go into Executive Session. This request is coming from the Administration. So, I’ll be preparing to make a motion. I do have

one quick question, though. Is it necessary for me to have three representatives from the Law Dept. in this particular meeting? Okay. I just wanted to make sure that I didn't leave anybody out. So, in accordance with Division (G)(2) of Section 121.22 of the Ohio Revised Code, I move that we enter into executive session, to include all members of Council, the President of Council, the Mayor, the Director of Public Service and Safety, the Economic Development Director, the Law Director and Chief Counsel for the purpose of considering the purchase of property for public purposes.

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

9 yes to enter into Executive Session

**COUNCIL PRESIDENT ISTNICK** – We will exit Regular Session.

**COUNCIL PRESIDENT ISTNICK** – We are now back in our Regular Session, temporarily. Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. I'd like to amend my previous motion to also include the Asst. Law Director Mack.

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

9 yes to the amended motion to enter into Executive Session – 6:35 p.m.

**COUNCIL PRESIDENT ISTNICK** – Thank you.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – I make a motion that we exit Executive Session.

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

9 yes to exit Executive Session and back into Regular Session – 7:15 p.m.

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. We are now back into Regular Session. Does anyone else have anything?

## 7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

**COUNCIL PRESIDENT ISTNICK** – Ord. No. 75 – 2022.

### **ORDINANCE NO. 75 – 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 Consent Legislation with Ohio Department of Transportation (ODOT) for the systematic sign upgrades on SR 241 within the City of Massillon, PID 110489, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret.

**COUNCILMAN THIERET** – Thank you, Madam President. This is a normal, everyday sort of agreement that the State has to ask for permission to operate within the City limits and it's generally granted because they're assuming all of the cost. Are there any questions or comments from Council? I make a motion that we waive the rules requiring three readings and move Ord. No. 75 – 2022 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. 75 – 2022 has passed. Ord. No. 76 – 2022.

**ORDINANCE NO. 76 – 2022**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for the Law Department, for the year ending December 31, 2022, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This appropriation is related to the cost for the Asst. Law Director position. That position was not fully funded at the present cycle and now it is being utilized up to thirty hours per week and would require a little additional funding to get through the year. Are there any questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 76 – 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. 76 – 2022 has passed. Res. No. 6 – 2022.

**RESOLUTION NO. 6 – 2022**

**BY: FINANCE COMMITTEE**

A RESOLUTION requesting the Stark County Auditor certify to the Council of the City of Massillon, Ohio, the total current tax valuation of the City of Massillon, Ohio, and the dollar amount of revenue that would be generated by a specified number of mills, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This resolution would allow the Massillon Museum to go back on the ballot for the fall. We did have a small presentation last week. Is there any discussion or questions this evening? We do have the Law Dept. that would like to speak to this. Madam President, I'd like to call forward the Law Dept.

**COUNCIL PRESIDENT ISTNICK** – Thank you, Mr. Bartos.

**BILL BARTOS** – Thank you, Madam President. Mr. Chairman, I just want to clarify one thing for all members of Council. It's actually a two-step process that we have before us. This first resolution will allow us to send a request to the county auditor to certify to Council the amount of funds that will be generated by this levy. We'll get that back from the county auditor. I think he has ten days, under law, to certify that back to the legislative authority and then after we receive that, there'll be a second resolution that this body will pass and that will go to the county Board of Elections to officially place the levy on the ballot. So, there'll be more to come on this. We'll bring that to you at the appropriate, but just wanted to let everybody know of the coming attractions. So, if there's any questions.

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret.

**COUNCILMAN THIERET** – Thank you, Madam President. So this here, this is just a request to see what amount of different millages would generate so that you can get in that range?

**BILL BARTOS** – Madam President, Member Thieret, if you'll recall, this is a replacement levy for 1.5 mills. And so, we'll get back from the auditor what that will generate because that's what the Museum has indicated that their needs are and so that's what the request is before you right now. So if you look at the wording of the resolution, it specifically references "the placement of existing tax at the rate not exceeding 1.5 mills for each one-dollar valuation". So, they'll come back and do their valuation based on that 1.5 mills. The replacement being, taking into account the new property value as opposed to the renewal which was kind of discussed at the last Committee meeting. That's the first step; we have to, by law, we have to do this first step and then we can go to the county Board of Elections.

**COUNCIL PRESIDENT ISTNICK** – Anyone else? Thank you, Mr. Bartos. Councilman Lewis.

**COUNCILMAN LEWIS** – I'd like to make a motion that we suspend the rules requiring three readings, bringing Res. No. 6 – 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. Res. No. 6 – 2022 has passed.

**8. UNFINISHED BUSINESS**

**9. PETITIONS AND GENERAL COMMUNICATIONS**

A Transfer of a Liquor License from Holly Ann Graber, DBA Hide-A-Way Lounge, 1<sup>st</sup> Floor & Patio, located at 34 Diamond Court S.E., Massillon, OH 44646 to Holly A. Graber, LLC, DBA Hide-A-Way Lounge, located at 34 Diamond Court S.E., Massillon, OH 44646. Permit class is D5 and is located in Ward 2.

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

**COUNCILMAN THIERET** – No, I did not.

**COUNCIL CLERK ROLLAND** – I’ll make sure you get one.

**COUNCIL PRESIDENT ISTNICK** – Is this just me or is the person transferring it to the same person?

**COUNCIL CLERK ROLLAND** – They changed the name of the business. It’s the same person, but it’s just LLC now.

**COUNCIL PRESIDENT ISTNICK** – Alright. And you will get that to Mr. Thieret?

**COUNCIL CLERK ROLLAND** – Yes I will.

**COUNCIL PRESIDENT ISTNICK** – Thank you.

**COUNCIL CLERK ROLLAND** – I have a letter dated April 8, 2022 from the Public Health Accreditation Board (PHAB) to Massillon City Council. (Letter attached to these minutes for reading).

**COUNCIL PRESIDENT ISTNICK** – I think a big congratulation goes out to Terri Argent and her staff. Good job (applause).

**10. BILLS, ACCOUNTS AND CLAIMS**

The Repository	-	\$ 256.00	Publication of January Ordinances
		1,804.16	Publication of February Ordinances
		62.48	Publication of Public Hrg. – April 8, 2022
Walter H. Drane	-	<u>342.93</u>	Changes to Codified Ord. No. 108 – 2021
		<b>\$2,465.57</b>	<b>Total</b>

**COUNCIL PRESIDENT ISTNICK** – Thank you. Councilman Lewis.

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

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

Treasurer's Report - March 2022

**COUNCIL PRESIDENT ISTNICK** – Thank you. Mayor, did you have anything for the good of the order?

**MAYOR CATAZARO-PERRY** – Thank you. I'll just give a quick update. The Sidewalk Program, again, was well received and we'll have some concrete numbers here in the very near future of how many people have taken that into their homes utilize. So, very well received again this year. Right now, as of May 1<sup>st</sup>, we have 21 new single family homes being built and 8 new condominiums. So 29 total. The banner veteran program is doing very well. We're getting quite a few for Memorial Day and then we're also recognizing active duty members on July 4<sup>th</sup>, July 3<sup>rd</sup> for us. They'll be up a week before the holiday and a week after and then for Veterans Day, it will be all veterans on Veterans Day. So we've about 110 areas to put these up and if we are overloaded with them, we'll just find more posts to put them on. I wanted to let you know there's been quite a bit of renovations within the City. ABP Induction, they're adding on a \$400,000.00 addition. Aultman West, a \$600,000.00 renovations. Berens Tree, a \$250,000.00 addition. Case Farms and addition of \$900,000.00. Chipotle Mexican Restaurant, if you'd been watching up at K-Mart; it's coming along very well. And if you have not heard, there is going to be an Aldi's going on that property as well. I think that kind of got out a couple of weeks ago. I think Steve even printed that. Am I right, Steve? Yes, you found out a shared that with everyone. But that's okay. ?? Housing is doing a remodel, \$257,000.00. Kraft-Heinz is doing a \$5,000,000.00 addition on their line. Massillon Cable did a \$92,000.00 remodel. The Rec Center, the pool should be done; Steve shared with me, by the end of May. Should be open and ready for kiddos. Menards is putting in a security gate at \$16,000.00. Paradigm is doing \$100,000.00 addition. R.B. Williams is doing storage units, \$1,300,000.00 on Ventura. Millennium Blvd. R.T. Land Holdings, new building, \$4,000,000.00. Ross Dress for Less is going in, it's a new business; \$500,000.00. Sergeant Car Wash did a remodel. The K-Mart building is a \$3,500,000.00 project that you all voted on and that is in the works as well. Lots of moving up there. Stark Metro Housing at 815 Lincoln Way is doing a \$650,000.00 remodel and Walmart, \$650,000.00 remodel. So, a lot of action in the City. It's good to see, it's good to hear. We are also working on DORA. We have a committee that's working on DORA. I don't know that it's going to be in effect for this summer, but we are working on it. So, that's my report to you all for this evening. Do you have any questions?

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Creamer.

**COUNCILWOMAN CREAMER** – With the \$600,000.00 expansion at Aultman; are they expanding their services, their emergency room services?

**MAYOR CATAZARO-PERRY** – On this form right here, I do not have exactly what they are doing. This is from our Building Dept., but they pulled a permit.

**COUNCILWOMAN CREAMER** – Okay, thank you.

**MAYOR CATAZARO-PERRY** – But, I can find that out, Mrs. Creamer.

**COUNCIL PRESIDENT ISTNICK** – Councilman Gregg.

**COUNCILMAN GREGG** – Thank you, Madam President. Related to that, I've had a number of inquiries by residents as to what's with the former Affinity Hospital? Because it appears like nothing is. Do we have any word on that or can we get any word on that?

**MAYOR CATAZARO-PERRY** – David, do you want to speak to that? I'll get David.

**COUNCILMAN GREGG** – Thank you.

**COUNCIL PRESIDENT ISTNICK** – Thank you.

**DAVE MALEY** – Councilman Gregg, I do not know. We've had this discussion off and on when I spoke to the people in charge. I know they have a lot of things on their plate as far as projects and stuff. But, as of anything definite, we do not have anything. We are, I think, due to inspect the building though here in the next couple of weeks. So, at to get in there and see what it looks like.

**COUNCIL PRESIDENT ISTNICK** – Thank you. Any other questions?

## 12. REPORTS OF COMMITTEES

**COUNCIL PRESIDENT ISTNICK** – Our next Work Session will be Monday, May 9, 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. 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 it states, the request is to allow the City of Massillon to enter into an agreement with Ohio Dept. of Natural Resources. That grant is \$500,000.00 for the Massillon Reservoir Park Splash Pad. We've had multiple conversations at our Work Sessions. I've had conversations with Dave Maley, Economic Development Director and he has an update on this request. So, I request Mr. Maley to come forward and update Council regarding this ordinance.

**COUNCIL PRESIDENT ISTNICK** – Thank you, Mr. Maley.

**DAVE MALEY** – Madam Chairman, good evening, Council members. At this point and time, just to kind of give you an idea of what we're discussing. I had an opportunity to speak with Senator Kirk Schuring and his office about trying to change some of the language so that we could possibly, is said that word, possibly move the facility from the current Reservoir Park discussion. At this time, I would ask that we table the ordinance until the 16<sup>th</sup>, two weeks, so I can get more clarification. But, I know Senator Schuring has requested from the Senate Finance Director that we change the name so that it's not too confusing. We have two projects here. We have the one that's currently being debated about in the current Capital bill which is the 2324 Capital bill which we hope to get funding. We expect to get some funding from that project. He's going to make a name change for that project so that would open it up. Rather than say Reservoir Park it'll say Massillon Splash Pad and give us the opportunity to put it within any park we would like to. He's also going to try to put in that same current bill language that would amend the prior bill which was the 2122 Capital bill that we received of \$500,000.00 that we're discussing here in this amendment, or I should say agreement that'll change the name to Massillon Splash Pad also. If that's the case and that does transpire in the bill, this agreement would be null and void because this agreement specifies Massillon Reservoir Splash Pad. So, we're trying to figure out how this is all going to work. Whether we would just basically come back and reword this agreement or it could be a possibility that we would just need one agreement for both the 2122 Capital bill and 2324 Capital, the two bills run together. So, that's without being too confusing, if you have any questions. But, that's why I would ask that we table it at least for two weeks to see how this progresses. We may not even have the answer in two weeks. But hopefully we can work this out so that we will have the ability to move the facility, if that's what we want to do.

**COUNCIL PRESIDENT ISTNICK** – Any questions? Councilwoman Creamer.

**COUNCILWOMAN CREAMER** – Thank you, Mr. Maley. So with that update, I'd like to make a motion to table Ord. No. 55 – 2022 until May 16, 2022.

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

9 yes to table Ord. No. 55 – 2022 until May 16, 2022

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 55 – 2022 has been tabled until May 16, 2022. Ord. No. 56.

**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 is to rezone four parcels on Lincoln Way. Parcels #600764, #607402, #612594 and #601670. There is a public hearing scheduled for May 16<sup>th</sup> at 6:00 p.m. Does any Council member have any questions



here tonight regarding this? Seeing none, I make a motion that we table Ord. No. 56 – 2022 until May 16<sup>th</sup>.

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

9 yes to table Ord. No. 56 – 2022 until May 16, 2022

**COUNCIL PRESIDENT ISTNICK** – Ord. No. 56 – 2022 has been tabled until May 16, 2022. 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. For the purpose of ongoing discussion, I'd like to make a motion that we table Ord. No. 67 – 2022 until May 16, 2022.

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

9 yes to table Ord. No. 67 – 2022 until May 16, 2022

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 67 – 2022 has been tabled until May 16, 2022.

**16. SECOND READING ORDINANCES AND RESOLUTIONS**

**COUNCIL PRESIDENT ISTNICK** – Ord. No. 73 – 2022.

**ORDINANCE NO. 73 – 2022**

**BY: FINANCE COMMITTEE**

AN ORDINANCE granting the Mayor of the City of Massillon, Ohio, a one-time salary increase to \$90,000.00 per year, effective January 1, 2024, and granting the Auditor of the City of Massillon, Ohio, a one-time salary increase to \$77,000.00 per year, effective January 1, 2024.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Second reading.

**COUNCIL PRESIDENT ISTNICK** – Thank you. Ord. No. 73 – 2022 has received second reading.

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

**18. ADJOURNMENT**

**COUNCIL PRESIDENT ISTNICK** – Councilman Snee.

**COUNCIL CLERK ROLLAND** – Madam President.

**COUNCIL PRESIDENT ISTNICK** – Go ahead, Diane.

**COUNCIL CLERK ROLLAND** – I just wanted to inform the Council members that you will not be receiving your packet for Committee until Monday. I have to leave and go to services for my brother who passed away last Tuesday. Unfortunately, it's in Las Vegas, he had just moved to Las Vegas, but I am going for the services. So, you'll get your packet Monday for the Committee meeting. Is that okay, Law Dept. that I can send that out Monday? Because I'm leaving Wednesday.

**JUSTIN RICHARD** – It has to be twenty-four hours.

**COUNCIL CLERK ROLLAND** – It has to be twenty-four hours?

**JUSTIN RICHARD** – Yes.

**COUNCILMAN LEWIS** – Madam President.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – We have a backup that we had in here. Why wouldn't we just bring them in on Friday to get it out?

**COUNCIL CLERK ROLLAND** – I'll check with her to see if she's available.

**COUNCIL PRESIDENT ISTNICK** – And plan B, if she's not, would be?

**COUNCILMAN SLUTZ** – Could you send it out Wednesday?

**COUNCIL CLERK ROLLAND** – I'm not going to be here. My flight leaves Wednesday.

**COUNCILMAN SLUTZ** – What about Tuesday?

**COUNCIL CLERK ROLLAND** – If I can get any Request for Legislations in by Tuesday. Does Administration have anything coming forward down the pipeline?

**COUNCILMAN LEWIS** – It wouldn't matter. The Rules of Council say they don't have to get them to us until Wednesday.

**COUNCIL CLERK ROLLAND** – Well, I will figure something out. I'll talk to Anita in the Auditor's office.

**COUNCIL PRESIDENT ISTNICK** – Okay.

**COUNCIL CLERK ROLLAND** – Or either Tracee.

**COUNCIL PRESIDENT ISTNICK** – Okay.

**COUNCIL CLERK ROLLAND** – I'll get it worked out.

**COUNCIL PRESIDENT ISTNICK** – Any questions or concerns about that?

**COUNCILMAN SNEE** – Can I speak for everyone on Council when we offer our condolences?

**COUNCIL** – Yes.

**COUNCILMAN SNEE** – And I make a motion to adjourn.

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

9 yes to adjourn

**COUNCIL PRESIDENT ISTNICK** – Meeting adjourned.

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DIANE ROLLAND, COUNCIL CLERK

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CLAUDETTE ISTNICK, PRESIDENT