

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD WEDNESDAY, MAY 20, 2020
(IN PLACE OF MAY 18, 2020 MEETING)**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Wednesday, May 20, 2020. We have in attendance with us the following city officials: Safety Service Director, Barb Sylvester, Law Director, Justin Richard, Chief Counsel, Bill Bartos and Economic Development Director, Dave Maley. 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.

COUNCIL PRESIDENT ISTNICK – Roll call.

1. ROLL CALL

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

Roll call of 9 present

2. INVOCATION

COUNCILWOMAN NANCY HALTER

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILWOMAN HALTER

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Thank you, Councilwoman Halter. 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

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 49 – 2020

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

AN ORDINANCE authorizing the Massillon City Health Department to enter into a Memorandum of Agreement with the Stark County Combined General Health District for the FY2020 CoronaVirus Response Grant, under the Ohio Department of Health, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Halter.

COUNCILWOMAN HALTER – Thank you, Madam President. I think Mrs. Argent pretty well answered all of our questions at the Work Session last Monday. But I will ask are there any questions or comments? Seeing none, I make a motion that we waive the rules requiring three separate readings and bring Ord. No. 49 – 2020 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. 49 – 2020 has passed. Ord. No. 50 – 2020.

ORDINANCE NO. 50 – 2020

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety, on behalf on the City of Massillon, Ohio, to enter into a 3-year contract with the Board of Trustees of Jackson Township, Stark County, Ohio, for the processing and collection of EMS charges for the Massillon Fire Department, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. This is an ordinance that we spoke about in our Work Session where the Chief had indicated that this was a contract that has not really changed since 2010. Therefore, the last three contracts have remained the same. So, at this point, I would ask is there any further discussion that needs to be on this ordinance? Hearing none, I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 50 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lombardi. Thank you. 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. 50 -2020 has passed. Ord. No. 51 – 2020.

ORDINANCE NO. 51 – 2020

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE authorizing the Massillon Municipal Court to enter into an agreement with the Supreme Court of Ohio to accept grant monies awarded through the 2020 Remote Technology Grant Project, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – Thank you, Madam President. This is a piece of legislation that got extensive discussion at our Work Session last week. It's just a matter of accepting grant monies from the Supreme Court of Ohio for our Municipal Court in the amount of \$122,865.00 to enable the Court to conduct video hearings with Stark County Jail and video conferencing with the attorneys to improve efficiency and reduce the number of people coming into Court. As it is mentioned, it has emergency language and it had extensive discussion. Is there any further questions or discussion or so forth regarding this piece of legislation? Hearing and seeing none, I would like to make a motion that we waive the rules requiring three readings and move Ord. No. 51 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Herncane.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 51 – 2020 has passed. Ord. No. 52 – 2020.

ORDINANCE NO. 52 – 2020

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to obtain quotes for passive roadway speed monitoring equipment, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. We've discussed this a little bit and this has been ongoing for a little while. So, it finally came up as an ordinance. Is there any discussion right now? I know that there may be some questions. At this point, it's just a fact-finding of how much the individual unit's cost. I did a little research and I've seen some parameters so far. Does anyone else have any input at this time?

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Yes. I do have a question regarding, I realize that this is just for the obtaining of the quotes which I would be in favor of, but I also want to think beyond getting

the equipment. Say that we would purchase the equipment, we would need to put some thought to who would be in charge of monitoring the equipment. Who would decide where in the City that that equipment would be needed? As I stated back in September 2019, I had radar assessments done at Lanedale on the west side. I also had radar assessments done at Woodstone, Mayflower. I guess I'm just saying that because I certainly would be in favor of getting quotes which is what this legislation is. But, the thought of once we get the equipment would be how is it determined and by whom is it determined to monitor that program? Would it be the Police Dept.? Would it be someone within the Police Dept., someone within Administration? That though process we would have to go through thereafter.

COUNCILMAN LEWIS – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes, Mr. Lewis.

COUNCILMAN LEWIS – I agree that there are steps after this, I wouldn't disagree with that. The one thing I would warn Council of is that our directive is to be able to purchase equipment and to make it known to the Administration that the use of this equipment will be used to help monitor speed. But the actual implementation of equipment and how it is overseen is all on the Administration. It would be outside of the scope of our duties and responsibilities. It would be us intruding upon her powers and authorities.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. Well, if there's no further discussion, I'd like to make a motion that we waive the rules for three readings and bring this to a vote tonight.

COUNCIL PRESIDENT ISTNICK – 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. 52 – 2020 has passed. Ord. No. 53 – 2020.

ORDINANCE NO. 53 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1233 Municipal Court Computer Fund, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes, this ordinance is for the appropriation of the previously mentioned \$122,885.00 for the Municipal Court to be able to purchase and install equipment that would allow improved remote access in control of persons that actually have to visit the

Court. 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. 53 – 2020 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 53 – 2020 has passed. Ord. No. 54 – 2020.

ORDINANCE NO. 54 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1204 Municipal Court Capital Improvement Fund, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes, this is an appropriation for \$21,000.00 in the Municipal Court and it is to install safety glass for the employees of the Clerk of Courts and for the general public due to the COVID-19 precautions. 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. 54 – 2020 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. 54 – 2020 has passed.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

10. BILLS, ACCOUNTS AND CLAIMS

The Repository - \$ 669.60 Publication of March Ordinances

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we 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

Treasurer's Report - April 2020

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be Tuesday, May 26th at 6:30 p.m. because of Memorial Day. Anyone have anything?

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILWOMAN LITMAN – I just wanted to give a quick update for Police and Fire.

COUNCIL PRESIDENT ISTNICK – Okay.

COUNCILWOMAN LITMAN – We had talked about a card, flash flyer that would be developed and used in educating our community regarding the animal control and I just wanted to let everyone know that a “mock up” card is in process via Administration and we should be receiving a prototype to approve, adjust, edit or whatever need be here in the next few weeks. Hopefully sooner than that, but, over the next week or so, we should get that prototype. Thank you, Madam President.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

14. CALL OF THE CALENDAR

15. THIRD READING ORDINANCE AND RESOLUTIONS

16. SECOND READING ORDINANCES AND RESOLUTIONS

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

COUNCIL PRESIDENT ISNTICK – Before we adjourn, Diane, do you have a prototype from Stark Glass for Council?

COUNCIL CLERK ROLLAND – No, I do not.

COUNCIL PRESIDENT ISTNICK – Alright. I will get in touch with Michael again.

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – I just wanted to mention that I had briefly brought up last week in our Work Session regarding the possibility of either a grant that may be available for measures that need to be taken to protect us due to the COVID-19 and I have had a conversation with our Safety Service Director regarding that and it looks like it could be through our FEMA reimbursement program that we would be able to seek reimbursement for the cost that was put forward and paid for by Council for any type of partition that are used within our Council Chambers. So, we will be looking into that further as we get a little further along with our emergency situation and whether we can be included in that FEMA reimbursement program with the City.

COUNCIL PRESIDENT ISTNICK – That would be great. You'll keep us updated on that?

COUNCILWOMAN LITMAN – I certainly will.

COUNCIL PRESIDENT ISTNICK – Anyone else with anything?

18. **ADJOURNMENT**

COUNCILWOMAN HALTER – I move we adjourn.

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

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT