

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, FEBRUARY 5, 2018**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, February 5, 2018. We have in attendance with us the following city officials: Safety Service Director, Joel Smith, Law Director, Andrea Scassa, Economic Development Director, David Maley and Treasurer, Maude Slagle. On the wall to your left are agendas for anyone who wishes to follow tonight's meeting. Also, if you look at the agenda, under item #5 is where the public can speak on any item that appears on tonight's agenda and then under item #17 is where the public can speak on any item that does NOT appear on tonight's agenda. I want remind anyone with cell phones, please turn them down or set them to vibrate.

COUNCIL PRESIDENT ISTNICK – Roll call.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Milan Chovan, Jill Creamer, Sarita Cunningham, Mike Gregg, Dave Irwin, Linda Litman, Paul Manson and Megan Starrett.

Roll call of 8 present

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – I make a motion to excuse Councilman Lewis from tonight's meeting.

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

8 yes to excuse Councilman Lewis

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

2. INVOCATION

COUNCILWOMAN JILL CREAMER - Gave the invocation for tonight.

3. PLEDGE OF ALLEGIANCE

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Madam Clerk, are the minutes of the previous meeting transcribed and open for public viewing?

COUNCIL CLERK ROLLAND – Yes, they are.

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

COUNCIL CLERK ROLLAND – Yes, there is a correction, but we will correct it when we get to the bills.

COUNCIL PRESIDENT ISTNICK – Thank you.

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

COUNCIL PRESIDENT ISNTICK – Seeing none, Councilwoman Starrett.

COUNCILWOMAN STARRETT – I would like to make a motion that we exit into Executive Session to discuss legal matters and include Council President, all of Council, Safety Service Director, Dave Maley and Andrea Scassa and Diane.

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

8 yes to enter into Executive Session – 6:35 p.m.

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. We will exit into Executive Session.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

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

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

8 yes to exit Executive Session – 7:05 p.m.

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk.

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 12 – 2018

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – Thank you, Madam President. I spoke with Law Director Scassa and at this time, we will give this first reading.

COUNCIL PRESIDENT ISTNICK – Ord. No. 12 – 2018 has received first reading. Ord. No. 13 – 2018.

ORDINANCE NO. 13 – 2018

BY: POLICE & FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a donation from Massillon Rotary on behalf of the Massillon Fire Department.

COUNCIL PRESIDENT ISTNICK – Councilman Chovan.

COUNCILMAN CHOVAN – Thank you, Madam President. This is an ordinance that just allows us to accept a grant from Massillon Rotary in the amount of \$1,000.00. This is to assist the Fire Dept. to purchase smoke detectors for the Community Outreach Program. Does anybody have a question about this? Okay, then I make a motion that we waive the rule requiring three readings and bring Ord. No. 13 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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 – 2018 has passed. Ord. No. 14 – 2018.

ORDINANCE NO. 14 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund and the 3112 Diversity Scholarship Fund, for the year ending December 31, 2018.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This ordinance is partially the companion piece to the ordinance that we just passed regarding the \$1,000.00 grant and also appropriating \$877.99 out of the Diversity Scholarship Fund and that fund is to help pay for individuals going to the police academy. That is all donated funds. We would just ask that those two items be appropriated. Any discussion? Seeing no discussion at this point, I make a motion to waive the rules requiring three readings and bring Ord. No. 14 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. 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 – 2018 has passed. Ord. No. 15 – 2018.

ORDINANCE NO. 15 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 3104 Vacant Foreclosure Repository Fund, for the year ending December 31, 2018.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is just appropriating \$33,000.00 into the HMRP Grant Program for the year. This is the grant program that home buyers in CDBG areas are buying foreclosed homes could apply to the City of Massillon to receive a grant. Looks like in 2017, I believe, it was only about \$25,000.00 worth of grants. So, it's actually a very good program, so, this will be just appropriating funds into that program for the year. Any discussion? Seeing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 15 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. 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 – 2018 has passed. Ord. No. 16 – 2018.

ORDINANCE NO. 16 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2018, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 16 – 2018 has received first reading. Ord. No. 17 – 2018.

ORDINANCE NO. 17 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sell a 1989 Pierce Dash Fire Engine to the highest bidder on behalf of the Massillon Fire Dept., and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This ordinance just allows the Fire Dept. to sell a fire engine from 1989 that I believe is no longer in service. Any discussion or questions? Seeing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 17 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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 – 2018 has passed. Ord. No. 18 – 2018.

ORDINANCE NO. 18 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE repealing the “Investment Policy” of Ordinance No. 224 – 1996 and repealing the “Deposit Policy” of Ordinance No. 67 – 2015 and enacting a new “Investment and Depository Policy” that shall be in effect in the City of Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This ordinance does have to do with the City of Massillon’s Investment and Depository Policy with some updates recommended by the City Treasurer. I’d ask that you call the Treasurer up for a brief explanation as to why we’re doing this.

COUNCIL PRESIDENT ISTNICK – Treasurer Slagle would you like to come forward, please.

MAUDE SLAGLE – Yes. This was brought to us for an update by the State. There are a few changes that needed to be made. As you can see the changes that were made.

COUNCILWOMAN STARRETT – Any questions or concerns with that? Seeing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 18 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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 – 2018 has passed. Ord. No. 19 – 2018.

ORDINANCE NO. 19 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of Massillon, Ohio, to enter into a contract with SOL Harris/Day Architecture, Inc. for architectural and engineering services related to the renovations and addition to Fire Station No. 3 located at 955 Wales Rd. N.E., Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This ordinance will allow the city to enter into a contract with Harris/Day Architecture so we can get started on the renovation of Wales Rd. Fire Dept. We’ve all seen a lot of discussion about this renovation

project. Any questions, any concerns? Seeing none, I make a motion that we bring Ord. No. 19 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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 – 2018 has passed.

7. **UNFINISHED BUSINESS**

8. **PETITIONS & GENERAL COMMUNICATIONS**

Request for a New liquor license to Regal Cinemas, Inc., dba Massillon Stadium 12 located at 175 Cherry Rd. N. W., Massillon, OH 44646. Permit Class is D2 and is located in Ward 2.

Request for a New liquor license to Regal Cinemas, Inc., dba Massillon Stadium 12 located at 175 Cherry Rd. N.W., Massillon, OH 44646. Permit Class is D5I and is located in Ward 2.

COUNCIL PRESIDENT ISTNICK – Councilman Irwin, have you received a copy?

COUNCILMAN IRWIN – Yes, I did.

9. **BILLS, ACCOUNTS & CLAIMS**

Walter H. Drane Co.	-	\$ 390.00
The Repository	-	1,176.40
Bonnie's Engravers	-	127.00
Keller's Office Furniture	-	95.70
Total		\$1,789.10

Correction:

Walter H. Drane Co.	-	\$ 390.00
The Repository	-	1,060.80
Bonnie's Engravers	-	127.00
Keller's Office Furniture	-	95.70
		\$1,673.50

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – We have to vote to, I guess, remove, well, Law Director could we get your opinion? Do we have to vote to undo the last allocation of paying bills or can we just change it?

ANDREA SCASSA – The Council Clerk and I talked about how we should bring it forward to see about the correction which is a lesser amount because, obviously, if it would have been a larger amount, it should come to you to be voted on and approved. So, I would suggest that you vote to accept the correct amount. That should correct the previous action. I just wanted to make sure that you guys saw it, even though it was a lesser amount that's actually being paid for.

COUNCILWOMAN STARRETT – Well, with that said, I make a motion that we pay the correct amount of \$1,673.50 rather than \$1,789.10 to pay bills.

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

8 yes to pay the correct amount of \$1,673.50 on the bills that were brought to Council on January 16, 2018

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

10. REPORTS FROM CITY OFFICIALS

Treasurer's Report - December 2017
Auditor's Report - December 2017

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – I make a motion that we accept the Auditor's Report, December 2017.

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

8 yes to accept the Auditor's Report.

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

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be February 12, 2018 at 6:30 p.m. Councilwoman Litman.

COUNCILWOMAN LITMAN – I was just mentioning that the National Registry with Barb Sylvester. That will be the Committee Meeting at 5:30 p.m. on the 12th.

COUNCIL PRESIDENT ISTNICK – Anyone else?

COUNCILMAN GREGG – I just wanted to mention that I will not be able to make it at 5:30 p.m. meeting.

12. RESOLUTIONS & REQUESTS OF COUNCIL MEMBERS

13. CALL OF CALENDAR

14. THIRD READING OF ORDINANCES & RESOLUTIONS

15. SECOND READING OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 6 – 2018

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES and Section 5(B) MISCELLANEOUS SCHEDULE of Ordinance No. 127 – 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES and Section 5(B) MISCELLANEOUS SCHEDULE, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES and a new Section 5(B) MISCELLANEOUS SCHEDULE, in the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – Second reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 6 – 2018 has received second reading. Ord. No. 7 – 2018.

ORDINANCE NO. 7 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1201 Street Construction M & R Fund, for the year ending December 31, 2018, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This ordinance and the divided question on the next ordinance, No. 8, all have to do with funding road resurfacing projects for the 2018 year. We did receive a list of roads that we're planning on working on this year. That was also, I believe, online and in the paper, I think. I'd ask the Safety Service Director to come up, please.

COUNCIL PRESIDENT ISTNICK – Mr. Smith, could you come forward.

COUNCILWOMAN STARRETT – Mr. Smith, I don't not have the specific funding in front of me, so, I'm just asking if you could update us on the ordinance and how much that appropriation is, again.

JOEL SMITH – On Ord. No. 7, it's \$500,000.00 in the 1201 carryover from the previous year.

COUNCILWOMAN STARRETT – Okay. And Ord. No. 8 is what?

JOEL SMITH - \$905,000.00 from the General Fund from the carryover.

COUNCILWOMAN STARRETT – So the combination of these two ordinances will bring us to about \$825,000.00 for resurfacing at this point. Any questions, concerns, comments? Okay. Seeing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 7 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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. 6 – 2018 has passed. Ord. No. 8 – 2018.

ORDINANCE NO. 8 – 2018

BY: FINANCE COMMITTEE

Section 2:

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2018, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is another appropriation that we did separate out from Ord. No. 8 from the last regular meeting. An appropriation of \$325,000.00 from the General Fund for road resurfacing. And just to clarify, this ordinance and the other ordinance are from the General Fund, not money from the tax. It is extra money we are putting toward road resurfacing at this point. Is that correct, Mr. Smith?

JOEL SMITH – Yes.

COUNCILWOMAN STARRETT – Okay. Any questions? Seeing none, I make a motion that we waive the rules requiring three readings and bring Section 2 of Ord. No. 8 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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. Section 2 of Ord. No. 8 – 2018 has passed.

16. NEW & MISCELLANEOUS BUSINESS

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

KATHLEEN REISER – I live at 831 Reservoir Dr. N.E., Massillon. And I'd like to speak about the Sippo Dam. I just happened by chance to come across some information that possibly could apply to our reservoir. So, what I did, I called into Jeff Boxrucker and I told him about our reservoir and he said I'm sure that all information is for explanation. I have a copy of this but I'll read it real quickly. Jeff Boxrucker says "We do have a competitive grant program that your project would be eligible for. We will have \$100,000 to distribute amount 3-4 projects". Now that's \$100,000 for 3-4 projects; that would be \$33,000. He says "Last year we had 11 applicants for those funds so it is competitive. You can get more details on our website www.friendsofreservoirs.com. Check out the grants page and the projects page. We will be putting out a call for proposals in May with project selection in October. These are federal funds so there are hoops to jump through that I can help you with. If selected, funding would likely not be available until late summer, 2019. Let me know if you are interested and I will be sure to let you know when the call for proposals goes out". Well, my only question to Council is, who is going to follow up with this? Because I would like to be kept in the loop to know what's going on. Thank you.

COUNCIL PRESIDENT ISTNICK – Give that to Ms. Creamer so she can talk to you about this.

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – I make a motion to adjourn.

COUNCIL PRESIDENT ISTNICK – Seconded Councilwoman Starrett.

DIANE ROLLAND, CLERK

CLAUDETTE ISTNICK, PRESIDENT