

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, JULY 16, 2018**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, July 16, 2018. We have in attendance with us the following city officials: Safety Service Director, Joel Smith, Law Director, Andrea Scassa and Economic Development Director, David Maley. 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, Sarita Cunningham, Mike Gregg, Dave Irwin, Ed Lewis, Linda Litman, Paul Manson and Megan Starrett.

Roll call of 8 present

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – I'd like to make a motion that we excuse Councilwoman Creamer from tonight's meeting.

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

8 yes to excuse Councilwoman Creamer

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Councilwoman Creamer has been excused.

2. INVOCATION

COUNCILMAN MICHAEL GREGG

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN GREGG

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 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. **INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 74 – 2018

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE to accept the replat of part Out Lot 560 and Out Lots 1160 and 1161 and the dedication of existing private "Delivery Drive", Massillon, Ohio, as a public street. Said public street is proposed to be renamed as "Recovery Road S.E.", Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This private drive is currently owned by the City of Massillon and is already a paved street in the City of Massillon. It is in the area back by behind Genshaft, I believe, towards the new CommQuest facility and we, I believe, Mr. Maley, if you'd like to come up and comment on this? It is something that they don't actually have a public drive, apparently, to the building, correct?

DAVE MALEY – Currently, that's correct.

COUNCILWOMAN STARRETT – Okay. So, this will give them public access with the public road, correct?

DAVE MALEY – Correct. It would give them frontage; which is something they need.

COUNCILWOMAN STARRETT – And, obviously, as stated, this is already a road owned by the City of Massillon that's already paved as well, correct?

DAVE MALEY – Correct.

COUNCILWOMAN STARRETT – So, no additional cost to the City?

DAVE MALEY – Correct.

COUNCILWOMAN STARRETT – Okay. Any questions?

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Maley.

COUNCILWOMAN STARRETT – Seeing none, I would make a motion that we waive the requirement of three readings and bring Ord. No. 74 – 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. 74 – 2018 has passed. Ord. No. 75 – 2018.

ORDINANCE NO. 75 – 2018

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with Stark County for the purchase of salt for city streets for the 2018-2019 season from the cooperative program.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This ordinance is something that we do every year. It allows the City to enter into an agreement with the County in order to get bulk prices on salt for the wintertime. Any questions, concerns or comments? Seeing none, I make a motion that we waive the rule requiring three readings and bring Ord. No. 75 – 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 President. Ord. No. 75 – 2018 has passed. Ord. No. 76 – 2018.

ORDINANCE NO. 76 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to accept a grant from the Hoover Foundation for the City's Renaissance of Duncan Plaza Project.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance is as it states, we would be receiving a grant from the Hoover Foundation for the upcoming project. Are there any questions or discussion?

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – Thank you, Madam President. May I either have Joel Smith or Dave Maley to speak on this, please?

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Smith.

JOEL SMITH – Good evening.

COUNCILWOMAN CUNNINGHAM – Good evening. And a happy Monday, hot day to you. My question is with this grant, how close to 100% is this being funded that we, the City, does not have to put any money in?

JOEL SMITH – We got a state grant; we got this grant; we're seeking other grants. We will have some money into this project. The City will have a match.

COUNCILWOMAN CUNNINGHAM – We'll have to match?

JOEL SMITH – A match, not a 100% match, but we will have to probably put up something.

COUNCILWOMAN CUNNINGHAM – And you'll keep us posted on that?

JOEL SMITH – It won't be 100% funded from the funds.

COUNCILWOMAN CUNNINGHAM – Okay.

DAVE MALEY – Currently, we're looking at the City allocating \$125,000; in the Parks Dept. allocating \$125,000 for this project.

COUNCILWOMAN CUNNINGHAM – Coming out of the Parks Dept.?

DAVE MALEY – That is correct. We've already talked to the Parks Dept. about it.

COUNCILWOMAN CUNNINGHAM – Alright, thank you.

COUNCIL PRESIDENT ISTNICK – Thank you.

COUNCILMAN LEWIS – Any other questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 76 – 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. 76 – 2018 has passed. Ord. No. 77 – 2018.

ORDINANCE NO. 77 – 2018

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, 2018, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 77 – 2018 has received first reading. Ord. No. 78 – 2018.

ORDINANCE NO. 78 – 2018

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, 2018, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 78 – 2018 has received first reading. Ord. No. 79 – 2018.

ORDINANCE NO. 79 – 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 – Councilman Lewis.

COUNCILMAN LEWIS – Yes, Madam President. I'd like to call forward Mr. Maley.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Maley.

COUNCILMAN LEWIS – Mr. Maley, just for the record, would you like to state what the appropriation request for \$107,427.05 would be utilized for?

DAVE MALEY – That would be used for the Neighborhood Initiative Program, the demolition program through the County.

COUNCILMAN LEWIS – How many homes will be demolishing?

DAVE MALEY – Well, this particular allocation of \$107,427.05 was for ten homes we're getting reimbursed for. We're hoping to have 80 homes done by the end of the program. That's our goal.

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – Thank you, Madam President. You said by the end of the program?

DAVE MALEY – Well, the program funding deadline, yes.

COUNCILWOMAN CUNNINGHAM – And when is that?

DAVE MALEY – September of next year.

COUNCILWOMAN CUNNINGHAM – 2019? Alright, thank you.

COUNCIL PRESIDENT ISTNICK – Any other questions? Thank you, Mr. Maley.

COUNCILMAN LEWIS – If there are no other questions or objections, I'd like to make a motion that we suspend the rules requiring three readings, bringing Ord. No. 79 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. 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. 79 – 2018 has passed.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

The Repository - \$ 850.00 Publication of May Ordinances

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. 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.

10. REPORTS FROM CITY OFFICIALS

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session is Monday July 30, 2018 at 6:30. We're off next Monday since there are five Mondays in July. Councilwoman Litman.

COUNCILWOMAN LITMAN – Just a reminder that we have a 6:00 p.m. meeting prior to our Council Work Session on the 30th as well, regarding the vacant building ordinance.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. I just wanted to update Council that last week the Parks and Recreation Board did pull me in to a meeting that they had had and they had wanted to discuss their finances and availability of their funds. We had a good conversation for about twenty minutes about the process of receiving appropriations that were outside of the original budget. The budgetary process that they'll be going through this fall since is their first full year of being now an autonomous board. They were very open to the information that I shared with them and the biggest aspect of the meeting was driving home that given we are a legislative body and they operate at the will of the City, that they do have to have a longer projection. Especially when it comes to things like the golf course and whatnot when they're operating like a business. In order to get funds made available, they do have to anticipate potentially a six-

week wait time while they come through Council that wasn't a part of their original budget. I felt that they asked good questions and there's a lot of good information shared. So, I just wanted to update that that did take place.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – Is this the Request of Councilmembers? Is that what we're still on?

COUNCIL PRESIDENT ISTNICK - No, Report of Committees.

COUNCILWOMAN CUNNINGHAM – Oh okay. Next one.

12. **RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER**

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – Thank you, Madam President. I just want to remind everybody that Wednesday, the 25th, is the benefit for Amanda Cunningham Scholarship Fund that I hope you all attend between 4:00 p.m. and 9:00 p.m. at BW3's. Thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else?

13. **CALL OF THE CALENDAR**

14. **THIRD READING ORDINANCE AND RESOLUTIONS**

15. **SECOND READING ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 50 – 2018

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending Chapter 521 "HEALTH, SAETY AND SANITATION" of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes, thank you, Madam President. It's my intention on the 30th to invite anybody, any merchants that would be interested in coming to talk with us. So, if anybody else knows anybody they would like to invite; we can invite them, but that doesn't mean that they'll come. But, we will just be doing that as far as part of the Committee meeting. That will be a committee night, so, we'll just do it as a regular part of the agenda.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – I've had conversation with a few business owners that are not directly downtown, but do have opinions on the downtown buildings and the outside structures that we're speaking of in this ordinance. Would it be okay that I invited them as well? They're not business owners downtown, but they are business owners in Massillon.

COUNCILMAN MANSON – Well, they could be covered by this. Yeah, they should be if they want to come down, invite them.

COUNCILWOMAN LITMAN – Okay.

COUNCILMAN MANSON – Like I said, I'm talking to some people, but some of them are a little reluctant to come down. But, if they want to come; we haven't had a large discussion of this. We'll open it up and we'll try to keep it to nothing more than an half an hour, but, we'll have a discussion. And anybody else that wants to come. We'll just have a nice quiet discussion of it and try to look at all the things. Some of this I really understand. You talk to people and you get a lot of different things thrown at you on it. So, it'd be good for us to talk about it.

COUNCIL PRESIDENT ISTNICK – So, Paul, that'll be at 6:30 p.m., our regular meeting?

COUNCILMAN MANSON – It'll be part of the regular meeting, yes.

COUNCIL PRESIDENT ISTNICK – At 6:30 p.m.?

COUNCILMAN MANSON – We're having the thing with Linda at 6:00 p.m., so it'll just be part of the regular meeting.

COUNCIL PRESIDENT ISTNICK – And you said you'll open it up. By that comment did you mean you'll open it up that the merchants may have any opportunity to speak or no?

COUNCILMAN MANSON – I'm going to try to let everybody speak that wants to speak.

COUNCIL CLERK ROLLAND – So, second reading?

COUNCILMAN MANSON – Second reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 50 – 2018 has received second reading. Ord. No. 71 – 2018.

ORDINANCE NO. 71 – 2018

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending section 1151.02 of the Massillon Code of 1985 by rezoning a certain tract of land from R-1 One Family Residential to R-T Two Family Residential, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. This one, it's just the process that we have to go through. We will be having a public hearing at 6:00 p.m. on August 6th and then we will be voting on it at the meeting that night. So, anybody that's wants to come and speak in favor of or opposed, then we'll also let Council say whatever they want to say. August 6th at 6:00 p.m. Second reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 71 – 2018 has received second reading. Ord. No. 73 – 2018.

ORDINANCE NO. 73 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Park and Recreation Fund, for the year ending December 31, 2018, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance is for \$365,000.00 in appropriations and just to make sure everybody is aware; what we did at the end of last year during the budgetary process, we took the Park and Recreation Board's budget, we went to their contracts and services line item and we did cut them in half for the budget appropriation this year. That was due to, at the time, they were still searching for a Parks and Rec. Director, they had not named one at that time and we wanted to assure that they were able to put one in place. That person was able to establish themselves and to begin to move forward with their vision of the Parks and Recreation Dept. before we released the rest of that money. That has obviously been achieved and accomplished and the Parks and Recreation Board is now requesting that those funds be released. 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. 73 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. 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. 73 – 2018 has passed.

16. NEW AND MISCELLANEOUS BUSINESS

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

GEORGE GLIBA – 222 Lake Ave. N.E., Massillon, OH. First and for most, I wanted to acknowledge Linda Litman for making a phone call and getting that parking lot fixed down where Menches Bros. is. It's fixed; one phone call. That's all it took, as far as I know. I've asked a couple of other people and they said they didn't call. You might have called, I don't know. You never really acknowledged me about the situation, so, I don't know. But anyways, it's done. But, I just wanted to say that you City Council members have some leverage to certain things going on in the City other than just the general citizen and I'll give you an example about the Roads and Street Dept. Way back when, I made a phone call go get a pothole fixed and it took nine days. So, I'm thinking, why is it taking that long? I mean, to me it's just disrespectful to the City. These property owners that are throughout the City, you ought to step up to the plate. You're City Council and you represent the City. To me, that whole situation over there at Menches, that went on for over a year, a year and a half. That parking lot was always torn up. It shouldn't have gone on that long. But, for some odd reason, I have to come to the microphone and bring it up and it got done. I'm thankful for that, but, I'm just thinking that it's hard for me to tolerate entities in this City just disrespecting the City. I don't go for that and I don't think anybody in here should as well. If you have to get a coalition together, the more phone calls that are made, the more of an opportunity it is for it to get done. But, I constantly see things going on in this City that make it look run down, empty buildings. I'll give you an example, right on First and Lake. Somebody bought that property on the corner on First and Lake, there's an empty lot there. All the grass and weeds are growing real high, so, if you're coming to that intersection, you can't see. Normally, you can see Rt. 21 if all that grass wasn't there and it's dangerous. I live there. You might know better than me, but, I live there. But, I'm just saying that to me if City Council or the people on City Council see something, a phone call works. For me, it don't work. I'm just saying that you do have some type of persuasion and if you used it a little more, I think more things would get done. That's why people come up here to convey to you to convey to other people to step it up. Let's not disrespect Massillon, Ohio. We don't want that. We don't want you in our City if you're not going to take care of your properties. And just one other thing about the lines that are on the roads; the painting of the lines. I talked to this lady right here about getting the lines painted on the roads from Lake Ave. to Cherry Rd. They've all disappeared. You can't even see which side of the road you should be on and then when it gets late at night, you got elderly people that might have vision problems that really see the road and then when it rains, the road glazes over and then you really can't see. So, I don't know what the hold up is on that. I don't know if that's ODOT or what, but the yellow lines on the road on First St. from Lake to Cherry, the yellow lines on the road. I talked to Ms. Starrett about it a few months back, but, it must be having some red tape issues, I don't know. So, maybe we can get that fixed. The lines help people drive on the right side of the road and prevents accidents. Prevents misunderstanding with the police too. If you're trying to drive down the road, not that I have that issue. But, anyways, thanks Linda for taking care of that by making that phone call. David, I'm sure you reached out and Joel too. The parking lot fixed. Other than that, I'll see you in two weeks and talk more about the fencing issues we have downtown because it doesn't look good. To me, it just doesn't look good.. Okay. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you. Is there anyone else?

COUNCIL PRESIDENT ISTNICK – Councilman Gregg. Oh, I'm sorry.

COUNCILWOMAN LITMAN – I know that we usually don't ask for updates at these meetings, but I've been asked several times this week as to what is going on with our hospital and has there been any progress made. So, I don't know if maybe Joel would be willing to at least give us a brief update as to what might be happening? Is that inappropriate at this time?

COUNCIL PRESIDENT ISTNICK – I'll allow it.

COUNCILWOMAN LITMAN – Thank you.

JOEL SMITH – We're in active negotiations with multiple companies about the hospital. There's no further update today that I can release from what we've given you in the past.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Can I ask if we are any closer to securing that entity? Whether it be through narrowing down those that we already have or are you willing to disclose any of that information?

JOEL SMITH – I think we're getting closer. I think that we feel confident of where we are and as soon as we're able, we certainly will bring it to this body.

COUNCILWOMAN LITMAN – Well I guess I'm being asked "Is progress being made?"

JOEL SMITH – Progress is being made.

COUNCILWOMAN LITMAN – Thank you.

JOEL SMITH – I can assure everyone that progress is being made.

COUNCILWOMAN LITMAN – Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Smith.

18. **ADJOURNMENT**

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – I move that we adjourn.

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

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT