

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, JUNE 18, 2018**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, June 18, 2018. We have in attendance with us the following city officials: Safety Service Director, Joel Smith, representing the Law Dept., Andrea Bartos, Economic Development Director, David Maley, and Income Tax/Budget Director, Barb Sylvester. We also have in attendance Dave Harding, a Parks and Rec. Board Member. 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, Ed Lewis, Linda Litman, Paul Manson and Megan Starrett.

Roll call of 9 present

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. All present and accounted for.

2. INVOCATION

COUNCILWOMAN JILL CREAMER

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILWOMAN CREAMER

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?

COUNCIL CLERK ROLLAND – No there are not.

COUNCIL PRESIDENT ISTNICK – Thank you. 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. 69 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Property Showing Agreement with Real Estate Brokers to facilitate the sale/lease of properties associated with the purchase of Affinity Medical Center, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance is designed to enable our City to be able to show the different properties associated with Affinity Medical Center to different potential purchasers and come up with agreements with their brokers in the process. This is different

from the other piece that we have this evening in which we go into contract with DeHoff to be our broker. This is a separate piece that if someone that would come to us outside of DeHoff. Is there any questions or discussion for this evening? With that, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 69 – 2018 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. 69 – 2018 has passed. Ord. No. 70 – 2018.

ORDINANCE NO. 70 – 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 – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 70 – 2018 has received first reading.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

The Repository - \$ 326.40 Publication of April 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.

9 yes to pay the bills

10. REPORTS FROM CITY OFFICIALS

Treasurer's Report - May 2018
Mayor's Report - April 2018
Auditor's Report - April 2018

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we accept the Auditor's Report.

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

9 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 is Monday June 25, 2018 at 6:30. Does anyone have anything? Councilman Lewis.

COUNCILMAN LEWIS – I did want to make everyone aware that I was recently contacted by Mr. Pedro of the Parks and Recreation Dept. My presence as well as any members of the Finance Committee who would like to attend, will be receiving notice of an invitation to an upcoming Work Session for the Park and Rec. Dept. The members of that Board would like to discuss with me and the Committee what the powers and authorities are for them in relation to, I believe, the finances. So, I intend to go there and explain to them what the budget is. How the budget is processed and that's where their authority stops. But, you know, I think it's pretty simple, but, whatever questions they have, we'll be more than happy to discuss with them. But, we should be receiving some sort of formal invitation from them at some point.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Is there any idea of what time frame that would be?

COUNCILMAN LEWIS – I think it's like the first or second week of July. Is that correct, Ms. Creamer?

COUNCILWOMAN CREAMER – I believe it would be a Thursday at 5:00 p.m. is what their previous Work Sessions have been. The Park and Rec. Board meeting is the second Thursday, I believe, of each month and I believe the Work Sessions are the week prior, but that may change.

COUNCILWOMAN LITMAN – Okay.

COUNCILWOMAN CREAMER – It's typically a Thursday like prior to the Board meeting.

COUNCILWOMAN LITMAN – I'm just curious. That's the week of the holiday.

COUNCILWOMAN CREAMER – Typically, they'll send an e-mail out just like they communicate the other Board meetings.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Do you have any idea what date they're thinking about?

COUNCILMAN LEWIS – Mr. Pedro said July 7th, but I think he was misspoken. I believe it would be July 5th. That would be, yeah, the 7th would be a Saturday and he told me a Thursday. So, that's why I wanted to wait for the formal invite given that the 5th is the day after a holiday; they may adjust their calendar.

COUNCILWOMAN LITMAN – I will be on vacation that week.

COUNCILMAN LEWIS – I don't imagine that it'll be too intense of a meeting. But, he asked me if I thought the other members of Finance would want to be there and I said, well send out the invite. If they can be there, they will attend.

COUNCIL PRESIDENT ISTNICK – Anyone else?

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

COUNCILMAN MANSON – Excuse me.

COUNCIL PRESIDENT ISTNICK – I'm sorry, Councilman Manson.

COUNCILMAN MANSON – I'd just like to ask that the Administration come next Monday and give us some information on the hospital. Whatever you have that you can give us.

COUNCIL PRESIDENT ISTNICK – Next Monday at the Committee Meeting?

COUNCILMAN MANSON – At the Committee Meeting, yes.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I was actually on the same path and I was wondering if maybe in two weeks when we have our next Council meeting if we should just go into Executive Session? Since it has to do with ongoing real estate and everything.

COUNCILMAN MANSON – Oh, we could do that, but I think we still need to be talking about it next Monday.

COUNCILMAN LEWIS – Okay, that's fine. I just wanted to say that my intention was to discuss with other Council members about that at that time, so.

COUNCIL PRESIDENT ISTNICK – Anyone else?

13. **CALL OF THE CALENDAR**

14. **THIRD READING ORDINANCE AND RESOLUTIONS**

ORDINANCE NO. 50 – 2018

BY: COMMUNITY DEVELOPMENT COMMITTEE

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

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes. This is the part about the places out in front of the businesses. Had a request by the Administration to table this for a while. They want to take a look at something a couple of the property owners are doing down there. So, what I'm going to ask is to table this for two weeks until the next regular Council meeting which would be July 2, 2018. They want us all to take a look at what's going on down there so you're familiar with it. We'll have it back on the agenda then on July 2nd and then do whatever we want. Jen's and those two places there, so far. Are there any other ones?

COUNCILWOMAN CUNNINGHAM – Could we have Mr. Smith come up and explain?

COUNCILMAN MANSON – Ask the President.

COUNCILWOMAN CUNNINGHAM – Madam President?

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILWOMAN CUNNINGHAM – Thank you.

JOEL SMITH – Dave Maley and I asked Mr. Manson to table this for two weeks. As he mentioned, Jen's Place and Sangria, they did change what's in front of their place. Dave just made me aware of that. They must have done it late last week. We walked down and took a look at it. I think Council should maybe take a look. We thought this, when we presented it, would spur more conversation amongst the group and potentially talk about what's going on downtown and what we want coming towards Image, next year. That construction is going to start early next year. So, I think tabling it two weeks is not a bad idea just to talk about maybe next week a little bit more and maybe you could check out what they did down there and, in my opinion, it's a big improvement of what they had, but, it's not exactly what is in the ordinance. So, that's why I'd like Council to at least walk by.

COUNCILWOMAN LITMAN – The prototype that we were looking at was Kozmo's.

JOEL SMITH – Correct.

COUNCILWOMAN LITMAN – And you're suggesting that...

JOEL SMITH – I'm not suggesting anything at this point other than walk by that and see what you think and see if it spurs any thoughts in your mind that maybe it doesn't have to be exactly like everything exactly alike. But, again, Dave just went down there before Council meeting. We haven't spoke to the Mayor yet and all we're saying is maybe take two weeks and think about it a little more.

COUNCILWOMAN LITMAN – Okay.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilman Manson, then on the 2nd it will go back to the first reading?

COUNCILMAN MANSON – No. I'm going to make a motion to table Ord. No. 50 – 2018 for two weeks.

COUNCIL PRESIDENT ISTNICK – Then it will go back to first reading or no?

COUNCILMAN MANSON – No.

COUNCIL PRESIDENT ISTNICK – Okay.

COUNCILMAN MANSON – No, it'll stay right there and then it will come on the Call of the Calendar.

COUNCIL PRESIDENT ISTNICK – Okay. Councilwoman Litman, did you have a question?

COUNCILWOMAN LITMAN – No. I was just going to second that.

COUNCIL PRESIDENT ISTNICK – Okay. Anyone else?

COUNCIL CLERK ROLLAND – We have to have roll call.

COUNCIL PRESIDENT ISTNICK – Roll call to table, I'm sorry.

9 yes to table Ord. No. 50 – 2018 until July 2, 2018

COUNCIL PRESIDENT ISTNICK – Ord. No. 50 – 2018 has been table until July 2, 2018. Ord. No. 56 – 2018.

ORD. NO. 56 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into contract with DeHoff Realtors to represent the City of Massillon, Ohio, as our exclusive agent for the sale of commercial properties, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is something that we've been going through for about six weeks now. It's the contract that permits the Administration to go into agreement with DeHoff Realtors to represent the City's interest in the sale of the properties associated with Affinity. So, these would be the properties that are off-campus, typically. Are there any questions or discussion this evening? Seeing none, I make a motion that we bring Ord. No. 56 – 2018 forward for a vote.

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

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 56 – 2018 has passed.

15. **SECOND READING ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 62 – 2018

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 430261, located at 131 Newport Ave. N.W., Massillon, Ohio, from the City of Massillon to the Community Development Corporation of Massillon (CIC), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes. Let's just give this second reading.

ANDREA BARTOS – I can speak to this.

COUNCILMAN MANSON – Pardon? Is it okay if I just discuss this openly? We started out with this thing the Administration asked for, okay? Then we came back after it was on the agenda to do something with and then they said put it on hold. So, we put it on hold and last week we weren't sure. I'm not sure right now, so that's part of why I'm talking about going to third reading.

ANDREA BARTOS – I could add to this if you want.

COUNCIL PRESIDENT ISTNICK – Mr. Maley.

DAVE MALEY – Just quickly, Paul. Yeah, there was some debate with regards to taking it to CIC was the question and I think we got that taken care of. We had a special meeting last week at CIC. The by-laws were never formally changed because they never came to Council with regards to the issue we had. So, they just reverted back to what they were originally. So, we don't see any issues with regards to bringing this, any property outside of the city, especially in Perry Twp., bringing those properties forward to CIC at this point. So, I think it's all been clarified. So, we'd be ready to move it if you wanted to move it. That would be fine, it doesn't matter.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – My only thought is that if the Law Dept. would have anything to add; to give them an opportunity to do so.

COUNCIL PRESIDENT ISTNICK – Thank you.

ANDREA BARTOS – Yes. In talking to the Law Director about this, she just wants to add a couple of attachments, exhibits to this ordinance. The quit-claim deeds from Affinity to the City of Massillon and then the City of Massillon to CIC and CIC to Habitat. Just to be thorough with documentation. So, in adding that and amending it, she'd be asking that it go back to first reading. So, that's where the Law Dept. is as far as this ordinance.

COUNCILMAN LEWIS – So, we would give it second reading tonight, amend it? That would take it back to first reading.

COUNCILMAN MANSON – Back to first reading and then we would just start all over or move it ahead. Okay.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman. Oh, I'm sorry.

COUNCILMAN MANSON – Second reading.

COUNCILWOMAN LITMAN – I have a question.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you. The legislation indicates Community Development Corporation of Massillon, but the quit-claim deeds indicate Massillon Community Improvement Corporation. Is that a typographical error? I believe they should be indicating the same entity in legislation as you see in the quit-claim deeds.

COUNCIL CLERK ROLLAND – That is CIC, Community Improvement Corporation.

ANDREA BARTOS – That is a good question and it could just be an error, but I'll take it to the Law Director and make sure that we check it out.

COUNCILMAN LEWIS – I would assume that gets fixed, but at the same time, the legislation reads Community Development Corporation of Massillon CIC. So, that makes me think that those two entities must be somehow the same or off shoots of one another.

COUNCILWOMAN LITMAN – Then they may want to say also know as to connect the two because the quit-claim deed and the legislation don't seem to coordinate.

ANDREA BARTOS – Right.

COUNCIL PRESIDENT ISTNICK – Any other discussion? Ord. No. 62 – 2018 has received second reading.

ORDINANCE NO. 68 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Medical Mutual of Ohio for health insurance coverage of City employees, effective August 1, 2018 through January 1, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. We had Ms. Sylvester speak at the last Work Session to explain some of the savings that we are going to possibly see with this agreement. One of the primary reasons we are able to see these sorts of adjustments is due to usage by the participants in the plan and we are planning on bringing this forward for a vote because we do have to get the process started so that it can still be effective by August 1st. 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. 68 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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. 68 – 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. I wanted to talk about the city ordinances for a second because I've been coming to these meetings and come to find out that there are all these city ordinances for the public, but I'm wondering why there isn't a city ordinance for the property owners. Such as what I want to speak about tonight is the parking lot down at Menches. Now that parking lot is a disaster. There's this big sign out front about wanting to lease the properties over there. There's two phone numbers there to call. Now this has been going on for, you know and I know, for a long time. That parking lot is a disaster, like I say. And you want to pull people in here downtown from other cities to show off the city and what they're trying to do. I'm wondering why there aren't nine people making phone calls and why it's like that. I mean, either one or two reasons; you don't go down there and patronize the businesses down there or you just don't care. I don't understand it. I mean, I've got the phone number written down here in my pocket if anybody wants to write it down or afterwards, you know, take down the names of the two people there, but I thought the business owners were held to a higher standard than the citizens. So, for the life of me, I'm going to stay on this for the next couple of weeks and see if there's any action done. You got nine people here, ten or eleven, that could make a phone call and redo that whole parking lot. Because that parking lot, I mean, those businesses down there thrive. I mean every Friday or Saturday night, even in the evenings, the people patronize the city and they have to deal with that? I don't think that's right. I mean, I don't think that's right at all. I think they're doing the City of Massillon a dishonesty, I think. Everybody here knows that those businesses down there thrive and I just don't see why they don't have the money or the initiative to do something. And I did want to make one other comment about the police force. You were talking last week about that. A couple of ideas I thought of was military. Reach out to the military people that are coming out of the military that want jobs to offer them a job here in Massillon and I think Massillon would be a great place to work. I mean, it's an older community and there's not a lot of crime here. So, you would think with those two things, that would try to draw people in instead of, what Joel was saying; you go to Akron, you go to Cleveland, they make a lot more money there. Sure, they do. But their lives are in jeopardy up there. Cleveland every night, there's a

murder. Canton, not as bad, but you would think Massillon would be a draw just from the safety reason. Just to get people here and work for our community. That's all I wanted to say. Hopefully, the parking lot will be taken care of here shortly. There's some big potholes over there. That's all, thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, George. George, did you sign the sheet?

GEORGE GLIBA – Yes.

COUNCIL PRESIDENT ISTNICK – Thank you.

GEORGEANN SOMBRO – I live 242 Commonwealth Ave. N.E., Massillon, OH. I'd like to know when the tax increase came through, it was supposed to be for equipment and to redo the roads. I thought redoing the roads meant redoing the roads. Not patching up holes and a lot of the streets especially State St., I mean, that's like a mine field. A lot of our streets in Massillon, if the Mayor wants businesses and people to come to downtown, she's got to redo the streets. I mean, the streets have got to be redone. Our streets are deplorable. My daughter lives over on Green S.W. and the southwest roads are awful. I've never seen anything so deplorable in all my life. I know the Mayor had this thing in the paper where she wanted to put these copper pots. What the heck is a copper pot going to do to the town? I mean, you got to redo the streets if you want the people to stay here and if you want new people to come. Nobody is going to want to come and put a business in Massillon if they can't even get to it. I mean, it's awful, it's awful. Something has got to be done. I mean, I live on a brick street, so, there's not a whole lot of holes on brick streets, but there are some low areas. But, you guys got to do something. Thank you.

COUNCIL PRESIDENT ISTNICK – Is it Georgeann?

GEORGEANN SOMBRO – Yes.

COUNCIL PRESIDENT ISTNICK – Did you sign?

GEORGEANN SOMBRO – Yes ma'am, I did.

COUNCIL PRESIDENT ISTNICK – Perhaps at the end of the meeting Mr. Smith could talk to you.

GEORGEANN SOMBRO – Okay. Thank you.

TONI HUTCHISON – I live at 204 Commonwealth Ave. and I guess I'm with the three of these guys talking about our streets. I live on a brick road as well and I have an alley behind my house. I have called multiple times to the Street Dept., multiple times. And I work forty-five to fifty hours a week and I even take my breaks at work to make that phone call. There is a small hole that's becoming very huge back in the alley of my house on Mader N.E. I've called and spoke to a couple of people in the Street Dept., haven't seen anything change since then. The other issue I have is, again, with the Street Dept., cleaning our streets. Here you have three citizens trying to clean up our community, asking for your help and I'm asking just to have our streets cleaned. Second St. N.E., Commonwealth N.E. Our communities come first, our neighborhoods come first and then we can talk about what we need to do for the City of Massillon. Take care of your people. I have a rental unit here which is on Parkview and I could go on about how many times I've called the Street Dept. for snow removal. It's just that you continue to call, call, call with no resolution. Please help us. We really want to live in the same community. The other thing I'd like to talk to you about is the Reservoir. What's going on with the reservoir? We're asking to restore it. We're not hearing anything. They got great walking paths, but we're not hearing any communication. So, maybe get something out to the citizens. If you drive down the street you'll also see the signs "Restore our Reservoir". Help us guys, that's what we're paying you for. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you.

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – I make a motion to adjourn.

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

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT