MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, MAY 17, 2021

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, May 17, 2021. We have in attendance with us the following city officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Law Director, Justin Richard, Chief Engineer, Jason Popiel 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. I'd like to remind all of you that if you are not speaking, please mute your mics so that we can hold all the background noise to a minimum.

COUNCIL PRESIDENT ISTNICK – Roll call.

1. ROLL CALL

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

Roll call of 9 present

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Councilman Thieret.

2. INVOCATION

COUNCILMAN JIM THIERET

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN THIERET

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Thieret.

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 – No, there are not.

COUNCIL PRESIDENT ISTNICK – Thank you. The minutes will 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. 89 – 2021 **BY: ENVIRONMENTAL COMMITTEE**

AN ORDINANCE amending Section 925.16 "Specifications for Installing Building Sewers" of the Codified Ordinances of the City of Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – Thank you, Madam President. First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 89 – 2021 has received first reading. Ord. No. 90 – 2021.

ORDINANCE NO. 90 – 2021 **BY: STREETS, HIGHWAYS, TRAFFICE AND SAFETY COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids according to law and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 2021 Street Resurfacing Project, Contract 2, in the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. The ordinance does have emergency language. Are there any questions or concerns? Seeing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 90 – 2021 forward for a vote.

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. 90 – 2021 has passed. Ord. No. 91 – 2021.

ORDINANCE NO. 91 – 2021 **BY: STREETS, HIGHWAYS, TRAFFICE AND SAFETY COMMITTEE**

AN ORDINANCE to accept the dedication of road right of way and easements for Augusta Lakes, Phase 3A subdivision, Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. First reading.

COUNCIL PRESIDENT ISTNICK – Thank you, Ord. No. 91 – 2021 has received first reading. Ord. No. 92 – 2021.

ORDINANCE NO. 92 – 2021 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for the 2021 Street Resurfacing Project, Contract 2, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is the appropriation that will cover the cost for the street resurfacing. Are there any questions or concerns this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 92 – 2021 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. 92 – 2021 has passed. Ord. No. 93 – 2021.

ORDINANCE NO. 93 – 2021 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations for the unappropriated balance of the 1419 Marketplace TIF Fund, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance is to appropriate funds for the Wales Rd. project. Is there someone from the Administration that can speak to this?

MAYOR CATAZARO-PERRY – I'm here, but I did not hear your question, it was my fault.

COUNCILMAN LEWIS – I just want to know how quickly this needs to be passed?

MAYOR CATAZARO-PERRY – How quickly this needs to be passed? I really think that the engineering department would like it passed tonight if at all possible.

COUNCILMAN LEWIS – Mr. Popiel.

MAYOR CATAZARO-PERRY – We're having a very hard time understanding you.

COUNCILMAN LEWIS – I'm asking for Mr. Popiel.

MAYOR CATAZARO-PERRY – Okay. Mr. Popiel, are you here? I see him on the screen, but I don't hear him. Mr. Popiel, are you there?

COUNCILMAN LEWIS – Okay, with that said, I do have some questions, but I guess that they will have to wait.

MAYOR CATAZARO-PERRY – Mr. Popiel, are you on?

JASON POPIEL – Yes.

COUNCIL PRESIDENT ISTNICK – Mr. Popiel, are you still there?

COUNCILMAN LEWIS – Madam President, I'm giving this first reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 93 – 2021 has received first reading.

8. UNFINISHED BUSINESS

COUNCIL CLERK ROLLAND – Council Chambers now has a copier.

MAYOR CATAZARO-PERRY – Mr. Lewis.

COUNCIL PRESIDENT ISTNICK – Go ahead, Mayor.

MAYOR CATAZARO-PERRY – Thank you, Madam President. Jason Popiel does need this passed this evening. Unfortunately, there's something wrong technically and he cannot speak himself, but he does need Ord. No. 93 – 2021 passed this evening if Council is willing to do so. Thank you.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – We will reopen discussion under "Resolutions and Requests of Council Member".

COUNCIL PRESIDENT ISTNICK – Okay, thank you.

9. PETITIONS AND GENERAL COMMINCATIONS

10. BILLS, ACCOUNTS AND CLAIMS

The Repository	-	$1,723.60	Publication of March Ordinances
Copeco	-	29.99	Ink Cartridge for HP Deskjet Printer
		$1,753.59	

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

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

9 yes to pay the bills

COUNCIL PRESIDENT ISTNICK – Thank you. The Clerk will pay the bills and charge them to their proper accounts.

11. REPORTS FROM CITY OFFICIALS

Mayor's Report	-	March 2021
Treasurer's Report	-	April 2021
Auditor's Report	-	April 2021

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

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

9 yes to accept the Auditor's Report

COUNCIL PRESIDENT ISTNICK – Mayor, would you like to tell Council what's going on in Massillon?

MAYOR CATAZARO-PERRY – I would love to, thank you, Madam President. This is the Council update for May 17, 2021. Duncan Plaza ribbon ceremony is scheduled for May 27, 2021 at 11:00 a.m. You should have all received your invitation. Today is the last day to file your income tax. Our downtown landscaping is in process. Soon they'll be placing the flower pots, trash receptacles and benches and we're just waiting for the flower pots to take hold and then they'll be bringing them out. The Memorial Day parade is May 31st; at 9:30 a.m. it will kick off and following the parade at Duncan Plaza and Veteran's Memorial Park there will be a ceremony. The paving is starting on the catch basins for our Contract 1 and they will be moving to paving following the catch basin repair and replacement. They also started Erie St. S. catch basins. Contract 2 for our street cleaning, what's in front of you tonight and we appreciate you passing that as an emergency measure so that we can get out bid, thank you, Council. Just an update on the Health Dept.; the verbage, as I reported last time, was changed to 50,000 or less. The Health Dept. must do a feasibility study on efficiency and if we are merging with the County. We made significant roads with our legislators at the State level and we continue to communicate with them because having our own Health Dept. in the City of Massillon is vital for our residents. And that's all I have for you this evening. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mayor.

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be Monday, May 24, 2021 at 6:30 p.m. Even though there are five Mondays this month, the 31st is Memorial Day.

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCILMAN LEWIS – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILMAN LEWIS – My first request is that we have more discussion at our next Work Session. If they could present to Council more information. My second statement that I would like to make tonight is in regards to Ord. No. 93 – 2021 that we gave a first reading to. The opportunity to vote has already passed. Mr. Lombardi.

COUNCILMAN LOMBARDI – I agree.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion to reopen discussion for Ord. No. 93 – 2021.

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

9 yes to reopen discussion on Ord. No. 93 – 2021

COUNCIL PRESIDENT ISTNICK – Thank you, Diane. Councilman Lewis.

COUNCILMAN LEWIS – Yes, there are members on Council that have questions. Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Mr. Lewis. At the Work Session, I had questions as are we going to keep going into that fund? I questioned information from the Auditor in reference to this TIF about this project.

COUNCIL PRESIDENT ISTNICK – Anyone else?

COUNCILMAN LEWIS – I need to ask the Administration if that question is understood?

MAYOR CATAZATO-PERRY – I'm sorry, Mr. Lewis. We can't understand; it's very muffled on our end.

COUNCILMAN LEWIS – The question is, is this the first or second time that the Administration has used these funds of the Wales Rd. project?

MAYOR CATAZARO-PERRY – Actually, it's the second one that you have received, but the initial amount was a little less than a million dollars. So, this is much less than we anticipated. Several hundred thousand less than we anticipated.

COUNCILMAN LEWIS – So now, Mayor, you're saying that you came to us before for approval of a half million dollars and now you need $450,000?

MAYOR CATAZARO-PERRY – Correct. I was only a portion; we only came to you for a portion of it. And this is the other portion. This is much less than we anticipated. We thought use about $900,000 and we're not going to use that amount.

COUNCILMAN LEWIS – So, you didn't have to use any money geared to us.

MAYOR CATAZARO-PERRY – I can tell you that the bid came in lower and so, that's why the amount is smaller.

COUNCILMAN LEWIS – How much was the total?

MAYOR CATAZARO-PERRY – The total is $676,000 and we were thinking that it was going to be closer to a million like $960,000. But the total amount is $676,000. Actually, Jason just sent me a message; a million-three is what we thought it was going to be. So, it's significantly lower. I think this is really good, and again, this is ODOT and this is our share.

COUNCILMAN LEWIS – The question is, how much has the City spent on the project from the Marketplace TIF?

DAVE MALEY – It's in the $425,000 market.

COUNCILMAN LEWIS – If I'm understanding you correctly you have used $251,000 so far?

DAVE MALEY – Mr. Lewis.

COUNCILMAN LEWIS – Yes.

DAVE MALEY – I'm on the phone with Jason Popiel and for some reason, he can't be heard, but he told me that $575,334 is the total amount that's going to be coming out of the Marketplace TIF out of the $676,000.

COUNCILMAN LEWIS – I'm sorry, we tried but we are not able to clearly understand. I'm going to stay with my first reading and then if the Administration can somehow communicate with Council, I suggest a Special Meeting next Monday. With that said, first reading.

COUNCIL PRESIDENT ISTNICK – Ord. No. 93 – 2021 has received first reading.

14. CALL OF THE CALENDAR

15. THIRD READING ORDINANCE AND RESOLUTIONS

ORDINANCE NO. 79 – 2021 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from B-3 General Business District to I-1 Light Industrial District.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. There will be a Public Hearing on this on June 7, 2021 at 6:00 p.m., so until that Public Hearing I make a motion to table Ord. No. 79 – 2021 until June 7, 2021.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lewis. Roll call to table Ord. No. 79 – 2021.

9 yes to table Ord. No. 79 – 2021 until June 7, 2021.

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 79 – 2021 has been tabled until June 7, 2021.

16. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 82 – 2021 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from B-3 General Business District to I-1 Light Industrial District.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. Second reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 82 – 2021 has received second reading.

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

SCOTT GRABER – 1218 Tremont Ave. S.W., Massillon, Ohio. I have three short requests. The first is to have one of the "Your speed is" signs placed at the intersection of 12th and Tremont Ave. S.W. on the southwest side of town. This is my formal request. Second, is that the City Council take the matter of the L.O.G.I.C. Red Center contract providing non-emergency dispatching for the Massillon Police Dept. and the Massillon Fire Dept. My third request is that City Council take up animal control which is badly needed by the City. And that is all.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Graber. Anyone else?

L.J. DELUCA – 2954 Veterans Blvd. S.E., Massillon, Ohio. I think the residents; our trust has been breached with putting out these unfair and understandable meetings. How can we continue like this? You're jumbled, you're rumbled, the Massillon Independent says that they can't understand us, they can't understand the Mayor. The Mayor tonight even herself said that she couldn't understand. I couldn't understand, make heads or tails what's going. How do we know that we're getting the voting right here tonight? I think we've told and we keep getting told by this Webex thing. We need to change, we need to get all hands on board, back to Massillon City Council. That's where you need to be. Otherwise, we got to change you people because we can't continue this. Thank you very much, have a good night and let's get clear communication next week. I've been preaching this now for about seven or eight or ten meetings and it keeps getting worse as it goes on. Mr. Lombardi, I hope we can get this thing taken care of. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Deluca. Anyone else?

18. ADJOURNMENT

COUNCILMAN THIERET – I make a motion that we adjourn.

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

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT