

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD TUESDAY, JANUARY 17, 2023**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Tuesday, January 17, 2023. We have in attendance the following City officials: Safety Service Director, Barb Sylvester, Economic Development Director, David Maley and Parks and Rec. Director, Steve Pedro. Under #5 on the agenda is where the public can speak on any topic that appears on tonight’s agenda and under #17 is where the public can speak on any topic that does NOT appear on tonight’s agenda. I’d like to remind everyone keep your mics off until you’re ready to speak and please, mute your cell phones or set them to vibrate.

COUNCIL PRESIDENT ISTNICK – Roll call.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Jill Creamer, Mike Gregg, Julie Harwig Smith, Ted Herncane, Ed Lewis, Mark Lombardi, Jamie Slutz, Mike Snee and Aaron Violand.

Roll call of 9 present

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

2. INVOCATION

COUNCILMAN MIKE SNEE

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN SNEE

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Snee. 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 – Then the minutes stand approved as written.

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

GEORGE GLIBA – 222 Lake Ave. N.E., Massillon, Ohio. I wanted to weigh in on the building that’s being torn down, Tiger Rags store. I wanted to weigh in on that. I was here during the

discussion that night way back, I think January 2nd and Lewis had said that he's getting some calls that the people that are getting the building torn down that they don't have any "skin" in the game. Now, they came up here and talked for several minutes and they said that they've been here for 45 years, a staple to the community, Tiger Rags. They put \$40,000 in the building to try to save it. So, for somebody to say that, really doesn't know that they're talking about because I think they did have "skin" in the game. They tried to save the building and they've probably given back to the community ten-fold, who knows. Only they know that for sure. And then, I read in the paper that the guy in Ward 2, Violand, he said that they should give the right to some benefit and I don't get it. 45 years at staple in the community, they tried to save the building and this Council is wanting not to give them the money that they've already been granted. Theoretically, they've been granted the money through the Governor. The Governor DeWine; they got a letter from the governor; here's the money then we have safety issues. The building has safety issues. Lewis spoke a couple of weeks ago about it. He's concerned about the community; it could fall down, it could fall down tomorrow, who knows. But anyways, I would think that with what they've put into the building and been there 45 years and been granted the money, basically. And it's not a cost to anybody any money. I mean, it's State money; very minimal. I mean, that's what State money's used for. It's for projects within the community. So, they've been granted the money and I've been up here several times. There's been some big decisions like Sippo Reservoir Park. The community got involved because it was such a big issue. Now, if it's such a big issue for nine people to make a decision, why isn't there an open forum up here for the community to come up here and speak on behalf of this building? The same thing happened with the amphitheater. It was a big issue. People were in a tough spot. I mean, it's tough to see. But, there was an open forum for that too. So, I think they should get the money and get the building torn down and quit dragging your feet about it. I mean, come on. What if that was you? That's the way I think about things a lot of times. What if that was you? What if that was your building? Would you be saying this? No. Just give them the money and get it torn down. And another thing; Herncane asked them what they were going to do with the property? That was a big question to ask. They said they were going to keep it. So, what does that tell you? They're going to reinvest. They're not going to sell it. But that's what I had to say?

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Gliba. Anyone else want to speak on a topic that is on the agenda this evening?

6. NEW AND MISCELLANEOUS BUSINESS

COUNCIL PRESIDENT ISTNICK – Is there any?

COUNCIL CLERK ROLLAND – Yes, Madam President. I received an appeal for a variance request which was denied by the Massillon Board of Zoning Appeals on Thursday, January 12, 2023, from a Ms. Jennifer McConnell. Variance Case No. 2023-1 and it'll be presented as a request for legislation for Council to consider at the Work Session on January 30, 2023.

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk.

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT ISTNICK – Ord. No. 5 – 2023.

ORDINANCE NO. 5 – 2023

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE authorizing the Director of the Parks and Recreation Department of the City of Massillon, Ohio, to apply for a D-6 Liquor Permit for The Legends of Massillon Restaurant and Golf Course for Sunday sales of liquor, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – Thank you, Madam President. This was presented at the Work Session last week. I was not able to attend. Mr. Herncane stood in for me and mentioned that there was very little, if any, discussion on this matter. I spoke to Mr. Pedro regarding it and there is some urgency to have this approved so that they can apply for the permit. Is there any discussion or questions on it at this point? Seeing none, I'd like to waive the rules requiring three readings of the ordinance and bring Ord. No. 5 – 2023 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Herncane. 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. 5 – 2023 has passed. Ord. No. 6 – 2023.

ORDINANCE NO. 6 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Parks and Recreation Department of the City of Massillon, Ohio, to accept a donation from Stark Community Foundation on behalf of the Massillon Recreation Center, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance is to receive \$6,600.00 for the purpose of purchasing AED (Automatic External Defibrillator) devices for the Parks and Rec. Dept. It is a donation that is given to them. 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. 6 – 2023 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. 6 – 2023 has passed. Ord. No. 7 – 2023.

ORDINANCE NO. 7 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor and the Safety Service Director of the City of Massillon, Ohio, to enter into a contract between the City of Massillon and the Stark County Sheriff's Office for the use of the Stark County Law Enforcement Training Facility (LETC) located at 143 – 1st St. S.E., Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance is to approve an agreement to use the LETC at a rate of \$25.00 per officer, per year. Are there any questions or further discussion this evening? Seeing none, I make a motion we suspend the rules requiring three readings, bringing Ord. No. 7 – 2023 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lombardi. Roll 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. 7 – 2023 has passed. Res. No. 2 – 2023.

RESOLUTION NO. 2 – 2023

BY: COMMITTEE OF THE WHOLE

A RESOLUTION consenting to the appointment of Alex Wood to the Recreation Board of the City of Massillon, Ohio, for the term expiring December 31, 2025.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. In this resolution, we'd be consenting to the appointment made by the Mayor of one of the three seats that she appoints to the Recreation Board of the City of Massillon. I do believe that Mr. Wood is in attendance, is that correct?

ALEX WOOD – Yes.

COUNCILMAN LEWIS – And usually when we have this, we do give them an opportunity to speak, so, if he is so obliged, Madam President, I would ask him to come up and introduce himself.

COUNCIL PRESIDENT ISTNICK – Please come up to the mic, Alex.

ALEX WOOD – Good evening. Thank you, Madam President, Council Members. My name is Alex Wood. I'm the potential board member here tonight to introduce myself. One, again, Alex Wood; I'm a Massillon resident. Recently retired from the profession of coaching and this is

home and I'm back home and I'm happy to be back home and if approved, this would be a great opportunity for me to give back to the community. I obviously have a passion about being from Massillon. It was a good experience for me growing up and I'm glad to be back.

COUNCILMAN LEWIS – That's excellent. Does anybody have any questions for Mr. Wood before we move onto a vote? Apparently you did a great job.

ALEX WOOD – Thank you very much.

COUNCILMAN LEWIS – Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you.

COUNCILMAN LEWIS – With that said, we do want to thank you again for coming in and giving us a chance to put a face to a name.

ALEX WOOD – Sure.

COUNCILMAN LEWIS – If there isn't any further discussion, I make a motion that we suspend the rules requiring three readings, placing Res. No. 2 – 2023 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. Res. No. 2 – 2023 has passed and congratulations, Alex.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

A Request for a New Liquor License for Tiger Island Mexican Grille LLC located at 426 – 3rd St. S.E., Massillon, Ohio 44646. Permit Classes are D1 and D2 and is located in Ward 3.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg, did you receive a copy?

COUNCILMAN GREGG – I have.

COUNCIL PRESIDENT ISTNICK – Thank you.

10. BILLS, ACCOUNTS AND CLAIMS

Copley Ohio Newspapers	-	\$ 403.44	Publication of Ord. and Public Hrgs.
Office Depot	-	175.17	Copy Paper and 2023 Supplies
US Bank Equip. Finance	-	<u>127.00</u>	January Paymt. for Copier
Total	-	\$ 705.61	

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lombardi. 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 account.

11. REPORTS FROM CITY OFFICIALS

Mayor’s Report	-	December 2022
Auditor’s Report	-	December 2022

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion to accept the Auditor’s Report.

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

9 yes to accept the Auditor’s Report.

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

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be Monday, January 30, 2023, at 6:30 p.m. We are off the week of January 23rd.

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – At this time, I would ask for a moment of silence for my uncle who passed away last Friday. He was a Jackson Twp. Trustee for eight years and donated to various projects around Massillon, up to and including the Veteran’s Park. So, if we could have that for a moment. Thank you.

COUNCIL PRESIDENT ISTNICK – I’d like to go back to #12, if I could. January 30, 2023, there is also Public Hrg. at 5:30 p.m. So, don’t forget that.

COUNCIL CLERK ROLLAND – And Councilman Snee, what was your uncle’s name?

COUNCILMAN SNEE – Craig Snee.

COUNCIL CLERK ROLLAND – Thank you.

14. **CALL OF THE CALENDAR**

COUNCIL PRESIDENT ISTNICK – Ord. No. 173 – 2022.

ORDINANCE NO. 173 – 2022 **BY: COMMUNITY DEVELOPMENT COMMITTEE**
Tabled January 3, 2023 until January 17, 2023

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from RM-1 Multiple Family Residential to B-3 General Business District.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. As this ordinance has stated, this is a zone request. There are two parcels located both on Lincoln Way E. The acreage to be rezoned is .93 acres. The purpose of this rezoning is to allow for operations of a full-service bank. We did have a public hearing on January 9, 2023, here in Council Chambers at 5:30 p.m. A representative from Consumer National Bank was here. There was no opposition at this public hearing. Does anyone have any questions regarding this zone change?

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – Thank you, Madam President. No question. I just wanted to say that this is in my Ward. I’ve had no negative feedback regarding it. I think it’s a good use of that property on Lincoln Way and I would urge to tell Council Members to vote for it.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. At this time, I’d like to make a motion to bring Ord. No. 173 – 2022 forward for a vote.

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

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 173 – 2022 has passed. Ord. No. 174 – 2022.

ORDINANCE NO. 174 – 2022 **BY: COMMUNITY DEVELOPMENT COMMITTEE**
Tabled January 3, 2023 until January 17, 2023

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property form RM-1 Multiple Family Residential to B-3 General Business.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. This is also a zone change request. This request was approved by the City Planning Commission. The purpose of the rezoning is to allow for a motor fuel convenience, a Get Go Café market. We did have a public hearing on January 9, 2023, at 5:30 p.m. We did not have any opposition to this request. Are there any Council Members that have any additional questions or comments regarding this zone change?

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – Thank you, Madam President. Things are happening in Ward 3. This is also Ward 3. Again, I've had no negative comments regarding this request. The developer that is doing this is also the developer that is developing the Starbucks property across from Home Depot. I think they do a fantastic job. I think that this is a good use of this property and I would, again, urge this to be passed. Thank you.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. Just to go on the record, there are six parcels. These parcels, all of them are on Lincoln Way E. and the acreage is 1.82 acres. Seeing no additional comments or questions, I make a motion to bring forward Ord. No. 174 – 2023 forward for a vote.

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

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 174 – 2022 has passed. Ord. No. 175 – 2022.

ORDINANCE NO. 175 – 2022 **BY: COMMUNITY DEVELOPMENT COMMITTEE**
Tabled January 3, 2023 until January 17, 2023

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from O-1 Office to R-1 One Family Residential.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. This zone change request, there's one parcel. It is located on 1st St. N.E. The purpose of the rezoning is to allow for new residential construction. We did have an individual on behalf of Habitat for Humanity here at the public hearing that was held on January 9th at 5:30 p.m. There was no opposition to this zone change. Does any Council members have any additional comments or questions regarding this zone request change? Seeing none, I'd like to make a motion to bring Ord. No. 175 – 2022 forward for a vote.

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

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 175 – 2022 has passed. Ord. No. 177 – 2022.

ORDINANCE NO. 177 – 2022 **BY: ECONOMIC DEVELOPMENT COMMITTEE**
Tabled January 3, 2023 until January 17, 2023

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Cyrus Ausar to provide an economic development “inducement grant” to fund start-up costs, including build-out, equipment, etc., for Grow Mental Health & Wellness, located at 141 – 1st St. N.E., Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – Thank you, Madam President. Are there any questions tonight on this ordinance? Seeing none, I make a motion that we bring Ord. No. 177 – 2022 forward for a vote tonight.

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

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 177 – 2022 has passed. Ord. No. 184 – 2022.

ORDINANCE NO. 184 – 2022 **BY: FINANCE COMMITTEE**
Tabled January 3, 2023 until January 17, 2023

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2022, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This particular ordinance had a lot of discussion around it and we have in the past week received some additional information. I believe we were all able to receive information in regards to a potential business deal that the property owner was negotiating for future use of the property be a local investor which is always a positive thing to see. We also received tonight this letter from the property owner. A lot of good information and in some ways he does summarize some excellent points and that there is a variety of opinions in discussion and looking for clarity on how best to use this. From my understanding, so far, we are in a situation in which the State does have a program in which a property such as this did qualify for and can be torn down for the safety and revitalization of our downtown and this grant is a 100% reimbursable grant that can be made. In this letter that we received, it is stated that the property owner, on page 2, paragraph 2, in the last sentence it says “We have proposed that the City is unwilling to fund the grant. We can fund the grant which would then be reimbursed to the City of Massillon who would then reimburse us”. To me, that sounds as if the property owner is stating that they are willing to put up the cost, the up-front cost of the tear down of the property and then just pull the State dollars through the City to be reimbursed at the appropriate time. I can’t speak for everyone, but for me, that was acceptable on my end that they are the ones that are paying for the property to have what needs done, done and then if there is a State grant they qualify for, then so be it. And we have

to act as the pass-through, so be it. The one thing I do want guard ourselves from is that we are now finding ourselves in a position where we get a State grant and just take the money when we didn't put any money into the situation. But, that's my personal opinions. They did also ask in this letter, I believe, that we table this a little bit longer so there can be more discussion and clarity and given the additional information we received this week, I would be in agreement with that recommendation and would intend to do so. But, before I make any motion, Madam President, I would open it up for further discussion if anyone on Council would have further comments.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – Thank you, Madam President. My comment on this is that the funding is there, we've been discussing a great deal a lot of if's, and's or but's. I think we need to move forward with this and get it done. We've got a property sitting there that's condemned. It's a safety hazard to citizens and our safety forces and I think it's just a matter of let's move it forward and get it done. Thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. I would agree with Mr. Lewis. We did receive a letter tonight and I really haven't had time to read through the letter. So, I would recommend also to labeling this so it would give us additional time to review all of the needed facts and make a decision at the next meeting. Thank you.

COUNCIL PRESIDENT ISTNICK – Councilman Violand.

COUNCILMAN VIOLAND – Thank you, Madam President. I don't know if Mr. Maley could speak to this? I'm in favor also of possibly pushing this back a slight bit. I know we have like a May 1st deadline to get reimbursed. If Mr. Maley could comment, or if you know, Ed, about where that would put us with regard to the demo being done and completed and us submitting that to the State for reimbursement by that date.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – In speaking with Mr. Maley prior to the meeting, he did state that this is time-sensitive for the very reason that you brought up, Mr. Violand, but he also stated that one more meeting, we could probably still squeeze in. But, deadlines are getting tight.

COUNCILMAN VIOLAND – Okay.

DAVE MALEY – Mr. Lewis, we are off next week too. So, it's going to push it out probably three weeks which creates a little more issue. We are starting the remediation process, I believe, is February 1st. So, that should take a few days. We'd like to get in there. The other question I have is once we got the bids in, we only have sixty days to sign a contract. I'd have to look at that as far as when we got those bids in. The other thing, to your point, was I was wondering if...I think the debate kind of surrounds whether we should move forward and whether there's an assessment put on the property or no assessment. Let me throw this out, I was just thinking about this. What if we move forward and passed it tonight, because we don't, like you said earlier Mr. Lewis, we don't necessarily have to say we're going to put an assessment on tonight. We could pass it tonight, have the money available and then put

forward legislation for next time or at some point in time, once the demolition takes place to put an assessment on. We could put an assessment on it later, if that's the process this Council wants to take, if that makes sense.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I would say maybe the better bet would be to meet you in the middle and call for a Special Meeting on the 30th at 6:30 p.m., specifically for this. That way we staved off that additional week. Then we can have the entire discussion; a whole meeting that is just this piece and we can then come to resolution at that time.

DAVE MALEY – That's fine, Mr. Lewis. Just to go, I mean, we received a letter from Mr. Rubin this morning and a couple of the things in the letter that I just want to make clear, or corrections, I should say. There were more than three sub-recipients to the grant. There was actually five for Stark County. We were one of the three that got 100% reimbursement. The other two were 75%. The other thing that they talked about, there being a lot of confusion. I don't know if there's confusion, I think it's just a determination of where this Council wants to go. The Law Director has made it clear that he feels confident that we can assess the property if you want to do the assessment. I know there's been some questions there. The letter also states that they have said from the very beginning that they were willing to fund this. That's not the case. As I said before, I would never probably have come to Council. They said they only had \$50,000.00 to put forward to this and that was their statement up until last week when I had an opportunity to talk to his son after our meeting last week. He called me about the meeting and said at that point, they were willing to put up half of the money for reimbursement and now this letter says the full amount. So, I just want to make clear to Council that it wasn't on our end that this was not always the case where they were willing to put the funding up. Just so that's clarification to that. And then the other thing in the letter I think misrepresents is the fact that it says that they applied for the grant. They did not apply for the grant. The City's the only one that could apply for the grant. We applied for the grant and were given the grant, not the property owners.

COUNCILMAN LEWIS – Mr. Maley, when you applied for the grant, you cited their specific building or property as the cause for the grant and that was what was awarded to us?

DAVE MALEY – Correct. Yes. We had to have their permission to move forward, but, that wasn't the case where they applied for the grant. A couple of other things; I brought this to your attention and I think it's important and I don't want Council to be misinformed about it. We had a situation that the City Building Dept. and Code Enforcement is looking at right now. We had an issue with two of our buildings downtown. The old Bonnie's Engraver's building, the Council President is shaking her head. Actually, it's the old Bonnie's Engraver's building which is on the corner and then the two properties to the east; the two buildings to the east. The two buildings to the east are more relevant in this matter, but, Friday we were informed and our departments went out and looked at it. The back end of those buildings blew out, in essence, and there's big holes in the backs of those buildings. We had some structural people look at it; trying to get reports, but most likely, it's going to be a major repair or a demolition on those properties. So, I just want to make sure that Council's aware of that, moving forward. Because I know a lot of the discussion has been with regards with what if something else would happen. Those buildings are owned by Mr. Kowell (Fuzzy) and really at this point, the Building Superintendent, Frank Silla, told me that those three buildings and the one on the east on the north side of Erie which used to be Tremont Coffee, he said those would be

uninhabitable as we speak today for the near future until we can figure out what's going on with those buildings.

COUNCIL PRESIDENT ISTNICK – So, in lieu of that, I've seen pictures of the buildings and there's just bricks hanging, is this structure, Howard's, is it good enough that it's not going to just start collapsing?

DAVE MALEY – That's the whole point of trying to get the buildings down as soon as possible, yes. We'd like to move forward as quickly as possible. And then the other factor that took place this week was the fact, and I think you all received a letter from Altman with regards to an offer to purchase the property. So those are all the things.

COUNCIL PRESIDENT ISTNICK – I didn't hear the last part.

DAVE MALEY – That the Altman Co. had sent a letter to Council with regards to their interest in purchasing the Tiger Rag's property.

COUNCILMAN LEWIS – And to be clear, that's Altman, not Aultman.

DAVE MALEY – Not Aultman, no.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Thank you, Mr. Maley. So I think the points that Mr. Maley brings up are exactly the elements that members of this Council were concerned about, and that is that we treat every property in downtown the same. And that is with the development of other properties that are finding themselves in disrepair. That property owner is also going to be responsible for whatever steps are needed to take place to remedy this and that's been my position this whole time. The State grant is great, like I've stated. I have no issue whatsoever with them holding the State grant down and just acting, the City acting as a pass-through. But, they do have to hold the responsibility of the fiscal initial investment to make that happen and they can be reimbursed. That's been my opinion. Just the same way that these other properties would be able to apply for a State grant, if they so choose. They handle it and can use us as a pass-through. With that said, I think we would be in agreement to table this. I think there's a lot of conversation. Mr. Maley, we probably will have some questions that we will need answered. Such as, will this still have to go through the bid process, I'm assuming it will because it's still involving the City. So, we're going to want some information on that. I'm also thinking that there could potentially be some amending or adjustments made to the way the ordinance is currently written and with that in mind, I am considering, and please give me feedback, having a Special Meeting called for 7:00 p.m., allowing us to start our Work Session at 6:30 p.m., starting in Finance to discuss this openly and then if we have to make an adjustment, we can. Otherwise, we've have to into a recess, make the adjustment, come back. By not starting the Special Meeting until 7:00 p.m., we can have all of our discussion and debate and if we do have to make an adjustment, we can do so and then start at 7:00 p.m. with the Special Meeting. Does that make sense to everyone? And everyone's okay with that?

DAVE MALEY – Mr. Lewis, we don't have to bid.

COUNCILMAN LEWIS – Oh, it's already been done?

DAVE MALEY – Yes. The bid’s done. We already got the bids in.

COUNCILMAN LEWIS – Perfect.

COUNCIL PRESIDENT ISTNICK – Okay, Mr. Lewis.

COUNCILMAN LEWIS – Alright. With that said, I would like to make a motion that we table Ord. No. 184 – 2022 until January 30, 2023, at which time we will have a Special Meeting for 7:00 p.m. for this specific ordinance.

COUNCIL PRESIDENT ISTNICK – Okay. We’ll have the Public Hearing at 5:30 p.m., start the Work Session at 6:30 p.m. and the Special Meeting at 7:00 p.m. Councilman Lombardi seconded it. Roll call.

9 yes to table Ord. No. 184 – 2022 until January 30, 2023

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 184 – 2022 has been tabled until 7:00 p.m. on January 30, 2023.

15. THIRD READING ORDINANCE AND RESOLUTIONS

16. SECOND READING ORDINANCES AND RESOLUTIONS

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

GEORGE GLIBA – 222 Lake Ave. N.E., Massillon, Ohio. I’m a taxpayer. About a month ago I had spoke about the potholes in the parking lots. I was able to talk to a couple of the members after the meeting and I got a lot of pushback. It’s like, nothing we can do. It’s like, what do you mean? You can’t pick up a phone and call somebody that owns the property? You guys run for these seats and you want to do what’s best in the interest of the City. You might make promises to your wards and say “I can do a better job than the person that’s been in here before” and quite frankly, there’s seven new people and there’s only two, since I’ve been coming up here, there’s only two left and that’s Lewis and Creamer. Gregg’s been here awhile, too. But for the most part, all new seats. I don’t really get that when property owners have a City Ordinance that they can’t have a couch on their front porch, they’ll get fined or the department will come after them to fine them. Why can’t business owners have the same treatment? They should be held at a higher level, actually. Because they want our business, but they don’t want to take care of their parking lots? Especially MP3 on the corner of Vogel and Amherst. That parking lot is a disaster. Then you go over to Meldrum’s, that parking lot’s a disaster. So, I feel like the Council should try to bring up an ordinance or legislation on something that there’s some type of accountability because if the Law Director needs to get involved...that’s something that I don’t know. How is it even brought up to discussion because I’ve been coming up here for a while and they wanted to have a name for downtown after LaFlavour, it got on here and everybody was like...that was the craziest thing I ever heard of. To name a street after LaFlavour because they’ve been together for fifty years and they patronize our City with their music. So, I’d like for somebody to at least try to get some type of legislation drawn up to where these potholes are fixed in these parking lots. So, I’ve talked to Jill and she said “Maybe you could work out an agreement with the City to maybe call the owners and say the City will do it and you reimburse us”. That was a good idea I thought. But, I’ve never got any type of answer back and I’m kind of wondering why nobody’s really

answered me back and why it's got to be like that. And then, that's what I don't understand. If the Law Director needs to get involved; they need to get involved. Then the other thing was about one session a month to have an open forum. I talked to Lewis about it and he said when Paul Manson was here, we had an open forum once a month. And he told me it was illegal. I wrote this stuff down. So, I don't know how that's illegal and if you want people to come up here and express their opinion...I don't understand what this body would be afraid of to ask questions and give answers back, because, quite frankly, you get kind of detoured of why even come up here if nobody's going to give an answer back. That kind of holds this body accountable to ask someone a question and get an answer. That would maybe bring some people up here to speak. I'm doing this for the City. I live in this City and parts of it is getting run down and parking lots are a problem and if you don't think they are, drive through a couple of them. I think if you're honest with yourself, you would say I was right. Thanks.

COUNCIL PRESIDENT ISTNICK – Thank you. Is there anyone else that would like to come forward and speak on any topic that did not appear on tonight's agenda? Seeing none.

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – I'd like to make a motion that we adjourn.

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

9 yes to adjourn

COUNCIL PRESIDENT ISTNICK – Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT