

**MINUTES OF THE SPECIAL MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, MARCH 22, 2021**

COUNCIL PRESIDENT ISTNICK – This Special Meeting was called by the Massillon City Council to consider the unfinished items from the Regular Meeting held March 15, 2021. We have in attendance with us the following City Officials: Safety Service Director, Barb Sylvester; the Mayor will not be able to be on. She was requested to be on a call with the Massillon Public Library this evening at the same time. Law Director, Justin Richard, Chief Counsel, Bill Bartos, Chief Engineer, Jason Popiel and Greg McCune, Community Development Director, Samantha Walter, Economic Development Director, David Maley, Police Chief, Keith Moser and Fire Chief, Tom Burgasser.

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. All present and accounted for.

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

6. NEW AND MISCELLANEOUS BUSINESS

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I just want to confirm that we are being in Chambers next week?

COUNCIL PRESIDENT ISTNICK – As far as I'm aware, yes. Anything else?

COUNCIL CLERK ROLLAND – There will be a Health and Welfare Committee meeting, I believe, at 5:30 p.m. on the 29th also.

COUNCIL PRESIDENT ISTNICK – Will that be in Chambers?

COUNCIL CLERK ROLLAND – Yes ma'am.

COUNCIL PRESIDENT ISTNICK – I'm sorry, what time?

COUNCIL CLERK ROLLAND – 5:30 p.m.

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 52 – 2021

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a donation from Greif Brothers Packaging, on behalf of the Massillon Police Department, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. Yes, this is requesting the donation of \$3,000 from Greif Packaging. We have already received this check and according to the Auditor’s office, it has been deposited. It is deposited into the Law Enforcement Local Grant line item. Are there any questions or concerns from Council regarding this ordinance? Hearing none, I want to make a motion that we waive the rules requiring three readings and request a vote for Ord. No. 52 – 2021 this evening.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lombardi. 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. 52 – 2021 has passed. I have a question, just for clarification; am I incorrect that in the past we were told that we couldn’t receive the money first; am I mistaken on this or is it always okay to get the money and then bring it forward?

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes, Councilwoman Litman.

COUNCILWOMAN LITMAN – It’s my understanding that as the check comes in, it is deposited. However, if for some reason Council did not approve the acceptance of the check, it would be issued back out to whomever that gave it to us. So, I don’t know that it is an issue that we have, in the past, received and deposited checks, as well. Knowing that it is not an irreversible decision; that it is something that could be sent back out very easily to a donating entity.

COUNCIL PRESIDENT ISTNICK – Has that ever been an issue with us before? Councilman Thieret.

COUNCILMAN THIERET – Yeah; a year or so ago, there was some controversy about something from AT & T. Accepting something from one of the telephone companies because they were in the middle of some litigation or something like that.

COUNCIL PRESIDENT ISTNICK – Okay. Thank you. Moving along, Ord. No. 53 – 2021.

ORDINANCE NO. 53 – 2021

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into contract for the purchase of a custom Quint Ladder Truck using Ohio State Term Schedule Purchasing, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. This ordinance is authorizing our Chief to purchase this Quint Ladder Truck. I'm going to ask Council if there are any questions or concerns? Chief is on the line with us this evening. He's happy to address any additional questions you might have regarding this ordinance. Are there any at this time?

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Just for clarification, I believe that there's an eight to ten-month lead time for this?

COUNCILWOMAN LITMAN – It actually indicates ten to twelve months, Mr. Lewis, as part of our legislation. So, it is a request that if possible to pass this legislation as soon as possible so that that order can be made and the alterations that need to be done to the vehicle are done on a timely basis.

COUNCIL PRESIDENT ISTNICK – Any other comments or questions? Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, again, Madam President. Hearing that there are no additional questions, I will ask to make a motion that we waive the rules requiring three readings and bring Ord. No. 53 – 2021 forward for a vote this evening.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Thieret. 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. 53 – 2021 has passed. Ord. No. 54 – 2021.

ORDINANCE NO. 54 – 2021

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Memorandum of Understanding (MOU) with the Ohio State Highway Patrol Crime Laboratory, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. As discussed in our prior Work Session, this is a collaboration with the Ohio State Patrol Crime Laboratory. We will be looking to acquire control substances for training our K-9 unit. Are there any questions or concerns regarding this legislation? Hearing none, I will make a motion that we waive the rules requiring three readings and bring Ord. No. 54 – 2021 forward for a vote this evening.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lombardi. 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. 54 – 2021 has passed. Ord. No. 55 – 2021.

ORDINANCE NO. 55 – 2021

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Memorandum of Understanding (MOU) with the Stark County Prosecutor's Office for the purpose of committing to the Children's Network Child Advocacy Center model in Stark County, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – Thank you, Madam President. I currently sit on the Board of the Child and Adolescence Behavioral Health Organization. They are listed on here and their Executive Director signed, so, I'm going to abstain from that this evening.

COUNCIL PRESIDENT ISTNICK – Thank you. Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. As discussed in our Work Session, we do have a request for a Memorandum of Understanding with the Stark County Prosecutor's Office. Are there any questions or concerns from Council members regarding this legislation?

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. As I stated at the Work Session, I will also be abstaining due to being employed by the Stark County Prosecutor's office and working directly with the Children's Network.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else? Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President.

ORDINANCE NO. 56 – 2021

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a License and Service Agreement with Tyler Technologies, Inc., for the purpose of acquiring a state-of-the-art Records Management System for the Massillon Police Department, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN -

ORDINANCE NO. 57 – 2021

BY: STREETS, HIGHWAYS, TRAFFIC & 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, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET –

ORDINANCE NO. 58 – 2021

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into contract for the purchase of an Xtreme Vac Truck from Best Equipment using a Sourcewell Cooperative Purchasing Contract for the City of Massillon Street Department, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET –

ORDINANCE NO. 59 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for the Massillon Fire Department, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS –

ORDINANCE NO. 60 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for the Massillon Engineering Department, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS –

ORDINANCE NO. 61 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for City Improvements, for the year ending December 31, 2021.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS –

ORDINANCE NO. 62 – 2021

BY: FINANCE COMMITTEE

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

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS –

ORDINANCE NO. 63 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2021 appropriations from within the 1100 General Fund, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS –

ORDINANCE NO. 64 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1201 Street Construction M & R Fund, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS –

ORDINANCE NO. 65 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for the Engineering Department, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS –

ORDINANCE NO. 66 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1238 Court Probation Fund, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS –

ORDINANCE NO. 67 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for the Massillon Police Department, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS –

ORDINANCE NO. 68 – 2021

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a one-year contract between the City of Massillon, Ohio, and the Board of Stark County Commissioners for the housing of City of Massillon, Ohio, Codified Ordinance prisoners at the Stark County Jail, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS -

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18. **ADJOURNMENT**

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT