

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD MONDAY, JUNE 7, 2021**

**COUNCIL PRESIDENT ISTNICK** – Welcome to the Massillon City Council Meeting for Monday, June 7, 2021. We have in attendance with us the following city officials: Safety Service Director, Barb Sylvester, Chief Deputy Auditor, Stefanie Myers and Chief Counsel, Bill Bartos present in Council Chambers. We also have Mayor Kathy Catazaro-Perry, Economic Development Director, Dave Maley and Health Dept. Commissioner, Terri Argent present via Webex. I believe that this will probably be our last remote meeting. Starting next week, we will be meeting here in Council Chambers. 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 ask any of you that if you’re not speaking to please mute yourself so that we can hold all the background noise to a minimum. Thank you.

**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. Councilwoman Creamer.

**2. INVOCATION**

**COUNCILWOMAN JILL CREAMER**

**3. PLEDGE OF ALLEGIANCE**

**LED BY COUNCILWOMAN CREAMER**

**COUNCIL PRESIDENT ISTNICK** – Thank you, 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** – No, I’m still working on them.

**COUNCIL PRESIDENT ISTNICK** – Okay. Thank you.

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

## 6. NEW AND MISCELLANEOUS BUSINESS

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. I just wanted to bring up and maybe have open discussion about it tonight, speaking with President Istnick earlier today, we were discussing the Webex subscription that we have and we even talked about it for a little bit and we both came into agreement that it may be prudent to continue it for a little while longer; not knowing that there will be health orders that come out in a couple of months from now or whatever and we all hope that this is going to stay away, but there could be some prudence on just continuing it with it being only \$15 a month and I wanted to open it up for discussion this evening if anyone else has an opinion.

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Starrett.

**COUNCILWOMAN STARRETT** – I would agree. I think it's a good thing that we continue to broadcast this.

**COUNCIL PRESIDENT ISTNICK** – We're not talking about broadcasting. We're talking about cancelling the subscription.

**COUNCILWOMAN STARRETT** – I would argue the opposite that we keep the subscription because we need it and I don't dislike that we have people able to sign in on the discussion because it does allow those maybe who are at high risk or even elderly that can't be in Chambers that probably benefit from our Webex meetings. The general public can come to meetings; it is an option. So, my suggestion would be to continue with the online meetings for at least a little while.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – I know there's some conversation about the community streaming and I, honestly, would be in agreement that it is a good service for the public. But, I have called the Law Dept. and they may be looking into a further, quick summary type conversation. It may be the opinion that anyone that would wish to participate in the meeting, even public speak, would have to be in person because of the way the law is written of being on the record. Technically, once the COVID exception expires then that personal component is no longer considered for the record. But, assuming the component is still there.

**COUNCIL PRESIDENT ISTNICK** – Councilman Gregg.

**COUNCILMAN GREGG** – Thank you, Madam President. I agree with Councilwoman Starrett. I thought that we had planned to continue the streaming indefinitely. We already have the equipment and the capability. We put a lot of time, well, Mr. Lombardi put a lot of time into this and we put money into this. So, I think even if the public can't address us remotely, I'm fine with that. If they need to speak, they need to come here, I'm okay with that. But, I do think that it would be a good service to the public to have the capability to continue to give more people exposure to City Council meetings to understand what's going on. So, I'm in favor of continuing.

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret.

**COUNCILMAN THIERET** – Whether or not we allow the capability of anybody to speak from remote would be a moot point for me. I would just assume that instead that the public have access even if just like watching it on TV so that they can at least participate in that manner. Then, if they do need to express their opinion or express concerns, Council Chambers is available. I think it's well worth keeping things as they are. Thank you.

**COUNCIL PRESIDENT ISTNICK** – Councilman Herncane.

**COUNCILMAN HERNCANE** – Thank you, Madam President. I also agree that we should continue the live stream or the feed out, but I'm not in favor of the interaction with the public and other city officials. I think they need to be present in Council Chambers. I also am of the opinion that I think July 1<sup>st</sup> there might be some legal deadlines where that has to stop as well, because it was not a permanent solution allowing for remote interaction was a temporary measure due to COVID-19. So, I would be in favor of the streaming but not the interaction.

**COUNCIL PRESIDENT ISTNICK** – Mr. Richard and I talked about that it can be extended to July 1<sup>st</sup>, but it does not have to be extended to July 1<sup>st</sup> as far as having Administration do it from home. Mr. Bartos, do you have anything to add to that?

**BILL BARTOS** – I think everything that's been said is purely correct. I do believe that we could possibly and be in compliance with the law by allowing non-Council members to participate electronically. Because what the bill did was allow for Council members who must be present to vote under the Sunshine laws to participate electronically. That's one wrinkle here. You have to look at the law and say "Can we keep a record appropriately now and have people participate electronically?" But based upon the discussion, I think I would say the safest way to go would be have the live stream for anyone who wants to listen in, but have participation in person. I think that's the safest way to make sure we're compliant with the law keeping that good record moving forward. So, I think the discussion here makes sense but at the same time, if we want to take a deeper look at that and consider, could we continue to have people participate electronically, I can tell you that there's a lot of discussion going on right now on and the Ohio Municipal Attorney Association, lot of directors, a lot of cities are considering this. We're a statutory city, so we're bound by the Ohio Revised Code. Charter cities have a little bit more flexibility, but the discussion here tonight does make sense and I think it would most prudent and conservative, if you will, to be in line with the law.

**COUNCIL PRESIDENT ISTNICK** – Anyone else? Councilwoman Litman.

**COUNCILWOMAN LITMAN** – I certainly would be in favor as well. I know that in many situations, we've had technical difficulties and I think we've work through a lot of those by now. But, when we have interaction with those parties that are bringing information to us in order for us to vote on something, it's very difficult when we've got breaking up of the speech or not being able to follow. So, I certainly would hope that anyone that would be bringing information to Council that will assist us with educating us on a particular item that we're going to be voting on that they would be present. The only thing that I think about is for those individuals and perhaps it could be on an exception basis rather than on a standard basis, if someone of the public would like to make comments and is not able to come in, for whatever reason, sometimes they may be in Florida for the winter, yet they have something, they have a property up here that they'd like to make comments on, is there an opportunity for us to have

on exception basis; someone from the public able to speak to us and I guess that would be a question for Mr. Bartos.

**COUNCIL PRESIDENT ISTNICK** – Go ahead.

**BILL BARTOS** – Madam President, Members of Council, I believe it could be considered that you could have exceptions to the rule and allow people to participate. You made a good point about the issues with the record, hearing people accordingly. What happens if they don't call in? So, there are issues to consider as well, but if they were exceptions to be made, if they're not able to be present at the time, would they be allowed to participate in other ways? I think that as long as Council is present, they're participating in person, they're voting in person; I believe that that is in line with everything because, obviously, I think that that would still be in line. Like I said, it's one wrinkle that's being discussed amongst a number of people. Everybody is thinking the same thing.

**COUNCIL PRESIDENT ISTNICK** – It might be the teacher in me, but, I'd like to treat everybody the same. I don't think we need an exception. If somebody wants to have something read, they can email it to Diane, mail it to Council Chambers, have a representative come in and speak for them. I think if we're going to continue to do the live stream, anyone that's listening in cannot speak, they can only listen. If you want to come, Council Chambers is open. That's my feelings. Councilman Lewis.

**COUNCILMAN LEWIS** – I would be in agreement with that but I think the problem with getting through exceptions is actually, that is muddying the water up to the point where Mr. Bartos would then have to find himself defending us by letting one person have the exception; it could get very sticky. And then you have the question of Administration saying "Well, they're letting the public have an exception, why can't I have an exception?" So, I would just say we do all or nothing.

**COUNCIL PRESIDENT ISTNICK** – My understanding is that this is my decision and I will be coming in here. No more web meeting. Councilman Lewis and I did talk today and I'm okay with having it as long as there's no communication with us. They can listen only and anyone that wants to speak has to be here in Council Chambers or they can send something in or a representative and if they send something in, it can be read into the record. I'm not a dictator. Does anyone have a problem with any of that? Then starting Monday, Diane will get the information out that we will continue to live stream for public to listen only. Anyone that wants to participate will have to come in or send something in to Diane. Diane, you'll have to give your email address.

**COUNCIL CLERK ROLLAND** – It's on the website, [council@massillonohio.gov](mailto:council@massillonohio.gov).

**COUNCIL PRESIDENT ISTNICK** – And if you want someone specific to read it, just put that name in and that Council person will read it for you. Councilman Thieret.

**COUNCILMAN THIERET** – Just a question of order, do you need a motion to move this through or is it just your suggestion?

**COUNCIL PRESIDENT ISTNICK** – I don't think we a motion. I'm pretty sure it's my decision and if none of you are against that, then that's what it will be.

**COUNCIL CLERK ROLLAND** – Madam President.

**COUNCIL PRESIDENT ISTNICK** – Yes.

**COUNCIL CLERK ROLLAND** – For the record also, our subscription will expire in October. So, we need to make a decision if we're going to renew it for another year or we could just go month-to-month.

**COUNCIL PRESIDENT ISTNICK** – Do we get a cheaper price if we go by the year?

**COUNCIL CLERK ROLLAND** – It was cheaper this year, yes. But it's still payable monthly; it's \$21.25 now.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – I would say, again, this would fall under the discretion of the President, but as you stated, you like to get feedback from everyone. I'd say just go ahead and do it for next year.

**COUNCIL PRESIDENT ISTNICK** – I don't have a problem with that at all. Does anyone have a problem with extending it for a year? Then we will extend it for a year.

**COUNCIL CLERK ROLLAND** – Thank you.

**COUNCIL PRESIDENT ISTNICK** – It does not need vote on, does it?

**COUNCILMAN LEWIS** – Just when we pay the bill.

**COUNCIL PRESIDENT ISTNICK** – Okay. Anything else? Thank you, Mr. Bartos.

## 7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

**ORDINANCE NO. 94 – 2021**

**BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Auditor of the City of Massillon, Ohio, to establish the 1221 American Rescue Plan Act Fund and all necessary line items within said fund, authorizing the Auditor and/or appropriate City official(s) to receive and expend American Rescue Plan Act funds, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This was discussed at the Work Session that we had two weeks ago. Is there anyone that has any discussion or any objection to moving forward this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 94 – 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. 94 – 2021 has passed. Ord. No. 95 - 2021

**ORDINANCE NO. 95 – 2021**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health Service Fund, for the year ending December 31, 2021, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** - Yes. This is an appropriation of \$57,800 for grant expenses. I believe we have Ms. Argent on the line.

**TERRI ARGENT** – Yes, I'm here. This is a fully reimbursable grant expense of \$57,800. It will be reimbursed to us 100%.

**COUNCILMAN LEWIS** – Thank you. I know this was discussed at the Work Session as well. Does anyone have any questions for Ms. Argent this evening? Seeing none, hearing no objections, I would like to move forward. I make a motion that we waive the rules requiring three readings, bringing Ord. No. 95 – 2021 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. 95 – 2021 has passed. Ord. No. 96 – 2021.

**ORDINANCE NO. 96 – 2021**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1230 Federal Grant Cops Fund, for the year ending December 31, 2021.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes, Madam President, I'd like to call upon a representative from the Auditor's office. Would you just quickly, the next two ordinances, just give a brief summary.

**STEFANIE MYERS** – Yes. Both of these are funds that are no longer used by the City and we're just trying to get the remaining money that's in the fund out and transferred into the General Fund.

**COUNCILMAN LEWIS** – Is everyone clear as to what was stated? If there are no other questions, then we will go ahead and move forward. I make a motion to suspend the rules requiring three readings, bringing Ord. No. 96 – 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. 96 – 2021 has passed. Ord. No. 97 – 2021.

**ORDINANCE NO. 97 – 2021**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain transfers in the 2021 appropriations from within the 1230 Federal Grant Cops Fund, for the year ending December 31, 2021.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – This is just the second part of the ordinance that we just looked at. I make a motion we suspend the rules requiring three readings, bringing Ord. No. 97 – 2021 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. 97 – 2021 has passed. Ord. No. 98 – 2021.

**ORDINANCE NO. 98 – 2021**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations for the unappropriated balance of the 1218 Federal Grants Fund, for the year ending December 31, 2021.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes, Madam President, I would again call upon a representative from the Auditor’s office, but this time I would like to say something first.

**COUNCIL PRESIDENT ISTNICK** – Go ahead.

**COUNCILMAN LEWIS** – I apologize, but this is the first time we’ve seen you in person. Would you introduce yourself to all of us?

**STEFANIE MYERS** – I’m with the Auditor’s office.

**COUNCILMAN LEWIS** – When you took over that role, what month was that?

**STEFANIE MYERS** – In April when Debbie retired.

**COUNCILMAN LEWIS** – Thank you.

**STEFANIE MYERS** – Your welcome.

**COUNCILMAN LEWIS** – Now I believe this is the same concept, correct?

**STEFANIE MYERS** – Yes.

**COUNCILMAN LEWIS** – Does anyone have any questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 98 – 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. 98 – 2021 has passed. Ord. No. 99 – 2021.

**ORDINANCE NO. 99 – 2021**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain transfers in the 2021 appropriations from within the 1218 Federal Grants Fund, for the year ending December 31, 2021.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Again, this is the second part of what we just did. I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 99 – 2021 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. 99 – 2021 has passed. Ord. No. 100 – 2021.

**ORDINANCE NO. 100 – 2021**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2202 Insurance Fund, for the year ending December 31, 2021, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes, Madam President, I'd call again upon the Auditor's office.

**STEFANIE MYERS** – It is to appropriate money in our Employee Insurance account which is where we pay our COBRA members insurance but it is reimbursed by the COBRA members. They pay their own insurance, but they're on our invoice and we need to pay for them.

**COUNCILMAN LEWIS** – Are there any questions or discussion this evening?

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Litman.

**COUNCILWOMAN LITMAN** – Thank you, Madam President. I just have a question; since there are several line items that are being eliminated, have all of those accounts, all of the accounts on our list then reviewed and will there be any further that will be going through this type of a concept to eliminate for or is this it?

**STEFANIE MYERS** – The funds that I am eliminating? Yes, this is it. We did a few earlier in the year and these two, we're just trying to make sure that no one did use the funds and these were the last ones that have not been used.

**COUNCILWOMAN LITMAN** – Is there a restriction on how many years they need to remain dormant before they can be eliminated or is it under discretion?

**STEFANIE MYERS** – Not that I'm aware of.

**COUNCILWOMAN LITMAN** – Thank you.

**COUNCIL PRESIDENT ISTNICK** – Anyone else? Councilman Lewis.

**COUNCILMAN LEWIS** – I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 100 – 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. 100 – 2021 has passed.

**8. UNFINISHED BUSINESS**

**9. PETITIONS AND GENERAL COMMUNICATIONS**

A Request for a Transfer of a Liquor License from Bison Appendages, Inc., DBA Buffalo Wild Wings Grill and Bar, Suites B109-B112 located at 235 Lincoln Way W. & Patio, Massillon, OH 44647 to Massillon Wing Co., LLC DBA Buffalo Wild Wings, Suites B109-B112 located at 235 Lincoln Way W. & Patio, Massillon, OH 44647 located in Ward 2 and Permit Classes are D5 and D6.

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret, did you receive copies of these?

**COUNCILMAN THIERET** – Yes, I did.

**COUNCIL PRESIDENT ISTNICK** – Did you have any questions or concerns?

**COUNCILMAN THIERET** – No.

**COUNCIL PRESIDENT ISTNICK** – Okay.

**10. BILLS, ACCOUNTS AND CLAIMS**

The Repository	-	\$ 438.40	Publication of April Ordinances
The Repository	-	139.40	Publication of Notice of Public Hearing
Office Depot	-	<u>94.22</u>	Copy Paper and Office Supplies
		<b>\$ 672.02</b>	<b>Total</b>

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

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

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

9 yes to pay the bills

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

**11. REPORTS FROM CITY OFFICIALS**

Mayor's Report - April 2021

**12. REPORTS OF COMMITTEES**

**COUNCIL PRESIDENT ISTNICK** – Our next Work Session will be Monday, June 14, 2021 at 6:30 p.m. in Council Chambers.

**COUNCILMAN HERNCANE** – Madam President.

**COUNCIL PRESIDENT ISTNICK** – Councilman Herncane.

**COUNCILMAN HERNCANE** – Thank you. The Mayor's Report, it was too large and I was unable to download it, I don't know if anyone else has had that issue. Diane made a copy for me, I thank her very much. I don't if anybody else has had that, if they could maybe cut down in pieces and send.

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Litman

**COUNCILWOMAN LITMAN** – Yes, I would like to get a physical copy as well.

**COUNCIL PRESIDENT ISTNICK** – Anyone else?

**MAYOR CATAZARO-PERRY** – Madam President. Would you like the Mayor's Report out for this week?

**COUNCIL PRESIDENT ISTNICK** – I would love it.

**MAYOR CATAZARO-PERRY** – Okay, wonderful, thank you. Tonight I am announcing that Lee McBride is retiring. Lee served as an employee for the City of Massillon for thirty (30) years. He served as foreman at the Solid Waste Dept. and is retiring as the Operations Superintendent of Roads and Highway Dept. which includes the Streets and Safety Departments. Under his tenure, Lee had both departments achieve many accomplishments. With the passage of the income tax, road tax, our Street Dept. in conjunction with the Engineers Dept. were responsible for resurfacing and repaving over 40 miles of our city streets. He really did an outstanding job. Through the Vehicle Replacement Plan there was also an upgrade from old equipment to purchasing all new vehicles for the Street and Safety Dept. including bucket trucks, bucket van, pick-up truck, dump trucks, plows and a vac truck and an equipment loader, arrow boards and personal protective equipment to help keep our workers safe and to help us to be more timely and efficient in responding to our service to the City. With the staff of seventeen (17) employees, we were able to accomplish and complete many projects and assignments throughout the years which included road paving, street sweeping, snow removal, mowing of city lots and properties, installation of new traffic controllers and cabinets, installation repair and maintenance of 70 signalized intersections, maintenance of early morning tornado sirens and many other services in the care of our City. Lee was also able to implement a 12-week summer intern program along with training program for an aerial lift operator's training bucket truck, works on traffic control and safety, chain saw training and safety; focusing on safety through weekly classes and upgrading their PPE, which helped to protect everyone from accidents and injuries and timeness to a minimum, especially

during COVID-19. Lee also was responsible for creating a safe and positive work environment by promoting healthy communications, teamwork immunity within the work force. So, we'd like to congratulate Lee and he will leave us at the end of July. The next report that I have is that we did do the ribbon cutting ceremony on May 27<sup>th</sup> for Duncan Plaza and it was amazing. We had Saxy Rob there as well as the funders for the project and we also had the third graders from Franklin Elementary under the leadership of music teacher Julie Dewald and principal Mike Madern and superintendent Paul Salvino. The Memorial Day parade was done by Terry Round, this would have been his 53<sup>rd</sup> parade, however, we did not have one last year, so, it was his 52<sup>nd</sup> Memorial Day parade and the ceremony were both outstanding in our city and on Duncan Plaza. The tree program we kicked off is going very well. We have eleven sponsored trees and six more are committed for a total of seventeen trees and we have four remaining trees. Hydrangea's, we have three that are sponsored and there are four remaining. Our first concert is around the corner on June 17<sup>th</sup>. LaFlavour will begin at 7:00 p.m. and that is a time change from the past. It used to be 7:30; it is now 7:00 p.m. on Thursday, June 17<sup>th</sup>. Farmers Market will open in the Municipal lot on June 19<sup>th</sup> at 8:00 a.m. until noon and Crime Stoppers fundraiser; I am helping to chair that. Tickets are on sale now. I'd like to ask all members to purchase a \$10 ticket. You could win a shopping spree at Buehler's at Nobles Pond and that helps fight crime throughout Stark County. And that's all I have for my report, thank you.

**COUNCIL PRESIDENT ISTNICK** – Thank you. Does anyone have any questions for the Mayor?

**13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS**

**14. CALL OF THE CALENDAR**

**ORDINANCE NO. 79 – 2021**                      **BY: COMMUNITY DEVELOPMENT COMMITTEE**  
**Tabled May 17, 2021 until June 7, 2021**

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. This ordinance does pertain to the rezoning of 2300 Lincoln Way E., Massillon, known as the old K-Mart from the General Business to Light Industrial. Are there any further comments from Council member? We did have a public hearing tonight; are there any further comments? Seeing none, I would ask that we bring Ord. No. 79 – 2021 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. 79 – 2021 has passed.

**15. THIRD READING ORDINANCE 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. This ordinance does pertain to the rezoning of 1722 Erie Ave., Massillon. The proposed rezoning to light industrial for the storage for boats and RV’s. Is there any further discussion or questions from Council members at this time? Seeing none, I make a motion that we bring Ord. No. 82 – 2021 forward for a vote tonight.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Slutz. Roll call.

9 yes for passage

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 82 – 2021 has passed.

**16. SECOND READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 89 – 2021**

**BY: ENVIRONMENTAL COMMITTEE**

AN ORDINANCE amending Section 925.16 “Specification 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. I don’t think that Mr. Popiel is on the call. Safety Service Director Sylvester, may I ask you a question if you could answer it on this? (h) on the second sheet of what we’re changing; it says that “The demolition of any structure shall include the abandonment of any existing sewer service lateral”. My question is if a lateral is in good shape, is there any reason why it couldn’t be passed and reused for further development? Is there a reason why we’re going straight to “shall include the abandonment”?

**BARB SYLVESTER** – For instance, if there is a demolition of the structure. Yes, it can be both but at the time of the demolition, it would have to be capped off. The portion that’s being amended here is under (i) its to see a video before it’s actually capped off and that would normal. We’ve actually ran into problems where many years ago, the way that some of the lines were run, the lateral, it was split off between certain properties. So what ended up happening is we have properties that we extend those and where its cutoff through adjacent properties; it wasn’t properly capped off.

**COUNCILMAN HERNCANE** – Okay, thank you. It was my understanding that abandonment means you seal it off forever.

**BARB SYLVESTER** – No, it’s just being amended in that section.

**COUNCILMAN HERNCANE** – Okay, thank you.

**BARB SYLVESTER** – Your welcome.

**COUNCILMAN HERNCANE** – Second reading, Madam President.

**COUNCIL PRESIDENT ISTNICK** – Thank you. Ord. No. 89 – 2021 has received second reading. Ord. No. 91 – 2021.

**ORDINANCE NO. 91 – 2021**

**BY: STREETS, HIGHWAYS, TRAFFIC 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. I would just ask that is there anyone from Council that has received any feedback whatsoever on this issue? I have not. We'll just give this second reading. Thank you.

**COUNCIL PRESIDENT ISTNICK** – Thank you. Ord. No. 91 – 2021 has received second reading.

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

**18. ADJOURNMENT**

**COUNCIL PRESIDENT ISTNICK** – I would like to give all of you an “A+” today. Every time you would speak, your red light went on; your red light went off. Every single one of you. I watched you during roll call. So, that is absolutely perfect. If I had red stars, you'd all get one.

**COUNCILMAN LEWIS** – Madam President.

**COUNCIL PRESIDENT ISTNICK** – Go ahead.

**COUNCILMAN LEWIS** – I just want to let the record show, that's the first “A+” I've ever gotten from you.

**COUNCIL PRESIDENT ISTNICK** – Well, you should have worked harder (laughter).

**COUNCILWOMAN CREAMER** – I make a motion to adjourn.

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

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DIANE ROLLAND, COUNCIL CLERK

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CLAUDETTE ISTNICK, PRESIDENT