

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, JULY 24, 2023**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, July 24, 2023. We have in attendance the following City officials: Safety Service Director, Barb Sylvester, Chief Counsel, Earle Wise Jr., and Economic Development Director, David Maley. 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 you that if you have a cell phone, please set it to mute, vibrate or turn it off. 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, Julie Harwig Smith, Ted Herncane, Ed Lewis, Mark Lombardi, Mike Snee and Aaron Violand.

Roll call of 8 present

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I’d like to make a motion to excuse Councilman Slutz.

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

8 yes to excuse Councilman Slutz

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Councilman Slutz has been excused. Councilman Herncane.

COUNCILMAN HERNCANE – Would you please stand and join me in the Lord’s prayer and the Pledge of Allegiance.

2. INVOCATION

COUNCILMAN TED HERNCANE

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN HERNCANE

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Herncane. 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**

6. **NEW AND MISCELLANEOUS BUSINESS**

7. **INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

COUNCIL PRESIDENT ISTNICK – Ord. No. 73 – 2023.

ORDINANCE NO. 73 – 2023

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE amending Section 1 of Ordinance 49 – 2014 to reduce and ultimately eliminate the current assessment of a Street Lighting Fee.

COUNCIL PRESIDENT ISTNICK – Councilman Violand.

COUNCILMAN VIOLAND – Thank you, Madam President. We had spoken about this briefly in the Work Session. This was the ordinance wipe out the fee, slowly reduce and cancel it over the next couple of years. It's my understanding that when this was enacted we were in a state of fiscal emergency. At this point, it looks like we're in a much better position. I am in favor of this passing. Are there any questions regarding this particular ordinance? That being said, I would make a motion to waive the rules requiring three readings and bring this forward for a vote tonight?

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 73 – 2023 has passed. Ord. No. 74 - 2023

ORDINANCE NO. 74 – 2023

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Chapter 121 "COUNCIL", Section 121.02(q), Rule 64, "Who Admitted Within Bar" of the Codified Ordinances of the City of Massillon, Ohio, by enacting a new Section 121.02(q), Rule 64, "Who Admitted Within Bar" of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

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

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 74 – 2023 has received first reading. Ord. No. 75 – 2023.

ORDINANCE NO. 75 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1401 Capital Improvement Fund, for the year ending December 31, 2023.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance allows us to return \$50,000 to Visit Canton which was a grant that we received regarding the Pump House. That project has been delayed, so, we are just returning the funds until we have a better foundation as to whether or when that project can move forward. 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. 75 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 75 – 2023 has passed. Ord. No. 76 – 2023.

ORDINANCE NO. 76 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1220 Foreclosure Property Administration Fund, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is an appropriation of \$5,000. This is so that they can take care of tree removal and dumpsters related to the foreclosures. Remember that this fund is funded by banks when they foreclose on a property and this is part of the administrative fees that we manage related to management of those properties. Any questions or discussion this evening? Seeing none, I make a motion to suspend the rules requiring three readings, bringing Ord. No. 76 – 2023 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lombardi. Roll call for suspension.

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 76 – 2023 has passed. Ord. No. 77 – 2023.

ORDINANCE NO. 77 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE to repurpose funds in the 1100 General Fund “City Improvement Projects” account, for the year ending December 31, 2023.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 77 – 2023 has received first reading.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

A Request for a Transfer of Liquor License from J. Lally, Inc., DBA Massillon Drive Thru, 1st FL only, located at 604 Lincoln Way W., Massillon, Ohio 44647 to Krishna 02, LLC, DBA Massillon Drive Thru, 1st FL only, located at 604 Lincoln Way W., Massillon, Ohio 44647. Permit Classes are C1 and C2 and is located in Ward 5.

COUNCIL PRESIDENT ISTNICK – Councilwoman Harwig Smith, have you received that?

COUNCILWOMAN HARWIG SMITH – Yes I have.

COUNCIL PRESIDENT ISTNICK – Thank you.

A Request for an Economic Transfer of Liquor License from Aldi, Inc., Ohio, DBA Aldi 21, located at 5117 Tuscarawas St. W., Perry Twp., Canton, Ohio 44708 to Aldi, Inc., Ohio, located at 2624 Lincoln Way E., Massillon, Ohio 44646. Permit Classes are C1 and C2 and is located in Ward 3.

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

COUNCILMAN GREGG – Yes I did. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you.

10. BILLS, ACCOUNTS AND CLAIMS

11. REPORTS FROM CITY OFFICIALS

Mayor’s Report - June 2023

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be Monday, July 31, 2023, at 6:30 p.m. Is there anything before that one?

COUNCIL CLERK ROLLAND – Yes. There’s a Streets and Highways Committee meeting.

COUNCIL PRESIDENT ISTNICK – At 6:00 p.m.?

COUNCILMAN SNEE – Correct.

COUNCIL PRESIDENT ISTNICK – Thank you.

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

14. CALL OF THE CALENDAR

15. THIRD READING ORDINANCE AND RESOLUTIONS

16. SECOND READING ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT ISTNICK – Ord. No. 67 – 2023.

ORDINANCE NO. 67 – 2023

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from B-2 Central Business District to R-1 One Family Residential, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. This request is to rezone three parcels; 134, 138, 144 at Oak Ave. S.E. There’s a Public Hearing scheduled for August 21, 2023 here in Council Chambers and 6:00 p.m. Second reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 67 – 2023 has received second reading.

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

PAM CRAWFORD – Good evening. I’d like to speak to you about the excessive traffic on 11th St. N.E. With the Wales Rd. project and construction, we’re being used as a cut-thru. We understand that. We’re not complaining about the construction. The problem is the speed. It is out of control. We’re just asking can the City Council please do something to help us out; whether its additional patrols. I work during the day, so I only see this in the evening. I don’t know what’s going on during the day time. But, could we have some additional patrols or possibly on Lake, there’s a speed sign indicator. Your speed is this...something. We’re just concerned. There’s a lot of kids in the area. Older people. There are several people that use electric wheelchairs on that street. So, we would just like some consideration, help us out. Whatever you can do would be greatly appreciated. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – I make a motion that we adjourn.

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

8 yes to adjourn

COUNCIL PRESIDENT ISTNICK – Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT