

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, AUGUST 21, 2023**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, August 21, 2023. We have in attendance the following City officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, and Chief Counsel, Earle Wise. 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, Jamie Slutz, Mike Snee and Aaron Violand.

Roll call of 9 present

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. All present and accounted for. Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, President Istnick. Could you please join me and stand in the Lord’s prayer and the Pledge of Allegiance.

2. INVOCATION

COUNCILMAN MARK LOMBARDI

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN LOMBARDI

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Lombardi. 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. Councilman Gregg.

COUNCILMAN GREGG – Thank you, Madam President. I just want to give a shout-out to the Massillon Tigers who had a great victory on Friday evening against the Wildcats from Valdosta. The nation's number one winning team. Massillon's currently the third winningest team in the history of high school football. So, they've got another tough game up against another out-of-state opponent, Elkhart, Indiana coming in on Friday. So, we want to wish the Tigers the best of luck.

COUNCILMAN SNEE – They play Glenoak on Friday.

COUNCILMAN GREGG – I'm sorry, Glenoak on Friday. I'm a little ahead of myself. Glenoak on Friday, thank you. We still want to wish them a lot of luck and we know they'll represent themselves, their team, their families and the community very well. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Gregg.

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

DEBBIE BUSBY – I'm President of West Stark Chamber of Commerce and I'm here to speak on behalf of the DORA. I'm in favor of this particular piece of legislation for our community. Having taken advantage of this in other communities that are next to us and around us, most recently this past Saturday in downtown Canton and I saw the benefits of that event; the concert and the DORA to that community. It was a well behaved concert. There was a lot of people that were getting refreshments from restaurants and bars that were within walking distance of the Centennial Plaza. It was a very nice addition to their community. I do know that some of the conversation was concerned was trash. I think the business owners would be excited that there's additional revenue coming into their businesses and would not have an issue cleaning up some of the extra cups and I didn't see any additional cups in downtown Canton. Not to say that there wasn't. But, I think with additional revenue, not only to the businesses but to the community itself would be a bonus to our area. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you so much, Ms. Busby. Anyone else?

MORRIE SULLIVAN – I'm one of the owners/operators of Kozmo's Grill here in downtown Massillon and I too support the DORA. Echoing what was previously said, I too was at that same concert in Canton. A very well behaved crowd and again, it's excellent for the merchants. For one, we visited one of the local restaurants before and after the concert. So, it is an economic engine, if you will, for the downtown community and not just for restaurants, but any other merchants that perhaps want to take the time and effort to be open during those hours. And speaking, at least for ourselves, any trash in and around our building, we always take care of. We don't expect the City to clean up trash on our property. We always maintain our property and I would expect any other downtown merchants to do the same. But, we too, fully support DORA. It's positive for the City especially if the City wants to add other economic development activities to the downtown area. I know there's been some of Taste of Massillon and other community based events and I think having an active DORA for those events would be a real advantage to promote those other events. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Morrie. Anyone else?

CHRIS KETLER – Krackpots Comedy Club, Massillon, Ohio and I get asked a lot "Why did I open a comedy club in Massillon, Ohio?". It's a very common question and I tell people the

truth; it's because I had a life-long dream, a burning passion, a desire to be in debt the rest of my life. Some of you have asked me to do jokes when I start; but it's no joke. We need to really give a passing vote and not be the butt of a joke by not doing this (DORA). And next time, if you're going to ask me to do jokes can we get beer and wine for the people?

COUNCIL PRESIDENT ISTNICK – Thank you, Chris. Anyone else?

MIKE RYE – The Print Bar. We too also are for the DORA and like the previous three said, I agree with all of them as well. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mike. Anyone else?

RICHARD ROHR – I'm a new business here in Massillon, Rohr's Winery. Previously the Newman Creek Cellars. I wasn't aware of the DORA until I moved my business down here. I am in support of it as well. I think it's a great opportunity. I'm pretty sure that Canal Fulton has it as well and look how small they are and they can handle it. So, as a big City like Massillon, I believe it's going to be something nice for everybody. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Richard. Seeing no one else, we'll move on.

6. NEW AND MISCELLANEOUS BUSINESS

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT ISTNICK – Ord. No. 82 – 2023.

ORDINANCE NO. 82 – 2023

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE creating a Designated Outdoor Refreshment Area (DORA) and establishing requirements to ensure public health and safety within such area.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer

COUNCILWOMAN CREAMER – Thank you, Madam President. We've started discussions regarding the DORA. I think the citizens coming forward voicing their opinions in favor of this. We will continue discussing this, so, it is first reading. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Councilwoman Creamer. Ord. No. 82 – 2023 has received first reading. Ord. No. 83 - 2023

ORDINANCE NO. 83 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1222 Waste Management Grant Fund, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is a \$12,000.00 appropriation from the grants that we receive regarding our recycling and other waste management in the City and this is to help

with yard clippings and other related matters for the City. Are there any questions or discussion this evening? Seeing none, I make a motion we suspend the rules requiring three readings, bringing Ord. No. 83 – 2023 forward for a vote.

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. 83 – 2023 has passed. Ord. No. 84 – 2023.

ORDINANCE NO. 84 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1219 Women, Infants and Children (WIC) Program 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 the \$6,500.00. The grant that we received to help fund WIC was expanded and we're going to be pulling some of those dollars down to help with supplies and materials that the program needs. 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. 84 – 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. 84 – 2023 has passed. Res. No. 6 – 2023.

RESOLUTION NO. 6 – 2023

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

A RESOLUTION designating a certain unnamed alley located in the City of Massillon, Ohio, to honor Sgt. Army Cory Endlich who gave the ultimate sacrifice while serving during Operation Iraqi Freedom, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Snee.

COUNCILMAN SNEE – Thank you, President Istnick. In a minute here I'm going to be making a motion that we amend this legislation, this resolution. But first I wanted to speak for a minute if I may?

COUNCIL PRESIDENT ISTNICK – Certainly.

COUNCILMAN SNEE – Legislation was requested on Monday, August 14th at 10:13 a.m. It's important to understand the gravity and the weight of this request and why we are voting to approve this. So quickly, Cory was a four-year Swing Band member, marched and played the tuba. He was also in the concert band where he played the baritone. He ran cross-country for Massillon for two years. He and his younger brother, Kevin, both worked at Dairy Queen. He played in the Lincoln Park, sled riding down the hills with his younger brother, Kevin, as well. He often took Lincoln Park up the hill into his neighborhood as many of us who live in Mayflower do. He graduated Washington High School in 2003. Sgt. Cory M. Endlich was assigned to 2nd Squadron, 1st Calvary Regiment, Ft. Brigade, 2nd Infantry Division, Striker Brigade, Combat Team stationed in Ft. Lewis, Washington. Sgt. Cory M. Endlich, 23, of Massillon, Ohio, was killed in action June 9, 2007 in Taji, Iraq, by small arms fire while engaging the enemy. At this point, if we may, I'd like to request a small moment of silence to honor the life and ultimate sacrifice of Sgt. Corey M. Endlich. (Moment of silence given). Thank you. Last Monday, I called the Endlich family to clarify and spoke with Aaron to gain approval of legislation that Monday. They had originally requested that portion of Lincoln Way from 17th to 32nd St. be named the Cory Endlich Corridor. However, due to lack of time required to make such a change, unnamed alley across from Grosvenor was offered out to serve in his memory. I believe Councilman Lewis spoke on this in the Work Session. They reluctantly agreed, seeing a lack of options which didn't sit right with me. I immediately called my friend, Councilman Lewis, speaking that the alley way was unfit for such an honor that should be placed to an individual with the character of Sgt. Endlich. I suggested renaming Lincoln Park Dr. and I concurred that renaming Lincoln Park Drive to Sgt. Cory M. Endlich Parkway was fitting because that was the road he took home every day. After confirming with the Law Director, Justin Richard and Safety Service Director, Barb Sylvester the next day on Tuesday the 15th, I proposed the new rewrite of the resolution to the Endlich family. They were much more receptive to having the road name changed with the stipulation that the Seeson family didn't not take an issue with it as his memorial is at the bottom of 17th and Lincoln Park Drive. I called Tom Seeson at his home and his cell phone immediately and left a voicemail on Tuesday, August 15th, however, I understand that I did not receive a reply to date. So, the only course of action is to respectfully agree that they have no issue with the name change. I will continue to work on getting the rename of the portion from Lincoln Way N.W., 17th St. N.W. to 32nd St. N.W. named as Sgt. Cory M. Endlich Corridor. This past weekend, I amended Res. No. 6 and at this time, I'd like to open it up to Council Members with the permission of President Istnick.

COUNCIL PRESIDENT ISTNICK – Absolutely. Anyone have anything? Councilwoman Harwig Smith.

COUNCILWOMAN HARWIG SMITH – I think this is a great way to honor him and that this road here at the Lincoln Park is a much better road. Sometimes it just takes people thinking about things that make a difference and I think that's a great way to honor him and I support changing the name.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilwoman Creamer.

COUNCILWOMAN CREAMER – Can you clarify, again, that portion and the Seeson family and not getting any type of feedback from them? Is there an overlap in some type of way?

COUNCILMAN SNEE – No, there's no overlap. The Seeson Memorial is on the hill and the drive is about 100 ft. from the memorial.

COUNCILWOMAN CREAMER – Is your intent to wait to get confirmation from the Seeson family before moving forward? I guess that's my question.

COUNCILMAN SNEE – I've waited a week.

COUNCILWOMAN CREAMER – They may be on vacation.

COUNCILMAN SNEE – I've confirmed that they are not. They are home.

COUNCILWOMAN CREAMER – Okay, thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilman Lewis.

COUNCILMAN LEWIS – I think this is just a great way to commemorate both. In this case, we would have a street that commemorates the life of Sgt. Endlich and we'd also have a memorial in the park that commemorates Aaron Seeson and I think that brings honor to both and becomes a place to celebrate and memorialize the sacrifice that the men and women of our community have given. So, I believe it's a nice addition.

COUNCIL PRESIDENT ISTNICK – Will Cory also have a memorial in Veteran's Park or does he already?

COUNCILMAN SNEE – I'm sorry.

COUNCIL PRESIDENT ISTNICK – Cory; will he also have a memorial like Seeson does?

COUNCILMAN SNEE – Something we can work on.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis. Excuse me, Councilman Snee.

COUNCILMAN SNEE – Thank you. At this time, I'd like to make a motion that we amend Res. No. 6 – 2023 from how it is written to read as follows: "Please prepare a resolution indefinitely renaming Lincoln Park Drive and designating it as Sgt. Cory M. Endlich Parkway located in the City of Massillon, Ohio as a road running in an east/west direction between 17th St. N.W. to 19th St. N.W. The Director of Public Safety and Service is authorized and directed to order and post the appropriate signs on said road, giving notice of the said name designation. This is listed as an emergency to honor Sgt. Army Cory M. Endlich who gave the ultimate sacrifice serving during Operation Iraqi Freedom and at the request of the Endlich family with respect for privacy reasons".

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Violand. Roll call for the amendment.

9 yes for the amendment

COUNCIL PRESIDENT ISTNICK – Councilman Sneer.

COUNCILMAN SNEER – I'd like to make a motion that we waive the rules requiring three readings and bring Res. No. 6 – 2023 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Violand. 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. 6 – 2023 has passed.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

10. BILLS, ACCOUNTS AND CLAIMS

Copley Ohio Newspapers, Inc.	-	\$ 1,224.43	Publication of May, June Ords. & Public Hrg.
Konica Minolta	-	133.09	Toner & Waste Box for Copier
US Bank Equip. Finance	-	<u>127.00</u>	August Payment for Copier
Total	-	\$ 1,484.52	

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion to 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 accounts

11. REPORTS FROM CITY OFFICIALS

Mayor's Report - July 2023

COUNCIL PRESIDENT ISTNICK – Mayor.

MAYOR CATAZARO-PERRY – Good evening Madam President, Members of Council. I got a few things to update you all on. We had a fire boot donation last Thursday at the concert to help out the homeless shelter, a family living shelter and we also filled a cruiser with toilet paper. That is one of the things that they really need at the shelter. They're behind on their budget about \$50,000.00 this year; short on their budget. They came to us and we were able to put this together and we'll also be doing this at a game at the high school. So, about

\$3,700.00. We had a few firefighters dancing with crowd and so that took donations and then we did do the toilet paper into the cruiser which was a lot of fun also. So, about \$3,700.00 was raised. So, thank you to our police and fire for helping us out with that and Amy from Family Living Center is very pleased. Charles St. will be complete in September. We're waiting on the light poles. So, if you've been downtown, you see how beautiful that street looks with new sidewalk. Erie St., their working on the electrical right now. They're going to be putting in curb and sidewalk as well also with the new street lights, again. Those take about twelve plus weeks to come in. So, we're hoping that it gets completed before Christmas. Our catch basin project is about 60% complete. They're going to be also coming back. Some of you still have roads in your wards that still need paved. They'll be coming back late summer to pave more roads. Tremont and Erie parking lot is gone out to bid and that bid opening will be September 6th and also the Health Dept. bid opening is September 6th for their parking lot. Lake and Amherst went out to bid for a pedestrian crossing, ADA curb ramps, new traffic signals and that bid opening is September 20th. At 522 Valeside where there is a sink hole; we're working with the Law Dept. on legislation. We'll be calling a Special Meeting this week to get approval. So, we're looking at Wednesday, but we're working with Councilman Aaron Violand to come up with a proper date for the Special Meeting. Tonight is our last Monday night concert and I will be heading out there to introduce the band here shortly and this Thursday is our final Thursday night concert which Jersey a Bruce Springsteen type band will be playing on Thursday night and that will be our final concert for the year. All those concerts that we put on are through donations, so I'd like to thank the sponsors for their great donations. Otherwise, we wouldn't be able to put the concerts on. And the restrooms have been a big hit. We've had many handicapped; people in wheelchairs, walkers, really thank us for putting in the restrooms. So, I'd like to thank City Council for supporting that endeavor as well. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mayor.

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be Monday, August 28, 2023, at 6:30 p.m.

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

14. CALL OF THE CALENDAR

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

ORDINANCE NO. 67 – 2023 **BY: COMMUNITY DEVELOPMENT COMMITTEE**
Tabled August 7, 2023 until August 21, 2023

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 a rezoning request. We had a public hearing this evening at 6:00 p.m. in Council Chambers. We had no individuals present oppose to this request. There are three individual parcels on Oak Ave.

S.E. that is part of this zone request from B-2 to R-1. The purpose of the rezoning is to allow for construction of a new home. Are there any questions or concerns from Council members at this time? Seeing none, I would like to make a motion to bring forward Ord. No. 67 – 2023 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. 67 – 2023 has passed.

15. THIRD READING ORDINANCE AND RESOLUTIONS

COUNCIL PRESIDENT ISTNICK – 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 – Yes. These are funds that were remaining from a couple of the tear downs we had in downtown and the repurposing is just so that they can continue to use these funds in a similar fashion as originally allocated within the City. It’s third reading. Are there any questions or discussion? Seeing none, I make a motion that we bring Ord. No. 77 – 2023 forward for a vote.

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

9 yes for passage

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

16. SECOND READING ORDINANCES AND RESOLUTIONS

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

GAYLE DANZY – Good evening, Council. Massillon, Ohio. I’m just coming again to reiterate if I could get Council to, at some point, discuss what’s going on with the money from the tear down of the buildings downtown and also if I could get you to discuss, at some point, doing something about the slum commercial and residential landlords. I’ve been coming with that for months now and I’m going to keep coming with that. Because I also come to the Committee Meetings and I don’t ever hear that being brought up. I don’t know whose responsibility it is to bring it up, but my request to you is that you would give some consideration to finding something to do to get rid of these slum landlords, both commercial and residential. And then again, to get some resolution to what’s going to happen with the money of the grant that was used to tear down buildings. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Gayle. Anyone else?

BARB BERGMAYER – Kind along the same line as Gayle. I'm concerned about the building that Bonnie's Engravers was in. There's third floor window that has been out, totally out and it's been out since before the two other buildings collapsed. We've had some torrential downpours just recently. A lot of rain has gone in through that window. Currently, the side of the building is wet. From the roof all the way down to the street. The one window that's open with one piece of glass that's in there was some very rotted wood. I'm afraid the window pane is going to come and somebody's going to get hurt. Plus, there's merchandise inside that building. If they want to open it up, anything that's made of cloth is either going to be very mildewed or moldy smelling or something like that. If there's metal, I'm afraid it's going to be rusted. The poor person that's got the stuff in the building, they won't be able to sell it. Something really needs to be done with this building and I'm afraid that window pane is going to fall out and somebody's going to get hurt.

COUNCIL PRESIDENT ISTNICK – Thank you, Barb. Anyone else?

MICHELLE WILHELM – I live on the southeast side of town and I'm just going to reiterate the same thing that Barb and Gayle have just talked about. We just feel like something needs to be done, something more about the slumlords and making them accountable for their tenants. We bought our property and fixed up and made it nice and we get penalized by paying more in taxes for the property because it looks good and then we have to live beside somebody that has, basically, a junk yard that they live in and they just bring more and more stuff and it just seems like no matter where we turn, we can't get any answers for it. There's just no reason that we should have to and we're not the only ones. You drive around the southeast side of Massillon; you see all kinds of places that are like this. It's not just limited to the southeast side, but it's just ridiculous that these places sit like this. We're not the only ones. There's other people that have the same complaint. That's all I wanted to say.

COUNCIL PRESIDENT ISTNICK – Thank you, Michelle. Anyone else?

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, President Istnick. I make a motion we adjourn.

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

9 yes to adjourn

COUNCIL PRESIDENT ISTNICK – Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT