

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD TUESDAY, SEPTEMBER 5, 2023**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Tuesday, September 5, 2023. We have in attendance the following City officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Chief Counsel, Earle Wise and Economic Development Director, Dave 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, 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 Slutz.

COUNCILMAN SLUTZ – If you would please stand and join me in the Lord’s prayer and the Pledge of Allegiance.

2. INVOCATION

COUNCILMAN JAMIE SLUTZ

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN SLUTZ

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Slutz. Before we proceed, Councilman Gregg.

COUNCILMAN GREGG – Thank you, Madam President. Just another shout-out to the Tigers for another great victory on Friday night. Again, the boys, as always have represented themselves, their team, their community and family as well and we wish them luck again this Friday when the entertain, this time, the team from Elkhart, Indiana.

COUNCIL PRESIDENT ISTNICK – Thank you.

COUNCILMAN GREGG – Thank you.

COUNCIL PRESIDENT ISTNICK – 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

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes, we've been informed by the Law Dept. wanting to go into Executive Session with us tonight. So, in accordance with Division (G)(3) of Section 121.22 of the Ohio Revised Code, I move that we enter into Executive Session, to include all Members of Council, including the President of Council, the Mayor, Safety Service Director, Economic Development Director, Chief Counsel, Earle Wise, Atty. Lee Plakas and Atty. Elizabeth Jackson for the purpose of conferencing with the City's Attorneys to discuss pending court action.

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

9 yes to enter into Executive Session

COUNCIL PPRESIDENT ISTNICK – Thank you, Madam Clerk. We will exit our Regular Session and enter into Executive Session.

Entered into Executive Session – 6:35 p.m.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion to exit Executive Session.

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

9 yes to exit Executive Session

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. We have exited Executive Session and we are now back into our Regular Session.

Exited Executive Session – 7:20 p.m.

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT ISTNICK – Ord. No. 87 – 2023.

ORDINANCE NO. 87 – 2023

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the construction of the Roberson Splash Pad at Wampler Park, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 87 – 2023 has received first reading. Ord. No. 88 - 2023

ORDINANCE NO. 88 – 2023

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the sale of certain City owned vacant lots by advertising and receiving sealed bids and awarding to the highest and best bidder in accordance with guidelines established under CHAPTER 166 “LAND REUTILIZATION PROGRAM” of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. We received a list that referred to vacant properties. There we seventeen vacant properties given to us. This ordinance is requesting for them to go up; advertise and go up for bids. Are there any questions? They’re going to the highest and best bidder. Are there any questions from any Council Members regarding the seventeen vacant parcels? They’re city owned parcels that we would like to go through the process for individuals to bid on. Seeing none, I make a motion that we waive the rules requiring three readings and bring forward Ord. No. 88 – 2023 for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Snee. 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. 88 – 2023 has passed. Ord. No. 89 – 2023.

ORDINANCE NO. 89 – 2023

BY: ECONOMIC DEVELOPMENT COMMITTEE

AN ORDINANCE establishing an Economic Development Grant Program.

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – Thank you, Madam President. We discussed this matter at last week’s Work Session. Are there any questions from any Members of Council? I do intend on moving this forward this evening. Seeing none, I make a motion that we suspend the rules requiring three separate readings, bringing Ord. No. 89 – 2023 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Harwig Smith. 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. 89 – 2023 has passed. Ord. No. 90 – 2023.

ORDINANCE NO. 90 – 2023

BY: HEALTH, WELFARE AND BUILDING REGS. COMMITTEE

AN ORDINANCE enacting CHAPTER 962 “CEMETERIES” under TITLE FIVE – OTHER PUBLIC SERVICES of PART NINE – STREETS, UTILITIES, AND PUBLIC SERVICES CODE of the Codified Ordinances of the City of Massillon, Ohio, for the disposition of deceased indigents and the administration thereof.

COUNCIL PRESIDENT ISTNICK – Councilman Slutz.

COUNCILMAN SLUTZ – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 90 – 2023 has received first reading. Ord. No 91 – 2023.

ORDINANCE NO. 91 – 2023

BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE authorizing the Director of the Parks and Recreation Department of the City of Massillon, Ohio, to accept a donation from Regal Entertainment on behalf of the Massillon Recreation Center for the Lawndale Park Improvement Project, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Harwig Smith.

COUNCILWOMAN HARWIG SMITH – Thank you, Madam President. This ordinance is to receive a donation for the Lawndale Improvement Park in the amount of \$1,313.81. Are there any questions from the Parks and Rec. Committee or anyone else? I’d like to move this forward. Councilman Gregg.

COUNCILMAN GREGG – Just curious about the dollar amount. It’s an odd amount.

COUNCILWOMAN HARWIG SMITH – Well, this is all donations.

COUNCILMAN GREGG – So, it’s a combination?

COUNCILWOMAN HARWIG SMITH – It’s just a combination of amounts.

COUNCILMAN GREGG – Oh, okay. Thank you.

COUNCILWOMAN HARWIG SMITH – It’s just the total amount.

COUNCIL PRESIDENT ISTNICK – Anyone else?

COUNCILWOMAN HARWIG SMITH – With that being said, I’d like to waive the rules requiring three readings and bring Ord. No. 91 – 2023 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Creamer. 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. 91 – 2023 has passed. Ord. No. 92 – 2023.

ORDINANCE NO. 92 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the 1100 General Fund, for the purpose of the Roberson Splash Pad Project, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 92 – 2023 has received first reading. Ord. No. 93 – 2023.

ORDINANCE NO. 93 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the 1234 Parks and Recreation Fund – The Legends, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is an appropriation of \$3,110.00. Are there any questions or discussion? Seeing none, I make a motion we suspend the rules requiring three readings, bringing Ord. No. 93 – 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. 93 – 2023 has passed. Ord. No. 94 – 2023.

ORDINANCE NO. 94 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1229 HOME Fund, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is the funding to continue the project that assists with first time homebuyers within the City of Massillon. 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. 94 – 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. 94 – 2023 has passed. Ord. No. 95 – 2023.

ORDINANCE NO. 95 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1203 Community Development Block Grant (CDBG) Fund, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance would appropriate the funding for our Federal projects with relation to the CDBG. It would go to benefit non-profits in our community and other projects within blighted or low-income areas. Are there any discussion or questions this evening?

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – Thank you, Madam President. Mr. Lewis, what is WestStark? Can somebody refresh my memory on that? It's on the list and I don't recall what organization WestStark is.

COUNCILMAN LEWIS – I would call upon the Safety Service Director for clarification.

COUNCIL PRESIDENT ISTNICK – Thank you, Mrs. Sylvester.

BARB SYLVESTER – WestStark is a local agency here in Massillon which is on First St. and they take care of elderly; they have caretakers that go into homes and take care of elderly. They also help them with doctor's appointment and deliveries.

COUNCILMAN HERNCANE – Okay. Thank you.

BARB SYLVESTER – You are welcome.

COUNCIL PRESIDENT ISTNICK – Anyone else? Thank you, Mrs. Sylvester. Councilman Lewis.

COUNCILMAN LEWIS – I believe Councilwoman Harwig Smith has a question.

COUNCIL PRESIDENT ISTNICK – I'm so sorry.

COUNCILWOMAN HARWIG SMITH – That's okay. I had a question for you too, Barb. It was about the \$33,747.00 for Code Enforcement-Services/Contracts. Can you tell us a little bit more about that?

BARB SYLVESTER - Yes. That would be for under the HUD dollars, the CDBG dollars. The Code Enforcement services that are in the target areas; that can be paid out of the CDBG funding and then that way it doesn't come out our General Fund.

COUNCILWOMAN HARWIG SMITH – Okay. Great. Thanks.

BARB SYLVESTER – You are welcome.

COUNCIL PRESIDENT ISTNICK – I'm sorry, Councilwoman Harwig Smith. Anyone else? Councilman Lewis.

COUNCILMAN LEWIS – I make a motion to suspend the rules requiring three readings, bringing Ord. No. 95 – 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. 95 – 2023 has passed. Ord. No. 96 – 2023.

ORDINANCE NO. 96 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for funding to the Ohio Public Works Commission for the funding year 2024, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 96 – 2023 has received first reading. Ord. No. 97 – 2023.

ORDINANCE NO. 97 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for funding to the Ohio Public Works Commission for the funding year 2024, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 97 – 2023 has received first reading.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

10. BILLS, ACCOUNTS AND CLAIMS

Visual Edge IT - \$ 67.11 - Overage Chg. – 05/24/23 to 08/23/23

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

Auditor’s Report - August 2023
Treasurer’s Report - July 2023

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Gregg.

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, September 11, 2023, at 6:30 p.m.

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. 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 – Second reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 82 – 2023 has received second reading. Mayor? Thank you, Mayor.

MAYOR CATAZARO-PERRY – Thank you, Madam President. Good evening Members of Council. Just a few updates this evening. I wanted to let you know that we are probably going to have a record year with investment in our City. I’ll give you a few of the projects; you’ll also receive this in the Mayor’s Monthly Report Packet. The Boys and Girls Club; a new building is \$6.3 million. Cherry Rd. Winery is doing some upgrades at \$75,000. Chic-fil-A; \$1.4 million. The First-North Building, they’re renovating some of those on the first floor to add some addition office space; \$450,000.00. Frito Lay, \$3.3 million. Fresh Mark at \$3 million dollars. They’re putting in a smoke and pump house addition. Both elementary schools on the east side is \$31.1 million dollars and on the west side, \$29.2 million dollars. We have Mast Trucking; a \$2 million-dollar investment, new building. Panda Express is about \$1.1 million dollars. Arto Land Holdings, this is from developer Derik Miller, putting in a new building at \$4 million dollars. And SARTA, as you can see, that’s coming along on Tommy Heinrich; \$4.2 million dollars. Star Bucks, \$2 million dollars. Tri-Doc built some storage units; \$100,000.00

and Walnut Woods Apts., their affordable housing is \$6.5 million dollars. So, I just wanted to let you know it's probably going to be a significant year this year for development in our City. I did want to get you a new release that we're putting out today. We're announcing a dedication ceremony for the permanent renaming of Lincoln Park Drive from 17th St. N.W. to 19th St. N.W. designated as Sgt. Corey M. Endlich Parkway. He gave the ultimate sacrifice for serving during Operation Iraqi Freedom. The ceremony will be on September 12th at 5:30 p.m. and we will have an official ceremony at that time to dedicate the street sign in honor of his service and sacrifice. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mayor.

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

18. **ADJOURNMENT**

COUNCIL PRESIDENT ISTNICK – Councilman Slutz.

COUNCILMAN SLUTZ – I make a motion we adjourn.

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

9 yes to adjourn

COUNCIL PRESIDENT ISTNICK – Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT