

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, SEPTEMBER 16, 2024**

COUNCIL PRESIDENT SLATER – Welcome to the Massillon City Council Meeting for Monday, September 16, 2024. We have in attendance the following City officials: Mayor, Jamie Slutz, Safety Service Director, Renee Baker, Asst. Law Director, Edmond Mack, Chief Counsel, Earle Wise Jr., City Engineer, Alex Pitts, Director of Development, Ted Herncane, Police Chief, Jason Saintenoy, Income Tax/Budget Director, Lori Kotagides-Boron and Street Superintendent, Tom Burgasser. 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 SLATER – Roll call, Madam Clerk.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Holly Bryan-Huth, Jill Creamer, Sarita Cunningham, Julie Harwig Smith, Ed Lewis, Mark Lombardi, John Paquelet and Eric Ray

Roll call of 8 present

COUNCIL PRESIDENT SLATER – Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, President Slater. I’d like to make a motion to excuse Councilman Gregg.

COUNCIL PRESIDENT SLATER – Seconded by Councilman Lewis. Roll call, please.

8 yes to excuse Councilman Gregg

COUNCIL PRESIDENT SLATER – Thank you, Madam Clerk. Councilman Gregg has been excused. Councilman Lewis.

2. INVOCATION

COUNCILMAN ED LEWIS

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN LEWIS

4. READING OF THE JOURNAL

COUNCIL PRESIDENT SLATER – Thank you, Councilman Lewis. Madam Clerk are the minutes of the previous meeting transcribed and open for public viewing?

COUNCIL CLERK ROLLAND – Yes, they are.

COUNCIL PRESIDENT SLATER – Are there any additions or corrections to be made?

COUNCIL CLERK ROLLAND – No, there are not.

COUNCIL PRESIDENT SLATER – Then the minutes stand approved as written. Thank you, Madam Clerk.

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

6. NEW AND MISCELLANEOUS BUSINESS

COUNCIL PRESIDENT SLATER – Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, President Slater. I would like to make a motion that we adopt the new Committee assignments that replaces Councilman Snee with Councilman Paquelet in the respective positions which would make Councilman Paquelet Chairperson of Streets, Highways, Traffic and Safety; a member of the Police and Fire Committee and a member of the Economic Development Committee.

COUNCIL PRESIDENT SLATER – Seconded by Councilman Lewis. Roll call.

8 yes to adopt new assignments on the Council Committees per Mr. Lombardi

COUNCIL PRESIDENT SLATER – Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, President Slater. In accordance with Division (G)(4) of Section 121.22 of the Ohio Revised Code, I move that we enter into Executive Session, to include all Members of Council, the President of Council, Mayor Jamie Slutz, Director of Safety and Service Renee Baker, Budget Director Lori Kotagides-Boron, Chief of Police Jason Saintenoy, Street Department Superintendent Tom Burgasser, representatives of the Law Department, Edmond Mack and Earle Wise. The purpose of the Executive Session is for reviewing negotiation sessions relating to the Collective Bargaining Agreements with several of the City's public employees' unions concerning their compensation and other terms and conditions of their employment.

COUNCIL PRESIDENT SLATER – Seconded by Councilman Lewis. Roll call.

8 yes to enter into Executive Session – 6:35 p.m.

COUNCIL PRESIDENT SLATER – Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, President Slater. I'd like to make a motion that we exit Executive Session.

COUNCIL PRESIDENT SLATER – Seconded by Councilman Lewis. Roll call

8 yes to exit Executive Session – 7:25 p.m.

COUNCIL PRESIDENT SLATER – Thank you, Madam Clerk.

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT SLATER – Ord. No. 81 – 2024.

ORDINANCE NO. 81 – 2024

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain properties from B-1 Local Business District and RM-1 Multiple Family Residential to B-3 General Business District.

COUNCIL PRESIDENT SLATER – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Mr. President.
First reading.

COUNCIL PRESIDENT SLATER – Ord. No. 81 – 2024 has received first reading. Ord. No. 82 – 2024.

ORDINANCE NO. 82 – 2024

BY: PUBLIC UTILITIES & ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into the Northeast Ohio Public Energy Council (NOPEC) and execute and deliver the Agreement establishing NOPEC and approving the By-Laws of NOPEC.

COUNCIL PRESIDENT SLATER – Councilwoman Bryan-Huth.

COUNCILWOMAN BRYAN-HUTH – Thank you, Mr. President. First reading.

COUNCIL PRESIDENT SLATER – Ord. No. 82 – 2024 has received first reading. Ord. No. 83 – 2024.

ORDINANCE NO. 83 – 2024

BY: PUBLIC UTILITIES & ENVIRONMENTAL COMMITTEE

AN ORDINANCE approving the plan of operation and governance for the Northeast Ohio Public Energy Council (NOPEC) electricity aggregation program for the purpose of jointly establishing and implementing an electricity aggregation program.

COUNCIL PRESIDENT SLATER – Councilwoman Bryan-Huth.

COUNCILWOMAN BRYAN-HUTH – Thank you, Mr. President. First reading.

COUNCIL PRESIDENT SLATER – Councilman Lewis.

COUNCILMAN LEWIS – Just a typical question, if you'd want to finish your sentence? Do we need to schedule the public hearings for these or did we already do that?

COUNCIL CLERK ROLLAND – Yes, we have.

COUNCILMAN LEWIS – Okay. I just wanted to make sure that we did that.

COUNCIL CLERK ROLLAND – October 21, 2024, I believe it is.

COUNCILMAN LEWIS – And then, just to double check the Ord. No. 81, does that need a public hearing?

COUNCIL CLERK ROLLAND – Yes. Councilwoman Creamer and I will get together on that.

COUNCILMAN LEWIS – We're moving quickly. I just want to make sure we've got all of the bases covered, that's all.

COUNCILWOMAN CREAMER – I already discussed it with Diane. We'll be talking about it at the Work Session.

COUNCILMAN LEWIS – Thank you.

COUNCIL PRESIDENT SLATER - Ord. No. 83 – 2024 has received first reading. Ord. No. 84 – 2024.

ORDINANCE NO. 84 – 2024

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to accept and enter into a collective bargaining agreement between AFSCME, Ohio Council 8, Local 996, AFL-CIO, Streets and Parks Department, and the City of Massillon, Ohio, effective April 1, 2024 through March 31, 2027, and declaring an emergency.

COUNCIL PRESIDENT SLATER – Councilwoman Harwig Smith.

COUNCILWOMAN HARWIG SMITH – First reading.

COUNCIL PRESIDENT SLATER – Ord. No. 84 – 2024 has received first reading. Ord. No. 85 – 2024.

ORDINANCE NO. 85 – 2024

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to accept and enter into a collective bargaining agreement between AFSCME, Ohio Council 8, Local 996, AFL-CIO, Wastewater Treatment Department, and the City of Massillon, Ohio, effective April 1, 2024 through March 31, 2027, and declaring an emergency.

COUNCIL PRESIDENT SLATER – Councilwoman Harwig Smith.

COUNCILWOMAN HARWIG SMITH – First reading.

COUNCIL PRESIDENT SLATER – Ord. No. 85 – 2024 has received first reading. Ord. No. 86 – 2024.

ORDINANCE NO. 86 – 2024

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a collective bargaining agreement with the Massillon F.O.P. Henderson Lodge Police Officers Association, Blue Unit, effective July 1, 2024 through June 30, 2027, and declaring an emergency.

COUNCIL PRESIDENT SLATER – Councilwoman Harwig Smith.

COUNCILWOMAN HARWIG SMITH – First reading.

COUNCIL PRESIDENT SLATER – Ord. No. 86 – 2024 has received first reading. Ord. No. 87 – 2024.

ORDINANCE NO. 87 – 2024

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Consent Legislation with Ohio Department of Transportation (ODOT) for preventive pavement maintenance on State Route 21 within the City of Massillon, Ohio, PID 116098, and declaring an emergency.

COUNCIL PRESIDENT SLATER – Councilman Paquelet.

COUNCILMAN PAQUELET – I would like to make a motion that we waive the rules requiring three readings and bring Ord. No. 87 – 2024 forward for a vote and my justification for that is that it's paid for by the State already; it doesn't take any City funds, so, there's no reason to spend time on this.

COUNCIL PRESIDENT SLATER – Seconded by Councilwoman Creamer. Roll call for suspension.

8 yes for suspension

COUNCIL PRESIDENT SLATER – And for passage.

8 yes for passage

COUNCIL PRESIDENT SLATER – Thank you, Madam Clerk. Ord. No. 87 – 2024 has passed. Ord. No. 88 – 2024.

ORDINANCE NO. 88 – 2024

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Auditor of the City of Massillon, Ohio, to enter into an Extension Agreement with the Ohio Auditor of State and Clark, Schaefer, Hackett and Company, to provide services for the annual audits for the City of Massillon for the period of January 1, 2024 through December 28, 2028, and declaring an emergency.

COUNCIL PRESIDENT SLATER – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is an extension to the agreement we have. The Auditor of the City of Massillon does have to be audited by an independent auditor every year. So, this is extending the contract with the auditor that we have been using over the past few years. Is there any further discussion or questions this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 88 – 2024 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT SLATER – And for passage.

8 yes for passage

COUNCIL PRESIDENT SLATER – Ord. No. 88 – 2024 has passed.

- 8. UNFINISHED BUSINESS
- 9. PETITIONS AND GENERAL COMMUNICATIONS
- 10. BILLS, ACCOUNTS AND CLAIMS
- 11. REPORTS FROM CITY OFFICIALS

Mayor's Report	-	August 2024
Auditor's Report	-	August 2024

COUNCIL PRESIDENT SLATER – Councilman Lewis.

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

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

8 yes to accept the Auditor's Report.

- 12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT SLATER – Our next Work Session will be Monday September 30, 2024, at 6:30 p.m. Council will be off the week of September 23rd.

- 13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
- 14. CALL OF THE CALENDAR
- 15. THIRD READING ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT SLATER – Ord. No. 75 – 2024.

ORDINANCE NO. 75 – 2024

BY: HEALTH, WELFARE & BLDG. REGS. COMMITTEE

AN ORDINANCE amending Section 509.12 “Noise-Making and Noise-Amplifying Devices; Variances” under CHAPTER 509 “DISORDERLY CONDUCT AND PEACE DISTURBANCE” of “PART FIVE – GENERAL OFFENSES CODE” of the Codified Ordinances of the City of Massillon, Ohio.

COUNCIL PRESIDENT SLATER – Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – Thank you, President Slater. I refer this to Mr. Lombardi.

COUNCIL PRESIDENT SLATER – Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, President Slater, Councilwoman Cunningham. There seems to be a few more questions about this. I had two people, actually, from Council approach me today on some language that they’d like to ask some questions on, at least, if not, probably modify. So, I would like to make a motion that we table this for thirty days or right around thirty days, Diane.

COUNCIL CLERK ROLLAND – That would be October 21, 2024.

COUNCILMAN LOMBARDI – That would be fine, so, I make a motion that we table Ord. No. 75 – 2024 until October 21, 2024.

COUNCIL PRESIDENT SLATER – Seconded by Councilwoman Cunningham. Roll call.

8 yes to table Ord. No. 75 – 2024 until October 21, 2024

COUNCIL PRESIDENT SLATER – Ord. No. 75 – 2024 has been tabled until October 21, 2024. Ord. No. 76 – 2024.

ORDINANCE NO. 76 – 2024

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1206 Municipal Motor Vehicle Tax Fund, for the year ending December 31, 2024, and declaring an emergency.

COUNCIL PRESIDENT SLATER – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance would be the appropriation in approval of \$123,565.00 that would go to an account entitled the “Main and Tremont Roundabout”. We had discussed this in a previous meeting. Are there any further questions or discussion this evening? Seeing none, I make a motion that we bring Ord. No. 76 – 2024 forward for a vote.

COUNCIL PRESIDENT SLATER – Seconded by Councilman Lombardi. Roll call for passage.

8 yes for passage

COUNCIL PRESIDENT SLATER – Ord. No. 76 – 2024 has passed. Ord. No. 77 – 2024.

ORDINANCE NO. 77 – 2024

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the purpose of salaries and benefits, for the year ending December 31, 2024.

COUNCIL PRESIDENT SLATER – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is an appropriation of \$29,840.00. It is to assist in the additional funding that we need for the Animal Control Officer that operates underneath the Safety Service Director. Are there any questions or discussion this evening? Seeing none, I make a motion that we bring Ord. No. 77 – 2024 forward for a vote.

COUNCIL PRESIDENT SLATER – Seconded by Councilman Lombardi. Roll call for passage.

8 yes for passage

COUNCIL PRESIDENT SLATER – Thank you, Madam Clerk. Ord. No. 77 – 2024 has passed.

16. **SECOND READING ORDINANCES AND RESOLUTIONS**

COUNCIL PRESIDENT SLATER – Ord. No. 78 – 2024.

ORDINANCE NO. 78 – 2024

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE enacting CHAPTER 558 “TREE REMOVAL PROGRAM” under PART FIVE, “GENERAL OFFENSES CODE” of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT SLATER – Councilman Paquelet.

COUNCILMAN PAQUELET – Thank you, President Slater. Sorry, I’m a little bit new to this, obviously. But, this is where I suggest that we move on to a third reading.

COUNCILMAN LEWIS – If you would like to, then all you’d have to do is say third reading. So, if you don’t want to vote tonight, you’d just say second reading.

COUNCILMAN PAQUELET – Okay. Second reading.

COUNCIL PRESIDENT SLATER – Ord. No. 78 – 2024 has received second reading. Ord. No. 79 – 2024.

ORDINANCE NO. 79 – 2024

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2024, and declaring an emergency.

COUNCIL PRESIDENT SLATER – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance would be for the \$5,000.00 that would go, again, to the Animal Control Office, I believe, possibly, for their van and it was a donation that we received from the local Eagles. Are there any further questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 79 – 2024 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT SLATER – And for passage.

8 yes for passage

COUNCIL PRESIDENT SLATER – Ord. No. 79 – 2024 has passed. Ord. No. 80 – 2024.

ORDINANCE NO. 80 – 2024

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund, for the year ending December 31, 2024.

COUNCIL PRESIDENT SLATER – Councilman Lewis.

COUNCILMAN LEWIS – Yes, Mr. President, I'd like to call forward the Director of Development.

COUNCIL PRESIDENT SLATER – Please come forward, Mr. Herculane, as requested.

TED HERNCANE – Mr. President, Members of Council, Councilman Lewis.

COUNCILMAN LEWIS – So this is a \$5,000.00 appropriation for the Stark Economic or \$4,000, I'm sorry, for the Stark Economic Development Board?

TED HERNCANE - \$3,333.33 would be for the City's annual contribution to their 3-year fund drive. I did increase it a couple of hundred dollars to cover any cost we may have this year because we also pay recording and title and some other fees related to the Vacant Lot Utilization Program and some other things that may come from the Land Bank. So, I asked for a little bit of a cushion to cover some of those costs between now and the end of the year, should we have any.

COUNCILMAN LEWIS – Because those are...so when we have the fees that you are discussing, those are things that we register with this Stark County Board and then we have to pay them?

TED HERNCANE – Correct.

COUNCILMAN LEWIS – And then the \$3,300.00 or whatever, that's an annual contribution we make for?

TED HERNCANE – So back in 2012 and the late Councilwoman Halter was a huge proponent of this when we did it the first time, the City never contributed to the Stark Economic Development Board annual fund drive. They do it on a 3-year basis, so, what we have done since is make a 3-year commitment of \$10,000.00 where it's obviously broken down into thirds, so, every year we provide that as the City's support for the services and assistances they offer us throughout the year.

COUNCILMAN LEWIS – Thank you. I just needed a refresher.

TED HERNCANE – Anytime.

COUNCILMAN LEWIS – I have no further questions.

TED HERNCANE – Thank you.

COUNCIL PRESIDENT SLATER – Thank you.

COUNCILMAN LEWIS – If no one has any further questions or discussion, I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 80 – 2024 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT SLATER – And for passage.

8 yes for passage

COUNCIL PRESIDENT SLATER – Ord. No. 80 – 2024 has passed.

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

18. ADJOURNMENT

COUNCIL PRESIDENT SLATER – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion to adjourn.

COUNCIL PRESIDENT SLATER – Seconded by Councilwoman Creamer. Roll call, please.

8 yes to adjourn

COUNCIL PRESIDENT SLATER – Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

MIKE SLATER, PRESIDENT