

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, OCTOBER 16, 2023**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, October 16, 2023. We have in attendance the following City officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Asst. Law Director, Edmond Mack, Economic Development Director, Dave Maley, Fire Chief, Matt Heck and Income Tax/Budget Director, Lori Kotagides-Boron. 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. Councilwoman Creamer.

COUNCILWOMAN CREAMER – Please join me for the Lord’s prayer followed by the Pledge of Allegiance.

2. INVOCATION

COUNCILWOMAN JILL CREAMER

3. PLEDGE OF ALLEGIANCE

LED BY 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 – Thank you.

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

6. NEW AND MISCELLANEOUS BUSINESS

COUNCIL PRESIDENT ISTNICK – I believe this is where we’re going to answer any questions that we had from the audience two weeks ago. Councilwoman Harwig Smith.

COUNCILWOMAN HARWIG SMITH – Thank you. We had a question about the bathrooms at L.C. Jones Park and both the bathroom at L.C. Jones Park and Lincoln Park bathrooms will be completed by April 1, 2024.

COUNCIL PRESIDENT ISTNICK – Thank you.

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT ISTNICK – Ord. No. 103 – 2023.

ORDINANCE NO. 103 – 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 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, President Istnick. This is a donation of \$500.00 for the Lawndale Park Improvement Project. Did anyone have any questions on the Committee or Council? With that being said, I’d like to waive the rules requiring three readings and bring Ord. No. 103 – 2023 up for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman. 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. 103 – 2023 has passed. Ord. No. 104 – 2023.

ORDINANCE NO. 104 – 2023

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a grant from the Ohio Ambulance Transport Program, on behalf of the Massillon Fire Department, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, President Istnick. This is what we discussed in the Work Session. Are there any questions from anyone on Council? Seeing none, I’d like to make a motion that we suspend the rules requiring three readings and bring Ord. No. 104 – 2023 forward 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. 104 – 2023 has passed. Ord. No. 105 – 2023.

ORDINANCE NO. 105 – 2023

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept and enter into an agreement for the Ohio Emergency Management Agency (EMA) ARPA First Responder Retention Incentive Grant on behalf of the Police and Fire Departments of the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, President Istnick. Again, this is for the other grant that was being split between the Fire Dept. and Police Dept. Does anybody have any questions on Council? Seeing none, I'd like to make a motion to suspend the rules requiring three readings and bring Ord. No. 105 – 2023 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Slutz. 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. 105 – 2023 has passed. Ord. No. 106 – 2023.

ORDINANCE NO. 106 - 2023

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

AN ORDINANCE amending Chapter 925 "SEWERS GENERALLY" of the Codified Ordinances of the City of Massillon, Ohio, by repealing Section 925.27 "GREASE, OIL AND SAND INTERCEPTORS" of TITLE THREE – UTILITIES, PART NINE – STREETS, UTILITIES AND PUBLIC SERVICES CODE of the Codified Ordinances of the City of Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Violand.

COUNCILMAN VIOLAND – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 106 - 2023 has received first reading. Ord. No. 107 – 2023.

ORDINANCE NO. 107 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1201 Street Construction M & R Fund, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is the appropriation needed to completely fund the remainder of the street and construction projects that were approved earlier this year. Are there any questions or discussion? Seeing none, I make a motion we suspend the rules requiring three readings, bringing Ord. No. 109 – 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. 107 – 2023 has passed. Ord. No. 108 – 2023.

ORDINANCE NO. 108 – 2023

BY: FINANCE COMMITTEE

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

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is funding needed for The Legends to finish out their year with their season of play. Are there any questions or discussion this evening? Seeing none, I make a motion we suspend the rules requiring three readings, bringing Ord. No. 108 – 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. 108 – 2023 has passed. Ord. No. 109 – 2023.

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the purpose of the Massillon Fire Department, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is the actual funding element of the ordinances we considered earlier this evening. Are there any questions or discussion this evening? Seeing none, I make a motion we suspend the rules requiring three readings, bringing Ord. No. 109 – 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. 109 – 2023 has passed.

8. UNFINISHED BUSINESS

COUNCIL PRESIDENT ISTNICK – We have an upgrade to PA System. Mr. Bill Dewalt was supposed to be with us this evening to discuss our final steps before moving into this, but he called me this morning and said was ill and I really didn't want him to come in spreading germs. Since we do not have a meeting Monday, the 23rd, we will have him here on the 30th. I checked with Councilman Lewis and he said that would be fine at a Work Session. Anything else from anyone? Councilwoman Harwig Smith?

COUNCILWOMAN HARWIG SMITH – Thank you. Last Thursday the Park Recreation Board had a meeting regarding the splash pad and I just wanted to kind of let you know where they are at. They were shown all of the plans which they brought for all of us tonight. Jill can tell you about that. There was concern on their part once they were updated, but their big concern is cost. They're on a limited budget and what they are going to put forth to Council after they have a meeting this Wednesday, Steve said he's sorry that he couldn't be here tonight, but they're willing to pay up to \$35,000.00 a year. They're going to put \$30,000.00 in their budget, but up to \$35,000.00 in cost and maintenance. Their concern is what if something happens and that's more than that and what they're requesting is that Edmond Mack, our attorney, draws up legislation that would cover any additional cost after that amount of a 50/50 split between the City since it is a municipal park project and in the parks and the parks is responsible that way that if something would happen in the meantime, they would be covered. This, I think, is going to be not an endless thing, just until after 2031 or 2032; it would be like eight years because next year is 2024, of course. After that, The Legends will be paid off and the Rec. Center would be paid off and they will have no problem maintaining if something big would happen. There's usually not big expenses in case of repairs because the way its built

things can just be replaced if one thing breaks. But, they can explain that when they do their presentation. So that's where the Board is. They're going to meet this Wednesday, so, the concern from Dave Maley and the Mayor, their quotes for the 2023 pricing for the splash pad, to get those pricings is due October 23rd. Steve contacted them and they are willing to hold the pricing until November 7th. So, if we vote on what the Park Board wants and then we can vote on the splash pad, Jill's legislation on the 6th, everything should be able to go forward and we'd still be able to get our pricing without having everything jump on us. So, I just wanted to get that into your head. Mr. Mack, is there anything to say?

EDMOND MACK – Sure, Chairwoman. The request of the Park Board on the Thursday night meeting was essentially the maintenance agreement for this Council's consideration. Just as the gentleman said, any repairs or expenditures that exceeds \$35,000.00 in any budget year then would be the responsibility of this body. First what we presented to the Commissions and make sure that they can get around and approve that and if they do approve it then it'll be presented for this body to make approval for consideration. Any questions about that at all?

COUNCIL PRESIDENT ISTNICK – Anyone have any questions for Mr. Mack? Councilwoman Harwig Smith.

COUNCILWOMAN HARWIG SMITH – That's all I have.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer, do you have anything?

COUNCILWOMAN CREAMER – I was going to cover it under my committee.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilman Gregg.

COUNCILMAN GREGG – Just for the record, the Park and Rec. Board's concern is not with the upfront cost of the splash pad, it's only with the ongoing maintenance and supplies and so forth, is that right?

COUNCILWOMAN HARWIG SMITH – That's correct.

COUNCILMAN GREGG – Because the upfront cost is being covered by the City?

COUNCILWOMAN HARWIG SMITH – And he's budgeting either \$30,000.00 to \$35,000.00 a year; I think the agreement is going to be \$35,000.00 and it'll rollover if they don't use it all. Steve said he's actually estimating high. He's only anticipating it to be around \$20,000.00 to \$25,000.00 a year to run the splash pad.

COUNCILMAN GREGG – Okay, thank you.

COUNCILWOMAN HARWIG SMITH – So we should be okay.

COUNCIL PRESIDENT ISTNICK – Anyone else? Thank you.

9. PETITIONS AND GENERAL COMMUNICATIONS

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – You forgot about me in the beginning of the meeting, so I thought I'd mention it here.

COUNCIL PRESIDENT ISTNICK – I did.

COUNCILMAN GREGG – How could you forget about me?

COUNCIL PRESIDENT ISTNICK – The mic threw me off.

COUNCILMAN GREGG – That's right. So, a big shout out to the Tiger football team for another victory this past Friday night, improving the record to 9 – 0 and leading us into our second season of the year which is McKinley week. Looking forward to a great game on Saturday and having a 10 – 0 season and then catapulting into the playoffs. So, I just want to, again, congratulate the boys on a great job. We know on Saturday they'll represent themselves, their team, the City very well with dignity and respect. So, go Tigers, beat McKinley.

COUNCIL PRESIDENT ISTNICK – Go tigers.

10. **BILLS, ACCOUNTS AND CLAIMS**

US Bank Equip. Finance - \$ 133.35 October Payment for Copier

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion to pay the bills.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Gregg. 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**

Treasurer's Report - August 2023
Mayor' Report - September 2023
Mayor's Board Appointment - Recreation Board-NeSheka Combs-Lemon

12. **REPORTS OF COMMITTEES**

COUNCIL PRESIDENT ISTNICK – Our next Work Session, we're off next week because there are five Mondays, so our next Work Session will be Monday, October 30, 2023, at 6:30 p.m. and we will also have a Streets & Highways Committee meeting Monday at 6:00 p.m. Councilman Lewis.

COUNCILMAN LEWIS – The Board appointment is to be voted on.

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Lewis.

COUNCILMAN LEWIS – So, just to kind of bring us up to speed, I believe the Mayor is here with another representative for our consideration for the Park Board appointment. I'm sure at this time we're ready for a presentation from the Mayor, if that's okay?

COUNCIL PRESIDENT ISTNICK – That is perfect. I apologize.

COUNCILMAN LEWIS – And it looks like she is bringing the applicant as well.

MAYOR CATAZARO-PERRY – Good evening, Madam President, Members of Council. Nicole Herrera withdrew, so we have a new candidate, NeSheka Combs-Lemon. She graduated from Washington High School in 2002 and is a graduate of the University of South Carolina in 2010. She is a resident of Massillon and her title job now is Community Engagement Manager for Strengthening Stark. She is a social worker and she worked previously at Child Protective Services. So, she has a wealth of knowledge. She's a board member of "Be a Better Me" Foundation, the Massillon Museum and Stark County Social Justice. She's also a member of Delta Sigma Beta sorority and her son, Lennox, plays for the Tigers and he attends Massillon High School and plays football, baseball and track and I'd like you to welcome NeSheka.

NESHEKA COMBS-LEMON – Good evening everyone. Thank you all for having me here. I'm really excited to come and talk with all of you. I was very happy when I got the phone call from Mayor Kathy. Like she said, I am from Massillon, born and raised. I am just really excited about giving back to the community. After moving back home, after living in South Carolina for a little over a decade I knew that when I came home that I wanted to make a difference and I really wanted to get involved with my community. So, I constantly volunteered at my son's school all the way through as well as his sports team. You all know football is everything; go Tigers, beat McKinley. So, I've always done those sorts of things and I have a huge heart for giving it to the youth. The youth are very important and they need to have something to do. So, I like to volunteer my time mentoring young women throughout the county and when the Parks and Rec. came up with this, this was a very important piece for me just because I enjoy the outdoors. I'm an avid hiker. I love to kayak. I love to go hiking and bike riding. So, I go down to Ernie's and I rent my equipment. I use the parks that we have throughout Massillon very often. I have family members who are a part of the Rec. Center and having areas where you can go and at our parks. I have twin nephews who are three, so, taking to the Massillon parks are very important. So, I really see a huge need to have a very strong Parks and Rec. and I'm really happy if you guys give me the honor to serve in that capacity so that I can add to that board and that committee as they have been doing such a really good job and just being able to help them and keep Massillon strong and keep our parks and rec. center involved.

COUNCIL PRESIDENT ISTNICK – Thank you. You have quite a resume.

MAYOR CATAZARO-PERRY – Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you.

COUNCILMAN LEWIS – Do any members of Council have any reservation or desire to postpone any votes this evening? I only have one question, I apologize. I just want to make sure that we're in the clear here. Did we hear that family members that work for the Parks and Recreation Dept.?

NESHEKA COMBS-LEMON – No. They attend the Rec. Center.

COUNCILMAN LEWIS – Okay. I just wanted to make sure I understood that correctly. Alright, with that said, I'd like to make a motion that we approve the appointment of NeSheka Combs Lemon to the Parks and Recreation Board as the Mayor's appointment.

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

9 yes to approve the Mayor's Board appointment to the Recreation Board, Ms. NeSheka Combs-Lemon

COUNCIL PRESIDENT ISTNICK – Thank you and again, welcome aboard. Again, our next meeting is going to be on the 30th and prior to that there will be a Streets & Highways Committee meeting at 6:00 p.m.

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

14. CALL OF THE CALENDAR

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

ORDINANCE NO. 87 – 2023 **BY: COMMUNITY DEVELOPMENT COMMITTEE**
Tabled October 2, 2023 until October 16, 2023

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. Thank you, Madam President. As this ordinance states, we've had multiple discussions regarding the Roberson Splash Pad at Wampler Park. We've had discussions regarding maintenance, insurance and so forth and at this time I'd like to bring someone up from Administration and review the packet that we received this evening, and as Ms. Harwig Smith stated, we've had some discussion regarding these topics along with the Park and Recreation Board. They're having additional conversations this week at their meeting along with a Work Session that took place last week. So, Mr. Maley, can you just review the packet that you provided us?

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Maley.

DAVE MALEY – Thank you. Thank you, Madam Chairman. Basically, it's pretty straight forward. You'll see a sketch, kind of an outline, a picture of what we anticipate the splash pad to look like. I don't know if it's identical to the accessories that'll be in it, but it should be fairly close, I would think. The second page shows where the splash pad would be located in relations to the park and the parking lot with the additional restroom that's going to be put in and the sidewalks. It also shows a picture, an example of one of the restrooms that we anticipate that we'll be purchasing along with the existing building which is above the existing pavilion which we anticipate having some type of art work on the front of that particular building. And then the cost sheet is the last page. That kind of outlines the anticipated cost for

the project with regards to the restrooms, the different splash pad equipment, construction, renovations of the pavilion, etc., etc.

COUNCILWOMAN CREAMER – Okay. Based on that, just a review, the funds generated for this splash pad, we received two State Capital grants totaling \$800,000.00, we had ARPA funds designated for this for \$300,000.00 and \$100,000.00 was donated by the family?

DAVE MALEY – That is correct.

COUNCILWOMAN CREAMER – So, it's a total of \$1.2 million dollars?

DAVE MALEY – That is correct.

COUNCILWOMAN CREAMER – And looking at this, the construction total on this spreadsheet of the cost items is \$952,397.00 with additional items that can be added to this project based on where the bids come in at, is that correct?

DAVE MALEY – Yes. With the alternates you're referring to, yes.

COUNCILWOMAN CREAMER – Correct. Okay. Are there any questions from Council?

DAVE MALEY – Could I just make one point? Because I think Councilwoman Harwig Smith's outline of sort of what's going on with the Parks Board and their concerns about the maintenance. I really think that there's actually two different issues here. One is, basically this is the construction of the project. Maintenance kind of a separate issue. I brought this up to both Ms. Harwig Smith and Ms. Creamer today when I spoke to them; we anticipate right now if we would put it out to bid, depending on whether, etc., we would hope to have the splash pad up and operational by the time summer hits and with an opening date, which we would anticipate, probably, I guess May and June. We don't know if that's a fact, but that's where we're hopeful. But each week that we delay is another week we're going to possibly not make that deadline. So, we would encourage at least to take a look at possibly passing this tonight and then addressing the maintenance issue in the future, but that's up to Council.

COUNCILWOMAN CREAMER – My concern is the Park and Recreation Board has approved this project, so they approve this. The delay that we have currently in front of us is the discussion regarding the cost of the maintenance and repair. That's their concern.

DAVE MALEY – That's my understanding, yes.

COUNCILWOMAN CREAMER – Knowing that this company, Vortex, will hold our pricing until November 7th?

DAVE MALEY – That's what we found out today. That is correct and that's good. That is all good news. But overall, I'm going to go back to the point that if we have to delay another two or three weeks, we have to put it out to bid, we have to accept bids, etc., etc. It's going to take some time and that delays the project by just that more many weeks.

COUNCILWOMAN CREAMER – I'd like to hear any feedback from Council regarding any reservation regarding moving forward with this project this evening versus tabling it again for November 6, 2023.

COUNCIL PRESIDENT ISTNICK – Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, President Istnick. In my estimation, I don't think we should go forward until the Park Board is completely comfortable with the entire project. So, if it came forward for a vote tonight, I would have to vote "no".

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I'm okay with waiting a couple of more weeks. I understand that delays things. We'll try our best to get everybody completely comfortable with the project. Obviously, I think that there's going to be some room for possible disagreement, but, we can wait a couple of more weeks and at least have them have their meeting or Wednesday night and have a full picture of what they are thinking. I know it's not ideal, but, knowing that they have a meeting on the books for Wednesday, I would rather not insult them and try to pass it tonight.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilman Snee.

COUNCILMAN SNEE – Thank you, President Istnick. I agree with Mark and Ed. I've said before that I don't want to move forward with this until all of our ducks are in a row. So, until we hear back, as Councilman Lombardi said, until we hear back that the Park Board is completely satisfied and agrees to the terms and conditions, I don't think we should be moving forward.

COUNCIL PRESIDENT ISTNICK – Councilwoman Harwig Smith.

COUNCILWOMAN HARWIG SMITH – I also think we should wait for the Park Board; just to respect how they feel on things and their decision and go forward from there. Especially now since we know that cost increase has been moved up to the 7th. I know it's a delay, but it is what it is. So, I would rather it be tabled until the 6th.

COUNCILWOMAN CREAMER – Thank you, Mr. Maley. I would agree. I did speak with Mr. Maley this evening. I would like this project to move forward collaboratively with everybody on the same page with the end goal being the same and doing it together. So, that is my intent but I wanted to get feedback from you guys. I would like to table this in hopes that the Park and Recreation Board has a better understanding of the maintenance and the repair cost and if Mr. Mack creating some type of legislation to be presented before us, we can discuss that at that time, but I really think on November 6th this will be brought forward for a vote. So, we have a couple of weeks for all of us to gather the needed information to satisfy any questions that we may have so we can work with this together, moving it forward. So, at this time, I would like to table Ord. No. 87 – 2023 until November 6, 2023.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lewis. Roll call to table Ord. No. 87 – 2023 until November 6, 2023.

9 yes to table Ord. No. 87 – 2023 until November 6, 2023

COUNCIL PRESIDENT ISNTICK – Thank you, Madam Clerk. Ord. No. 87 – 2023 has been tabled until November 6, 2023. Ord. No. 92 – 2023.

ORDINANCE NO. 92 – 2023

BY: FINANCE COMMITTEE

Tabled October 2, 2023 until October 16, 2023

AN ORDINANCE making certain appropriations for the unappropriated balance of 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 – I'd like to make a motion that we table Ord. No. 92 – 2023 until November 6, 2023.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lombardi. Roll call to table Ord. No. 92 – 2023 until November 6, 2023.

9 yes to table Ord. No. 92 – 2023 until November 6, 2023

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 92 – 2023 has been tabled.

15. THIRD READING ORDINANCE AND RESOLUTIONS

16. SECOND READING ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT ISTNICK – Ordinance No. 101 – 2023.

ORDINANCE NO. 101 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1216 Federal Law Enforcement Fund, for the purpose of the Massillon Police Department, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is the appropriation to purchase the drone that was presented to us about a month ago from the Police Dept. 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. 101 – 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. 101 – 2023 has passed. Ord. No. 102 – 2023.

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with Innovative Software Services, Inc. for the Income Tax software program, “CityTax”.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is just upgrading our software program that used. We had a presentation last week. Are there any questions or discussion? Seeing none, I make a motion we suspend the rules requiring three readings, bringing Ord. No. 102 – 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. 102 – 2023 has passed.

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

BLAINE REISER – Good evening. I live in Massillon. As representative of the people, I’m going to share with you some recent encounters I have had with City Code Enforcement. The first one has to do with Ord. No. 505.17, “Cats Running at Large”. Now, I contacted Code Enforcement about the neighbor’s cats and I was told that the female cats have to be inside but the male cats are allowed to run free. This ordinance reads “No person shall permit it, a cat, to run at large upon any public place or upon the premises of another”. Now, I want you to think of something, you all know what a cat’s litterbox is used for. Take you bare hands and stick in that litterbox and run it around as often as you want and that’s what I’m required to do every time I worked in my flower beds because cats are roaming and using my flower beds as litterboxes. Now I know a person who recently ended up with losing an eye because cat feces got into his eye and infected it. It is an extreme health issue. But I was told that the male cats are allowed to run free. That’s not the way the ordinance reads. Now in front of you, you have some pictures, this is pertaining to the other issue and this Ord. No. 557. 08 “Cutting and Destroying Weeds Required “. Now as a citizen I’m required to keep my grass and weeds 8” or below. Now those pictures are of City property on the intersection of State Ave. N.E. and Reservoir Dr. N.E. Here again, I brought the attention of Code Enforcement of the vines on the fence and I was told that those vines are not covered under the ordinance. Now in the ordinance it talks about “undesirable vegetation”. The picture where you have the picnic table seat, those vines on that fence, that’s poison ivy. Isn’t that “undesirable vegetation”? But I was told that that’s not covered under the ordinance. Also, along Reservoir Dr. as you walk, there’s trash. There’s a TV set thrown there on the street. Glass is broken. Weeds are well over 4’ high and there’s a bicycle thrown into the weeds. Why isn’t Code Enforcement taking care of this? The other picture there shows weeds, there again, on the same property well

over 4' high. I'm required to keep it at 8" or less. Why doesn't the City follow their own ordinances? Code Enforcement Dept. is applying the laws the way they want to, not the way they're written. Mayor, at the debate you said that "the buck stops with you ". On the other hand, the responsibility also starts with you. In conclusion, Code Enforcement in this City is a joke and that's only the tip of the iceberg. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Reiser.

COUNCILWOMAN HARWIG SMITH – Can I ask a question?

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILWOMAN HARWIG SMITH – Was this on our property?

BLAINE REISER – Yes.

COUNCILWOMAN HARWIG SMITH – Okay.

COUNCIL PRESIDENT ISTNICK – Anyone else?

BLAINE REISER – Now, to be fair, it is partially being taken care of as far as the weeds but the poison ivy is still there.

GEORGE GLIBA – I am a taxpayer here in Massillon. As we went through the paperwork here, I was looking at No. 7, I think. Anyways, No. 6, I think, but I didn't know. I wanted to try to stop you because two weeks ago I asked about where we are with the legislation about fining delinquent building property owners, stuff of that nature. So, I kind of wanted to; nobody answered because I asked two weeks ago about the legislation was for that. Also on Ord. No. 106 – 2023 when Alex was talking last week, the only thing that I didn't hear was what the fines are going to be for people that didn't have their traps up to code. That's kind of where I'm at. Two weeks ago I asked where we are with the legislation on how we're going to get the ball moving. Get people attention about the empty buildings and the buildings that need repaired. I remember in the Spring or the beginning of Summer there was a criteria that this body had to look at and it needed tweaked because it wasn't working. So, I missed like three weeks last month. I don't know if I missed anything during that time, but if I did, I apologize. But that was a real important question that I asked two weeks ago about where we are with legislation about getting things done. I'm seeing gridlock. The citizens of Massillon are frustrated with this body about getting stuff done. A lot of time I come here it's like, "Let's push it back, put it on the table and let's push it on the table". You some stuff done, but this is major stuff. Downtown is downtown and it's representing our City to the other cities in the area and how we run our city. At this point, I'm hoping to get an answer because two weeks ago, I asked about where the legislation is.

COUNCIL PRESIDENT ISTNICK – I apologize for that.

GEORGE GLIBA – I know. You weren't here two weeks ago. But, there's other people here that heard me speak.

COUNCIL PRESIDENT ISTNICK – We'll get with you, George.

GEORGE GLIBA – Well, not just for me; for everybody in the City. They want to know what’s going on. I mean, to be honest with you, you probably might want to know what’s going on, too. Because nobody’s really said anything about how things are. Are they in the Law Director’s hands getting tweaked about the fines and people having to pay to get things done? But, it’s kind of why come up here.

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

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer

COUNCILWOMAN CREAMER – I make a motion to adjourn.

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

9 yes to adjourn

COUNCIL PRESIDENT ISTNICK – Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT