

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, NOVEMBER 6, 2023**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, November 6, 2023. We have in attendance the following City officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Chief Deputy Auditor, Stefanie Myers, Asst. Law Director, Edmond Mack, Economic Development Director, Dave Maley, 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, and Aaron Violand.

Roll call of 8 present

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we excuse Mr. Snee.

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

8 yes to excuse Councilman Snee

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Councilman Snee has been excused. Councilman Gregg.

2. INVOCATION

COUNCILMAN MICHAEL GREGG

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN GREGG

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Gregg. While you are speaking, you might as well just keep going.

COUNCILMAN GREGG – Thank you, Madam President. Just wanted to give another shout out to the Massillon Tiger football team for another large victory over Westerville South this past weekend. Coming up, we’ve got the Blue Streaks from Lake at a neutral site this time. I just want to support the boys that are doing a great job representing themselves and the City of Massillon. So, go Tigers.

COUNCIL PRESIDENT ISTNICK – Go Tigers.

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 – Yes they are.

COUNCIL PRESIDENT ISTNICK – Are there any corrections or additions 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 – Answers to questions at our October 16, 2023 meeting. Is Blaine Reiser here? Okay. We can still give the answer; he had a code enforcement question. Councilman Slutz.

COUNCILMAN SLUTZ – He had some problems with the building over on Reservoir Dr. with the weeds growing up and that problem was taken care of.

COUNCIL PRESIDENT ISTNICK – Thank you. George isn't here; he had a question on delinquent buildings legislation and fines. Councilman Herncane.

COUNCILMAN HERNCAINE – Thank you, Madam President. I'll answer that one; Mr. Gliba is questioning regarding the legislation from a couple of months ago. The Mayor presented the Health, Welfare and Building Regs. Committee did not pass to put on the agenda because we felt that there was nothing more than a money grab with increase fines that were basically increasing the price of things that are already on the books. I would encourage everyone to go to the City's website and look at Chapter 1307, the Building Maintenance Code. In that code it states the laws that are on the books that are designed to keep buildings from falling down and if effectively enforced, I think you will see a safer downtown. But, no, we did not put that legislation on because increase in fines does not solve the problem. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you.

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

COUNCIL PRESIDENT ISTNICK – Ord. No. 110 – 2023.

ORDINANCE NO. 110 – 2023

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE authorizing the Mayor and/or the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with Kettle Creek Capital I, LLC for a traffic signal improvement at Lincoln Way E. between 24th St. N.E. and 25th St. N.E., Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Violand.

COUNCILMAN VIOLAND – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 110 – 2023 has received first reading. Ord. No. 111 – 2023.

ORDINANCE NO. 111 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 3104 Vacant Foreclosure Fund, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is just an appropriation of \$3,000.00, as discussed. 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. 111 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 111 – 2023 has passed. Ord. No. 112 – 2023.

ORDINANCE NO. 112 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2202 Insurance Fund, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This appropriation is \$8,910.00. I believe; is this the COBRA?

STEFANIE MYERS – Yes.

COUNCILMAN LEWIS – Yes, this is to cover the cost of COBRA for one of our retired employees who has used that as their option moving forward. Are there any questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 112 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 112 – 2023 has passed. Ord. No. 113 – 2023.

ORDINANCE NO. 113 - 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1419 Marketplace Infrastructure (TIF) Fund, for the year ending December 31, 2023.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 113 - 2023 has received first reading. Ord. No. 114 – 2023.

ORDINANCE NO. 114 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2023 appropriations from within the 1100 General Fund, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is a \$370.00 transfer. It's for benefits in one line, two benefits in another line. Just a correction that needs to be made. 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. 114 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 114 – 2023 has passed. Ord. No. 115 – 2023.

ORDINANCE NO. 115 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the purpose of the Parks and Recreation Department of the City of Massillon, Ohio, for the year ending December 31, 2023.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. I'll discuss Ord. No. 115 and Ord. No. 116 together. Essentially, it's \$75,000.00 that we're taking out of our carryover and placing it into Parks and Rec. The first step, which is the one we're doing on No. 115 is the transfer out or advance out and then No. 116 finalizes the movement of the money over. What this money is intended for is to be used for the distinct purpose of maintenance or repair of the splash pad over at Wampler Park. Are there any questions or discussion this evening? I make motion that we suspend the rules requiring three readings, bringing Ord. No. 115 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 115 – 2023 has passed. Ord. No. 116 – 2023.

ORDINANCE NO. 116 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2023 appropriations from within the 1100 General Fund, for the purpose of the Parks and Recreation Department of the City of Massillon, Ohio, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. Can I call forward a representative from the Law Dept., please?

COUNCIL PRESIDENT ISTNICK – Mr. Mack, if you could come forward, thank you.

COUNCILMAN LEWIS – Yes, Mr. Mack. I just want; a technicality here.

EDMOND MACK – Sure.

COUNCILMAN LEWIS - These funds that we are transferring over into the Parks and Rec. are for the distinct purpose of maintenance and repair regarding the Wampler Park splash pad. However, this legislation in nowhere dictates that use.

EDMOND MACK – Okay.

COUNCILMAN LEWIS – It is just transferring the money in. My thought process would be to propose an amendment right now where we'd essentially amend Ord. No. 116 – 2023 by adding a new Section 2 that would say that these funds are for the distinct purpose of the maintenance and repair of this Wampler splash pad and are not to be used for any other purpose outside of that and then Section 2 becomes Section 3 and Section 3 becomes Section 4.

EDMOND MACK – I think that be perfectly fine.

COUNCILMAN LEWIS – Alright. Did you get all of that, Diane?

COUNCIL CLERK ROLLAND – Yes sir.

COUNCILMAN LEWIS – I would like that...

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – I just have a question; so, the \$75,000.00 is for maintenance and repairs, but isn't it only if the amount that the Parks and Rec. Board is doing each year isn't enough to cover?

COUNCILMAN LEWIS – Yes. They agreed for \$35,000.00 a year that they would budget for maintenance and then we are putting \$75,000.00 in to cover anything that would exceed that.

COUNCILMAN GREGG – If it exceeds that, right?

COUNCILMAN LEWIS – Right.

COUNCILMAN GREGG – So, do we not need language to that effect in the legislation as well, in the amendment as well to state that money from that money from that fund is only being used if the expenses for that year run over the \$35,000.00 limit?

COUNCILMAN LEWIS – I don't know if, one, we would have the authority to put together an ordinance that would require that. I would think that would fall more into our budget authority where we're the ones that approve their budget. So, if they don't budget \$35,000.00 for that specific line item and then we pass it, then that's us overlooking. But, I can add it; I can put that in my language if that's what would make us happy. Okay. Well, then with that said, I would like to make a motion that we amend Ord. No. 116 – 2023 where Section 2 will now read that "said funds that are being transferred into 1234.505.4.1860 shall be used for the expressed purpose of maintenance and repair of the Wampler Park Splash Pad for any year in which the maintenance and repair exceeds \$35,000.00". Then the existing Section 2 will become Section 3 and the existing Section 3 will become Section 4 and I will need a second.

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

8 yes to amend Ord. No. 116 – 2023 per said recommendation by Councilman Lewis

COUNCIL PRESIDENT ISTNICK – Ord. No. 116 – 2023 has been amended. Councilman Lewis.

COUNCILMAN LEWIS – I'd like to make a motion that we suspend the rules requiring three readings, bringing Ord. No. 116 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 116 – 2023 has passed. Ord. No. 117 – 2023.

ORDINANCE NO. 117 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE reducing the appropriations in the 1409 Municipal Road Fund, the 1340 Tax Increment Fund, the 3110 Massillon Museum Fund and the 3109 TIF Service Payment Fund, for the year ending December 31, 2023, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is a standard practice for the end of the year where we are zeroing out accounts for accounting purposes. Are there any questions or discussion this evening? Seeing none, I make a motion we suspend the rules requiring three readings, bringing Ord. No. 117 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 117 – 2023 has passed. Ord. No. 118 – 2023.

ORDINANCE NO. 118 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE amending Section 2 of Ordinance No. 148 – 2017 and any other ordinances inconsistent with this ordinance, and authorizing and directing the Auditor of the City of Massillon, Ohio, as of January 1, 2024, to deposit funds received from golfing fees at The Legends of Massillon Golf Course into the 1234 The Legends Operating Fund, the 1306 Bond Retirement Fund and the 1433 Parks and Recreation Capital Improvement Fund.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 118 – 2023 has received first reading. Ord. No. 119 – 2023.

ORDINANCE NO. 119 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE to adopt appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year 2024, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 119 – 2023 has received first reading. Ord. No. 120 – 2023.

ORDINANCE NO. 120 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE amending the salary and wage schedules for SUPERVISORY (CLASSIFIED OR UNCLASSIFIED) EMPLOYEES, CLASSIFIED EMPLOYEES, and UNCLASSIFIED EMPLOYEES in the City of Massillon, Ohio, also amending the MISCELLANEOUS SCHEDULE for part-time employees in the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 120 – 2023 has received first reading. Ord. No. 121 – 2023.

ORDINANCE NO. 121 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement for a one (1) year renewal with Medical Mutual of Ohio for health insurance coverage for City employees, effective January 1, 2024 through December 31, 2024, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is our healthcare benefits package that we have within the City. We are looking to try to move quickly on this so that we can have open enrollment for our employees. So, if there's no discussion, I'll move forward. Are there any questions or discussion this evening? Seeing none, I make a motion we suspend the rules requiring three readings, bringing Ord. No. 121 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 121 – 2023 has passed. Ord. No. 122 – 2023.

ORDINANCE NO. 122 - -2023

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Participation Agreement with Ohio AFSCME Care Plan for dental and vision insurance coverage for City employees for the 2024, 2025 and 2026 calendar years, and declaring an emergency.

COUNCIL PRESIDENT ISNTICK – Councilman Lewis.

COUNCILMAN LEWIS – Similar to what we just did, this is now dental and vision. 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. 122 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 122 – 2023 has passed. Res. No. 8 – 2023.

RESOLUTION NO. 8 – 2023

BY: FINANCE COMMITTEE

A RESOLUTION accepting the amounts and rates as determined by the Budget Commission authorizing the necessary tax levies and certifying them to the County Auditor as listed on the attached Exhibit “A”, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This just brings us into alignment with what the Budget Commission has already reviewed. Does anyone have any questions or discussion this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Res. No. 8 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Res. No. 8 – 2023 has passed. Res. No. 9 – 2023.

RESOLUTION NO. 9 – 2023

BY: FINANCE COMMITTEE

A RESOLUTION requesting the Stark County Auditor and Stark County Treasurer to make an advance payment to the City of Massillon, Ohio, of real estate taxes collected by Stark County on behalf of the City during the 2024 fiscal year, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. The short of it is that this resolution is asking that we get paid the taxes that the County collects on our behalf up front instead of having to wait the entire year. Are there any questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Res. No. 9 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Res. No. 9 – 2023 has passed. Res. No. 10 – 2023.

RESOLUTION NO. 10 – 2023

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

A RESOLUTION supporting the State legislation in the naming of a portion of Lincoln Way West as “Sgt. Cory M. Endlich Corridor” 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 Violand.

COUNCILMAN VIOLAND – Thank you. This is just a resolution in support of the State legislation that the representative of the State spoke to us about at our last Work Session. I don’t believe that there were any questions at that time. Are there any questions at this time? Seeing none, I make a motion to suspend the rules requiring three readings and bring Res. No. 10 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Res. No. 10 – 2023 has passed.

8. UNFINISHED BUSINESS

COUNCIL PRESIDENT ISTNICK – The upgrade to the P.A. system; we had Mr. DeWalt come in and talk to us last week and he answered any questions that you had. So, the project, once it is approved in the bills, he will start. Any questions on that?

9. PETITIONS AND GENERAL COMMUNICATIONS

10. BILLS, ACCOUNTS AND CLAIMS

Gattuso's Music & More	-	\$ 7,780.87	Upgrade to P.A. System
Gannet Ohio LocaliQ	-	<u>1,067.36</u>	Publication of July & Aug. Ord. & Public Hrgs.
Total	-	\$ 8,848.23	Total

COUNCIL PRESIDENT ISTNICK – Councilman Lewis. I'm sorry, Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, President Istnick. I just want to make sure that we've taken all of the steps that we need here towards the Gattuso's purchase. Have we appropriated this money?

COUNCIL PRESIDENT ISTNICK – Diane.

COUNCIL CLERK ROLLAND – It was appropriated last year in our Capital Improvement Fund for this year's budget. We set aside \$7,500.00 in account of 1401.105.5.2530.

COUNCIL PRESIDENT ISTNICK – Believe it or not, this did start a year ago.

COUNCILMAN LOMBARDI – Well, yeah, I know that. I just wanted to make sure that the correct appropriations have been made before we approve a bill to be paid when there was no money appropriated and that's what I don't remember doing that. And I do believe we have to appropriate the additional \$200 and something also, don't we? From the one line to the other we haven't done that yet.

COUNCILMAN LEWIS – We have \$7,500.00 in our budget and then the \$280.87 is part of the Services/Contracts, I would assume that this would fall under Services/Contracts. So, the money is there. All we're doing is agreeing to pay the bill.

COUNCILMAN LOMBARDI – Okay. I just wanted to make sure that we had all our ducks in a row.

COUNCIL PRESIDENT ISTNICK – I appreciate that.

COUNCIL CLERK ROLLAND – Stefanie helped me prepare this, so she knows the money is there.

COUNCILMAN LOMBARDI – Okay. Alright.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

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

8 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 - September 2023
Auditor's Report - October 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. Roll call.

8 yes to accept the Auditor's Report

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. The Auditor's Report has been accepted.

COUNCIL PRESIDENT ISTNICK – Mayor.

MAYOR CATAZARO-PERRY – Good evening Madam President, Members of Council. I have a few items to report tonight. The first is really good news. Moody's, we had a call with Moody's on Friday and then again today and they have increased our bond rating from an A-3 to an A-2. So that's outstanding news and they posted it on their website today which is now posted on the City's website. If you look at your income tax report for October 2023, the total income tax receipts posted for October 2023 was \$2,169,000.00. The amount is an increase from September 2022 of \$122,109.00 which is a +6%. Our new housing starts, new single family dwellings, we have 53. New condominiums, we have 12 and Walnut Woods single family units, 54 for a total of 119. There will be a new Dairy Queen built on Erie. St. S. and that was a \$1.6 million-dollar investment. The First North Building is complete. They invested money for the inside build-out. It's going to be having a small showing this week for \$150,000.00. Frito-Lay is investing in new buildings, \$3.3 million. The Hampton Inn is doing a façade renovation with a new sign of \$100,000.00. FreshMark is adding a smoke and pump house addition for \$3 million. Panda Express will be beginning to build soon and their project is \$1.1 million. Our two land holdings up on Millennium, they're doing another new building for \$4 million-dollars. Of course, you've all seen SARTA. It's really coming into a beautiful building at \$5.2 million and Starbucks, it's one of the legislations that you need to appropriated those dollars for our new store is \$2 million-dollars. And then of course, Walnut Woods Apts., \$6.5 million dollars. A couple of things; in our Engineering Dept. still on Erie St. S. and also on

Charles Ave., we're still waiting for lights. So, we were hoping they would be here by about mid-October. There's a huge process. It has to here and here and here and finally to Massillon. It's a process that we have to follow. So, we're still waiting on those lights. So, I just wanted to give you an update on that. Duncan Ave., and curb and walk-along Duncan S.W. So, that's in process and then the 8th St. S.W. sanitary sewer improvement project, we're awarding that contract soon. If you look at your cash position, our ending balance is \$3,600,000.00 and I think that's all I have for you this evening.

COUNCIL PRESIDENT ISTNICK – Thank you.

MAYOR CATAZARO-PERRY – Thank you.

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be Monday, November 13, 2023, at 6:30 p.m.

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

14. CALL OF THE CALENDAR

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

ORDINANCE NO. 82 – 2023 **BY: COMMUNITY DEVELOPMENT COMMITTEE**
Tabled October 2, 2023 until November 6, 2023

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 had multiple discussions regarding the Designated Outdoor Refreshment Area. We also had a public hearing. Last week, I believe Thursday, Diane sent out an amended Exhibit "A" document, but we should have also received a second amended Exhibit "A" today. With this updated amended document, Exhibit "A" addresses our safety staff numbers. You will find that under Section V, Safety Plan. It addresses our sanitation plan including a sanitation staff under Section VI, Sanitation Plan. And then also, under Section IX, Additional Rules and Requirements, it addresses prohibiting entering Veterans Plaza with an open container. So, I think those were the three items we discussed last week that Exhibit "A" was missing, so they are now included. So, I would first like to make a motion to amend Exhibit "A" for Ord. No. 82 – 2023.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lewis. Roll call to amend Exhibit "A" attached to Ord. No. 82 - 2023.

8 yes to amend Exhibit "A"

COUNCIL PRESIDENT ISTNICK – Ord. No. 82 – 2023 has been amended. Councilwoman Creamer.

COUNCILWOMAN CREAMER – Yes. Are there any questions from Council members regarding the DORA or the Exhibit “A” at this time? I think we’ve answered all of those questions. So, seeing none, I would like to make a motion to waive the rules requiring three readings and bring Ord. No. 82 – 2023 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 82 – 2023 has passed. Ord. No. 87 – 2023.

ORDINANCE NO. 87 – 2023 **BY: COMMUNITY DEVELOPMENT COMMITTEE**
Tabled October 2, 2023 until November 6, 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.

COUNCILWOMAN CREAMER – Thank you, Madam President. Are there any additional questions or concerns regarding this ordinance, moving forward? I think we’ve had multiple discussions regarding this splash pad; multiple questions that I think we’ve gotten answered. At this time, any additional questions from anyone? Okay. Seeing none, I make a motion to bring forward Ord. No. 87 – 2023 for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lewis. Roll call for passage.
8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 87 – 2023 has passed. Ord. No. 92 – 2023.

ORDINANCE NO. 92 – 2023 **BY: FINANCE COMMITTEE**
Tabled October 2, 2023 until November 6, 2023

AN ORDINANCE making certain appropriations from 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 – Yes. This is the funding for the splash pad, for the actual project itself. Are there any questions or discussion this evening? Seeing none, I make a motion that we bring Ord. No. 92 – 2023 forward for a vote.

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

8 yes for passage

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

15. **THIRD READING ORDINANCE AND RESOLUTIONS**

COUNCILMAN LEWIS – Madam President.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I just wanted to take a moment, if that’s okay. For clarification, if anyone is wondering about Res. No. 7, we were notified just prior to this meeting that there was an error when published in the newspaper that the public hearing was publicized as being November 20th. So, that is why there is no action being taken this evening. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you.

16. **SECOND READING ORDINANCES AND RESOLUTIONS**

COUNCIL PRESIDENT ISTNICK – Ordinance No. 106 – 2023.

ORDINANCE NO. 106 – 2023

BY: PUBLIC UTILITIES & 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” and enacting a new Section 925.27 “GREASE, OIL AND SAND INTERCEPTORS” of TITLE THREE – UTILITIES, PART NINE – STREETS, UTILITIES AND PUBLIC SERVICE CODE of the Codified Ordinances of the City of Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Violand.

COUNCILMAN VIOLAND – Second reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 106 – 2023 has received second reading.

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

BROOKE LONGHEIR – Lincoln Way. E., Massillon, Ohio. I know you guys love seeing me here, but I’m here for something new. First, just real quick; this speed limit issue, nice try with the new “Target Enforcement Area” signs on Amherst and Lake. Never seen a cop there. I remember though growing up that I would never see on Hills and Dales nor Willow on First St. because there was always cops there. So maybe if we’re going to make it a “Target Enforcement Area”, out cops should sit there and besides that, it’s 35 once you pass Lake. So

maybe we should look at if it should be 35 there. Alright. But my real issue, we all know that I'm closing my business so I just want to share some thought on one of the things that customers are constantly telling me. That is about parking. Parking, parking, parking, parking. I get so tired of hearing about it because we all know; people park anywhere to come down there for after a football game. So, when it seems to come to a business, they don't like to park unless they park out front. So, I just did a little bit of counting today and I know you guys are supposed to answer questions; so, I have a question. Where is Shearer's contract for the parking spots and Mancan's contract for the parking spots? When does it expire and when can our businesses get our customer parking back? So, there are sixty-nine total spots in the lot. Shearer's has fourteen or sixteen; I might have counted wrong, I'm not sure, for the employees and eleven for visitors. So if we just take the fourteen, that's twenty-five total spots or thirty-six percent of that total lot is going to Shearer's employees. Mancan has seven spots in the lot or ten percent of the lot and four spots on First St. that has signs for Mancan only parking. There's two-hour parking on Lincoln Way from First St. towards Second St. There's two-hour parking down towards Erie. No two-hour parking went back on our street after the redid the street. I have issues with other business owners parking there, employees parking there, people parking there from the time I enter my store, they're still there when we leave. I don't know why other business owners would do that, but, it happens. There's three handicap spots. There's two spots that have just been blocked off. I don't know if the City approved that or if the business owners just don't like us parking where that barber is, so they are now gone. Bender's has a spot for their pickup. There's spots taken up by dumpsters. So, it leaves thirty-four spots for actual employees of the buildings and businesses, the small businesses and our customers. So, I just think if you are trying to build business downtown, one step that could be looked into is why is Shearer's taking up all of our customers parking? I hear a lot from people; "Well, there's the municipal lot and there's the parking garage. That's true. That's great. Maybe Shearer's employees and Mancan's people can park there. Thank you.

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

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – I make a motion that we adjourn.

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

8 yes to adjourn

COUNCIL PRESIDENT ISTNICK – Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT