

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD MONDAY, NOVEMBER 18, 2024**

**COUNCIL PRESIDENT SLATER** – Good evening. Welcome to the Massillon City Council meeting for Monday, November 18, 2024. We have in attendance the following City officials: Mayor, Jamie Slutz, Safety Service Director, Renee Baker, Chief Counsel, Earle Wise Jr., City Engineer, Alex Pitts, Director of Development, Ted Herncane, Parks and Recreation Director, Steve Pedro, 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 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, Mike Gregg, Julie Harwig Smith, Ed Lewis, Mark Lombardi, John Paquelet and Eric Ray

Roll call of 9 present

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Councilwoman Creamer.

**2. INVOCATION**

**COUNCILWOMAN JILL CREAMER**

**3. PLEDGE OF ALLEGIANCE**

**LED BY COUNCILWOMAN CREAMER**

**COUNCIL PRESIDENT SLATER** – Thank you, Councilwoman Creamer.

**4. READING OF THE JOURNAL**

**COUNCIL PRESIDENT SLATER** – 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** – If not, then the minutes stand approved as written. Thank you, Madam Clerk.

**COUNCIL CLERK ROLLAND** – You are welcome.

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

6. **NEW AND MISCELLANEOUS BUSINESS**

**COUNCIL PRESIDENT SLATER** – If anyone at this time is planning on being in the parade this Saturday, the Council Clerk has maps available for you to pick up. If you have plans of attending.

7. **INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

**COUNCIL PRESIDENT SLATER** – Ord. No. 112 – 2024.

**ORDINANCE NO. 112 – 2024**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Stark County Regional Planning Commission (SCRPC) for the Massillon Housing Department ending December 31, 2025, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilwoman Creamer.

**COUNCILWOMAN CREAMER** – Thank you, President Slater. As stated, this ordinance is authorizing the Mayor to enter into this annual agreement which is adopted by the City of Massillon for professional services provided by Stark County Regional Planning Commission for the City's CDBG and HOME funded Homeowner Occupied Housing Rehabilitation Program. This agreement goes into effect, if approved, January 1, 2025 to December 31, 2025. The contract amount is \$15,000.00. We have executed this agreement previous years. The dollar amount remains the same for this program. Does anyone have any questions regarding this? It does have emergency language. Seeing none, I'd like to make a motion to waive the rules requiring three readings and bring Ord. No. 112 – 2024 forward for a vote.

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

9 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

9 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 112 – 2024 has passed. Ord. No. 113 – 2024.

**ORDINANCE NO. 113 – 2024**

**BY: PARKS AND RECREATION COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed Request for Proposals (RFP) for the design of the Reservoir Park Improvement Project through the Qualification Based Selection (QBS) process to negotiate and to enter into a contract with the most qualified selected firms, all in

accordance with Sections 153.65 to 153.73 of the Ohio Revised Code, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilwoman Harwig Smith.

**COUNCILWOMAN HARWIG SMITH** – Thank you, Mr. President. This is just what she said. It's to get sealed proposals for the design of the Reservoir Park Improvement Project. We have some nice pictures. I don't know if anybody wanted to say anything. Mayor Slutz, thank you.

**MAYOR SLUTZ** – Good evening, Council, good evening, Council President. Those pictures I handed out before the meeting; those are just artist renderings of what it could possibly look like. That's not etched in stone of how it's going to look. What we're proposing here to put out is to propose actual drawings and plans of what the reservoir is going to look like. So that what's in front of you is just an artist rendering of what it could look like.

**COUNCILWOMAN HARWIG SMITH** – But this is an aerial drawing; an aerial photo?

**MAYOR SLUTZ** – Underneath, page two. The aerial drawing is just what the company we had do the artwork provided us, so.

**COUNCIL PRESIDENT SLATER** – Councilwoman Cunningham.

**COUNCILWOMAN CUNNINGHAM** – Thank you, President Slater. Mayor, are we still possibly considering the house, the pump house? Do we still consider renovating that as well with this?

**MAYOR SLUTZ** – So the pump house would be Phase III of the project. Like I said last week, we're looking at the Reservoir Park in three phases. The first phase is a streambank restoration which we have the grant from last year of \$300,000.00 to do that. We're comfortable with that. The phase two would be the body of water kind of what the old reservoir looked like. Now obviously, it will not look like that. The body of water will be much smaller and we have to abide by what ODNR, the guidelines they gave us to stay away from the water falls. So, but Phase II would be the body of water then Phase III would be the pump house renovations.

**COUNCILWOMAN CUNNINGHAM** – Thank you.

**COUNCIL PRESIDENT SLATER** – Councilwoman Creamer.

**COUNCILWOMAN CREAMER** – Just viewing this quickly, it says community center. Is that something in addition or is that terminology not accurate?

**MAYOR SLUTZ** – There are some things on that artwork that, obviously, we're not going to do. I talked to Mr. Pedro; there's a pavilion on the north end that we not have. There's some other things on there that probably will not come to fruition, but it's just something that they provided us to make it look good or what it could look like.

**COUNCILWOMAN CREAMER** – Okay. Thank you.

**COUNCIL PRESIDENT SLATER** – Councilman Lombardi.

**COUNCILMAN LOMBARDI** – Thank you, President Slater. Mayor Slutz, the reinforcing of the stream edge, that's what's currently falling apart, right? Those are where the big sand blocks are falling apart?

**MAYOR SLUTZ** – Yes. That's what laying in the creek.

**COUNCILMAN LOMBARDI** – All the way around to the edge of the park?

**MAYOR SLUTZ** – That's what's laying in the creek now. We did some studying. The engineers went up there; they need to restructure that wall to prevent any kind of erosion. Right now it looks like there's some erosion going on that may affect the walking path right there. So, the walking path in that small area may need to be redirected a little bit so it's not going to be affected by any more erosion.

**COUNCILMAN LOMBARDI** – Thank you.

**COUNCILWOMAN HARWIG SMITH** – Thank you, Mayor Slutz.

**MAYOR SLUTZ** – Thank you.

**COUNCILWOMAN HARWIG SMITH** – This does have emergency language. With that being said, I'd like to waive the rules requiring three readings and bring Ord. No. 113 – 2024 up for a vote.

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

9 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

9 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 113 – 2024 has passed. Ord. No. 114 – 2024.

**ORDINANCE NO. 114 – 2024**

**BY: POLICE AND FIRE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into contract for the purchase of a custom Aerial Platform/Tower Ladder Truck using Ohio State Term Purchasing or Sourcewell, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilman Lombardi.

**COUNCILMAN LOMBARDI** – Thank you, President Slater. This is for the replacement of the ladder truck that we currently have that's a 1991 model that is probably more of a danger than it is anything to be using at this point. Does anybody have any questions? I do plan on

bringing this forward for a vote tonight. Seeing none, I make a motion that we suspend the rules requiring three readings and bring Ord. No. 114 – 2024 forward for a vote.

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

9 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

9 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 114 – 2024 has passed. Ord. No. 115 – 2024.

**ORDINANCE NO 115 – 2024**

**BY: FINANCE COMMITTEE**

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, 2024, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This is an appropriation to cover comp. and overtime at the Fire 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. 115 – 2024 forward for a vote.

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

9 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

9 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 115 - 2024 has passed. Ord. No. 116 – 2024.

**ORDINANCE NO. 116 – 2024**

**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 SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This is the wage increase for the employees represented in 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. 116 – 2024 forward for a vote.

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

9 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

9 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 116 – 2024 has passed. Ord. No. 117 – 2024.

**ORDINANCE NO. 108 – 2024**

**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, 2025 through December 31, 2025, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – First reading.

**COUNCIL PRESIDENT SLATER** – Ord. No. 117 – 2024 has received first reading. Ord. No. 118 – 2024.

**ORDINANCE NO. 118 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract for the emergency demolition of the vacant buildings at 10 Lincoln Way E. and 28 Erie St. N., Massillon, Ohio, without the formal bidding and advertising pursuant to Ohio Revised Code 735.051, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. These buildings were recently acquired by the City of Massillon as part of litigation or agreements, I should say that were reached. I believe we all are familiar with which buildings these are on the corner. We do currently have demolition orders on them. They do need to come down. Their structural integrity is in question. Due to the emergent situation of these properties, we are permitted by law to go ahead and contract for the demolition without going through the whole bid process. From what I have heard, I believe the idea would be to try to get this work started this week and really the idea is that we can't have buildings that could potentially fail at any point being on a main street in the City. So this would allow for that project to be started and have a cap on how much can be spent on that. Are there any questions or discussion this evening?

**COUNCIL PRESIDENT SLATER** – Councilwoman Creamer.

**COUNCILWOMAN CREAMER** – So what if the expense exceeds \$475,000.00 that is coming from ARPA? Where are we going to get the additional funds to cover the cost?

**COUNCILMAN LEWIS** – I would ask for a member of the Administration, whoever is most appropriate to come forward, Mr. President.

**COUNCIL PRESIDENT SLATER** – Mr. Herncane.

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

**COUNCILMAN LEWIS** – The question was asked by Councilwoman Creamer.

**TED HERNCANE** – Councilwoman Creamer, we got an estimate from Eschlich Wrecking that come is at that amount. So, that's why we did it for that amount.

**COUNCILWOMAN CREAMER** – Well, that makes sense. Thank you. I wanted to be sure since we don't have any figures in front us. We have not been told how much it is. It's just saying not to exceed this dollar amount. So, okay. On the dot; like \$475,000.00 out the door?

**TED HERNCANE** – No. It's a little shy. I want to say it's \$458,000.00 to \$460,000.00.

**COUNCILWOMAN CREAMER** – For both buildings?

**TED HERNCANE** – Yes. So we rounded it up just a little bit just in case there's an issue.

**COUNCILWOMAN CREAMER** – Okay. Thank you.

**TED HERNCANE** – Thanks.

**COUNCIL PRESIDENT SLATER** – Councilman Ray.

**COUNCILMAN RAY** – Thank you, President Slater. I know that we're going down this road to tear down the buildings. I just wanted to know if anyone knew if there was going to be any maybe compensation or something to prevent any of the downtown businesses for having any issues with their business due to the demolition of the buildings? Who could answer that question?

**TED HERNCANE** – Councilman Ray, if I understand your question correctly; are you asking me if the City is going to provide compensation to downtown businesses in the event there are any business disruptions?

**COUNCILMAN RAY** – Yes. Or somehow of allowing them to still do business normally? The reason why I ask is because I've had some things come up about when the last building came down and businesses that suffered a little bit and they're in my inbox all the time. So, I just wanted to make sure that something would be done or there would be some kind of an announcement.

**TED HERNCANE** – So here's the difference between this and last year. Last year, obviously, to get the equipment, they had to use all of Lincoln Way and that was fully closed for a period of time. With the whole, the two buildings that are now vacant properties that we own that are being torn down, the equipment will be able to go in there, attack the demolition from the side. There's going to be three phases of road closures. The first phase which will begin next week, and as you can see, it's already fenced off. Next week will begin partial lane closures which means the side of Lincoln Way adjacent to the building and the side, the lane on N. Erie adjacent to the building. So there will be traffic being able to go one-lane through those smaller sections next week and maybe into the following week. There will be full closure when they actually do the demolition which is estimated to take two to three days. That will be full closure of the intersection. Partial closure again for maybe a week or so at the end as they get the equipment out. So the amount of time that access will be restricted at that intersection will be relatively short this time; a couple of days and as you can see from where the fence is, those lane closures are going to, hopefully, not affect neighboring businesses too much as you can see where it's blocked off right in front of the parcels in question. So, we're hoping that that is minimal.

**COUNCILMAN RAY** – Okay. Thank you.

**COUNCIL PRESIDENT SLATER** – Councilwoman Creamer.

**COUNCILWOMAN CREAMER** – I've had a few minutes to think about this; so, we've selected the company that's going to take down these buildings and it's going to be roughly \$475,000.00. So, I know due to the nature of the situation, we don't need to go through competitive bidding, but how do we know we got our best price for this job? Do we know if there's some type of market analysis of what a building cost to demolish and we know we're within acceptable dollar amounts? How do we know we're getting the best price for this job?

**TED HERNCANE** – Well, we are using Eschlich Wrecking which is the company that tore down the buildings before and we called them as soon as we got the order from the chief building official knowing that they did the last demos and they know that area and they know the remaining condition of the structures and how to attack that. So, with their experience with that location, specifically, we called them and asked for a quote, met with them, walked through things and no, we did not get any quotes from anyone else, but we do feel very comfortable with this being an emergency situation that they are more than able to do it and that their price is reasonable.

**COUNCILWOMAN CREAMER** – And how does that compare to the previous job?

**TED HERNCANE** – So, the last quote, I think, was a little higher. I think it might have been around \$500,000.00, I'm looking at folks that were here last year and I've got a thumbs up and a maybe. So, I think this quote is better than before. The actual demolition costs are \$262,000.00. There's some environmental cost. There's architecture and engineering. There's about \$100,000.00 in stabilization. They are going to be building a reinforced wall. Once the buildings are down, there's going to be a \$100,000.00 worth of stabilization from the footer up along the side of the tattoo shop. Which would in then, as we've talked about before, would then act to re-enforce as an exterior wall to support those buildings north of Erie. So, the whole thing comes in at \$458,000.00 which is less than before. Because last time was a lot more detailed because they were together. This is going to be far easier. So the cost is a little less.



**COUNCIL PRESIDENT SLATER** – Councilwoman Harwig Smith.

**COUNCILWOMAN HARWIG SMITH** – Thank you, President Slater. As far as some of the historical architecture, are we able to save any of that and either donate to the museum or some of the things we could put somewhere? Like if someone re-built and used some of that ornamental stuff and construction? Just because it's a history to our City.

**TED HERNCANE** – Sure.

**COUNCILWOMAN HARWIG SMITH** – Because I know demolitions, they'll take that. A lot of times they'll take that stuff and try to resell it, but, it would just be neat because it is historic.

**TED HERNCANE** – So, there's two things. One, I've already gotten a call from the Massillon Museum regarding some exterior features of the building. The second is, I am going to punt a little bit to the Law Dept. because now that those technically are City properties, I'm not sure what the way to get those into other people's hands would be legally. But certainly, that is an option.

**COUNCIL PRESIDENT SLATER** – Any more questions?

**TED HERNCANE** – Thank you.

**COUNCIL PRESIDENT SLATER** – Thank you. Councilman Lewis.

**COUNCILMAN LEWIS** – I'd like to make a motion that we suspend the rules requiring three reading, bringing Ord. No. 118 – 2024 forward for a vote.

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

9 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

9 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 118 – 2024 has passed.

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

Auditor's Report - October 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.

9 yes to accept the Auditor’s Report

**COUNCIL PRESIDENT SLATER** – The Auditor’s Report has been accepted.

## 12. **REPORTS OF COMMITTEES**

**COUNCIL PRESIDENT SLATER** – Our next Work Session will be Monday, November 25, 2024, at 6:30 p.m.

**COUNCIL PRESIDENT SLATER** – Councilwoman Cunningham.

**COUNCILWOMAN CUNNINGHAM** – Thank you, President Slater. I wish to bring attention to the code enforcement legislation that we tabled, but I want to bring discussion forward which we can do without untabling it for next Work Session and if you have questions or comments, you can call Mr. Mack or Mr. Hercane on this. Because, again, I want to reiterate on how important this legislation truly is. Thank you. Anybody have any questions now or comments?

**COUNCILWOMAN HARWIG SMITH** – I have a question.

**COUNCIL PRESIDENT SLATER** – Councilwoman Harwig Smith.

**COUNCILWOMAN HARWIG SMITH** – So, this International Property Law; Diane, if you could, I would like a copy of whatever is going forward. When you sent it out to us, you said there was a cost if some people wanted to printed, but we can get it printed for us to look at.

**COUNCIL CLERK ROLLAND** – I’m sorry.

**COUNCILWOMAN HARWIG SMITH** – I’ll ask you after the meeting.

**COUNCIL CLERK ROLLAND** – Okay.

**COUNCILWOMAN HARWIG SMITH** – Anyhow, is Edmond Mack here today?

**COUNCILWOMAN CUNNINGHAM** – No, but Mr. Wise is.

**COUNCILWOMAN HARWIG SMITH** – Mr. Wise, could I ask you a question?

**EARLE WISE** – Sure.

**COUNCILWOMAN HARWIG SMITH** – So, this legislation; it’s for the adoption of Chapter 1306 International Property Maintenance Code and it lists all the codes. So, I ordered one of these books on it. So, we’re passing all the laws put forth by them?

**EARLE WISE** – Yes.

**COUNCILWOMAN HARWIG SMITH** – I don't know if this is complete, but then you got to go and you got to look stuff up, but it's a huge set of laws.

**EARLE WISE** – It's the International Property Code. Many cities have adopted this as the way they enforce their properties.

**COUNCILWOMAN HARWIG SMITH** – Yeah, I seen on in Ohio had it. I had a hard time trying to even look to see what it said, looking at it. So I ended up ordering a book. That's why Diane, I would like a copy of everything we want to pass. I don't care how many pages, print it out so I can go through it.

**COUNCIL CLERK ROLLAND** – The actual ordinance itself?

**COUNCILWOMAN HARWIG SMITH** – The actual International Property Laws that are going to become laws in the City if we pass this, right? Am I correct?

**EARLE WISE** – That's my understanding.

**COUNCILWOMAN HARWIG SMITH** – Okay. Because this is a lot and I don't see how we cannot just pass a huge thing. Like you were worry about the poison ivy, that was just an addendum to one law. So, I think we need to discuss it, but I hope you keep this tabled for a while. Yeah, I'm going to look through this more, but that's what I was worried about.

**EARLE WISE** – I'll clarify that with Atty. Mack. We've work on this. He's been the one that's putting it forward, but I'll confirm that with him.

**COUNCILWOMAN HARWIG SMITH** – Okay. I don't know if this is the correct one because then there's other ones too. So whatever we're looking to pass as a law, I would like a copy of it so I can go through and write and highlight and look at it. Because I just think it's overwhelming to pass some international property law in our City. Still have our existing laws. I would rather look at it, obviously with copyright laws, you can't copy it. But if there's some specific thing they'd like, I'd rather look at that and add it to our existing laws. I'm reading through it. I haven't got through too far, but there's a lot and I hope everybody else starts looking into it too.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – I hear everything that Councilwoman Harwig Smith is saying. I just wanted to also, honestly, I've spoken to Atty. Mack a couple of times. He's a great resource. Reach out to him. He'd be more than happy, I'm sure Director Herncane is probably pretty up to speed too, you can reach out to him. I just think because of the enormity of what you're saying, I just want to encourage Council People to go ahead and get some questions out there so that we make the most efficient use of our time on Monday. That way they come prepared and ready to answer the questions. Because we're still going to need the answers on public record. But that way, they don't show up and don't have an answer and then we got to wait another two weeks to get the answer. Let's give them some questions in advance so that we can get the answers in the meeting. If that makes sense.

**COUNCIL PRESIDENT SLATER** – Councilwoman Bryan-Huth.

**COUNCILWOMAN BRYAN-HUTH** – To my recollection, when they proposed this ordinance they stated that they wanted to adopt the full measure of this code in book force as to not piece-mill things together. To have something that was more comprehensive, that was more useable and they stated that the first time they presented this to us. So, I think that goes back to why we're not doing it piece-by-piece because they decided, in their expertise in the field that they work in, that this was going to work best for us.

**COUNCILWOMAN CUNNINGHAM** – Any other questions?

**COUNCIL PRESIDENT SLATER** – Councilwoman Creamer.

**COUNCILWOMAN CREAMER** – So based on what Ms. Harwig Smith stated, she's unsure she even has the correct document. So, I think if that's the case, if it's that confusing trying to locate something on the internet, we should have something like she stated to be able to view. If it's a link to go and look at the information, that would be much helpful, but that's my concern that she doesn't even have the right document.

**EARLE WISE** – Typically, there is a link and all of these codes and there's a number of them that they're online and you link to various different sections. That's typically how it works; that's my understanding.

**COUNCIL PRESIDENT SLATER** – Anymore questions or comments? Councilman Ray, you have something?

**COUNCILMAN RAY** – Thank you, President Slater. I understand that code books are complicated and they're a derivative of numbers related to words. Even our current code is confusing. But I think that if we give them the ability, code enforcement, the ability to do their job then we won't have many residents or constituents calling us and telling us about things and it'll kind of take the pressure off of code enforcement's back. Because when their hands are tied, then the blame goes to the person who didn't prosecute or give a direction or strict rule. So I do believe that we should look through the code itself. But a lot of that stuff you're not really going to face-value understand, so to speak, until it needs to be enforced. But the common things that are in it, I think gives code enforcement the ability to do what they need to do. So that's just my opinion.

**COUNCIL PRESIDENT SLATER** – Councilman Gregg.

**COUNCILMAN GREGG** – Thank you, President Slater. I'm just a little confused. So attached to the original request for legislation was a copy of Chapter 1306 "International Maintenance Code" under Title One "Building Codes" of Part Thirteen of "Building Codes" of the Codified Ordinances of the City of Massillon. So, what is this that's different than what we're being asked to passed?

**EARLE WISE** – I don't have that in front of me and I don't recall what that was. It's my understanding that's the ordinance to affect the International Property Code, is my understanding.

**COUNCIL CLERK ROLLAND** – That is the ordinance, Mike. Because think that was the week that you were gone.

**COUNCILMAN GREGG** – Alright. So this is not, this is the ordinance, but, if we pass this, we got a lot more to deal with?

**COUNCIL PRESIDENT SLATER** – Mr. Herncane.

**TED HERNCANE** – Thank you, Mr. President. Mr. Gregg, if I'm understanding, what are the other pages attached in the legislation request?

**COUNCILMAN GREGG** – Yes.

**TED HERNCANE** – So, those are amendments that we are adding. Like, penalty phase, the code itself, the book that Councilwoman Harwig Smith has, which you all can find and if you need a link, I can send it to Diane to email out. The International Code Council publishes many sets of codes. They publish a fire code which is adopted by the State of Ohio which our department follows. They adopt a standard building code which the State of Ohio has adopted which we have codified and followed per ordinance. So, it's adopting that code with some, I want to say personalized changes, but City specific changes that we've talked to the Law Dept. about that are specific to us. Like the penalty section and some of the other things that are maybe already in our existing code. So, we would use that as a template with some of those addendums that are a little more specific to what we would want to do.

**COUNCILMAN GREGG** – Okay. Thank you.

**COUNCIL PRESIDENT SLATER** – Thank you.

**COUNCILWOMAN CUNNINGHAM** – Thank you. That is all.

### 13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

**COUNCIL PRESIDENT SLATER** – Councilwoman Cunningham.

**COUNCILWOMAN CUNNINGHAM** – Thank you, Mr. President. I think at this point is a time to give a shout-out to the Tigers and to Mr. Hackenbrach and if anybody is aware or not aware, if you Facebook Massillon Tiger Family Football, Mr. Hackebrach is up for National Player of the Week and you can vote as many times as you want to and right now he's winning. So, if you can go to there and help him out, I think that would be great. Go Tigers. Thank you.

**COUNCIL PRESIDENT SLATER** – You are welcome.

### 14. CALL OF THE CALENDAR

### 15. THIRD READING ORDINANCES AND RESOLUTIONS

### 16. SECOND READING ORDINANCES AND RESOLUTIONS

**COUNCIL PRESIDENT SLATER** – Ord. No. 104 – 2024.

AN ORDINANCE amending sections of PART NINE “STREETS, UTILITIES AND PUBLIC SERVICES CODE” under Chapter 937 “Wastewater Treatment Revenue Fund” of the Codified Ordinances of the City of Massillon, Ohio, pertaining to proposed rate increases, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilwoman Bryan-Huth.

**COUNCILWOMAN BRYAN-HUTH** – Thank you, Mr. President. If City Engineer, Mr. Pitts, is available; I believe we had questions for him the last time. I think he was going to bring some more information forward for us.

**ALEX PITTS** – Good evening, Members of Council. I guess we’ll go ahead and get started. What questions do you have?

**COUNCILWOMAN BRYAN-HUTH** – I think before we were asking about the upgrades and if we knew what those percentages were?

**ALEX PITTS** – Yeah. So last week I may have misspoken as far as how the accounts are utilized in the budget. So the 2101 where the 70% split is coming from going to; that one includes the wastewater treatment plant and the collection system; so the entire system in totality. The other funds the 1414 and 1406 are sort of like capital improvement funds. So for example if you need to purchase like a pump that’s \$90,000.00 at the wastewater treatment plant, you would utilize the 1406 and the same thing goes for the 1414, if you need to purchase like a back truck or something like that or CCTB truck, you would use the 1414. So that’s the only difference. As far as when you utilize funds for the collection side versus at the treatment plant out of the 2101, it’ll be signified by 2101-610 which would be the Wastewater Treatment Plant and then the 2101-615 which would be the collection system side, the sanitary sewer is outside the City, so. Both are utilized in 2101 for operation and maintenance.

**COUNCILWOMAN BRYAN-HUTH** – Thank you. Mrs. Harwig Smith.

**COUNCILWOMAN HARWIG SMITH** – So that was kind of confusing. So, you’re saying that the Wastewater Treatment fund which is going to get 70%, right; that that 610 and 615 includes fixing the pipes and everything on the street, not just fixing things at the Wastewater Treatment Plant?

**ALEX PITTS** – Both, correct.

**COUNCILWOMAN HARWIG SMITH** – It can be used for any of this?

**ALEX PITTS** – Yes. Correct.

**COUNCILWOMAN HARWIG SMITH** – And then the collection system fund is just for...

**ALEX PITTS** – Yes. It’s just for the collection system for capital improvement like purchases and things like that, correct. And then the other one, the 1406 is pretty much the same thing, but for the treatment plant instead.

**COUNCILWOMAN BRYAN-HUTH** – So each section has its own capital improvement fund?

**ALEX PITTS** – Correct. It’s a way of tracking. Essentially, those funds are coming from the 2101 anyway. It’s just a way to track your capital improvements.

**COUNCILWOMAN BRYAN-HUTH** – Okay.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Correct me if I’m wrong, but it sounds like you’re describing the similar relationship we have with our current 1100 general operations budget. We can move money from the General Fund to the Capital Improvements without an issue. The issue becomes if you try to go from Capital Improvement to the General Fund. So, sounds like you’re describing 2101 is kind of like the general fund of the waste management system that we can move into capital improvement freely. We’re just dedicating this percentage guaranteed in capital?

**ALEX PITTS** – That is correct. I confirmed that with our Wastewater Treatment Dept. Manager after our last meeting and yes, it’s exactly how Councilman Lewis has described it.

**COUNCILWOMAN BRYAN-HUTH** – Does anyone else have any questions this evening? Thank you, Mr. Pitts. Second reading.

**COUNCIL PRESIDENT SLATER** – Ord. No. 104 – 2024 has received second reading. Ord. No. 105 – 2024.

**ORDINANCE NO. 105 – 2024**

**BY: PUBLIC UTILITIES & ENVIRONMENTAL COMMITTEE**

AN ORDINANCE amending PART NINE “STREETS, UTILITIES AND PUBLIC SERVICES CODE” under Chapter 943 “Stormwater Utility”, Section 943.04 “Stormwater Fee” of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilwoman Bryan-Huth.

**COUNCILWOMAN BRYAN-HUTH** – Thank you, Mr. President. As the Council Clerk just read off, this is about the Stormwater fees that are set to increase based on the sewer rate study that was done that goes in tandem with the other item we just discussed. We did have a special committee meeting last week to discuss this and then rolled over into our Work Session with more discussion. Does anyone have any questions this evening?

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Councilwoman Bryan-Huth, may I request that we do the same thing next week with a 5:45 p.m.?

**COUNCILWOMAN BRYAN-HUTH** – Sure.

**COUNCILMAN LEWIS** – Just because I think there’s going to be a lot of nice conversation. I just want to make sure we have plenty of time for it, if that’s okay with you?

**COUNCILWOMAN BRYAN-HUTH** – Council Clerk, can we schedule that for 5:45 p.m. next week; Committee Meeting for Public Utilities?

**COUNCIL CLERK ROLLAND** – Yes ma'am. 5:45 p.m. on the 25<sup>th</sup>.

**COUNCILWOMAN BRYAN-HUTH** – Thank you. Any other questions this evening? Second reading for this one, then.

**COUNCIL PRESIDENT SLATER** – Ord. No. 105 – 2024 has received second reading. Ord. No. 111 – 2024.

**ORDINANCE NO. 111 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE to adopt the appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year 2025, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This is the annual budget. Next week we will have the Chief of Fire to give us the highlights of that department; what's going on, plans for next year. Normally I'd also have Engineering or Building and Code Enforcement and all that, have them also speak to us. I did not ask for that this year just because they are all in front of us right now for big pieces of legislation. I feel like we're already getting a good feel for what's going on. So, I just wanted to let you know why I have not requested that they come during the budget session because we're already kind of doing it through other legislation that's in front u. So yes, we have Chief of Fire and I'm going to try to reach out to a couple of other people and see if they'd like to speak to us as well as we go through these budget proceedings. With that said, second reading.

**COUNCIL PRESIDENT SLATER** – Ord. No. 111 – 2024 has received second reading.

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

18. **ADJOURNMENT**

**COUNCIL PRESIDENT SLATER** – Councilwoman Creamer.

**COUNCILWOMAN CREAMER** – Thank you, President Slater. I make a motion to adjourn.

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

9 yes to adjourn

**COUNCIL PRESIDENT SLATER** – Meeting adjourned.

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DIANE ROLLAND, COUNCIL CLERK

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MIKE SLATER, PRESIDENT