

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD MONDAY, FEBRUARY 4, 2019**

**COUNCIL PRESIDENT ISTNICK** – Welcome to the Massillon City Council Meeting for Monday, February 4, 2019. We have in attendance with us the following city officials: Mayor Kathy Catazaro-Perry, Safety Service Director, Joel Smith, Chief Deputy Auditor, Debbie Bonk, Law Director, Andrea Scassa, Community Development Director, Lori Boron, Economic Development Director, David Maley, Police Chief, Keith Moser, Income Tax/Budget Director, Barb Sylvester, Labor Attorney, Leslie Kuntz. On the wall to the left are agendas if you wish to follow the meeting. Also, if you look at the agenda, under item #5 is where the public can speak on any item that appears on tonight's agenda and then under item #17 is where the public can speak on any item that does NOT appear on tonight's agenda. I want remind anyone with cell phones, please turn them down or set them to vibrate.

**COUNCIL PRESIDENT ISTNICK** – Roll call.

**1. ROLL CALL**

Roll call for the evening found the following Council Members present: Milan Chovan. Jill Creamer, Sarita Cunningham, Mike Gregg, Dave Irwin, Ed Lewis, Linda Litman, Paul Manson and Megan Starrett.

Roll call of 9 present

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. All present and accounted for. Councilwoman Litman.

**2. INVOCATION**

**COUNCILWOMAN LITMAN**

**3. PLEDGE OF ALLEGIANCE**

**LED BY COUNCILWOMAN LITMAN**

**COUNCIL PRESIDENT ISTNICK** – Thank you, Councilwoman Litman.

**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 additions or corrections?

**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. INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 12 – 2019**

**BY: ENVIRONMENTAL COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into contract with the lowest and best bidder, upon the approval of the Board of Control, for the disposal and removal of bio solids at the Massillon Wastewater Treatment Plant, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Irwin.

**COUNCILMAN IRWIN** – Thank you, Madam President. Yes, this is for the disposal and removal of bio solids down at the Wastewater Treatment Plant. Are there any questions or discussion? Seeing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 12 – 2019 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. 12 – 2019 has passed. Ord. No. 13 – 2019.

**ORDINANCE NO. 13 – 2019**

**BY: POLICE AND FIRE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Intime Solutions, Inc. on behalf of the Massillon Police Department, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Chovan.

**COUNCILMAN CHOVAN** – Yes. This is to assist with the timekeeping for the Police Dept. Mr. Smith, did you want to speak on this?

**COUNCIL PRESIDENT ISTNICK** – Thank you, Mr. Smith.

**JOEL SMITH** – Yes. This deals with the timekeeping system for the Police Dept. Chief, I don't know, maybe you can explain it a little better.

**COUNCIL PRESIDENT ISTNICK** – Thank you, Chief Moser.

**CHIEF MOSER** – Yes, as Joel said, this will help much better with our timekeeping as Easy Time Solutions is not working out very well. With the shift differentials and what have you, it's just not up to par. So, we searched around and found that this Intime Solutions will work much better for us. We worked with the Auditor's office and they agree that this program will work better for us.

**COUNCILMAN CHOVAN** – Debbie, do you agree with that statement?

**DEBBIE BONK** – Yes, I do agree that this would be a much better system for that department and it can be integrated into our current system. Also, the funds to pay for this will be coming out of the Waste Management Grand Fund as this system will qualify through the Go-Green provisions.

**COUNCILMAN CHOVAN** – Thank you. If there is no further discussion or questions, I would like to bring this forward for a vote. Seeing none, I make a motion that we waive the rule requiring three readings and bring Ord. No. 13 – 2019 forward for a vote.

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

9 yes for suspension

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 13 – 2019 has passed. Ord. No. 14 – 2019.

**ORDINANCE NO. 14 – 2019**

**BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE**

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997, 610 – 615 WASTEWATER TREATMENT DEPARTMENT by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES, 610 – 615 WASTEWATER TREATMENT DEPARTMENT and enacting a new 610 – 615 WASTEWATER TREATMENT

DEPARTMENT to Section 2(D) OCCUPATION LIST OF CLASS TITLES, in the City of Massillon, Ohio.

**COUNCIL PRESIDENT ISTNICK** – Councilman Gregg.

**COUNCILMAN GREGG** – Thank you, Madam President. Yes, this is to create a new position in the Wastewater Treatment Department and adjust the pay scale. However, Tony is not here to explain further, so, I'm just going to give it first reading tonight.

**COUNCIL PRESIDENT ISTNICK** – Okay. Thank you, Councilman Gregg. Ord. No. 14 – 2019 has received first reading. Ord. No. 15 – 2019.

**ORDINANCE NO. 15 – 2019**

**BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE**

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997, 845 COMMUNITY DEVELOPMENT/PLANNING DEPARTMENT repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES, 845 COMMUNITY DEVELOPMENT/PLANNING DEPARTMENT and enacting a new 845 COMMUNITY DEVELOPMENT/PLANNING DEPARTMENT to Section 2(D) OCCUPATION LIST OF CLASS TITLES, in the City of Massillon, Ohio.

**COUNCIL PRESIDENT ISTNICK** – Councilman Gregg.

**COUNCILMAN GREGG** – Thank you, Madam President. This ordinance is to do some housekeeping in the Community Development Department by eliminating some old positions and consolidating some others into the new Community Development Administrative Assistant position. However, I'm going to give this one first reading also.

**COUNCIL PRESIDENT ISTNICK** – Thank you, Councilman Gregg. Ord. No. 15 – 2019 has received first reading. Ord. No. 16 – 2019.

**ORDINANCE NO. 16 – 2019**

**BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE**

AN ORDINANCE requesting City Council of the City of Massillon, Ohio, to consider and vote to accept a State of Ohio State Employment Relations Board Report and Recommendation of a Fact-Finder and to enter into a contract agreement with the Fraternal Order of Police, OLC, Inc., Blue Unit, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Gregg.

**COUNCILMAN GREGG** – Thank you, Madam President. This pertains to the contract for the Massillon Police Department and I'd like to ask Mr. Smith to come forward, please.

**COUNCIL PRESIDENT ISTNICK** – Thank you, Mr. Smith.

**JOEL SMITH** – Yes. This deals with the Fact-Finder that we had earlier last week and there is a time frame for approval by this Council as stated in the Ohio Revised Code and I'm going to let Leslie Kuntz, our Labor Attorney speak further on this.

**LESLIE KUNTZ** – Thank you. Good evening. Yes, I'm the Labor Attorney as Mr. Smith stated and after the approval of the Fact-Finding, as he said, we have seven days after which to file this per the Ohio Revised Code. There is still work to be done, but this part of it is time-sensitive.

**COUNCIL PRESIDENT ISTNICK** – Anything further? Councilman Gregg.

**COUNCILMAN GREGG** – Thank you, Madam President Istnick. Are there any other questions or discussion? Seeing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 16 – 2019 forward for a vote.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Irwin. 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. 16 – 2019 has passed. Ord. No. 17 – 2019.

**ORDINANCE NO. 17 – 2019**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2019, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This ordinance is to appropriate more monies for the operational expenses of the hospital. We are winding down with this process as we draw nearer to the closing of the Aultman Massillon deal. Are there any questions or concerns? Seeing none, I make a motion that we suspend the rule requiring three readings, bringing Ord. No. 17 – 2019 forward for a vote.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilwoman Starrett. 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. 17 – 2019 has passed. Ord. No. 18 – 2019.

**ORDINANCE NO. 18 – 2019**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1222 Waste Management Grant Fund, for the year ending December 31, 2019, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This is the financial piece to Ord. No. 13 – 2019 whereas the \$18,905.00 to pay for the new timekeeping system for the Massillon Police Dept. Are there any questions or concerns? Seeing none, I make a motion that we suspend the rule requiring three readings, bringing Ord. No. 18 – 2019 forward for a vote.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilwoman Litman. 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. 18 – 2019 has passed. Resolution No. 1 – 2019.

**RESOLUTION NO. 1 – 2019**

**BY: FINANCE COMMITTEE**

A RESOLUTION authorizing the sale, by Internet Auction during calendar year 2019, of City owned personal property which is not needed for public use or which is obsolete or unfit for the use for which it was acquired.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. I'd like to call forward Mr. Smith, please.

**COUNCIL PRESIDENT ISTNICK** – Thank you, Mr. Smith.

**JOEL SMITH** – Yes, this ordinance, or shall I say resolution, is something that we found out from other different municipalities that should be done each year as required. We had been doing this as an ordinance, but as I said, we were informed that it should be an annual resolution for the City to dispose of obsolete or unneeded equipment and property.

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Litman.

**COUNCILWOMAN LITMAN** – Thank you, Madam President. Yes, what other municipalities are we speaking of?

**JOEL SMITH** – Alliance, Canton and some others. We inquired and were informed that this is what they are now doing and we want to be in compliance.

**COUNCILWOMAN LITMAN** – Thank you.

**7. UNFINISHED BUSINESS**

**8. PETITIONS AND GENERAL COMMUNICATIONS**

**9. BILLS, ACCOUNTS AND CLAIMS**

Keller's - \$ 21.37 Office Supplies

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – I make a motion that we pay the bills.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilwoman Litman. Roll call.

9 yes to pay the bills

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. The bills will be paid and charged to the proper accounts.

**10. REPORTS FROM CITY OFFICIALS**

Mayor's Report - December 2018

**11. REPORTS OF COMMITTEES**

**COUNCIL PRESIDENT ISTNICK** – Our next Work Session is next Monday, February 11, 2019 at 6:30 p.m.

**12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER**

**13. CALL OF THE CALENDAR**

**14. THIRD READING ORDINANCE AND RESOLUTIONS**

**ORDINANCE NO. 2 – 2019**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-3 One-Family Residential to PUD Planned Unit Development, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Manson.

**COUNCILMAN MANSON** – Thank you, Madam President. Yes, this is the ordinance that we had our public hearing about before our Regular Meeting tonight and there were a few people that spoke about this. There was one concerned citizen that was concerned regarding the abutment next to his property, but I think the developer spoke and addressed that. So, if

there's nothing further and since this is the third reading, I'd like to bring this forward for passage.

**COUNCIL PRESIDENT ISTNICK** – Roll call for passage.

9 yes for passage

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 2 – 2019 has passed.

15. **SECOND READING ORDINANCES AND RESOLUTIONS**
16. **NEW AND MISCELLANEOUS BUSINESS**
17. **REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA**
18. **ADJOURNMENT**

**COUNCILWOMAN LITMAN** – I make a motion that we adjourn.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilwoman Starrett. Meeting adjourned.

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DIANE ROLLAND, COUNCIL CLERK

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CLAUDETTE ISTNICK, PRESIDENT