

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, APRIL 4, 2016**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, April 4, 2016. We have in attendance with us the following city officials: Safety Service Director, Joel Smith, Auditor, Jayne Ferrero, Chief Deputy Auditor, Debbie Bonk, Law Director, Perry Stergios, Treasurer, Maude Slagle and Income Tax/Budget Director, Mike McKee. On the wall to your left are agendas for anyone who wishes to follow tonight's 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.

1. ROLL CALL

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

Roll call of 9 present

2. INVOCATION

COUNCILMAN MANSON - Gave the invocation for tonight.

3. PLEDGE OF ALLEGIANCE

COUNCILMAN PAUL MANSON – Chairperson of the Community Development Committee led those in attendance in the Pledge of Allegiance.

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 to be made?

COUNCIL CLERK ROLLAND – No, there are not.

COUNCIL PRESIDENT ISTNICK – Then the minutes stand as approved.

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

COUNCIL PRESIDENT ISTNICK – We have arrived at #5. This is the part of the agenda where citizens may speak on a topic that appears on tonight's agenda. If you would like to speak on something, please come to the microphone at this time. Give your name and address for the record and the topic you want to discuss. In addition, please print your name and address on the Sign-In Sheet on the table before you so that your name and address appears correct on our records.

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 45 – 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. We had a lot of discussion about this the other night. I explained how this has to go three readings. There will have to be a public hearing and because of the timeliness to get this returned to HUD, it needed to be an emergency. We inadvertently left “emergency” out of the ordinance that you received in your e-mail. So, my intention here is to add Part 6 of the ordinance. We’re going to add, it says, “This ordinance shall take effect and be enforced, it says form, but it’s supposed to be “from” and after the earliest allowed by law”. I’m going to add “This ordinance is hereby declared to be an emergency measure necessary for the preservation of health and public safety and the welfare of the community. The ordinance shall take effect and be enforced from and after the earliest period allowed by law”. Like I said, because of the timeliness, we do need to do this emergency. So, if there’s any questions I can answer them.

COUNCIL PRESIDENT ISTNICK – Are you making an amendment?

COUNCILMAN MANSON – I intend to after I see if there’s any problems or any discussion on this. Yeah, I’d like to make a motion that we amend Ord. No. 45 – 2016 and replace the language in Section 6 as I just read it.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. Roll call for amendment.

9 yes to amend Ord. No. 45 – 2016

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 45 – 2016 has been amended. Councilman Manson.

COUNCILMAN MANSON – First reading.

COUNCIL PRESIDENT ISTNICK – Ord. No. 45 has received first reading. Ord. No. 46 – 2016.

ORDINANCE NO. 46 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to renew the one (1) year contract with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is an ordinance that we do every year. It just renews the contract as stated. It does generate \$25,000 for the Law Dept. to assist them in providing the services that they will be providing. Are there any questions? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 46 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Roll call for suspension.

COUNCIL CLERK ROLLAND – Seconded by?

COUNCIL PRESIDENT ISTNICK – Oh, Councilman Manson.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 46 – 2016 has passed. Ord. No. 47 – 2016.

ORDINANCE NO. 47 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2101 Wastewater Treatment Fund, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is to appropriate dollars for capital improvements or maintenance down at the Wastewater Treatment Plant. \$300,000 for the grit improvement project and \$300,000 for the building repairs. Included in the building repairs is new roofs on a few of the buildings along with other improvements throughout the facility to keep them up to date. This is the dollars that they are using from their funds that they generate. Are there any questions? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 47 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. 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. 47 – 2016 has passed. Ord. No. 48 – 2016.

ORDINANCE NO. 48 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 3112 Diversity Scholarship Fund, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. The 3112 Diversity Scholarship Fund is a fund that's been created and funded through donations of private citizens. Its purpose is assist in the payment of different training in the law enforcement field from citizens or residents of Massillon and with a specialized distinction of trying to bring diversity not only to our forces but also to other forces in our community. Like I said, it is donated so this is not tax dollars but donated monies for this purpose. Are there any questions? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 48 – 2016 forward for a voted.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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. 48 – 2016 has passed. Ord. No. 49 – 2016.

ORDINANCE NO. 49 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE reducing the appropriations within the 1229 HOME Fund, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. These funds in the HOME Housing Rehabilitation line are provided to us through Federal dollars. The originator of these dollars did recommend that we reduce this particular item by \$13,520 and we are just simply following that recommendation. Are there any questions or comments? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 49 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. 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. 49 – 2016 has passed. Ord. No. 50 – 2016.

ORDINANCE NO. 50 – 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the donation of parcel #0619376: a vacant lot located on Warwick Avenue N. W., Massillon, Ohio, from property owner, Doris Oser.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. I had this put on without emergency, I got a call from somebody in the Parks. They want to talk about moving this forward a little faster. So, we will have somebody at next Monday night's Committee Meeting here to talk to us, so, first reading.

COUNCIL PRESIDENT ISTNICK – Ord. No. 50 – 2016 has received first reading. Moving onto resolutions, Resolution No. 8 – 2016.

RESOLUTION NO. 8 – 2016

BY: FINANCE COMMITTEE

A RESOLUTION estimating the aggregate maximum amount of public funds for the City of Massillon, Ohio, to be awarded and be on deposit as of August 1, 2016 to, and including July 31, 2021, inviting bids from banking institutions qualified to serve as depositories of municipal funds under the Uniform Depository Act of the State of Ohio, fixing the date for the designation of such depositories, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes. Thank you, Madam President. We had quite a bit of discussion about this the other night with the Treasurer. She says that this is what she needs to do.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I just wanted to state that technically, this is under the Finance Committee.

COUNCIL CLERK ROLLAND – I just caught that myself.

COUNCILMAN MANSON – Oh.

COUNCIL CLERK ROLLAND – I'm sorry.

COUNCILMAN MANSON – And that's where it started out. Yeah. Go ahead.

COUNCILMAN LEWIS – He was very knowledgeable though. He was doing a great job of explaining what it was.

COUNCILMAN MANSON – How did that happen?

COUNCIL CLERK ROLLAND – It's correct on the ordinance, but it's not correct on the agenda.

COUNCILMAN MANSON – Okay.

COUNCIL CLERK ROLLAND – Sorry about that.

COUNCILMAN MANSON – I take back everything I said.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I just repeat what he said. Essentially, what it's doing is, we have to go out to bid for banking institutions to take the deposits and do business with the City of Massillon every five years. The current agreement concludes on July 31, 2016. So, the Treasurer will put it out to bid. She'll accept the bids and have banking institutions to do the business with. Are there any questions? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Res. No. 8 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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. Res. No. 8 – 2016 has passed. Res. No. 9 – 2016.

RESOLUTION NO. 9 – 2016

BY: FINANCE COMMITTEE

A RESOLUTION converting prior advance to a transfer, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Okay. So 14 yrs. ago, the Parks and Recreation Dept. took an advance from the General Fund for \$75,000. 12 yrs. ago, they paid back \$5,000 of it and since then, \$70,000 has just been "hanging out". What this resolution does is it changes that from an advance to a transfer which, essentially means that we are forgiving the \$70,000 to our own Parks and Recreation Dept. Are there any questions? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Res. No. 9 – 2016 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Res. No. 9 – 2016 has passed.

7. **UNFINISHED BUSINESS**

8. **PETITIONS & GENERAL COMMUNICATIONS**

9. **BILLS, ACCOUNTS & CLAIMS**

The Repository - \$ 850.00 – Publication of February Ordinances

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

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

9 yes to pay the bills

10. **REPORTS FROM CITY OFFICIALS**

Mayor's Report – February 2016

11. **REPORTS OF COMMITTEES**

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I'll keep this brief. I did meet with the Mayor and other City officials this afternoon before City Council. We did have discussion as far as the Recovery Plan, in light of the failed tax levy. On Monday, there will be a very rough draft of some ideas and ways to progress forward so that way, we can get the conversation started. We'd like to work through this as quickly and easily as possible. So, that is why we're getting it out there on Monday for everybody to discuss. Just wanted to give you guys that update.

COUNCIL PRESIDENT ISTNICK – Anyone else? Thank you, Mr. Lewis. Our next Work Session will be Monday, April 11, 2016 at 6:30 p.m.

12. **RESOLUTIONS & REQUESTS OF COUNCIL MEMBERS**

13. **CALL OF CALENDAR**

ORDINANCE NO. 7 – 2016

BY: FINANCE COMMITTEE

Tabled January 19, 2016 until April 4, 2016

AN ORDINANCE authorizing the Director of the Parks and Recreation Department of the City of Massillon, Ohio, to sell, auction, scrap and/or dispose of all and any park recreation vehicles, machinery, park equipment and/or materials from the Senior Center and The Legends of Massillon Golf Course, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. In a conversation that I had with the Safety Service Director, it appears that they're still working on this. There was some turnover in

personnel. My intention tonight would be to table this again. But I understand there may be comments or insight from anyone on Council that wants to discuss this before I do so?

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer?

COUNCILWOMAN CREAMER – Yes, I would like to. I did receive an e-mail from Kim stating that she would like to table this for an additional two more months so that the new Park Superintendent can get on board and he can take this over.

COUNCILMAN LEWIS – If we were to table that until then, it would be June 6, 2016. Any other questions? With that being said, I make a motion that we table Ord. No. 7 – 2016 to the regular session of City Council on June 6, 2016.

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

9 yes to table Ord. No. 7 – 2016

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 7 – 2016 has been tabled until June 6, 2016.

14. **THIRD READING OF ORDINANCES & RESOLUTIONS**

15. **SECOND READING OF ORDINANCES AND RESOLUTIONS**

16. **NEW & MISCELLANEOUS BUSINESS**

COUNCILMAN MANSON – Just one comment.

COUNCIL PRESIDENT ISTNICK – Mr. Manson.

COUNCILMAN MANSON – Everybody got a copy of the legislative request? We'll talk about it a little more next Monday again.

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Manson.

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

18. **ADJOURNMENT**

COUNCILMAN MANSON – I move to adjourn.

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

DIANE ROLLAND, CLERK OF COUNCIL CLAUDETTE ISTNICK, PRESIDENT