

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD MONDAY, MAY 15, 2017**

**COUNCIL PRESIDENT ISTNICK** – Welcome to the Massillon City Council Meeting for Monday, May 15, 2017. We have in attendance with us the following city officials: Economic Development Specialist, David Maley and Law Director, Andrea Scassa. 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, Yvonne Daniels, Dave Irwin, Ed Lewis, Paul Manson and Megan Starrett.

Roll call of 7 present

**COUNCIL PRESIDENT ISTNICK** – Councilman Manson.

**COUNCILMAN MANSON** – I make a motion that we excuse Councilwoman Cunningham and Councilwoman Litman.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Irwin. Roll call.

7 yes to excuse Councilwoman Litman and Councilwoman Cunningham.

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Councilwoman Cunningham and Litman have been excused. Councilman Chovan.

**2. INVOCATION**

**COUNCILMAN CHOVAN** - Gave the invocation for tonight.

**3. PLEDGE OF ALLEGIANCE**

**COUNCILMAN MILAN CHOVAN** – Chairperson of the Police and Fire 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 will stand approved as written.

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

**6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 47 – 2017**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Friends and Family Credit Union to provide an economic development "inducement grant" to assist the business in renovation expenses at 46 Federal Ave. N.W., and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Mahson.

**COUNCILMAN MANSON** – Yes. Thank you, Madam President. Unless there's any questions that we can't answer or if anybody wants wait, it's my intention to move this forward this evening. Seeing none, I make a motion that we waive the rule requiring three separate readings and bring Ord. No. 47 – 2017 forward for passage.

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

7 yes for suspension

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

7 yes for passage

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 47 – 2017 has passed. Ord. No. 48 - 2017.

**ORDINANCE NO. 48 – 2017**

**BY: ENVIRONMENTAL COMMITTEE**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to accept a grant from the Muskingum Watershed Conservancy District for revitalization of the Tuscarawas River in and around downtown Massillon, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Irwin.

**COUNCILMAN IRWIN** – Thank you. As we discussed last week, this is to allow the Mayor to accept a grant from Muskingum Watershed. If there are no questions tonight, I'm going to bring it forward to vote. Seeing none, I make a motion that we waive all rules requiring three readings and bring Ord. No. 48 – 2017 forward for a vote.

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

7 yes for suspension

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

7 yes for passage

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 48 – 2017 has passed. Ord. No. 49 – 2017.

**ORDINANCE NO. 49 – 2017**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund, for the year ending December 31, 2017, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This ordinance goes along with Ord. No. 47. It is the appropriation of the dollars associated with the economic inducement grant. Are there any questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 49 – 2017 forward for a vote.

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

7 yes for suspension

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

7 yes for passage

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 49 – 2017 has passed.

**ORDINANCE NO. 50 – 2017**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund, for the year ending December 31, 2017, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – This ordinance coincides with Ord. No. 48. As part of that grant, there is a certain portion, \$6,000, that we will have to cover in order to cover the expense of the project that we're trying to do as we discover some uses for the river front. Are there any questions or discussion this evening? Alright, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 50 – 2017 forward for a vote.

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

7 yes for suspension

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

7 yes for passage

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 50 – 2017 has passed.

**7. UNFINISHED BUSINESS**

**8. PETITIONS & GENERAL COMMUNICATIONS**

A request for a transfer of a liquor license from 4571 Erie LLC, DBA El Don Cosina Mexicana, 4571 Erie Ave. S.W. & Patio, Perry Twp., Navarre, OH 44662 to Carcisco Foods LLC, DBA Mesa Mexican Kitchen, 63 Massillon Marketplace Dr. S.W., Massillon, OH 44646. The license is Permit Classes D1, D2, D3 and D6 and the facility is located in Ward 5.

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Starrett, did you get a copy for your records?

**COUNCILWOMAN STARRETT** – Yes.

A request for a new liquor license for JAD Hospitality LLC, DBA Jen's Place, 43 Lincoln Way E., Massillon, OH 44647. The license Permit Class is D2 and the facility is located in Ward 2.

**COUNCIL PRESIDENT ISTNICK** – Councilman Irwin, did you get a copy for your records?

**COUNCILMAN IRWIN** – Yes.

9. **BILLS, ACCOUNTS & CLAIMS**

|                |   |           |                                 |
|----------------|---|-----------|---------------------------------|
| Copeco         | - | \$ 297.67 | Quarterly Contract Charge       |
| The Repository | - | 598.40    | Publication of March Ordinances |
| Keller's       | - | 40.00     | Copy Paper                      |
|                |   | \$ 936.07 |                                 |

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

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

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Irwin. Roll call.

7 yes to pay the bills

10. **REPORTS FROM CITY OFFICIALS**

Mayor's Report - March 2017

11. **REPORTS OF COMMITTEES**

**COUNCIL PRESIDENT ISTNICK** – There is no meeting next Monday the 22<sup>nd</sup>. Our next Work Session will be on Tuesday, May 30, 2017 at 6:30 p.m. because of Memorial Day. And next Monday if anyone can go to Wooster, please get in touch with Mr. Maley. Does anyone have anything?

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

13. **CALL OF CALENDAR**

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

**RESOLUTION NO. 3 – 2017** **BY: COMMITTEE OF THE WHOLE**

A RESOLUTION opposing the Trump Administration \$6 billion in cuts at the Department of Housing and Urban Development. These proposed budget cuts would eliminate the CDBG (Community Development Block Grant) Program which was designed to aid low-to-moderate income neighborhoods, eliminate slum and blight and address urgent community development needs.

**COUNCIL PRESIDENT ISTNICK** – Councilman Manson.

**COUNCILMAN MANSON** – Yes. The only question that I would have is if Mr. Maley has anything he'd like to say on behalf of the Administration? They're the ones that brought this forward. Nothing?

**DAVE MALEY** – No.

**COUNCILMAN MANSON** – Okay.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – The only comment I have is the same one that I made at the beginning. I don't think it's the position of this Council to vote on resolutions regarding Federal matters. We haven't done that in the five or six years that I've been around and I don't believe it's been in many, many years. The only evidence we've also received from the Administration was an article that referenced that it may possibly not have the effect that they're afraid of. I mean, that was an article that they handed to every one of us when they presented it. So, all I have is a history of us not doing something like this. I also don't believe that it's the City's responsibility or place to speak to the Federal government as to whether or not their policy is appropriate at

this point because you don't really know what the effects could be and the only evidence that I have speaks that it may not have any effects at all. So, that's my only opinion.

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Daniels.

**COUNCILWOMAN DANIELS** – I think that we should look into this further because we're supposed to be here representing people and that's what we should do. The Federal government just takes, takes and takes and it looks like right now, they're trying to take everything away. So, I think we should look into it further.

**COUNCIL PRESIDENT ISTNICK** – Councilman Manson.

**COUNCILMAN MANSON** – Some of what Mr. Lewis said, I agree with, but others I don't. We've had things in the past that I thought we shouldn't be delving into and we did. I think this is important to us and we agree with Ms. Daniels. I intend to support this and vote for this tonight.

**COUNCIL PRESIDENT ISTNICK** – Councilman Manson.

**COUNCILMAN MANSON** – That's all, it's third reading, let's vote.

**COUNCIL PRESIDENT ISTNICK** – Roll call.

5 yes; 2 no

**COUNCIL PRESIDENT ISTNICK** – Res. No. 3 has passed.

**COUNCILMAN MANSON** – Excuse me, Madam President: I think we should find someone to mail this to. I don't know if it would be our representatives, our senators.

**COUNCIL CLERK ROLLAND** – I think in the body of the letter I have to send certified letters to them.

**COUNCILMAN MANSON** – You have a list?

**COUNCIL CLERK ROLLAND** – Yes.

**COUNCILMAN MANSON** – Okay, that's fine.

**COUNCIL CLERK ROLLAND** – U.S. Rep. Bob Gibbs, Sherrod Brown and James Renacci.

**COUNCILMAN MANSON** – Okay, thank you.

**COUNCIL CLERK ROLLAND** – Yes.

**COUNCIL PRESIDENT ISTNICK** – So you will do that, Madam Clerk?

**COUNCIL CLERK ROLLAND** – Yes.

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

**COUNCILMAN LEWIS** – You say certified letters?

**COUNCIL CLERK ROLLAND** – Yes sir.

**COUNCILMAN LEWIS** – How much is the certified letter?

**COUNCIL CLERK ROLLAND** – The last time I sent certified letters for when you did a

resolution to oppose Gov. Kasich, I think it came to \$46.00.

**COUNCILMAN LEWIS** – Per letter?

**COUNCIL CLERK ROLLAND** – No, no, no. \$6.49 per letter.

**COUNCILMAN LEWIS** – Okay. Thank you.

**COUNCIL CLERK ROLLAND** – And let me see how many I have here, I have four. So, it shouldn't be that expensive. It should be more like \$25 - \$26.

**COUNCILMAN LEWIS** – Alright, thank you.

**COUNCIL CLERK ROLLAND** – Sure.

**COUNCIL PRESIDENT ISTNICK** – Councilman Manson.

**COUNCILMAN MANSON** – Is there any reason they have to be certified?

**COUNCIL CLERK ROLLAND** – That's the instructions in the resolution. "The Clerk of Council is hereby instructed to send certified copies of this resolution..." and that's what I did with Gov. Kasich.

**COUNCILMAN MANSON** – That's my only question.

**COUNCIL PRESIDENT ISTNICK** – Is everyone okay with that? Okay.

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

16. **NEW & MISCELLANEOUS BUSINESS**

**COUNCIL PRESIDENT ISTNICK** – Councilman Manson.

**COUNCILMAN MANSON** – I just want to make a point. They repaired our microphones. They were all going off and you couldn't have more than one on. So, they worked on that today.

**COUNCIL PRESIDENT ISTNICK** – Yes, she said that someone came and somehow it had got set to just one microphone. So, every time one was on, then the others would kick off.

**COUNCILMAN MANSON** – Yep. So, they're taken care of. I guess we can all talk at one time, right?

**COUNCIL CLERK ROLLAND** – No. Only three are on at the same time.

**COUNCILMAN MANSON** – Oh, okay.

**COUNCIL CLERK ROLLAND** – Somehow or another, it got changed to one.

**COUNCIL PRESIDENT ISTNICK** – And Diane, does yours and mine count as one, two?

**COUNCIL CLERK ROLLAND** – So, our two and one other one?

**COUNCIL CLERK ROLLAND** – Well, I guess not. Dave's is on.

**COUNCILMAN MANSON** – They're all on.

**COUNCILMAN CHOVAN** – That is just a setting. You can have them all on also. The

problem is that if we all start talking with them on, it gets really confusing for the transcription software.

**COUNCIL CLERK ROLLAND** – Right.

**COUNCILMAN CHOVAN** – So that's why you want to try to limit it what you want to set it to.

**COUNCIL PRESIDENT ISTNICK** – Okay. Thank you.

**COUNCILMAN MANSON** – That's all.

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

18. **ADJOURNMENT**

**COUNCIL PRESIDENT ISTNICK** – Seeing none, Councilman Chovan.

**COUNCILMAN CHOVAN** – I move that we adjourn tonight's meeting.

**COUNCIL PRESIDENT ISTNICK** – Seconded Councilwoman Starrett.

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DIANE ROLLAND, CLERK

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CLAUDETTE ISTNICK, PRESIDENT