

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, NOVEMBER 5, 2018**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, November 5, 2018. We have in attendance with us the following city officials: Mayor Kathy Catazaro-Perry, Law Director, Andrea Scassa, Economic Development Director, David Maley and Income Tax/Budget Director, Barb Sylvester. 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, Linda Litman, Paul Manson and Megan Starrett.

Roll call of 8 present

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – I make a motion that we excuse Councilman Lewis.

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

8 yes to excuse Councilman Lewis

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

2. INVOCATION

COUNCILWOMAN JILL CREAMER

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILWOMAN CREAMER

COUNCIL PRESIDENT ISTNICK – Thank you, Councilwoman Creamer.

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 approved as written.

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

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 131 – 2018

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Bill of Sale for the contents of the property located at 2860 Lincoln Way E., Parcel No. 43 – 18240, with the Massillon Community Improvement Corporation, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. If you would please, request the Law Director to come up and help explain Ordinance No. 131. We've been talking about this for about six or eight weeks now.

COUNCIL PRESIDENT – Ms. Scassa.

COUNCILMAN MANSON – I'm going to let Andrea explain it to everybody.

ANDREA SCASSA – Thank you. Ordinance No. 131 is authorizing the Director of Public Service and Safety to enter into a Bill of Sale for the personal property and contents that are located at 2860 Lincoln Way E. and this Bill of Sale is being entered into by the City of Massillon and the Massillon Community Improvement Corporation. So, if you look at that document, those are the two entities that'll be entering into that agreement and then once the CIC becomes the legal and rightful owner of those personal property items that are located at that address. Then we will proceed with the transfer of not only the building, but also those items to Dr. Paulus per the agreement that was passed, I believe, last month. So, this is just for the items that are located at that building.

COUNCIL PRESIDENT ISTNICK – Any questions?

COUNCILMAN MANSON – Okay, thank you. Hearing that and for the amount of time we've spent on this, I make a motion that we waive the rule requiring three separate readings and bring Ord. No. 131 – 2018 forward for passage.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Chovan. 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. 131 – 2018 has passed. Ord. No. 132 – 2018.

ORDINANCE NO. 132 – 2018

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Advance Industrial Roofing to provide an economic development "inducement grant" to assist the business with the construction of a new warehouse located at 1130 Erie St. S., Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. This is a \$10,000 inducement grant for Advanced Industrial Roofing on S. Erie. As I said last week, we discussed it at the Committee meeting, I'm going to give it at least one reading and if nothing comes up by the time we get to the second, we'll move it then. So, first reading.

COUNCIL PRESIDENT ISTNICK – Councilman Chovan.

COUNCILMAN CHOVAN – Thank you. Just one question, and I wasn't here last Monday when this was discussed, but did we not already award this grant last year? Seems to me like

we already did a grant for Advanced Industrial, but maybe it's because they didn't start construction last year, but it was, Dave, could you answer that please?

DAVE MALEY – No. We did not approve any type of grant. I think what you're talking about is, we talked about it at one point, assisting in the tear down of the Elbow Room.

COUNCILMAN CHOVAN – That's it, that's right. Okay, never mind. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Maley. Councilman Manson.

COUNCILMAN MANSON – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 132 – 2018 has received first reading. Ord. No. 133 – 2018.

ORDINANCE NO. 133 – 2018

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Chief of Police of the City of Massillon, Ohio, to accept an award on behalf of the Massillon Police Department for Canary Home Security Systems to be distributed to individual officers, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Council Manson.

COUNCILMAN MANSON – Yes. I presented this for Mr. Chovan, but this should be in Police and Fire.

COUNCILMAN CHOVAN – Okay, I'll take it. This ordinance is simply to authorize the Chief of Police to accept this grant. Actually it's 50 Canary Home Security systems that we're giving to each of our police officers. Some time ago, Lt. Myer entered the City in a competition that was sponsored by Canary Home Systems and State Farm recognizing first responders and we were awarded this as part of the award for being one of the chosen departments. I did read a summary by, I think it was by the Attorney General for a similar to another department in case somebody thought that there was some sort of a conflict of interest and the Attorney General had said that there was no conflict and that we could feel confident by accepting this award and distributing it to the individual officers. So, if there are no other questions or comments, I'd like to waive the rule requiring three readings and bring this forward for tonight.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Irwin. 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. 133 – 2018 has passed. Ord. No. 134 – 2018.

ORDINANCE NO. 134 – 2018

BY: PUBLIC UTILITIES COMMITTEE

AN ORDINANCE authorizing the Director of Public Safety and Service of the City of Massillon, Ohio, to enter into an easement agreement with the United States Department of the Army for pipeline right-of-way for the construction, operation, maintenance and removal of a sewer line with appurtenances, hereinafter referred to as the facilities, over, across, in and upon lands of the United States, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – Thank you, Madam President. As Mr. Smith explained to us during our Work Session last week, this is the easement and it was fifty years ago that we okayed it the last time and now fifty years have passed and it's time to do it again which is for the flood-plain, the levy and so, we're just okaying this and I would like to pass this this evening. Are there any questions? Alright, I would like to waive the three readings and bring this forward for passage this evening, thank you.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. I'm looking at Ordinance No. 134 and it states by Police and Fire Committee.

COUNCIL CLERK ROLLAND – Correct. That was my fault. It is corrected on the Corrected Agenda.

COUNCILWOMAN LITMAN – Thank you.

COUNCIL CLERK ROLLAND – It was a hectic Saturday.

COUNCILWOMAN LITMAN – I understand, thank you.

COUNCIL PRESIDENT ISTNICK – Thank you. We have a motion, 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. 134 – 2018 has passed. Ord. No. 135 – 2018.

ORDINANCE NO. 135 – 2018

BY: PUBLIC UTILITES COMMITTEE

AN ORDINANCE repealing Ordinance No. 51 – 2018 and enacting a new Ordinance that provides for water service furnished by Aqua Ohio, Inc. to the City of Massillon, Ohio, and the inhabitants thereof, and to regulate the rates under which water service shall be furnished in the City of Massillon, Ohio, for and during the period from June 1, 2018 through December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – Thank you, Madam President. Again, last week during our Work Session, Mr. Nutter from Aqua Ohio came in and to our pleasure, our water rates in Massillon are going to be reduced for three years, and again, I'd like to waive the three rules requiring three readings and bring Ord. No. 135 – 2018 forward for a vote unless there are any questions or concerns.

COUNCIL PRESIDENT ISTNICK – Seconded 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. 135 – 2018 has passed. Ord. No. 136 – 2018.

ORDINANCE NO. 136 – 2018

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE to accept the replat of Out Lots 463 and 464 and Part Out Lot 314; and the dedication Part of Harsh Avenue roadways, Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is again just a legislation for acceptance of replatting Out Lots 463 and 464 and Part Out Lot 314 and dedicating part of that to Harsh Ave. roadways. This was already approved by the Planning Commission. It just needs to be approved by Council. Any questions or concerns? Seeing

none, I make a motion that we waive the rule requiring three readings and bring Ord. No. 136 – 2018 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. Ord. No. 136 – 2018 has passed. Ord. No. 137 – 2018.

ORDINANCE NO. 137 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Renewal Agreement to renew the second year under the terms of the Agreement originally effective January 1, 2013, with Kimble Recycling and Disposal Done Right for the collection of residential and commercial refuse and recycling for calendar year 2019, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is the continuing contract with Kimble Recycling and Disposal. There is a small rate increase this year. It would be going from \$11.00 per month to \$11.23 per month and \$11.55 per month to \$11.79 per month. I do believe that this is still cheaper than the rates that the City was paying when the City was in charge of garbage throughout. This is not something that Kimble is required to be used by the citizens. It is just a contract that Kimble is an option so that Massillon can use. Does anybody have any questions or concerns with this?

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – I had mentioned in the Work Session the weight of these trucks and I think Joel was going to, at least have conversation with them, if I'm not mistaken to confirm that they are below where they should be and recognizing that some of these vehicles are making some of our streets and roadways a little less easy to pass. Do you know if there has been any conversations?

COUNCIL PRESIDENT ISTNICK – Mr. Maley, are you aware of any conversation?

DAVE MALEY – No.

COUNCILWOMAN STARRETT – Well, with the contract itself; does anyone have any concerns or do you want to move that forward tonight and maybe we can get follow-up from Joel on another night on Ms. Litman's question. Seeing no other concerns, I make a motion that we waive the rule requiring three readings and bring Ord. No. 137 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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. 137 – 2018 has passed. Ord. No. 138 – 2018.

ORDINANCE NO. 138 – 2018

BY: FINACE COMMITTEE

AN ORDINANCE to adopt appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year 2019.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is the budget for 2019. Council will be continuing discussions on this, so, first reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 138 – 2018 has received first reading. Ord. No. 139 – 2018.

ORDINANCE NO. 139 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund, for the year ending December 31, 2018, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is the continuing piece to Ord. No. 132 – 2018, the grant appropriation to Advanced Industrial Roofing. So, I will give this one first reading as well.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 139 – 2018 has received first reading. Ord. No. 140 – 2018.

ORDINANCE NO. 140 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2018, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This ordinance is to allow the continuation of hospital related expenses through the end of the year. This would be an appropriation of 176,676.00. Okay. Any questions or concerns about this? Seeing none, I make a motion that we waive the rule requiring three readings and bring Ord. No. 140 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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. 140 – 2018 has passed. Ord. No. 141 – 2018.

ORDINANCE NO. 141 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 3109 TIF Service Payment Fund and the 3112 Donations Fund, for the year ending December 31, 2018, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This ordinance includes a \$276.72 appropriation to pay real estate TIF tax and also a \$1,100.00 transfer for the Mayor's Kindness Program donations. Any questions or concerns? Seeing none, I make a motion that we waive the rule requiring three readings and bring Ord. No. 141 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. 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. 141 – 2018 has passed. Ord. No. 142 – 2018.

ORDINANCE NO. 142 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Auditor to pay various 2018 bills that have been received and that will be received by her office between January 1, 2019 and March 31, 2019, out of the 2019 appropriations within the various departments of the City of Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is an ordinance that we pass yearly and it is just allowing the Auditor to pay 2018 bills into 2019. Any questions or concerns? Seeing none, I make a motion that we waive the rule requiring three readings and bring Ord. No. 142 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. 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. 142 – 2018 has passed. Ord. No. 143 – 2018.

ORDINANCE NO. 143 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE amending Ordinance No. 143 – 1976 to enact a new Section “ALLOCATION OF FUNDS – INCOME TAX” by repealing Section 13 – “ALLOCATION OF FUNDS – INCOME TAX” and enacting a new Section 13 – “ALLOCATION OF FUNDS – INCOME TAX” and repealing Ordinance No. 147 – 2017.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is a companion piece to the budget. This is what we consider our split. We are adding 95% to the General Fund and 5% to Capital Improvement. So, this will just go along with the budget to be passed at the same time. So, first reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Councilman Chovan.

COUNCILMAN CHOVAN – Yes. There is a typo in Section (A)(1). It’s written out as four percent, but it should be 5%.

COUNCIL CLERK ROLLAND – Thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else? Thank you, Ord. No. 143 – 2018 has received first reading. Ord. No. 144 – 2018.

ORDINANCE NO. 144 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to amend salary and wage schedules for the MISCELLANEOUS PART-TIME SCHEDULE, UNCLASSIFIED EMPLOYEES, and SUPERVISORY (CLASSIFIED OR UNCLASSIFIED) – CLASSIFIED EMPLOYEES, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This has to do with changes in salary and wage schedules within the City of Massillon. At this time, I would like to give this first reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 144 – 2018 has received first reading. Ord. No. 145 – 2018.

ORDINANCE NO. 145 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers within the 2018 appropriations from within the 1100 General Fund, for the year ending December 31, 2018, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – This is transfer of \$18,297.20 in order to realign the budget balance for the end of 2018 in the school district revenue sharing. Any questions, any concerns? Seeing none, I make motion that we waive the rule requiring three readings and bring Ord. No. 145 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. 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. 145 – 2018 has passed. Res. No. 9 – 2018.

RESOLUTION NO. 9 – 2018

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 2019 fiscal year.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – This, as was stated, a resolution requesting the County Auditor and County Treasurer to advance payment of real estate taxes collected for 2019 fiscal year. This is, again, something that we do yearly. Any questions or concerns? Seeing none, I make a motion that we waive the rule requiring three readings and bring Res. No. 9 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. 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 – 2018 has passed. Res. No. 10 – 2018.

RESOLUTION NO. 10 – 2018

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 by November 5, 2018, as listed on the attached Exhibit "A", and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRET – Thank you, Madam President. This is another item required yearly by the Stark County Auditor. This is just, again, authorizing the necessary tax levies and certifying them to the County Auditor. Any questions or concerns, comments? Seeing none, I make a motion that we waive the rule requiring three readings and bring Res. No. 10 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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 – 2018 has passed.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

A Request for a Transfer of Liquor License from Paul K. Doering, dba McClymonds, 14 Lincoln Way W., 1st Floor Only, Massillon, Ohio 44646 to Albert Investment Group, LLC, dba Angry Barbeque, 14 Lincoln Way W., 1st Floor Only, Massillon, Ohio 44646. Transfer is in Ward 2 and is Permit Class D5.

COUNCIL PRESIDENT ISTNICK – Councilman Irwin.

COUNCILMAN IRWIN – Yes, I have a copy.

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

Mayor's Report - September 2018

Auditor's Report - September 2018

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – I make a motion that we accept the Auditor's Report for September 2018.

COUNCIL PRESIDENT ISNTICK – Seconded by Councilwoman Litman. Roll call.

8 yes to accept the Auditor's Report

COUNCIL PRESIDENT ISTNICK – Thank you. The Auditor's Report for September 2018 has been accepted.

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session is Tuesday, November 13, 2018, because of Veterans Day at 6:30. Does anybody have anything?

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

- 13. CALL OF THE CALENDAR
- 14. THIRD READING ORDINANCE AND RESOLUTIONS
- 15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 123 – 2018

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer parcel No. 680622, a vacant lot located at 1428 Walnut Rd. S.E., Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. If there are no questions or problems here, I intend to move this forward tonight. Anybody has anything? Seeing none, I make a motion that we waive the rule requiring three separate readings and bring Ord. No. 123 – 2018 forward for passage.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Chovan. 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. 123 – 2018 has passed. Ord. No. 124 – 2018.

ORDINANCE NO. 124 – 2018

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 680876, a vacant lot located on 15th St. S.E., Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes. Thank you, Madam President. I'd like for you to call up the Law Director. We are going to bring a motion forward to amend this and I'm going to let her explain it.

COUNCIL PRESIDENT ISTNICK – Ms. Scassa, if you could come forward, thank you.

ANDREA SCASSA – As was previously discussed on this particular ordinance, I needed to go and track down the legal description of the property at 15th St. because the documents that we had from the Engineer's office, although these two properties do touch and are related, they are separate parcels. That's why there are separate ordinances and so, I did obtain that. Councilman Manson has the revised Quit-Claim Deeds with the exact legal description of the properties. So, I would just ask, just to make it clean, if Councilman Manson would make a motion to amend Ord. 124 – 2018 to reflect the revised Exhibit "A". That's the only thing that's changing and the only thing that is changing is the actual legal description of the property. Nothing else with the Quit-Claim deeds are changing.

COUNCIL PRESIDENT ISTNICK – Thank you. Are there any questions?

COUNCILMAN MANSON – Okay. I'd like to make a motion to amend Ord. No. 124 – 2018 to reflect the revised Exhibit "A".

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Chovan. Roll call on the amendment.

8 yes to amend Ord. No. 124 – 2018 to reflect the revised Exhibit “A”

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 124 – 2018 has been amended. Councilman Manson.

COUNCILMAN MANSON – Yes, I’d like to make a motion that we waive the rule requiring three separate readings and bring amended Ord. No. 124 – 2018 forward for passage.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Chovan. 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. 124 – 2018 has passed. Ord. No. 125 – 2018.

ORDINANCE NO. 125 – 2018

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with owners, Bill Weaver and Gene Stine, to provide an economic development “inducement grant” to assist with the remodeling costs of the Sugar Bowl located at 49 Lincoln Way E., Massillon, Ohio, declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes, thank you, Madam President. Unless there are any questions, I intend to move this forward.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – I see that Mr. Weaver is here. I have a question or two regarding this business. Can I call Mr. Weaver to the microphone?

COUNCIL PRESIDENT ISTNICK – Yes. Thank you, Mr. Weaver.

COUNCILMAN GREGG – Mr. Weaver, I see in actual incentive grant guidelines that it mentions jobs, 15 to 20. Is that accurate, do you expect to have that many?

BILL WEAVER – Full and part-time.

COUNCILMAN GREGG – Full and part?

BILL WEAVER – Yes.

COUNCILMAN GREGG – And what’s the nature of the business again?

BILL WEAVER – It’s an ice cream, chocolate shop, restaurant.

COUNCILMAN GREGG – Okay.

BILL WEAVER – It’s sort of like if you were to think about Heggy’s or Milk & Honey. Same thing, basically. They’re going to walk in and have candy, chocolate, nuts, some gift items up front. Then they’ll go pass the ice cream and then be seated somewhere in the dining rooms to enjoy their dinner. It’s fun food. It’s French fries with butter, it’s sandwiches. Everything is grilled and buttered. It’s a cholesterol nightmare, but that’s what we’re having, you know. And then they come back out to pay their bill and they have to still come back out through all that other stuff. Sort of like Cracker Barrel in the respect that it’s a selling inducement. So, we expect to do very well.

COUNCILMAN GREGG – Alright. Thank you very much.

BILL WEAVER – Sure. Anything else?

COUNCILMAN GREGG – I have no further questions.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes, Madam President. I'd like to make a motion that we waive the rule requiring three separate readings and bring Ord. No. 125 – 2018 forward for passage.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Cunningham. 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. 125 – 2018 has passed. Ord. No. 129 – 2018.

ORDINANCE NO. 129 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund, for the year ending December 31, 2018, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is the companion piece of Ord. No. 125 – 2018 for the inducement grant for Bill Weaver and the Sugar Bowl. Any questions? Seeing none, I make a motion that we waive the rule requiring three readings and bring Ord. No. 129 – 2018 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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. 129 – 2018 has passed.

16. NEW AND MISCELLANEOUS BUSINESS

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

COUNCIL PRESIDENT ISTNICK – Seeing none, Councilman Manson.

COUNCILMAN MANSON – I'd like to make a motion that we enter into Executive Session pursuant to Ohio Revised Code Sections 121.22(g)(5) and (g)(8) for the consideration of confidential information related to marketing plans, specific business strategies, trade secrets and financial statements with regard to applications and proposals for economic development assistance. This economic development assistance will be administered through the Community Improvement Corporation of Massillon and this Executive Session is necessary to protect the interest of the applicants, as well as the possible investment and the expenditure of public funds made in connection with this economic development project. That's my motion.

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

8 yes to enter into Executive Session

COUNCILMAN MANSON – And I'd like to invite the Mayor, Kathy, Dave Maley, Barb Sylvester, Andrea Scassa, all of Council, Council President and Council Clerk.

COUNCIL PRESIDENT ISTNICK – We will exit into Executive Session.

Exited into Executive Session – 7:15 p.m.

Exited out of Executive Session – 8:15 p.m.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – I'd like to make a motion to exit Executive Session.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Cunningham. Roll call.

8 yes to exit out of Executive Session

COUNCIL PRESIDENT ISTNICK – We've now exited out of Executive Session and are back into our regular session.

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – I make a motion to adjourn.

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

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT