MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, JANUARY 6, 2020

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, January 6, 2020. We have in attendance with us the following city officials: Mayor, Kathy Catazaro-Perry and from the Mayor's office, we have Linda Benson, Safety Service Director, Barb Sylvester and from the Safety Service Director's office, Anita Combs, from the Engineering Dept., Jason Popiel, Auditor, Jayne Ferrero, Law Director, Andrea Scassa, Community Development Director, Samantha Walters, Economic Development Director, Dave Maley, Fire Chief, Tom Burgasser, Income Tax/Budget Director, Lori Boron, Chief Building Inspector, Frank Silla, Health Dept. Commissioner, Terri Argent, Housing Director, Beverly Lewis, from the Street Dept., Lee McBride, Chief Deputy Auditor, Debbie Bonk. I'd also like to welcome back our old Council people, not that you're old and our new Council people, Ward 1, Mark Lombardi, Ward 2, Jim Thieret, and Council-at-Large, Nancy Halter and Ted Herncane. 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: Jill Creamer, Nancy Halter, Ted Herncane, Ed Lewis, Linda Litman, Mark Lombardi, Megan Starrett and Jim Thieret.

Roll call of 8 present

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we excuse Councilman Gregg.

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

8 yes to excuse Councilman Gregg.

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

2. INVOCATION

COUNCILMAN ED LEWIS

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN LEWIS

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Lewis.

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 – No, they are not as I was on vacation the week of Christmas. I'm still working on them.

COUNCIL PRESIDENT ISTNICK – Thank you.

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

JOHN SOPTELEAN – I live at 386 Shaw N.E., Ward 1. I'm here today to pledge my support of the amphitheater to the downtown area and I'm here to promote its usage as a tool to be utilized in the building of downtown's development for not only this generation, but the one's to come. A City of Champions has been built for all to see and for all to be a part of. I simply ask that those who wish to maintain it, realize that wishing solves little without the desire and will to push forward to the goal, and that liability rests on the shoulders of those who decline to participate, or engage he inevitable future and its generations. I view this project as an opportunity to reach out even harder to the younger citizens of Massillon and its surrounding areas. These citizens are the asset and future. These are the people who would fill seats, shop local, stop in for a bite to eat and then go home feeling great about their experience downtown and then want to return. They simply need invited. I feel a sense of urgency, for now is not the time to entertain nor promote the weaponization of doubt in regards to this project. Nor is it the time to laugh off enthusiasm and desire for downtown growth when so many of all ages need your enthusiasm. I've been in the music industry for 32 years. I have helped orchestrate numerous musical events, large and small, and I know what music can do for a community, its businesses and the promotion of its local commerce. This is not a dream filled statement, this is a fact I have witnessed multiple times. In regards to the amphitheater by the high school, you can't walk from there with convenience to Kozmo's and grab a martini. You can't walk to Smiley's and grab dinner. You can't walk by any businesses and check out what's going on. You simply miss out on the downtown experience of building customer relationships, and repeat business and the businesses themselves miss out, period. And if you want to resurrect the Picnic in the Park, all I'm going to ask is how many do you want this summer? One, two or three? Because I will start working on that tomorrow. It's something that we can do together and make that happen. I'll end up going crazy, but I'll do it. Do not be afraid of the word, new. Maintaining this city's legacy is number one. Everyone, regardless of beliefs in projects, believes this and holds this as religious truth. To not be humbled by the history of Massillon would be dismissive. This addition to our community is a multifaceted generator with honest potential to be a binding factor on a social level as well as an economical stimulant. Not one soul person is the only salesperson of this town. We all are…you, I, we, are all representatives of our communities, 24 hours a day. Let's build something new. Let's use the best tools that have been made available. Thank you.

COUNCIL PRESIDENT ISTNICK – John, would you mind leaving a copy of your written statement with Diane?

JOHN SOPTELEAN – It's going to be really sloppy.

COUNCIL PRESIDENT ISTNICK – That's alright, thank you. Anyone else?

MORRIE SULLIVAN – I'm one of the owners of Kozmo's Grill, 37 – 1st St., downtown. We were new to the downtown Massillon area. We came into town 12 years ago or so. We bought our property from Joey Berbari and I know many of you probably knew Joey or grew up with their family. It was our concept to add a destination type restaurant in downtown Massillon. The restaurant business is very risky, extremely risky. If you're familiar with the turnover of restaurants in downtown Canton or Jackson Twp. or Belden Village, any number of areas, it's a very risky business. Restaurants as other merchants need a certain synergy in and around their area. I currently own or am involved with three different restaurants. One in Canton, one in Green and Kozmo's here in downtown. And I'm truly proud that myself and my partners feel we have really been welcomed into the community of Massillon. We are extremely involved in the community. We support every aspect of the youth and other charitable organizations in and around Massillon and surrounding Stark County areas in our market area. But I think it's very, very important for Council to consider the benefits of a downtown amphitheater. You've seen what the publicity Canton's getting with their centennial plaza. What Jackson Twp. has done over the last year and their total redevelopment of a park out there. These will all lead to truly energetic public activities that will drive people to come to downtown to see what downtown is all about. The downtown development that has occurred thus far is fantastic. It just seems very, very appropriate to tie in some type of entertainment or venue that can be used to further attract people downtown and when they come down, they will visit the merchants. Spend money at merchants and that's what drives this economy. We need a central location in the downtown Massillon area. That's all I have. Thank you for listening.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

ANITA COMBS – I live at 1325 Kelly St. S.W., Massillon, Ohio. I want to discuss the topic of Duncan Plaza. I have lived in Massillon my entire life and I am proud to call it home. I first want to say that renovating something is not saying that it is broken. We all have homes that we may choose to renovate even when nothing is broken, we do this for the betterment of our home. Why should our city not renovate areas to better the city we live in? I have heard many individuals dislike that Massillon is compared to other cities when discussing areas of improvement. Why should we not compare our city when those other cities are the places that people of our town and others choose to visit because of the things they have to offer? I love this town and support many local businesses; but my husband and I will visit other cities often because they are moving forward with the times and have more to offer. I believe that Duncan Plaza is a way to move our city forward and bring people to our wonderful town. It will bring them to the center of our town, showing them the many assets this town has to offer! To name a few, the Massillon Museum, Tremont Coffee, Kozmo's, Smiley's, Paradigm, the Lincoln Theatre, Sangria Stand and I could go on, but I only have three minutes! I have not heard that this renovation is taking Duncan Plaza away and it is not going to take away any of the current events that happen there each year. From what I see, it will only help to offer more to our residents and city. I respect all our city Council members and the decisions that they make for our city. I want to point out that Council now needs to realize that this secondary proposal was presented by city residents or "business people", so from here forward any resident or "business person" should be allowed to come to this Council with a proposal about any city property and this Council needs to have the same regard and let them present it. We, as a

city, should respect the state funding and the foundations by using the money for the plan that was presented to them. In closing, I ask that this Council look at the Administration's proposal and the grant dollars that have already been approved and consider the disfavor you will be doing for the future of Massillon if you let these dollars pass us by and don't create this beautiful amphitheater in the heart of our city. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you. Also, if you could leave a copy of your statement, I'd appreciate it. Anyone else?

JORDAN LONG – 1235 Cherry Rd. N.W., Massillon, Ohio. I'm speaking in support of the amphitheater. Being a local musician, I understand the desire to perform at new and exciting venues. I think that this will be a great opportunity to expand on the arts and to help gather musicians and audiences together, big or small. Not only would this be a great addition to the City of Massillon for music, I think that there are many other ways this centerpiece can show off some of what we have to offer. It can be used as a space for other things, such as markets and multiple types of events. Spectators will be able to enjoy public venues of all kinds, which can help to increase commerce to other local businesses. With the success of Last Saturday apparent, I think that this would also be beneficial to continue to draw more people to this area for entertainment, dining and an overall fun day or night on the town, leaving more than experience, but word of mouth to spread the news of engaging performances. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else? Councilman Lewis.

COUNCILMAN LEWIS – Yes, I'd like to make a motion that we amend the agenda, bringing the items of nominations of Council Pro Tem and the appointment of Committees that are currently found in Section No. 16 to the current point of the agenda.

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

8 yes to amend the agenda to move the Appointment of Committees before the introduction of ordinances and resolutions

COUNCIL PRESIDENT ISTNICK – Thank you. I will open the floor for nominations for President Pro Tem. Councilwoman Halter.

COUNCILWOMAN HALTER – Madam President, I would like to nominate Ed Lewis for President Pro Tem of Council.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Thieret. Anyone else? Roll call.

8 yes to appoint Councilman Ed Lewis as Pro Tem of Council

COUNCIL PRESIDENT ISTNICK – Congratulations, Mr. Lewis. I look forward to working with you.

COUNCILMAN LEWIS – Thank you, all of you.

COUNCIL PRESIDENT ISTNICK – Let's hope mine goes as smoothly. I've worked very hard on this for the last two months and if Diane would hand these out. I'd like to give you some input on my thought process on this, so you don't think I just went into it "latter-scatter". I

asked all the previous Council people for their top three and Mr. Lewis was kind enough to ask the new people and one of them called me with their top three as well. If you'll notice on the sheet that was just handed out on Community Development, Health and Welfare, Police and Fire and Finance, there were four people that have shown an interest in this. My goal in placing the committee and the people on the committees was that everyone received their first choice, not to necessarily head the committee, but to at least be on the committee. And if you'll notice down the left-hand side on the bottom, only four didn't get all three choices. So, I made a schedule based on that. Four years ago, we had four people on Finance because they wanted it very badly and with their background and we voted on it and I thought it went well. I didn't think that there were any complications with it. I am open to suggestions. What I did is I put three people on a committee then I put four people on Community Development and Finance and then I have a third one to submit to you that has four on every committee. Our codified ordinances say that there has to be at least three people on a committee and I'd like to submit them to you and have you look them over. They're labeled A, B and C and I'm open for input. I also was diligent in keeping the most senior people in the positions that they wanted, so, Ed and Megan did get all three of theirs. The prior Council people, the only one that didn't get all three was Mike Gregg and he wanted Finance and Linda Litman had already been on Finance and I really saw no reason to remove her. That is why I suggested putting four on Finance and also four on Community Development. Ted Herncane worked in community development when he worked with the Mayor and he also worked at the Chamber of Commerce and that was his number one choice. Not to head it, but to be on it and I really would like Nancy Halter to be on it too because she has a lot of expertise in it as well. And then the last one, C has four members on each one and that would make everybody get all three of their choices. So, if you would take a minute and look them over. I feel strongly that everybody that their first choice that they should at least be on the committee, if not chairing it. Are there any comments or questions?

COUNCILMAN LEWIS – I only have C.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – The comment that I will make is from the beginning for the past few years now, I have been opposed to having committees that have four members on them. I just don't see the justification for it. I do know that the Rules permit it, but it creates an even number of people on a committee and that while in most cases, it does not propose any kind of issues. It could pose an issue if there was disagreement among the committee; we'd have two and two. Hence, the reason that, historically, it was always three. That way you did not have to worry about that as much. So, with that being said, in my opinion, Options B and C would be out because I would be opposed to anything with that. With that also said, Claudette and I did speak very reasonably and respectfully to each other. We did have some points that we did not see eye-to-eye. So, to further complicate things, there is a fourth option that I have and this is an option that I propose that we consider.

COUNCIL PRESIDENT ISTNICK – I would like mine voted on before you present yours. As the President, it is my responsibility to appoint the committees.

COUNCILMAN LEWIS – Absolutely, but that motion would have to come from a member of Council and as it stands now, there is not a motion and even if there were to be a motion, I'd be making the to amend your list. So, either way, my intent is to have my list voted upon.

COUNCIL PRESIDENT ISTNICK – Just a question, Mr. Lewis. In the past four years while on Finance, has here ever been a situation having four people on there?

COUNCILMAN LEWIS – There's not been an argument, but I'm still opposed to the arrangement. That does not change one bit.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – I guess I'd like to have some discussion prior to voting, if we could.

COUNCIL PRESIDENT ISTNICK – Absolutely.

COUNCILWOMAN LITMAN – Because we do have four new Council members as well as those that have experience in the committees in which the existing Council members or prior Council members have had as well. Because I do not see a problem having four members. I don't think with our precedence that was set where we had four members on Finance, that we had any issues. But I would also say that I don't know that it is necessary on every committee either and if I'm understanding what A, B, and C actually are here, and maybe with your further input, I would feel a little more comfortable knowing; do you have a preference of A, B or C? Since you are the Council President and it has typically been your authority, under your authority to do so. Are you saying that your preference is C or there are others?

COUNCIL PRESIDENT ISTNICK – My preference is B.

COUNCILWOMAN LITMAN – Your preference is B, okay.

COUNCIL PRESIDENT ISTNICK – The two most important committees to have four on them.

COUNCILWOMAN LITMAN – Okay.

COUNCILMAN LEWIS – And I'll continue, I was still speaking.

COUNCIL PRESIDENT ISTNICK – Go ahead.

COUNCILMAN LEWIS – You will see on this list and you know I'm very much in many regards in the same mind frame as President Istnick. I attempted, from the information that I gathered, to consider the choices that Council members had made. My goal is to try to get everyone, again, on at least two of the three that they chose. You will see that actually, Mrs. Istnick and I have the same Chairperson selections for each of the Committees and what I also did was make sure that no one received three for three. I felt that was the only equitable way to do it. So, everybody two out of the three. No one got three out of three.

COUNCIL PRESIDENT ISTNICK – Did everybody get their first choice?

COUNCILMAN LEWIS – Most likely not. And then we did also account for seniority, when appropriate and attempted to honor that to the best of our ability.

COUNCIL PRESIDENT ISTNICK – It's coming around.

COUNCIL PRESIDENT ISTNICK – Okay.

COUNCILMAN LEWIS – So with that said, I would like to make a motion that this Council receives and accepts the list that I have passed out where at the top it is labeled as "Amended List presented 01/06/2020".

COUNCIL PRESIDENT ISTNICK – I asked before that, what three committees do you have for Mr. Herncane?

COUNCILMAN LEWIS – Mr. Herncane is on this labeled list as being on Environmental as chairing Environmental. He is on Health & Welfare and he's on Rules & Courts.

COUNCIL PRESIDENT ISTNICK – Okay. The three that he had called me that he wanted to be on was No. 1, Community Development, No. 2 Rules and Courts and No. 3 Health & Welfare.

COUNCILMAN LEWIS – So he got two out of three. I have a motion that has been made and I'm still waiting on a second.

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

COUNCIL CLERK ROLLAND – Okay, but what are we voting on?

COUNCILWOMAN CREAMER – Wait. For clarification, what's the roll call for?

COUNCIL CLERK ROLLAND – Exactly.

COUNCILWOMAN CREAMER – Discussion or approving something?

COUNCILMAN LEWIS – To approve this list that I presented.

COUNCILWOMAN CREAMER – To approve it?

COUNCILMAN LEWIS – That would be what the roll call would be for.

COUNCILWOMAN LITMAN – Well, why wouldn't we have presented…

COUNCILMAN LEWIS – I made a motion for this. No one else made a motion; I made a motion. A motion has been made, it's been seconded, it is open for discussion. I can't limit discussion at this time.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – I'm not in favor of the amended list presented by Mr. Lewis. I think that we have set precedence in the past that the President of Council has the authority to name the Committee members, as well as the Committee Chairmen and I would like to respect that at this time.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – I would like clarification on the amended list. Once again, I know Mr. Lewis mentioned something, but can you detail? You said "based on seniority". So, can we go through your reasoning of why this is amended and give me those specifics. Because I know you generalized some statements and this is happening very quickly and I'm not going to be voting in favor of something that I'm unsure of the thought process and the specifics.

COUNCILMAN LEWIS – I'd be happy to answer any questions that anyone has.

COUNCILWOMAN CREAMER – Okay. So, based on your amended list, please go through how each member was assigned each committee. You stated seniority, so, I'm trying to figure out seniority. Who was put on what based upon seniority?

COUNCILMAN LEWIS – Finance, we have Lewis, Gregg and Starrett. All of them are senior members of City Council. Community Development, we have Starrett, Lewis and Halter, based off of the people that requested to be on Community Development. I view Halter with her nine years of City Council experience, plus her work with West Stark Chamber of Commerce, the Massillon Development Foundation, her years of experience of working downtown and owning a business as being applicable to community development. Parks and Recreation, Creamer, Litman and Gregg, obviously, senior members of Council. Two of which requested Parks and Recreation as one of their choices. Police and Fire, again, all three of those members actually requested to be chair of that committee. But, with Litman being the senior member of Council, that would have defaulted to her. Health and Welfare, Litman would have been able to have Health and Welfare. However, she requested other committees, so, based off of the people that requested, Halter, Herncane, Lombardi. Again, Halter had seniority. Streets and Highways, Thieret, Creamer and Halter. Ms. Creamer, I would have placed you there, but I know you had still voiced your interest in Parks and Recreation. So, it defaulted to Thieret. Rules and Courts, Mr. Gregg had voiced to that as being the one that he would want chair. Being senior member, it defaulted to him and Mr. Herncane had listed Rules and Courts as one of his committee choices, so, he was able to make it. Starrett did not list that as one of hers, but, again, since I was trying to make sure that no one got three out of three, she got it. Public Utilities, actually, Mr. Lombardi did not show an interest in this committee whatsoever at first. But he did receive two committee placements being Police and Fire and Health and Welfare that he did request. So, by default, he ended up with Public Utilities. And Litman and Thieret, again, I think, Ms. Litman, I do not believe requested Public Utilities, but, again, two had already been filled for her. Same with Mr. Thieret. Environmental, Mr. Herncane, again, had already been placed on two committees of which he had requested. So, he defaulted to the Environmental chair as well as Creamer and Lewis. I believe that whole committee became a defaulted committee. Because I don't know if anybody actually requested to be in charge of or a part of Environmental.

COUNCIL PRESIDENT ISTNICK – Mayor, could you come up for a minute?

MAYOR CATAZARO-PERRY – Good evening, Madam President, Members of Council.

COUNCIL PRESIDENT ISTNICK – Thank you. What did Mr. Herncane do for you?

MAYOR CATAZARO-PERRY – Community Development and he also did Economic Development.

COUNCIL PRESIDENT ISTNICK – Thank you. That is why I feel he should be on that committee. Not necessarily chair it, but at least be on that committee. Not saying that Mrs. Halter doesn't have expertise as well, but I feel that Ted would be better suited on that committee. Other discussion? Councilwoman Litman.

COUNCILWOMAN LITMAN – I am currently on Finance and I appreciated that appointment. I do think that with my background of twenty plus years' experience in investment management and financial management, I certainly feel that over the last three terms that I have brought a lot to that committee that may not have had the expertise there, otherwise. Not that the other committee members are not as knowledgeable, but I do think that I should be a part of the Finance Committee. I've not requested chairman, but I do think that being a part of that committee is important to me and I think that I do bring a lot to the table when it comes to ordinances and information that needs to be discussed under finance. Thank you.

COUNCIL PRESIDENT ISTNICK – As do I and that's why I chose four for that committee and four for Community Development, if it passes. Any other comments? Councilwoman Halter.

COUNCILWOMAN HALTER – Madam President. I'm just kind of confused at "B" because I see many of us are on four committees and the reason, we always had three on a committee was that you ended up on three committees.

COUNCILMAN LEWIS – I'm sorry; point of order, the motion is in reference to this list and not the other list. So, discussion needs to be limited to the list that the motion is made on.

COUNCILWOMAN HALTER – I'm sorry; you're right.

COUNCIL PRESIDENT ISTNICK – I guess I'm not certain how this works. As President, I thought it was me to present and the Council could vote it up or down and then you could submit something. Ms. Scassa, could you come up please?

ANDREA SCASSA – Yes.

COUNCIL PRESIDENT ISTNICK – Can his vote go before my vote since it is my responsibility to submit committees?

ANDREA SCASSA – It is your responsibility to bring forth, however, again, you need the approval of Council and I would say there is motion. A motion was made and seconded the floor, so, I would say that Council needs to address that motion and deal with that first.

COUNCIL PRESIDENT ISTNICK – So, vote for his before mine?

ANDREA SCASSA – At this point, yes. There's a motion that was made, seconded and is before this Council. So, I would say you need to address that, deal with it; vote on that first and then, if another motion is so made, deal with that motion.

COUNCIL PRESIDENT ISTNICK – Okay. I think this is going to be an interesting Council. Is everyone done with their discussion? Roll call.

5 yes; 3 no – Litman, Creamer and Herncane voted no

COUNCIL PRESIDENT ISTNICK – So be it.

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 1 – 2020 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with John Patrick Picard Architect Inc. for architectural services in the redevelopment of Duncan Plaza.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. Obviously, this is having to do with the proposal for Duncan Plaza. There's clearly a significant amount of discussion that this new City Council needs to have on the Duncan Plaza plans. So, at this point, I would just ask for first reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 1 – 2020 has received first reading. Ord. No. 2 – 2020.

ORDINANCE NO. 2 – 2020 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from O-1 Office to R-1 One Family Residential, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 2 – 2020 has received first reading. Ord. No. 3 - 2020.

ORDINANCE NO. 3 – 2020 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the City of Massillon, Ohio, to accept the estimated proposal submitted by Edward Elum for the repairs and improvements to Duncan Plaza.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. Again, this has to do with the Duncan Plaza renovations and plans. I do plan on giving this first reading, but, Mr. Maley, do you have any comments you want to make today before Council before we give first reading on Duncan Plaza?

DAVE MALEY – Yes. I spoke to Councilman Lewis earlier today. We have spoken to the State Facilities Commission which is in Columbus with regards to our funding for the $750,000.00 state funding and there is a time frame that we have to respect with regards to trying to get this process started. They have told us that basically to get some type of application paperwork to them by the end of March at the very latest. That was the deadline. They prefer earlier because they have to go through their application process where they

approve everything that we submit and then it has to go State Controlling Board for approval. Which they're anticipating probably sometimes it has to be approved by June. So, that's, based on our current situation if want to; what you want to do, that's what kind of a time frame we're looking at.

COUNCILWOMAN STARRETT – So you said some type of application?

DAVE MALEY – Well, they have an application that there's paperwork that we have. We have to start filling it all out based on whatever we're submitting correct.

COUNCILWOMAN STARRETT – So, is it possible, I think the big question that we have is this something that plans can be amended and changed when we submit, or do we have an answer on that, whether or not things can be changed?

DAVE MALEY – Well, plans can be changed.

COUNCILWOMAN STARRETT – And will that effect?

DAVE MALEY – But, if we go beyond the that time frame, we have to go back to the legislation for reapproval of the project and there's no guarantee it will be reapproved for the project.

COUNCILWOMAN STARRETT – So, we have until March you said?

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – I have an additional question, Mr. Maley. I know in these discussions when the second option was presented to us, there was a couple of statements made that the additional funding from the foundation money that they may not provide us that money if we would change to option two. Can somebody verify that in writing that we may possibly also lose additional funding from these foundations?

DAVE MALEY – I can't answer that question. I haven't spoke directly to any of the foundation people asking that specific question.

COUNCILWOMAN CREAMER – I thought that that was stated to us that those foundations…

DAVE MALEY – I said that I can't. I can't speak to that.

COUNCIL PRESIDENT ISTNICK – Thank you, Mayor.

MAYOR CATAZARO-PERRY – Ms. Creamer, the foundations were presented a plan and with that plan that we gave them and Council's already accepted most of the money, that we would have to go back to the foundations to change that and that's something I'm not willing to do.

COUNCILWOMAN CREAMER – Okay. Thank you.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – I'm a little concerned because this seems more rigid than it needs to be. I thought that we're only in proposal zone here and nothing that I've known about; I know we submitted some proposal, but proposal isn't necessarily the beginning or the end. It's beginning, maybe, but it's not the end and around. So, we have two ideas proposed so far and there's probably hybrids of those. So, I'm not sure if we have some wiggle room here; if we have some time, why not use the time? Make the best use of the money and the grant money and the state money and get it done right the first time. Thank you.

MAYOR CATAZARO-PERRY – Mr. Thieret, the project is done correctly. We have an architect that we hired. He drew up the plans for us. The Park Board has already approved it. So, this is not something that's happened over night. This project has been in the works for well over two years and this is a Phase II of our Imagine Downtown Massillon Project. So, this has been well thought out. We worked together to find the funds for it. We've presented to the State Capital Budget and received $750,000.00 plus $400,000.00 from the foundations. If you know anything about grants, when you write a grant, which I've written many, many; you have to do what you say you're going to do to the foundation; you have to. And there are reports that you must generate and turn back in to show that you're doing with the money that you promised you would do with what you presented. So, there is no, really, time. We've wasted time, actually. All last year, not bringing our project forward and it's an outstanding project and one of our residents tonight said that they have to go elsewhere and that's exactly what's going to happen. I want Council to think long and hard about this. That is exactly what is going to happen because Jackson Twp. received the State Capital Grant when we did and their project's almost done. So, if we're going to sit back and twiddle our thumbs and try to figure out now at the eleventh hour what we're doing, our residents are going elsewhere and that's not fair to our Massillon residents. So, I want you all to think about that, because Canton is putting in $12 million dollars, Jackson Twp. put in $3 million dollars and ours is a modest $1.4 million dollars and maybe a little more now since we've wasted time. The prices may go up. And so, we don't have time to waste and we need to approve the project that we presented, not only to Massillon Parks and Rec., but to Main St., to DMA, to the Chamber of Massillon, to the Massillon Main St. We did diligent in presenting to everyone to get approval. To the Museum and for the judge to come at the eleventh hour and try to turn this upside down is infathnable and I think we have a black eye. Do you want to know the truth? We have a black eye from the County on the way we're behaving over here in Massillon.

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – I have a question, Madam Mayor.

MAYOR CATAZARO-PERRY – Sure.

COUNCILMAN HERNCANE – Did the City advertise the request for qualifications for the designs service?

MAYOR CATAZARO-PERRY – We did. Yes, we did.

COUNCILMAN HERNCANE – On what date?

MAYOR CATAZARO-PERRY – I didn't bring that along with me, but we have that.

COUNCILMAN HERNCANE – Okay.

MAYOR CATAZARO-PERRY – And John Picard was selected.

COUNCILMAN HERNCANE – Okay. I would like to know the date whenever you have it.

MAYOR CATAZARO-PERRY – Sure. We have an entire timeline that I'll be happy to share with the new Council. I think you should see that because this Administration has worked very hard on bringing in funds to the City of Massillon. And that, to me, Council should respect that.

COUNCIL PRESIDENT ISTNICK – Councilman Lombardi.

COUNCILMAN LOMBARDI – Yes. Am I to understand then that if Council doesn't pass this, you're not will to even look at any other proposals?

MAYOR CATAZARO-PERRY – Not at the eleventh hour, sir, no. And we're not willing to go back to the foundations with our tail between our legs asking to change the project. I will tell you that the foundations were excited about this project and they wanted to give the City of Massillon money. Now, let me ask you this; how do you think the State's going to feel, now we have a proposal in there now for the splash pad, we've not used their money and we've not used the foundation money. I just want you to think of it from somebody on the outside looking in to our City. We've been given money, but we've not utilized it and Jackson Twp., they're going to have theirs open this year. Ours should be opening as well and our Massillon residents deserve this.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Just a few meetings ago, my understanding was, even if we started this project tomorrow, it's a year and a half away.

MAYOR CATAZARO-PERRY – That is inaccurate and he clarified that if you'd listened. He clarified that that evening. It is three months for the design, three months for the design and then we would go into the project construction and it would be ready to go in the spring. It's not a year and a half.

COUNCILMAN THIERET – What spring?

MAYOR CATAZARO-PERRY – The spring of 2021.

COUNCILMAN THIERET – Okay. So, that's a year and a quarter.

MAYOR CATAZARO-PERRY – No. We haven't even started the design yet, sir.

COUNCILMAN THIERET – I understand that. I also kind of fall back on the "haste makes waste" and I know for you, you gone through a lot of this, but for some of us now, we're looking at some of these things for the first time. I'm sure you have a timeline and I recall two or three years ago when this Imagine started, I was paying attention to it. I don't know what the timeline is and I appreciate if you bring that forward, but my concern is I don't the State so much has feelings. They go through the rules.

MAYOR CATAZARO-PERRY – I understand.

COUNCILMAN THIERET – But, understand what you're trying to say and I'm not trying to be irrelevant or anything like that. I'm just saying that we have that responsibility to make sure they're spent and they're spent wisely and I'm all for that wisdom and being conservative I guess you could say too. Thank you.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – I think these are a lot of questions that we need to discuss during the Committee meeting next week. Again, this is why I was planning on giving this first reading. I think new Council members need to go through this stuff. We'll get both plans and bring their questions next week where we can have a deeper discussion about this.

MAYOR CATAZARO-PERRY – We would like to represent next week to the new Council members the proposal that was voted upon by the Park and Rec. Board. John Picard is in the audience this evening and he'll be happy to go over that again. Because I think it is because we have four new Council members; I just want you to see the timeline and understand all the work that's gone into this and this is not the judge's park. I highly respect our judge; I highly respect the work that he's done for Veteran's Park. In fact, we've helped with some of the monuments, the Fluid Star and the Purple Heart and the Gold Star. But this is for Duncan Plaza and someone said, this is for the future. This is for our kids and our grandkids and for people to come to our downtown. A part of our City and to spread out our local businesses in this area and that's what we're trying to do. You put it at Stadium Park, you miss that and if you don't do something in our downtown, we're going to miss the boat. We've gone to conference with OHM. They've had conferences here and that's what the engineers are helping cities to do is to progress and we need to progress our city.

COUNCILWOMAN STARRETT – I think Council would appreciate that presentation next week. First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 3 – 2020 has received first reading. Ord. No. 4 – 2020.

ORDINANCE NO. 4 – 2020 **BY: POLICE AND FIRE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids according to law and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Massillon Fire Department to purchase Advanced Fire Training Props, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. I'm going to ask Chief Burgasser to come up and give us an update as to the FEMA grant and what the total cost to the City will be as well as what the importance is for the training props.

COUNCIL PRESIDENT ISTNICK – Thank you, Chief.

TOM BURGASSER – Good evening everyone. Thank you for inviting me up. This is actually a regionalized grant. There were four area departments working in cooperation with Stark

State College. It's North Canton, Alliance, Jackson Twp. and Massillon and what we propose to do is get a training prop which will allow you to have simulated vehicle fires from a two Chevy Spark all the way up to a 20 thousand gallon flammable liquid container and obviously, they're simulations with that type of prop. We received this grant on 09/11/18, we have one year to act on it. We are the host agency being the City and so, the cost is zero dollars to any of the political subdivisions. Stark State is going to pay the 10% match and they're going to house the prop and use it for our newest firefighters. They're going to use for Stark State's Fire Science Technology program and the Firefighter I and Firefighter II firefighter training. When they're not using it and this was the beauty of it; we'd actually would train on it in the area departments. It's mobile and you could take in around to the different agencies to use and that's what really excites us. Not only are we training our current employees, but we also allow for our junior firefighters and those firefighters who are not yet certified to train on it as well. And so, we like that. The cost of the whole thing is $118,750.00. But again, the total cost to the City is zero. We're moving this forward for advertised bids. The three or four companies that we know of would take four to five months to build this prop. It's a custom prop. Again, that's why it's not on State purchasing because it is a customized prop and so we need to advertise this way and that's why we ask for emergency legislation.

COUNCILWOMAN LITMAN – Are there any questions? Any discussion? Mr. Thieret.

COUNCILMAN THIERET – I'd just like to see the move ahead because that's one thing you can't duplicate and you can't substitute experience. I was there with Tom for thirty-one years and I know you don't get that many opportunities to a fire in a 25,000-gallon gas tank. Any opportunities you have to experience things like that when your life isn't exactly in danger; so you have some muscle memory, if you would, or some knowledge of what could or would happen, I think this is an excellent opportunity, and again, no cost to us, bring it forward, please. Thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else?

TOM BURGASSER – Thank you.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – I'd like to request waiving the rules requiring three readings and bring Ord. No. 4 – 2020 forward for a vote, please.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Thieret. 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. 4 – 2020 has passed. Ord. No. 5 – 2020.

ORDINANCE NO. 5 – 2020 **BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY 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 a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 2019 Erie Street South Resurfacing Project, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – As I read this, I understand that this was something that was left over from last year and we have to catch up. So, I would like to waive the rules for three readings and bring Ord. No. 5 – 2020 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. 5 – 2020 has passed. Ord. No. 6 – 2020.

ORDINANCE NO. 6 – 2020 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1409 Municipal Road Fund for the Erie Street South Resurfacing Project, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. First, Ms. Rolland, I assume you see the typographical error?

COUNCIL CLERK ROLLAND – Yes, on the agenda.

COUNCILMAN LEWIS – So, I'll be making the motion with the 2020 instead of the 2019 date.

COUNCIL CLERK ROLLAND – Yes sir.

COUNCILMAN LEWIS – This ordinance goes along with Ord. No. 5 – 2020. It's the funding for what we just passed under Ord. No. 5 – 2020. Are there any questions or comments? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 6 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. 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. 6 – 2020 has passed. Ord. No. 7 – 2020.

ORDINANCE NO. 7 – 2020 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for the City's share of the redevelopment of Duncan Plaza, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 7 – 2020 has received first reading. Res. No. 1 - 2020

RESOLUTION NO. 1 – 2020 **BY: RULES, COURTS & CIVIL SERVICE COMMITTEE**

A RESOLUTION appointing Frank J. Manaco and David C. Lundquist to the Local Board of Tax Review created under Codified Ordinance 181.18.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is something we usually do every term, but we do, normally, as a Council have made it kind of a thing that we ask these individuals to show up before we appoint them to a Council meeting just so Council members know who they are. Are these the same individuals, Mayor?

MAYOR CATAZARO-PERRY – No. Mr. Marks did not wish to continue.

COUNCILWOMAN STARRETT – Could it be possible if we could request them to come to the next meeting before we appoint just so we as Council members can meet these individuals and ask any questions if necessary?

MAYOR CATAZARO-PERRY – Would you like both of them here?

COUNCILWOMAN STARRETT – Council members, new Council members may want to meet Mr. Lundquist.

MAYOR CATAZARO-PERRY – Fine. We will try to contact them.

COUNCILWOMAN STARRETT – Thank you. First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Res. No. 1 – 2020 has received first reading.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMINCATIONS

A Request for a Transfer of a Liquor License from Bender's Inc., DBA Bender's Restaurant and Lounge & Patio located at 50 Lincoln Way E., 1st Floor and Bsmt., Massillon, Ohio 44646 to Bender's Food and Spirits, Inc. DBA Bender's Food and Spirits located at 50 Lincoln Way E., Massillon, OH 44646. Permit Class D5 and is located in Ward 2.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret, did you get a copy of this?

COUNCILMAN THIERET – Yes, I did. This is just routine, as I understand.

COUNCIL PRESIDENT ISTNICK – Thank you.

A Request for a Transfer of Liquor License from Vassiliki Vellios Estate, George John Vellios, Adm., DBA John George Convenient Store located at 3206 Lincoln Way. W. Drive Thru, Massillon, OH 44647 to 3206 LWW Holdings, LLC, located at 3206 Lincoln Way W. Drive Thru, Massillon, OH 44647. Permit Classes are C1, C2 and D6 and is located in Ward 6.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman, did you receive a copy of this?

COUNCILWOMAN LITMAN – Yes, I have. Thank you.

COUNCIL PRESIDENT ISNTICK – Thank you. They have been read into the record and copies have gone to the proper committees.

9. BILLS, ACCOUNTS AND CLAIMS

Keller's Office Furniture - $182.95 Office Supplies

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

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

8 yes to pay the bills

COUNCIL PRESIDENT ISTNICK – The Clerk will pay the bills and charge them to their proper accounts.

10. REPORTS FROM CITY OFFICIALS

Treasurer's Report - October 2019
Treasurer's Report - November 2019
Auditor's Report - November 2019
Mayor's Report - November 2019
Mayor's State of the City Address

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we accept the Auditor's Report.

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

8 yes to accept the Auditor's Report

COUNCIL PRESIDENT ISTNICK – The Auditor's Report has been accepted. At this time, we'll ask the Mayor to come forward and give the Mayor's State of the City Address to City Council and our residents that are with us.

MAYOR CATAZARO-PERRY – Good evening. This is really an honor to be able to present the 2019 State of the City Address as working together with all of you, we've been able to make great strides and the City of Massillon and I look forward to working with Council and Council President these next two years and hopefully, four years for all of you.

MAYOR GAVE HER STATE OF THE CITY ADDRESS

MAYOR CATAZARO-PERRY – As we promised, Council, before I leave, Jason, did you get to pass those out to everyone? Okay. So, Council, we promised that we would have to you, we have two lists for you to look at and David Maley is preparing legislation for this Wednesday to be turned into Diane; we would like to add $2 million dollars from our carryover to the paving for this year and we'd like to ask for your support on that. The Engineering Dept. has worked very hard to try to divvy this up so that everybody gets something and it's not an easy thing to do. The engineers are well versed in this, but they have tried their hardest to do a great job and then, they also have to look at how many streets are in that area. Because you can get more paved if you don't have to move from that area across town. So, please take a look at your streets and he'll be talking more about that next week. So, we wanted you to have it a week in advance so you'd have time to study it and bring questions back. They have asked my that if you do have questions ahead of time, if you could e-mail them. That is helpful because then they can get your answers to you for Monday night; if you would do that. Okay, thank you so much.

COUNCIL PRESIDENT ISTNICK – Thank you, Mayor. That was quite impressive and quite a year we had.

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be Monday, January 13, 2020 at 6:30 p.m. Prior to that, there will be a Health, Welfare, Bldg. Reg. meeting at 5:30 p.m. I will be absent next Monday. I will be out of town.

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – The Health, Welfare and Bldg. Regulations, that hasn't been confirmed. That committee is now comprised of Halter, Herncane and Lombardi. I don't believe any of them, considering that they're all new, could call that meeting.

COUNCIL PRESIDENT ISTNICK – I apologize. That's on my agenda. So, there's nothing next week? I had that also in my notes.

COUNCILMAN LEWIS – What I can clarify and I support this. This is just something that Ms. Litman was advocating for. So, I do support if that committee would like to go ahead and accept that suggestion from the President.

COUNCILWOMAN LITMAN – It's up to them.

COUNCILMAN LEWIS – It's up to them that they could have a committee meeting next week to discuss the Airbnb and the fencing ordinance for downtown Massillon. That was something that was being worked on by that committee and it was stated last year that it would be appreciated if the new committee could pick up where the old committee left off and that's why the date was on the President's list.

COUNCIL PRESIDENT ISTNICK – Councilwoman Halter, is that your Committee now?

COUNCILWOMAN HALTER – Yes, it is.

COUNCIL PRESIDENT ISTNICK – So, is that something you want to do?

COUNCILWOMAN HALTER – We would need information on that. I believe we're all new, all new Councilman. You said on what, fencing and sidewalks?

COUNCIL PRESIDENT ISTNICK – The downtown sidewalks and Airbnb's.
COUNCILWOMAN HALTER – Okay. Did someone propose something for that?

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – No. There was nothing proposed. There was just discussion at a few Committee meetings. I'm not on that committee anymore.

COUNCILWOMAN HALTER – I understand that. You're suggesting that we have a Special meeting?

COUNCIL PRESIDENT ISTNICK – I'm just saying that last year it was scheduled. If you'd like to not have one at this time and do further discussion, we can do that.

COUNCILWOMAN HALTER – I would like that. Thank you.

COUNCIL PRESIDENT ISTNICK – Then there is no Special meeting at 5:30 p.m. next Monday, just our Regular Work Session at 6:30 p.m.

COUNCIL CLERK ROLLAND – And it's not a Special meeting. It was a Committee Mtg. of the Health, Welfare and Bldg. Regs.

COUNCIL PRESIDENT ISTNICK – Okay. So, next week is just the Regular Work Session at 6:30 p.m.

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCE AND RESOLUTIONS

ORDINANCE NO. 174 – 2019 **BY: COMMITTEE OF THE WHOLE**

AN ORDINANCE reinstating the increase in pay based on the previous year's United States Consumer Price Index for the Council President, Council Members, Mayor, Auditor, Law Director and Treasurer, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance, a quick history of it. Last year, it was passed by Council with 5-4 vote, which not meet the emergency language to make it go into effect for 2020. At that time, Councilman Manson did call for a Special Meeting the last week to have it voted on again through a motion to reconsider to see if the votes would get there. However, it did fail to get through the second reading suspension, so it was not voted on and that is why it is before us today at third reading. What this ordinance would do is it would connect all elected officials in the City of Massillon to the Consumer Price Index and permit a mechanism in which pay raises could be provided to the elected officials in the future. However, it would not go into effect for City Council until 2022, would not go into effect for Mayor and Auditor until 2024 and I believe Treasurer would be 2022, as well because I think that's where her next cycle lines up. With that, I would open it up to any discussion.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Do we need to change any of the language in this ordinance? Because it has in there effective January 1, 2020. The copy that I have in front of me says that. That's my first question.

COUNCILMAN LEWIS – That would be for the Law Director.

COUNCIL PRESIDENT ISTNICK – Ms. Scassa.

ANDREA SCASSA – Yes. For the next terms, yes, it wouldn't go into effect until the next terms for Council and for all of the other elected officials as Councilman Lewis just stated.

COUNCIL PRESIDENT ISTNICK – So, does that need to be amended, then, Councilman Lewis?

COUNCILMAN LEWIS – Law Director, would it meet requirements if we just changed the language that said effective January 1, 2020 to effective next term as allowable by law and just leave it that way? Or as soon as permitted by law?

ANDREA SCASSA – Not only the actual language in the quotation that would be on the salary surveys, but I think, I don't know if I'm misunderstanding your question, Councilman Lewis. But, the language actually within the ordinance as well. So, I think you would have to change both places.

COUNCILMAN LEWIS – Oh, so I could change effective January 1, 2020 to effective January 1, 2022 and then change effective January 1, 2020 to effective January 1, 2024?

ANDREA SCASSA – Correct. And that would be under Section 3 and Section 4. You'd have to make a motion to change those dates. I think it would be cleaner to actually have that starting date in there as opposed to language, I'm sorry, what did you say; like the next term?

COUNCILMAN LEWIS – Yes.

ANDREA SCASSA – If you're going to have to amend it anyhow, I would prefer to have the next start of the term date.

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – I have a question, Madam Law Director. When Council passed this at the end of 2019 and then it was brought up for reconsideration, is it stated in the City ordinances or is it a legal interpretation that it reopens the matter back up at a certain reading?

ANDREA SCASSA – A motion to reconsider, my understanding of it is, it's essentially a re-do of whatever Council acted on a previous ordinance. So, when this ordinance was voted on, it was voted on, it was passed, but it wasn't passed with emergency language. So, when former Councilman Manson made the motion to reconsider and that motion was passed, it was essentially a re-do of Council's vote.

COUNCILMAN HERNCANE – Thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilwoman Creamer.

COUNCILWOMAN CREAMER – I have a question for the Safety Service Director regarding this.

COUNCIL PRESIDENT ISTNICK – Can you come up, Ms. Sylvester?

BARB SYLVESTER – Good evening.

COUNCILWOMAN CREAMER – Thank you. Can you tell me in the past twelve months or the next future twelve months, has all City employees received some type of pay increase, cost-of-living increase throughout the City?

BARB SYLVESTER – You're talking about the year of 2019 and 2020?

COUNCILWOMAN CREAMER – And going into 2020, yes.

BARB SYLVESTER – Yes. That was approved in the budget.

COUNCILWOMAN CREAMER – Excluding these four elected administrative positions and Council. Has all other City employees received some type of increase?

BARB SYLVESTER – Yes, they have. Through either the contracts or through the budget that was presented to you.

COUNCILWOMAN CREAMER – Thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilman Lewis.

COUNCILMAN LEWIS – I make a motion to amend Ord. No. 74 – 2019, Section 3 where it reads "effective January 1, 2020" to change to "effective January 1, 2022" and then in Section 4 where it says "effective January 1, 2020" to change to "effective January 1, 2024".

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

COUNCIL CLERK ROLLAND – Okay, the two Sections, 3 and 4, are for the Mayor, Auditor and Law Director. Now are you saying that the Treasurer we're going change to 2024 in Section 4?

COUNCILMAN LEWIS – The ordinance that I have before me only names the Mayor, the Auditor and the Law Director in Section 4 and it only names Council President and Members 2020 in Section 3.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – No, the statement in Section 4 reads "effective January 1, 2022 and then after the Treasurer shall receive…".

COUNCILMAN LEWIS – Well, then we wouldn't have to change it.

COUNCILWOMAN CREAMER – Right. So, that's already taken care of.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I made the motion.

COUNCIL PRESIDENT ISTNICK – Yes, I said roll call.

COUNCIL CLERK ROLLAND – I'm just wanting to correct this in the right places.

COUNCIL PRESIDENT ISTNICK – Take your time.

COUNCIL CLERK ROLLAND – So, Section 3 is for the Council President and Council members, Section 4 is for the Mayor, Auditor and Law Director, but that's going to be 2022 also, correct?

COUNCILMAN LEWIS – That would be 2024.

COUNCIL CLERK ROLLAND – 2024.

COUNCIL PRESIDENT ISTNICK – Before you do roll call, Diane; Mr. Herncane, did you have a question?

COUNCILMAN HERNCANE – Yes. This roll call is for the amendment, right?

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILMAN HERNCANE – Okay. Thank you.

COUNCIL PRESIDENT ISTNICK – It is not for the cost-of-living. It is for the amendment.

COUNCILMAN HERNCANE – Okay.

COUNCIL CLERK ROLLAND – And the Treasurer is 2024, also?

COUNCILMAN LEWIS – The Treasurer would be unchanged and remains at the 2022 date.

COUNCIL CLERK ROLLAND – Okay. Thank you.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – And what we have in front of us with the changes, this does not affect any of us sitting in these chairs today?

COUNCIL PRESIDENT ISTNICK – No.

COUNCILWOMAN CREAMER – It will go into effect, if it is passed, the next term of all the elected officials in this room?

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILWOMAN CREAMER – Just wanted to clarify that, correct?

COUNCIL PRESIDENT ISTNICK – Correct, and right now you're not voting on it. All that you're voting on is the amendment.

COUNCILWOMAN CREAMER – Correct.

8 yes to amend Ord. No. 174 – 2019

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 174 – 2019 has been amended. Mr. Lewis, is this still third reading?

COUNCILMAN LEWIS – It would take it to first.

COUNCIL PRESIDENT ISTNICK – Take it to first; that's what I thought. Okay. Mr. Lewis.

COUNCILMAN LEWIS – I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 174 – 2019 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

5 yes; 3 no – Herncane, Lewis and Lombardi voted "no"

COUNCIL PRESIDENT ISTNICK – Ord. No. 174 – 2019 has passed.

15. SECOND READING ORDINANCES AND RESOLUTIONS

16. NEW AND MISCELLANEOUS BUSINESS

COUNCIL PRESIDENT ISTNICK – We did that earlier, but I do have a couple of things that I would like to say, if that's alright with you? Diane should have provided all of you with the Codified Ordinances. No?

COUNCIL CLERK ROLLAND – Rules of Council.

COUNCIL PRESIDENT ISTNICK – Okay. Rule No. 8, Council will meet on the 1st and 3rd Mondays, always unless there is a holiday, then we'll meet on that Tuesday and the 2nd and the last Monday's when there are five Mondays in a month; and then, again, if there's a holiday, it'll be Tuesday. If you're going to be absent, please notify Diane in advance. Diane, I will be absent next Monday. If you have Request for Legislation, please have it to Diane by 9:00 a.m. on Wednesday prior to the meeting. And I don't know if all of you know this or if the audience knows this, I have said it before, but when I ask for a second for anything, I would like it to come from somebody on the committee. So, if I ignore you if you raise your hand, I'm not playing favorites but it should be someone on that committee. If it's Committee of the Whole, it can come from anybody. So, please, if you're on the committee and they require second, please do so. And also, Diane asked me to remind you to go down to the Rec. Center and get your name badges. Any questions?

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

18. ADJOURNMENT

COUNCILMAN LEWIS – I make a motion to adjourn.

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

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT