

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, JULY 2, 2018**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, July 2, 2018. We have in attendance with us the following city officials: Safety Service Director, Joel Smith, Law Director, Andrea Scassa, Economic Development Director, David Maley, and Income Tax/Budget Director, Barb Sylvester. On the wall to your left are agendas for anyone who wishes to follow tonight's meeting. Also, if you look at the agenda, under item #5 is where the public can speak on any item that appears on tonight's agenda and then under item #17 is where the public can speak on any item that does NOT appear on tonight's agenda. I want remind anyone with cell phones, please turn them down or set them to vibrate.

COUNCIL PRESIDENT ISTNICK – Roll call.

1. ROLL CALL

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

Roll call of 7 present

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – I'd like to make a motion that we excuse Councilwoman Litman and Councilwoman Starrett.

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

7 yes to excuse Councilwoman Litman and Councilwoman Starrett.

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Councilwoman Litman and Councilwoman Starrett have been excused.

2. INVOCATION

COUNCILWOMAN SARITA CUNNINGHAM

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILWOMAN CUNNINGHAM

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 corrections?

COUNCIL CLERK ROLLAND – No there are not.

COUNCIL PRESIDENT ISTNICK – Then the minutes stand approved as written.

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

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 71 – 2018

BY: COMMUNITY DEVELOPMENT COMMITTEE

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

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. We are going through this rezoning process here and this will take us into August to finish this up. Right now, there'll be letters going out to the property owners in that area and then there will be a meeting within the next thirty (30) days here in Council Chambers, open to the public to discuss it and then August, I forget the date. What would be the date of the hearing?

COUNCIL CLERK ROLLAND – August 6th, I believe.

COUNCIL PRESIDENT ISTNICK – Monday, August 6th?

COUNCIL CLERK ROLLAND – Yes. At 6:00 p.m.

COUNCILMAN MANSON – We're going to have the hearing and vote on it the same night, right, Diane?

COUNCIL CLERK ROLLAND – Yes.

COUNCILMAN MANSON – Okay. We will have a public hearing a half an hour before the regular meeting and then we will be voting on it the first week in August. How many days is it that we have to give notice to the property owners?

COUNCIL CLERK ROLLAND – 20 days prior.

COUNCILMAN MANSON – 20 days and then we have to do thirty (30) days before the public hearing.

COUNCIL PRESIDENT ISTNICK – Councilman Chovan.

COUNCILMAN CHOVAN – Thank you, Madam President. This is probably just a typo, but if you look at the ordinance section, it says rezoning a tract of land from R-1 Family Residential; it says R-T. Should that be R-Two Family Residential? I never heard of an R-T Residential.

COUNCIL CLERK ROLLAND – I believe that's what was on the request.

COUNCILMAN CHOVAN – Does anybody know?

COUNCIL PRESIDENT ISTNICK – What R-T is?

COUNCILMAN CHOVAN – Yes.

COUNCIL CLERK ROLLAND – It should be R-Two is what you're saying?

COUNCILMAN CHOVAN – Yeah, I'm thinking it should be R-Two and not R-T. I'm just asking. I never heard of an R-T.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – On the legislative request it does say two. R-T Two Family Residential. So, if it's incorrect, we'll find out about that and we can correct that.

COUNCILMAN CHOVAN – Yeah, I mean, that's all I wanted was to make sure it's worded the right way.

COUNCILMAN MANSON – If anything, it's just a typo. But, that's the way it is on the request.

COUNCIL CLERK ROLLAND – It's R-T on the legislative request.

COUNCILMAN MANSON -Yeah, it is.

COUNCIL PRESIDENT ISNTICK – So, it's staying R-T?

COUNCIL CLERK ROLLAND – It says R-T on the request.

COUNCILMAN CHOVAN – Okay, thanks.

COUNCILMAN MANSON – So, like I said, that'll take us into the first meeting in July that we deal with this.

COUNCIL PRESIDENT ISTNICK – August? First meeting in August?

COUNCILMAN MANSON – First reading.

COUNCIL PRESIDENT ISTNICK – It'll take us to the first meeting in August?

COUNCILMAN MANSON – Yes, in August. What did I say? In July, didn't I?

COUNCIL PRESIDENT ISTNICK – You did.

COUNCILMAN MANSON – August.

COUNCIL PRESIDENT ISTNICK – You did. Alright, Ord. No. 71 – 2018 has received first reading. Ord. No. 72 – 2018.

ORDINANCE NO. 72 – 2018

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Contract with the Board of Education of the Massillon City School District to provide two (2) police officers for law enforcement services in Massillon Washington High School and Massillon Junior High School, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Chovan.

COUNCILMAN CHOVAN – Thank you, Madam President. Director Smith, can I ask a quick question about this one? I apologize, but I was absent last week and I just want to clarify something here. Is this asking for two more or just one additional?

JOEL SMITH – One additional, two total.

COUNCILMAN CHOVAN – Okay. And they'll cover 70% of the cost and the new employee's salary.

JOEL SMITH – 70% of the lowest two salary's we have within the PD.

COUNCILMAN CHOVAN – Does that include their benefits and everything?

JOEL SMITH – Yes.

COUNCILMAN CHOVAN – Okay, that's all I wanted to know. Thank you. Anybody else have any questions about this? If not, then I move that we suspend the rules requiring three readings and bring Ord. No. 72 – 2018 forward for a vote.

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

7 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

7 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 72 – 2018 has passed. Ord. No. 73 – 2018.

ORDINANCE NO. 73 – 2018

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Park and Recreation Fund, for the year ending December 31, 2018, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 73 – 2018 has received first reading.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

Request for a new Liquor License for Tommy E. and Carol Jo Meldrum, located at 2144 Wales Rd. N. W., Jackson Twp., Massillon, OH 44646 located in Ward 1 and Permit Class is D1.

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham, have you received information on this?

COUNCILWOMAN CUNNINGHAM – Yes, I have.

COUNCIL PRESIDENT ISTNICK – Do you have any questions or concerns?

COUNCILWOMAN CUNNINGHAM – No, I do not.

COUNCIL PRESIDENT ISTNICK – Then we'll refer it to the proper committee and proceed.

9. BILLS, ACCOUNTS AND CLAIMS

Copeco - \$ 337.26 Contract Base Rate

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

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

7 yes to pay the bills

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

10. REPORTS FROM CITY OFFICIALS

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session is Monday July 9, 2018 at 6:30. Does anyone have anything?

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. I'm jumping ahead a minute here, but I wanted to make sure we discussed it at the appropriate time of our agenda. On the Call of the Calendar, we have Ordinance No. 76 – 2017. After thinking about it this weekend, I did contact the Law Director and I believe due to a technicality, this body would not be able to bring it off the table or vote on it. That technicality being that in 2017 it was a different body of Council that tabled it and we now have a different elected body that is now having to look at it, if that makes sense. So,

my thought process is that technically this would have become deceased or terminated on December 31, 2017. So, at this time, I would recommend that the Administration just put forth a new request of legislation that would come to us on Monday and then it would be up for first reading on the 16th of July.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – I think that's probably a good way to handle this especially since the committee chairperson isn't here. I mean, she tabled it, I believe. So, give her an opportunity to deal with it.

13. **CALL OF THE CALENDAR**

ORDINANCE NO. 76 – 2017

BY: HEALTH, WELFARE & BLDG. REGS. COMMITTEE

Tabled Indefinitely August 7, 2017

AN ORDINANCE amending Chapter 1331 "REGISTRATION OF VACANT BUILDINGS" of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Anyone else? So, Ord. No. 76 – 2017 has been terminated and it will be brought back to our attention on the 16th.

COUNCILMAN LEWIS – Well, it will be brought back to our attention whenever the Administration puts forth a new request for legislation which I assume will be this next cycle.

COUNCIL PRESIDENT ISTNICK – Alright. Thank you. Ord. No. 50 – 2018.

ORDINANCE NO. 50 – 2018

BY: COMMUNITY DEVELOPMENT COMMITTEE

Tabled June 18, 2018 until July 2, 2018

AN ORDINANCE amending Chapter 521 "HEALTH, SAFETY AND SANITATION" of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Okay, we have an area here that we want to amend. On the last page of the proposal, it would be under No. 2 on the last page, "The area of the sidewalk to be used by the business shall be fenced at a minimum height of 36 inches, was 48 inches tall, and the fence shall be pre-manufactured, decorative metal, black, brown or dark grey in color. The business shall obtain a permit for the fence from the Massillon Building Dept. prior to erecting". I think that's all that we wanted to amend, right, I believe, Dave? Could you ask to bring Mr. Maley up, please.

COUNCIL PRESIDENT ISTNICK – Mr. Maley, if you'd come forward. Thank you.

DAVE MALEY – Mr. Manson, yes, correct. That was in the original amendment that we had discussed. What we're changing from that original amendment would be that we would scratch after 36, we would scratch inches to a maximum height of 48, that would be scratched and then after that, the fence shall be and then we added pre-manufactured decorative; metal black was already in there, dark brown or dark grey. Those would be the changes. And I have a copy here.

COUNCILMAN MANSON – Yeah, we can put it with this. Is there anything in it that I don't have?

DAVE MALEY – It's right here, Paul.

COUNCILMAN MANSON – Yeah. I have everything that was there. So...

DAVE MALEY – If we amend it to scratch that language and add the additional that would be going back to first read.

COUNCILMAN MANSON – Right.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Maley. Are you done with him?

COUNCILMAN MANSON – Yes.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Maley.

COUNCILMAN MANSON – I'd like to make a motion that we amend Ord. No. 62 – 2018.

COUNCIL CLERK ROLLAND – Ord. No. 50.

COUNCILMAN MANSON – Pardon? Oh, I'm sorry, I've got two of them here. I make a motion that we, wait a minute here. First of all, we have to bring it out.

COUNCIL CLERK ROLLAND – Yeah, you have to untable it.

COUNCILMAN MANSON – Or is it automatic?

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – In this particular case, since it was tabled until July 2nd, I believe, it should be automatic.

COUNCILMAN MANSON – Okay. Andrea says so. Okay, so then, I would like to make a motion that we amend Section 2 of the last page and I can't find all of the letters and numbers. That was under "g", I believe.

COUNCIL CLERK ROLLAND – Yes.

COUNCILMAN MANSON – Right?

COUNCIL CLERK ROLLAND – Yes.

COUNCILMAN MANSON – Under "g", "g (2)". To amend it to say 36 inches tall and to add the decorative metal, black, brown and grey in color".

COUNCIL PRESIDENT ISTNICK – Grey or dark grey?

COUNCIL CLERK ROLLAND – Dark brown and dark grey.

COUNCILMAN MANSON – Black, dark brown and dark grey, I make a motion to amend it.

COUNCIL PRESIDENT ISTNICK – Do you have a second? Seconded by Councilman Chovan. Roll call for the amendment.

7 yes to amend Exhibit "A" attached to Ord. No. 50 – 2018

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 50 – 2018 has been amended. Councilman Manson.

COUNCILMAN MANSON – First reading. Can I just comment on this before we move on?

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILMAN MANSON – If you didn't see the newspaper today, there was some information in the newspaper. An extensive article, so, I'd say take a look at it and I'm probably going to invite some people to the next meeting to discuss their ideas too. Probably will invite anybody that wants to come to next Monday's meeting when we can listen to them. Some of the people are saying that they're not getting enough information on this whole thing. So, we'll try to get some more information.

COUNCIL PRESIDENT ISTNICK – Moving on, Ord. No. 50 – 2018 has received first reading. Ord. No. 62 – 2018.

14. **THIRD READING ORDINANCE AND RESOLUTIONS**

ORDINANCE NO. 62 – 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. 4304261, located at 131 Newport Ave. N.W., 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 – We've been talking about this for about six weeks and unless somebody has a problem that we can't answer, I'm going to recommend that we move this forward.

COUNCIL CLERK ROLLAND – It has to be amended first, Paul. This is the one where we have to replace the Community Improvement Corporation instead of the Community Development Corporation.

COUNCILMAN MANSON – Yeah. What page is that on?

COUNCIL PRESIDENT ISTNICK – Ms. Scassa if you could come up.

ANDREA SCASSA – Thank you. Mr. Manson, if you could make a motion to amend. If you look at Ord. 62 – 2018, within the title and then within section one and two, anywhere that it's referred to as the Community Development Corporation, it should read the Community Improvement Corporation. So, that is the amendment that needs to be made to the actual name of the corporation on the language of the ordinance and then if you could make a motion to include as Exhibit "A" the deeds. That is what we had talked about at the Work Session. As the deeds are customarily included with the ordinance in transactions such as this that we do with the CIC.

COUNCILMAN MANSON – I am confused, Andrea. Alright, I see where we're talking about Community Development Corporation being Community Improvement Corporation.

ANDREA SCASSA – Yes.

COUNCILMAN MANSON – So, where's that's at in the title and in section one and in section two we need to change that?

ANDREA SCASSA – Yes.

COUNCILMAN MANSON – Alright. Everybody note that; instead Community Development Corporation it should read Community Improvement Corporation.

COUNCIL CLERK ROLLAND – And Paul, I have a copy of the amended ordinance here with those changes.

COUNCILMAN MANSON – You do?

COUNCIL CLERK ROLLAND – Yes, sir.

COUNCILMAN MANSON – Okay. And the fees, what did you say?

ANDREA SCASSA – The deeds. Just a motion to include as Exhibit "A" the quit-claim deeds.

COUNCILMAN MANSON – Okay.

ANDREA SCASSA – And those were sent to you a few weeks back.

COUNCILMAN MANSON – I don't have those, the quit-claim deeds.

ANDREA SCASSA – Diane has those. We just need those included as Exhibit "A". A motion to amend to include Exhibit "A".

COUNCIL CLERK ROLLAND – I believe that they were sent out with the Work Session packet, weren't they.

COUNCILWOMAN CUNNINGHAM – Yes.

ANDREA SCASSA - Yes.

COUNCIL CLERK ROLLAND – That's what I thought. Do you want a copy of them, Paul?

COUNCILMAN MANSON – No, I've got it.

COUNCIL CLERK ROLLAND – Okay.

COUNCILMAN MANSON – Alright, we want to make a motion to amend the quit-claim part.

ANDREA SCASSA – Motion to amend to include Exhibit "A".

COUNCILMAN MANSON – Exhibit "A".

ANDREA SCASSA – Which are the quit-claim deeds.

COUNCILMAN MANSON – Which what?

ANDREA SCASSA – Are the quit-claim deeds.

COUNCILMAN MANSON – Alright, okay.

COUNCIL PRESIDENT ISTNICK – Are you done with Ms. Scassa?

COUNCILMAN MANSON – Pardon? Yes.

COUNCIL PRESIDENT ISTNICK – Thank you.

COUNCILMAN MANSON – Motion seconded by Councilman Chovan. Roll call for the amendment.

7 yes to amend Ord. No. 62 – 2018 to reflect Community Improvement Corporation in the title, section one, section two and to include the quit-claim deeds as Exhibit "A"

COUNCIL PRESIDENT ISTNICK – Mr. Manson.

COUNCILMAN MANSON – Yes.

COUNCIL PRESIDENT ISTNICK – Does that take it back to first reading?

COUNCILMAN MANSON – First reading, yes.

COUNCIL PRESIDENT ISTNICK – First reading?

COUNCILMAN MANSON – Yes.

COUNCIL PRESIDENT ISTNICK – Okay.

COUNCILMAN MANSON – And I want to make a motion to waive the rule requiring three separate readings and bring amended Ord. No. 62 – 2018 forward for passage.

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

7 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

7 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. The amended Ord. No. 62 – 2018 has passed.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 70 – 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 – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance discusses the appropriation of funds for legal fees and engineering projects. One of those projects that we were wanting the clarity on was the decision to go ahead and move forward with the first phase of work to be done in the Springhill allotment. This is in particular to the drainage issues that that allotment has and by being able to start this phase, we will eventually be able to get to the repaving in that area that is much needed. Are there any questions or discussion related to this ordinance this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 70 – 2018 forward for a vote.

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

7 yes for suspension.

COUNCIL PRESIDENT ISTNICK – And for passage.

7 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 70 – 2018 has passed.

16. NEW AND MISCELLANEOUS BUSINESS

COUNCILMAN MANSON – I'd just like to make a comment.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – We talked about discussion the hospital some. Maybe even go into Executive Session. I don't think there's really much new here from what we got the other night. Proposals are coming in, right? They'll be evaluated, but we probably do not need to go into Executive Session unless everybody feels that we need to go into to get some information.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – I just have a question. Do we know the timeline of the decision since the deadline has passed for those interested parties to submit whatever was requested of them? I would just like to know.

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

ANDREA SCASSA – We are working on it every day. I would say that without giving you a drop-dead deadline because, like I said, we work on it every day. Our goal and our hope is to bring something, I would say, our goal is within the next thirty (30) days to bring those to Council. Because we are still working through some of those proposals and, obviously, when we do come to this body, we want to make sure that we have tried to get the answers to all the questions that we think you may have and get those out. So, that is all the leg work that we are doing. So, like I said, that is our goal because we fully recognize, probably Joel more so than I, that the clock is ticking and the longer that we have it, the more expenses we have. But, like I said, we want to make sure that we do the leg work before we bring it to this body and so there's some things that we still need to look through.

COUNCIL PRESIDENT ISTNICK – Councilman Chovan.

COUNCILMAN CHOVAN – Thank you. Are we to the point where we've signed non-disclosure agreements with anybody or we have purchase offers from people?

ANDREA SCASSA – I would say, at this point, we are working through what has been presented to us. So, I don't want to get into the specifics of what has been presented to us, but, we are working through what has been presented to us so that, like I said, come to this body that you have as much information as possible to make a well-informed decision.

COUNCILMAN CHOVAN – I appreciate that. I mentioned before the meeting started that when you bring what's considered to be the best proposal, I'm going to want to look at the other ones also myself. Just because I've been through a lot of contracts of purchases of businesses and I just would like, I personally, would feel better voting on something if I had the chance to look at those. Thank you.

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – Thank you, Madam President. I don't know if anybody can speak on this, but right before I got to Council this evening, I saw something on social media about the purchase of a building that Akron Children's Hospital is coming into Massillon. Can anybody speak on that?

ANDREA SCASSA – I cannot speak to that, personally.

COUNCILWOMAN CUNNINGHAM – Madam President, can we call Mr. Smith up?

COUNCIL PRESIDENT ISTNICK – Absolutely. Mr. Smith if you could come forward? Mr. Maley?

DAVE MALEY – At this point, I cannot confirm or deny the rumor that they are coming. I can't because I don't have anything concrete. I haven't been contacted directly. We're aware that some stuff is going on, but, I just talked to Steve prior to this and I just won't confirm something until we know for sure. When I do hear something for sure, I'll be here telling you.

COUNCILWOMAN CUNNINGHAM – Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Maley.

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

DEBRA SMITH – 1600 – 16th St. S.E. I'm coming to you because of my neighbors; they're Guatemalan. I had a helicopter hovering over my house for several hours and this is a subject that I have been praying on. I think that Noah and the burning bush. So, I'm going to try to help my neighbors and I attended a church and what I don't understand is the hatred, the unkind remarks, the lack of suability that I see posted in our newspapers. These are human beings. Many of them that fled this area were here legally, they had their documentation. But they think that we hate them. I attended that church and I'm 63 years old, in a couple of months I'll be 64. I've attended many, many churches and in all those years, I went to a gathering of maybe 30 people and for the first time, I understood what people were talking about by a state of grace. I saw these people that are coming to us out of desperation to save their children and I saw them having abiding faith that would put every church that I've attended in my life, to shame. And not only that, I saw joy. You could feel it in your soul. What are we going to do to help these people as a community? They are afraid and they have every right to be afraid. They're being taken many times with legal documentation without due process. And the only thing that I value above my family and my Creator is the United States Constitution. What we are doing as a country for the first time in my life makes me ashamed to be an American. I don't understand this lack of appreciation for our differences as human beings. I was raised to believe two things, there's one race. The human race and that every living being, man and woman, are my brothers and sisters. Why can't we see that these people receive due process? Why can't we reach our hands out to them as a community? Isn't that truly what this country is supposed to be about? I don't have the answers, but I know I will never align myself with those teach racism and bigotry and hatred base on their biased, ignorant little minds. And please, as human beings, think about this. I have grandchildren and they're brown. If I stand silent, how do I explain to them when they're the next group that some other group of people wants to see disappear from this country. It's time people stand for what is right. Not what is politically correct, not what the voters want to hear from you, but what you

know in here (your heart) is right and ethical and moral and that's what I'm asking for my neighbors that you do. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you Debra. Debra did you sign the paper with your name and address?

DEBRA SMITH – No.

COUNCIL PRESIDENT ISTNICK – If you would, I would appreciate it. Is there anyone else that would like to come forward and speak on a topic that did not appear on tonight's agenda? Thank you, Debra.

RITA FISHER – Good evening. My address is 407 W. 3rd St., Uhrichsville, OH, but we own property at 856 Cherry Rd. N.W., Massillon, OH, our daughter lives there. Several of you probably have received an e-mail from me. I've been communicating with my council person and others about our neighbor. He lives at 862 Cherry Rd. N.W., I have map in front of me. We have continued police reports, I'll back up just a little bit. When we first bought the house two years ago, we had a water issue and you guys were fantastic in taking care of that; I will put that out there. The water issue is now gone. It was coming down the alley between houses. They're both two unnamed alleys, so I can't even give you a name. But, the water coming down was taken care of. It is no longer coming in our driveway and tearing it apart. That was great, thank you very much. But, we continue to have issues with the neighbor at the 862 Cherry Rd. N.W. The house sits on Cherry Rd. in an alley and he uses the alley and he uses our driveway; cuts through our driveway to make the turn to go up the alley into his residence. Dave knows; he's been there; he's seen it. He's very well aware of what's going on. It's not only our property. I have four other properties that he has damaged with this trailer. He's running a "chop shop" out of his garage. He runs at 10:00 p.m. to 7:00 a.m. He hauls vehicles on trailers into his garage and he has a privacy fence over part of it and he is running saws to chop these vehicles up. He parks in the alley; blocks the alley. My daughter came home the other day, sent me a picture and he was parked against our fence and our tree with his vehicles. Am asking, what can we do? We have done everything. The one neighbor, like I said my driveway, when we're not there, tearing it up. Throwing gravel into the neighbor across the street, broke his window, chipped his brand-new car. The other neighbor across the alley, had to put up a metal pole in his yard, not even in the road, and they took the trailer and pulled that pole. So, then he showed up, because it was bent over, they showed up and tried to pull it out with a chain and they couldn't get it out. So, they bent it the other way, so it's laying in his yard. The other neighbor put up a privacy fence because he was parking all of these illegal cars in his yard. So, he put up a privacy fence. He is just a nuisance and I don't know where else to go. I have done everything that I can think of. I wanted to bring it to your attention that we are having issues and we were told to keep calling the police. There has to be at least 20 police reports from not only us, but all the surrounding neighbors. Noise ordinances; his dog trying to bite everybody as you go through. He has a brick wall that I know he's been warned about, but I don't think anything has ever been done it. He's got brick laying everywhere; all over the yard in the alley and everywhere. So, I guess that's my question. What is my next step? What do I need to do? Can I put a short fence? How high does it have to be if I do that? Can I put up one of those posts like when you go through a drive-thru? You know the post to stop people from hitting the building? Can I do that? What are my choices? I guess that's my question.

COUNCIL PRESIDENT ISTNICK – Thank you, Rita. Hopefully at the end of the meeting, maybe Mr. Smith could speak to you.

RITA FISHER – Okay.

COUNCIL PRESIDENT ISTNICK – Don't forget to sign the sheet.

RITA FISHER – Thank you.

COUNCIL PRESIDENT ISTNICK – Is there anyone else that would like to come forward and speak on a topic that did not appear on tonight's agenda? Please state your name and address.

GEORGE GLIBA – 222 Lake Ave. N.E., Massillon, OH. I wanted to make a comment about the railing ordinance that everyone's been discussing the last two weeks. Now, I don't know how well thought out this was by everybody, but you keep referring to Kozmo's like the model

place that everybody wants to try to envision downtown. It's nice; I like it, but the reason that works is because it's on a side street. Plus, it has an awning over it. Now, like four or five weeks ago, there was a HUD lady in here about grant money and Paul was in charge of the conference here that night. So, I don't know whether that money is going to be offered to these people downtown for their situation they have. Because I was talking to Greg last week about the fencing situation. I was like, if you put a fence around each place, it's seasonal. It's from May to September. What are you going to do in the winter? Just leave it sit there? So, I don't know how well thought out this was, but they do make retractable fencing where you can anchor it to the wall then pull it out like an accordion and pin it. Instead of stubs coming up to bolt it to the ground, you could have a pin in the ground and you can pin it for each individual business. So, that's the comment that I wanted to make because I was concerned about the winter time. What are you going to have down there? Just a bunch of fencing and when it snows, obviously, they're going to be accountable to clean up the snow. Right now, the City does, or at least I think the City does the snow removal downtown. But as things progress, I guess I'll find out the answer of what City Council, with the HUD thing and like Paul recommended, the city owners coming up next week and have a discussion with them and so forth. But, I know like in the summer time, that sun coming down Lincoln Way, even like during the concerts in the summer time, it's right down Lincoln Way and it's hot. I mean, it's blazing hot. So, I just didn't know if everybody here just thought this through about having permanent fencing down there and if you did; they do make retractable awning as well. So, that's an option. So, I think it could work if it had an awning over it, but, otherwise I think it's a big clutter mess down there and it's hard to maneuver. So, I just wanted to put in my point of view, my thoughts and whether or not anybody else had the same reasoning to keep it permanent instead of, because it's a seasonal situation for all of the businesses. That's all.

COUNCIL PRESIDENT ISTNICK – Thank you, George.

GEORGE GLIBA – Thank you.

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – I make a motion to adjourn.

COUNCIL PRESIDENT ISTNICK – Did you want to bring something up?

COUNCILWOMAN CUNNINGHAM – Oh yeah, thank you. Prior to Council starting this evening, I handed out information on Ord. No. 56 – 2015 that I would like to have revisited. So, I would like you to read over the information that I gave and then we're going to discuss it at Monday's Work Session. Thank you. I make a motion that we adjourn.

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

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT