MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, MARCH 15, 2021

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, March 15, 2021. We have in attendance with us the following city officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Law Director, Justin Richard, Chief Counsel, Bill Bartos, Chief Engineer, Jason Popiel, Construction Superintendent, Greg McCue, Community Development Director, Samantha Walters, Economic Development Director, Dave Maley, Police Chief, Keith Moser and Fire Chief, Tom Burgasser. Under item #5 on the agenda 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'd like to remind all of you that if you are not speaking, please mute your mics so that we can hold all the background noise to a minimum.

COUNCIL PRESIDENT ISTNICK – Roll call.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Jill Creamer, Mike Gregg, Ted Herncane, Ed Lewis, Linda Litman, Mark Lombardi, Jamie Slutz, Megan Starrett and Jim Thieret.

Roll call of 9 present

COUNCIL PRESIDENT ISTNICK – Thank you. All present and accounted for. Councilwoman Litman.

2. INVOCATION

COUNCILWOMAN LINDA LITMAN

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILWOMAN LITMAN

COUNCIL PRESIDENT ISTNICK – Thank you, Councilwoman Litman.

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Madam Clerk are the minutes of the previous meeting transcribed and open for public viewing?

COUNCIL CLERK ROLLAND – Yes, they are.

COUNCIL PRESIDENT ISTNICK – Are there any additions or corrections to be made?

COUNCIL CLERK ROLLAND – No, there are not.

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

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

6. NEW AND MISCELLANEOUS BUSINESS

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

COUNCILMAN LEWIS – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILMAN LEWIS – I have a question for the Law Director to guide in a motion that I believe that I have to make.

COUNCIL PRESIDENT ISTNICK – Go right ahead.

COUNCILMAN LEWIS – Mr. Richard. It looks like I'll be needing to make a motion suspending the Rule of Council so that we can get the matters that we just discussed on tonight's agenda?

JUSTIN RICHARD – Yes, I believe so and we need to vote on that as well.

COUNCILMAN LEWIS – Thank you. Well then, I make a motion that we amend tonight's agenda to include all items discussed at the Work Session on March 15, 2021, be included on Introduction of Ordinances and Resolutions first readings.

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

9 yes to amend tonight's agenda

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. The agenda has been amended. On my sheet that you gave me, Diane, says "Introduction of Ordinances and Resolutions" and I have no numbers.

COUNCIL CLERK ROLLAND – That's because I don't have any ordinances. I couldn't make them into ordinances without the verbals.

COUNCIL PRESIDENT ISTNICK – Right.

COUNCILMAN LEWIS – Then we'd have to go to straight to second and third readings.

COUNCIL PRESIDENT ISTNICK – Okay.

COUNCILMAN LEWIS – One second, Madam President.

COUNCIL PRESIDENT ISTNICK – Go ahead, Ed.

COUNCILMAN LEWIS – Do we need to call a Special Meeting, then, for Monday, probably at 6:30 p.m. so that these matters can receive their first readings? Because some of them are time-sensitive, I'm sure.

COUNCIL PRESIDENT ISTNICK – Monday at 6:30 p.m. before the Committee?

COUNCILMAN LEWIS – Yes. We have a lot more leeway with Committee meetings. We can just do the Committee meeting after the Special meeting. That's fine that we have a little more leeway there. A voting session we need to be concrete on.

COUNCIL CLERK ROLLAND – Ed.

COUNCILMAN LEWIS – Yes.

COUNCIL CLERK ROLLAND – There is no meeting Monday. We're off that week.

COUNCILMAN LEWIS – Oh, because there's five weeks?

COUNCIL CLERK ROLLAND – Yes. It would only be that meeting.

COUNCILMAN LEWIS – Well then, let's just do it. It'll clean all of this up; get the backlog cleaned up.

COUNCIL CLERK ROLLAND – Right.

COUNCIL PRESIDENT ISTNICK – Does anyone have a problem with that? Councilman Herncane.

COUNCILMAN HERNCANE – I'm looking at the calendar. You're saying that we're going to have the Special meeting for the 29th, not next week?

COUNCIL PRESIDENT ISTNICK – Nope, the 22nd.

COUNCILMAN HERNCANE – We're meeting next week.

COUNCIL CLERK ROLLAND – No, we're not.

COUNCIL PRESIDENT ISTNICK – So, it would be the 29th then?

COUNCILMAN LEWIS – No. What she's saying is that without the Special meeting, we would not be meeting next week. When we call the Special meeting, we will be on the 22nd and then we would have our next Work Session on the 29th.

COUNCILMAN HERNCANCE – Oh, that's fine. I got you.

COUNCIL PRESIDENT ISTNICK – Anyone else out there have a problem with that?

COUNCILMAN LEWIS – Then we'd have to disregard our previous motion, second and vote because there's nothing to add into that section of the agenda.

COUNCIL PRESIDENT ISTNICK – Okay. So, next Monday the 22nd at 6:30 p.m., correct?

COUNCILMAN LEWIS – Correct.

COUNCIL PRESIDENT ISTNICK – I'm just going to throw this out right now, will we be meeting in Council Chambers?

COUNCILMAN LEWIS – As soon as we can. I know Mr. Herncane has brought it up, but that would be too late.

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – Yes, thank you, Madam President. The March 2nd Order from the Director of the Ohio Dept. of Health which made some amendments to the previous Mass Gathering Order of greater than 10 people amended certain things like weddings and funerals and I think our meetings fall somewhere in between, but one of the items it does, for the first time, explicitly states that the 10 person no gatherings greater than 10 people for the first time, in writing, it actually explicitly stated that governmental meetings are not subject to that. Again, that was by Director Stephanie McCloud, dated March 2, 2021.

COUNCIL PRESIDENT ISTNICK – So, what are you guys thinking? And Ed and I have talked; for anyone that is not comfortable for coming in, that is still fine. Am I correct in stated that, Ed?

COUNCILMAN LEWIS – I suppose, but I concur with Mr. Herncane. From the evidence that I have found and I appreciate his research that he's done, I see no reason why we can't start meeting in Chambers and if we're doing that, I think it would behoove all members of Council to be present for that.

COUNCIL PRESIDENT ISTNICK – Anyone have a comment? So, when do you think we should start this? Councilman Herncane, are you leaning forward to talk?

COUNCILMAN HERNCANE – I am, thank you. I would say the next meeting.

COUNCIL PRESIDENT ISTNICK – Comments?

COUNCILMAN LEWIS – I'm fine with that. Oh, go ahead Ms. Litman.

COUNCILWOMAN LITMAN – I was just going to say that that would be on the 22nd?

COUNCIL PRESIDENT ISTNICK – I'm fine with that. I've wanted to get in for the last six months.

COUNCILMAN LEWIS – I think as long as we have an avenue for the Administration to be able to still be part of the meeting, I think they would be wanting to still join us virtually to keep numbers as low as possible.

COUNCIL PRESIDENT ISTNICK – Is there a restriction to the number that can be there? Councilman Lombardi.

COUNCILMAN LOMBARDI – I think we still have to follow the social distancing rules of six feet between people. So, putting Administration in there and any public, we'd really probably jeopardize that. We have the ability to have all of us meet in there and still do the meeting virtually so that the public can come in virtually and interact.

COUNCIL PRESIDENT ISTNICK – Thank you. Councilwoman Starrett.

COUNCILWOMAN STARRETT – I know originally we were planning on coming back in because we're planning on live streaming it and have some people come in virtually. We talked about doing that at a Work Session just in case we have some issues with the public being in and things like that. So, I don't know if we want to try it on our next regular meeting which will be the 22nd. It might behoove us to wait until the Work Session on the 29th in case we do have some hiccups or issues. I don't know if Mr. Lombardi seems to be more in-tune with how everything is going to go streaming it from Chambers. If you're confident, then I believe in you, but I don't know if it's going to be better to wait until we have the Work Session rather than a Regular meeting.

COUNCILMAN LOMBARDI – President Istnick.

COUNCIL PRESIDENT ISTNICK – Go ahead. I don't suppose another week would kill me, but, go ahead, Councilman Lombardi.

COUNCILMAN LOMBARDI – I was going to say that I agree with Mrs. Starrett. We probably should do more of a dry run at a Work Session, just in case, and I will need some assistance in placing the camera for that room.

COUNCIL PRESIDENT ISTNICK – So then, our first meeting will be on Monday, the 29th of March. Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. Diane, has there been any cleaning of Council Chambers over the last year or is there regular cleaning being done since we've not been in Chambers?

COUNCIL CLERK ROLLAND – Yes. The cleaning crew comes through on Tuesday's and Friday's. They have not cleaned the partitions because there has not been anyone there, but she does clean the desks and my desk. She runs the vacuum; trash has been emptied. So, we do get a visitation from the cleaning crew twice a week.

COUNCIL PRESIDENT ISTNICK – Is it more thorough than just a regular cleaning?

COUNCIL CLERK ROLLAND – No, because there's nobody in there but me.

COUNCIL PRESIDENT ISTNICK – So when it is, then it will be a more deep-cleaning between sessions?

COUNCIL CLERK ROLLAND – Yes ma'am.

COUNCIL PRESIDENT ISTNICK – Thank you.

COUNCILWOMAN LITMAN – With disinfectant, perhaps?

COUNCIL CLERK ROLLAND – Yes ma'am.

COUNCILWOMAN LITMAN – Thank you.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – I have a couple of questions since it's been so long since we discussed this; going back to Council and having Mr. Lombardi man the computer. Will the Webex be projected up on a screen and will there be speakers involved in case we do have people calling in so all can hear the questions and have that answer and be able to follow-up? I can't recall.

COUNCILMAN LOMBARDI – Mrs. Istnick, if you don't mind, I can explain how this would work.

COUNCIL PRESIDENT ISTNICK – Go ahead.

COUNCILMAN LOMBARDI – The way that this will work is we would not see the Webex meeting anymore. Diane will have a laptop at her station; President Istnick will have a laptop at her station and the reason she has a laptop is so she can be on the Webex as well. Because the camera will be position behind her, so, she will not be on video. The rest of us will be on video. We will hear everything from the Webex meeting through the PA system in Council Chambers and everything we speak into our mics when our mics are on, will be projected then into the Webex meeting. We will not see a Webex meeting. We'll see each other just like a normal Council meeting. We just need to make sure that our microphones are on when we're speaking. Otherwise, we will not get onto Webex. I did have the microphones changed so that more than three microphones can be on at one time. However, we can't have them all on at one time, so, you still have to be condescend of when you're not speaking, you might have your microphone turned off. Other than that, we'll hear anybody speaking through the Webex meeting will address us from there and we will also have our microphones work the same through the PA system and into the Webex meeting.

COUNCIL PRESIDENT ISTNICK – Thank you. Councilman Lewis.

COUNCILMAN LEWIS – I'm thinking that if it's just us members of Council and what not, is there a really big issue if the press wants to be in person and they can sit in the back of the room to keep plenty of distance and what not.

COUNCIL PRESIDENT ISTNICK – I don't have a problem with that. I thought Diane and I mapped out that how many could sit back there, Diane? Was it two or four seats apart?

COUNCIL CLERK ROLLAND – I think it was six.

COUNCIL PRESIDENT ISTNICK – Six?

COUNCIL CLERK ROLLAND – Yes.

COUNCIL PRESIDENT ISTNICK – Of how you would get six in there without offending other people and if the Mayor or somebody from Administration wanted to come in that there would be limited seating. But, no, I don't have a problem with this.

COUNCILMAN LOMBARDI – Mrs. Istnick?

COUNCIL PRESIDENT ISTNICK – Yes, sir.

COUNCILMAN LOMBARDI – One thing I wanted to point is what Terri Argent had pointed out when we first started discussing this; we still all have to mask-up and we still have to maintain our own social distancing. We'll hang our coats on the back of our chairs so that we're not in the Conference Room together and we're not putting our personal property next to other people and things of that nature.

COUNCIL PRESIDENT ISTNICK – Yes, agreed. Councilman Thieret.

COUNCILMAN THIERET – The masking was just in and out, right?

COUNCILMAN LOMBARDI – I believe so, but I can give Mrs. Argent a call tomorrow and reclarify that.

COUNCIL CLERK ROLLAND – We do have the partitions.

COUNCIL PRESIDENT ISTNICK – Yeah, he can check with Mrs. Argent on that. Anyone else? So, there will be somebody downstairs to, well, we don't need security. The doors will just be open?

COUNCIL CLERK ROLLAND – I would probably have to let everyone in.

COUNCIL PRESIDENT ISTNICK – Okay. Alright, then we will meet in person on the 29th and next Tuesday will be our Special Meeting at 6:30 p.m. on the 22nd. Anyone else have any concerns at this point? Alright.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMINCATIONS

10. BILLS, ACCOUNTS AND CLAIMS

The Repository	-	$ 676.40	Publication of January Ordinances

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 to pay the bills.

9 yes to pay the bills

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

11. REPORTS FROM CITY OFFICIALS

Treasurer's Report - February 2021
Auditor's Report - February 2021

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

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

9 yes to accept the Auditor's Report

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. The Auditor's Report has been accepted.

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session, as we discussed, will be on Monday, March 29, 2021 at 6:30 p.m. and we will have a Special Meeting on the 22nd at 6:30 p.m.

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

14. CALL OF THE CALENDAR

15. THIRD READING ORDINANCE AND RESOLUTIONS

ORDINANCE NO. 16 – 2021 **BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE**

AN ORDINANCE to accept the dedication of road right of way and easements for Country View Meadows, Phase 2 subdivision, Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. If there's no further discussion, Councilman Herncane.

COUNCILMAN HERNCANE – Thank you, Mr. Thieret. I apologize for interrupting you, but I do want to state for the record that I will be abstaining from this vote. My company did the plat in this matter and I have a conflict of interest.

COUNCILMAN THIERET – Thank you.

COUNCILMAN HERNCANE – Thank you.

COUNCILMAN THIERET – I don't have that legislation in front of me because I don't get the e-mails yet. We're still working on that, Diane. But I understand that this is third reading, so if there's no objection, I call for a vote tonight.

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

8 yes; 1 abstention

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 16 – 2021 has passed.

16. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 27 – 2021 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with the Print Bar to provide an economic development "inducement grant" to fund start-up costs at the property located at 45 – 1st Street N.W., Massillon, Ohio.

COUNCIL PRESIDENT ISNTICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is for a $7,500 grant for Print Bar. Is there any further discussion on this tonight? Hearing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 27 – 2021 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 27 – 2021 has passed. Ord. No. 28 – 2021.

ORDINANCE NO. 28 – 2021 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Head to Toe Salon and Spa to provide an economic development "inducement grant" to fund start-up costs at the property located at 224 – 1st Street N.E., Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This is an additional economic inducement grant. This is for Head to Toe Salon and Spa. This is for $7,500. Any questions or discussion? Hearing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 28 – 2021 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 28 – 2021 has passed. Ord. No. 29 – 2021.

ORDINANCE NO. 29 – 2021 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Kathy Boyd's Hair Studio to provide an economic development "inducement grant" for expansion costs at the property located at 212 Federal Avenue N.E., Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This final grant is for Kathy Boyd's Hair Studio in the amount of $3,000. Is there further discussion or questions tonight? Hearing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 29 – 2021 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 29 – 2021 has passed. Ord. No. 34 – 2021.

ORDINANCE NO. 34 – 2021 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for the Economic Development Department, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. So this is the funding of the economic development grants that we just discussed. As we recall, it's a three-step process. First we take the dollars and put them into Transfer Out, that's what this Ord. No. 34 – 2021 is. Next, it'll go to Transfer Out to Transfer In and then once it's in Transfer In, we can appropriate it to the Economic Development Fund. So that's why there are three different ordinances we're going to go through tonight. They all become the same thing. At a previous Work Session, we did discuss that they are requesting $60,000. It was stated that they believe that will be able to assist them in the issuance of these grants throughout the year, but there was some discussion about having that appropriation into $30,000, that way they would have to come to us for further appropriations, if necessary. So I guess before we move forward I'd like to feel the

need for discussion or questions regarding do we want to move forward with the $60,000 or would we want to move forward with the $30,000.

DAVE MALEY – Mr. Lewis.

COUNCIL PRESIDENT ISTNICK – Mr. Maley.

DAVE MALEY – I just wanted to state that I current have two more in front of me that I'll probably be bringing at our next Regular Work Session. I don't have a number on those yet, but they probably will be between $10,000 and $15,000 for both of them and then I also have two more that I think are probably in route. They should be coming to me within the next couple of weeks. I just wanted to make sure that you are aware of that.

COUNCIL PRESIDENT ISTNICK – Thank you. Councilman Thieret.

COUNCILMAN THIERET – Thank you, President Istnick. I wanted to chime in…I don't really see any reason, at this point, to back it down to $30,000. If $60,000 is going move us into at least part of the rest of the year with these grants and as Mr. Maley just said, he looks like he's already got more in the pipeline. So, I'd like to just leave it at $60,000. Thank you.

COUNCIL PRESIDENT ISTNICK – Any other comments?

COUNCILMAN LEWIS – I'm fine with that as well. Seeing as how with all these grants would still have to come through Community Development for approval. They just wouldn't have to ask for the appropriations piece. So, we still do offer that oversight prior to. So, if there's no other discussion, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 34 – 2021 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 34 – 2021 has passed. Ord. No. 35 – 2021.

ORDINANCE NO. 35 – 2021 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain transfers in the 2021 appropriations from within the 1100 General Fund, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is just moving it from Transfer Out to Transfer In. I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 35 – 2021 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 35 – 2021 has passed. Ord. No. 36 – 2021.

ORDINANCE NO. 36 – 2021 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund, for the year ending December 31, 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – And this is appropriating it to the Economic Development Fund. I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 36 – 2021 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 36 – 2021 has passed.

COUNCIL CLERK ROLLAND – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCIL CLERK ROLLAND – Madam President, I'm sorry to interrupt, but I found an ordinance that must have been attached on the back of another one. There was another, Ord. No. 31; we might have to talk to the Law Dept. to see how we're going to handle this. But this ordinance should have been at second reading. It was for Streets and Highways to accept the replat and dedication of a road right of way on Woodruff Ave. N.W., Massillon, OH. So, I don't know if we want to amend the agenda and do it tonight or if you want me to add it to the agenda for the Special Meeting.

COUNCIL PRESIDENT ISTNICK – Mr. Richard, are you there?

JUSTIN RICHARD – Yes, Madam President.

COUNCIL PRESIDENT ISTNICK – What would your recommendation be?

JUSTIN RICHARD – There isn't one, it's six for one and half a dozen for the other. Both are proper procedure.

COUNCIL PRESIDENT ISTNICK – And you said this was for what committee?

COUNCIL CLERK ROLLAND – Streets and Highways.

COUNCIL PRESIDENT ISTNICK – Streets and Highways, are you prepared to do this one or would you prefer to put it on next Monday?

COUNCILMAN THIERET – Madam President, I don't think there's any reason to postponing. It's already been through all of the channels. It's just a matter of a replat, so, if there's no objection from Council. Seeing none, I make a motion to waive the rules requiring three readings and bring this forward for a vote tonight.

COUNCIL CLERK ROLLAND – Wouldn't we have to make a motion to amend the agenda?

JUSTIN RICHARD – Yes.

COUNCILMAN THIERET – Then I make a motion that we amend the agenda to bring this up for discussion.

COUNCIL PRESIDENT ISTNICK – To bring Ord. No. 31 – 2021 up for discussion? Councilman Lewis, do you have a question or are you seconded it?

COUNCILMAN LEWIS – I'm seconding it.

COUNCIL PRESIDENT ISTNICK – Thank you, roll call for the amendment.

9 yes to amend the agenda to add Ord. No. 31 – 2021

COUNCIL PRESIDENT ISTNICK – Ord. No. 31 – 2021 has been added. Councilman Thieret, back to you.

COUNCILMAN THIERET – Thanks again, Madam President. I'd like to make a motion to waive the rules requiring three readings and bring Ord. No. 31 – 2021 forward for a vote tonight.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 31 – 2021 has passed.

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

L.J. DELUCA – 2954 Veterans Blvd. S.E., Massillon, OH. Madam President, I want to talk about fraudulent unemployment payments. The State of Ohio intertwined with the City of Massillon, Ohio, has been doing. When I say intertwined that means mutually involved. Last year, 2020, the State of Ohio paid more than 300 million in fraudulent PUA claims. That's Pandemic Unemployment Program Assistance payments. Traditionally, people not eligible like self-employed and independent contractors. I talked to Chief Deputy Auditor, Stefanie Myers, and also to Auditor, Jayne Ferrero, and they were very nice with me and I have a lot of confidence in it. But in regards to what heard Stefanie Myers saying about millions of dollars being out for State of Ohio unemployment, fraudulent unemployment claims. I called Stefanie Myers because I heard her say in a previous meeting, a Work Session, say about fraudulent unemployment claims being paid by the State of Ohio in Massillon, Ohio. Stefanie stated that we are a reimbursing employer, the City of Massillon. I'll explain in a little. I told Stefanie that you mean the City of Massillon is paying fraudulent claims, even if you know it's a fraudulent claim? Stefanie said you have to keep some money in a certain fund, Mr. Deluca if the City of Massillon is liable. Liable for what, I don't know. Somebody from the City of Massillon employees, I found out their getting their names, they're getting their information; it's not the City employees, thank goodness. Stefanie went on to say that the State of Ohio has been paying these claims, fraudulent claims and if they don't pay it, they get fees on the account on top of it. Stefanie said I hope they don't keep charging us. She went on to say a bunch of different things and I said to Stefanie that I want to understand this more clearly; if it's a fraudulent claim you mean to tell me that the City of Massillon Auditor's office is going to ante up and pay it and she said "yes" and we'll get it back. I got, I kinda sort of got it. What can we do to get through to the people? I asked if Jayne Ferrero is your boss and she said "yes". Stefanie said that fraudulent claims have been happening in the State of Ohio since November 2020. That's December 2020, January 2021, February 2021 and March, here we go. The State of Ohio has set up, thanks goodness, a portal as of February 3, 2021 and Stefanie has been using that. She also told me that form 1 that they fill, form 2 comes along, the State of Ohio and they already paid the fraudulent claims before us here in the City of Massillon Auditor's office can even appeal it. That's very concerning to me. How about you? And Stefanie said a bunch of things in Massillon, Ohio; the fraud keeps going on and on. So, it's easy for me to see how we could lose a lot of money in Massillon, Ohio, through all this heckling or pay the money to these fraudsters. Remember Paramount Matrix, formerly Affinity Medical Center? Fraudsters and fraudulent payments. They go hand in hand, don't they? And this 1100 account that Stefanie setup, the City Unemployment General Fund account, they're taking money out of it. Stefanie spent four hours with the State of Ohio? Come on. The McDonald's downtown, I got a call from Jayne Ferrero and also Stefanie Myers was on the speaker phone; talked about it's going to take Mr. Deluca for us to catch up. It's doesn't happen simultaneous at the same time.

COUNCIL PRESIDENT ISTNICK – One minute.

L.J. DELUCA – Okay, thanks, Madam President. I appreciate that. Jayne Ferrero said, as I said, we'll get to reimbursing an employer. That means we don't pay for insurance like a private employer does. They pay into an account. If somebody files a claim for them, that's it.

If somebody files for the City of Massillon, Ohio, we pay our share it. And also she said, Mr. Deluca, the credit that the State of Ohio gives us, they use the C.A.R.E.S. Act money to credit us and then it is all credited back to us. I got a lot of worries on that. And I said, Jayne, how do you know that we're getting paid fully? She said, Mr. Deluca, we have to go along with all cities have been paying it. And in summation, Jayne Ferrero said that I want you to rest assured that we are on top of it and we are taking care of it and will promise you that no city taxpayer dollars are going to any fraudulent claims. Just considering that in five weeks we had 5,700 employers in Ohio submit claims for 16,000 workers. I am concerned. But then again, I have all the faith in Stefanie Myers and our Auditor, Jayne Ferrero. They're very good and I hope that we can keep a watch on it. It seems to me, Madam President, the State of Ohio is strong arming the City of Massillon, Ohio, and I don't like it. Thank you and have a good night. Appreciate it, Madam President.

COUNCIL PRESIDENT ISTNICK – You too. Anyone else?

18. ADJOURNMENT

COUNCILWOMAN LITMAN – I make a motion that we adjourn.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Thieret. Meeting adjourned.

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT