MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, OCTOBER 7, 2019

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, October 7, 2019. We have in attendance with us the following city officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Law Director, Andrea Scassa, Community Development Director, Samantha Walters, Economic Development Director, Dave Maley, Police Chief, Keith Moser, Fire Chief, Tom Burgasser and from AECOM Lou Iascone and Scott Buchanan and in the audience we have a group of young adults from Central Catholic and we have a couple of students from Washington High School. 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, Sarita Cunningham, Mike Gregg, Jason Harris, Dave Irwin, Ed Lewis, Linda Litman, Paul Manson and Megan Starrett.

Roll call of 9 present

2. INVOCATION

COUNCILMAN DAVE IRWIN

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN IRWIN

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Irwin. Madam Clerk, are the minutes of the previous meeting transcribed and open for public viewing?

COUNCIL CLERK ROLLAND – The minutes for September 3rd are posted, but the ones for September 16th, I'm still working on.

COUNCIL PRESIDENT ISTNICK – Thank you.

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

JAMES HAAVISTO – 2443 Wittenberg Ave. S.E., Massillon, Ohio. I'd like to speak about the pay raises being proposed for the Council and for Administration Personnel and first of all I'd like to say that I'm absolutely against it. The number one reason is that I have been coming here for months and I continue to address Council and simply ask you one thing, "What do you

have to say about this issue or that issue or another issue?". There are two gentlemen that have contacted me on this entire Council on a fairly regular basis that tried to give their opinion on things whether they agreed or not. That is Jason Harris, recently appointed to Council and Ed Lewis and I believe that deserves to be pointed out. There have been some conversations when they've been forced face-to-face, of course. So, just to let you know, no, I do not think at this time Council deserves a raise. As for the Administration and the Administration officials, I do not think that they deserve a raise because their communication is very limited to what they want to get out rather than what the real issues of the City are. That is my opinion. That is the way I take them and also, I do not want to enhance the income of individual families that have multiple people employed by this Administration. I think it's wrong and I do not want to give them pay increases and, in some cases, I think some people need fired. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you for your comments. Anyone else?

JIM THIERET – 935 Roosevelt St. N.E., Massillon, Ohio. As a former City employee who took pay cuts and still worked for the City because we wanted to. I believe that's why most people are here tonight because they want to be here. Whether there was a pay raise or not in an insignificant pay of $100 a year, truly is insignificant, but they are worthy of consideration. I would ask that you do say "Yes" to this vote when it comes about and at least acknowledge it that there is a working Council here. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

RYAN WELLER – 927 – 22nd St. S.W., Massillon, Ohio, Ward 5. I also want to address pay raises. Thanks to the hard work of Mr. Ress and Mr. McClay, I've had the opportunity to watch this Council over the past several weeks, begrudgingly give safety services and the fire department the resources they need for the equipment they have to use. I've watched this Council and near, at least some members in near histrionics about giving tax relief to the citizens of the City and all because of possible or potential future financial calamity. I find it interesting that that future, financial calamity, magically disappeared when we consider raises for our City employees. Thanks.

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

COUNCILMAN MANSON – Yes, Madam President. We have a couple of people here that are here to speak specifically about Ord. No. 127 – 2019 and Ord. No. 128 – 2019 and the Safety Service Director asked if we could move them forward on the agenda or just have them come up and speak and then just act on them when we get to them.

COUNCIL PRESIDENT ISTNICK – What's your preference, Mr. Manson?

COUNCILMAN MANSON – Well, one of them is Streets and Highways and one is Finance. How do you believe would be best? Would you like to move both of them to the front of the agenda?

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – I believe they go hand-in-hand just by being in separate committees. So, I think it would probably be easier if we just move them forward and do those first and get these gentlemen on their way.

COUNCILMAN MANSON – Could I make a motion then that we bring Ord. No. 127 – 2019 and Ord. No. 128 – 2019 forward to the top of the agenda?

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

9 yes to amend the agenda to move said ordinances to the beginning of the ordinances

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 127 – 2019.

ORDINANCE NO. 127 – 2019 **BY: STREETS, HIGHWAYS, TRAFFICE & SAFETY COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a contract with Bowman Appraisal Services, Inc. and the Ohio Department of Transportation (ODOT) upon approval for the Wales Road Improvement Project, Right of Way Appraisal Review Services, STA-241-9.71, PID 100471, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This ordinance and the next one in Finance will have to do with the Wales Road Improvement Project and securing temporary and permanent easements for that project and moving forward with that project. My ordinance has to deal with Bowman Appraisals Services and that contract and Mr. Lewis' has to do with AECOM and their contract. But I think we have gentlemen here tonight that I would ask that you call up to address City Council on these ordinances because there was some confusion last week as to what each ordinance means and what's being taken care of under each of them.

COUNCIL PRESIDENT ISTNICK – Lou and Scott if you want to come up.

LOU IASCONE – AECOM Technical Services. I am here to answer any questions regarding the Wales Road Right of Way Acquisition Process.

COUNCILWOMAN STARRETT – Lou, if you could, just start by kind of explaining what these ordinances have to with what your role is going to be in obtaining these easements and temporary and permanent.

LOU IASCONE – Okay. So, we have two contracts required by ODOT since its an ODOT funded project federally funded. The first is the Acquisition Consultant which is AECOM Technical Services. We'll be providing title research, appraisal, negotiation and closing services. The second aspect to it is the appraisal review consultant which is Bowman. ODOT required two separate contracts. Because it is the valuation process, they want to have independent contractors performing the work to avoid any conflict of interest.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I believe in my particular piece which would be Ord. No. 128 – 2019, we were looking at the finances involved with it and we wanted to make sure that not only were they a part of the appraisal, but does that include the actually cost of acquiring the easements, permanent, temporary?

LOU IASCONE – The funds are separate. The acquisition costs, the property costs, which is going to be paid to the property owner, is separate from what would be paid to the consultants.

COUNCILMAN LEWIS – So that, what we would be paying to the property owner, is not included in either one of these ordinances, then?

LOU IASCONE – Correct.

COUNCILMAN LEWIS – I think that is where the point of contention was.

COUNCIL PRESIDENT ISTNICK – Are you looking something up, Mr. Lewis or you finished?

COUNCILMAN LEWIS – Yeah, I'm trying to look up the cost. Do you have that, Mrs. Creamer?

COUNCILWOMAN CREAMER – Yes. Under No. 5, Negotiations, it stated "Type of unit parcels, number of units 111 and fee per unit, $1,600" for a total amount of $177,600. Now what is that dollar figure used for, if it's not to pay out these particular parcels?

LOU IASCONE – That's to provide the services necessary to acquire the right of way from each property owner affected by the project. There are 111 highway parcels affected by the project and we will go out and negotiate with each of those property owners to acquire the necessary right of way as part of that negotiation fee.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – But I just want to make sure that we're clear that AECOM is charging the City $1,500 per negotiation or $1,600 per parcel that is negotiated and then after the negotiation, we'll have to pay the property owners whatever the negotiated upon price is.

LOU IASCONE - $1,600 per unit was in our cost proposal. On top of that would be the payment to the property owner.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – So the City's responsibility is going to be 10% of that negotiated fee arrangement plus any value to the property owner for the permanent and/or temporary easements, is that correct?

LOU IASCONE – The City's obligation will be 10% of both the consultant cost and the property owner payments.

COUNCILWOMAN LITMAN – Ok, okay. So, we don't have to pay the entire amount of the market value of those easements? We're only responsible for the 10%?

LOU IASCONE – Correct.

COUNCILWOMAN LITMAN – Okay, and you do the negotiation determining what that valuation is?

LOU IASCONE – The appraiser determines the value and we will do the negotiations at AECOM.

COUNCILWOMAN LITMAN – Okay. Would there be any idea as to what additional cost that might be to the City? I mean, we know what the 10% of this contract, but what we don't know is what 10% of the market value negotiation would be of the permanent and temporary easements. Is there any idea that you could give us as to what the additional cost to the City might be?

LOU IASCONE – A right of way cost estimate was prepared during right a way plan development. It was roughly $200,000 with contingencies.

COUNCILWOMAN LITMAN – Okay. And we would be responsible for 10% of that?

LOU IASCONE – Correct.

COUNCILWOMAN LITMAN – Okay. Thank you.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes. What did you say that you thought they were going to receive besides what we had to pay the land owner? I missed that there.

COUNCIL PRESIDENT ISTNICK – Ed.

COUNCILMAN LEWIS – What was I saying?

COUNCILMAN MANSON – Yeah, what did you say? How much we're going to be getting?

COUNCILMAN LEWIS – What we are fine tuning is that tonight, all we're looking at is the fees that go to Bowman and AECOM and then after that, we're going to get final numbers on what are owed out to property owners and we'll have to then, pass that in a separate piece of legislation, from my understanding.

COUNCILMAN MANSON – Okay.

COUNCILMAN LEWIS – But we are, as Ms. Litman has demonstrated, it's only 10%. It's like tonight, my ordinance is $384,000, I believe. Yeah, $384,537, so the City is actually only paying 10% of that, the rest is being taken care of through ODOT.

COUNCILWOMAN LITMAN – And then the additional $20,000 that we would be responsible for they valued the easements.

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – Thank you. Am I to assume that a business owner would be appraised higher than an individual property owner?

LOU ISACONE – The appraisal will be based on the highest and best use of the property which does consider zoning. So, the appraiser would use comparable sales that reflect that same highest and best use and, yes, commercial land is more valuable than residential.

COUNCILWOMAN CUNNINGHAM – Thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilwoman Starrett.

COUNCILWOMAN STARRETT – Seeing no further…

COUNCIL PRESIDENT ISTNICK – Oh wait. Any other questions? I have a question, have you ever anticipated whether or not the property owner is going to say "no"?

LOU ISACONE – It is the property owners right to do so.

COUNCIL PRESIDENT ISTNICK – And then what happens?

LOU ISACONE – In the event that we cannot reach an agreement, in Ohio, we have the power of eminent domain to appropriate the property. Which means the City would need to file a court case against the property owner and at that time, the City would deem the right of entry to use the property while the court process proceeds.

COUNCIL PRESIDENT ISTNICK – And the property owner would get nothing?

LOU ISACONE – The property owner would get just compensation either through mediation, settlement discussions or ultimately a property owner could elect to go before a jury.

COUNCIL PRESIDENT ISTNICK – Thank you. Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. Just for clarification purposes, my Streets and Highways ordinance, Ord. No. 127 – 2019, is for the Bowman Appraisal services which would, as explained, was just basically a check and balance for the appraised values that AECOM is going to do. So, the major contract is Mr. Lewis' finance contract; this one is more or less just a check for after AECOM does their work. So, are there any other further questions for Ord. 127 – 2019. Mr. Lewis.

COUNCILMAN LEWIS – I just want to verify, one more time, according to regulations set forth by ODOT who is funding a majority of this project, we do have to use two contractors. One for the appraisal and one to verify the appraisal, correct?

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Anything further? Seeing no further discussion, I make a motion that we waive the rules requiring three readings and bring Ord. No. 127 – 2019 forward for a vote.

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. 127 – 2019 has passed. Ord. No. 128 – 2019.

ORDINANCE NO. 128 – 2019 **BY: FINANCE COMMITTEEU**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a contract with AECOM and the Ohio Department of Transportation (ODOT) for the Wales Road Improvement Project, Right of Way Acquisition Services Cost Proposal, STA-241-9.71, PID 100471, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I do not have any further questions this evening. Does anyone else? Thank you.

LOU ISACONE – Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you so much.

COUNCILMAN LEWIS – I'd like to make a motion that we suspend the rules requiring three readings, bringing Ord. No. 128 – 2019 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. Roll 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. 128 – 2019 has passed. Going back to the beginning of ordinances, Ord. No. 122 – 2019.

ORDINANCE NO. 122 – 2019 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with G & D Fab Welding to provide an economic development "inducement grant" for building construction improvements at 340 State Ave. N.W., Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes, thank you, Madam President. As usual, I recommend that we give these at least two readings just so people can see it in the paper as to what's going on and if there's any questions, they can bring them forward to us. But, at this point in time, this

looks very good to me. I haven't visited it, but I'll try to visit it in the next week and take a look at it. But, first reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 122 – 2019 has received first reading. Ord. No. 123 – 2019.

ORDINANCE NO. 123 – 2019 **BY: POLICE AND FIRE COMMITTEE**

AN ORDINANCE authorizing the Chief of Police of the Massillon Police Department to enter into a Memorandum of Understanding (MOU) with the Stark County Sheriff's Office to participate in the Stark County OVI Task Force, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Harris.

COUNCILMAN HARRIS – Yes, thank you, Madam President. This is the yearly Memorandum of Understanding that we have with the Stark County Sheriff's Office concerning the OVI Task Force. I think we conquered all the issues with this in the Work Session. Do we have any discussion on it this evening? No, seeing none, I make a motion to suspend the three readings and move Ord. No. 123 – 2019 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Irwin. 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. 123 – 2019 has passed. Ord. No. 124 – 2019.

ORDINANCE NO. 124 – 2019 **BY: POLICE AND FIRE COMMITTEE**

AN ORDINANCE authorizing individual officers of the Massillon Police Department to sign Model Release Agreements to allow images of the department vehicles and personnel to be used by Bobit Business Media and Ford Motor Company for inclusion in Ford's 2020 calendar of police vehicles, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Harris.

COUNCILMAN HARRIS – Yes, thank you, Madam President. The issue that we went over in the Work Session was whether we wanted the officers to be able to be in the photos or just the vehicles. I believe nobody had a problem with the officers being in the photos after some discussion with the Police Chief. Do we need anymore discussion with the Police Chief? Do we have any further discussion regarding this ordinance?

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – The only thing that I'd like to say is just so we're not forcing any of those officers; do they want to voluntarily do it?

COUNCILMAN HARRIS – Do we need a voluntary clause in this?

COUNCILMAN MANSON – I think it is voluntary, but I would hope it would be.

COUNCILMAN HARRIS – For my acknowledge, the photos have already been taken so I'd assume it's voluntary.

COUNCILMAN MANSON – They must have agreed with it, right?

COUNCILMAN HARRIS – Yes.

COUNCILMAN MANSON – Okay, forget what I said.

COUNCILMAN HARRIS – Any other discussion on this ordinance? I move to suspend the rules for three readings and move Ord. No. 124 – 2019 forward for passage.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Irwin. 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. 124 – 2019 has passed. Ord. No. 125 – 2019.

ORDINANCE NO. 125 – 2019 **BY: POLICE AND FIRE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon Ohio, to accept an AFG Grant (EMW-2018-FR-00478) from the Federal Emergency Management Agency (FEMA) on behalf of the Massillon Fire Department, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Harris.

COUNCILMAN HARRIS – Thank you, Madam President. Can I have Fire Chief come up for one second.

COUNCIL PRESIDENT ISTNICK – Chief.

TOM BURGASSER – Good evening members of Council.

COUNCILMAN HARRIS – Chief, can you give us a brief run down again of what this entails and what is involved.

TOM BURGASSER – The grant itself is a grant for a training prop and there's four agencies that are involved; North Canton, Alliance, Jackson Twp. and Massillon. The training prop itself is a vehicle fire simulator and it's mobile. So, you can build from a Chrysler Sebring all the way

up through a 10,000-gallon tank car in terms of what you're training on. Stark State University has agreed to contribute the 10% match in some form, they'll store it and they'll also use it to train new firefighters. So, every firefighter who comes out of the Stark State program will have already been trained on that and in addition, it's going to make its way around all the departments in the County, let's hope that it does. It'll be available for all the departments in the County to be used for training as well.

COUNCILMAN HARRIS – If it breaks, who fixes it?

TOM BURGASSER – Stark State University.

COUNCILMAN HARRIS – And who houses it?

TOM BURGASSER – Stark State University.

COUNCILMAN HARRIS – So we have no cost with this whatsoever?

TOM BURGASSER – There's nothing.

COUNCILMAN HARRIS – Very good.

TOM BURGASSER – In fact, the Stark County Fire Chiefs Association has pledged to purchase the LP fuel. The jury is still out on that because we have to take a vote. But I think that's been very well received.

COUNCILMAN HARRIS – Questions for the Chief?

TOM BURGASSER – Thank you all.

COUNCIL PRESIDENT ISTNICK – Thank you, Chief.

COUNCILMAN HARRIS – Any other discussion on this ordinance? Seeing none, I make a motion to suspend the rules requiring three readings and bring Ord. No. 125 – 2019 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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. 125 – 2019 has passed. Ord. No. 126 – 2019.

ORDINANCE NO. 126 – 2019 **BY: POLICE AND FIRE COMMITTEE**

AN ORDINANCE amending Chapter 32 of the Massillon Code of 1968 by repealing existing Section 32.14, Personnel of the Police Department and enacting a new Section 32.14, Personnel of the Police Department; and also repealing Section 2 of Ordinance No. 126 – 1977.

COUNCIL PRESIDENT ISTNICK – Councilman Harris.

COUNCILMAN HARRIS – Thank you, Madam President. After the candidate's forum the other night, I really want to take another look at adding an Animal Control Officer to the Police Department. I've had several people give me a few ideas. One being a Parks Department full-time officer with a part-time animal control aspect to it. We'll discuss it more in a Work Session, but, first reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 126 – 2019 has received first reading. Ord. No. 129 – 2019.

ORDINANCE NO. 129 – 2019 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund for G & D Fab Welding, for the year ending December 31, 2019, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 129 – 2019 has received first reading. Ord. No. 130 – 2019.

ORDINANCE NO. 130 – 2019 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2101 Wastewater Treatment Fund for sludge hauling, for the year ending December 31, 2019, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. We all should have received an e-mail from the Safety Service Director answering some of the questions we had about this in regards to the rates and everything. From my understanding, it was a rate increase when we accepted the contract, however, that rate increase was not accounted for when they put forth their budget proposal. So, this is a correction to meet what the contract was to make sure the funds are there. Does someone have a different interpretation?

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – I just wanted to make sure that this pricing then is in place throughout the contract or does it have a variable component to it based on other factors?

COUNCILMAN LEWIS – Madam President, can we please call forward Safety Service Director Sylvester?

COUNCIL PRESIDENT ISTNICK – Thank you. Ms. Sylvester.

BARB SYLVESTER – Good evening. Yes, you are correct. That is the binding amount then in the contract and its not a variable. So, basically what happened is when the Request for Legislation came through the contract was accepted, but they didn't appropriate any additional money because this was April of this year and the budget, of course, had been done through December of last year. So, they need the additional funds at this point.

COUNCILWOMAN LITMAN – Thank you.

BARB SYLVESTER – You're welcome.

COUNCIL PRESIDENT ISTNICK – Any other questions? Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 130 – 2019 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. 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. 130 – 2019 has passed. Ord. No. 131 – 2019.

ORDINANCE NO. 131 – 2019 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health Services Fund, for the year ending December 31, 2019, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. In total, we are taking $4,380 and placing it into salary, P.E.R.S. and supplies/materials within the Health Dept., essentially. Are there any questions or discussion about this this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 131 – 2019 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. 131 – 2019 has passed. Ord. No. 132 – 2019.

ORDINANCE NO. 132 – 2019 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation Fund for The Legends of Massillon Golf Course, for the year ending December 31, 2019, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. I spoke with Mr. Pedro today to verify. This is another transfer for salary, Medicare, P.E.R.S., Worker's Comp., health insurance and some supplies and this is just to take care of some anticipated overages at the golf course because of extended season play and things of that nature. Are there any other questions? He said we could possibly give it first reading and he'd come to a Work Session if that is what we would prefer. So, if there are no questions then I make a motion suspending the rules requiring three readings, bringing Ord. No. 132 – 2019 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Manson. 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. 132 – 2019 has passed. Ord. No. 133 – 2019.

ORDINANCE NO. 133 – 2019 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1229 HOME Fund for the HOME Housing Rehabilitation Program, for the year ending December 31, 2019, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is part of our local programming that assist first time homebuyers or other rehabilitation programs throughout the City for housing. These funds are coming through Federal dollars and we're just appropriating them to keep those programs going. Are there any questions or discussion this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 133 – 2019 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Litman. 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. 133 – 2019 has passed. Ord. No. 134 – 2019.

ORDINANCE NO. 134 – 2019 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1401 Capital Improvement Fund for Street Department Equipment, for the year ending December 31, 2019, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. I will start off by saying that I find it interesting that the ordinance is showing 1401 Capital Improvement Fund. I'm assuming that's all that's in order to make this transaction, but this is the one that we were discussing because it had mentioned the emergency streetlighting, correct?

COUNCIL CLERK ROLLAND – Right.

COUNCILMAN LEWIS – Ms. Rolland, that is correct?

COUNCIL CLERK ROLLAND – That is correct.

COUNCILMAN LEWIS – So, I wanted to give everyone some follow-up because I know I had raised many questions about that because I get a little bit sensitive when it comes to the Streetlighting account because of the fee that's been connected. This does come from the 10%; that fee is charged to the citizens of Massillon and 90% goes into, essentially, the cost for the electric to run and operate the streetlights throughout the City and then 10% is set aside for emergency repairs such as if someone were to crash into a streetlight or something and we would have to replace it or what not and insurance did not or whatever the case may be. So, since we are coming near the end of the year and those funds are still sitting there, we're able to move that over to the Street Dept. equipment, which, this evening I'll be okay with, but as a City, I'm thinking moving forward, if we have this fee in place and we have these capital improvement dollars that are sitting there and may not be used throughout the year, instead of redirecting them to other projects, I would like us to start looking at using these capital improvement dollars to possibly put some LED lights in our streetlights and things of that nature that would be maybe a little more energy efficient, therefore, decreasing our bill, therefore, making it less essential to have the fee later; if you're following my line of thinking. The money is there, let's up it right back into the streetlights and start improving. So, that's my thought for 2020 and if we can start looking at it that way, instead of just being an emergency cash that we can use for other purposes. With that said, does anyone else have any questions

or concerns this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 134 – 2019 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

7 yes; 2 no – Lewis and Gregg voted "no"

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 134 – 2019 has passed. Ord. No. 135 – 2019.

ORDINANCE NO. 135 – 2019 **BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the proposal from John Patrick Picard for the architectural and engineering services in the development of the Municipal Government Center restrooms to be compliant with the Americans with Disabilities Act (ADA), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 135 – 2019 has received first reading. Ord. No. 136 – 2019.

ORDINANCE NO. 136 – 2019 **BY: FINANCE 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 construction of the Municipal Government restrooms to be compliant with the Americans with Disability Act (ADA), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 136 – 2019 has received first reading.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMINCATIONS

9. BILLS, ACCOUNTS AND CLAIMS

The Repository	-	$ 591.60	Publication of August 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.

9 yes to pay the bills

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. The bills will be paid and charged to their proper accounts.

10. REPORTS FROM CITY OFFICIALS

Treasurer's Report	-	August 2019
Mayor's Report	-	August 2019
Auditor's Report	-	August 2019

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

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

9 yes to accept the Auditor's Report

11. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session is next Monday, October 14, 2019 at 6:30 p.m.

COUNCIL CLERK ROLLAND – And I just want to add to that, Madam President, that City Hall will be closed Monday because of Columbus Day, however, Council does not recognize Columbus Day.

COUNCIL PRESIDENT ISTNICK – Thank you.

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCE AND RESOLUTIONS

ORDINANCE NO. 114 – 2019 **BY: COMMITTEE OF THE WHOLE**

AN ORDINANCE repealing Ordinance No. 68 – 2012, effective January 2020, and reinstating the increase in pay based on the previous year's United States Consumer Price Index for the Council President and Council Members, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. What I'm going to ask is that you open this up, maybe, for some discussion here. I've had, since last week, several people contact me that believe we have or I have turned this into a political football or there's something going on here and they've requested to take a look at tabling this. I'm not opposed to tabling this, but it will take five people here to support that and I think we need to discuss it a little bit before we even consider it.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes, my only question would be is what would be the intention or the anticipated goal of tabling? I don't foresee a change of circumstances. My concern would be that by tabling it, it would be perceived as a way of Council getting pass an election before taking action on it which makes it just as a political action as anybody's vote tonight possibly could be. So, you're really six to one; half dozen to the other, at that point. But like I said, from my perception, so far, in my opinion, I don't see anything in the near future that's really necessarily going to change my current take on these two pieces of legislation.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – I guess would ask how the initial conversation took place two separate the two ordinances? I think in past ordinances, they have always been combined. Is that accurate?

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – No, they were separate. Personally, I should have requested the Law Director to put them all in one ordinance, but they were done separately, for whatever reason. They say the same thing, basically. They just apply themselves to different offices. I guess we just lumped ourselves in one and we lumped everybody else into the other one and I see no reason why they shouldn't be lumped together. In fact, that may be a good way to take a look at this thing and put it together like that.

COUNCIL PRESIDENT ISTNICK – Councilman Harris.

COUNCILMAN HARRIS – I think Councilman Lewis has a good point here. A lot of us have a feeling on this one way or the other and there's nothing two, three weeks or more is going to change that for a lot of us.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yeah, I have to agree that there would be people that won't change their mind, but also I would say that there are a number of things that came out along here that really were false things and some of the reactions were made because of that and that's part of the reason why I think maybe these things should be lumped into one ordinance. Even if we lumped them together right tonight and took a look at it; it probably should be like that. But what has happened to this is just exactly what I feared would happen 2012 when we did it. I sat and watched for more than 10 years and it wasn't a problem. It wasn't enacted when I was there. It was enacted back in the middle of the 1990's. But never created this

problem and it has become just purely political. And, also, some of the misinformation that's involved with it. I would like to talk a lot more about what these other cities do and stuff like that. We have part-time Council people working in the City of Canton just like us; don't do anything else, make double what everybody makes here or more than double than what everybody makes here; gets a healthcare plan. They get healthcare on top of it. So, I think that's what we have to look at. I'm not looking at the wages, I'm looking at a policy that can handle this thing so council after council does not have to deal with it. We're up every two years. Quite honestly, we're just like the guys that run for the House of Representatives, they say they're running all the time and we are running all the time. Before your first year in office is over, you're taking a petition out for the next election, everybody here. Before it's over, you're taking it out and maybe this is pushing it too close to an election time. I'm going to try that motion unless I hear more comment here that would change my mind, but I'm willing to take a look at that and it'll be looked at as political too. I won't disagree with that. This is all politics. Everybody sitting here is a politician, even though they want to deny it.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – I think it was a little unfair at the Candidate's Forum to have the editor of the Independent ask the question as to how would we vote prior to an actual vote in Council and, unfortunately, many of us did or did not raise our hands at that point and time. But I felt that that was very telling as to how political this issue. Whether it be for ourselves and/or for Administration has become. I know that even since Thursday, I have too. I'm walking door-to-door as is everyone else, but that is basically the first question that I'm asked when speaking to constituents; "Are you going to vote yourself a raise", and I think in general, it's looked at very negatively, unfortunately. Whether it's earned or not earned by ourselves and/or by Administration. I think it is construed or perceived by the constituents as we would be voting ourselves something that for whatever dollar amount it would be, even that $150 could be used to fill the pothole in front of my house. So, unfortunately, I think it has become political and whether it would or would not be later in the year or at another time, I can't say. But I can say that for myself and the individuals that I've spoken with, it is very political.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilwoman Creamer.

COUNCILWOMAN CREAMER – I think timing is everything and I think right now, timing is against us.

COUNCILMAN MANSON – Pardon?

COUNCILWOMAN CREAMER – Timing is against us. Timing is everything, but at this point, to have this discussion, I thing it's against us. Those individuals that voiced concern about raises early in the year, I haven't heard many people who wanted us to look at this speak and address this. So, I would like more conversation regarding this because those individuals that brought it up are not speaking. So, that's my concern right now. I am not in favor of it at this time, but I think timing is everything.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I agree with Ms. Creamer. Timing is everything and I did not bring this up at all this year, but I think I might have a different take on why timing is everything. For me, the reason that timing is everything is because many of our City employees went eight to

ten years without a raise and we've only gone six. So, they took a bigger hit than we've had elected officials take so far. I believe we still have a firemen's contract that's under negotiation or mediation, whatever, through the Union and that's still yet to be resolved. So, until all those things are resolved, that's the timing that I'm concerned with and I'd like to see all that be resolved before elected officials could look at themselves. That's the piece that I'm thinking, I don't see anything in the next couple of months changing because I feel like many of those are still going to be a process.

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – Thank you, Madam President. The one point that I wanted to make, a lot of people forget that in 2012 and the finances were so horrendous for the City, we voted to have our wages frozen and the people seem to forget about that and you did mention that there were ten to twelve years that they were frozen as well for the other employees. But, timing, as you say, is everything and I don't ever see a time that people will not say "No, they don't deserve a raise". So, I was going to vote for it because I don't have to worry about being elected, but I do believe we do deserve a raise. One Council person mentioned that we're part-time, but a lot of people don't realize how much part-time, and I can speak for myself, how much time I do spend working for the constituents of this City. It's not my only job, but I think a lot of people seem to forget that too that we do spend an awful lot of time for our citizens.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – I think Ms. Cunningham brings up a good point. I stated last week that I was in favor of this. I feel as though we've given back to our employees, we've given back to the citizens and at this point, as Ms. Cunningham stated, in 2012, we froze our wages. The Council at the time chose to do that. This is really just reinstating what happened prior. It's not really giving ourselves a raise; it's reinstating an ordinance that we froze back when we were in fiscal emergency. But I understand your point, Paul. I understand Mr. Lewis' point, but there is a lot of things up in the air. So, Paul, if you want to table it at this point, maybe bring it up later in the year or next year even, if you so happen to still be on Council, if any of us are still on Council, we can always reconsider it in the next term if that's the more appropriate thing to do.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I just wanted to point out that these particular ordinances would die December 31st, regardless.

COUNCILMAN MANSON – So, we'd have to act on them before then if we're going to act on them this year.

COUNCIL PRESIDENT ISTNICK – Go ahead.

COUNCILMAN MANSON – I think we've had enough conversation. I make a motion that we table Ord. No. 114 -2019 indefinitely.

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

7 yes; 2 no to table Ord. No. 114 – 2019 indefinitely – Harris and Lewis voted "no"

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 114 – 2019 has been tabled indefinitely. Ord. No. 115 – 2019.

ORDINANCE NO. 115 – 2019 **BY: COMMITTEE OF THE WHOLE**

AN ORDINANCE repealing Ord. No. 69 – 2012, effective January 1, 20120, and reinstating the increase in pay based ono the previous year's United States Consumer Price Index for the Mayor, Auditor, Law Director, and Treasurer, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Thank you, Madam President. As I've said, I've looked at both of these as exactly the same thing, so, I'm making a motion that we table Ord. No. 115 – 2019 indefinitely.

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

7 yes; 2 no to table Ord. No. 115 – 2019 indefinitely – Harris and Lewis voted "no"

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 115 – 2019 has also been tabled indefinitely.

15. SECOND READING ORDINANCES AND RESOLUTIONS

16. NEW AND MISCELLANEOUS BUSINESS

COUNCIL PRESIDENT ISTNICK – Councilman Harris.

COUNCILMAN HARRIS – Thank you, Madam President. I have a few things I'd like to bring up. I do have a prepared statement for this. I, personally, think we should get out in front of this issue. "I come to you today because of the recent tragic lose of one of our own. It's is my duty as a member of this Council, a member of this community and a veteran of the United States Marine Corps that I bring this matter to your attention. I believe with this proposal we can allow not only our City to heal and rebuild, but will also help bring closure to a grieving family. As it currently stands, we no longer have a reservoir. We simply have a park with a stream running through it. With no direction, this proposal will allow for a new beginning. Moving forward as a City, we need to come together and make decisions that will not only positively impact our community, but impact its future. Today I propose that in honor of Sgt. First Class Robert Wornstaff and his family that reservoir park be renamed 'Wornstaff Memorial Park' and that Reservoir Drive be renamed 'Wornstaff Drive'. Including in this proposal would be a plaque at the entrance or place chosen by the Wornstaff family. The plaque will not only highlight his service to our Parks Dept. but also his service to our great country. For those of you who are unfamiliar with who Robert Wornstaff was, let me enlighten you. Robert was a veteran of the United States Army and Operation of Racket Freedom, husband, father and dedicated employee of the Massillon Parks Dept. who tragically lost his life while serving our City. I believe this would be a great first step in rebuilding of the reservoir and a much-needed change for direction for our Parks Dept. I've already reached out to Sgt. First Class' widow, Shana Wornstaff. She supports this endeavor and would be honored to

have her husband memorialized in this way. I now ask for the community and Council's support with this proposal. I'd love to work with each and every one of you on this and open this up for discussion if anybody wants to speak on it".

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – I'd like to get into it and talk about it. I'd really like to have a long conversation at the Committee meeting about it and talk it over. I think there's definitely value.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Just to formalize this, my recommendation would be to work with this would be to have a resolution put forth and then we could have it in the Work Session as a resolution of City Council and I believe the framework of that resolution would actually be going to, in regards with this Council, if it were to do so choose, would support this initiative and actually encourage the Parks Board. Because we would have to get the Parks Board to get on board with this as well. Encourage the Parks Board to move forward with this as well. The street, we would do. The Parks Board would do the park, but it would probably start as a resolution. So, we have some direction as to how to move this forward.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – I would agree with Mr. Manson. I think it should start in Committee with a discussion. I think that's one option as far as the memorialization of the event, the individual to service, etc., but I don't think that's the only option that might be available. So, I would request discussion in Committee prior to a resolution being drafted.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilman Manson.

COUNCILMAN MANSON – The only reason I brought some of that up, we don't know maybe what the Parks are talking about already and some of these things, anyhow. So, I think to sooner we get with them, I think it would be better. It's better to get everything in order in advance and I think it's a fine thing. They may have some different ideas. Maybe they were already thinking about something. This is the first I heard of anything, but they may have already been discussing it, I don't know.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – That would be my recommendation is to bring it forward to the Parks and Rec. Board also, so they can get ideas and we could start moving forward with this.

COUNCILMAN HARRIS – I hope that talking about this this evening that not only we…we have a way that we can move this for ourselves, but also, the Administration, we can work with them, we can work with the Parks Board wholeheartedly on board with working with everybody. I think this should be an all-in thing for all of us.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes, you are right. We would have the right to do it if we wanted, but I think it's much better to bring everybody in.

COUNCILMAN HARRIS – For sure.

COUNCILMAN MANSON – But we do have that right. I agree with that.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – I think we also need to clarify since we know the Parks and Recreation Dept. is an autonomous Board, an autonomous department at this point who has the authority in the end to do this and maybe that's something that might have to look at the Law Dept. for as well. Because if we're going to do this and we're going to go down this path, I want to make sure it's done correctly and in the proper, either the Parks Board or Council, whoever has the power to do it, does it if it's something that everybody wants to see done. But I think with the Park Board being autonomous at this point, I don't know who that falls under. If it falls under Park Board, specifically, or City Council, for the park. The road, obviously, would be something that would fall under City Council.

COUNCIL PRESIDENT ISTNICK – Anyone else?

COUNCILMAN HARRIS – I have something else. Can we have the Administration come up and talk about the Streetscape?

COUNCIL PRESIDENT ISTNICK – Yes. Are you done with this other one right now?

COUNCILMAN HARRIS – Yes, ma'am.

COUNCIL PRESIDENT ISTNICK – Thank you. Thank you, Mayor.

MAYOR CATAZARO-PERRY – Madam President, Members of Council. We had a conference call with the company that we're working with, Central Allied and the project is on-target and we're just waiting for things to get done. I know today they cemented in front of Bonnie's Engraver's Gallery and the cement is also molded to begin on the other side as well.

COUNCIL PRESIDENT ISTNICK – On-target to be finished November 1st?

MAYOR CATAZARO-PERRY – The date is October 25th and if they should need an extension, they have file that with us and we have not received anything at all for any type of an extension.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Is October 25th the 90 day? Because we said we'd have downtown closed for 90 days. Is that the 90-day date?

MAYOR CATAZARO-PERRY – October 25th is deadline for them to be complete and if not by that date, they have to start paying the City money.

COUNCILMAN LEWIS – Okay. I'm trying to think back to when the 90-day started. We always told the business owners that there would only be 90 days of closure. When does that start and when does that day end?

MAYOR CATAZARO-PERRY – I don't have that date with me.

COUNCILMAN LEWIS – Okay.

MAYOR CATAZARO-PERRY – But, the date that is in the contract is October 25th that they should be completed by.

COUNCILMAN LEWIS – Did they tell you how they were going to make that happen? Because it seems like up until now it's been moving quite slowly to be done in two and half weeks.

MAYOR CATAZARO-PERRY – They said they'll get it done on time.

COUNCILMAN LEWIS – These are just some concerns I have from being down there. I went down there and I know some people have been talking about the "M" that's already in place and it looks "wonky" or what not. It does look a little bit like some of it, I don't know, I'm not an engineer, it doesn't look like things quite the streets line up. Did they mention anything like that or is everything going together; it'll be fine when they're done?

MAYOR CATAZARO-PERRY – They've not mentioned anything to us that it's out of place.

COUNCILMAN LEWIS – Okay.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – For their process, when they finish those "M's", they're going to go back through and mark all the bad bricks and those will all be removed and replaced once this is all done. Projects like this can be wrapped up pretty fast. If you saw them build the first intersection for the "M", it went awfully quick. Now maybe they didn't lay the bricks quite as fast as we thought, but I mean, I don't think they were in particular hurry on that because there were so many other things that needed done. Some people want to know why they didn't start the bricks at both intersections. Well, they had to have a way to get in and out too.

COUNCILMAN LEWIS – When you look at the bricks on that intersection because I was down there and I looked and it looks like one bump out is different than the bump out straight across the street. They don't look alike and it just doesn't seem to make sense to me how cars are going to travel and that's why I'm interested to see what it's going to look like when its done because eye-balling it, it doesn't seem to look, but I'm sure at the end it will come together.

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham.

COUNCILWOMAN CUNNINGHAM – Mr. Lewis, could you explain "wonky"? Maybe for the people out here that don't know what that means.

COUNCILMAN LEWIS – I don't know. I'd probably have to call up my grandpa and ask him what "wonky" meant. It doesn't look aligned, I guess.

COUNCIL PRESIDENT ISTNICK – Anyone else?

COUNCILMAN MANSON – Yeah, I've questioned a lot of things. I went down with my tape measurer. I wanted to be sure, there's was a lot of controversy or discussion about is it going to be two lanes each way and all that. I started to thinking if we widen these sidewalks too much, we're going to be too tight to have two lanes. So, our old sidewalks were 17" and our new sidewalks are 17" from the storefronts. You might be able to find someplace where they're off an inch or something like that, but they are basically the same as what they were with the bump outs added. If you look at the bump outs, they're not as wide as a car. They're built that way to help make parking easier and quicker. So, a lot of that, I'm pretty much satisfied. I've been looking at all of it.

MAYOR CATAZARO-PERRY – I heard that we're only going to have two lanes; that is incorrect. We will have four lanes, that's not changing. There will be a median strip in the middle and that has electric to it so we can light that up during the holidays. We can light it up during the Massillon-McKinley parade. I mean, there are just some things that we were able to do to enhance that median strip. So, there will be four lanes. I believe we've only lost four parking spots on the street and I've heard there's no parking on Lincoln Way. That has not changed. So, just to clear up some misconceptions for the project.

COUNCIL PRESIDENT ISTNICK – Councilman Harris.

COUNCILMAN HARRIS – There's been a few other additional misconceptions. The Erie St. intersection will have an "M" in it, correct?

MAYOR CATAZARO-PERRY – That's correct.

COUNCILMAN HARRIS – Do we have anybody who's checking over their work?

MAYOR CATAZARO-PERRY – We do. We have an inspector that's there when they're there working the entire time. So, all their work must pass the inspector's checklist and if it doesn't then they have to redo it.

COUNCILMAN HARRIS – I did go down there this past weekend with my father and walked all over the intersection. Some concerns that I had were the low-lying areas of the intersection that it appears, I haven't tested it myself, but it appears that they will pool water and my fear is that in the winter time that could become quite dangerous. Those are my thoughts.

COUNCIL PRESIDENT ISTNICK – Will the median strip have trees in it?

MAYOR CATAZARO-PERRY – It will.

COUNCIL PRESIDENT ISTNICK – Anyone else? Thank you. Are you finished, Mr. Harris?

COUNCILMAN HARRIS – That's it, Madam President.

COUNCIL PRESIDENT ISTNICK – Thank you.

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

L.J. DELUCA – Hi, Madam President. I want to thank everybody. We had a great thing in town here, Mayor and Dave.

COUNCIL PRESIDENT ISTNICK – State your name and address.

L.J. DELUCA – 2954 Veterans Blvd. S.E., Massillon, Ohio. Went to the Greek Fest and saw Mr. Manson. It was great, I thought you might help me eat some of that baked chicken.

COUNCIL PRESIDENT ISTNICK – Excuse me, Mr. DeLuca. Could you remove any advertisement on your shirt?

L.J. DELUCA – Sure. I'd be happy to do that.

COUNCIL PRESIDENT ISTNICK – Thank you.

L.J. DELUCA – First off, I want to take care of some basic Massillon City Council meeting. Councilman Manson, I talked to the Massillon Fire Chief, Tom Burgasser, on the phone and he said he appreciates what I say. He listens to me, he appreciates the Massillon Police Dept.; what I say as far as the Massillon Police, the Massillon Fire and my comments. The Chief listens, that's the basic thing so I appreciate it. Also, I caught the Mayor's commercial and I have to say this because it's in with what I feel. The Mayor had a commercial on TV. Now, I used to call them National Enclosures in Massillon, I believe that's where the Mayor had the thing at, National Enclosures in Massillon, Ohio. They were here in 2014, 2015; they left. I called David Maley up at the Economic Development. He's the Massillon City Economic Development Director, he said "I didn't even know about that company, L.J.". Called the Mayor's office there was nothing. I talked to the person over there who's the head of it, he's the shop superintendent. He's also a Massillon City Councilman. I forget what word it is in Canton, he told me there was nothing. But when they decided to come back, he did say in confidence to you, that you really helped him out coming back. But my question was with that, we lost five years of money and we got to be more on our toes right now. We just can't tiptoe, we got to get with it. As far as your commercial with the Police Dept., I talked to Keith Moser, Police Chief. I talked to him two and a half years ago and I talked to Fire Chief, Tom Burgasser. I talked in depth; I'm not going get to too much about confidentiality because I cherish their relationship with me and the City of Massillon. However, there was a time here, and I just asked Chief Moser now, that you didn't do anything with the brakes. The brakes were bad. Richville Dr., our police couldn't go a 100 m.p.h. over there. Hell, I had to go five miles an hour. Our paramedics, you put them at risk all along Mayor, knowing that you had different things going up. But you could have patched it and then waited, but you didn't. But finally, you got Richville Dr. over and I'm happy with that. But I got to move on here. Last night the Mayor played the VA card, Mayor. Let's get answer before the election. The VA card, we've got to have closure in it. We got to see how money this is costing Affinity Medical Center. From here, 2021, 2022. We got the card, the ace of spades. We need a mayor who keeps saying you keep records and, therefore, I'm not bound to keep such a record so there, I don't have to give them to you. A mayor who says I don't listen to critics. You stated that. A mayor who thinks potholes are our way of life and I got news for you, it is not our way of life, our potholes. A mayor who attended eight of 24 Massillon City Council meetings and since I'm down for time here, you stood at the Candidates Forum which I was and I appreciate it, I know you were a little sick. I hope you're good. Your kids brought you that water and your husband. So, I hope you're better. But I'm going to tell you, you stood up and you waved it. Watch this

everybody, she waved it and you told me you had 86 companies you brought to Massillon, Ohio, and about 14 leagues from Tam-O-Shanter, who closed up. Now, I talked to Central Catholic, Father Khaler, and they didn't even want to come here at first, but you got them now. But I would appreciate if you would finally make this good and give us the 86 companies you said you would after you got the ER thing. You're not living up to your promise and you took an oath of office for all of us and that's why I'm here today. Not for me, but for all the citizens of Massillon, Ohio. Thank you for letting me go a little bit over. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you.

L.J. DELUCA – I appreciate it.

COUNCIL PRESIDENT ISTNICK – Anyone else wishing to address Council?

18. ADJOURNMENT

COUNCILMAN IRWIN – I make a motion we adjourn.

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

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT