MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD TUESDAY, OCTOBER 20, 2020

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Tuesday, October 20, 2020. We have in attendance with us the following city officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Chief Counsel, Bill Bartos, Economic Development Director, Dave Maley, 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.

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, Megan Starrett and Jim Thieret.

Roll call of 8 present

COUNCIL PRESIDENT ISTNICK – Thank you. Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we excuse Councilwoman Halter.

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

8 yes to excuse Councilwoman Halter

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Councilwoman Halter has been excused.

2. INVOCATION

COUNCILMAN TED HERNCANE

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN HERNCANE

4. READING OF THE JOURNAL

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

COUNCIL CLERK ROLLAND – Yes they are. All minutes have been posted.

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

COUNCIL CLERK ROLLAND – No, there are not.

COUNCIL PRESIDENT ISTNICK – Then the minutes stand approved as written. Before we get into Remarks of Delegations and Citizens to matters on the Agenda, the Mayor had asked if she could say a couple of words. Go ahead, Mayor.

MAYOR CATAZARO-PERRY – Thank you, Madam President. Tonight I want to talk a little bit about a certain person. It has been a privilege and an honor to work with a gentleman who's been an outstanding leader, visionary and friend. Tonight I'd like to announce the retirement of Fire Chief Tom Burgasser. It will be effective April 9, 2021 and the Chief will be leaving his position exactly 31 years from his hire date of April 9, 1990 with the City of Massillon. During this time, Chief Burgasser has served our residents as a firefighter/paramedic, a captain and for the last fourteen years as Chief. During his tenure, Chief Burgasser has successfully secured numerous grants through FEMA, the Community Health Foundation and the BWC, totaling over $3.3 million dollars with the City's contributions of those dollars only being $128,000.00. These grants have provided funds for necessary equipment and training, including Hazmat training, fitness training and equipment, power cots, CPR device, heart monitors, radios, a tanker truck, air packs, thermal imaging equipment and a grant that allowed for bringing back department personnel when the City was in fiscal emergency, bringing the department to full roster. Tonight I would ask that you join me in congratulating him. He's given us a significant amount of time for his replacement and he's very excited about this. He is on the call tonight. I'd like to congratulate him for all the years, 31 years, of service in April and we will certainly miss him. Thank you, Madam President.

COUNCIL PRESIDENT ISTNICK – Thank you, Mayor and thank you, Chief Burgasser. (Applause). And we're glad you're staying with us until April 9th.

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

MARGY VOGT – Joel and I have lived here. We love our home at 1306 Lennox Ave. N.E. We've been here since 1976. We raised our son here. Celebrated birthdays and graduations, we've seen a lot of family members here and we've worked our life to turn it into our special haven. Converting adjacent residential land into commercial property will be the first step towards inching business into our neighborhood, changing its character forever. I saw it happen in Mansfield when, with much opposition, a fast-food restaurant gained rezoning next to a stable residential area. Who's to say here to that the business zone hopped a three-lane state route, just like Wales Rd. and the homes on the opposite corner were unattractive and reshaped into storefronts. My grandma's beautiful neighborhood went downhill rapidly. You've seen that happen right here in Massillon. I hope you'll protect us. In a private meeting with Mr. Sanders, he told me that there are hooligans who damage cars in his lot. We don't want hooligans next to our neighborhood. Mr. Sanders has shown us rendering with natural looking landscape, but, his since spoken about planting a single line of arvavita instead. This potential change, this came to me like an omen of non-adherence to that Restrictive Covenant. Our primary fear is that once the property is rezoned, Mr. Sanders could break that covenant. I know he says he won't, but money speaks. It would go to court where residents couldn't afford to stand up to him. Not only could he then do what he wants, but he could sell it to a fast-food or a gas station. Surely you wouldn't want that at the end of your block or in yard back yard. Please protect all Massillon neighborhoods. It may seem like only a handful of

neighbors oppose the rezoning, but you have copies of 300 signatures of residents who oppose it and it's just very hard for us to reach people, especially because the notice time is so short. So, I hope you'll take that into consideration and know that no one wants this. Every week, people try to call in and you know, let's just save face. We are not against Progressive. We are for our neighborhood. Please vote "no" on rezoning. Please protect us. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you. Before the next person speaks, I just want to set some ground rules. We are not going to have any debates between people. When you call in, state your comments. Thank you. Next caller.

JEFF THORNBERRY – My wife, Adrianne, and I live at 1315 Lennox Ave. N.E., Massillon, Ohio, and I would very much appreciate and thank you for the opportunity to speak about this very serious issue. We know that the petitioners are doing what they feel they must, however, we strongly disagree with the stance on this rezoning. We have to literally live with the consequences of your decision. We do not work in the area for a few hours and then leave to go to our homes elsewhere. This is our home. This is our neighborhood. We are very proud of and grateful for our neighborhood and want to protect its integrity and the quality of life we enjoy therein. We've addressed this issue multiple times over the last several years. We have been successful in the past to prevent the zoning change and that is our sincere purpose once again. We absolutely see no benefit to our neighborhood that would be realized by a zoning change. There would be no positive benefit to the integrity of our neighborhood or the quality of life we now enjoy. Quite the contrary. We have not and will not change our minds in any imagined scenario that involves rezoning. Once again, I appreciate the opportunity to speak and I hope sincerely that I will be able to do so again and share some other points with you on October 28th. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Jeff. Next.

MR. COFFEY – My wife, Margaret, and I live at 1776 Springhaven Cir. N.E. I'd like to thank you for the opportunity to speak this evening. I'd like to join my neighbor stating my absolute opposition to the proposed zoning change for the church property. We raised our five children here. We enjoy the neighborhood here. We thank the neighborhood. It's one of the reasons we moved here. My backyard directly abuts the property in question. Already I'm hearing about changes to the buffer that was proposed originally. I wonder how much more that's going to be reduced as time goes on. With all due respect, I'd like to remind all involved that we elect council members to represent the citizens. Each of you has a chance to do that here, by protecting the property and interests of the affected neighbors. You have a chance to stand up for the people who live here twenty-four hours a day, seven days a week, over the wants of someone who drives in from nine-to-five then goes back home elsewhere. As Margy stated, more than three hundred people have signed a petition that on record opposing the rezoning. You have that petition before you. Please ignore this group. Please don't ignore our signatures. These are Massillon residents who chose to live in this neighborhood because it's stable, it's quiet, it's residential. Beyond those things, we're taxpayers whose opinion, respectfully, should be given due consideration at the very least to the desires of a single business owner. A proposed rezoning plan is bad for the neighborhood and bad for those of us who live here. I respectfully urge you to please not let our neighborhood deteriorate at the expense of one individual. I thank you very much for giving me the opportunity this evening to speak. I told you that people are concerned. Keep our welfare in mind and on an unrelated note, I'd like to thank my buddy, Tom Burgasser, for his service and congratulate him on his retirement and wish him well. Thank you very much.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Coffey. Next.

PATTY SCULLY – I live at 1406 with my husband, Leo, and have for over forty-four years and hope to be here a lot longer. I watched Governor DeWine today and he is suggesting that all Ohioans stay away from crowds and called the numbers "grim". COVID is spiking up again as we all know. 2,015 new cases today, 8 new deaths, hospitalizations at a record high; 216. 36 of which are in the ICU. What I'm getting at is the meeting on Wednesday the 28th, it should be cancelled and rescheduled. You will be putting 102 people in jeopardy. I'm sure you, as a group, and Rev. Telony and Craig Sanders would not want anyone to contact COVID on your watch. This meeting on the 28th needs to be cancelled and rescheduled when we all can meet safely. Thank you and goodnight.

COUNCIL PRESIDENT ISTNICK – Thank you, Mrs. Scully. Next.

L.J. DELUCA – 2954 Veterans Blvd. S.E., Massillon, Ohio. I want to speak to all the folks who live near Progressive Chevrolet. Craig Sanders is a friend of mine and above all, I called and asked to spend some time with Craig Sanders in regard; I wanted to see what Craig was really going to do for people that live around him, whether it's Springhaven and all these other areas and I talked to Craig and I just want everybody to know that Craig Sanders wants to do what's good. He has 200 employees. The sales tax, property taxes; he pays taxes, employment tax, general use tax and Craig told me that in the last five years he's paid $29 million dollars in the last five years. He's done a lot. I just want you to understand his character means a lot for the people of Massillon, for me personally. We got the fire station that just opened not too long ago, No. 3. Don't they have a paramedic unit there? We don't want to close that up if Progressive goes somewhere else and I don't mean to say that Craig's going to do that. He's not going to do that; he's a big thing here. Look at the 4H kids. He paraded them through the Progressive thing with the animals so that could get their hands wet before they go to the fair and see all the animals. They are earning by doing. Craig Sanders was born right here in Massillon City Hospital. Most people don't know that. The Sanders family really are responsible in saving the Stark County Fair. Do you know that they're a signature sponsor for the Stark County Fair? And everybody from Massillon goes to the Stark County Fair. So, I think Dan Sanders is 74 and there's four generations here and I have to step in to say that I talked to Craig for about two and a half hours and he talked to a lot of other people. Let's look at St. John's Lutheran Church. It's almost seven acres; 6.96 acres. I drove around there to see what's going on. They have a declining membership. Costly interior and exterior maintenance, I heard. Little need for all that space, okay. Pastor John Taloney, since 1987, the building is an albatross. That means it's causing problems and it's going to get worse and worse. Let's look at everything he has tried there; elementary school, it closed in 2004, folks. The preschool ceased to operate in 2016. I think a lot of people don't know that they had an oil and gas company and I think they had to cap that. That was a no go. So, they tried to sell it whole, they tried to sell and piece it out and I don't know, do a lot of you know that it's zoned R-3. They could put, if this is a no go with Progressive Chevrolet, they could put a multi-family unit. Finally ending up, the character does matter what they're going to do right here at this church and what Craig Sanders says is "L.J., I am going to do for my neighbors first". I heard somebody say that he's going to put money in his pocket. All of these things he's done, I can't even say here in three minutes. Let's just go to the final one. The Vietnam Veteran Memorial; there was Judge Elum, Margy Vogt, I believe, and Judge Kettler. They asked Dan Sanders, which is Craig's dad, if he would help fund the memorial. Dan said without hesitation "Whatever it takes, we will make it happen" and I'm proud to be friends with Craig Sanders and

I hope it goes through and Craig Sanders showed me everything of what's going to go better for the neighbors there. Thank you, Madam President.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Deluca. Next.

MICHAEL VERANT – My wife, Jayne, and I live at 1760 Springhaven N.E. and I want to speak about the St. John's Church property and we're very much against this rezoning. I believe rezoning is just a transfer of wealth and I think this is just an investment opportunity for the Progressive Auto ownership. It may be a parking lot temporarily, but I think in the future, he can develop it any way he wants to such as another dealership or a gas station in the future. The Restrictive Covenants will be like overruled, I think by any potential revenue for the City. Our houses will be here long after Progressive is sold and he pockets his profits. We need your support too and your "no" vote will help preserve and great Massillon neighborhood. Thank you for letting me speak.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Verant. Anyone else?

JANET SWAGGER – My husband, Richard, and I live at 1743 – 10th St. N.E. and we're against this rezoning. Nothing against Progressive or the Sanders. It is simply our right to preserve our neighborhood as it with the freedom to feel comfortable and safe as it has been for the eight years that we've lived here. We do not want it to be rezoned. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mrs. Swagger. Anyone else?

JAIME SLUTZ – I live at 1752 Springhaven Cir. N.E. My wife and I are opposed to this rezoning. We moved here because it is a quiet neighborhood and I feel like this is not good for neighborhood. So, I just wanted to say that we are against this. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Jaime Slutz. Anyone else?

RON MILRODT – I live 1792 Springhaven Cir. and I've lived there…

COUNCIL PRESIDENT ISTNICK – Ron, you're breaking up.

RON MILRODT - …the church was there and that was going to be for the neighborhood and I am definitely against any kind of rezoning. Nothing against Progressive. I am just against the rezoning because I've live here since 1992 and we appreciate the church being back there. It's a nice tranquil place and I realize that the church may be gone, but I definitely don't want to see a rezoning. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Ron. Anyone else.

KATHY WELLS – I live 1312 Lennox Ave. N.E. Right next to Margy and across the street from Jeff. I am against this. I enjoy my peaceful neighborhood. I like to go out front in the evening and when I take my dog out, I like the way it looks when I look up Wales Rd. Even with the amount of traffic that can be there at times, it's calm, it's peaceful, it's quiet. There's not a lot full of cars and again, I want to echo that it's nothing against Progressive. It's just that I feel the neighborhood should stay the same and be what it's always been. I've been here since 1996 and I bought in the neighborhood where the taxes were higher. At that point and

time, I really could afford, but I felt it was worth it to be able to raise my family here. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mrs. Wells. Anyone else?

CHERYL WOODS – 1821 Wales Rd. and I am opposed to the rezoning. I chose this neighborhood twenty-six years ago to build my house and I didn't plan to build my house and live across the street from a car lot. Who knows what it will be in the future. I also believe that zoning is here to save our neighborhoods. So, I'm asking to save our neighborhood and oppose the rezoning. Also, I agree with some regarding to the open meeting for October 28th. With the COVID-19 virus, I'm not sure the theatre, in a confined area, I'm not sure, safe wise if it is wise for us and I know myself; I have underlining health conditions and I will not be able to attend that meeting. But, could we also think about rescheduling this meeting in a safer area, auditorium, or reschedule a different time, later. Thank you very much.

COUNCIL PRESIDENT ISTNICK – Thank you, Ms. Woods. Anyone else?

RANDY LAMP – My wife and I live at 1256 Lennox Ave. We are, of course, opposed to the rezoning of the church property. Our reason for our opposition should be obvious. Anyone that might be in a similar situation. I want to quickly reflect on the one gentleman's response about Craig Sanders. I personally and I don't believe anybody of us in the neighborhood has anything against Craig Sanders. This simply about protecting our neighborhood just as we have in the past from Rite-Aid, the Nissan dealership and etc. and etc. I do believe that the proposal before us is a representation of what could be and I'm afraid that the reality will be something very different than what we're seeing. I don't care, at this point, if it's intentional or unintentional, a local business or maybe a national chain. I think in time; we will be seeing something completely different than what Mr. Sanders is proposing. I also share Ms. Scully's concerns about the meeting on the 28th. Since this pandemic, I don't feel that this has been handled fairly as far as our neighborhoods are concerned. I don't mean that to be that it is intentional. It's just been a fact that it's been one thing after another and I think last evening was just the latest example of that. I think the October 28th meeting should be postponed or cancelled completely until such a time it could be handled in traditional methods in Chambers and whenever that happens to be, I just want to make sure that people understand that people are afraid. They are worried about their jobs, their families and certainly about their health and I think something along the lines of a parking lot, no matter who it's for or what it's for, it's certainly not worth risking any of those things and I appreciate the Council members that I've spoke with personally and I appreciate what you do for the City. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Lamp. Anyone else?

CHRIS HOYSER – 1215 Stratford Ave. N.E., Massillon, Ohio. I'm not going to reiterate all the things that people have said before me, but I agree with everything they've said and I am completely opposed as my wife to any change or rezoning of St. John's Church. They need to keep it residential. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Chris.

CRAIG SANDERS – Can you hear me?

COUNCIL PRESIDENT ISTNICK – Yes, Craig. Go ahead.

CRAIG SANDERS – Progressive Auto Group. At some point, in the near future, the debate as to what happens to the St. John's Church on Wales Rd., needs to be addressed. The approximate 7 acres that the church owns along a busy state highway. This is, has been and will continue to be a very busy intersection in what is already a very commercial influenced area. Right next to a very busy Walgreen's and one of the largest human used dealerships in the State of Ohio. The proposal that I'm about to present next week at the public hearing is the only viable option ever offered that protects the interests of every affected party. The neighborhoods, the church, an existing local employer and the City of Massillon will all need to compromise to get the best result. The proposed plan, in its entirety, and I think next week everyone will be able to truly understand everything that we plan on doing in detail. I do realize that during Corona, it's been challenging to get the word out for everyone to see the plans, for everybody to understand and ask me questions. But this will improve the area, aesthetically and economically. It will improve the neighborhood's appeal, improve the tax base for Massillon and be a source of pride for this community as people enter Massillon from the north. There have been many discussions about how to effectively protect the neighborhoods from the proposed and existing commercial areas. Many prominent neighborhoods throughout this country with similar challenges have accomplished progress for their cities with the same mechanisms proposed in this plan. The protections guaranteeing the large portion of professionally manicured, dedicated green space have been reviewed, vetted and actually improved. These protections and improvements will lead to the residents increased backyard green spaces and increased level of security, heighten quality of life, neighborhood pride and improved property values. The dedicated green space border, and several people have discussed that it has changed; it has not. It is forty-six wide and over thirteen hundred feet long. It is massive. The lots that abut this property on Springhaven are a hundred and fifty feet deep. Forty-six feet is what we would be adding to their lots. That's one-third additional green space along with professionally manicured and well-maintained landscaping. All of this will be accomplished with a company that cares about its neighbors. My family has been a part of Massillon for over eighty years and yes, I was born in Massillon City Hospital. It hurts me to see that that is closed. We want what's best for this area and many people truly believe this proposal is the best solution to solve this challenging problem, but unfortunately, it's been unsolved for a very long time. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Sanders. Anyone else?

6. NEW AND MISCELLANEOUS BUSINESS

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Due to the extenuating circumstances that brought us to tonight's meeting, we want to make sure that we are cognizant, that one of the Council Rules states that certain items that are to be on the agenda are presented to the Council Clerk in a timely fashion which was not quite met. So, Council does have the ability to waive Rule of Council if we so desire. The Rule in question would be Rule 25.1. So, tonight I would like to make a motion that we waive Rule 25.1 and proceed with the agenda as distributed.

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

8 yes to suspend Rule 25.1 to add the Ordinance No. 108 – 2020 thru and including Ordinance No. 113 – 2020 to Introduction of Ordinances and Resolutions on tonight's agenda.

COUNCIL PRESIDENT ISTNICK – Thank you, Diane. Rule 25.1 has been passed.

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 108 – 2020 **BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE**

AN ORDINANCE amending Chapter 919 "SIDEWALK AND CURB REPLACEMENT PROGRAM" of the Codified Ordinances of the City of Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, President Istnick. As we discussed briefly, this is a resurgence of a redo of a program that's been around the City with some enhancements. Hopefully to entice local residents and commercial entities into improving their sidewalks. It is pretty explicit and we hope that as expressed before, that enough people take advantage of this program and make it worthwhile. Are there any other questions or concerns from Council tonight on it?

COUNCIL PRESIDENT ISTNICK – I don't see any.

COUNCILMAN THIERET – I don't either. I would like to put this as first reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 108 – 2020 has received first reading. Ord. No. 109 – 2020.

ORDINANCE NO. 109 – 2020 **BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a one (1) year contract with the Board of Trustees of Local Organized Government in Cooperation (L.O.G.I.C) for fire department and police department dispatch services, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you, Ord. No. 109 – 2020 has received first reading. Ord. No. 110 – 2020.

ORDINANCE NO. 110 – 2020 **BY: FINANCE COMMITTEE**

AN ORDINANCE declaring the improvement of certain real property located in the City of Massillon, Ohio, to be a public purpose; declaring such property to be exempt from real property taxation; designating the improvements to be made that will directly benefit or serve such real property; requiring the owner of such real property to make annual service payments in lieu of taxes; establishing a municipal improvement tax increment equivalent fund for the deposit of service payments; and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – First reading.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 110 – 2020 has received first reading. Ord. No. 111 – 2020.

ORDINANCE NO. 111 – 2020 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2202 Insurance Fund, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance allows us to appropriate $2,316.00 in order to cover COBRA. This money will be reimbursed from recipients at a later date. Are there any questions or discussion this evening? Hearing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 111 – 2020 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 111 – 2020 has passed. Ord. No. 112 – 2020.

ORDINANCE NO. 112 – 2020 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1217 Coronavirus Relief Fund, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance takes the $1,174,188.69 that we received in additional relief funds. This is on top of the money that we've already received and it's appropriating it to our local relief expenses. These monies can be used for multiple projects throughout the City and as I had mentioned, some disinfecting spraying devices. We had talked about possibly being able to support some of the payroll related to police. We've also asked for an update on where we are regarding grants to local businesses. We'll be getting more of an update about how those monies will be able to spent at the next meeting. But as for now, I would like to try to have this money appropriated. So, are there any questions or discussion this evening? Hearing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 112 – 2020 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 112 – 2020 has passed. Ord. No. 113 – 2020.

ORDINANCE NO. 113 – 2020 **BY: FINANCE COMMITTEE**

AN ORDINANCE reducing the appropriations in the 1213 Lincoln Way Streetscape Fund, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance is reducing the fund by $50,000.00. This is due to one of our grantors who is giving us $100,000.00 and is to provide us with $50,000 this year and $50,000.00 next year. So, we have not been in receipt of $50,000.00. So, we are reducing this year and then next year, we will reallocate those dollars. Are there any questions or discussion this evening? Hearing none, I make a motion that we suspend the rules requiring three readings and bring Ord. No. 113 – 2020 forward for a vote.

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

8 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 113 – 2020 has passed.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMINCATIONS

A Request for the Transfer of a Liquor License from JAD Hospitality, LLC, DBA Jen's Place, 1st Floor and Patio located at 43 Lincoln way E., Massillon, OH 44646 to Sangria Stand, LLC, DBA Heck's Downtown, 1st Floor and Patio located at 43 Lincoln Way E., Massillon, OH 44646. Permit Classes are D1 and D2 and located in Ward 2.

COUNCIL PRESIDENT ISTNICK – Did Councilman Thieret receive a copy of this?

COUNCILMAN THIERET – Not that I've seen.

COUNCIL CLERK ROLLAND – I scanned it to you in an e-mail.

COUNCILMAN THIERET – I'll check for it.

COUNCIL CLERK ROLLAND – Okay.

10. BILLS, ACCOUNTS AND CLAIMS

The Repository	-	$ 146.00	Publication of July Ordinances
The Repository	-	560.80	Publication of August Ordinances
		$ 706.80	**Total**

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Gregg.

8 yes to pay the bills

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

11. REPORTS FROM CITY OFFICIALS

Treasurer's Report	-	September 2020
Auditor's Report	-	September 2020

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

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

8 yes to accept the Auditor's Report.

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

12. REPORTS OF COMMITTEES

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be next Monday, October 26, 2020 at 6:30 p.m.

COUNCILMAN LEWIS – Council President.

COUNCIL PRESIDENT ISTNICK – Yes, Councilman Lewis.

COUNCILMAN LEWIS – Yes. As far as Finance Committee, just so everyone knows, next Monday at our Work Session, we will be speaking with Lori Kotagides-Boron and we will be speaking about the Budget that they are proposing for the City of Massillon. This will be the first step in our discussion. Typically, what we will do is we will speak with her and also the

Auditor, if they are present and talk about the certificate that we will be receiving. Talk about what they believe to be an ample budget for the City. After that in meetings that follow, we will be bringing in department heads to discuss their particular department so that they can share their successes over the past year and what their projections are for the upcoming year. So, just be ready for those rounds that are going to be coming. Typically, we do not vote on the Budget until the last session of Council in December. So, just wanted to give that update.

COUNCIL PRESIDENT ISTNICK – Thank you.

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – I would just like to request of Mr. Lewis if we could know in a week advance, what department heads will be in the following week. I know that you've done that in the past and I thought it worked out very well. I just wanted to make sure that this year would be the same.

COUNCILMAN LEWIS – Yes. My goal will be for that to speak with Kotagides-Boron and even if we can, try to give every week's projection for the next six weeks. So that you know even more than a week in advance.

COUNCILWOMAN LITMAN – Okay. Thank you so much.

14. CALL OF THE CALENDAR

15. THIRD READING ORDINANCE AND RESOLUTIONS

ORDINANCE NO. 88 – 2020 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain real property from R-3 One Family Residential District to B-3 General Business District.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. As was stated earlier tonight, we have a public hearing set for this on October 28th at 6:00 p.m. at the Lions Lincoln Theatre. We cannot take action on this ordinance until after that public hearing is conducted. So, at this time tonight since this is up for third reading, I would make a motion, at this point, to table this ordinance until the Regular Meeting on November 2, 2020.

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

7 yes; 1 abstention to table Ord. No. 88 – 2020 until November 2, 2020

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 88 – 2020 has been tabled until November 2, 2020.

16. SECOND READING ORDINANCES AND RESOLUTIONS

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

18. ADJOURNMENT

COUNCILMAN HERNCANE – Thank you, Madam President. I move we adjourn.

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

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT