MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, SEPTEMBER 21, 2020

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, September 21, 2020. We have in attendance with us the following city officials: Mayor, Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Chief Counsel, Bill Bartos, Chief Engineer, Jason Popiel, Economic Development Director, Dave Maley and Income Tax/Budget Director, Lori Kotagides-Boron. 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.

COUNCIL PRESIDENT ISTNICK – Roll call.

1. ROLL CALL

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

Roll call of 9 present

2. INVOCATION

COUNCILMAN MICHAEL GREGG

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN GREGG

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Gregg, Chair over Rules, Courts and Civil Service who gave the invocation and led us in the Pledge of Allegiance. Madam Clerk, are the minutes of the previous meeting transcribed and open for public viewing?

COUNCIL CLERK ROLLAND – No, I'm still working on them.

COUNCIL PRESIDENT ISTNICK – Okay. Thank you.

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

MIKE VERANT – 1760 Springhaven Cir. N.E., Massillon, OH. I would like to make a comment about the proposed rezoning of the St. John Church property on Wales Rd. Is that on the agenda tonight?

COUNCIL PRESIDENT ISTNICK – Yes, it is.

MIKE VERANT – Okay. Needless to say, we're very much against the rezoning and your "No" vote will help preserve a great Massillon neighborhood. We are taxpayers too, and we need your representation. Sometimes I feel like we are like second best and we're not really getting enough attention as far as our side of the situation. When you drive down Wales Rd., we have to look at these giant, obnoxious signs that I'm sure were paid for by the Progressive Auto Group and these signs depict a beautiful artist rendering of a park like setting stating, "Make Massillon better". Well, I don't know what dream state the creator of that slogan was in, but in no way will this make Massillon better. It's a parking lot and it's going to be in our backyards. My wife and I would have never, ever bought a building lot here if it had a car dealership behind it with several hundred cars. We don't want to see a business encroaching so close to it where it does not belong. Progressive threatened City Council with leaving Massillon, well, what if 50 or 100 families leave because they feel like the City has treated them unfairly? I think City Council should consider all of this. There are a lot of people in this area, not just on Springhaven, that don't want this rezoning change. Please vote "No" and give us some good representation. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mike. Anyone else wishing to comment? State your name and address.

SCOTT GRABER – 1218 Tremont Ave. S.W., Massillon, OH. Progressive Chevrolet has been a great corporate citizen of the City of Massillon well over 50 years and I am not opposed at all to the rezoning that they seek. I do believe you have a seller that wants to sell and a buyer who wants to buy and is not going to harm the local neighborhood and they have done great things for the City of Massillon for all those decades. The only thing I do want to say is that this is in no way an emergency and the people opposed should have the opportunity to put this question before the taxpayers, before the electors. So, I do hope and pray that the City Council excises that emergency language which will allow the opposition to circulate a referendum petition and refer the question to the electors. Let the people decide. That's all I have to say. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Scott. Anyone else?

RANDY LAMP – 1256 Lennox Ave. N.E., Massillon, OH. First I want to say that I had difficulty getting in on this phone call which I believe many people will because there was a second number or a second access code number that we weren't aware of until a few minutes ago. We passed out about 150 flyers with this information and unfortunately, that information wasn't available to us when these flyers were passed out. After saying that, my wife and I are both opposed to this rezoning conduct. I'm actually surprised that it has gotten this far. There are literally acres of commercial property available in Massillon sitting vacant. Why would the City sacrifice another neighborhood for more commercial property when what is there isn't being used? We have nothing against the church or Progressive Auto Group. We are only trying to protect our neighborhood. Progressive said that they need more parking space, but they have passed on several existing commercial properties that they could have used for just that purpose. The church wants to sell the property for commercial value when it isn't a commercial property. Why not sell it for what it is and for what it is worth? I have talked to, literally, dozens of my neighbors and not one of them wants this church property to be rezoned; not a single person. I am convinced that nobody involved in this issue on any side of the issue, would want this in their own neighborhood. Just ask yourself that question. Please oppose this rezoning. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Randy. Anyone else wishing to speak?

CRAIG SANDERS – Progressive Auto Group in Massillon, OH.

COUNCIL PRESIDENT ISTNICK – Yes, Craig.

CRAIG SANDERS – I've put in a lot of effort; met with a lot neighbors and I believe that the plan that we have is the first plan and the only plan that addresses all of the issues that the neighbors have presented to me. I have spent and will be spending a lot more money to protect the neighbors by executing the plan that I've set forth and it was approved by City Planning. I truly don't believe that it would affect the value of the neighbor's homes. That it would affect their well-being or that it would change their quality of life. If anything, because I bring a lot of people into this area; we sell a lot of cars to people who do not live in Massillon and when they come in here, many of them have comments about the church and they think that that is a commercial property. The building looks like an office building. It does not look like the type of church that a lot of people would expect to see or willing to fight for. It's an old building that's run down and I think it's hurting the property values of those people who live in or near and around this area. And no one seems to bring any alternative solutions. The church had this property for sale for a long time and no one has made an offer on it. This isn't a matter of we're paying a premium, like Mr. Lamp said. We're paying a fair market price. We let this property sit vacant or we, basically, let it sit listed for a long time, not vacant. But, we came in after there were no other options. I am also a neighbor. I have a big investment right next door. Those people who live near here who say they don't want to live next to a car dealership, well, they already do. They live next to a car dealership, they live next to a Walgreen's and they live on one of the busiest intersections in Massillon. Not only that, but almost in Stark County. It ranks right up there with some of the highest traffic counts, Wales and Hills and Dales. So, my proposal, I would execute it. I would do it right. I would do it so that it makes the neighborhood a better place. I would do it so that we can hope, I was just approached by Jeep today. They want us to add on to our Jeep facility. I can't do these things unless I have the space and yes, there are other places that are available. There's a lot of different things that we could do. I've never once threatened that I would move out of town or that I would take my business elsewhere. I like it here. I'd like to continue to grow here. I employ a lot of people that live in and around this area as well as people from outside the area. But I want to be able to grow and when you have a piece of property that sometime will be vacant sitting right next to you, as a business owner, you want to buy it so you can expand. I truly believe that by doing the things that we would do to limit access, the public would not be able to get into that property on Wales Rd. They'd have to go through our Chevy store, we would build ramps. We would be spending a lot of additional dollars to make this nice for the neighbors. I don't have to do that, but I feel like it's the right thing to do and that's what we would do because we have been in Massillon since 1939 and we haven't been on Hills and Dales Road since 1939. We've been on Hills and Dales Road, we moved here in 1975. So, a lot of the people that are going to comment on this project, probably moved into their homes at a time, basically, where they knew that Progressive Auto Group was already there. So, by us acquiring this property and having us do it, not someone else and helping us expand and put a parking area in there, it would solve a lot of problems. Thank you.

COUNCIL PRESIDENT ISTNICK – Is there anyone else that would like to speak on this topic?

JAMIE SLUTZ – 1752 Springhaven Cir. N.E., Massillon, OH. I am opposed of this dealership in my back yard. I moved here five years ago because this is one of the nice neighborhoods in

the City. I bought my property, which is adjacent to the church property, not thinking that there would be a dealership in my backyard in five years. Had I known that, I would not have bought the property. As it is now, I'm looking out my window, I see the church. I don't see the dealership. Mr. Sanders said that people bought property knowing that there was a car dealership in the neighborhood. Yeah, there is a car dealership, but I can't see it from my house and I don't want to see 450 cars in my backyard. I have a daughter that plays up at the church, the playground up there. All the neighbor kids play up there. I just think it's a bad idea for Springhaven, for the City. Like Mr. Lamp said, there's plenty of property in the City. K-Mart, Fishers and many more. I think it would be a safety issue for the neighbors. If I wanted to have the dealership in my backyard, I would have bought a house on the circle or one of those streets where I could see the dealership, but I didn't. I know people cut through the fence at Progressive Chevrolet in the past stealing tires off cars and I don't want those people going through my backyard to get to these cars. Because the next thing you know, they're going to be breaking into my shed and I don't want that. I don't think that's good for this neighborhood, I don't think it's good for the City. Thank you and have a nice evening.

COUNCIL PRESIDENT ISTNICK – Thank you, Jamie. Anyone else?

L.J. DELUCA – 2954 Veterans Blvd. S.E., Massillon, OH. Thank you, Madam President. I listened to all of these folks that are my fellow Massillon citizens. But I have to tell you, Mr. Craig Sanders, I know his dad, Dan Sanders. I've been involved with them and they do a lot of fundraising for the City of Massillon. I live over here at The Legends of Massillon. We have people, I've heard somebody say that they're throwing papers; there could be more paper on Wales with Progressive expanding. We live in The Legends of Massillon and just as you go down there to The Legends of Massillon Golf Course, we have people, very good citizens over here, that pick the papers up and they go down. Maybe for exercise or not, but they pick the papers up. Now let me tell you a little bit about Craig Sanders. I know his father; I know his brother and everything. They worked in every department; they know everything. They have this City at heart and I just don't appreciate some of the citizens. I understand that I don't live in that area, okay, but we had a thing like this at one time over on Wise Ave. You guys know where Acme Fresh Market was, we were on a little street there at one time, then we move to Avondale. They put the big Whipple Ave. through there. Things change, people; things change. He wants the better for Massillon, Ohio and I can tell you this; I understand that you don't want cars in there and people breaking, going into taking car wheels off. But I got news for you, they do that in every neighborhood. They did it at some of the better neighborhoods where I lived in Pittsburgh and so on and so forth. So, I just don't like the people, I know they have concerns about their house and the value. We had the water park over here to contend with. Some of the people I know were going to put a water park in here and it was a big uproar, at first. But I can understand where you're coming from. But I just want you to know that the Sanders family will do what's right. They'll work with you and make it right and I can't say enough about Craig Sanders and his father and the whole family and what they've done for Massillon to make Massillon what it is and all the fundraising and everything else. Thank you, Craig and your family and thank you for listening I really appreciate it and thank you, Madam President for the time.

COUNCIL PRESIDENT ISTNICK – Thank you, L.J. I have a constituent texting me saying that they don't know what the code number is. They're having trouble getting on. If anyone has that, if they could read it. Well, I guess that's not going to help, is it? I apologize to the public, I don't know, other than, you will have a chance to talk again, tonight. It will not go to public because we have to have a public hearing. So, I do apologize for that. Anyone else?

RANDY LAMP – Madam President, may I speak again?

COUNCIL PRESIDENT ISTNICK – Yes, go ahead, Randy.

RANDY LAMP – This idea that it won't affect our property values; we've had three realtors contact us just as a knee jerk reaction to the idea of this rezoning and all three of them said the same thing; it will affect property values and it will affect property values and quality of life throughout Massillon, no matter what people are trying to say. And as far as Mr. Sanders goes; I have met with Mr. Sanders on several occasions throughout this whole issue. I don't dislike Mr. Sanders. In fact, the matter is I think he's a good hard working guy. But this is not about Mr. Sanders or Mr. Sanders' family's history in this City. This is simply about a residential property that they want to change to commercial and the only reason that Progressive Chevrolet and Walgreen's and all of them are there is because Jackson and Perry Twp. didn't care what was put there back in 1975. I grew up in Massillon. Every car dealership, probably a dozen of them; every one left the City including Progressive Chevrolet every one. And now they want to bring it back into the City into a residential property and that property is there and zoned for that reason to protect us and I would really appreciate it if the misinformation that's being spoken would be pulled back a little bit. Thanks again for listening to my comments.

COUNCIL PRESIDENT ISTNICK – Thank you, Randy. Anyone else?

COUNCIL CLERK ROLLAND – I just wanted to inform the people that the meeting site is changed every week for the Council Meetings and the Work Sessions on our website.

COUNCIL PRESIDENT ISTNICK – Thank you, Diane. Anyone else?

STACY HUDSON – 700 – 8th St. N.E., Massillon, OH. I'm calling to state that I am 100% completely against this rezoning. I don't mean to be rude, but Craig Sanders is a salesperson and he's putting money into his pocket by getting people to believe his pitch. The pictures are pretty, but I don't believe that's what's going to happen, what it's going to look like in the winter time. You're thinking of allowing a business to put money in their pocket by taking money out of these homeowners pockets by devaluing their property. I feel that it's Council's duty to preserve our neighborhoods, build up and improve our neighborhoods and bring families in instead of making us leave for better. I myself, I know what it's like to look out my second story window and walk away in disgust from what I'm seeing and I would ask, would you want to look out and see hundreds of cars? You need to stand with these Massillon residents and side with them; not someone who doesn't even live here. You need to set a standard that you will only work to improve our residential areas by restricting businesses from coming in and taking over. You should be fighting to keep your residents and not be pushing us out. Thank you, Madam President.

COUNCIL PRESIDENT ISTNICK – Thank you, Stacy. Anyone else?

6. NEW AND MISCELLANEOUS BUSINESS

COUNCIL PRESIDENT ISTNICK – I ask the Mayor if she wanted to comment on what is going on with Trick or Treat in Massillon, since people are questioning me?

MAYOR CATAZARO-PERRY – Good evening everyone. This is Mayor Kathy Catazaro-Perry. We received some communication from the Stark County Commissioners last Friday and we'd like to announce that we will be having Trick or Treat in the City of Massillon. It will be October 31st, which is a Saturday. That's different for us, from 3:00 p.m. to 5:00 p.m. We will be releasing a press release tomorrow as well as a flyer that really gives some precautions for our residents and our families. So, we ask that you please pay attention to that. We will also place that on our website. We do not want people to go in large groups. We'd like you to go with your family or family members, extended family members. We ask that you don't have large parties. That you have parties if you want to have a gathering, of ten or less. We ask that you keep your circle small. And then also, we ask that you do not hand out the candy. People are creating these slides, these cone slides. Really creative and we'll try to put a picture of that up as well on our website; so that you're about six feet away from those that come to your door. And if you are and your home is going to participate in passing out treats, we ask that you turn your porch light on. And we'll give more detail tomorrow on our website. We may even do a video so that we can share it with our social media partners and we just want everyone to have a good time but be safe. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mayor. Councilman Lombardi. As we're trying to get back into the building, can you update us on what needs to be done yet before that can happen?

COUNCILMAN LOMBARDI – Yes. Today we received the equipment from Ohio TechWorks and I picked that up and delivered it to Council Chambers. The Music Shoppe is still waiting on two audio boxes that we need and once those come in, Bob will schedule a time to get up there and install those. Once they're installed, we'll be all set to go.

COUNCIL PRESIDENT ISTNICK – Any time frame on that?

COUNCILMAN LOMBARDI – I thought Bob was thinking that they should be in tomorrow. But, I will call him tomorrow morning and check with him just to make sure and I'll give you a call and let you know.

COUNCIL PRESIDENT ISTNICK – Thank you. I'd appreciate that. I think that, Councilman Lewis and I have talked that we would like to be tested on a Committee meeting rather than on a Council meeting. So, if anything goes wrong, it's all on him, not me.

COUNCILMAN LOMBARDI – Yes. And that's fine. Once it's all hooked up, we can use it when we're prepared to use it. We don't have to jump right in. So, if it gets hooked up and the next meeting is a Council meeting, then we can just wait and I'll take my own personal laptop down there and Diane and I can work to test it a little bit as well.

COUNCIL PRESIDENT ISTNICK – Great. Thank you. I would like to let Council know and anyone that's listening in tonight that once we're in, there still will be a 6 ft. minimum for anyone else and I believe in the back of the room we could fit, I believe, it's six. Diane, is that the correct number that we talked about?

COUNCIL CLERK ROLLAND – Yes.

COUNCIL PRESIDENT ISTNICK – So, people could come from Administration if they wish to, but at this point and time, we'll still have to call in.

COUNCIL CLERK ROLLAND – Correction, Madam President. That would make it up to twelve. Because we would put one on each end of the set of chairs.

COUNCIL PRESIDENT ISTNICK – And in the middle; we were going to put a chair in the middle.

COUNCIL CLERK ROLLAND – I'm talking about back in the Galley.

COUNCIL PRESIDENT ISTNICK – Right, and every other row. So, three in the front row, skip a row and then three in the next row.

COUNCIL CLERK ROLLAND – Okay.

COUNCIL PRESIDENT ISTNICK – So that we maintain the six feet. I thought that was what we had done.

COUNCIL CLERK ROLLAND – Yes, that would be correct.

COUNCIL PRESIDENT ISTNICK – Okay. Anything else?

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

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

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning a 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. I do intend to just give this ordinance first reading tonight, but I do want to just clear up a couple of things that I've been hearing. I just want to make it clear, for those on the call and the general public that if this ordinance were to pass that this property would only be rezoned if that property is then sold to the Kaibab Land Development, LLC, which is the LLC associated with Progressive and Mr. Sanders. So, that rezoning won't happen unless, if it does happen and it also will not happen and this is in the legislation, unless the Restrictive Covenant is executed and that Restrictive Covenant that we spoke about does include the description of the improvements that would be made by Mr. Sanders and Progressive Auto Group which was also presented to the Zoning Board and that is what was passed by them. So, those two things have to happen for that property to be actually even rezoned. So, if that legislation were to pass, the Restrictive Covenant would have to be in place as well as that property be transferred to Progressive Auto. So, it's not as though a McDonald's could be placed there or Mr. Sanders could do whatever he wanted with that property. Those Restrictive Covenants are in place to protect that property and make sure what is planned does actually occur. Beyond that, I do intend to just give this first reading tonight unless other Council members do have any comments to make at this time.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. An individual during our public speak section mentioned the Referendum Petition option. I was wondering, Ms. Starrett, if it not be prudent for us to have Mr. Bartos explain what that process could look like and what kind of timeline that type of process would entail.

COUNCILWOMAN STARRETT – Yes, I do have that marked down as something we need to talk about at the next meeting, at the Work Session, as to whether we feel that emergency language should be removed from this ordinance. So, I think that's something that we can address at the next Work Session and have that conversation.

COUNCILWOMAN LITMAN – Would Mr. Bartos be able to a part of that conversation as well?

COUNCILWOMAN STARRETT – Absolutely. I think we need to have a discussion on it at the Work Session.

COUNCILWOMAN LITMAN – Okay, thank you.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Yes, Madam President.

COUNCIL PRESIDENT ISTNICK – That will have a Public Hearing, correct?

COUNCILWOMAN STARRETT – Yes. I will be in touch with Diane after this meeting to schedule that and we'll have that scheduled, hopefully, by the next Work Session. That has to be advertised for 30-days. So, that Public Hearing has to happen before we can have a vote on that. So, we are looking at least 30 or more days out until this comes to vote.

COUNCIL PRESIDENT ISTNICK – Thank you very much. Ord. No. 88 – 2020 has received first reading. Ord. No. 89 – 2020.

ORDINANCE NO. 89 – 2020 **BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 10003720 (former Affinity Medical Center), located at 845 8th St. N.E., Massillon, Ohio; and Parcel No. 10000149 (former Affinity Medical Center parking lot across 8th St. N.E.), from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. This piece of legislation is the legislation that we spoke of at the Work Session last week in order to transfer the Affinity Medical Center property. There are two parcels in this ordinance. To transfer that to the CIC in anticipation of auctioning that property off, using Kiko Auctioneers. I would ask if Mr. Maley could speak on this because I do believe there was something that they wanted to add to the legislation about the City having to take care of the expenses of the hospital even after it has been transferred to the CIC.

COUNCIL PRESIDENT ISNTICK – Mr. Maley, if you could.

DAVE MALEY – Yes, Madam President, Councilwoman Starrett. In talking with Bill Bartos, we came up with an amendment. I believe Diane should have a copy of the amendment that we would like to amend the ordinance. I can speak to the amendment. It's basically says "The Director of Public Service and Safety is further authorized and directed to agree to any terms and/or enter into any supplemental agreement with the CIC that, as a condition of the aforementioned transfer, a portion, future expenses; utilities, etc., related to the above real estate property between the City of Massillon and the CIC". In essence, what this would do would be to allow the City to pay the expenses while the property is in the CIC's name throughout the auction and when it gets actually transferred, the deed gets transferred.

COUNCIL PRESIDENT ISTNICK – Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. I want to, at this time, to make the motion to make that amendment including that language that Mr. Maley did just read to the Council; to include that language in Ord. No. 89 – 2020.

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

COUNCILMAN LEWIS – Madam President, I have questions about the amendment.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I just want to make clear that the way that amendment read, it sounds like it's saying that we are agreeing to go into agreement with the CIC, but we haven't seen those amendments, correct?

COUNCIL CLERK ROLLAND – I thought I sent this out Friday.

COUNCILMAN LEWIS – I mean the amendments to the contract. You sent your part out. But, it speaks to a contract or the agreement with the CIC, the transfer to CIC and that there will be this other contract, but we haven't seen that or agreement, correct?

DAVE MALEY – Councilman Lewis, are you talking about the actual Kiko contract?

COUNCILMAN LEWIS – No, I'm speaking with the CIC. The way your worded it was that we would transfer the property over to the CIC and it becomes their property.

DAVE MALEY – That's correct.

COUNCILMAN LEWIS – And then we are authorizing the Safety Service Director to go into agreement with the CIC to cover the expenses of the property until sell, correct?

DAVE MALEY – That is correct. That's what the amendment says, yes.

COUNCILMAN LEWIS – But we haven't seen that agreement from the CIC. So, you're asking me to give an open-ended blanket authorization to the Safety Service Director without seeing the exact language that she will be agreeing to.

DAVE MALEY – Mr. Bartos, do you have any comments on this?

BILL BARTOS – Yes, I think the councilman is correct. The agreement is a contemplated one. This was brought up later last week and so, we came up with the best amendment that we could at the time to bring before Council given the expedited nature of this request. If Council would like to see an agreement of this nature, we would have to probably work through it with the CIC. I'm sure what that would take; we could have a draft of it prepared and presented to you, but, I think, essentially, it is what Mr. Maley is saying. It's because as the Auditor brought up correctly to Mr. Maley, without some sort of contractual agreement or anything to the contrary, the City can't pay bills for a property that's in the CIC's name and so, the idea was to contractually deal with that issue. I think it's a fairly straight-forward issue, but I understand Councilman Lewis' question and I think it is a valid question. So, that's all that I can say at this point. It was an expedited request.

COUNCILWOMAN STARRETT – Madam President, if I may.

COUNCIL PRESIDENT ISTNICK – Go ahead.

COUNCILWOMAN STARRETT – Mr. Maley isn't it correct that we did this in a separate piece of legislation before when we transferred pieces of property to the CIC where we use a piece of legislation to authorize the City to pay the expenses for those pieces of property?

DAVE MALEY – That is correct. When we did, if you remember earlier when we did the medical buildings, that we had Kiko Auction, we transferred the property to CIC, but we also had a second piece of legislation that, basically, leased the property from the CIC, the City leased it from the CIC, basically, to pay expenses for the property. That's how we went around that way. I had that discussion with Mr. Bartos. He felt it was a simpler mechanism just to do it this way. Basically, we're accomplishing the same thing.

COUNCIL PRESIDENT ISTNICK – Thank you, Mr. Maley. Councilwoman Starrett.

COUNCILWOMAN STARRETT – Well, at this point, if Mr. Bartos feels that we're accomplishing the same thing, I am comfortable with the amendment. If other Councilmembers are not, we can have that discussion as well. But, at this point, I would make my motion to amend Ord. No. 89 – 2020.

COUNCIL PRESIDENT ISTNICK – Again, seconded by Councilwoman Halter. Councilman Lewis, are you okay with voting on this amendment?

COUNCILMAN LEWIS – It's been motion and seconded.

COUNCIL PRESIDENT ISTNICK – Okay. Roll call.

3 yes; 6 no – Creamer, Gregg, Herncane, Lewis, Lombardi and Thieret voted "no"

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. The amendment has been vetoed. Councilwoman Starrett.

COUNCILWOMAN STARRETT – Thank you, Madam President. At this point, I would give this ordinance first reading tonight so that we can hash this out at the next Work Session.

COUNCIL PRESIDENT ISTNICK – Thank you. Ord. No. 89 – 2020 has received first reading.

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes, Councilwoman Litman.

COUNCILWOMAN LITMAN – May I make a comment?

COUNCIL PRESIDENT ISTNICK – Yes, please.

COUNCILWOMAN LITMAN – The way that this was handled by our previous Law Director, if there are still questions and issues as to what this is to accomplish, would perhaps Mr. Bartos and/or Mrs. Starrett bring that process to our next Work Session? I think that might be a little clearer as to why this is kind of accomplishing the same thing even though we've had two pieces of legislation in the past and it's sounding sort of like an unknown, but being a Council member at that point in time when we had other properties that we were doing the same thing to, it's clear to me that that prior process in what Mr. Bartos is suggesting at this point, accomplishes the same thing, just in two different ways. So, I think perhaps some of our new Council members maybe will feel more comfortable with that process that has been done previously than our newly suggested process.

COUNCIL PRESIDENT ISTNICK – Thank you.

COUNCILMAN LEWIS – Madam President.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I just wanted to recommend that maybe we consider have a Special Meeting on Monday so that we can get this cleaned up, get it amended and then we'll vote on it and not waste more time than is necessary, because obviously, the longer we take the more we're paying our bills, when the ultimate goal is to have this property get sold.

COUNCIL PRESIDENT ISTNICK – And what time would you like your Special Meeting?

COUNCILMAN LEWIS – Well, that would be up to Ms. Starrett to call. So, I'm just making the recommendation.

COUNCIL PRESIDENT ISTNICK – Okay. Do we need a second on that?

COUNCILWOMAN STARRETT – Madam President. I will speak with Mr. Maley and make sure we get this worked out and as soon as we can get it worked out, make sure we have legislation proper by Monday before we call a Special Meeting, I think we'd probably be okay, which I can do with him tomorrow.

COUNCIL PRESIDENT ISTNICK – Thank you. Anything else on Ord. No. 89 – 2020? Seeing none, Ord. No. 90 – 2020.

ORDINANCE NO. 90 – 2020 **BY: PUBLIC UTILITIES COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with Dominion Energy Ohio to grant a perpetual right of way and easement on Parcel No. 10000149, the former Affinity Medical Center park lot on the east side of 8th St. N.E., Massillon, Ohio, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, Madam President. We discussed this in the Work Session. Mrs. Sylvester, would you like to just recap this again for us, please?

BARB SYLVESTER – Actually, I'm going to let Mr. Maley recap the presentation that was made by the person from Dominion; if you'd like to do that, Mr. Maley?

DAVE MALEY – Yes, I can do that, Mrs. Sylvester. Basically, what we discussed last week was that Dominion East Ohio was looking to work on a line. There's a gas line that currently runs just South of the hospital property building. Not the property, but, the building itself. They are going to abandon that line and move, there's what they call an M&R station which basically deals with the amount of pressure; a pressure station that's located in the back rear of the hospital and the building is almost attached to the hospital. They are going to relocate that across 8th St. on the Southwest corner of the parking lot that we own and take a 15 x 15 easement in that parking lot to put the facility there, abandon the line, except for the line that actually distributes gas to the hospital. That will still be active as long as the hospital is still operational.

COUNCIL PRESIDENT ISTNICK – Councilman Lombardi.

COUNCILMAN LOMBARDI – Yes, thank you. Are there any questions from anybody on Council? Hearing none, I ask that we take Ord. No. 90 – 2020 forward for a vote and suspend the three readings.

COUNCILWOMAN LITMAN – Madam President, I will second that.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 90 – 2020 has passed. Ord. No. 91 – 2020.

ORDINANCE NO. 91 – 2020 **BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 2020 Springhill Settlement Underdrain Installation Project (Phase III), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. I believe that any questions can be directed to our Engineer, but this is something that's been in the works and we just need to move this forward. Mr. Popiel still on the line?

JASON POPIEL – Yes, I'm here. No new changes since we last spoke. It's an excellent project to address the drainage and pavement issues.

COUNCIL PRESIDENT ISTNICK – Any questions from Council? Councilman Thieret.

COUNCILMAN THIERET – Hearing none, I make a motion that we waive the rules requiring three readings and bring Ord. 91 – 2020 forward for a vote.

COUNCILWOMAN CREAMER – I second.

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. 91 – 2020 has passed. Ord. No. 92 – 2020.

ORDINANCE NO. 92 – 2020 **BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 2020 Augusta Drive S.E. Underdrain Installation Project (Phase II), and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. This is a similar project. This is Augusta Drive, as I understand and Mr. Popiel explained that to us that we want to move this along. So, are there any questions of Mr. Popiel? Hearing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 92 – 2020 forward for a vote.

COUNCILWOMAN CREAMER – I second.

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. 92 – 2020 has passed. Ord. No. 93 – 2020.

ORDINANCE NO. 93 – 2020 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1220 Foreclosure Property Administration Fund, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes, Madam President. I would like to call up, I believe, Mr. Maley.

COUNCIL PRESIDENT ISTNICK – Mr. Maley, if you would.

DAVE MALEY – Yes. Mr. Lewis, I'm not handling that particular ordinance. I think Ms. Sylvester can speak to it or Ms. Boron.

COUNCILMAN LEWIS – Thank you.

COUNCIL PRESIDENT ISTNICK – Whoever can speak to it, if you would please.

BARB SYLVESTER – That request for the ordinance is from Judge Elum, from the Courts; Ord. No. 94 – 2020.

COUNCILMAN LEWIS – We're on Ord. No. 93.

BARB SYLVESTER – Oh, I'm sorry.

LORI BORON – I can speak to that.

COUNCIL PRESIDENT ISTNICK – Thank you.

LORI BORON – Thank you. This is a State approved fund that is for Code Enforcement only. The funds are being transferred so that we can continue to do property clean up and possible assessments. Property clean up consists of dumpsters, tree trimming and yard clean-ups. We do go out and try to get the residents to do what we need them to do first. If not, then we order the different services to get those properties cleaned up as soon as possible. The taxes are assessed on that. To date, this particular fund from a revenue is about a 149%. So this is a transfer so that we can continue the clean-up in the City.

COUNCILMAN LEWIS – Thank you. I just wanted that for the record. Are there any questions?

COUNCILWOMAN HALTER – Mr. Lewis.

COUNCILMAN LEWIS – Yes.

COUNCILWOMAN HALTER – I just want to mention that I'm very involved with code enforcement. This money is needed in order to be able to, as it says, to be able to get dumpsters and so forth. So, I would like to see this be passed on the first reading. Thank you.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN GREGG – Madam President.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – Thank you, Mr. Lewis and President Istnick. My question is just, the nature of these properties, the fund mentions foreclosure, but what exactly is the nature of these properties? Are they abandoned properties; Mrs. Boron, could you expand on that?

LORI BORON – I can talk to what I know. If I need to get more information from Jimmy Johnson, I will. It's my understanding that these are all types of properties whether they be abandoned or whether they be properties that are occupied. It's my understanding that a lot of these properties that come are complaint-driven. So, if you need more information on that, I can always reach out to Code Enforcement.

COUNCILMAN GREGG – So, you're saying these could be occupied properties that the individuals just aren't keeping up and are violating City ordinances or City codes that have to be addressed, is that correct?

LORI BORON – Yes, you are absolutely correct.

COUNCILMAN GREGG – Alright, thank you.

COUNCILWOMAN HALTER – Madam President.

COUNCIL PRESIDENT ISTNICK – Thank you, very much. Mr. Gregg, I can answer that. Just for an example, there's a house in my neighborhood that has been abandoned and they have already used two dumpsters there to clean it out and it's still not cleaned out. They're still doing a lot of work on it. So, this is a problem all over Massillon. There are abandoned houses, there are some rental properties and we need to clean up the neighborhoods. So, we need to get this money to Code Enforcement so they can continue their work. Thank you.

COUNCILMAN GREGG – Thank you. I have one follow-up question.

COUNCIL PRESIDENT ISTNICK – Go ahead.

COUNCILMAN GREGG – Once these monies are expended, are these costs assessed to the taxes for the property or is this money just coming out of General Fund and never being replenished?

LORI BORON – Mr. Gregg, these taxes are assessed. If the City needs to order those dumpsters and get the clean-up, the taxes are assessed, yes.

COUNCILMAN GREGG – Okay.

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you. I do have one question. Lori indicated that this balance was a 149% of what is expected. Are you indicating that once we expend these funds that it will bring that line item down to zero or is this less than the balance that's in there?

LORI BORON – It's less than the balance that's in there, Ms. Litman.

COUNCILWOMAN LITMAN – And what remains?

LORI BORON – Right now, I'm asking for $4,500. Right now the unexpended balance in that account is $67,054.65.

COUNCILWOMAN LITMAN – May I ask one more question?

COUNCIL PRESIDENT ISTNICK – Yes, Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, President Istnick. Is there a reason why we've chosen $4,500? Have we assessed the properties and valued what we need, thus, came up with the $4,500 that needs to be spent or is this sort of a phase I to additional expenses to help to clean up the City?

LORI BORON – That would be a question we would need to ask Code Enforcement. Mr. Johnson had requested that that was what he needed to accomplish what was out there, going forward. So, if we want the specifics on that, we'd need to get a hold of Mr. Johnson and ask him those questions.

COUNCILWOMAN LITMAN – Thank you.

LORI BORON – You're welcome.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. I'd like to make a motion that we suspend the rules requiring three readings, bringing Ord. No. 93 – 2020 forward for a vote.

COUNCILWOMAN STARRETT – I second.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage.

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No 93 – 2020 has passed. Ord. No. 94 - 2020.

ORDINANCE NO. 94 – 2020 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain transfers in the 2020 appropriations from within the 1100 General Fund, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is transferring $23,102.00 out of the 1100-125 and placing it into the 1100-135 because changing from the 125 to the 135, we have to vote on it. This is coming from the Municipal Court and then we're just transferring in order to cover benefits. Are there any questions or comments? Hearing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 94 – 2020 forward for a vote.

COUNCILMAN GREGG – I second.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 94 – 2020 has passed. Ord. No. 95 – 2020.

ORDINANCE NO. 95 – 2020 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain transfers in the 2020 appropriations of the 1100 General Fund, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is a transfer of $775.00 to go to Economic Development Salary. This is caused by, essentially, when there was a retirement and then a re-hire. Ms. Sylvester or Ms. Boron, are you able to speak to this?

LORI BORON – Yes, Mr. Lewis, I can speak to this. What happens is that this was a retire/rehire. When the calculations were made, this was not in the budget at that time. When you do the calculations on any type of retirement, it also includes the Medicare payout which is what this $775.00 is. At the time of that, the decision was made to take it from the salary line to pay at that payout time. So, now that needs to be reimbursed from the salary line. So, that's what we are doing with the $775.00. Most times when you have a retire/re-hire, any type of retirement; it is not a department that has a single person. So, this does not come up very often. But when you have a department that has basically one person in it, if the calculation for the Medicare is a little off, you see this type of transfer being requested.

COUNCILMAN LEWIS – And this retirement happened this year?

LORI BORON – The retirement happened at the end of last year. The payout was this year.

COUNCILMAN LEWIS – Alright, thank you.

LORI BORON – Sure.

COUNCILMAN LEWIS – Any other questions? I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 95 – 2020 forward for a vote.

COUNCILWOMAN STARRETT – I second.

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. 95 – 2020 has passed. Ord. No. 96 – 2020.

ORDINANCE NO. 96 – 2020 **BY: FINANCE COMMITTEE**

AN ORDINANCE amending Section 1 of Ordinance No. 125 – 2005 pertaining to establishing a fund entitled "Veterans Park and Duncan Plaza Repair and Improvement Fund".

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This just cleans up the language of the name or title of a fund that already exists. This is a request of the Municipal Court who does use their volunteers and other fundraising efforts in order to maintain Veterans Memorial Park. 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. 96 – 2020 forward for a vote.

COUNCILMAN GREGG – I second.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 96 – 2020 has passed. Res. No. 14 – 2020.

RESOLUTION NO. 14 – 2020 **BY: PUBLIC UTILITES COMMITTEE**

A RESOLUTION authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to take all actions necessary to effect a governmental electric aggregation program with an opt-out provision pursuant to Section 4928 of the Ohio Revised Code (the "Aggregation Program") for residents, businesses and other electric consumers in the City of Massillon, and declaring an emergency.

COUNCIL PRESIDENT ISNTICK – Councilman Lombardi.

COUNCILMAN LOMBARDI – Thank you, Madam President. I wanted to ask Mrs. Sylvester, did we get any details on this as far as rates or anything concerning that?

BARB SYLVESTER – No, we do not. This is the resolution, basically, to allow me to go out and get different rates and to search and find the best broker to give us the best rates through the process.

COUNCILMAN LOMBARDI – Okay. Are there any questions? Hearing none, I make a motion that we bring Res. No. 14 – 2020 forward for a vote and ask that we suspend the rules requiring three readings.

COUNCILWOMAN LITMAN – I will second.

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. Res. No. 14 – 2020 has passed. Res. No. 15 – 2020.

RESOLUTION NO. 15 – 2020 **BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE**

A RESOLUTION requesting that the Director of the Ohio Department of Transportation determine and declare a reasonable and safe prima-facie speed limit for a portion of SR 172 (Lincoln Way NW) within the City of Massillon, and declaring the same to be an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. I'm not sure where this came from, but it says ODOT, so, apparently they have done a study out there and deemed this a better way to go. I think it's probably correct. The speed out there is pretty fast. Are there any questions or contributions here?

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you. Yes, I will just comment that this area is in the 6th Ward out here on the West side. The area is from Kenyon to one-quarter mile passed Rt. 93. Sections of that area are City streets. I have received several phone calls asking to try to reduce the speed in that area. So, I will certainly be in favor of this as will many of the residents that are in the Lanedale, Westbrook area. They often see motorists that are going 55 mph in that area right now; try to turn into a 25 mph neighborhood and more often than not, they don't slow down enough for the 25 mph speed limit in the neighborhood. As you probably know, as well, there was within the last month a very sad accident that happened at the Rt. 93 intersection where a young motorcyclist had passed away. There was another accident that was there, again, because the speed is 55 mph at that intersection of Rt. 93 and Lincoln Way. So, my comments are just to say that I do believe that it is a very good idea the speed in this area as well as perhaps other areas in the City. But, this one in particular. Thank you.

COUNCIL PRESIDENT ISTNICK – Any other questions or comments? Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. Hearing no other questions or comments, I make a motion that we waive the rules requiring three readings and bring Res. No. 15 – 2020 up for a vote.

COUNCILWOMAN CREAMER – I'll second.

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. Res. No. 15 – 2020 has passed.

8. **UNFINISHED BUSINESS**

9. **PETITIONS AND GENERAL COMMINCATIONS**

10. **BILLS, ACCOUNTS AND CLAIMS**

11. **REPORTS FROM CITY OFFICIALS**

Treasurer's Report August 2020
Auditor's Report August 2020

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

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

COUNCILWOMAN STARRETT – I second.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett. Roll call to accept the Auditor's Report.

9 yes to accept the Auditor's Report.

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

12. **REPORTS OF COMMITTEES**

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be next Monday, September 28, 2020 at 6:30 p.m.

13. **RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS**

COUNCILMAN GREGG – Madam President.

COUNCIL PRESIDENT ISTNICK – Councilman Gregg.

COUNCILMAN GREGG – I just wanted to mention that I have received a change for City Council Rules. I received that and we will be discussing that on Monday as part of the Rules and Courts Committee meeting.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

14. **CALL OF THE CALENDAR**

15. **THIRD READING ORDINANCE AND RESOLUTIONS**

16. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 86 – 2020 **BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit applications for funding to the Ohio Public Works Commission for the funding year 2021, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is just authorizing an application. The City is looking into completing Warmington Rd. and also related to what has been known as stated Lincoln Way Streetscape Phase III which would be continuations with some paving on Lincoln Way, some underground utilities and lighting and sidewalks. Again, these are the applications. It's the first step into seeing if we are able to obtain any funding from Ohio Public Works. Are they any questions?

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you for getting us the "punch list" on Phase I which is far from complete at this point and time. So, I would like to see us complete Phase I before we get into Phase III. I don't see any reason to hurry into it because we're, according to this list, we got a good ways to go yet. Thank you.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – If there's no other questions, I would make a motion that we suspend the rules requiring three readings, bringing Ord. No. 86 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Second.

COUNCILWOMAN STARRETT – I second.

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

8 yes – 1 no for suspension; Thieret voted "no"

COUNCIL PRESIDENT ISTNICK – And for passage.

7 yes – 2 no for passage; Thieret and Herncane voted "no"

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 86 – 2020 has passed. Res. No. 13 – 2020.

RESOLUTION NO. 13 – 2020 **BY: FINANCE COMMITTEE**

A RESOLUTION authorizing the sale, during calendar year 2020, of city-owned motor vehicles and pieces of related equipment which are not needed for public use, or are obsolete or unfit for the use for which they were acquired, by internet auction, and declaring the same to be an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. Are there any questions or discussion this evening? Hearing none, I make a motion that we suspend the rules requiring three readings, bringing Res. No. 13 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Second.

COUNCILMAN GREGG – I second.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Res. No. 13 – 2020 has passed.

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

MAYOR CATAZARO-PERRY – May I speak? This is the Mayor.

COUNCIL PRESIDENT ISTNICK – Absolutely. Go ahead, Kathy.

MAYOR CATAZARO-PERRY – Thank you very much. I wanted to thank Council for passing the ordinance tonight to submit for Warmington Road and the Imagine Phase III. Really, the extension of Phase I, but we have to clarify that. It is very important that we continue to take care of our downtown. Because it does entice businesses to come to Massillon. Some of things that I wanted to share with Council, very quickly. That "punch list", we are addressing that and we hope to have that rectified soon. But there have been many instances that we have fixed things in neighborhoods. We spent $10,000 on University Drive S.E. There was an area undermining a pavement; we fixed that. Ledgewood Blvd., $44,000, Reservoir Drive, $10,000, Noble Place, $11,000. So, we have been investing in our neighborhoods and the list goes on and on and on. That's in addition to $3 million dollars on our roads this year and approximately $500,000 in our catch basins. What I do want to do tonight, if you'll allow me, is to commend our staff. We have a small staff in the City of Massillon, but they are all working extremely hard. The Engineering Dept., the Safety Service Director, our Budget Director, everyone is working hard and when there's negativity, it really deflates our staff's moral and I just want to thank Council for seeing the progress that the Imagine Project has done in the City. It is making a huge difference. If we can get apartments on the second floors, we

transform our downtown. And so, we have to continue to drive that because that is the vitality of our City. So, I just want to thank Council, once again. I do appreciate your understanding the necessity of this project. Thank you.

COUNCIL PRESIDENT ISTNICK – Thank you, Mayor. Anyone else?

SCOTT GRABER – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes. State you name and address.

SCOTT GRABER – 1218 Tremont Ave. S.W., Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Go ahead, Scott.

SCOTT GRABER – The reduction of the speed limit from 55 mph to 35 mph in a section of Lincoln Way is a very nice thing to do. But if there's no enforcement of the speed limit, you just wasted your time. The Massillon Police Dept. is unable to keep the speeds in 25 mph zones all over the City of Massillon below 35 mph to 40 mph. So, go ahead and change the speed limit, but if there are only one speeding ticket written per day for the entire 20 square miles of the City of Massillon and the Massillon Police Dept. feels like that's doing a good job, I think we're in serious trouble. Along those lines, this is the 21st of September, you have six more regular meetings of Council until year's end. If the City Council is to take up the tax budget and make any adjustments to that tax budget for the appropriations ordinance for 2021, you must do it now. You cannot wait until the last minute and then expect to be able to manage and control the finances of the City. There are pressing needs that have been discussed previously. Such as animal control, such as purchasing passive speed control equipment for the City. There are also issues with dispatching in the City of Massillon. If you would want to make an adjustment to the contract with L.O.G.I.C., which nobody wants to talk about, to bring non-emergency dispatching into the City of Massillon and under your control instead of being managed by a region council of government that nobody even knows exists, now is the time to do it and in order for you to do that, you have to resist the tendency to allow the Administration to dictate your agenda. And that is in the Committee Meetings and I appreciate you. I know you have a full plate right now to take you through the end of the year. I just want to suggest that if it's going to happen that this Council takes control and takes the management and control of the finances and property of the City, now is the time that you have to do it and that means you cannot the agenda to be dictated to you. I thank you very much for your kind attention and have a nice evening.

COUNCIL PRESIDENT ISTNICK – Thank you, Scott. Anyone else?

L.J. DELUCA – Madam President, I just want to be very quick here. 2954 Veterans Blvd. S.E., Massillon, Ohio. I want to thank you, Madam President for all you do. You get back with me where some people don't; you get back with me quite a bit. And I also want to have special attention, recognition for Diane Rolland, the Massillon City Clerk because she does a wonderful job and gets back with all the time and presents all of the information. I know that Scott that just talked and other people have told me that both you and Diane do a really good job. Thank you very much, Madam President and Diane Rolland. Thank you.

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

18. ADJOURNMENT

COUNCILMAN GREGG – Thank you, Madam President. I make a motion that we adjourn.

COUNCIL PRESIDENT ISTNICK – Second.

COUNCILWOMAN LITMAN – I second.

COUNCIL PRESIDENT ISNTICK - Seconded by Councilwoman Litman. Meeting adjourned.

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DIANE ROLLAND, COUNCIL CLERK CLAUDETTE ISTNICK, PRESIDENT