

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD MONDAY, JUNE 1, 2020**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, June 1, 2020. We have in attendance with us the following city officials: Mayor Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Auditor, Jayne Ferrero, Chief Deputy Auditor, Debbie Bonk, Law Director, Justin Richard, Chief Counsel, Bill Bartos, Chief Engineer, Jason Popiel, Economic Development Director, Dave Maley and Income Tax/Budget Director, Lori Kotagides-Boron. If you look at the agenda, under item #5 is where the public can speak on any item that appears on tonight’s agenda and then under item #17 is where the public can speak on any item that does NOT appear on tonight’s agenda.

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 and Megan Starrett and Jim Thieret.

Roll call of 9 present

2. INVOCATION

COUNCILMAN TED HERNCANE

3. PLEDGE OF ALLEGIANCE

LED BY COUNCILMAN HERNCANE

4. READING OF THE JOURNAL

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

COUNCIL CLERK ROLLAND – Yes, they are.

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

COUNCIL CLERK ROLLAND – No, there are not.

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

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

6. NEW AND MISCELLANEOUS BUSINESS

COUNCILMAN THIERET – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes, Jim.

COUNCILMAN THIERET – I just have a quick question. I've been getting a lot of calls, like everybody else, about speeding. What's the City's plan at this point to handle the excessive speeding in 25 mph zones in the neighborhoods? We have trucks parking in the middle of the road blocking 17th St. and businesses down there and Cherry Rd. Now that it's nice and smooth, it's also been a heck of a speedway out that way. Glad to see the City streets being fixed, but at the same time, seems like the speed is going up too. Is there a plan in place? Thank you.

COUNCIL PRESIDENT ISTNICK – Can anyone comment on that?

MAYOR CATAZARO-PERRY – Sure, I'd be happy to. Good evening everyone. Jim, this happens every year. Every time we pave and clean up a road, people want to go fast on it, and so, if you're witnessing that, I would tell you to do exactly what I would tell a resident is to call the police if you see people speeding. That's what happens when you get new roads. So, it's a benefit to get a new road, but it also causes additional problems and that happens every single year when we're paving and fixing roads. If there's a truck that is parking on a road, then you need to call the police as well and we do have a traffic officer that will come out and take a look at that and have them either move it or cite them. So, I know that they do an excellent job. They just need to be notified. So, all of these things that you talk about different times throughout Council meetings, you can always call my office. Barb Sylvester is an outstanding Safety and Service Director; she will handle the issues. But, these things are a phone call away. Not really something to bring to a Council meeting, but really to address when the action actually is happening. Thank you.

COUNCIL PRESIDENT ISTNICK – Okay.

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 55 – 2020

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a donation from Tan's Chinese Takeout, LLC, on behalf of the Massillon Police Department.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Thank you, Madam President. This is pretty self-explanatory with this donation of, again, \$500 from Tan's Chinese Takeout. Again, there are no strings attached. It is to be deposited into the Law Enforcement Local Grant Fund. Do we have any questions or concerns regarding this ordinance? Hearing none, I'd like to make a motion that we waive the rules requiring three readings and bring Ord. No. 55 – 2020 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilman Lombardi. 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. 55 – 2020 has passed. Ord. No. 56 – 2020.

ORDINANCE NO. 56 – 2020

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Consent Legislation with the Ohio Dept. of Transportation (ODOT), for the D04 Sign 2021 US62/SR21 Sign Replacement, PID 103277, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. We went through this last week and the engineer informed us that this is routine, the replacement sign update. It's right at the edge of the City, as I recall and ODOT's going to take care of everything. They just need a consent from Council. Are there any questions or concerns about this ordinance? Hearing none, I'd like to make a motion to waive the rules requiring three readings and bring Ord. No. 56 – 2020 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 56 – 2020 has passed. Ord. No. 57 – 2020.

ORDINANCE NO. 57 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1419 Marketplace TIF Fund, for the year ending December 31, 2020, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This ordinance is for \$175,000. It will go towards the Wales Rd. Improvement Project that we've been working on. I believe as Mr. Popiel stated last week, much of this will be reimbursed back to the City. This takes care of easements and other issues as we prepare to move forward. Are there any questions or discussion this evening?

COUNCILMAN HERNCANE – Madam President, Mr. Lewis; I have a question.

COUNCIL PRESIDENT ISTNICK – Yes, Mr. Herncane.

COUNCILMAN HERNCANE – Thank you, Madam President. Mr. Lewis, you say we're going to be reimbursed through the State for this?

COUNCILMAN LEWIS – I would have to call Mr. Popiel for the specifics for this.

JASON POPIEL – Yes, Mr. Herncane, this is a 90/10 ODOT to local match for funds. So, we'll be reimbursed 90%.

COUNCILMAN HERNCANE – So, \$175,000 from the TIF fund is our 10% local match? We don't get reimbursed of that, right?

JASON POPIEL – No. We have to pay \$175,000 and we will be reimbursed 90% of that. So, we're actually only spending \$17,500.

COUNCILMAN HERNCANE – So, we're going to be reimbursed 90% of the \$175,000 that we put in?

JASON POPIEL – Correct.

COUNCILMAN HERNCANE – Okay. Thank you very much.

COUNCIL PRESIDENT ISTNICK – Anyone else?

COUNCILMAN HERNCANE – Madam President, can I ask Mr. Lewis to follow up on that?

COUNCIL PRESIDENT ISTNICK – Absolutely.

COUNCILMAN HERNCANE – When we get reimbursed the 90% of the \$175,000, are we going to put that back in the Marketplace TIF account?

COUNCILMAN LEWIS – Yes. That would be placed right back into the Marketplace TIF.

JAYNE FERRERO – Exactly.

COUNCILMAN HERNCANE – That will go back into the Marketplace TIF account?

COUNCILMAN LEWIS – Yes. Any time we expend money and it's reimbursed, it gets reimbursed back to the account from which it came.

COUNCILMAN HERNCANE – Alright. That clears that up for me, thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we waive the rules requiring three readings, bringing Ord. No. 57 – 2020 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 57 – 2020 has passed. Ord. No. 58 – 2020.

ORDINANCE NO. 58 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations for 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, Madam President. I'd like to call forward the Safety Service Director, Barb Sylvester.

COUNCIL PRESIDENT ISTNICK – Thank you. Ms. Sylvester.

BARB SYLVESTER – Yes, Ms. Sylvester. I just need clarification, again. This \$10,100 to cover insurance; this is the COBRA insurance, is that correct?

BARB SYLVESTER – It is for COBRA. Auditor, Jayne Ferrero and Debbie Bonk are both on. This actually gets processed through their office. I just kind of gave you the background last week on what COBRA is through the Federal law. But if you have specifics on that amount, I would refer you to ask them please.

COUNCILMAN LEWIS – Madam President, may I call forward the Auditor?

COUNCIL PRESIDENT ISTNICK – Yes.

JAYNE FERRERO – Can you hear me?

COUNCILMAN LEWIS – We can. Can you speak to this?

JAYNE FERRERO – Thank you very much. Yes, this is what employees pay this amount of money to us for their COBRA insurance; people that have retired or people that have quit the City and they continue to pay into COBRA. This is not money that comes out of City dollars. This is money that comes out of their pockets and all we're doing is appropriating it and we're paying the COBRA bill.

COUNCILMAN LEWIS – Thank you. That clarifies quite a bit. I would open it up to any other questions or discussion that anyone may have.

COUNCIL PRESIDENT ISTNICK – Any questions or comments, please? Mr. Lewis.

COUNCILMAN LEWIS – Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 58 – 2020 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 58 – 2020 has passed. Ord. No. 59 – 2020.

ORDINANCE NO. 59 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance 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 \$55,000 appropriation to cover the cost of real estate taxes related to the property that was formerly Affinity Hospital. I would open it up to any questions or discussion.

COUNCIL PRESIDENT ISTNICK – Anyone?

COUNCILMAN THIERET – I have a question.

COUNCIL PRESIDENT ISTNICK – Go ahead, Councilman Thieret.

COUNCILMAN THIERET – Thank you, Madam President. How long are we going to be able to sustain this? We keep withdrawing money. I know this is a tax and we have to pay taxes. When are we going to get out from under this?

COUNCILMAN LEWIS – I guess in partial response that I can go off of my information that I do have, first off, we do have an Executive Session planned for tonight in which some of that may be able to start getting some answers. I'm not sure exactly what answers there may or may not be this evening. But, hopefully they'll be beneficial. The other thing that I am aware of is that as far as the finances of it is involved, we are still operating in what we would call "the green". So, the hospital has brought in more dollars than it has cost the City at this time. But we would have to confer with either the Auditor or the Administration as to how we act before we run out of those dollars.

COUNCILMAN THIERET – I'll just apologize for the premature question. Thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else? Councilman Lewis.

COUNCILMAN LEWIS – I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 59 – 2020 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

8 yes; 1 no for passage – Lombardi voted “no”

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 59 – 2020 has passed. The next two ordinances are not associated with a Committee at this point. So, Mr. Richard, tell me if I’m wrong; after Councilman Herncane does what he’s going to do with these, then I can assign them to a Committee?

JUSTIN RICHARD – That is correct.

COUNCIL PRESIDENT ISTNICK – Alright, thank you. Ord. No. 60 – 2020.

ORDINANCE NO. 60 – 2020

BY: TO BE DETERMINED-PURSUANT TO RULE 28.1

AN ORDINANCE establishing the Massillon Small Business Assistance Program (MSBAP).

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – Thank you, Madam President. What this ordinance is is the non-committee sponsored legislation that Councilman Thieret and I have been working on and several weeks ago, we talked about this at Council. You see in your packet, there’s a sheet of information on the program itself and then a two-page application that I believe is one of the exhibits. So what we are proposing and we are asking, Madam President, as the presiding officer of this meeting, we’re asking two things. One, that this matter be given first reading and two, that you assign each of these to the appropriate committees, pursuant to the Council rules. The program itself is pretty simple. We’re asking for an appropriation of \$250,000 from the Affinity-related revenues of the General Fund to support a program that could help up to 25 businesses in the amount of up to \$10,000 in a grant that could be payable towards payroll-related expenses and benefits rent, expenses, utilities and other cost associated with a business being able to create a safe business environment due to the COVID-19 restrictions. A lot of these businesses are just getting back on their feet. We feel this is a good way to help support those businesses get back on their feet quicker. We have geared this legislation toward “for-profit” businesses only with 25 or fewer employees. Under the eligibility requirements that you see there, you have to be located with a physical business in the City of 25 or fewer employees and not have received an economic development grant from the City after January 1, 2019 and have not received any other COVID related financial assistance, either from the Federal government or the State government. We consider this kind of the option of last resort for our small business community in Massillon of which we have lost a couple that have closed in recent weeks. I don’t know exactly how many, but we are putting this forward. We’re asking for first read and assignment to the appropriate committees pursuant to the Council rules.

COUNCIL PRESIDENT ISTNICK – Did you make a motion to do this?

COUNCILMAN HERNCANE – I make a motion that we this Ord. No. 60 – 2020 first read.

COUNCILMAN LEWIS – Point of order. We don't need a motion for first reading.

COUNCIL PRESIDENT ISTNICK – That's right, I'm sorry. Ord. No. 60 – 2020 has received first reading and it will be assigned to Community Development Committee. Thank you. Ord. No. 61 – 2020.

ORDINANCE NO. 61 – 2020

BY: TO BE DETERMINED-PURSUANT TO RULE 28.1

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2020.

COUNCIL PRESIDENT ISTNICK – Councilman Herncane.

COUNCILMAN HERNCANE – Thank you, Madam President. Ord. No. 61 – 2020 is the funding mechanism for this program. I guess I would just ask that, it's \$250,000 from the unappropriated balance of the General Fund; Affinity-related revenues to the Transfer Out General Fund account and we ask that you assign this as well.

COUNCIL PRESIDENT ISTNICK – So, you're giving it first reading?

COUNCILMAN HERNCANE – Yes, please.

COUNCIL PRESIDENT ISTNICK – Okay. Ord. No. 61 – 2020 has received first reading and it will be assigned to the Finance Committee. Any questions or discussion on either of those?

COUNCILMAN GREGG – Yes, Madam President, I have a question.

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILMAN GREGG – Councilman Herncane, you referred to the source of funds of this as the Affinity-related revenue. Can you explain that a little further?

COUNCILMAN HERNCANE – By law, you cannot...

COUNCILMAN LEWIS – Point of order.

COUNCIL PRESIDENT ISTNICK – Yes, Mr. Lewis.

COUNCILMAN LEWIS – I just want to be clear, as I read Council Rules and I just kind of sat back for a second and let it go, but, the way Council Rules read is that these ordinances "being non-committee sponsored are to get and receive first reading only" which my interpretation does not allow for discussion..., what's that?

COUNCIL PRESIDENT ISTNICK – Then we'll discuss them next meeting?

COUNCILMAN LEWIS – Correct.

COUNCIL PRESIDENT ISTNICK – Okay. I appreciate your Point of Order. So, any questions you have or think of, jot them down and we will discuss them next time these come up. Thank you.

8. UNFINISHED BUSINESS

COUNCIL PRESIDENT ISTNICK – I just want to throw this in, but I don't know if any of you had the chance to go down to Council and see what Stark Glass put up. Did anyone have that opportunity? Diane, out of the two, you like the presentation of Stark Glass?

COUNCIL CLERK ROLLAND – Correct.

COUNCIL PRESIDENT ISTNICK – I am going to call Mike Knight and have him go ahead and start working on those.

COUNCIL CLERK ROLLAND – I have a question for you though, Claudette.

COUNCIL PRESIDENT ISTNICK – Go ahead.

COUNCIL CLERK ROLLAND – What is the cost difference between the two? Did you get a quote?

COUNCIL PRESIDENT ISTNICK – From Mike I did. I think it's \$2,300 and I'm not certain if that included the two in the back. I don't know if he sent me another one or not, but it's in the ballpark of \$2,300 to \$2,500, I believe.

COUNCIL CLERK ROLLAND – Okay, thank you.

COUNCIL PRESIDENT ISTNICK – Would you like me to get that and bring it back Monday before I do it?

COUNCIL CLERK ROLLAND – Yes. I think Weston was approximately \$2,000. They could have brought it down to \$1,600.

COUNCIL PRESIDENT ISTNICK – Okay.

COUNCIL CLERK ROLLAND – But, as far as the quality, I do feel that Stark Glass is more protection.

COUNCIL PRESIDENT ISTNICK – Does Council want me to come back with the number or do you want me just to go ahead and do it? It's under \$3,000 I know for sure. Probably closer to \$2,500.

COUNCIL CLERK ROLLAND – But keep in mind that we have to check with the Health Dept. about the six feet distancing.

COUNCILMAN LEWIS – Madam President.

COUNCIL PRESIDENT ISTNICK – Go ahead.

COUNCILMAN LEWIS – In my opinion and my understanding of the Rules of Council, given the dollar amount that this cost is and you've already receive an approval from Council, you're within your full authority to be able to move forward on this and authorize the expense.

COUNCIL PRESIDENT ISTNICK – Okay. Diane, the six fee rule, I've been working over at the Bureau of Motor Vehicles since they opened last Tuesday and all the, if you've been in the Motor Vehicles you know those people are side-by-side and all is they do, they have glass between them and they're still working.

COUNCIL CLERK ROLLAND – Okay, and I did find the quote from Stark Glass dated May 9, 2020 and it was \$2,300.

COUNCIL PRESIDENT ISTNICK – But that was before, I think they were missing two partitions. Remember we told them that we wanted them on the ends also?

COUNCIL CLERK ROLLAND – Correct; you're right.

COUNCIL PRESIDENT ISTNICK – He has not given me a new quote, but I will get in contact with him and have him start working on those.

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILWOMAN LITMAN – I just want to remind you that these funds may be able to be reimbursed to Council through the FEMA grant. The City as a whole will be applying for that and it's my understanding that Lori Boron is collecting all of those expenditures. So, if we could make sure that Lori has a copy of that receipt so that this expense could be included with the other expenses that will be submitted for reimbursement.

COUNCIL PRESIDENT ISTNICK – Thank you, Linda. Diane, can you handle that when we get the final bill?

COUNCIL CLERK ROLLAND – Yes ma'am.

COUNCIL PRESIDENT ISTNICK – Thank you very much.

9. PETITIONS AND GENERAL COMMUNICATIONS

10. BILLS, ACCOUNTS AND CLAIMS

11. REPORTS FROM CITY OFFICIALS

Auditor's Report - April 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.

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 Monday, June 8th at 6:30 p.m.

COUNCILWOMAN LITMAN – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes, Councilwoman Litman.

COUNCILWOMAN LITMAN – I just wanted to remind the Police and Fire Committee as well that we have a committee meeting scheduled for June 8th at 5:30 p.m. Of course, anyone that would like to join us at that committee meeting from Council is welcome to do so.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

COUNCILWOMAN STARRETT – Madam President, if I could?

COUNCIL PRESIDENT ISTNICK – Yes, Megan.

COUNCILWOMAN STARRETT – I just wanted to briefly state that last week during the Committee Meeting there was brief discussion about the downtown outdoor refreshment area and that Ms. Litman and I are doing some research on it and we’ll hopefully be able to eventually bring that to Council. So, if anybody has any questions or concerns about that, feel free to contact Linda or myself and we can discuss that.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

COUNCIL CLERK ROLLAND - Madam President.

COUNCIL PRESIDENT ISTNICK – Yes, Diane.

COUNCIL CLERK ROLLAND – I’d also like to remind you that there is going to be a Public Hearing concerning the CDBG at 6:00 p.m. and I don’t know if that’s going to be a phone call; I don’t know how that’s going to be handled, but I have it on my calendar that there’s a public hearing.

COUNCILWOMAN STARRETT – Madam President, I believe Samantha Walters and I were planning on doing the Public Hearing just like we do normal Council where it’s an open teleconference and anybody can call into the meeting as well.

COUNCIL CLERK ROLLAND – Okay, thank you.

COUNCIL PRESIDENT ISTNICK – Anyone else?

COUNCILWOMAN LITMAN – Madam President?

COUNCIL PRESIDENT ISTNICK – Yes, Linda.

COUNCILWOMAN LITMAN – I just wanted to clarify that the Police and Fire Committee will operate the same. The call in can be via Uberconference the same as we do for our Council meetings.

COUNCIL PRESIDENT ISTNICK – Thank you. Anyone else?

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

14. CALL OF THE CALENDAR

15. THIRD READING ORDINANCE AND RESOLUTIONS

16. SECOND READING ORDINANCES AND RESOLUTIONS

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

COUNCIL PRESIDENT ISTNICK – I don't believe we've had anybody from the community to speak since we've been doing this and I'm wondering if they're not able to get on because that's very unusual that someone from the community hasn't been speaking. Has anyone heard whether or not people are trying to get on and they can't?

COUNCILMAN LEWIS – I do know that last month we did have a couple of people speak on a couple of occasions. You're correct, though, it has been quite some time.

COUNCIL PRESIDENT ISTNICK – It has. Councilman Lewis.

COUNCILMAN LEWIS – Yes, last week I had mentioned about wanting to go into an Executive Session and I'm preparing to make such a motion, however, I'd like to first verify that everyone has received the phone number and PIN that we are to utilize. Not seeing anyone object, I would also point out that upon this motion, if it is approved by Members of Council, we will all have to completely exit out of the uberconference that we are currently in. Diane, our Clerk, will remain in to keep the uberconference live and open. We will call in to the alternative teleconference number that we have. Conduct the Executive Session and upon completion of the Executive Session, we will hang up from that Session and then we will all log back into our uberconference in order to continue the business of this meeting.

COUNCIL PRESIDENT ISTNICK – Councilman Lombardi.

COUNCILMAN LOMBARDI – Yes, Madam President, thank you. I have to question the security of the teleconference. Number one, we don't know who's going to be on that teleconference because we don't know who all the password might have been slipped out to. We don't know if somebody could be on a speaker phone and other people can hear it. I just don't think that that is a valid meeting. I just don't think it's a valid platform to use that meeting.

COUNCIL PRESIDENT ISTNICK – Anyone else?

BILL BARTOS – Madam President, this is Chief Counsel from the Law Department.

COUNCIL PRESIDENT ISTNICK – Yes.

BILL BARTOS – I just want to clarify, make sure we do clarify because we had a bit of a misunderstanding under what section we're going into Executive Session, but there's two potential sections. It's either the G8 Section which revolves around economic development matters related to the CIC and there was also the discussion of the Sale of Property section and perhaps someone from the Administration can clarify, but, if we're discussing the sale of property held by the City, I just need to clarify that that must be a sale contemplating to be done by public bid. So, it's a sale of property by public bid and the provision is that the sale, if discussion were not held in Executive Session, but and I think I sent the language out, but the discussion of the information would result in premature disclosure of information that was given, unfair competitive or bargaining advantage to a person whose personal private interest is averse to the general public interest. So, I just wanted to clarify that's related to the discussion of the property. If there's any questions, I'd be happy to answer them.

COUNCIL PRESIDENT ISTNICK – Anyone? Councilman Lewis.

COUNCILMAN LEWIS – Alright. I make a motion in accordance with division B2 of Section 121.22 of the ORC, I move that we enter into Executive Session to include all Members of Council, the President of Council, the Mayor, Safety Service Director, Barb Sylvester, Economic Development Director, Dave Maley, Budget Director, Lori Boron, the Law Director, Chief Counsel, Bill Bartos and this is to consider the sale of property at competitive bidding. Given that premature disclosure information would give unfair competitive bargaining advantage for person's personal private interest is averse to the general public interest.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Starrett.

8 yes; 1 no to enter into Executive Session

COUNCIL PRESIDENT ISNTICK – Thank you, Madam Clerk. We will exit into Executive Session. If everybody would log out, I would appreciate it.

MAYOR CATAZARO-PERRY – Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

MAYOR CATAZARO-PERRY – I think we should check with Justin, our Law Director on that. I think you had to have nine yes to go into Executive Session.

COUNCIL PRESIDENT ISTNICK – Justin.

JUSTIN RICHARD – Thank you, Council President. The Mayor is exactly right. Under certain subsections, you have to have a unanimous vote. That would be G8. Since we made a motion under G2, 8 to 1 will satisfy Executive Session, but, good eye, Mayor.

MAYOR CATAZARO-PERRY – Thank you.

COUNCIL PRESIDENT ISTNICK – It will satisfy?

JUSTIN RICHARD – That is correct.

COUNCIL PRESIDENT ISTNICK – So we can exit and go into Executive Session?

JUSTIN RICHARD – Correct, Madam President.

COUNCIL PRESIDENT ISTNICK – Thank you. We will now enter into Executive Session.

Entered into Executive Session – 7:20 p.m.

Exited out of Executive Session – 7:50 p.m.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I'd like to make a motion to exit Executive Session.

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

9 yes to exit Executive Session and enter back into our Regular Session.

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Before we adjourn, again, I would like to ask if there's any other format we can use other than Uberconference. I just think it's terrible. If anyone could look into that, I'd really, really appreciate it.

18. ADJOURNMENT

COUNCILMAN HERNCANE – I move that we adjourn.

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

DIANE ROLLAND, COUNCIL CLERK

CLAUDETTE ISTNICK, PRESIDENT