

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD MONDAY, JUNE 15, 2020**

**COUNCIL PRESIDENT ISTNICK** – Welcome to the Massillon City Council Meeting for Monday, June 15, 2020. We have in attendance with us the following city officials: Mayor Kathy Catazaro-Perry, Safety Service Director, Barb Sylvester, Auditor, Jayne Ferrero, Chief Counsel, Bill Bartos, Community Development Director, Samantha Walters, Economic Development Director, Dave Maley and Health Commissioner Terri Argent. 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, Megan Starrett and Jim Thieret.

Roll call of 9 present

**2. INVOCATION**

**COUNCILMAN ED LEWIS**

**3. PLEDGE OF ALLEGIANCE**

**LED BY COUNCILMAN LEWIS**

**4. READING OF THE JOURNAL**

**COUNCIL PRESIDENT ISTNICK** – Thank you, Councilman Lewis. For those of you that are unaware, one of our City employees has passed away, Jay Ward. His wife is also a City employee. If we could just take a minute and show respect. (Moment of silence). Thank you. Diane, do you have any details?

**COUNCIL CLERK ROLLAND** – No, I do not. Not at the present time, I do not.

**COUNCIL PRESIDENT ISTNICK** – I think the service, you could find information on [paquelet.com](http://paquelet.com), Ted?

**COUNCILMAN HERNCANE** – That is correct.

**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.

**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**
7. **INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 62 – 2020**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE approving the proposed Community Development Block Grant (CDBG) Program Budget Amendment for the FY2020 Program year, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Starrett.

**COUNCILWOMAN STARRETT** – Thank you, Madam President. As we spoke on this extensively, this is the amended budget for the CDBG funds which include now, \$392,232. \$265,000 of that is to go to small business grants and loans. Are there any questions on that tonight? We went over it pretty extensively last week and I know Samantha is on the line tonight if there are any questions.

**COUNCIL PRESIDENT ISTNICK** – Anyone have any questions or comments? Councilwoman Litman.

**COUNCILWOMAN LITMAN** – Thank you. I did address a concern last week when we had that discussion. We are looking into how more so to assist our small businesses in town. We had allocated of the \$392,265 leaving about \$130,000 that was divided among several other agencies and I'll say, primarily, the city housing program, which I certainly think all of them are worthy causes. However, I think when we look at the small businesses in our area and how we can help them rather than, and I know we've got other legislation that is coming forward, but, rather than taking from our own budget, to expand the assistance to our small businesses, I would much rather see using the other \$130,000 or any part thereof, toward the Small Business Relief Program rather than allocating \$3,000 here, \$3,000 there. So, I guess I just wanted to reiterate those comments that I made in our last Work Session.

**COUNCILWOMAN STARRETT** – I know that Samantha had addressed that last time and felt that we wanted to not only help the small businesses, but also allocate some of those funds to the citizens that may have been affected by COVID. Because I believe the housing, and Samantha, you can jump in on this if I'm incorrect; the housing rehab money is \$80,000 and that will be for individuals that were also affected; homeowners affected by COVID and that need emergency repairs to their home or home systems, correct?

**SAMANTHA WALTERS** – That’s correct. That allocation will be specifically for residents that have had a loss of income related to COVID-19.

**COUNCILWOMAN LITMAN** – One more question?

**COUNCILWOMAN STARRETT** – Go right ahead, Ms. Litman.

**COUNCILWOMAN LITMAN** – Yes. A question regarding the city housing program; how much was initially funded into that program of the prior or initial CDBG fund?

**COUNCILWOMAN STARRETT** – Samantha, do you have that answer?

**SAMANTHA WALTERS** – I do. That amount is right around \$258,000, however, for actual rehab activities, it’s a little bit less than that. I can look it up here; I’ll have that in front of me in just a second, I can give you that answer.

**COUNCILWOMAN LITMAN** – My question would be; how much of that have we used thus far? Have we used the \$258,000 in housing rehabilitation or do we need to envision using it prior to the end of the year that we feel we need an additional \$80,000 in that program?

**SAMANTHA WALTERS** – For the 2019 Program Year, we have used almost all of our funding. That Program Year does not end until July or, I’m sorry, June 30<sup>th</sup>. Now, we did do an additional allocation for the 2020 Program Year, but that funding, like for example, last year; those funds did not come in until October. So, we would have a gap in funding between now, really, and whenever the 2020 Program funding comes in. So that’s where we kind of look at this housing money, but we definitely have used all of the 2019 Program Year, we have promised it out to projects, I should say. We have a little bit of unexpended money there, but it’s things that are in the works.

**COUNCILWOMAN LITMAN** – Okay, thank you.

**SAMANTHA WALTERS** – Sure.

**COUNCILWOMAN STARRETT** – So, I guess I would agree with Samantha Walters on this. I don’t, I do want to make sure that we have plenty of money for these small businesses, but I also don’t want to overlook our citizens that may have suffered financially due to COVID as well. Does any other Council people have an opinion on this? Do you want to see more money going towards the small business program or do you feel that it’s appropriate to leave it as is at this time? Mr. Lewis, I see that your hand is raised.

**COUNCILMAN LEWIS** – I guess one way that I look at it is, one thing, I’m very happy that we have these Federal dollars coming in that are able to support our local businesses, but \$80,000 for our residents, it will help some residents that are in a tight spot; as Linda expressed, is also equally important. But, if they’re getting renovations done, most likely they will be doing that with contractors which will probably be locally and so, it’ll still makes its way to a certain owner in one way or another. So, it does help boost some local business in the area. I think we can be confident that we’re able to address most of the need.

**COUNCILWOMAN STARRETT** – Do any other Council members have any concerns or questions on this ordinance tonight? Mr. Thieret.

**COUNCILMAN THIERET** – It looks like a good program. It could help some people, seeing that we did get some funds and I'm very grateful for that. My only concern is folks that will fall through the cracks at a minimum of 30% loss. Someone that's only making \$50,000 a year and one is just 25% of their income, I don't know about you, but, I couldn't be living without a quarter of my income. But, it didn't make the 30%, so, I'm still concerned about that and I hope things work out as we go through this process here. Thank you.

**COUNCILWOMAN STARRETT** – Anybody else? Mr. Herncane.

**COUNCILMAN HERNCAINE** – Thank you, Mrs. Starrett, Mrs. Istnick. I want to say that about a month ago when we had the CDBG Budget I abstained from that vote due to my father's employment at the Boys and Girls Club and I've noticed that that is listed as well. So, I will be abstaining from this vote for that same reason; if it's tonight or in the future.

**COUNCIL PRESIDENT ISTNICK** – Thank you.

**COUNCILWOMAN STARRETT** – Now I would like to move forward on this tonight and get this started so that Samantha Walters can start accepting applications for this so we can get the money disbursed as soon as possible. Is anybody opposed to moving forward on this tonight? Seeing none, I make a motion that we waive the rules requiring three readings and bring Ord. No. 62 – 2020 forward for a vote tonight.

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

8 yes; 1 abstained for suspension – Herncane abstained

**COUNCIL PRESIDENT ISTNICK** – And for passage.

8 yes; 1 abstained for passage – Herncane abstained

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 62 – 2020 has passed. Ord. No. 63 – 2020.

**ORDINANCE NO. 63 – 2020**

**BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE**

AN ORDINANCE authorizing the Massillon City Health Department to enter into an agreement for and accept grant funds from the Stark County Combined General Health District for contact tracing for COVID-19 monitoring and surveillance, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Halter.

**COUNCILWOMAN HALTER** – Thank you, Madam President. I'm going to turn this over if you have any questions to Terri Argent. Are there any questions or discussion?

**COUNCILMAN THIERET** – I have a lot of questions.

**COUNCIL PRESIDENT ISTNICK** – Go ahead, Mr. Thieret.

**COUNCILMAN THIERET** – Thank you. I really have a lot of problems with this because there's been so much invasion of our privacy and stamping on our freedoms here throughout this COVID incident and I can't even begin to support continuing this. There's seems to be no other reason, this has Big Brother written all over it and I can't go forward and encourage this and I'm definitely going to vote "no" against this. Thank you.

**COUNCIL PRESIDENT ISTNICK** – Thank you, Mr. Thieret.

**COUNCILWOMAN HALTER** – Mrs. Argent, do you want to respond to that?

**TERRI ARGENT** – Yes. I'd have to say, at this point, I'm not sure how we're stepping on anyone's rights. This is a medical procedure as protection. This contact tracing is done in any and every infectious disease that we have. We trace the contacts of tuberculosis; just about anything you can think of; measles, chicken pox. We trace contacts and what we do that for is to protect everyone from it spreading. Now, when we trace our contacts, we ask people who've been found positive, who've they've been in contact with and then we contact those people just to educate them on what they've been in touch with and that. No one, no one is forced to give us any information. It's completely voluntary and it's to, hopefully, reduce the spread from other people.

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret.

**COUNCILMAN THIERET** – My concern is, especially our elderly and more vulnerable folks who may or may not know this information and the privilege to understand as you explained there. Anybody can call and say "I am doing this survey, I'm doing this tracing, I need this information. Am I talking to Mrs. So-and-so? What is your address? What is your phone number? What is your date of birth? I want to make sure I'm talking to the right person". The scammers are already out there. There's criminal activity already involved with this. How can you guarantee that your people are the only ones that are going to be able to ask these questions and no one else is going to get involved in this?

**TERRI ARGENT** – I don't have an answer for that. I can't guarantee that. Like I said, this is a medical practice that we've been doing for I don't know how long. Ever since the life of the Health Dept. for any infectious disease that's out there and everyone has the right to say "no". We don't force anyone to give us any information. We also educate them, tell them who we are, tell them what's going on and they can say "no". They can refuse to answer.

**COUNCILMAN THIERET** – Well, I understand that completely. My only issue is that there's already issues going on in other countries that are already involved with this and I just don't want to see it happen here. I don't want to see any of our citizens scammed in any way and their identity stolen or anything like that. You know how devastating that can be.

**MAYOR CATAZARO-PERRY** – Mrs. Halter, may I speak for a moment?

**COUNCILWOMAN HALTER** – Yes.

**MAYOR CATAZARO-PERRY** – Thank you. Mr. Thieret, we have scammers all over in every different kind of venue you can think of. I just got two today via e-mail trying to scam me to pay something that I needed to pay and what was a scam. I will tell you that this is really important as a nurse and I know Terri is our Health Administrator, this is very important to be

able to do this. There are five states right now that are getting a lot of problems with COVID and diagnoses; over a thousand a day and it's really important to the Health Dept. to be able to know where these patients are and who they've may have possibly infected and so, this is something that Terri must do and I would hope that Council would support this. I just can't say how important that it is and a lot of people want to think that COVID is gone away; it is not. And we have to keep that in the forefront and protect our citizens. We need to still encourage masks and don't go places if you don't have to. Wash your hands frequently. I'm preaching to the choir, I think. All of that is so very important and this contact tracing is very much a part of that. So, I would ask that Council support this this evening. This is grant money that is given to us to hire people to be able to do that. And so, that's how important it is. They are also funding it. Thank you for the opportunity to talk tonight.

**TERRI ARGENT** – If I may speak one more thing, please? All the information we receive is completely confidential. We don't give any medical information to anyone. That's one thing I thought you might want to know.

**COUNCILWOMAN LITMAN** – Nancy, may I say something?

**COUNCILWOMAN HALTER** – Of course, go ahead.

**COUNCILWOMAN LITMAN** – Thank you. I just wanted to say that I know that when I receive phone calls that I am skeptical of, I would say "Can you give me your number and allow me to call you back?". If someone has called me and even as I look at the card that the City will have and the Health Dept. number is a published number. So, if the person that the tracer is speaking to is hesitant to give out any information, I would suggest that maybe in our telephone calls, we give them the opportunity to call us back at the Health Dept. using the published number to ease their minds as far as giving out any personal information.

**TERRI ARGENT** – And if I may answer to that, Ms. Litman? That's what we do. A lot of people we end up leaving messages on the answering machine; we give them the Health Dept.'s number and they're welcome to call us back.

**COUNCILWOMAN LITMAN** – Thank you.

**COUNCILMAN GREGG** – Mrs. Halter, may I speak?

**COUNCILWOMAN HALTER** – Go ahead.

**COUNCILMAN GREGG** – I had two questions and Ms. Argent answered one of them. She mentioned that the information once obtained is kept confidential. So, that helps. My second question is that is this something that our Health Dept. is required to do by another agency like the State or the County? Is this a required activity? And my comment is that I don't think City Council funding this activity will have any effect whatsoever on scamming. I don't think it's going to increase it or decrease it. I don't see how funding the activity would lead to any additional scamming. If scamming is going to happen, it's going to happen. But, that's my comment. But my question, again, was is this an activity that is required by the State or the Federal government? Thank you.

**TERRI ARGENT** – If I may answer that, yes, this is required by the Ohio Dept. of Health. All infectious diseases must be followed and must be traced. All I'm asking Council for, really here, is to allow us to get a grant for this contact tracing.

**COUNCILMAN GREGG** – My follow-up comment to that is I don't see why we wouldn't accept the dollars that are available there. If it's something we have to do anyway, I certainly would rather see the Federal government paying for it than our City paying for it. So, that will be my final comment.

**COUNCILWOMAN HALTER** – Thank you, Mr. Gregg. Any other comments or questions?

**COUNCILMAN LEWIS** – I have one, but Mr. Lombardi has been trying to get in. I don't know if he's received his answers or not.

**COUNCILWOMAN HALTER** – Mr. Lombardi.

**COUNCILMAN LOMBARDI** – I'm fine, thank you.

**COUNCILMAN LEWIS** – Ms. Halter and Ms. Istnick, if it's appropriate, may I speak?

**COUNCIL PRESIDENT ISTNICK** – Absolutely.

**COUNCILMAN LEWIS** – Thank you. Regarding this issue, I'm right there with Mr. Gregg. It's a function of the Health Dept. that it has to be done. It's been done in the past. They're going to have to do this one way or the other. Why would we not accept the funds to assist us in doing so, for one? Two, I look at it like this; I come into contact with an infectious disease, whether it be COVID, tuberculosis, whatever and I'm positive and I have it and I've been in touch with fifty people, I'm fairly certain that those fifty people would like a phone call saying "Hey, Ed, who you just had a party with on Saturday has a disease that could kill you and you may want to go see a physician". I know I would want to be told. So, I'm assuming that this is not as huge of a deal and like Ms. Argent said, it's voluntary. If the person does not want to participate, if the person does not want to talk, then all it was was an inconvenient phone call from them. I don't see what the huge issue is. It's something that has to happen anyways.

**COUNCILWOMAN HALTER** – Thank you, Mr. Lewis. Any other comments or questions? Seeing none, I make a motion...

**COUNCILMAN THIERET** – Nancy, Ted Herculane and Jim Thieret both had their hands up.

**COUNCILMAN HERNCANE** – Nancy, I have a question.

**COUNCILWOMAN HALTER** – Yes, Mr. Herculane.

**COUNCILMAN HERNCANE** – If the timeline in the grant were to run out on this program and tracing were to be required for additional periods of time, would there be additional grant funds available to support that? I guess that's a question for Mrs. Argent or the Administration.

**TERRI ARGENT** – Yes, thank you for asking that question. We have heard, so it's just rumors so far, that this money is to go through December and if we need it further, they will grant more

money. There is more to come if we still have to contact trace. It would depend on what the numbers do.

**COUNCILMAN HERNCAINE** – Okay, thank you.

**COUNCILMAN THIERET** – I have one more question, if I may.

**COUNCILWOMAN HALTER** – Yes, Mr. Thieret.

**COUNCILMAN THIERET** – Ms. Argent, you probably know...as the testing increases and finding out a lot more positives, what's the percentage of death rates here? Now, Mr. Lewis said if you have a deadly disease, there's been a lot of cross talk and serious discrepancies about the death rate actually being attributed to COVID. It's some minimal percentage even in the people that have tested positive. So, why, all of a sudden, are we spending down our country over this and there really doesn't seem to be a reason why.

**COUNCILWOMAN HALTER** – Mrs. Argent.

**TERRI ARGENT** – I don't have those numbers. The reason we're contact tracing is because we do this with every infectious disease that there is. Whether there's one or whether there's a million; we contact trace every infectious disease that the Health Dept. gets from Ohio Dept. of Health.

**COUNCILMAN THIERET** – We're hearing numbers throughout the news that the death rate is less than 0.1 or 0.01%. That's pretty small and I realize we have to do everybody, but, it's spending a lot of money. I don't know; are we chasing or what?

**COUNCILWOMAN STARRETT** – Ms. Halter, if I can make a comment.

**COUNCILWOMAN HALTER** – Go ahead Megan.

**COUNCILWOMAN STARRETT** – Just like Mr. Lewis had said before and Ms. Argent has said, death rate or not, that does not seem to be the point of this ordinance tonight. The point of the ordinance is Ms. Argent is required to do contact tracing by the State of Ohio and we are receiving funds for that to be done and she's getting paid by the government to do that. So, it is not coming out of our budget and she has to do it one way or the other. So, if we vote "no" on this ordinance, the City has to pay for this. So, it only makes sense that we support this and she can receive funds from another source to complete something that she is required to do.

**COUNCILWOMAN HALTER** – Thank you, Mrs. Starrett. I make a motion that we waive the rules requiring three readings, bringing Ord. No. 63 – 2020 forward for a vote.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilman Herncane. 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; Lombardi and Thieret voted “no”

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 63 – 2020 has passed. Ord. No. 64 – 2020.

**ORDINANCE NO. 64 – 2020**

**BY: FINANCE COMMITTEE**

AN ORDINANCE establishing a fund entitled “1217 Local Coronavirus Relief Fund”, and creating line items within said fund, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – We have the Auditor, Jayne Ferrero, present if we have any questions or discussion for her. This will go in conjunction with the next ordinance and we are receiving funds to help us as a local municipality for relief. Ms. Ferrero, do you have any comments that you want to make about either?

**JAYNE FERRERO** – This is all coming through Alan Harold’s office and we’re just following the instructions so that when the money comes through, it is in place and then we can start using this money to pay for things that we have spent in the City clear back to March 15<sup>th</sup>.

**COUNCILMAN LEWIS** – Thank you. Madam President, I’d open it up to any questions of Council members.

**COUNCIL PRESIDENT ISTNICK** – If you can see people raising their hands, call on them. Because I can only see three people on my screen with their face.

**COUNCILMAN LEWIS** – Ms. Creamer.

**COUNCILWOMAN CREAMER** – Yes. As I asked at the Work Session, do we have a total amount of dollars that we’ve spent so far since the beginning of COVID-19 for the City?

**JAYNE FERRERO** – Lori Boron did send over a spreadsheet. I’m sorry I’m not in my office and Lori is not on the call. Mayor, do you have that figure?

**MAYOR CATAZARO-PERRY** – I don’t have it off the top of my head. But, we also are incorporating, we need to incorporate this report as well and the Treasurer if the expended any dollars. So, we’re still in the process of adding those on. But Lori’s done an excellent job of keeping track of our overtime and our supplies. She’s just really done a great job. So, she is not on the call this evening, but if you need that information, we’ll be happy to provide it.

**JAYNE FERRERO** – I would like you to pass the one that we need to send over to the County, though, so that we can be established. I think, Ms. Creamer, it was like 82,000 so far that she’s gotten from the Administration, but that did not include overtime, that did not include the Clerk of Court, that did not include the Courts and she was also waiting for Fire and Police to send her some overtime figures. That does not include my office, it does not include the Treasurer’s office or the Law Dept. as well. So, we are well under that \$582,000 figure and as I said last week, if you guys put partitions up in Council Chambers upstairs, we will pay for that out of these funds.

**COUNCIL PRESIDENT ISTNICK** – We are going to be putting partitions up there and I think the bill is going to be, what, Diane, \$2,300?

**COUNCIL CLERK ROLLAND** - \$2,400 to \$2,500, yes.

**COUNCILMAN LEWIS** – Councilwoman Litman.

**COUNCILWOMAN LITMAN** – I also wanted to include that now that we're using the Cisco Webex, there's going to be a cost associated with that. Although small, it will certainly add up over time and if we can, make sure that Lori Boron gets that bill. Perhaps it could be considered as, I mean, otherwise we would not be using this, we would be in Council Chambers if it wasn't for COVID-19. So, I would ask for that to be considered for reimbursement as well.

**JAYNE FERRERO** – It's a legitimate expenditure for what this is for.

**COUNCILWOMAN LITMAN** – Thank you, Jayne.

**COUNCILMAN LEWIS** – The specific ordinance before us is just establishing the fund to put the money into. Are there any questions or concerns about establishing the fund? Hearing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 64 – 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. 64 – 2020 has passed.

**COUNCIL CLERK ROLLAND** – Madam President, can I interrupt you real quick?

**COUNCIL PRESIDENT ISTNICK** – Yes ma'am.

**COUNCIL CLERK ROLLAND** – You said you could only see three pictures down at the bottom of your screen?

**COUNCIL PRESIDENT ISTNICK** – Megan said there's a bubble in the upper right hand corner. I don't have a bubble.

**COUNCIL CLERK ROLLAND** – Well, there should be an arrow down by the pictures.

**COUNCIL PRESIDENT ISTNICK** – Right. So, I can only see five at a time.

**COUNCIL CLERK ROLLAND** – That's all I can see.

**COUNCIL PRESIDENT ISTNICK** – Thank you.

**COUNCIL CLERK ROLLAND** – You're welcome.

**COUNCIL PRESIDENT ISTNICK** – Ord. No. 65 – 2020.

**ORDINANCE NO. 65 – 2020**

**BY: FINANCE COMMITTEE**

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

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This would be depositing \$582,836.36. This is the money that we were just discussing from the County. That's relief to our expenses as discussed; overtime costs, any kind of extra or additional purchases such as barriers. I know that the Courts have put some in as well. I know the Courts, actually, have a substantial system that we just approved a few weeks ago to allow them to do more of a telecommunication type process. So that would be able to be refunded to the Courts system, I would imagine. Things of that nature. Are there any further questions or discussion on this this evening? Ms. Litman.

**COUNCILWOMAN LITMAN** – I just wanted to reiterate that in my notes I have that these funds must be spent before October 30<sup>th</sup> or they would need to be returned. Is that correct?

**JAYNE FERRERO** – That is correct.

**COUNCILWOMAN LITMAN** – Thank you.

**COUNCILMAN LEWIS** – I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 65 – 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. 65 – 2020 has passed. Ord. No. 66 – 2020.

**ORDINANCE NO. 66 – 2020**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health Services Fund, for the year ending December 31, 2020, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This is for \$5,000 to an account entitled “Grant Expenses”. Is Ms. Argent here, Madam President, and able to speak on this issue, potentially?

**COUNCIL PRESIDENT ISTNICK** – Yes, I thought she was.

**COUNCILMAN LEWIS** – Or can we call upon someone from the Administration, if necessary?

**COUNCIL PRESIDENT ISTNICK** – Ms. Argent, are you with us?

**BARB SYLVESTER** – She may not be. This actually was put through from the Auditor’s office for her accounts. It’s a deposit that was made into a revenue account and it needs to go into the expense account if you recall from the Auditor’s office reporting last week.

**JAYNE FERRERO** – That’s exactly right.

**COUNCILMAN LEWIS** – Does anyone have any additional questions or discussion? Hearing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 66 – 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. 66 – 2020 has passed. Res. No. 10 – 2020.

**RESOLUTION NO. 10 – 2020**

**BY: FINANCE COMMITTEE**

A RESOLUTION to approve the requirements of the Ohio Senate Bill 310 in order to receive and expend Federal funds under Section 5001 of the Coronavirus Aid, Relief and Economic Security (CARES) Act, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes, Madam President, I believe this is something that Auditor Ferrero reference earlier. I would ask for her to speak.

**JAYNE FERRERO** – Sure. Normally when we have a special fund, we have to go through the State of Ohio before we can put it in place, but they have waived that rule for this particular incident so that we can go forward and open up an account number under this CARES Act.

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

**COUNCILMAN LEWIS** – I make a motion that we suspend the rules requiring three readings, bringing Res. No. 10 – 2020 forward for a vote.

**COUNCIL CLERK ROLLAND** – Excuse me, Ed.

**COUNCILMAN LEWIS** – Yes.

**COUNCIL CLERK ROLLAND** – Would you call forward Mr. Bartos?

**COUNCILMAN LEWIS** – Sure. Madam President, may we have Mr. Bartos?

**COUNCIL PRESIDENT ISTNICK** – Yes, please.

**BILL BARTOS** – Thank you. Earlier today I received from a colleague of mine from the City of Canton actually, so, thank you to them, an updated version of this resolution that has been issued by the Ohio Office of Management and Budget (OMB). I presented that to Diane as soon as I received it and so given the importance of the resolution and the fact that I'm sure we want to make sure that we get this money, I'm not sure that we have to necessarily match word-for-word the resolution, but it doesn't hurt if we can. And so, I suggested to Diane that we amend it accordingly.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – I can't amend on something that I haven't seen. How major of an amendment is it?

**BILL BARTOS** – I guess I was under the impression that the amendment would be distributed. I would say it's more than a minor amendment. It is a change to several lines in the text.

**COUNCILMAN LEWIS** – Does the current resolution as it stands jeopardize our ability to receive these funds and operate as presented previously?

**JAYNE FERRERO** – Ed, excuse me. I think we can give this one first reading and then we'll put the amendment together and you can pass it at the next meeting; it'll be fine.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – I withdraw my previous motion; first reading.

**COUNCIL PRESIDENT ISTNICK** – Is there anyone else that wants to speak on that?

**BILL BARTOS** – Madam President.

**COUNCIL PRESIDENT ISTNICK** – Yes.

**BILL BARTOS** – The other option, possibly, is that you could pass this version of the resolution and if it's found to be dissatisfactory to the State or to the County Treasurer, we could pass another version in two weeks just to make sure we don't hold up the money, but, if the Auditor is satisfied then I have no problem waiting two weeks.

**COUNCIL PRESIDENT ISTNICK** – Alright. Res. No. 10 – 2020 has received first reading.

8. **UNFINISHED BUSINESS**

9. **PETITIONS AND GENERAL COMMUNICATIONS**

10. **BILLS, ACCOUNTS AND CLAIMS**

Council Clerk – Diane Rolland - \$ 15.92 Cisco Webex Starter

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis, were we going to put that forward to be reimbursed for that amount of money?

**COUNCILMAN LEWIS** – Yes. We have to pay the bill and Diane can't keep paying it.

**JAYNE FERRERO** – So, if she has a receipt for it, make sure she has a receipt.

**COUNCIL CLERK ROLLAND** – Yes ma'am I do.

**JAYNE FERRERO** – Okay, you're good.

**COUNCILMAN LEWIS** – My only personal follow-up is; do we have a pathway that leads to something other than Diane having her personal account paying for this every month?

**COUNCIL CLERK ROLLAND** – I could probably go into it and change the preference or the billing information and just have it charged to Massillon City Council.

**COUNCIL PRESIDENT ISTNICK** – I thought that we were going to have that paid for to reimburse or does that happen after the fact?

**COUNCIL CLERK ROLLAND** – It's a monthly charge.

**JAYNE FERRERO** – Diane, we can pay it the same week that it happens. We can pay you right away.

**COUNCIL CLERK ROLLAND** – As I said, I can probably go in and change the billing information because it does have me as the contact person, but I used the One James Duncan Plaza, 2<sup>nd</sup> Floor address. So, if I can change the billing information to just say City Council of Massillon, Ohio, that would be presented as a bill just like we pay the Repository or anybody else for monthly services.

**COUNCIL PRESIDENT ISTNICK** – That's okay with me, Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. That's kind of where I was going. It's always preferred if we can direct bill the City as compared to an employee having to be reimbursed for a service of the City. That's something that you can talk to Jayne about and see how that would work out.

**COUNCIL CLERK ROLLAND** – I only did it this way because we were in a certain window to get things set-up as soon as possible.

**COUNCILMAN LEWIS** – Absolutely.

**COUNCIL PRESIDENT ISTNICK** – I appreciate that, Diane. Thank you. Councilman Lewis.

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

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

9 yes to pay the bills

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. The bills will be paid and charged to their proper accounts. I just want to take another minute because I'm a little confused. We talked about getting reimbursed for the dividers for Council for when we open up. Am I confused on that?

**COUNCILWOMAN LITMAN** – Madam President.

**COUNCIL PRESIDENT ISTNICK** – Yes, Linda.

**COUNCILWOMAN LITMAN** – That can be reimbursed and that billing needs to be sent to Lori Boron. She's collecting all of the expenses. They will then be sent to the Auditor's office to be reimbursed by the \$500,000 and something that we just allocated to the Coronavirus Relief Fund.

**COUNCIL PRESIDENT ISTNICK** – Didn't we also talk about the webinars also being reimbursed?

**COUNCILWOMAN LITMAN** – Absolutely. Diane will need to do the same. As she gets that billing, she will need to make sure that Lori Boron has that information so that those funds can be reimbursed to the Council line item as well.

**COUNCIL PRESIDENT ISTNICK** – Thank you.

**COUNCILWOMAN LITMAN** – You're welcome.

**COUNCIL PRESIDENT ISTNICK** – I'm glad I'm not losing my mind.

**JAYNE FERRERO** – Excuse me, though. I think you're a little mistaken, Mrs. Litman. You still have to submit for payment out of your supplies line item as you do normally. You can send that information over to Lori and that line item will be reimbursed eventually once all of this gets into the works. But for right now, you're going to pay it just like you would any other thing that you get; you're going to pay it out of your supplies line item.

**COUNCIL PRESIDENT ISTNICK** – Thank you, Jayne.

**COUNCILWOMAN LITMAN** – We were just talking two different things. However, she pays it is one thing, but I've been instructed by Lori Boron to make sure that all of the Coronavirus expenses, when it's paid, gets to her as well. So, that's all I was referring to.

**COUNCIL PRESIDENT ISTNICK** – Thank you, ladies.

**11. REPORTS FROM CITY OFFICIALS**

Mayor's Report - April 2020

**COUNCIL CLERK ROLLAND** – Did everyone receive a copy?

**COUNCIL** – Yes.

**12. REPORTS OF COMMITTEES**

**COUNCIL PRESIDENT ISTNICK** – Our next Work Session will be Monday, June 29<sup>th</sup> at 6:30 p.m. Council is off next Monday, June 22<sup>nd</sup>. Anyone else have anything?

**COUNCILMAN THIERET** – Yes. Is the Safety Service Director still on?

**BARB SYLVESTER** – Yes I am.

**COUNCILMAN THIERET** – Are you aware that these protestors are up in the northeast side of town?

**BARB SYLVESTER** – Yes sir, I am.

**COUNCILMAN THIERET** – Okay, because we had some citizens trying get...

**BARB SYLVESTER** – Yes, I'm on the Police radio calls as well. Thank you.

**COUNCIL PRESIDENT ISTNICK** – Anyone else? Okay, Ord. No. 60 – 2020

**ORDINANCE NO. 60 – 2020**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

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

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Starrett.

**COUNCILWOMAN STARRETT** – Thank you, Madam President. This ordinance is the ordinance that was originally submitted without Committee for the local business grants to be given via the General Fund for Coronavirus Relief. I know, Ms. Ferrero, you were going to be looking into some of the financial side of this when we spoke about this last week and how this would be funded, into what accounts; we would have to make a new account, I believe. Can you speak on that, are you still on the call?

**JAYNE FERRERO** – Yes, I sure am. I did a little bit of investigation; I did a lot of investigation, actually. I talked to the State Auditor's office, I talked to the Law Director and I also talked to Administration about this. The first thing with the Auditor, it is legal that we would open up an account. It would not be under Economic Development, however. It would be under a small business program and it would be a new fund and it would still be under the General Fund under a 905 number. We could do that. Now the auditor stated that we needed to have really expert criteria from the Law Dept. in place before we would do this and we certainly would be

under great scrutiny as far as the audit trail goes. So, then I talked to the Law Director and I asked the Law Director does the Mayor have to do this? He said, absolutely not. The Mayor is not legally bound to do this and he also told me that he and his chief prosecutor to put criteria together would take months and months and months and then, he's not quite sure what the legality of it all. We're going to be opening ourselves up to lawsuits and things like that and then I talked to Administration and the Mayor feels, and I'll let the Mayor speak for herself, but with this program that we have going on with CDBG, that this is not the proper time for us to do these kinds of things with City dollars when we don't even know what's going to happen in July when our taxes start to come in. How we're going to be affected by all of that. So those are really the things that I found out and wanted to report back to you.

**COUNCILWOMAN STARRETT** – Thank you, Mrs. Ferrero. When you speak of from the Law Dept., I'd like a little clarification on that. So, I don't know if Mr. Bartos is able to speak on that or will we need Mr. Richard to speak on that at another time?

**BILL BARTOS** – Madam President.

**COUNCIL PRESIDENT ISTNICK** – Yes sir.

**BILL BARTOS** – I think Auditor is referring to is the restrictions on spending certain funds for private development matters. And so, I think what the State Auditor was referring to is that there would have to be stringent guidelines on who the funds are going to and how those kinds of things are vented. I think that was what the reference was to; the Auditor can correct me if I'm wrong.

**JAYNE FERRERO** – No, you're right. You're correct.

**COUNCIL PRESIDENT ISTNICK** – Thank you.

**COUNCILWOMAN STARRETT** – So tonight we have to vote whether or not we want to move this forward to second reading at our next regular meeting. So, we have some more information from Ms. Ferrero and the Law Dept. It's look like we do have an additional amount of research and discussion that needs to happen on this and it needs to probably take a while to get certain things ironed out when we do decide whether or not we want to continue forward with these funds. Any questions or comments from City Council at this point?

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret.

**COUNCILMAN THIERET** – Thank you, Madam President. The whole idea of this proposal, and we had no idea that CDBG would be helping with some money in our area. The whole idea was a safety net for our businesses. They have suffered losses not only from the road issues, but before that and this whole idea was to be a safety net. So, we're still going to get now the money from CDBG; that's fine. This could be a safety net because there's still going to be a lot of businesses and a lot of owners in our City that won't meet those criteria's. The big ones, the low to moderate income parts and the 30% loss. If you're a small business and you lose 25% of your business in two months, that's the thing that most people can't cope. Now, we have money for other things and I understand that, we have money for other things and I understand that. There's money to be had, if we needed. Right now, we can have a pretty City Hall parking lot or a park or we can have businesses that can see that park. These

are going to be some of the hard choices we're going to have to make and I'm for the people here that are working here every day, trying to make a living. Thank you.

**MAYOR CATAZARO-PERRY** – Mrs. Starrett, may I speak?

**COUNCILWOMAN STARRETT** – Certainly.

**MAYOR CATAZARO-PERRY** – As I cautioned you a couple of weeks ago when we talked about this, but I really caution you on any spending. We have to worry about our City. We've worked so hard to get into the position that we're in and we're not saying that we don't want to help our businesses. We're helping them through Federal dollars because the Federal government realizes that everyone is hurting. Everyone is taking a hit right now. Not just our small businesses. Our medium businesses are and our large businesses are. It's not that we're not saying that. We're utilizing the funds that were given to us through the Federal government for our businesses. I just think it is extremely reckless and I want to say that again, extremely reckless to spend money right at this point for additional dollars when we're already going to have dollars available and I really would like to caution, again, Council on spending that because we need to keep our staff running and paying them and to keep the City afloat. And so, I don't know if the newcomers have any budget experience, but, it is very important to watch the budget and watch the numbers because we're going to be cutting and so I just want to caution you on that. We're working together with Lori Boron right now to see what areas we're going to be cutting and now is not the time to be frivolous and getting dollars away when we already have dollars that we can utilize as given to us. Thank you for allowing me talk, Mrs. Starrett.

**COUNCIL PRESIDENT ISTNICK** – Councilman Thieret.

**COUNCILMAN THIERET** – I could not agree more that we have to be cautious and we have to be more than cautious. We have to be absolutely cautious. Frivolous spending has to be absolutely curtailed and that was my point. That was exactly my point. Why are we spending money on things that we don't need when we have businesses and people and situations that desperately are in need? Why Duncan Plaza is tossed into this thing; I have no idea. It's frivolous. There's no need for it. We are going to have empty buildings looking at something pretty. Or we can have businesses moving around downtown and work on that at a later date when we can afford it. Right now, we can't afford it. Thank you.

**COUNCILMAN LEWIS** – Madam President.

**COUNCIL PRESIDENT ISTNICK** – Yes, Mr. Lewis.

**COUNCILMAN LEWIS** – I just want to say that I think almost everybody on Council is going to agree, we all are concerned about the citizens of Massillon. We all want to help businesses, we all agree that the CDBG funding we're receiving is a great blessing for the City and we'll be happy to send that money out to those businesses. Numerous people last week did voice a concern that what if there are some that can't grab CDBG money and maybe that will or will not happen. We don't know and that is what I think what was being referenced maybe by others at one point. That this may a little bit premature in the sense, but we don't know. But, regardless of your take on that and I also don't know why Duncan Plaza is being brought into this; it has nothing to do with this at this moment. But tonight, all we're discussing is whether or not we're going to put it up for second reading for the first meeting in July and that's really all

we're considering here. We're not voting "yes" we want to do this or "no". A "yes" vote tonight doesn't even necessarily mean you have to agree with it later on. Where a "no" vote just means whatever. Do we want to continue to have the discussion about this specific piece and that is all we're voting on tonight and I just wanted to clarify when it comes to that point, what we're doing?

**COUNCIL PRESIDENT ISTNICK** – Thank you. Anyone else? Councilwoman Litman.

**COUNCILWOMAN LITMAN** – Yes, just a comment, as well. I do think that we need to be very careful with our spending at this point. Also, in our conversations with Lori previously, she'd indicated that we already 15% down in our revenue and it is expected to be even more significant through the end of 2020 and pouring over into 2021 with a reminder that unemployment is not taxable to the City and we know what the unemployment numbers have been reported recently. So, I guess I would say at this point, if this would be considered, it would have to be considered way down the road for me. I am not in favor of a second reading at this point with these funds.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lombard, did you have your hand up?

**COUNCILMAN LOMBARDI** – Yes, I did.

**COUNCIL PRESIDENT ISTNICK** – Okay.

**COUNCILMAN LOMBARDI** – Can this be tabled to a later date? Because maybe we just need to wait and see. The CDBG may just go ahead and satisfy all the needs of the businesses in the City and then we've done this all for naught. I agree, I believe it's premature and I think we should see how the CDBG funds pan out for businesses before we start putting together another fund that we may not even have to use. Thank you.

**COUNCILWOMAN STARRETT** – Madam President, if I may since this is my ordinance.

**COUNCIL PRESIDENT ISTNICK** – Yes.

**COUNCILWOMAN STARRETT** – I do not believe under the Rules that this can be tabled at this point, Mr. Lombardi. We have to vote tonight just whether or not it goes forward for second reading. If we vote it down, I think the ordinance dies. That does not mean that we can't bring up a new ordinance in the future if we feel that this is a safety net we want to pursue. I would state based on just my final thoughts that we all need to heed Mrs. Ferrero's warning and the conversations from the Law Dept. There are a lot of hoops that need to be jumped through and a lot of things that need to be set up for this to be done properly. I don't think anybody wants to see the small businesses suffer. I think everybody needs to make sure that we are supporting the small businesses and that's why the CDBG funds are there and we'll get moving on that quickly and I think if it's needed in the future, there needs to be a lot of work done on this ordinance to make sure that it is done properly. We don't want to get into a situation where the Auditor or the State dings us in anyway because we do not follow the laws or follow any of the appropriate funding rules in this matter.

**COUNCIL PRESIDENT ISTNICK** – Anyone else?

**COUNCILWOMAN CREAMER** – Yes.

**COUNCIL PRESIDENT ISTNICK** – Go ahead, Jill.

**COUNCILWOMAN CREAMER** – Thank you, Madam President. I have a couple of comments to make. Yes, I would like to visit this in the very near future. I think we need to look at the number of applicants that apply to the CDBG Small Business Relief Program. Take a look at those applicants that meet the requirements and get those numbers and then, also, get those numbers that did not meet those requirements. How many small businesses we did not help with the CDBG funds? Number two is if we would give this second reading, are we then able to table it once it receives second reading? If that's the case, that's something that I'm in favor of. I'm not in favor of jumping in. Yes, we have to look at our financial picture. We don't know what it's going to look like next month. We don't know what it's going to look like in October, but I feel that we just need to look at this when we have all of the evidence presented in front of us to make an educated decision based on our finances. Thank you.

**COUNCIL PRESIDENT ISTNICK** – Anyone else? Councilwoman Starrett.

**COUNCILWOMAN STARRETT** – Thank you, Madam President. Just to piggy-back off of Ms. Creamer. I think, based on the rules, if we were to vote to bring this to second reading at the next meeting, it could be tabled, if that's what Council wants or at third reading, it could be tabled, if that's what Council wants. Just tonight, the vote is only whether or not we will take it to second reading at the next meeting. Yes, Ms. Litman.

**COUNCILWOMAN LITMAN** – Thank you. I just wanted to reiterate my earlier comment that if we really did feel that there was a need over and above the \$265,000 that was allocated from the Federal funding, then we should go back and amend that to include the additional \$130,000 of the Federal funds for these types of purposes. So I guess, again, I would not be in favor of spending our City dollars on this at this time because if we have the need for funds over the \$265,000 then there's, again, another \$130,000 there that we discussed whether it was going to go to other citizens or there was a list of other organizations where there was \$1,500 was going here, \$3,000 there that added up to another almost \$50,000. So, I guess as I look at if there was and truly thought that there was a need over and above the CDBG monies that were allocated, then we should have allocated the entire amount versus using our City funds at this time.

**COUNCIL PRESIDENT ISTNICK** – Anyone else? Councilman Herculane.

**COUNCILMAN HERNCANE** – I have a question for the Auditor.

**COUNCIL PRESIDENT ISTNICK** – Okay.

**JAYNE FERRERO** – Okay.

**COUNCILMAN HERNCANE** – In your conversations with the State Auditor, are there any issues that we have or additional hoops to jump through when we issue or approve economic development grants?

**JAYNE FERRERO** – This does not have anything to do with economic development. This is General Fund money that you are spending. It has nothing to do with economic development.

**COUNCILMAN HERNCANE** – When we provide funds for economic development grants, where do those funds come from?

**JAYNE FERRERO** – Well, that's all put into the budget in the beginning of the year and that goes to Council to be approved. There is no money in there and these are not economic development dollars that we're using. I have an ordinance at the office that was passed by City Council that says economic development money is for new businesses. Now, you're not talking about new businesses, Mr. Herncane. You're talking about existing businesses and what we really need to, what I'm going to caution you the most about is how we can be fair about giving out this money to all of these businesses and make it fair. So, you have to form a committee. It would have to be a very diligent committee that we'd be able to really look at all of the perimeters that would be in place and, again, it's going to take our Law Dept. some time to put those perimeters in place. That's where it's going to have to come from is our Law Dept.

**COUNCILMAN HERNCANE** – I guess, two things to that. One, we've given economic development grants to businesses that are not "new businesses" and the second is, don't we appropriate money from the General Fund to the Economic Development Fund to pay those?

**JAYNE FERRERO** – We do. Yes, we do, sir. And whenever we do that, that's all passed through Council. Now I know you're referring to Tremont Coffee and that is something, because they had relocated and the Economic Development Officer felt that it was needed because they were putting additional dollars into this new business where they relocated to. But that all went through Council and at that time, that's when those questions needed to be asked.

**COUNCILMAN HERNCANE** – Okay. Alright, thanks.

**COUNCIL PRESIDENT ISTNICK** – Anyone else?

**BILL BARTOS** – Madam President.

**COUNCIL PRESIDENT ISTNICK** – Yes.

**BILL BARTOS** – I just wanted to weigh in on the procedurally because last week, if you recall, we were having technical issues and what I was trying to communicate on the procedure, I was running back and forth between offices. But, just so we're all clear, I do believe, technically, that based on the language of 28.2 that the next time that this were given a second reading with the vote tonight, to give it a second reading, 28.2 says "it will only appear after the second regularly scheduled meeting of Council from the time of first reading". So, I believe that would be the July 20<sup>th</sup> meeting because that would be only after the second regularly scheduled meeting. And so, since it was introduced for first reading on June 1<sup>st</sup>, you would then have June 15<sup>th</sup> which is tonight as the first meeting, then July 6<sup>th</sup> and then July 20<sup>th</sup> would be the third meeting, essentially, after it was introduced for first reading. So, I don't see any reason you can't vote tonight, but that does also present the opportunity to continue discussion on July 6<sup>th</sup>.

**COUNCIL PRESIDENT ISTNICK** – Thank you. Councilwoman Starrett.

**COUNCILWOMAN STARRETT** – Thank you, Madam President. Based on tonight's discussion, I think we are ready to go forward on a vote and I would make a motion that City

Council votes to determine whether or not Ord. No. 60 – 2020 be moved forward for second reading at the July 20<sup>th</sup> meeting.

**COUNCIL PRESIDENT ISTNICK** – It will be second reading on July 20<sup>th</sup>?

**COUNCILWOMAN STARRETT** – Yes. Based on Mr. Bartos' interpretation of the rules, he said after the second regularly scheduled meeting. So he determined that this should be brought up for second reading at the July 20<sup>th</sup> meeting, not the July 6<sup>th</sup> meeting.

**COUNCIL PRESIDENT ISTNICK** – What would happen on the July 6<sup>th</sup> meeting, nothing?

**COUNCILWOMAN STARRETT** – That would just give us extra time for discussion and nothing would be done on this ordinance at that meeting.

**COUNCIL PRESIDENT ISTNICK** – Okay. Seconded by Councilman Lewis. Roll call to determine whether the ordinance will be give second reading on the July 20<sup>th</sup> meeting.

8 yes; 1 no to move Ord. No. 60 – 2020 on to second reading.

**COUNCIL PRESIDENT ISTNICK** – Thank you. Ord. No. 60 – 2020 will be moved on to second reading for the July 20<sup>th</sup> meeting. Ord. No. 61 – 2020.

**ORDINANCE NO. 61 – 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.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This piece coincides with the last piece. I will say that there's a key difference here in the sense that the way its currently written it will most certainly have to be amended. Because if we were, as a Council, to decide on approval of what we've just previously discussed, it sounds like what we kind of had to do with the \$582,000 that we received from the County. We'd have to create a fund. So this ordinance request here is to just kind of doesn't fit anymore with new information. So my recommendation is that we just defeat it tonight and if more information comes out, if persons so choose to introduce new legislation to the Finance Committee for consideration once what is discovered to figure it out.

**COUNCIL PRESIDENT ISTNICK** – So, you're bringing it forward for suspension?

**COUNCILMAN LEWIS** – I will be making a motion to bring this forward for a vote as to whether or not it will go to second reading.

**COUNCIL PRESIDENT ISTNICK** – Seconded by Councilwoman Starrett.

**COUNCIL PRESIDENT ISTNICK** – Roll call.

8 no; 1 yes – Ord. No. 61 – 2020 defeated

**COUNCIL PRESIDENT ISTNICK** – Ord. No. 61 – 2020 has been defeated to move on to second reading.

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

**14. CALL OF THE CALENDAR**

**ORDINANCE NO. 11 – 2020**                      **BY: FINANCE COMMITTEE**

**Tabled April 6, 2020 until June 15, 2020**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to exercise the option to renew the Engineering contract with OHM Advisors for the years 2020, 2021 and 2022, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. I spoke with the Administration earlier today about this particular piece. They have recently submitted a letter to the Ethics Commission in Columbus and they expect a response any day now and they've also sought out some other legal opinions to coincide to weigh along with the legal opinion of our Law Dept. and they have requested that we just go ahead and just table this so that they can present to us all the different findings that they have. With that said, I make a motion that we table Ord. No. 11 – 2020 until July 20, 2020.

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

9 yes to table Ord. No. 11 – 2020 until July 20, 2020

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 11 – 2020 has been tabled until July 20, 2020. Ord. No. 35 – 2020.

**ORDINANCE NO. 35 – 2020**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-3 One-Family Residential to B-2 Business, and declaring an emergency.

**COUNCIL PRESIDENT ISTNICK** – Councilwoman Starrett.

**COUNCILWOMAN STARRETT** – Thank you, Madam President. It is my understanding, at this point, that the individual that originally asked for this to be brought forward from Council is not currently interested in continuing the pursuit of this. So, at this time, I would just ask that this ordinance be tabled indefinitely; I make that motion.

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

**COUNCILMAN THIERET** – Can we question this?

**COUNCIL PRESIDENT ISTNICK** – Oh, I'm sorry.

**COUNCILMAN THIERET** – Where is this tract? Where’s the land that we’re talking about here?

**COUNCILWOMAN STARRETT** – Mr. Maley, this was over by...

**DAVE MALEY** – This is off Forest Ave. And it’s the gentleman that was looking to do a winery north of Forest.

**COUNCILMAN THIERET** – Thank you.

**COUNCIL PRESIDENT ISTNICK** – Anyone else? It was moved to table this indefinitely and seconded by Councilman Lewis. Roll call.

9 yes to table Ord. No. 35 – 2020 indefinitely

**COUNCIL PRESIDENT ISTNICK** – Thank you, Madam Clerk. Ord. No. 35 – 2020 has been tabled indefinitely.

15. **THIRD READING ORDINANCE AND RESOLUTIONS**
16. **SECOND READING ORDINANCES AND RESOLUTIONS**
17. **REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA**
18. **ADJOURNMENT**

**COUNCILMAN LEWIS** – I make a motion to adjourn.

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

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DIANE ROLLAND, COUNCIL CLERK

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CLAUDETTE ISTNICK, PRESIDENT