

**MINUTES OF THE REGULAR MEETING
MASSILLON CITY COUNCIL
HELD, MONDAY, NOVEMBER 7, 2016**

COUNCIL PRESIDENT ISTNICK – Welcome to the Massillon City Council Meeting for Monday, November 7, 2016. We have in attendance with us the following city officials: Mayor Kathy Catazaro-Perry, Safety Service Director, Joel Smith, Auditor, Jayne Ferrero, Chief Deputy Auditor, Debbie Bonk, Acting Law Director Thomas Ferrero, Parks & Rec. Director, Kim O'Farrell and Income Tax/Budget Director, Mike McKee. On the wall to your left are agendas for anyone who wishes to follow tonight's meeting. Also if you look at the agenda, under item #5 is where the public can speak on any item that appears on tonight's agenda and then under item #17 is where the public can speak on any item that does NOT appear on tonight's agenda. I want remind anyone with cell phones, please turn them down or set them to vibrate.

1. ROLL CALL

Roll call for the evening found the following Council Members present: Milan Chovan, Jill Creamer, Sarita Cunningham-Hedderly, Dave Irwin, Ed Lewis, Linda Litman, Andrea Scassa and Megan Starrett.

Roll call of 9 present

2. INVOCATION

COUNCILWOMAN CUNNINGHAM-HEDDERLY - Gave the invocation for tonight.

3. PLEDGE OF ALLEGIANCE

COUNCILWOMAN SARITA CUNNINGHAM-HEDDERLY – Chairperson of the Public Utilities Committee led those in attendance in the Pledge of Allegiance.

COUNCIL PRESIDENT ISTNICK – I would just like to say that when I start the meetings at 6:30 p.m., I go by the time on my cell phone, which is adjusted by satellite and I do believe that this clock is slightly off when Diane changed the time, so she will correct that.

4. READING OF THE JOURNAL

COUNCIL PRESIDENT ISTNICK – 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?

COUNCIL CLERK ROLLAND – No, there are not.

COUNCIL PRESIDENT ISTNICK – Okay. Then the minutes stand approved.

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

COUNCIL PRESIDENT ISTNICK – We have arrived at #5. This is the part of the agenda where citizens may speak on a topic that appears on tonight's agenda. If you would like to speak on something, please come to the microphone at this time. Give your name and address for the record and the topic you want to discuss. In addition, please print your name and address on the Sign-In Sheet on the table before you so that your name and address appears correct on our records.

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 148 – 2016 **BY: PARKS & RECREATION COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept an anonymous donations on behalf of the Massillon Parks and Recreation Department, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. As discussed at the Committee Meeting, this is just to accept an anonymous donation for a drinking fountain, a children's drinking fountain at Reservoir Park. Are there any questions regarding this? Seeing none, I make a motion that we waive the rules regarding three readings and bring Ord. No. 148 – 2016 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage.

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 148 – 2016 has passed. Ord. No. 149 – 2016.

ORDINANCE NO. 149 – 2016

BY: PARKS & RECREATION COMMITTEE

AN ORDINANCE authorizing the Massillon Recreation Center to offer all City employees who are eligible for healthcare benefits a complimentary membership to the Massillon Recreation Center, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. First reading.

COUNCIL PRESIDENT ISTNICK – Ord. No. 149 – 2016 has received first reading. Ord. No. 150 – 2016.

ORDINANCE NO. 150 - 2016

BY: PARKS & RECREATION COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to sell and transfer certain property bounded by 1st St. S.E., Lincoln Way E., the Massillon Museum, and Diamond Ct. S.E. to the Community Improvement Corporation of Massillon (CIC).

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Thank you, Madam President. First reading.

COUNCIL PRESIDENT ISTNICK – Ord. No. 150 – 2016 has received first reading. Ord. No. 151 – 2016.

ORDINANCE NO. 151 – 2016

BY: POLICE & FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a grant from the Health Foundation of Greater Massillon on behalf of the Massillon Fire Department, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Chovan.

COUNCILMAN CHOVAN – Thank you, Madam President. As we discussed last week with the Fire Chief here, the Health Foundation of Greater Massillon has awarded the Fire Dept. a grant of \$39,850 to purchase a power cot for one of the medic units and this ordinance just allows us to accept that grant. Does anybody have any questions about anything or any comments? Alright, thank you. Then I move that we waive the rule requiring three readings and bring Ord. No. 151 – 2016 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. 151 – 2016 has passed. Ord. No. 152 – 2016.

ORDINANCE NO. 152 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE to adopt appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year 2017, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. I'll call the Auditor forward please.

JAYNE FERRERO – Mrs. President, members of Council, Mr. Lewis.

COUNCILMAN LEWIS – Yes. Madam Auditor, because we have so many things in Finance today, I am going to be calling many department heads up just to give quick recaps to make sure we're all on the same page. So that's all I'm asking for is your quick recap.

JAYNE FERRERO – About the budget?

COUNCILMAN LEWIS – Yes.

JAYNE FERRERO – It is within my certification and we have reviewed it. I do think that there's going to be a couple of adjustments that the Budget Director has made in the past week, I think that you've requested. And other than that, it's a really good budget and it's full and I think all of the departments can live within their budget.

COUNCILMAN LEWIS – Thank you, Madam Auditor. Does anybody else have any questions for the Auditor at this time? As we all are aware, we have already discussed that this would go three readings. We do have another piece. That would be the split between Capital Improvements and General Fund that we'll also be giving first reading to. But I just wanted to continue to recap as we go forward. So, first reading.

COUNCIL PRESIDENT ISTNICK – Thank you, Councilman Lewis. Ord. No. 152 – 2016 has received first reading. Ord. No. 153 – 2016.

ORDINANCE NO. 153 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1429 Inn at University Fund, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This is actually a pretty boiler plate for us, so I'll save the Auditor from her explanation. It is simply just the fees that are paid for the collection of dollars related to TIF's or other services that the County Auditor does for us. Are there any questions? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 153 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. 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. 153 – 2016 has passed. Ord. No. 154 – 2016.

ORDINANCE NO. 154 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation Fund, for the year ending December 31, 2016, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I'd like to fall the Director of Parks and Recreation.

KIM O'FARRELL – Good evening Council.

COUNCILMAN LEWIS – Simply, as I've done before, recap of the \$27,500 expenditure.

KIM O'FARRELL – That's moving over the Services/Contracts. And again, I have been out with some health issues, so bear with me if I'm not completely 100% percent accurate on this transfer. We are getting ready to purchase a truck for the Parks Dept. and then also, we are trying to finish our fitness center project. So, I'm making transfer for Services/Contracts. So, was there anything else?

COUNCILMAN LEWIS – But we do believe this particular one is probably for the trucks, is how it was presented to us.

KIM O'FARRELL – I believe that was the truck. I was not here for the Park Board meeting, so, I apologize.

COUNCILWOMAN CREAMER – Wait a minute. This is for the drinking fountain.

KIM O'FARRELL – This is the drinking fountain? Oh, okay. So bear with me.

COUNCILMAN LEWIS – This is why we call department heads up when we have 15 finance ordinances.

KIM O'FARRELL – Right. So, and I apologize, I missed the Park Board meeting and I also missed the last Council meeting with that. So, I apologize for not being 100% accurate tonight. This is, I'm sorry, for the drinking fountain for Reservoir Park.

COUNCILMAN LEWIS – Okay. And I also want to clarify, I believe we've handled the trucks already. Would that be accurate?

KIM O'FARRELL – Right. That's why that number is stuck in my head, \$27,000, was already appropriated by Council to purchase the truck, so, yes.

COUNCILMAN LEWIS – We've already took care of that, so we will not be seeing that later on. We took care of that two weeks ago, I believe.

KIM O'FARRELL – Correct.

COUNCILMAN LEWIS – Okay. Any other questions about the drinking fountain? It

must be one heck of a drinking fountain.

KIM O'FARRELL – It really is.

COUNCILMAN LEWIS – Okay. Thank you. I'd like to make a motion that we suspend the rules requiring three readings, bringing Ord. No. 154 – 2016 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 154 – 2016 has passed. Ord. No. 155 – 2016.

ORDINANCE NO. 155 – 2016 **BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing credit card use by various departments within the City of Massillon, Ohio, in compliance with the credit card policy established by the City of Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. It's my intention to give this first reading, but I did want to allow the Auditor a time to comment if she felt necessary this evening?

JAYNE FERRERO – That's fine. First reading is fine.

COUNCILMAN LEWIS – Alright. First reading.

COUNCIL PRESIDENT ISTNICK – Thank you Councilman Lewis. Ord. No. 155 – 2016 has received first reading. Ord. No. 156 – 2016.

ORDINANCE NO. 156 – 2016 **BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Auditor of the City of Massillon to deposit the three-tenths percent (.3%) City Income Tax for the Parks and Recreation system into the "Parks and Recreation Operations Fund", "Parks and Recreation Debt Retirement Fund" and the "Parks and Recreation Capital Improvement Fund".

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. This boiler plate as well that we do every single year. Are there any questions or need for discussion or comment from city officials this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 156 – 2016 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 156 – 2016

has passed. Ord. No. 157 – 2016.

ORDINANCE NO. 157 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE amending Ordinance No. 167 – 2014 and any other ordinances inconsistent with this ordinance, and authorizing and directing the Auditor of the City of Massillon as of January 1, 2017, to deposit funds received from golfing fees at The Legends of Massillon Golf Course into The Legends Operating Fund and the Bond Retirement Fund.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. The last ordinance that we just passed was related to the income tax for the operations of Park and Recreation and how that money will be divvied-up for the expenses of those operations. This one is similar, however, it is related to the fees that are generated at The Legends Golf Course and how those monies should be divided in order to cover expenses and needs at the golf course. Are there any questions or discussion this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 157 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. 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. 157 – 2016 has passed. Ord. No. 158 – 2016.

ORDINANCE NO. 158 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE amending Ordinance No. 143 – 1976 by repealing Section 13 – “ALLOCATION OF FUNDS - INCOME TAX” and enacting a new Section 13 – “ALLOCATION OF FUNDS - INCOME TAX” and repealing Ordinance No. 172 – 2014, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – This is what we would call the split between General Fund and Capital Improvements that we will pass along with the budget. With that being said, I give it first reading.

COUNCIL PRESIDENT ISTNICK – Ord. No. 158 – 2016 has received first reading. Ord. No. 159 – 2016.

ORDINANCE NO. 159 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE establishing that the blanket purchase order amount for the fiscal year 2017 not exceed Fifteen Thousand Dollars (\$15,000.00) for all departments with the exception of the 2101 Wastewater Treatment Fund within the City of Massillon, Ohio.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I'd like to call forward the Auditor.

JAYNE FERRERO – Yes sir.

COUNCILMAN LEWIS – Yes. I feel that at our last Committee Meeting, we kind of breezed over this one and I just wanted to make sure that everybody is on the same page because some of us are well aware of what this is. But what we're saying here is that any expense by a department that is less than \$15,000 does not necessarily have to come before Council for approval, correct, as long as it's an appropriation?

JAYNE FERRERO – That's correct.

COUNCILMAN LEWIS – And the Wastewater Treatment Fund is separated out for what reason?

JAYNE FERRERO – It is because they have so many large items that they do and they would be in here with stacks to you. So, that's the reason we give them an exception.

COUNCILMAN LEWIS – Alright, thank you. Does anyone else have any questions?

COUNCILMAN CHOVAN – I have one.

COUNCIL PRESIDENT ISTNICK – Councilman Chovan.

COUNCILMAN CHOVAN – Thank you. So, we're saying each department can issue a blanket purchase order for up to \$15,000. So they don't have to use it all at once?

JAYNE FERRERO – That's correct.

COUNCILMAN CHOVAN – So it can be \$500 here, \$1,500 there, whatever. But once it hits \$15,000, then we have to get another purchase order issued?

JAYNE FERRERO – That's correct.

COUNCILMAN CHOVAN – Thank you.

JAYNE FERRERO – You're welcome.

COUNCIL PRESIDENT ISTNICK – Councilwoman Litman.

COUNCILWOMAN LITMAN – Where is the oversight for what is being purchased? Is that the responsibility of the department head?

JAYNE FERRERO – Well, when you all approve the budget, that's what you approve. You approve these line items and that's what you're giving all of these departments permission to use that money in those line items and so they use it at their discretion for like Services/Contracts, Supplies, things like that. And that's all a part of the passing of the budget.

COUNCILWOMAN LITMAN – So the department head will actually make the determination as to how those funds are spent with oversight of the Administration?

JAYNE FERRERO – Yes. All of those go to the Safety Service Director.

COUNCILWOMAN LITMAN – Okay.

JAYNE FERRERO – Except for other elected officials. Like mine don't go to him, they come to me, it's separate. Courts go to them, but anything that the Mayor is charge of, all of her departments go through and are approved by the Safety Service Director before they come to my office.

COUNCILWOMAN LITMAN – Okay, thank you. I just wanted to make sure of the oversight. Thank you.

COUNCILMAN LEWIS – Anybody have any other questions for the Auditor? The

Safety Service Director would like a moment to speak.

JOEL SMITH – Good evening. The other step to that is there is a Board of Control and that's the Mayor and I. Any expenditure over \$5,000, they have to come up with estimates and we make sure it's not a sole provider that they have cost comparable estimates and we give the final approval for those expenditures.

COUNCILWOMAN LITMAN – Thank you.

COUNCILMAN LEWIS – And this is primarily one of the causes that I wanted to give this cause to because I feel like we did address this at the Work Session. I wanted to make sure we got our questions out there. Especially now that they we find ourselves in the very fortunate position that we do have some funds that can be spent for the improvement of the City. It's important that we know these things exist and also remember that every time we appropriate dollars into Service/Contracts in that year, it's fine especially if it's needed. But we did appropriate dollars at the beginning of the year that they were supposed to try to live within when possible and so, every time we increase that, we're just increasing that budgeted amount. And for whatever reason, it's mostly necessary. But I just wanted to highlight that. Are there any questions or concerns? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 159 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. 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. 159 – 2016 has passed. Ord. No. 160 – 2016.

ORDINANCE NO. 160 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with The Health Plan for health insurance coverage for City employees for the 2017 calendar year, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes, Safety Service Director please.

JOEL SMITH – Good evening.

COUNCILMAN LEWIS – I was hoping you could jog my memory. Are we on a time crunch for this particular ordinance?

JOEL SMITH – We are. This would take effect January 1st, but we're in the open window period for our employees to select coverage. As I stated last week, the Health Committee of our ten employees met with multiple vendors and we do have Hammersmith as our agent that presents our package to providers. There were three companies, I believe, that bid for our services, the Health Plan that we currently have, we're sticking with. It was the most cost efficient for the benefits that we have. There was an increase of 8.3% this year which by industry standards is pretty good, pretty reasonable. So, at the end of the day, the Health Committee did a lot of work this year. They entertained other brokers and talked to them about the process to make sure that Hammersmith was the broker we wanted to stay with. They did extensive work to get this done this year.

COUNCILMAN LEWIS – I would open the floor to any questions or comments for the Safety Service Director.

COUNCIL PRESIDENT ISTNICK – Councilwoman Creamer.

COUNCILWOMAN CREAMER – Is there an impact with us tabling the membership, the Recreation Center membership with this?

JOEL SMITH – No. That's not related to this, to the Health Plan itself. I mean, it's related as far as we're trying to get a Wellness Program and it's part of the wellness, but that's not a piece of this current legislation and the overall premiums.

COUNCILWOMAN CREAMER – Okay. It's not being advertised that this is what you get with this.

JOEL SMITH – No.

COUNCILMAN LEWIS – Any other questions? Alright, thank you, Mr. Smith. I'm prepared to be able to move forward with this if other Council members feel confident and comfortable with what they're understanding of the program. With that being said, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 160 – 2016 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 160 -2016 has passed. Ord. No. 161 –2016.

ORDINANCE NO. 161 – 2016 **BY: FINANCE COMMITTEE**

AN ORDINANCE making certain transfers in the 2016 appropriations from within the 1401 Income Tax Capital Improvement Fund, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I would ask for the Safety Service Director to come forward.

JOEL SMITH – Good evening.

COUNCILMAN LEWIS – Good evening. I believe this one is as it kind of points to that the Building Dept. will be getting a new vehicle?

JOEL SMITH – Right. This is a piece, the next piece of legislation is the other half of it. It's moving money that's in the current 1401, the Capital Improvement budget. Currently, it's in the Engineering Dept. under Equipment. We had budgeted this \$7,000 for them for the computer upgrades or other equipment that they thought they may need. That's kind of all been rolled into our computer upgrades for the City, so therefore, the Engineering Dept. was not going to use that money. I'm asking to move that over to the Building Dept. within the Capital Improvement to help assist to replace a 1997 Taurus that the Building Dept. is driving currently.

COUNCILMAN LEWIS – Any questions for the Safety Service Director? Thank you, Mr. Smith. If there are no questions or comments to be made, I make a motion to suspend the rules requiring three readings, bringing Ord. No. 161 – 2016 forward for a

vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. 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. 161 – 2016 has passed. Ord. No. 162 – 2016.

ORDINANCE NO. 162 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2016 appropriations from within the 1100 General Fund, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes, Safety Service Director again, please.

JOEL SMITH – Good evening again.

COUNCILMAN LEWIS – Yes. We have a total transfer of \$49,594.14. Under two where we're putting the money into, there are four line items. Could you recap those four areas please?

JOEL SMITH – Again, this is monies that are in the current 2016 budget that we're moving from one department to another to purchase items, upgrades. The Transfer/Transfer Out, that's an account that I need to move the money into. Once it's moved into there, we'll move it from there to the 1401 Capital Improvement. That's the \$10,594, that's the other half of the purchase of the Building Dept. vehicle. That movement was in another piece of legislation that we're not addressing today. The Police Services/Contracts, \$10,000, I'm adding \$10,000 to their Services/Contracts for some improvements that they're making in the Police Dept. in as well as doing some final things for the radio replacement. The 800 system, we found that those radios will not work in this building. There is some building coverages under the current radio system that we're going to. So it's going to be about a \$20,000 contract to get them to work in our buildings here. The City Hall Services/Contracts, the \$12,000, and then the Service/Supplies/Materials/Postage, that money is going into upgrading buildings, some building projects that we have ongoing. To complete those projects both in the Annex Building and our Street Dept. as well as a building in the City that I'm going to be doing some remodels for for the Police Dept. The Services/Supplies goes along with that for new furnishings, new items to purchase to upgrade where we are currently. We have a lot of furnishings that date back to the 1950's. You know, carpet the same way. Quite a bit of different things that we felt the money within the budget could be better utilized by doing some upgrades as we prepare.

COUNCILMAN LEWIS – Are there any questions for the Safety Service Director?

COUNCIL PRESIDENT ISTNICK – Councilman Chovan.

COUNCILMAN CHOVAN – Thank you, just one. Did I just understand you to say that you're going to use some money to upgrade a building for the Police Dept.? This building or something else?

JOEL SMITH – It's something else that I would rather not discuss in a public meeting. It's related to the storage of sensitive things.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – I understand the sensitivity of that, but that's out of the \$17,000?

JOEL SMITH – No. I mean the \$12,000...

COUNCILMAN LEWIS – Out of the \$12,000. How much of the \$12,000 would go towards that?

JOEL SMITH – The City Hall Services, this is improvement of the Annex, some of that money is going to be utilized for that. I'm going to be coming to you probably with a little bit more money. There's some, I'd rather talk about that, privately, sir.

COUNCILMAN LEWIS – Well, I don't need to know what building, just how much of a \$12,000 appropriation is going to be going that way? Are we talking \$10,000 of it or...?

JOEL SMITH – No, it's a small amount. That's a small amount.

COUNCILMAN LEWIS – A small amount.

JOEL SMITH – That's a small amount. Whatever's left after we finish these other projects. We're replacing some windows, we're doing some modifications to the Annex Building, we're realigning some offices. We're doing improvements of those offices. That's most of what this money is.

COUNCILMAN LEWIS – Are most members of Council comfortable with that or would we like to go into a more private setting to hear more?

COUNCILMAN CHOVAN – I would.

JOEL SMITH – The other piece of this, well, for Mr. Chovan, this is a very small amount of what I said and I probably shouldn't have made that comment. I will be coming to you again for further appropriations for that building that I'm talking about and I'd speak to you privately. I just don't want to put that out in the public as far as what we're doing with that.

COUNCILMAN LEWIS – I don't want to be difficult, but I kind of see where Mr. Chovan's coming from. We have to vote to approve dollars and we're being asked to approve in the good faith, which I actually have a lot of good faith in you. But, that doesn't mean squat. So, what we can do, if we are prepared is I can make a motion for an Executive Session, it'll take us two minutes, you can tell us what it is and we can come back out and vote on it.

JOEL SMITH – Okay.

COUNCILMAN LEWIS – So, I would make a motion that we enter into Executive Session. I invite the Mayor, the Safety Service Director, President of Council, and all members of City Council. It is to specifically to discuss the appropriations as outlined in the request Ord. No. 162 – 2016.

COUNCIL PRESIDENT ISTNICK – Councilwoman Scassa, did you have a question?

COUNCILWOMAN SCASSA – Well, I just want to make sure, I guess maybe my hand was raised prematurely, that you articulated the reason for the Executive Session.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Cunningham-Hedderly. Roll call.

9 yes to enter into Executive Session

COUNCIL PRESIDENT ISTNICK – We shall enter into Executive Session.

Council went into Executive Session - 7:05 p.m.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis

COUNCILMAN LEWIS – Yes. The City Council of the City of Massillon did meet and speak with the Mayor's office about the appropriations related to Ord. No. 162 – 2016. All inquiries were satisfied and Council is in agreement that particular matters of the expenses related to this ordinance are of a sensitive matter and need to remain private for the security and safety of citizens in the City of Massillon. With that said, I would make a motion that exit Executive Session and resume regular session of City Council.

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

9 yes to exit Executive Session

Council exited Executive Session - 7:15 p.m.

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. We will now resume with our regular meeting. Councilman Lewis.

COUNCILMAN LEWIS – In resuming with Ord. No. 162 – 2016, are there any further questions or comments to this ordinance? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 162 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. 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. 162 – 2016 has passed. Res. No. 18 – 2016.

RESOLUTION NO. 18 – 2016

BY: FINANCE COMMITTEE

A RESOLUTION requesting the Stark County Auditor and Stark County Treasurer to make an advance payment to the City of Massillon, Ohio, of 75% of all estate taxes collected by Stark County on behalf of the City during fiscal year 2017.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. We pass a resolution of this nature every year. It is on the chance that there is an estate still out there that would be subject to the taxes of that estate that we would be able to collect those taxes in a timely fashion. Are there any questions? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Res. No. 18 – 2016 forward for a vote.

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

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Res. No. 18 – 2016 has passed. Res. No. 19 – 2016.

RESOLUTION NO. 19 – 2016 **BY: FINANCE COMMITTEE**

A **RESOLUTION** requesting the Stark County Auditor and Stark County Treasurer to make an advance payment to the City of Massillon, Ohio, of real estate taxes collected by Stark County on behalf of the City during 2017 fiscal year.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. Again, we pass this every year requesting that we are able to get an advance of real estate taxes that are expected to be paid throughout the course of the year. Are there any questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Res. No. 19 – 2016 forward for a vote.

COUNCIL PRESIDENT ISTNICK – Seconded by Councilwoman Scassa. 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. 19 – 2016 has passed. Ord. No. 20 – 2016.

RESOLUTION NO. 20 – 2016 **BY: FINANCE COMMITTEE**

A **RESOLUTION** adopting a five year Budget Forecast for 2017 through 2021 as part of the Financial Restoration Plan to be submitted to the Fiscal Commission Chairman in order for the City of Massillon, Ohio, to exit fiscal emergency status, and declaring an emergency.

COUNCIL PRESIDENT ISTNICK – Councilman Lewis.

COUNCILMAN LEWIS – Yes. Are there any questions or concerns about the five year forecast? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Res. No. 20 – 2016 forward for a vote.

9 yes for suspension

COUNCIL PRESIDENT ISTNICK – And for passage.

9 yes for passage

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Res. No. 20 – 2016 has passed.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Excuse me, Madam President.

COUNCIL PRESIDENT ISTNICK – Yes.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – When we passed Res. No. 19, you actually said ordinance.

COUNCIL PRESIDENT ISTNICK – I'm sorry.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – I just saying so that it will be correct for the minutes.

7. **UNFINISHED BUSINESS**

8. **PETITIONS & GENERAL COMMUNICATIONS**

9. **BILLS, ACCOUNTS & CLAIMS**

10. **REPORTS FROM CITY OFFICIALS**

Mayor's Report – September 2016

Auditor's Report – October 2016

COUNCIL PRESIDENT ISTNICK – Do I have a motion to accept the Auditor's report?
Councilwoman Litman.

COUNCILWOMAN LITMAN – Yes.

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

9 yes to accept the Auditor's Report.

COUNCIL PRESIDENT ISTNICK – The Auditor's Report has been accepted.

11. **REPORTS OF COMMITTEES**

COUNCIL PRESIDENT ISTNICK – Our next Work Session will be Monday, November 14, 2016 at 6:30 p.m. Does anyone have anything?

12. **RESOLUTIONS & REQUESTS OF COUNCIL MEMBERS**

13. **CALL OF CALENDAR**

14. **THIRD READING OF ORDINANCES & RESOLUTIONS**

ORDINANCE NO. 136 – 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Community Hub for the purpose of advertisement, community information and economic development.

COUNCIL PRESIDENT ISTNICK – Councilman Manson.

COUNCILMAN MANSON – Yes. Thank you, Madam President. I'm going to be making a recommendation that we table this indefinitely. We've had a lot of people, a lot of Council people that have had questions about it. We've had some discussions about what our real liability may be. I know there's some people that don't like the idea of the five year contract and having said that, if the Administration wants to continue to talk with them and see if there's something they can work on and bring back to us, they can do that then. If not, at some point and time we can just bring it back out and voted down, but for right now, I'd just like to make a motion that we table this indefinitely.

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

9 yes to table Ord. No. 136 – 2016 indefinitely.

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Ord. No. 136 – 2016 has been tabled indefinitely.

15. SECOND READING OF ORDINANCES AND RESOLUTIONS

AN ORDINANCE to provide for water service to be furnished by Aqua Ohio, Inc. to the City of Massillon, Ohio and the inhabitants thereof, and to regulate the rates under which water service shall be furnished in the City of Massillon, Ohio for and during the period from January 1, 2017 through December 31, 2021.

COUNCIL PRESIDENT ISTNICK – Thank you, Madam Clerk. Councilwoman Cunningham-Hedderly.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – Thank you, Madam President. Second reading.

COUNCIL PRESIDENT ISTNICK – Ord. No. 145 – 2016 has received second reading.

16. NEW & MISCELLANEOUS BUSINESS

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

18. ADJOURNMENT

COUNCIL PRESIDENT ISTNICK – Councilwoman Cunningham-Hedderly.

COUNCILWOMAN CUNNINGHAM-HEDDERLY – I move to adjourn.

COUNCIL PRESIDENT ISTNICK – Seconded Councilwoman Starrett.

DIANE ROLLAND, CLERK OF COUNCIL CLAUDETTE ISTNICK, PRESIDENT