

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
CLAUDETTE O. ISTNICK, PRESIDENT  
**AGENDA**

DATE: MONDAY, APRIL 4, 2016  
PLACE: COUNCIL CHAMBERS  
TIME: 6:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL - *9 Present*
2. INVOCATION BY COUNCILMAN MANSON
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA - *0*
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

*PH. Reading*  
ORDINANCE NO. 45 - 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

**AN ORDINANCE** approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications.

*Passed - 9 yes*  
ORDINANCE NO. 46 - 2016

BY: FINANCE COMMITTEE

**AN ORDINANCE** authorizing the Director of Law of the City of Massillon, Ohio, to renew the one (1) year contract with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services, and declaring an emergency.

*Passed - 9 yes*  
ORDINANCE NO. 47 - 2016

BY: FINANCE COMMITTEE

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 2101 Wastewater Treatment Fund, for the year ending December 31, 2016; and declaring an emergency.

*Passed - 9 yes*  
**ORDINANCE NO. 48 - 2016**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 3112 Diversity Scholarship Fund, for the year ending December 31, 2016, and declaring an emergency.

*Passed - 9 yes*  
**ORDINANCE NO. 49 - 2016**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** reducing the appropriations within the 1229 HOME Fund, for the year ending December 31, 2016, and declaring an emergency.

*ph  
Beckley*  
**ORDINANCE NO. 50 - 2016**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the donation of parcel #0619376: a vacant lot located on Warwick Avenue N. W., Massillon, Ohio, from property owner, Doris Oser.

*Passed - 9 yes*  
**RESOLUTION NO. 8 - 2016**

**BY: FINANCE COMMITTEE**

**A RESOLUTION** estimating the aggregate maximum amount of public funds for the City of Massillon, Ohio, to be awarded and be on deposit as of August 1, 2016 to, and including July 31, 2021, inviting bids from banking institutions qualified to serve as depositories of municipal funds under the Uniform Depository Act of the State of Ohio, fixing the date for the designation of such depositories, and declaring an emergency.

*Passed - 9 yes*  
**RESOLUTION NO. 9 - 2016**

**BY: FINANCE COMMITTEE**

**A RESOLUTION** converting prior advance to a transfer, for the year ending December 31, 2016, and declaring an emergency.

**7. UNFINISHED BUSINESS**

**8. PETITIONS AND GENERAL COMMUNICATIONS**

**9. BILLS, ACCOUNTS AND CLAIMS**

The Repository - \$ 850.00 - Publication of February Ordinances

*9 yes  
to pay  
the bills*

**10. REPORTS FROM CITY OFFICIALS**

Mayor's Report – February 2016

- 11. REPORTS OF COMMITTEES** - *Finance Committee working on Fiscal Recovery - Rough draft.*
- 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER** - *Mark Session 4/11/16 @ 6:30*

**13. CALL OF THE CALENDAR**

*Tabled until June 6, 2016 - Inventory Sheet*

**ORDINANCE NO. 7 – 2016** **BY: FINANCE COMMITTEE**

Tabled January 19, 2016 until April 4, 2016

**AN ORDINANCE** authorizing the Director of the Parks and Recreation Department of the City of Massillon, Ohio, to sell, auction, scrap and/or dispose of all and any park recreation vehicles, machinery, park equipment and/or materials from the Senior Center and The Legends of Massillon Golf Course, and declaring an emergency.

**14. THIRD READING ORDINANCES AND RESOLUTIONS**

**15. SECOND READING ORDINANCES AND RESOLUTIONS**

- 16. NEW AND MISCELLANEOUS BUSINESS** - *The revised Reg. for Legislation form to be discussed @ Mark Session*
- 17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA** - *0*
- 18. ADJOURNMENT** - *7<sup>th</sup>*

**DIANE ROLLAND – CLERK OF COUNCIL**

DATE: APRIL 4, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 45 – 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications.

WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974 (which title is hereunder referred to as the "Act") and the regulations promulgated thereunder (24 CFR Parts 58 and 570, hereunder referred to as the "Regulations") is authorized to make block grants to units of general local government to help finance housing and community development programs (which grants are hereinafter to as "CDBG" grants); and

WHEREAS, the City of Massillon proposes to apply for such a grant for Fiscal Year 2016 and has, in that connection and as required by and pursuant to the Act and Regulations, prepared a Consolidated Plan for community development, including a strategic plan for meeting its housing and community development needs, and an annual action plan describing the activities that the City proposes to undertake with CDBG funds; and

WHEREAS, the City of Massillon has developed and implemented a citizen participation plan to make information available to citizens, public agencies, and others on the various elements of CDBG program; to encourage participation of citizens and organizations representing citizens, particularly low and moderate income citizens; in the development of the Consolidated Plan; to hold public meetings on the Plan and proposed CDBG Budget and to provide timely and adequate notice of such meetings; and to provide technical assistance to citizens and citizen groups requesting assistance to adequately participate in the planning, implementation, and evaluation of the Consolidated Plan and CDBG Program; and

WHEREAS, the Council has duly reviewed and considered the Consolidated Plan and Annual Action Plan, along with the views and proposals of citizens, and the comments and recommendations of the City's administrative and planning officials.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

This Council hereby finds and determines that the Consolidated Plan and Annual Action Plan properly and adequately identifies the City's housing and community development needs and objectives; and that the programs and activities to be undertaken by the City with CDBG funds as provided for under the Act for the 2016 Program Year have been designed so as to give maximum feasible priority to activities which will benefit low and moderate income households or aid in the prevention or elimination of slums and blight, so as to achieve the national objectives of the CDBG program which are to develop viable urban communities by providing decent housing and suitable living environment and expanding economic opportunities, principally for low and moderate income persons; and for these reasons, this Council approves said Plan.

Section 2:

That the Mayor, being the chief executive officer of the City of Massillon, is hereby designated as the authorized representative of the City, to act in connection with the City's application for CDBG funds, and to provide such additional information, as well as to execute and file such additional documentation or certifications as may be required by the Secretary or by other responsible agencies in connection with the application.

Section 3:

That this Council hereby finds and determines that the City in preparing its application for CDBG funds, has complied with the applicable requirements of the Act and Regulations, and that this Council hereby approves the Annual Action Plan and authorizes the Mayor to execute and file the application, together with all related documentation, with the Secretary.

Section 4:

That this Council hereby directs that the City of Massillon is carrying out its CDBG funded activities, continue to comply with applicable requirements of the Act and Regulations and with other applicable laws including civil rights, equal opportunity and fair housing, citizens participation, real property acquisition and relocation, environmental protection, fair labor standards, and the requirement of giving maximum feasible priority to activities which will benefit low and moderate income households or aid in the prevention or elimination of slums and blight, and this Council authorizes the Mayor to execute and file with the Secretary certifications in such form as the Secretary may prescribe, which will provide assurances concerning these foregoing matters, and concerning other matters as may be required by the Secretary in connection with carrying out the City's CDBG program.

Section 5:

That this Council hereby authorizes the Mayor to consent to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969, insofar as the provision of such act applies to the Secretary's responsibilities for environmental review, decision making, and action to be assumed and carried out by the Mayor, and authorizes the Mayor to consent, on behalf of the City, to accept the jurisdiction of the Federal Courts for the purposes of carrying out the CDBG program; and furthermore, that this Council hereby authorizes the Mayor to execute and file such other documents and take such other actions in connection with the environmental review process as may be required by the Act and Regulations.

Section 6:

This ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

ATTEST:

\_\_\_\_\_  
DIANE ROLLAND, CLERK OF COUNCIL

\_\_\_\_\_  
CLAUDETTE O ISTNICK, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
KATHY CATAZARO-PERRY, MAYOR

DATE: APRIL 4, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 46 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to renew the one (1) year contract with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary for the Director of Law of the City of Massillon, Ohio, to renew the one (1) year contract with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services.

Section 2:

The Director of Law of the City of Massillon, Ohio, is hereby authorized to renew the one (1) year contract with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services. The City of Canal Fulton, Ohio, shall pay the sum of Twenty-Five Thousand Two Hundred Dollars (\$25,200.00) under the terms of the contract. The contract will be from February 1, 2016 through January 31, 2017. These funds will go into the General Fund.

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason the City of Canal Fulton, Ohio, has requested the Director of Law of the City of Massillon, Ohio, to prosecute all criminal and traffic cases that come before the Massillon Municipal Court and it is necessary to be effective immediately so that increased revenue can be received. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allow by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016

ATTEST: \_\_\_\_\_

DIANE ROLLAND, CLERK OF COUNCIL

\_\_\_\_\_  
CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
KATHY CATAZARO-PERRY, MAYOR

DATE: APRIL 4, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 47 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 2101 Wastewater Treatment Fund, for the year ending December 31, 2016, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and hereby is appropriated from the unappropriated balance of the 2101 Wastewater Treatment Fund, for the year ending December 31, 2016, the following:

\$ 300,000.00 to an account entitled "Grit Improvement Project"	-	2101.610.5.2510
\$ <u>300,000.00</u> to an account entitled "Building Repairs"	-	2101.610.5.2511
<b>\$ 600,000.00 TOTAL</b>		

Section 2:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 3:

This Ordinance is declared to be an emergency measure necessary for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: APRIL 4, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 48 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 3112 Diversity Scholarship Fund, for the year ending December 31, 2016, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

There be and hereby is appropriated from the unappropriated balance of the 3112 Diversity Scholarship Fund, for the year ending December 31, 2016, the following:

\$ 3,500.00 to an account entitled "Services/Contracts"	-	3112.905.5.2392
\$ 1,490.00 to an account entitled "Diversity Scholarship"	-	3112.905.5.2379
<b>\$ 4,990.00 TOTAL</b>		

Section 2:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 3:

This Ordinance is declared to be an emergency measure necessary for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: APRIL 4, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 49 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriations within the 1229 HOME Fund, for the year ending December 31, 2016, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The appropriations are hereby reduced in the 1229 HOME Fund, for the year ending December 31, 2016, as follows:

\$ 13,520.00 from an account entitled "HOME Housing Rehabilitation" - 1229.845.5.2814

Section 2:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 3:

That this Ordinance is declared to be an emergency measure for the efficient operation of the various departments of the City of Massillon and for the preservation of the health, safety and welfare of the community and for the additional reason that the appropriations need to be reduced because of an audit procedure. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: APRIL 4, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OH  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 50 – 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the donation of parcel #0619376: a vacant lot located on Warwick Avenue N. W., Massillon, Ohio, from property owner, Doris Oser.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby authorizes and directs the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the donation of parcel #0619376: a vacant lot located on Warwick Avenue N. W., Massillon, Ohio, from property owner, Doris Oser.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to accept the donation of parcel #0619376: a vacant lot located on Warwick Avenue N. W., Massillon, Ohio, from property owner, Doris Oser.

Section 3:

This Ordinance shall be effective from and after the earliest period allowed by law.

DATE: APRIL 4, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OH  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 8 - 2016

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION estimating the aggregate maximum amount of public funds for the City of Massillon, Ohio, to be awarded and be on deposit as of August 1, 2016 to, and including July 31, 2021, inviting bids from banking institutions qualified to serve as depositories of municipal funds under the Uniform Depository Act of the State of Ohio, fixing the date for the designation of such depositories, and declaring an emergency.

WHEREAS, the present depository agreement between the local banks and the City of Massillon, Ohio, for the deposit of municipal funds expires July 31, 2016; and

WHEREAS, it is necessary for the City to enter into a new agreement pursuant to the provisions of the Uniform Depository Act of the State of Ohio;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MASSILLON, OHIO, THAT:

Section 1:

The Treasurer of the City of Massillon, Ohio, be and is hereby authorized to invite banking institutions in the City of Massillon, Ohio, duly qualified to serve as depositories of municipal funds under the provisions of the Uniform Depository Act of the State of Ohio, to serve as depositories of the municipal funds of said City for a five (5) year period from and including August 1, 2016 to and including July 31, 2021.

Section 2:

That all applications shall be presented to the Treasurer of the City of Massillon, Ohio, not later than 12:00 Noon, Friday, July 29, 2016, and said application shall contain any and all information so requested by said Treasurer.

Section 3:

That this Resolution is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that it is necessary to give this Resolution immediate effect in order that the various city offices can provide the steps necessary for the timely execution of depository contracts within the time limitation imposed by state law. Wherefore, this Resolution shall be in full force and effect immediately from and after the passage and upon approval by the Mayor.

DATE: APRIL 4, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OH  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 9 - 2016

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION converting prior advance to a transfer, for the year ending December 31, 2016, and declaring an emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

WHEREAS, in Ordinance No. 79 – 2002, an advance of \$75,000 was made from the General Fund to the Park and Recreation Fund; and

WHEREAS, \$5,000 was repaid in 2004; and

WHEREAS, the remaining \$70,000 is hereby converted to a transfer from the General Fund to the Park and Recreation Fund.

Section 1:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 2:

This Resolution is declared to be an emergency measure necessary for the efficient operation of various departments of the City of Massillon and for preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and in force from and after the earliest period allowed by law.