

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

DATE: MONDAY, JULY 18, 2016  
PLACE: COUNCIL CHAMBERS  
TIME: 6:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL - *7 Present; Cleaver & Hanson absent*
2. INVOCATION BY COUNCILMAN ED LEWIS IV
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

*Passed - 7 yes*  
ORDINANCE NO. 96 - 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE directing the Director of Public Safety and Service of the City of Massillon, Ohio, to enter into a contract agreement with various programs through the Community Development Block Grant Programs for the FY 2016/2017, which the City has provided through the CDBG Program funding, and declaring an emergency.

*1st Reading*  
ORDINANCE NO. 97 - 2016

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Chapter 521 "HEALTH, SAFETY AND SANITATION" of the Codified Ordinances of the City of Massillon, Ohio, by renumbering 521.10(d) to (e) and enacting a new Section 521.10(d).

*Passed - 7 yes*  
ORDINANCE NO. 98 - 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1212 Summer Concert Fund, for the year ending December 31, 2016, and declaring an emergency.

*Passed 7-yes*  
**ORDINANCE NO. 99 – 2016**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1203 FY 2016/2017 CDBG Program Fund, for the year ending December 31, 2016, and declaring an emergency.

*1st Reading*  
**RESOLUTION NO. 13 – 2016**

**BY: FINANCE COMMITTEE**

**A RESOLUTION** to amend Section 1 of Resolution No. 13 – 2011, and declaring an emergency.

**7. UNFINISHED BUSINESS**

**8. PETITIONS AND GENERAL COMMUNICATIONS**

Request for transfer of Liquor from Janet Sue Maier, DBA All Occasions Flowers and Gifts, 2092 Wales Rd. N.E., Massillon, OH 44646 to Klein and Son Flowers Co., DBA All Occasions Flowers and Gifts, 2092 Wales Rd. N.E., Massillon, OH 44646. Permit Class C2.

**9. BILLS, ACCOUNTS AND CLAIMS**

The Repository - \$ 918.00 - Publication of May Ordinances

*7 yes to  
pay the  
bills*

**10. REPORTS FROM CITY OFFICIALS**

Auditor's Report – June 2016

*7 yes to accept Auditor's Report*

**11. REPORTS OF COMMITTEES**

**12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER**

*- Discussed Res. No. 12*

**13. CALL OF THE CALENDAR**

**14. THIRD READING ORDINANCES AND RESOLUTIONS**

*Passed - 7 yes*  
**ORDINANCE NO. 89 – 2016**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** amending Section 181.15 "CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY" OF CHAPTER 181 "INCOME TAX" of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

16. NEW AND MISCELLANEOUS BUSINESS

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

18. ADJOURNMENT *David Frost - mCTV Franchise Fee*  
*Fred Hannon - Sewer Taxes on demolished property*

DIANE ROLLAND - CLERK OF COUNCIL

DATE: JULY 18, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 96 – 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE directing the Director of Public Safety and Service of the City of Massillon, Ohio, to enter into a contract agreement with various programs through the Community Development Block Grant Programs for the FY 2016/2017, which the City has provided through the CDBG Program funding, 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 to enter into a contract agreement with various programs through the Community Development Block Grant Programs for the FY 2016/2017, which the City has provided through the CDBG Program Funding.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into separate contract agreements with the programs listed below for the amounts specified through the Community Development Block Grant Programs for the FY 2016/2017, which the City has provided through the CDBG Program Funding:

Coleman Housing Program	\$ 11,000.00
Boys and Girls Club of Massillon	10,000.00
Community Services of Stark Family Living Center	10,000.00
Domestic Violence Project Shelter	9,000.00
Faith in Action	8,000.00
Habitat for Humanity	10,000.00
Make-A-Way	5,000.00
Massillon Main Street	9,000.00
Massillon Parks and Recreation Summer Program	10,000.00
Salvation Army of Massillon	10,000.00
Westark Family Services	9,500.00
<b>TOTAL</b>	<b>\$101,500.00</b>

Section 3:

Upon delivery of the aforesaid agreements, the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for each agreement and the City Auditor is authorized and directed to honor and pay said vouchers.

Section 4:

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 5:

This Ordinance is hereby declared to be an emergency measure, for the immediate preservation of the health, safety and welfare of the community and for the further reason that these services are needed to benefit the community as a whole and to meet the goals and objectives of the City's Community Development Block Grant Program for the fiscal year 2016/2017. 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.

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

ATTEST:

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

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

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

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

DATE: JULY 18, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 97 – 2016

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Chapter 521 "HEALTH, SAFETY AND SANITATION" of the Codified Ordinances of the City of Massillon, Ohio, by renumbering 521.10(d) to (e) and enacting a new Section 521.10(d).

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, desires to amend Section 521 by renumbering 521.10(d) to (e) and enact a new Section 521.10(d) to state that no person shall smoke in or upon Duncan Plaza and Veterans Park.

Section 2:

There be and is hereby enacted the renumbering of Section 521.10(d) to (e) and enact a new Section 521.10(d) of the Chapter 521 "HEALTH, SAFETY AND SANITATION" of the Codified Ordinances of the City of Massillon, Ohio. Said newly enacted Section shall read as follows:

521.10(d): No person shall smoke in or upon Duncan Plaza or Veterans Park. Appropriate signage shall be posted by the Director of Public Service and Safety indicating such designation

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 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 4:

This Ordinance 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.

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

ATTEST:

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

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

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

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

DATE: JULY 18, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 98 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1212 Summer Concert 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 1212 Summer Concert Fund, for the year ending December 31, 2016, the following:

\$ 50,000.00 to an account entitled "Summer Concert Series" - 1212.505.2392

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: JULY 18, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 99 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1203 FY 2016/2017 CDBG Program 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 1203 FY 2016/2017 CDBG Fund for the year ending December 31, 2016, the following:

\$ 85,000.00 to an account entitled "Housing Rehabilitation"	1203.845.5.2806
149,606.00 to an account entitled "Target Area Street Improvements"	1203.845.5.2812
10,500.00 to an account entitled "Fair Housing"	1203.845.5.2814
93,559.00 to an account entitled "Demos./Downtown Improvements"	1203.845.5.2801
60,000.00 to an account entitled "Dwntwn. St. Imprvmnts./Streetscape"	1203.845.5.2856
11,000.00 to an account entitled "Coleman Housing Program"	1203.845.5.2865
10,000.00 to an account entitled "Boys & Girls Club of Massillon Prog."	1203.845.5.2824
10,000.00 to an account entitled "Family Living Center"	1203.845.5.2841
9,000.00 to an account entitled "Domestic Violence Shelter"	1203.845.5.2858
8,000.00 to an account entitled "Faith in Action Caregiver Program"	1203.845.5.2859
10,000.00 to an account entitled "Habitat for Humanity"	1203.845.5.2849
5,000.00 to an account entitled "Make-A-Way"	1203.845.5.2813
9,000.00 to an account entitled "Massillon Main Street"	1203.845.5.2828
10,000.00 to an account entitled "Parks & Rec. Summer Program"	1203.845.5.2874
10,000.00 to an account entitled "Salvation Army of Massillon"	1203.845.5.2869
9,500.00 to an account entitled "Westark Family Services"	1203.845.5.2803

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 hereby declared to be an emergency measure, the reason for the emergency being that said amendment is necessary 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.

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

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

DIANE ROLLAND, CLERK OF COUNCIL

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

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

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

DATE: July 18, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 13 – 2016

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION to amend Section 1 of Resolution No. 13 – 2011, and  
declaring an emergency.

WHEREAS, it is estimated the probable amount of active deposits to be  
deposited during the period of designation shall be an average of Three Million Dollars  
per month, and the probable maximum amount to be so deposited at any time, during  
such period shall be an average of One Hundred Fifty Thousand Dollars (\$150,000.00);  
and

WHEREAS, applications have been received as follows:

FOR ACTIVE DEPOSITS

<u>Name of Bank</u>	<u>Amount</u>
First Merit	ALL
Huntington	ALL

FOR INTERIM/INACTIVE DEPOSITS

First Merit	ALL
Huntington	ALL
Chase	ALL

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

Section 1:

The Council of the City Massillon, Ohio, finds that two (2) banking institutions have applied for ACTIVE DEPOSITS and three (3) for INTERIM/INACTIVE DEPOSITS, and that the securities tendered are proper.

ACTIVE DEPOSITS:

First Merit has been designated as the public depository for ACTIVE DEPOSITS for said monies for the City of Massillon, Ohio, for a period of five (5) years, beginning August 1, 2016.

Section 2:

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 pursuant to Ohio Law it is necessary to enter into a depository contract in the manners hereinbefore provided in order to safeguard the deposit of public funds.

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

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

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

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

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

500 MARKET AVE. S., CANTON, OH 44702

**INVOICE FOR LEGAL  
ADVERTISING**

Invoice Date: 06/28/2016

Account #: 132071

Amount This Invoice: \$918.00

Terms: Due Upon Receipt

CITY COUNCIL CLERK  
L-CITY OF MASSILLON  
1 JAMES DUNCAN PLZ  
MASSILLON, OH 44646-6652

**RECEIVED JUL - 5 2016**

*JDC*

Please Remit Payments To:

THE REPOSITORY  
500 MARKET AVE S  
CANTON, OH 44702

< Return Portion Above Dotted Line >

<u>Date</u>	<u>Ad#</u>	<u>PO/Case#</u>	<u>Description</u>	<u>Edition</u>	<u>Amount</u>
06/28/2016	745024		PUBLIC NOTICE ORDIN	INDEPENDENT	\$918.00

PAY THIS AMOUNT  
IN U.S. FUNDS



**\$918.00**