

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

DATE: MONDAY, AUGUST 1, 2016  
PLACE: COUNCIL CHAMBERS  
TIME: 6:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL - *8 present ; Chovan absent*
2. INVOCATION BY COUNCILWOMAN LINDA LITMAN
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 - 8 yes*  
ORDINANCE NO. 100 - 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE expanding the boundaries of the Massillon Historic District.

*Passed - 8 yes*  
ORDINANCE NO. 101 - 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a purchase agreement relating to certain lands that are presently owned by the City of Massillon, Ohio, to the Community Improvement Corporation in accordance with Section 1724.10 of the Ohio Revised Code, and declaring an emergency.

*Passed - 8 yes*  
ORDINANCE NO. 102 - 2016

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a private donation on behalf of the Massillon Police Department, and declaring an emergency.

*Passed - 8 yes*

**ORDINANCE NO. 103 - 2016**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a donation/sponsorship on behalf of the Massillon Parks and Recreation Department, and declaring an emergency.

*Passed - 8 yes*

**ORDINANCE NO. 104 - 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.

*1st Reading*

**ORDINANCE NO. 105 - 2016**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1222 Waste Management Grant Fund, for the year ending December 31, 2016.

*Passed - 8 yes*

**ORDINANCE NO. 106 - 2016**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain transfers in the 2016 appropriations from within the 1100 General Fund, for the year ending December 31, 2016.

*Passed - 8 yes*

**RESOLUTION NO. 14 - 2016**

**BY: FINANCE COMMITTEE**

**A RESOLUTION** approving the 2017 Stark County Tax Budget for the City of Massillon, Ohio, as listed on the attached exhibit "A", and declaring an emergency.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS
9. BILLS, ACCOUNTS AND CLAIMS

**10. REPORTS FROM CITY OFFICIALS**

Treasurer's Report – June 2016

Mayor's Report – June 2016

**11. REPORTS OF COMMITTEES**

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

**13. CALL OF THE CALENDAR**

**14. THIRD READING ORDINANCES AND RESOLUTIONS**

**15. SECOND READING ORDINANCES AND RESOLUTIONS**

*Second Reading*  
**ORDINANCE NO. 97 – 2016**

**BY: RULES, COURTS & 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; Litton abstained; Chonon Absent*  
**RESOLUTION NO. 13 – 2016**

**BY: FINANCE COMMITTEE**

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

**16. NEW AND MISCELLANEOUS BUSINESS**

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

**18. ADJOURNMENT**

*Joanne Robinson -  
Chickens*

**DIANE ROLLAND – CLERK OF COUNCIL**

DATE: AUGUST 1, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 100 – 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE expanding the boundaries of the Massillon Historic District.

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

Section 1:

The boundaries of the existing Massillon Historic District are hereby expanded by the addition of the property described on the attached Exhibit "A".

(SEE ATTACHED HERETO)

Section 2:

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

**EXHIBIT "A"**

The City of Massillon Historic District is hereby expanded by the addition of certain Real Estate known as McKinley Hall.

Said addition was approved by the Massillon Historic Preservation Commission at a meeting held on July 14, 2016.

REQUEST FOR LEGISLATION TO:

Community Development

Council Committee

REQUEST FOR LEGISLATION FOR:

July 25, 2016

Council Meeting Date

DEPARTMENT REQUESTING LEGISLATION:

Barb Sylvester

Department Head

July 18, 2016

Date

MAYOR'S APPROVAL:

Henry C. Adams  
Mayor

July 19, 2016  
Date

AVAILABILITY OF FINANCES:

(If legislation is for Finance Committee)

Joselyn Ferrero  
Auditor  
7/20/16  
Date

SUBJECT OF REQUESTED LEGISLATION:

RECEIVED JUL 21 2016 Dec

Legislation is requested for approval by Council to designate McKinley Hall, a building in Massillon's old State of Ohio Hospital opened in 1896, as a historical land mark. The building is owned by the City of Massillon. The City of Massillon administration and many citizens are advocates for protecting Ohio and Massillon's history. This area was established and developed in the early 1820's. The Massillon Historic Preservation Commission voted unanimously at their meeting on Thursday, July 14, 2016 to declare McKinley Hall a Local Historical Site. The Massillon Historic Preservation Commission wants to ensure historic preservation and that resources are protected for future generations of the City of Massillon.

THIS LEGISLATIVE REQUEST IS TO BE CONSIDERED AN EMERGENCY YES X NO   

REASON: CommQuest Services is wanting to partner with the City of Massillon to renovate McKinley Hall and wanting to apply for Ohio Historic Tax Credits. The tax credit applications are due by September 1, 2016.

Committee Chairperson Approval: \_\_\_\_\_

DATE REQUEST GIVEN TO AUDITOR:

7-20-16

DATE REQUEST GIVEN TO COUNCIL

7/26/16  
REVISED JUNE 30, 2016

Andrea H. Pearson 7/25/16

1045 - P. C. to Paul Pearson - Save Verbal

Ord. #100

DATE: AUGUST 1, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 101 – 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a purchase agreement relating to certain lands that are presently owned by the City of Massillon, Ohio, to the Community Improvement Corporation in accordance with Section 1724.10 of the Ohio Revised Code, and declaring an emergency.

WHEREAS, under Ohio Revised Code, Section 761.02, the legislative authority of the City of Massillon, Ohio, may determine that to promote the industrial and economic welfare of said City, real property may be sold to the Community Improvement Corporation at such times and in such manner as the legislative authority so chooses; and,

WHEREAS, if the legislative authority finds that the industrial and economic welfare of such municipal corporation would be benefitted by the sale of such real property, it may enter into negotiations with the Community Improvement Corporation as designated by the municipal corporation and sell said real property to the Community Improvement Corporation; and,

WHEREAS, pursuant to the Ohio Revised Code 1724.10(B), the legislative authority shall specify the terms and consideration for such lease to the Community Improvement Corporation which shall be conclusive and mandatory directive on the offices of said Community Improvement Corporation who shall act on behalf of the municipal corporation as its agent.

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

Section 1:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, be and are hereby authorized and directed to enter into a purchase agreement with the Massillon Community Improvement Corporation pursuant to Section 1724.10 of the Ohio Revised Code concerning the sale of property and are hereby further authorized and directed to enter into a purchase agreement with the Massillon Community Improvement Corporation for the following described real estate for the purpose of promoting the industrial and economic development of the community:

Known as and being a \_\_\_\_\_ acre parcel containing part of \_\_\_\_\_,  
Said land being adjacent to the Heartland Behavioral Institute.



Section 2:

That the Mayor and Director of Public Service and Safety of the City of Massillon, Ohio, are hereby authorized and directed to sell said described land to the Massillon Community Improvement Corporation without competitive bidding.

Section 3:

The Mayor and Director of Public Service and Safety of the City of Massillon, Ohio, shall approve the terms of the purchase agreement after negotiations are completed with the Massillon Community Improvement Corporation.

Section 4:

This Council, duly elected legislative authority of the City of Massillon, Ohio, a municipal corporation organized under the laws of the State of Ohio, hereby determines that the industrial and economic welfare of the City of Massillon, Ohio, would be benefitted by the sale of said land; that said property is, or after improvement, will be useful for an economic development project; and that utilization of such property in the creation, location or expansion of such facilities is economically sound and will benefit the people of the City by increasing opportunities for employment and strengthening the economic welfare of the City; and for these reasons authorizes such sale pursuant to Section 761.02 of the Ohio Revised Code.

Section 5:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the further reason that said sale of land is needed to promote the industrial and economic development of the City. Provided this Ordinance receives the affirmative vote of two-thirds of the members elected 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 at the earliest time 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: AUGUST 1, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 102 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a private donation on behalf of the Massillon Police Department, 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 determines it to be necessary in the public health, safety and welfare to accept a private donation on behalf of the Massillon Police Department. The funds were raised by a Community Prayer Vigil "Pass-the-Bucket" in the amount of Five Hundred Eight Dollars (\$508.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio is hereby authorized and directed to accept a private donation from a Community Prayer Vigil "Pass-the-Bucket" to be used for the Massillon Police Department. The funds will be deposited into the following account, 1215.305.1430, Law Enforcement Local Grant Fund, which will be used for the purchase of body-worn cameras for police officers.

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.

DATE: AUGUST 1, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 103 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a donation/sponsorship on behalf of the Massillon Parks and Recreation Department, 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 determines it to be necessary in the public health, safety and welfare to accept a donation/sponsorship on behalf of the Massillon Parks and Recreation Department. The donation/sponsorship from the Massillon Rotary Foundation in the amount of Eight Thousand One Hundred Dollars (\$8,100.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio is hereby authorized and directed to accept a donation/sponsorship from the Massillon Rotary Foundation to be used for the Massillon Parks and Recreation Department. The funds will be deposited into the following account, 1234.505.4.1430, Local Grant/Donation Fund, which will be used to purchase new baskets for the Lincoln Park Disc Golf Course.

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.

DATE: AUGUST 1, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 104 – 2016

BY: FINANCE COMMITTEE

TITLE: 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.

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 1234 Parks and Recreation Fund, for the year ending December 31, 2016, the following:

\$ 5,000.00 to an account entitled "Supplies" 1234.920.5.2410

Section 2:

There be and hereby is appropriated from the unappropriated balance of the 1234 Parks and Recreation Fund, for the year ending December 31, 2016, the following:

\$ 100,000.00 to an account entitled "Services/Contracts" 1234.505.5.2392

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.

DATE: AUGUST 1, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 105 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1222 Waste Management Grant Fund, for the year ending December 31, 2016.

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 1222 Waste Management Grant Fund, for the year ending December 31, 2016, the following:

\$ 50,000.00 to an account entitled "Services/Contracts" 1222.905.5.2392

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.

DATE: AUGUST 1, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 106 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2016 appropriations from within the 1100 General Fund, for the year ending December 31, 2016.

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

Section 1:

There be and hereby is transferred from the 2016 appropriation from within the 1100 General Fund, for the year ending December 31, 2016, the following:

FROM:	Transfer Out	1100.110.5.2392	\$ 800.00
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TO:	Transfer In	1100.150.5.2410	\$ 800.00
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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.

DATE: AUGUST 1, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 14 - 2016

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION approving the 2017 Stark County Tax Budget for the City of Massillon, Ohio, as listed on the attached exhibit "A", and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, deems it proper to approve the Stark County Tax Budget for the City of Massillon, Ohio, as listed on the attached exhibit "A".

Section 2:

This Resolution is declared to be an emergency measure in that the adoption of the decision of the Stark County Tax Department is essential for the proper community growth and hence, immediately necessary for the preservation of the health, safety and welfare of the community. Wherefore, this Resolution shall be in full force and effect immediately from and after passage and approval by the Mayor.

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

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

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

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

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