

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

DATE: MONDAY, OCTOBER 3, 2016
PLACE: COUNCIL CHAMBERS
TIME: 6:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL - *9 Present*
2. INVOCATION BY COUNCILMAN MILAN CHOVAN
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

1st Reading
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.

Passed - 9 yes
ORDINANCE NO. 137 - 2016

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for funding to the Ohio Public Works Commission for the funding year of 2017 and to execute all necessary documentation needed to secure said funding.

Passed - 9 yes
ORDINANCE NO. 138 - 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 Public Entities Pool of Ohio (PEP), and declaring an emergency.

Passed - 9 yes

ORDINANCE NO. 139 – 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.

Passed - 9 yes

ORDINANCE NO. 140 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1433 Parks and Recreation Capital Improvement Fund, for the year ending December 31, 2016, and declaring an emergency.

Passed - 9 yes

ORDINANCE NO. 141 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health Fund, for the year ending December 31, 2016, and declaring an emergency.

Passed - 9 yes

ORDINANCE NO. 142 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE approving the golf fee changes for The Legends of Massillon Golf Course, beginning with the 2017 season.

Passed - 9 yes

ORDINANCE NO. 143 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1229 HOME Fund, for the year ending December 31, 2016, and declaring an emergency.

Passed - 9 yes

ORDINANCE NO. 144 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2016 appropriations of the 1100 General Fund, for the year ending December 31, 2016, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

Request for transfer of liquor license from Free Isles, LCC, DBA The Sand Pit located at 28 Penn Ave. S.E., 1st Floor, Basement and Patio, Massillon, Ohio 44646 to Loretha Winn, 28 Penn Ave. S.E., 1st Floor, Basement and Patio, Massillon, Ohio 44646, located in Ward *12* Permit Class is D5.

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

Treasurer's Report – August 2016

Mayor's Report – August 2016

11. REPORTS OF COMMITTEES

*Auditor Gayle Ferrero recertifying
Budget Dir. Mike 916,108.47*

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

*McKee
300 catch basins*

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

Passed 9-yes

ORDINANCE NO. 120 – 2016

BY: ENVIRONMENTAL COMMITTEE

AN ORDINANCE amending Ordinance No. 81 – 2013, Massillon-Stark County Sewer Service Agreement, Supplemental #2, for the Wastewater Treatment Plant Improvement Project and authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Massillon-Stark County Sewer Agreement, Supplemental #3, for the Wastewater Treatment Plant Improvement Project at the Wastewater Treatment Plant.

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

- 7:00 p

DIANE ROLLAND – CLERK OF COUNCIL

DATE: OCTOBER 3, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 136 – 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: 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.

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 necessary for 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.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract with Community Hub for the purpose of advertisement, community information and economic development. Community Hub will place multiple kiosks around the City for said purposes. The Kiosk Lease Agreement is attached as "Exhibit A".

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: OCTOBER 3, 2016

CLERK: DIANE ROLLAND

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COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 137 – 2016

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for funding to the Ohio Public Works Commission for the funding year of 2017 and to execute all necessary documentation needed to secure said funding:

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 necessary in the public health, safety and welfare for the Mayor of the City of Massillon, Ohio, to submit an application for funding to the Ohio Public Works Commission for the funding year of 2017 and to execute all necessary documentation needed to secure said funding.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to submit an application for funding to the Ohio Public Works Commission for the funding year of 2017 and to execute all necessary documentation needed to secure said funding. The application for funding is attached as "Exhibit A".

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.

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LEGISLATIVE DEPARTMENT

ORDINANCE NO. 138 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Public Entities Pool of Ohio (PEP), 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 for the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Public Entities Pool of Ohio (PEP) for the vehicle, property, general and public official liability and law enforcement coverage for the City of Massillon, Ohio.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract with Public Entities Pool of Ohio (PEP) for vehicle, property, general and public official liability and law enforcement coverage for the City of Massillon, Ohio. The insurance premium for the September 16, 2016 to September 17, 2017 term for the City of Massillon, Ohio, is as follows:

\$ 3,773.00	Massillon City Health Department
<u>413,618.00</u>	City of Massillon
\$417,391.00	Total

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.

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COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 139 – 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 "Golf Supplies/Materials"	-	1234.920.5.2410
4,000.00 to an account entitled "Food & Bev./Serv. & Contracts"	-	1234.920.5.2393
\$ 9,000.00 Total		

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:

\$150,000.00 to an account entitled "Services/Contracts"	-	1234.505.5.2392
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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.

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LEGISLATIVE DEPARTMENT

ORDINANCE NO. 140 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1433 Parks and Recreation Capital Improvement 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 1433 Parks and Recreation Capital Improvement Fund, for the year ending December 31, 2016, the following:

\$ 27,000.00 to an account entitled "Rec. Center Capital Outlay" - 1433.505.5.2512

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 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: OCTOBER 3, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
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LEGISLATIVE DEPARTMENT

ORDINANCE NO. 141 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health 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 1235 Community Health Fund, for the year ending December 31, 2016, the following:

\$ 3,000.72 to an account entitled "Home Health Supplies"	-	1235.705.2410
<u>1,844.28</u> to an account entitled "Home Health Services/Contracts"-		1235.705.2392
\$ 4,845.00 Total		

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 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.

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LEGISLATIVE DEPARTMENT

ORDINANCE NO. 142 – 2016

BY: FINANCE COMMITTEE

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE approving the golf fee changes for The Legends of Massillon Golf Course, beginning with the 2017 season.

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 that it is necessary to approve the golf fee changes for The Legends of Massillon Golf Course, beginning with the 2017 season (see attachment).

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:

Provided this ordinance 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.

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LEGISLATIVE DEPARTMENT

ORDINANCE NO. 143 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of 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:

There be and hereby is appropriated from the unappropriated balance of the 1229 HOME Fund, for the year ending December 31, 2016, the following:

\$ 93,799.27 to 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:

This Ordinance is hereby declared to be an emergency measure for the efficient operation of various departments of the City of Massillon and for the preservation of the 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: OCTOBER 3, 2016

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COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 144 – 2016

BY: FINANCE COMMITTEE

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

FROM:	Accumulated Sick Leave	1100.905.5.2150	\$ 10,000.00
TO:	Safety Service/Services & Contracts	1100.160.5.2392	\$ 10,000.00

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 for the efficient operation of various departments of the City of Massillon and for the preservation of the 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.