

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

**AGENDA**

DATE: MONDAY, NOVEMBER 7, 2016

PLACE: COUNCIL CHAMBERS

TIME: 6:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL

*9 Present*

2. INVOCATION BY COUNCILWOMAN SARITA CUNNINGHAM-HEDDERLY

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 - 9 yes*  
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.

*1st Reading*  
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.

*1st Reading*  
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 1<sup>st</sup> St. S.E., Lincoln Way E., the Massillon Museum, and Diamond Ct. S.E. to the Community Improvement Corporation of Massillon (CIC).

*Passed - 9 yes*  
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.

MONDAY, NOVEMBER 7, 2016

*1st Reading*  
**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.

*Passed - 9 yes*  
**ORDINANCE NO. 153 – 2016**

**BY: FINANCE COMMITTEE**

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

*Passed - 9 yes*  
**ORDINANCE NO. 154 – 2016**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making 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. 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.

*Passed - 9 yes*  
**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".

*Passed - 9 yes*  
**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.

*1st Reading*  
**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.

*Passed - 9 yes*  
**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.

*Passed - 9 yes*  
**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.

*Passed - 9 yes*  
**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.

*Passed - 9 yes*  
**ORDINANCE NO. 162 - 2016**

**BY: FINANCE COMMITTEE**

*Executive Session - 7:05 to 7:15 P*

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

*Passed - 9 yes*  
**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.

*Passed - 9 yes*  
**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.

*Passed - 9 yes*  
**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.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

Mayor's Report - September 2016  
Auditor's Report - October 2016 -

*9 yes to accept Auditor's Report*

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

*Tabled indefinitely*  
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.

15. SECOND READING ORDINANCES AND RESOLUTIONS

*Second Reading*  
ORDINANCE NO. 145 - 2016

BY: PUBLIC UTILITIES COMMITTEE

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.

16. NEW AND MISCELLANEOUS BUSINESS

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

18. ADJOURNMENT - *7:30 p*

DIANE ROLLAND - CLERK OF COUNCIL



DATE: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 148 – 2016

BY: PARKS AND RECREATION COMMITTEE

TITLE: 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.

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 Director of Public Service and Safety of the City of Massillon, Ohio, to accept an anonymous donation on behalf of the Massillon Parks and Recreation Department. One anonymous donation is in the amount of Four Thousand Dollars (\$4,000.00). The other anonymous donation is in the amount of Twenty-Three Thousand Five Hundred Dollars (\$23,500.00) for a total of Twenty-Seven Thousand Five Hundred Dollars (\$27,500.00).

Section 2:

The Director of Public Service and Safety is hereby authorized and directed to accept these anonymous donations to be used for a children's drinking fountain at Reservoir Park. The funds will be deposited into the following account, 1223.505.4.1430, Local Grant/Donation.

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: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 149 – 2016

BY: PARKS AND RECREATION COMMITTEE

TITLE: 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.

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 the Massillon Recreation Center to offer all City employees who are eligible for healthcare benefits a complimentary membership to the Massillon Recreation Center. The effective date for this action shall be January 1, 2017.

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 immediately for the preservation of the health, safety and welfare of the community and for the further reason to promote the health and wellness of City employees. 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: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 150 – 2016

BY: PARKS AND RECREATION COMMITTEE

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

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

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to sell and transfer certain property bounded by 1<sup>st</sup> St. S.E., Lincoln Way E., the Massillon Museum, and Diamond Ct. S.E. to the Community Improvement Corporation of Massillon (CIC) for One Dollar (\$1.00) and other valuable consideration, effective immediately.

Section 3:

In the event this property ever ceases to be used for Massillon Museum purposes, ownership of said property will automatically revert back to the City of Massillon, Ohio.

Section 4:

It is further understood that whoever owns the property will be responsible for maintaining the clock. In addition, it is further understood that the property shall be available to the City of Massillon for community events.

DATE: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 151 – 2016

BY: POLICE AND FIRE COMMITTEE

TITLE: 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.

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 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.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to accept a grant from the Health Foundation of Greater Massillon on behalf of the Massillon Fire Department in the amount of Thirty-Nine Thousand, Eight Hundred Fifty Dollars (\$39,850.00). The grant is to be used for the purpose of purchasing a power cot, loading system and related equipment for the Massillon Fire Department. These funds will be placed into account 1401.325.5.2531 entitled Fire Department Equipment.

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: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 152 – 2016

BY: FINANCE COMMITTEE

TITLE: 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.

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, adopts and approves permanent appropriations, effective January 1, 2017, the capital and operation expenditures of the city of Massillon, Ohio, for the fiscal year ending December 31, 2017, pursuant to Ohio Revised Code, Section 5705.38, which appropriations and legal level of control are set forth on Exhibit "A".

Section 2:

That the Auditor of the city of Massillon, Ohio, is hereby authorized and directed to draw her warrants on the Treasurer for payment from any of the foregoing appropriations upon proper certification and vouchers approved by any board or officers authorized by law to approve the same or any ordinance or resolution of Council to make expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed in accordance with law or ordinance.

Section 3:

The Auditor of the City of Massillon, Ohio, is hereby authorized to execute the inter-fund transfers outlined in Exhibit "A" and to draw her warrants upon receipt of vouchers duly approved by the proper departmental authority.

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.

DATE: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS: PAVILION

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 153 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making appropriations from the unappropriated balance of the 1429 Inn at University 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 1429 Inn at University Fund, for the year ending December 31, 2016, the following:

\$ 43.08 to an account entitled "County Collection Fees" -- 1429.905.5.2393

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: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 154 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making 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 1234 Parks and Recreation Fund, for the year ending December 31, 2016, the following:

\$ 27,500.00 to an account entitled "Services/Contracts" - 1234.505.5.2392

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.

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: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 155 – 2016

BY: FINANCE COMMITTEE

TITLE: 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.

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 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, attached hereto as Exhibit "A".

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: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 156 – 2016

BY: FINANCE COMMITTEE

TITLE: 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".

WHEREAS, the electors of the City of Massillon voted to raise the city income tax rate by three-tenths percent (.3%) effective January 1, 1996, and to be used exclusively for the Parks and Recreation System in the City of Massillon.

WHEREAS, it is necessary to determine what percentage of the tax collected for the Parks and Recreation Department shall be deposited into the Parks and Recreation Operations Fund", "Parks and Recreation Debt Retirement Fund" and the "Parks and Recreation Capital Improvement Fund".

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

Section 1:

It is hereby determined that it is necessary for the Auditor of the City of Massillon to deposit a portion of the three-tenths percent (.3%) City Income Tax for the Parks and Recreation System into the "Parks and Recreation Fund", Parks and Recreation Capital Improvement Fund" and the "Parks and Recreation Bond Retirement Fund.

Section 2:

Effective January 1, 2017, the Auditor of the City of Massillon is hereby authorized to deposit the following percentages into the following funds for the amounts collected from the income tax for the Parks and Recreation Department:

- 1.) Forty-Nine percent (49%) shall be deposited into the "Parks and Recreation Operations 1234 Fund".
- 2.) Forty- Nine percent (49%) shall be deposited into the "Parks and Recreation Debt Retirement 1306 Fund".
- 3.) Two percent (2%) shall be deposited into the "Parks and Recreation Capital Improvement 1433 Fund".

Section 3:

That Ordinance No. 125 – 2013 be and is hereby repealed as of December 31, 2016.

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:

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.

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

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

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

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

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

DATE: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 157 – 2016

BY: FINANCE COMMITTEE

TITLE: 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.

WHEREAS, the legislative authority of the City of Massillon, Ohio, is required to designate the funds where such monies are to be deposited; and

WHEREAS, the City desires, as of January 1, 2017, to deposit 97.25% of the monies received from golfing fees at The Legends of Massillon Golf Course into The Legends Operating Fund and 2.75% of the monies received into the Bond Retirement Fund.

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

Section 1:

Ordinance No. 167 – 2014 and any other ordinance inconsistent with this ordinance be and are hereby repealed.

Section 2:

The Auditor of the City of Massillon is hereby authorized and directed, as of January 1, 2017, to deposit funds received from golfing fees at The Legends of Massillon Golf Course as follows: 97.25% of the monies received shall be deposited into The Legends Operating Fund and 2.75% of the monies shall be deposited into the Bond Retirement Fund.

DATE: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 158 - 2016

BY: FINANCE COMMITTEE

TITLE: 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.

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

Section 1:

Ordinance No. 172 – 2014 be and is hereby repealed.

Section 2:

That there be and hereby is enacted a new Section 13 “ALLOCATION OF FUNDS - INCOME TAX” of Ordinance No. 143 - 1976. Said new Section 13 shall read as follows:

Section 13 - ALLOCATION OF FUNDS

(A) Effective January 1, 2017 the funds collected under the provision of this ordinance shall be disbursed as follows:

- (1) Ninety-Seven percent (97%) percent shall be deposited in the General Fund and Three percent (3%) shall be deposited in said “Income Tax Capital Improvement” Fund and shall be used for capital improvements to defray operating expenses of the City including such part thereof as shall be necessary to defray all costs of administering and enforcing the provisions thereof.
- (2) Capital Improvements are all property, assets, machinery, equipment or improvements which the City is authorized by law to acquire, construct and maintain, including plans and studies thereof with an estimated life or usefulness of five (5) years or more, including land and interests therein, and including reconstructions, enlargements and extension thereof having an estimated life or usefulness of five (5) years or more provided, however, that the purchase of motorized equipment for the various city departments and the resurfacing and resealing of public streets, including



"Chip and Seal" method, shall be deemed Capital Improvement without regard to estimated life or usefulness.

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 is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, welfare and safety and the emergency being the necessity of providing funds for the operation of necessary governmental functions imposed by law, including the proper police and fire protection, but not limited thereto; for, without said funds, said governmental functions would have to be curtailed to such an extent that the public safety and welfare would be greatly jeopardized. And 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: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 159 – 2016

BY: FINANCE COMMITTEE

TITLE: 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.

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 establishes 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.

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:

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.

DATE: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 160 – 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 The Health Plan for health insurance coverage for City employees for the 2017 calendar year, 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 and in the public health, safety and welfare to enter into a contract with The Health Plan for health insurance coverage for City employees for the 2017 calendar year.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a contract with The Health Plan for health insurance coverage for City employees for the 2017 calendar year.

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: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 161 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2016 appropriations from within the 1401 Income Tax Capital Improvement Fund, 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 2016 appropriations within the 1401 Income Tax Capital Improvement Fund, for the year ending December 31, 2016, the following:

FROM:	Engineering Dept. Equipment	1401.405.2532	\$ 7,000.00
TO:	Building Dept. Lease/Purchase Vehicle	1401.415.2530	\$ 7,000.00

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 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: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 162 – 2016

BY: FINANCE COMMITTEE

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

FROM:	Building Dept. Services/Contracts	1100.415.2392	\$ 15,000.00
	Building Dept. Supplies	1100.415.2410	1,594.14
	Building Dept. Gas/Oil	1100.415.2430	1,000.00
	Building Dept. Salary	1100.415.2110	15,000.00
	Eng. Dept. Travel/Seminar/Schooling	1100.405.2389	8,000.00
	Eng. Dept. Gas/Oil	1100.405.2340	3,000.00
	Civil Service Services/Contracts	1100.150.2392	6,000.00
	<b>Total</b>		<b>\$ 49,594.14</b>

TO:	Transfer/Advance Out	1100.905.2752	\$ 10,594.14
	Police Services/Contracts	1100.305.2392	10,000.00
	City Hall Services/Contracts	1100.410.2392	12,000.00
	Service Supplies/Materials/Postage	1100.160.2410	17,000.00
	<b>Total</b>		<b>\$ 49,594.14</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.

DATE: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 18 - 2016

BY: FINANCE COMMITTEE

TITLE: **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.

WHEREAS, Ohio Revised Code Section 321.34 provides that a municipality may request by Resolution an advance payment from the county of 75% of the estate taxes that the County collects on behalf of the municipality, and

WHEREAS, the legislative authority of the City of Massillon has deemed it necessary to request such advance payment, and

WHEREAS, the legislative authority of the City of Massillon has determined such request necessary at this time.

NOW, be it resolved that the legislative authority of the City of Massillon hereby request an advance payment of the 75% of the estate taxes collected for the 2017 fiscal year, as authorized by Ohio Revised Code Section 321.34.

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

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

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

KATHY CATAZARO-PERRY, MAYOR

DATE: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 19 - 2016

BY: FINANCE COMMITTEE

TITLE: **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.

WHEREAS, Ohio Revised Code Section 321.34 provides that a municipality may request by Resolution an advance payment from the County of real estate taxes that the County collects on behalf of the municipality, and

WHEREAS, the legislative authority of the City of Massillon has deemed it necessary to request such advance payment, and

WHEREAS, the legislative authority of the City of Massillon has determined such request necessary at this time.

NOW, therefore, it is hereby resolved that the legislative authority of the City of Massillon hereby request an advance payment of real estate taxes collected for the 2017 fiscal year, as authorized by Ohio Revised Code Section 321.34.

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

ATTEST: \_\_\_\_\_  
DIANE ROLLAND, CLERK OF COUNCIL      CLAUDETTE O. ISTNICK, PRESIDENT

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

DATE: NOVEMBER 7, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 20 – 2016

BY: FINANCE COMMITTEE

TITLE: **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.

WHEREAS, the City of Massillon prepared a five year Budget Forecast which provides a realistic and balanced budget forecast for 2017 through 2021; and

WHEREAS, the Administration and City Council has implemented numerous cost saving and cost reduction plans, resulting in a positive cash balance for the past three years; and

WHEREAS, the five year Budget Forecast, attached hereto as Exhibit "A", presents a balanced Budget and Spending Plan, addressing infrastructure and Capital Improvement needs, as well as outlining the City's strategy and philosophy; and

WHEREAS, this amended Budget Forecast is required by the State's Fiscal Commission.

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

Section 1:

That a five year Budget Forecast be and hereby is adopted. That said forecast is attached hereto and marked as Exhibit "A".

Section 2:

Resolution No. 16 – 2016 be and is hereby repealed.

Section 3:

This Resolution is declared to be an emergency measure 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 of the Mayor.

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

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

DIANE ROLLAND, CLERK OF COUNCIL

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

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

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