

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

DATE: MONDAY, DECEMBER 5, 2016
PLACE: COUNCIL CHAMBERS
TIME: 6:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILMAN EDWARD LEWIS
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

ORDINANCE NO. 175 – 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio to enter into an agreement with Stark County Regional Planning Commission (SCRPC) for housing rehabilitation for the year ending December 31, 2017, and declaring an emergency.

ORDINANCE NO. 176 – 2016

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept donations from Wendy's Corporation and from Stark County Area Vocational School District on behalf of the Massillon Fire Department, and declaring an emergency.

ORDINANCE NO. 177 – 2016

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE accepting the dedication of sanitary sewer easements on Harsh Ave. S.E.

ORDINANCE NO. 178 – 2016

BY: FINANCE COMMITTEE

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

ORDINANCE NO. 179 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE reducing the appropriations in the 3109 TIF Service Payment Fund, the 1425 Lincoln Center III Fund, the 3107 Fire Damage Structure Fund, for the year ending December 31, 2016, and declaring an emergency.

RESOLUTION NO. 21 – 2016

BY: ENVIRONMENTAL COMMITTEE

A RESOLUTION authorizing the Mayor of the City of Massillon, Ohio, to apply for a "Partners in Watershed Management" Project Assistance Program Grant with the Muskingum Watershed Conservancy District, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

Request for a transfer of Liquor License from Old Carolina Barbecue Co., LLC, DBA Old Carolina Barbeque Co. located at 2482 Lincoln Way E., Massillon, Ohio 44646 to Smoke the Burger Joint, LLC, DBA Smoke the Burger Joint located at 15 Tommy Henrich Dr. N.W., Massillon, Ohio 44647. Permit Class D1. Located in Ward 2.

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

Auditor's Report - November 2016

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

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.

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 1st St. S.E., Lincoln Way E., the Massillon Museum, and Diamond Ct. S.E. to the Community Improvement Corporation of Massillon (CIC).

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.

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.

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.

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

DIANE ROLLAND – CLERK OF COUNCIL

DATE: DECEMBER 5, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 175 – 2016

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio to enter into an agreement with Stark County Regional Planning Commission (SCRPC) for housing rehabilitation for the year ending December 31, 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, hereby finds that it is necessary for the Mayor of the City of Massillon, Ohio, to enter into an agreement with Stark County Regional Planning Commission (SCRPC) for housing rehabilitation as set forth in the attached agreement.

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.

DATE: DECEMBER 5, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 176 – 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 donations from Wendy's Corporation and from Stark County Area Vocational School District 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 donations from Wendy's Corporation and Stark County Area Vocational School District 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 donation from the Wendy's Corporation in the amount of Two Thousand Dollars (\$2,000.00) and a donation from Stark County Area Vocational School District in the amount of One Hundred Eighteen Dollars (\$118.00) on behalf of the Massillon Fire Department. Both donations are intended for use to provide computer workstations to enhance firefighter training.

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: DECEMBER 5, 2016

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LEGISLATIVE DEPARTMENT

ORDINANCE NO. 177 – 2016

BY: STREET, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the dedication of sanitary sewer easements on Harsh Ave. S.E.

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

Section 1:

The dedication of sanitary sewer easements on Harsh Ave. S.E. as shown on the attached map is hereby accepted. At its October 12, 2016 meeting, the City Planning Commission approved the replat of this property and the dedication of easements for the existing sanitary sewer trunk line on the property known as Out Lot 324; located on the north side of Harsh Ave., west of Kaylynn St. S.E. The request includes property currently owned by Flek and Kathy Stoeher and is currently being developed as residential lots. Easements are needed for continuous operation and maintenance of the sanitary sewer facilities.

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.

DATE: DECEMBER 5, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 178 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance 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 appropriated from the unappropriated balance of 1100 General Fund, for the year ending December 31, 2016, the following:

\$ 2,118.00 to an account entitled "Fire Dept.-Services/Contracts" - 1100.325.5.2392

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 and for the further reason that purchases can be made before year end 2016. 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: DECEMBER 5, 2016

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 179 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriations in the 3109 TIF Service Payment Fund, the 1425 Lincoln Center III Fund, the 3107 Fire Damage Structure Fund, for the year ending December 31, 2016, and declaring an emergency.

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

Section 1:

The appropriations are hereby reduced in the 3109 TIF Service Payment Fund, for the year ending December 31, 2016, as follows:

\$ 4,214.27 from an account entitled "School District TIF's" - 3109.905.5.2379
\$110,022.55 from an account entitled "Developer's TIF's" - 3109.905.5.2380
\$ 8,004.39 from an account entitled "County Collection Fees" - 3109.905.5.2393
\$122,241.21 Total

Section 2:

The appropriations are hereby reduced in the 1425 Lincoln Center III Fund, for the year ending December 31, 2016, as follows:

\$ 9,962.03 from an account entitled "County Collection Fees" - 1425.905.5.2393

Section 3:

The appropriations are hereby reduced in the 3107 Fire Structure Damage Fund, for the year ending December 31, 2016, as follows:

\$ 50,000.00 from an account entitled "Fire Damage Structures" - 3107.905.5.2390

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CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
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COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 21 – 2016

BY: ENVIRONMENTAL COMMITTEE

TITLE: A RESOLUTION authorizing the Mayor of the City of Massillon, Ohio, to apply for a "Partners in Watershed Management" Project Assistance Program Grant with the Muskingum Watershed Conservancy District, and declaring an emergency.

WHEREAS, the Muskingum Watershed Conservancy District administers financial assistance for conservation purposes through the Partners in Watershed Management Project Assistance Program, and;

WHEREAS, the City of Massillon desires financial assistance under the Partners in Watershed Management Project Assistance Program.

NOW, THEREFORE, be it resolved by the Council of the City of Massillon, Ohio,

1. That the Council of the City of Massillon, Ohio, approves filing an application for financial assistance and entering into a grant agreement.
2. That the Mayor of the City of Massillon, Ohio, is hereby authorized and directed to execute and file an application with the Muskingum Watershed Conservancy District and to provide all information and documentation required to become eligible for possible funding assistance.
3. That the City of Massillon, Ohio, does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the Partners in Watershed Management Project Assistance Program.

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the resolution adopted by Council of the City of Massillon, Ohio, at a meeting held on _____, 2016, and that I am duly authorized to execute this certificate.

Signature

PASSED IN COUNCIL THIS _____ DAY OF _____, 2016

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

APPROVED: _____
KATHY CATAZARO-PERRY, MAYOR