

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

**DATE: MONDAY, NOVEMBER 6, 2017
PLACE: COUNCIL CHAMBERS
TIME: 6:30 P.M.**

THERE ARE NO PUBLIC HEARINGS TONIGHT

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN DAVE IRWIN**
- 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. 137 – 2017

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a lease/purchase agreement using the Ohio STS Procurement State Purchasing Plan to purchase two (2) Class A Engines on behalf of the Massillon Fire Department, and declaring an emergency.

ORDINANCE NO. 138 – 2017

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – 510-511 PARKS AND RECREATION DEPARTMENT and 920 GOLF COURSE DEPARTMENT, PART TIME/TEMPORARY/SEASONAL WAGE CLASSES AND RATES of Ordinance No. 26 – 2015 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES – 510-511 PARKS AND RECREATION DEPARTMENT and 920 GOLF COURSE DEPARTMENT, PART TIME/TEMPORARY/SEASONAL WAGE CLASSES AND RATES, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES – 510-511 PARKS AND RECREATION DEPARTMENT and 920 GOLF COURSE DEPARTMENT, PART TIME/TEMPORARY/ SEASONAL WAGE CLASSES AND RATES, in the City of Massillon, Ohio.

ORDINANCE NO. 139 – 2017

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – 920 GOLF COURSE DEPARTMENT of Ordinance No. 127 – 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES – 920 GOLF COURSE DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES – 920 GOLF COURSE DEPARTMENT, in the City of Massillon, Ohio.

ORDINANCE NO. 140 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1421 Wastewater Treatment Plant Upgrade Fund, for the year ending December 31, 2017, and declaring an emergency.

ORDINANCE NO. 141 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1229 HOME Fund, for the year ending December 31, 2017, and declaring an emergency.

ORDINANCE NO. 142 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Auditor to pay various 2017 bills that have been received and that will be received by her office between January 1, 2018 and March 31, 2018, out of the 2018 appropriations within the various departments of the City of Massillon, Ohio.

ORDINANCE NO. 143 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a lease/purchase agreement with Huntington Bank on behalf of the Massillon Police Department, and declaring an emergency.

ORDINANCE NO. 144 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a lease/purchase agreement with Huntington Bank on behalf of the Massillon Police Department, and declaring an emergency.

ORDINANCE NO. 145 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE to adopt appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year 2018, and declaring an emergency.

ORDINANCE NO. 146 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE amending Section 2 of Ordinance No. 125 – 2013 and any other ordinances inconsistent with this ordinance, authorizing and directing the Auditor of the City of Massillon, Ohio, as of January 1, 2018, to hereby deposit the three-tenths percent (.3%) City Income Tax for the Parks and Recreation System into the “1234 Parks and Recreation Operation Fund”, “1306 Parks and Recreation Debt Retirement Fund” and the “1433 Parks and Recreation Capital Improvement Fund.

ORDINANCE NO. 147 – 2017

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.

ORDINANCE NO. 148 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2017 appropriations from within the 1100 General Fund, for the year ending December 31, 2017, and declaring an emergency.

RESOLUTION NO. 17 – 2017

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 2018 fiscal year.

RESOLUTION NO. 18 – 2017

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

A RESOLUTION appointing Robert M. Marks and David C. Lundquist to the Local Board of Tax Review created under Codified Ordinance 181.18.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

Request for a New Liquor License for M & S Bar and Grill, LLC, located at 62 Erie St. S., Massillon, OH 44646. Permit Classes are D1, D2 and D3 and is located in Ward 2.

Request for a New Liquor License for Regal Cinemas, Inc., DBA Massillon Stadium 12, located at 175 Cherry Rd. N.W., Massillon, OH. Permit classes are D3 and D6 and is located in Ward 2.

9. BILLS, ACCOUNTS AND CLAIMS

Keller's Office Furniture - \$40.00 Copy Paper

10. REPORTS FROM CITY OFFICIALS

Mayor's Report - September 2017

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 114 – 2017

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Jen's Place to provide an economic development "inducement grant" to assist the business with start-up and build out costs at 43 Lincoln Way E., Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 115 – 2017

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with T-I-G Grille and Catering to provide an economic development "inducement grant" to assist the business with start-up and build out costs at 45 – 1st St. N.W., Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 119 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of Massillon, Ohio, to enter into a contract with OHM Advisors and the Ohio Department of Transportation (ODOT) for design and funding of the Wales Road Safety/Widening Project (STA-241-9.71), PID 100471, and declaring an emergency.

ORDINANCE NO. 122 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund, for the year ending December 31, 2017, and declaring an emergency.

ORDINANCE NO. 123 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund, for the year ending December 31, 2017, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 129 – 2017

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Consent Legislation with the Ohio Department of Transportation (ODOT), for the Lincoln Way SR 172 Streetscape Project, PID 104857.

ORDINANCE NO. 130 – 2017

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE implementing existing legislation authorizing this Council to designate additional streets to be improved relating to the Marketplace Development, authorizing related matters, and declaring an emergency.

RESOLUTION NO. 14 – 2017

BY: PUBLIC UTILITIES COMMITTEE

A RESOLUTION authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to take all actions necessary to effect a governmental electric aggregation program with an opt-out provision pursuant to Section 4928 of the Ohio Revised Code (the "Aggregation Program") for residents, businesses and other electric consumers in the City of Massillon, and declaring an emergency.

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: NOVEMBER 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 137 – 2017

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a lease/purchase agreement using the Ohio STS Procurement State Purchasing Plan to purchase two (2) Class A Engines 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 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 enter into a lease/purchase agreement using the Ohio STS Procurement State Purchasing Plan to purchase two (2) Class A Engines (pumpers) 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 enter into a lease/purchase agreement using the Ohio STS Procurement State Purchasing Plan to purchase two (2) Class A Engines (pumpers) with at least three (3) quotations on behalf of the Massillon Fire Department. The total lease/price is not to exceed Eight Hundred, Forty-eight Thousand Dollars (\$848,000.00) for both trucks.

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:

That this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that all vendors indicate a price increase from 2% - 4% before the end of the year. 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 _____, 2017

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED:

KATHY CATAZARO-PERRY, MAYOR

DATE: NOVEMBER 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 138 – 2017

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – 510-511 PARKS AND RECREATION DEPARTMENT and 920 GOLF COURSE DEPARTMENT, PART TIME/TEMPORARY/SEASONAL WAGE CLASSES AND RATES of Ordinance No. 26 – 2015 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES – 510-511 PARKS AND RECREATION DEPARTMENT and 920 GOLF COURSE DEPARTMENT, PART TIME/TEMPORARY/SEASONAL WAGE CLASSES AND RATES, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES – 510-511 PARKS AND RECREATION DEPARTMENT and 920 GOLF COURSE DEPARTMENT, PART TIME/TEMPORARY/SEASONAL WAGE CLASSES AND RATES, in the City of Massillon, Ohio.

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

Section 1:

Section 2(D) OCCUPATION LIST OF CLASS TITLES – 510-511 PARKS AND RECREATION DEPARTMENT and 920 GOLF COURSE DEPARTMENT of Ordinance No. 26 – 2015 be and is hereby repealed.

Section 2:

That a new Section 2(D) OCCUPATION LIST OF CLASS TITLES – 510-511 PARKS AND RECREATION DEPARTMENT and 920 GOLF COURSE DEPARTMENT, PART TIME/TEMPORARY/SEASONAL WAGE CLASSES AND RATES of Ordinance No. 26 – 2015 be and is hereby enacted and shall read as follows:

(SEE ATTACHMENT EXHIBIT "A" and PAGES 8 and 11 of the OCCUPATIONAL LIST OF CLASS TITLES)

DATE: NOVEMBER 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 139 – 2017

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – 920 GOLF COURSE DEPARTMENT of Ordinance No. 127 – 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES – 920 GOLF COURSE DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES – 920 GOLF COURSE DEPARTMENT, in the City of Massillon, Ohio.

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

Section 1:

Section 2(D) OCCUPATION LIST OF CLASS TITLES – 920 GOLF COURSE DEPARTMENT of Ord. No. 127 – 1997 be and is hereby repealed.

Section 2:

That a new Section 2(D) OCCUPATION LIST OF CLASS TITLES – 920 GOLF COURSE DEPARTMENT of Ord. No. 127 – 1997 be and is hereby enacted and shall read as follows:

(SEE ATTACHMENT "A", PAGE 10; AND INSERT IN THE SALARY ORDINANCE NO. 127 - 1997)

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 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS LEGISLATIVE DEPARTMENT

ORDINANCE NO. 140 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1421 Wastewater Treatment Plant Upgrade Fund, 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:

There be and hereby is appropriated from the unappropriated balance of the 1421 Wastewater Treatment Plant Upgrade Fund, for the year ending December 31, 2017, the following:

\$ 3,500,000.00 to an account entitled "WWT Plant Upgrade Project" - 1421.610.5.2510

Section 2:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 3:

This Ordinance is declared to be an emergency measure necessary for the efficient operation of the various departments of the City of Massillon and for the further reason to allow for payments and recording of disbursements from OWDA for the budget year 2017. 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 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 141 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1229 HOME Fund, 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:

There be and hereby is appropriated from the unappropriated balance of the 1229 HOME Fund, for the year ending December 31, 2017, the following:

\$ 115,545.00 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 declared to be an emergency measure necessary for the efficient operation of the various departments of the City of Massillon and for the further reason to fund projects through December 31, 2017. 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 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 142 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor to pay various 2017 bills that have been received and that will be received by her office between January 1, 2018 and March 31, 2018, out of the 2018 appropriations within the various departments of 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 finds it necessary to authorize the City Auditor to pay various 2017 bills that have been received and that will be received by her office between January 1, 2018 and March 31, 2018, out of the 2018 appropriations within the various departments of the City of Massillon, Ohio.

Section 2:

The City Auditor is hereby Authorized and directed to pay various 2017 bills that have been received and that will be received by her office between January 1, 2018 and March 31, 2018, out of the 2018 appropriations within the various departments of 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.

DATE: NOVEMBER 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 143 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the purchase of fuel for city vehicles at an off-site location, 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 advertise for and receive sealed bids and enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the purchase of fuel for city vehicles at an off-site location.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to advertise for and receive sealed bids and enter into a Contract with the lowest and best bidder, upon the approval of the Board of Control, for the purchase of fuel for city vehicles at an off-site location.

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 declared to be an emergency measure necessary for the preservation of the public health, safety and welfare of the community and for the further reason to begin the bid process for the calendar year 2018. 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 _____, 2017

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: NOVEMBER 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 144 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a lease/purchase agreement with Huntington Bank 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 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 lease/purchase agreement with Huntington Bank on behalf of the Massillon Police Department.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a lease/purchase agreement with Huntington Bank on behalf of the Massillon Police Department. The lease/purchase agreement will allow the Massillon Police Department to acquire 55 Motorola Solutions radios and related supplies. The terms of the agreement is \$146,276.30 in five (5) annual payments at 3.06% APR of \$29,255.26.

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 declared to be an emergency measure necessary for the preservation of the public health, safety and welfare of the community and for the further reason to allow for immediate purchase. 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 _____, 2017.

ATTEST: _____

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: NOVEMBER 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 145 – 2017

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 2018, 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, 2018, the capital and operation expenditures of the city of Massillon, Ohio, for the fiscal year ending December 31, 2018, 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 warrants on the Treasurer of the City of Massillon, Ohio, for payments from any of the foregoing appropriations upon proper certification and vouchers approved by the Board of Officers (or Officer) 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 the attached 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 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 146 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Section 2 of Ordinance No. 125 – 2013 and any other ordinances inconsistent with this ordinance, authorizing and directing the Auditor of the City of Massillon, Ohio, as of January 1, 2018, to hereby deposit the three-tenths percent (.3%) City Income Tax for the Parks and Recreation System into the “1234 Parks and Recreation Operation Fund”, “1306 Parks and Recreation Debt Retirement Fund” and the “1433 Parks and Recreation Capital Improvement Fund”.

WHEREAS, the electors of the City of Massillon, Ohio, 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, Ohio; and

WHEREAS, it is necessary to determine what percentage of the tax collected for the Parks and Recreation Department shall be deposited in 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, Ohio, to deposit a portion of the three-tenths percent (.3%) City Income Tax for the Parks and Recreation system into the “1234 Parks and Recreation Fund”, the 1306 Parks and Recreation Debt Retirement Fund” and the “1433 Parks and Recreation Capital Improvement Fund”.

Section 2:

Effective January 1, 2018, the Auditor of the City of Massillon, Ohio, is hereby authorized and directed to deposit the following percentages into the following funds from the amounts collected from the income tax for the Parks and Recreation Department:

- 1.) Fifty-Two Percent (52%) shall be deposited into the "1234 Parks and Recreation Operations Fund".
- 2.) Forty Percent (40%) shall be deposited into the "1306 Parks and Recreation Debt Retirement Fund".
- 3.) Eight Percent (8%) shall be deposited into the "1433 Parks and Recreation Capital Improvement Fund".

Section 3:

That Ordinance No. 125 – 2013 be and is hereby repealed as of December 31, 2017.

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 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 _____, 2017

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED:

KATHY CATAZARO-PERRY, MAYOR

DATE: NOVEMBER 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 147 - 2017

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.

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, 2018 the funds collected under the provision of this ordinance shall be disbursed as follows:

- (1) Ninety-Six percent (96%) percent shall be deposited in the “1100 General Fund” and Four percent (4%) shall be deposited in said “1401 Income Tax Capital Improvements 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:

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 _____, 2017

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED:

KATHY CATAZARO-PERRY, MAYOR

DATE: NOVEMBER 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 148 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2017 appropriations from within the 1100 General Fund, 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:

There be and hereby is transferred from the 2017 appropriations within the 1100 General Fund, for the year ending December 31, 2017, the following:

FROM:	Workers Comp. Defense	1100.905.5.2399	-	\$ 6,000.00
TO:	City Hall Services/Contracts	1100.410.5.2392	-	\$ 6,000.00

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 and for the further purpose to allow funds to be used in a timely manner. 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 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 17 - 2017

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 2018 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 2018 fiscal year, as authorized by Ohio Revised Code Section 321.34.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2017

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: NOVEMBER 6, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 18 - 2017

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: A RESOLUTION appointing Robert M. Marks and David C. Lundquist to the Local Board of Tax Review created under Codified Ordinance 181.18.

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, hereby appoints Robert M. Marks and David C. Lundquist to the Local Board of Tax Review created under Codified Ordinance 181.18.

Section 2:

The term of said appointees shall be for two years beginning January 1, 2018 through January 1, 2019.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2017

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR