

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

**DATE: MONDAY, DECEMBER 18, 2017
PLACE: COUNCIL CHAMBERS
TIME: 6:30 P.M.**

THERE ARE NO PUBLIC HEARINGS TONIGHT

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN PAUL MANSON**
- 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. 165 – 2017

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Paradigm Shift Brewing to provide an economic development “inducement grant” to assist the business with start-up and build out costs at 128 North Ave. N.E, Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 166 – 2017

BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE amending Chapter 163 “PARK AND RECREATION BOARD” of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Subsections 163.03 “POWERS AND DUTIES” and 163.04 “PARK AND RECREATION DEPARTMENT,” and enacting new Subsections 163.03 “POWERS AND DUTIES” and 163.04 “PARK AND RECREATION DEPARTMENT,” of the Codified Ordinances of the City of Massillon, and declaring an emergency.

ORDINANCE NO. 167 – 2017

BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE amending Chapter 163 “PARK AND RECREATION BOARD” of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Subsection 163.02 “MEMBERS,” and enacting new subsection 163.02 “MEMBERS,” of the Codified Ordinances of the City of Massillon, and declaring an emergency.

ORDINANCE NO. 168 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a five (5) year maintenance agreement with Stryker Corporation on behalf of the Massillon Fire Department, and declaring an emergency.

ORDINANCE NO. 169 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to approve the prisoner transport agreement between the City of Massillon and political subdivisions using the City's prisoner transport service and authorizing the Auditor of the City of Massillon, Ohio, to deposit said funds into the 1100 General Fund and the 1401 Capital Improvement Fund effective January 1, 2018, and declaring an emergency.

ORDINANCE NO. 170 – 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. 171 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1219 WIC Program Fund, for the year ending December 31, 2017, and declaring an emergency.

ORDINANCE NO. 172 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE reducing the appropriations in the 1210 Fire Pension Fund, the 1209 Police Pension Fund and the 1340 Tax Increment Fund for the year ending December 31, 2017, and declaring an emergency.

RESOLUTION NO. 19 – 2017

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

A RESOLUTION amending Section 2 of Resolution No. 18 – 2017 to reflect the correct dates for the terms of 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

9. BILLS, ACCOUNTS AND CLAIMS

| | | | | |
|-----------------|---|---------------------|---|--------------------|
| Walter H. Drane | - | Codified Ordinances | - | \$ 3,892.87 |
| Copeco | - | Contract Base Rate | - | <u>337.26</u> |
| Total | | | | \$ 4,230.13 |

10. REPORTS FROM CITY OFFICIALS

| | | |
|--------------------|---|--------------------------------|
| Mayor's Report | - | October 2017 |
| Treasurer's Report | - | October 2017 and November 2017 |

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

ORDINANCE NO. 145 – 2017 BY: FINANCE COMMITTEE

Tabled December 4, 2017 until December 18, 2017

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

Tabled December 4, 2017 until December 18, 2017

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

Tabled December 4, 2017 until December 18, 2017

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

Tabled December 4, 2017 until December 18, 2017

AN ORDINANCE amending Ordinance No. 157 – 2016 and any other ordinances inconsistent with this ordinance, and authorizing and directing the Auditor of the City of Massillon as of January 1, 2018, to deposit funds received from golfing fees at The Legends of Massillon Golf Course into The Legends Operating Fund and the Bond Retirement Fund.

14. THIRD READING ORDINANCES AND RESOLUTIONS

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 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 165 – 2017

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Paradigm Shift Brewing to provide an economic development “inducement grant” to assist the business with start-up and build out costs at 128 North Ave. N.E, Massillon, Ohio, and declaring an emergency.

WHEREAS, the City of Massillon carries out a variety of economic development programs designed to promote the creation and expansion of business and industry in the community; and

WHEREAS, Paradigm Shift Brewing plans to renovate the building located at 128 North Ave. N.E., and

WHEREAS, the City of Massillon proposes to assist Paradigm Shift Brewing with start-up and build out costs by providing an economic development “inducement grant”, the purpose of which is to help offset the company’s costs with start-up and build out costs.

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

Section 1:

This Council hereby authorizes the Mayor to enter into an agreement with the Paradigm Shift Brewing by providing an economic development “inducement grant”, in a total amount not to exceed Five Thousand Dollars (\$5,000.00) for the purpose of assisting the business with start-up and build out costs at 128 North Ave. N.E, Massillon, Ohio.

Section 2:

In return for this economic development grant assistance, Paradigm Shift Brewing shall provide the City with information regarding the number of jobs that it has provided as a result of starting this business.

DATE: DECEMBER 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 166 – 2017

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE amending Chapter 163 “PARK AND RECREATION BOARD” of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Subsections 163.03 “POWERS AND DUTIES” and 163.04 “PARK AND RECREATION DEPARTMENT,” and enacting new Subsections 163.03 “POWERS AND DUTIES” and 163.04 “PARK AND RECREATION DEPARTMENT,” of the Codified Ordinances of the City of Massillon, and declaring an emergency.

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

Section 1:

Section 2:

Section 3:

DATE: DECEMBER 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 167 – 2017

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE amending Chapter 163 "PARK AND RECREATION BOARD" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Subsection 163.02 "MEMBERS," and enacting new subsection 163.02 "MEMBERS," of the Codified Ordinances of the City of Massillon, and declaring an emergency.

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

Section 1:

Section 2:

Section 3:

DATE: DECEMBER 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 168 – 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 five (5) year maintenance agreement with Stryker Corporation 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 five (5) year maintenance agreement with Stryker Corporation 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 five (5) year maintenance agreement with Stryker Corporation on behalf of the Massillon Fire Department in order to provide preventive maintenance and service on the power cot and load systems. Cost is Eight Thousand Four Hundred Sixty-One Dollars (\$8,461.00) per year payable in annual installments and the agreement would begin in 2018.

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 maintenance is scheduled for the current cots in February 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: DECEMBER 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 169- 2017.

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to approve the prisoner transport agreement between the City of Massillon and political subdivisions using the City's prisoner transport service and authorizing the Auditor of the City of Massillon, Ohio, to deposit said funds into the 1100 General Fund and the 1401 Capital Improvement Fund effective January 1, 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, hereby finds that it is necessary to authorize the Mayor of the City of Massillon, Ohio, to approve the prisoner transport agreement between the City of Massillon and political subdivisions using the City's prisoner transport service.

(SEE EXHIBIT "A" HERETO ATTACHED)

Section 2:

The Council of the City of Massillon, Ohio, hereby authorizes the Auditor to deposit said funds to the following:

| | |
|--|-----------------|
| 85% to an account entitled "Transport Fees" | 1100.305.4.1500 |
| 15% to an account entitled "Prisoner Transport Van Replacement Fund" | 1401.305.4.1500 |

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, the reason for the emergency being that said ordinance is necessary for the preservation of the public health, safety and welfare of the community and for the further reason to allow agreements and rates take effect January 1, 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: DECEMBER 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 170 – 2017

BY: FINANCE COMMITTEE

TITLE: 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.

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 1237 Economic Development Fund, for the year ending December 31, 2017, the following:

\$ 5,000.00 to an account entitled "Services/Contracts" - 1237.845.5.2392

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 necessary for the efficient operation of the various departments of the City of Massillon and for the further reason that the business opened December 1, 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.

DATE: DECEMBER 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 171 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1219 WIC Program 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 1219 WIC Program Fund, for the year ending December 31, 2017, the following:

\$ 2,500.00 to an account entitled "Salary - WIC" - 1219.730.5.2110

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 necessary for the efficient operation of the various departments of the City of Massillon and for the further reason that funds are needed to meet salary for year-end 2017. 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 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 172 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriations in the 1210 Fire Pension Fund, the 1209 Police Pension Fund and the 1340 Tax Increment 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:

The appropriations are hereby reduced in the 1210 Fire Pension Fund, for the year ending December 31, 2017, as follows:

\$ - 99,052.57 from an account entitled "Fire Pension" - 1210.325.5.2240

Section 2:

The appropriations are hereby reduced in the 1209 Police Pension Fund, for the year ending December 31, 2017, as follows:

\$ - 74,852.23 from an account entitled "Police Pension" - 1209.305.5.2240

Section 3:

The appropriations are hereby reduced in the 1340 Tax Increment Fund, for the year ending December 31, 2017, as follows:

\$ - 1,409.98 from an account entitled "Fees" - 1340.905.5.2382

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: DECEMBER 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 19 - 2017

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: A RESOLUTION amending Section 2 of Resolution No. 18 – 2017 to reflect the correct dates for the terms of 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 amends Section 2 of Resolution No. 18 – 2017 to reflect the correct dates for the terms of Robert M. Marks and David C. Lundquist to be listed as beginning January 1, 2018 through December 31, 2019.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2017

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR