

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

AGENDA

DATE: MONDAY, JULY 17, 2017
PLACE: COUNCIL CHAMBERS
TIME: 6:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILMAN ED LEWIS IV
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. 76 – 2017

BY: HEALTH, WELFARE & BLDG. REGULATIONS COMMITTEE

AN ORDINANCE amending Chapter 1331 "REGISTRATION OF VACANT BUILDINGS" of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 77 – 2017

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE accepting the replat and dedication of easements plat located at the intersection of Erie St. S. (Route 21) and Warmington Rd. S.E.

ORDINANCE NO. 78 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1202 State Highway Fund, for the year ending December 31, 2017.

ORDINANCE NO. 79 – 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.

ORDINANCE NO. 80 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of the Director of Public Service and Safety of the City of Massillon, Ohio, to sell city owned vehicles that are no longer needed for any municipal purposes.

RESOLUTION NO. 8 – 2017

BY: FINANCE COMMITTEE

A RESOLUTION directing the Stark County Board of Elections to conduct an election at the General Election on November 7, 2017, for the purpose of providing the question of the approval or disapproval of the issue of a renewal of a one (1) mill operating levy and a half (.5) mill additional increase to the levy to provide funding for the Massillon Museum which is operated by the Massillon Museum, Inc., a non-profit corporation, commencing January 1, 2018, first due in calendar year 2019, for a period of five (5) years, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

A Request for a New Liquor License by Family Dollar Stores of Ohio, Inc., DBA Family Dollar 1280 located at 2200 Lincoln Way W., Massillon, OH 44647. Permit Class is C1 and is located in Ward 6.

9. BILLS, ACCOUNTS AND CLAIMS

Copeco	-	\$ 293.27	Contract Base Rate 06/01/17 to 08/31/17
Norlson	-	<u>39.50</u>	Old Invoice for Cassette Tapes
		\$ 332.77	

10. REPORTS FROM CITY OFFICIALS

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 55 – 2017

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the donation of parcel #600750: located at 248 Erie St. S., Massillon, Ohio, from property owner, Shirley Green, and declaring an emergency.

ORDINANCE NO. 56 – 2017

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to purchase vacant land located on Erie St. S., parcels #609306, #609307 and #609308 from property owners Donald Peters and Gregory Pedrotty, and declaring an emergency.

ORDINANCE NO. 61 – 2017

BY: RULES, COURTS, AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Section 2 (D) OCCUPATION LIST OF CLASS TITLES – of Ordinance No. 127 – 1997 by amending Section 2 (D) OCCUPATION LIST OF CLASS TITLES – 210 INCOME TAX DEPARTMENT and eliminating positions in Section 2 (D) OCCUPATION LIST OF CLASS TITLES – 610-615 WASTEWATER TREATMENT DEPARTMENT, in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 62 – 2017

BY: RULES, COURTS, AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Chapter 1323 "FORECLOSURE PROPERTY REGISTRY" of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 66 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to establish salary and wage schedules for the MASSILLON POLICE DEPARTMENT, UNCLASSIFIED EMPLOYEES and SUPERVISORY (CLASSIFIED OR UNCLASSIFIED) – CLASSIFIED EMPLOYEES, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 67 – 2017

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 along with OHM Advisors for engineering services for the design through the public bidding process for the Lincoln Way Streetscape Project, and declaring an emergency.

ORDINANCE NO. 68 – 2017

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tracts of land from B-3 General Business District to I-1 Light Industrial District, and declaring an emergency.

ORDINANCE NO. 70 – 2017

BY: RULES, COURTS, AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Sections 2 and 4 of Ordinance No. 1 – 2017, appointing the City Records Custodian, and declaring an emergency.

ORDINANCE NO. 72 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE amending Sections 2 and 4 of Ordinance No. 1 – 2017, appointing the City Records Custodian, 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: JULY 17, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 76 – 2017

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending Chapter 1331 "REGISTRATION OF VACANT BUILDINGS" of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

Chapter 1331 "REGISTRATION OF VACANT BUILDINGS" of the Codified Ordinances of the City of Massillon, Ohio, is hereby amended.

Section 2:

Said amendments are set forth on the attached Exhibit "A" contained therein.

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 immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason as to institute these changes. 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: JULY 17, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 77 – 2017

BY: STREET, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the replat and dedication of easements plat located at the intersection of Erie St. S. (Route 21) and Warmington Rd. S.E.

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

Section 1:

The dedication of the replat and dedication of easements plat as shown on the attached map. At its June 14, 2017 meeting, the City Planning Commission approved said replat and dedication of the property. The easements are necessary for utility connections and coordinated access plan. The area is currently zoned I-1 Industrial.

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 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: JULY 17, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 78 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1202 State Highway Fund, for the year ending December 31, 2017.

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 1202 State Highway Fund, for the year ending December 31, 2017, the following:

\$ 20,000.00 to an account entitled "Safety Dept. Supplies/Materials" - 1202.420.5.2410

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: JULY 17, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 79 – 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:	Real Estate Property Tax Transfer Out	1100.905.5.2391	\$ 1,150.00
TO:	Hosp/Eye/Den/Pres/Life Transfer In	1100.130.5.2210	\$ 1,150.00

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 declared to be an emergency measure necessary 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: JULY 17, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 80 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of the Director of Public Service and Safety of the City of Massillon, Ohio, to sell city owned vehicles that are no longer needed for any municipal purposes.

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 the Public Service and Safety to sell city owned vehicles that are no longer needed for any municipal purposes as described in the attached Exhibit "A".

Section 2:

The Director of the Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to sell city owned vehicles that are no longer needed for any municipal purposes as described in the attached Exhibit "A".

Section 3:

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

DATE: JULY 17, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 8 – 2017

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION directing the Stark County Board of Elections to conduct an election at the General Election on November 7, 2017, for the purpose of providing the question of the approval or disapproval of the issue of a renewal of a one (1) mill operating levy and a half (.5) mill additional increase to the levy to provide funding for the Massillon Museum which is operated by the Massillon Museum, Inc., a non-profit corporation, commencing January 1, 2018, first due in calendar year 2019, for a period of five (5) years, and declaring an emergency.

WHEREAS, the amount of revenues which will be raised by the City of Massillon, Ohio, within the ten mill limitation by levies on the current tax duplicate of the City of Massillon will be insufficient to provide adequate funds for the City of Massillon, to provide a free Museum of Art, Science or History that is maintained and operated by a private, non-profit organization as authorized by Section 5705.19 (AA) of the Ohio Revised Code; and

WHEREAS, it is necessary to levy a renewal of a tax in excess of the ten mill limitation for the purpose of providing funds to provide for a free Museum of Art, Science or History that is maintained and operated by a private, non-profit organization.

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MASSILLON, OHIO, IN REGULAR SESSION SITTING, TWO-THIRDS OF THE MEMBERS CONCURRING:

Section 1:

There shall be submitted to the electors of the City of Massillon, Ohio, at a General Election November 7, 2017, the question of the approval of issues providing for the renewal levy of a tax in the amount of one (1) mill for each One Dollar (\$1.00) of valuation which amounts to Ten Cents (\$0.10) for each One Hundred Dollars (\$100.00) of valuation for a period of five (5) years, commencing in 2018, first due in calendar year 2019 for the purpose of providing a free Museum of Art, Science or History that is maintained and operated by a private, non-profit organization as authorized by Section 5705.19 (AA) of the Ohio Revised Code.

Section 2:

The Clerk of Council is hereby directed to certify to the Board of Elections of Stark County a copy of this Resolution upon the enactment of this Resolution for its submission to the electors of the City of Massillon, Ohio, for the question of its passage at the General Election to be held on November 7, 2017. The Clerk of Council is directed to request the Board of Elections to provide notice of election on the question levying said renewal of the tax as required by law. The Clerk shall also provide the Board of Elections with a proposed sample ballot which is attached to this Resolution.

Section 3:

This Resolution is hereby declared to be an emergency measure that shall take effect and be in force from and after its passage and approval by the Mayor. The reason for the emergency lies in the fact that the immediate enactment of this Resolution is necessary to provide for the orderly submission of the proposed levy to the electors of the City of Massillon in the inters of the public welfare and for the levy of a tax as provided by this Resolution in order to obtain sufficient revenue for the operation of a free Museum of Art, Science or History.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2017

APPROVED: _____

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR