

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

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

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILWOMAN JILL CREAMER
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. 110 – 2017

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into contracts with the Stark County Land Reutilization Corporation (Land Bank) and Advanced Industrial Roofing, Inc., to demolish a structure located at 1330 Erie St. S., Massillon, Ohio (Parcel #6001970), and declaring an emergency.

ORDINANCE NO. 111 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1225 Indigent Driver Alcohol Treatment Fund, for the year ending December 31, 2017.

ORDINANCE NO. 112 – 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. 113 – 2017

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1208 Parking Enforcement Fund, for the year ending December 31, 2017, and declaring an emergency.

RESOLUTION NO. 11 – 2017

BY: COMMITTEE OF THE WHOLE

A RESOLUTION appointing Linda Litman to the Historical Preservation Commission as a Council representative for the term expiring December 31, 2017.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

Copeco - \$ 293.27 Contract Base Rate – 09/01/17 to 11/30/17.

10. REPORTS FROM CITY OFFICIALS

Auditor's Report - July 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. 98 – 2017

BY: PARKS & RECREATION COMMITTEE

AN ORDINANCE authorizing the Director of Public Safety and Service of the City of Massillon, Ohio, to enter into a one year contract with Echoing Hills on behalf of the Parks and Recreation Department, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 107 – 2017

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE to accept the vacation of a 15-foot-wide improved alley located between North Erie St. and 1st St. N.E., Massillon, Ohio.

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: SEPTEMBER 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 110 – 2017

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into contracts with the Stark County Land Reutilization Corporation (Land Bank) and Advanced Industrial Roofing, Inc., to demolish a structure located at 1330 Erie St. S., Massillon, Ohio (Parcel #6001970), 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 contracts with the Stark County Land Reutilization Corporation (Land Bank) and Advanced Industrial Roofing, Inc., to demolish a structure located at 1330 Erie St. S., Massillon, Ohio (Parcel #6001970).

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into contracts with the Stark County Land Reutilization Corporation (Land Bank) and Advanced Industrial Roofing, Inc., to demolish a structure located at 1330 Erie St. S., Massillon, Ohio (Parcel #6001970).

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 preservation of the public peace, health, safety and welfare and for the further reason to meet the deadline from the Stark County Land Reutilization Corporation (Land Bank) for demolition. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2017.

APPROVED: _____

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

FUNDING AGREEMENT BETWEEN
THE CITY OF MASSILLON AND
STARK COUNTY LAND REUTILIZATION CORPORATION

This Agreement, entered into this _____ day of August, 2017, by and between the Stark County Land Reutilization Corporation (hereinafter referred to as the "Land Bank") and the City of Massillon (hereinafter referred to as the "City").

WITNESSETH:

WHEREAS, on October 15, 2012, the Land Bank adopted a Plan for the reclamation, rehabilitation and reutilization of vacant, abandoned and tax-foreclosed real property within the boundaries of Stark County; and

WHEREAS, the City has submitted a request to undertake a needed demolition within their community; and

WHEREAS, the Land Bank has in its 2017 fiscal budget dedicated funds for a Demolition Program within Stark County, Ohio; and

WHEREAS, the City has identified real property known as parcel number 600197 and further identified as 1330 Erie Street, South, Massillon, OH 44646, as a blighted property in need of demolition.

NOW THEREFORE, the Land Bank and City do hereby agree as follows:

1. The Land Bank commits to funding the above referenced demolition in an amount up to ten thousand Dollars (\$10,000.00) pursuant to the demolition estimate from the Malavite Excavating, Inc. (attached) under the following terms and conditions:
 - a. The Land Bank's portion of the funds reimbursed to the City will not exceed fifty percent (50%) of the total documented costs of the project.
 - b. The entire sum committed by the Land Bank to this project will be allocated toward the physical demolition of the structure located on the property.
 - c. These funds are committed to the project on the condition that the City will match the amount committed to this project by the Land Bank. In the event that the structure located on the property at 1330 Erie Street, South, Massillon, OH 44646, is not demolished, this funding agreement is void and of no further effect.
2. The Land Bank will reimburse the City upon receipt of an invoice containing all documentation of the project costs paid by the City.

3. The Land Bank will pay to the City an amount equal to that invested in the project by the City and in no case more than the ten thousand dollars (\$10,000.00) previously referenced.
4. This project must be completed in its entirety with the documentation and invoice received by the Land Bank by October 31, 2017.
5. The City shall indemnify, defend and hold the Land Bank harmless from liability in case of claim or suit arising out of or incident to the performance of this project referenced in this funding agreement by the City or the City's employees, agents, contractors or others designated by the City to perform work or services pursuant to the project.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date and year set forth below.

WITNESSETH:

STARK COUNTY LAND
REUTILIZATION CORPORATION

Alexander Zumbar, Chairman

Lemuel Green, Director

CITY OF MASSILLON

Joel Smith, Safety/Service Director
City of Massillon

Approved as to form and legal sufficiency:

David A. Thorley
RPC Staff Attorney

Andrea Scassa, Law Director
City of Massillon
Stark County, Ohio

DEMOLITION PROGRAM REIMBURSEMENT AGREEMENT

THIS DEMOLITION PROGRAM REIMBURSEMENT AGREEMENT, is made and entered into this ____ day of _____, 2017 by and between City of Massillon, Ohio ("City"), a Municipal Corporation and Advanced Industrial Roofing, Inc., ("Advanced"), an Ohio Corporation, 1330 Erie Street South, Massillon, Ohio 44646.

WHEREAS, Advanced is a company which owns and operates an industrial commercial roofing business with its headquarters located at 1330 Erie Street South, Massillon, Ohio 44646; and

WHEREAS, Advanced is the property owner of real property known as parcel number 600197, and further identified as 1330 Erie Street South, Massillon, Ohio 44646;

WHEREAS, Advanced has identified parcel number 600197 as a blighted property in need of demolition; and

WHEREAS, the Stark County Land Reutilization Corporation (herein referred to as the "Land Bank") has established a Demolition Program for vacant, abandoned and tax-foreclosed real property within the boundaries of Stark County, Ohio, and has funds dedicated for this purpose in its 2017 fiscal budget.

NOW THEREFORE, in consideration of the covenants, promises and agreements set forth and contained herein, the parties agree as follows:

1. Advanced agrees to obtain an estimate for the cost of actual demolition, including any ancillary services necessary for the demolition of real property known as parcel number 600197, and submit said estimate for demolition to City. Advanced agrees to deposit the full amount of the estimate to the City upon delivering the estimate to the City.
2. Once the demolition is completed, the City agrees to pay the entire amount of the actual cost for the demolition of real property known as parcel number 600197, including any amounts that are part of an approved written change order.
3. The City hereby agrees to submit said paid invoice to the Land Bank for reimbursement pursuant to the Land Bank's Demolition Program.
4. Advanced fully acknowledges and agrees that the City has made no assurances or guarantees that the Land Bank will reimburse the City pursuant to the Land Bank's Demolition Program. The City will reimburse Advanced the amount the City receives from the Land Bank with the exception of paragraph 6.
5. In the event the Land Bank rejects the City's application for reimbursement pursuant to the terms of the Demolition Program, the City shall retain all funds deposited by

Advanced in order to reimburse the City for the costs to demolish the real property known as parcel number 600197.

6. In the event the actual cost of demolition of real property known as parcel number 600197 exceeds the amount deposited by Advanced, the City shall retain those funds from the Demolition Program reimbursement that are necessary to cover the difference between estimate and the actual cost of the project. However, if any portion of the cost of actual demolition is not covered by either the amount deposited to the City by Advanced or the reimbursement from the Land Bank's Demolition Program, this amount shall be immediately owed and due from Advanced to the City.
7. This Agreement shall be governed by, and construed in accordance with, the Laws of the State of Ohio. Any disputes arising under this Agreement between the parties shall be decided by a Court of competent jurisdiction in Stark County, Ohio.
8. This agreement shall constitute the complete and entire agreement between the Parties with respect to the subject matter hereof. No prior statement or agreement, oral or written, shall vary or modify the written terms hereof.
9. Advanced shall indemnify, defend and hold the City harmless from liability in case of claim or suit arising out of or incident to the performance of this project referenced in this funding agreement by Advanced or Advanced's employees, agents, contractors or others designated by Advanced to perform work or services pursuant to the project.

IN WITNESS, WHEREOF, the Parties hereto have executed this Agreement the day and year first written above.

ADVANCED INDUSTRIAL ROOFING, INC.

By: _____

Name:

Title:

Date:

CITY OF MASSILLON

By: _____

Name: JOEL P. SMITH

Title: DIRECTOR OF PUBLIC SAFETY AND SERVICE

By: _____

Name: ANDREA M. SCASSA

Title: LAW DIRECTOR

DATE: SEPTEMBER 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 111 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1225 Indigent Driver Alcohol Treatment 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 1225 Indigent Alcohol Treatment Fund, for the year ending December 31, 2017, the following:

\$ 40,000.00 to an account entitled "Services/Contracts" - 1225.125.5.2392

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:

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: SEPTEMBER 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 112 – 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:

\$ 12,000.00 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 to meet deadlines to fund the demolition of the property. 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: SEPTEMBER 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 113 – 2017

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1208 Parking Enforcement 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 1208 Parking Enforcement Fund, for the year ending December 31, 2017, the following:

\$ 2,725.00 to an account entitled "Salary-Parking Enforcement"	-	1208.445.5.2110
380.00 to an account entitled "P.E.R.S.-Parking Enforcement"	-	1208.445.5.2230
40.00 to an account entitled "Medicare-Parking Enforcement"	-	1208.445.5.2231
\$ 3,145.00 Total		

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 to avoid a negative balance in the fund. 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: SEPTEMBER 18, 2017

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 11- 2017

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION appointing Linda Litman to the Historical Preservation Commission as a Council representative for the term expiring December 31, 2017.

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 approves the appointment of Linda Litman to the Historical Preservation Commission as a Council representative.

Section 2:

The term of said appointee shall be for the term expiring December 31, 2017.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2017

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR



A Visual Edge Technology Company

North Canton, OH 44720

Visit us at: www.copeco.com

CONTRACT INVOICE

Invoice Number: AR312496

Invoice Date: 09/11/2017

RECEIVED SEP 14 2017

Dec

Bill To: City of Massillon City Council Office
One James Duncan Plaza
Massillon, OH 44646-6652
USA

Customer: City of Massillon City Council Office
One James Duncan Plaza
Massillon, OH 44646-6652

WE ARE GOING GREEN!!

Please send us an email at AR@veohio.com and provide your customer number and your accounts payable email address if you would like to receive your invoices electronically.

Account No		Payment Terms		Invoice Total		Balance Due			
CS3440		Net 10 Days		\$ 293.27		\$ 293.27			
Contract Number		Contact		P.O. Number		Start Date		Contract Amount	
CA809#-02		Mary Beth 330-830-1734				12/01/2016		\$293.27	
Remarks									

Summary:

Contract base rate charge for the 09/01/2017 to 11/30/2017 billing period	\$293.27
Contract overage charge for the 06/01/2017 to 08/31/2017 overage period	\$0.00 **
	<hr/>
	\$293.27

**See overage details below

Detail:

Equipment included under this contract

Sharp/SHARM355NB

Number	Serial Number	Base Adj.	Location
CA809	55023907	\$0.00	City of Massillon City Council Office One James Duncan Plaza Massillon, OH 44646-6652

Meter Type	Meter Group	Begin Meter	End Meter	Credits	Total	Covered	Billable	Rate	Overage
B/W	BW	340,505 *	347,746		7,241	12,500	0	\$0.023500	\$0.00

* Estimated meter reading

\$0.00

For questions about your service contract or this invoice please contact:
Julie Griffith @ 330-491-2977 or Renea Howard (Toledo Office) @ 330-470-7442.
All other questions, please call 330-499-7337

Inv#: AR312496

Remit To:
Copeco, Inc.
L-3594
Columbus, OH 43260-3594
(330) 499-7337

- Payment can now be made by Vcheck. Click the Vcheck logo on our website at: <http://www.copeco.com/customer-tools.php>
- Credit card payment accepted by calling 330-499-7337
- There is a 1.5% monthly fee on all past due balances [18% annually]
- There is a \$35.00 Returned Check Fee.
- Delinquent accounts sent to an outside collection agency will be assessed 35% if

Invoice SubTotal	\$293.27
Tax:	\$0.00
Invoice Total	\$293.27
Balance Due:	\$293.27

L-3594 Columbus, OH 43260-3594 330-499-7337