

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

**DATE: MONDAY, DECEMBER 16, 2019
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. 175 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a grant from the Administrators for Public Entities Pool (PEP) of the Ohio Grant Program to purchase an Automated External Defibrillator (AED) unit for the City Hall Annex building, and declaring an emergency.

ORDINANCE NO. 176 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to extend the current one (1) year contract between the City of Massillon, Ohio, and the Board of Stark County Commissioners to March 1, 2020, for the housing of City of Massillon, Ohio, Codified Ordinance prisoners at the Stark County Jail, and declaring an emergency.

ORDINANCE NO. 177 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a service agreement with the Board of Education of the Massillon City School District to provide three (3) police officers for law enforcement services at Washington High School, Massillon Junior High School and Massillon Elementary Schools, and declaring an emergency.

ORDINANCE NO. 178 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 3107 Fire Damage Structures Fund, for the year ending December 31, 2019, and declaring an emergency.

ORDINANCE NO. 179 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE reducing the appropriations in the 3105 State Patrol Transfer Fund, the 1421 WWT Plant Upgrade Fund, the 1210 Fire Pension Fund, the 1209 Police Pension Fund, the 1409 Municipal Road Fund, the 1340 Tax Increment Fund, the 3110 Massillon Museum Fund and the 3109 TIF Service Payment Fund, for the year ending December 31, 2019, and declaring an emergency.

ORDINANCE NO. 180 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2019 appropriations from within the 1100 General Fund, for the year ending December 31, 2019, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

The Repository	-	\$ 1,122.00	-	Publication of October Ordinances
Walter H. Drane Co.	-	<u>4,034.51</u>	-	Update of Codified Ordinances
		\$ 5,156.51	-	Total

10. REPORTS FROM CITY OFFICIALS

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

ORDINANCE NO. 126 – 2019

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE amending CHAPTER 32 of the Massillon Code of 1968 by repealing existing Section 32.14 Personnel of the Police Department and enacting a new Section 32.14 Personnel of the Police Department; and also repealing Section 2 of Ordinance No. 126 – 1977.

ORDINANCE NO. 150 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE to adopt appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year 2020, and declaring an emergency.

ORDINANCE NO. 151 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE amending Ordinance No. 143 – 1976 to enact a new Section “ALLOCATION OF FUNDS – INCOME TAX” by repealing Section 13 – “ALLOCATION OF FUNDS - INCOME TAX” and enacting a new Section 13 – “ALLOCATION OF FUNDS - INCOME TAX” and repealing Ordinance No. 147 – 2017, and declaring an emergency.

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 153 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with Stark Medical Specialties to provide an economic development “inducement grant” for building renovations and moving costs for the property located at 2458 Lincoln Way E, Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 156 – 2019

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Section 2(D) Occupation List of Class Titles – City Officials – Law Director, of Ordinance No. 94-1994, Ordinance No. 215 – 1995, and Ordinance 127-1997 by repealing Section 2(D) Occupation List of Class Titles – City Officials – Law Director, and enacting a new Section 2(D) Occupation List of Class Titles – City Officials – Law Director, in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 157 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund for Stark Medical Specialties, for the year ending December 31, 2019, and declaring an emergency.

ORDINANCE NO. 161 – 2019

BY: COMMITTEE OF THE WHOLE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio to enter into an agreement with the Massillon City School District with regard to the real property tax valuation of permanent parcel number 10003720, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 165 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept an amended agreement with Kimble Recycling and Disposal Done Right for collection and disposal of refuse and collection and delivery of household recyclable materials effective January 1, 2020, and declaring an emergency.

ORDINANCE NO. 168 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to amend Ordinance No. 144 – 2018, salary and wage schedules for SUPERVISORY (CLASSIFIED OR UNCLASSIFIED) EMPLOYEES, UNCLASSIFIED EMPLOYEES, and MISCELLANEOUS SCHEDULE for part-time employees, and declaring an emergency.

ORDINANCE NO. 174 – 2019

BY: COMMITTEE OF THE WHOLE

AN ORDINANCE reinstating the increase in pay based on the previous year's United States Consumer Price Index for the Council President, Council Members, Mayor, Auditor, Law Director and Treasurer, 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: DECEMBER 16, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 175 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a grant from the Administrators for Public Entities Pool (PEP) of the Ohio Grant Program to purchase an Automated External Defibrillator (AED) unit for the City Hall Annex building, 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 to accept a grant from the Administrators for Public Entities Pool (PEP) of the Ohio Grant Program to purchase an Automated External Defibrillator (AED) unit for the City Hall Annex building.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to accept a grant in the sum of One Thousand Dollars (\$1,000.00) from the Administrators for Public Entities Pool (PEP) of the Ohio Grant Program to purchase an Automated External Defibrillator (AED) unit for the City Hall Annex building. The PEP Grant Program is designed to assist PEP members in financing risk management initiatives to reduce or eliminate risk exposures that may lead to liability claims and property losses.

Section 3:

This Ordinance is declared to be an emergency measure necessary for the public health, safety and welfare for the citizens of Massillon and for the further reason to allow for the purchase of the Automated External Defibrillator (AED) unit before end of 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.

DATE: DECEMBER 16, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 176 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to extend the current one (1) year contract between the City of Massillon, Ohio, and the Board of Stark County Commissioners to March 1, 2020, for the housing of City of Massillon, Ohio, Codified Ordinance prisoners at the Stark County Jail, 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 to extend the current one (1) year contract between the City of Massillon, Ohio and the Board of Stark County Commissioners to March 1, 2020, for the housing of City of Massillon, Ohio, Codified Ordinance prisoners at the Stark County Jail.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to extend the current one (1) year contract between the City of Massillon, Ohio, and the Board of Stark County Commissioners to March 1, 2020, for the housing of City of Massillon, Ohio, Codified Ordinance prisoners at the Stark County Jail. Said contract is herein attached as Exhibit "A".

Section 3:

This Ordinance is declared to be an emergency measure necessary for the public health, safety and welfare for the citizens of Massillon and for the further reason to extend the current one (1) year contract that expires December 31, 2019 to March 1, 2020. 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 16, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 177 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a service agreement with the Board of Education of the Massillon City School District to provide three (3) police officers for law enforcement services at Washington High School, Massillon Junior High School and Massillon Elementary Schools, 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 to enter into a service agreement with the Board of Education of the Massillon City School District to provide three (3) police officers for law enforcement services at Washington High School, Massillon Junior High School and Massillon Elementary Schools.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a service agreement with the Board of Education of the Massillon City School District to provide three (3) police officers for law enforcement services at Washington High School, Massillon Junior High School and Massillon Elementary Schools during all days in which school is in session with students in attendance. Said service agreement is herein attached as Exhibit "A".

Section 3:

This Ordinance is declared to be an emergency measure necessary for the public health, safety and welfare for the citizens of Massillon and for the further reason to allow the Director to sign a service agreement which will be effective January 1, 2020. 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 16, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 178 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 3107 Fire Damage Structures Fund, for the year ending December 31, 2019, 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 3107 Fire Damage Structures Fund, for the year ending December 31, 2019, the following:

\$ 25,344.00 to an account entitled "Fire Damage Structures" - 3107.905.5.2390

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 release funds back to the insured. Provided this Ordinance receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: DECEMBER 6, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 179 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriations in the 3105 State Patrol Transfer Fund, the 1421 WWT Plant Upgrade Fund, the 1210 Fire Pension Fund, the 1209 Police Pension Fund, the 1409 Municipal Road Fund, the 1340 Tax Increment Fund, the 3110 Massillon Museum Fund and the 3109 TIF Service Payment Fund, for the year ending December 31, 2019, 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 3105 State Patrol Transfer Fund, for the year ending December 31, 2019, as follows:

\$ -	11,776.64 from an account entitled "Law Library"	-	3105.930.5.2390
-	11,776.69 from an account entitled "Refund to General Fund"	-	3105.930.5.2720
\$ -	23,553.33 Total		

Section 2:

The appropriations are hereby reduced in the 1421 WWT Plant Upgrade Fund, for the year ending December 31, 2019, as follows:

\$ -	2,033,977.57 from an account entitled "WWT Plant Upgrade Project"	-	1421.610.5.2510
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Section 3:

The appropriations are hereby reduced in the 1210 Fire Pension Fund, for the year ending December 31, 2019, as follows:

\$ -	7,549.17 from an account entitled "Fringe Benefits"	-	1210.325.5.2240
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Section 4:

The appropriations are hereby reduced in the 1209 Police Pension Fund, for the year ending December 31, 2019, as follows:

\$ - 40,080.74 from an account entitled "Fringe Benefits" - 1209.305.5.2240

Section 5:

The appropriations are hereby reduced in the 1409 Municipal Road Fund, for the year ending December 31, 2019, as follows:

\$ - 171,626.00 from an account entitled "Erie St. S. Resurfacing Project" - 1409.435.5.2515

Section 6:

The appropriations are hereby reduced in the 1340 Tax Increment Fund, for the year ending December 31, 2019, as follows:

\$ - 3,583.49 from an account entitled "Fees" - 1340.905.5.2382

Section 7:

The appropriations are hereby reduced in the 3110 Massillon Museum Fund, for the year ending December 31, 2019, as follows:

\$ - 29,174.91 from an account entitled "Massillon Museum Holding Account"- 3110.905.5.2379

- 9,052.33 from an account entitled "Fees" - 3110.905.5.2393

\$ - **38,227.24 Total**

Section 8:

The appropriations are hereby reduced in the 3109 TIF Service Payment Fund, for the year ending December 31, 2019, as follows:

\$ - 23,610.67 from an account entitled "School District TIF's" - 3109.905.5.2379

- 7,144.96 from an account entitled "Developer TIF's" - 3109.905.5.2380

- 11,969.55 from an account entitled "County Collection Fees" - 3109.905.5.2393

\$ - **42,725.18 Total**

Section 9:

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 6, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 180 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2019 appropriations from within the 1100 General Fund, for the year ending December 31, 2019, 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 2019 appropriations within the 1100 General Fund, for the year ending December 31, 2019, the following:

FROM:	Hosp/Eye/Den/Pres/Life	1100.305.5.2210	-	\$ - 40,890.75
	Disability & Pension Transfer	1100.305.5.2710	-	- 35,104.38
	Hosp/Eye/Den/Pres/Life	1100.325.5.2210	-	- 20,890.74
	Disabilty & Pension Transfer	1100.325.5.2710	-	- 2,572.81
	Workers Compensation	1100.905.5.2270	-	- 80,000.00
	City/State Collection Fees	1100.905.5.2393	-	- <u>40,541.32</u>
	Total			\$ - 220,000.00
TO:	Insurance - Hospital	1100.915.5.2312	-	\$ 3,700.00
	Utilities – Hospital	1100.915.5.2340	-	31,000.00
	Services/Contracts – Hospital	1100.915.5.2392	-	<u>185,300.00</u>
	Total			\$ 220,000.00

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.