

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

**DATE: MONDAY, DECEMBER 2, 2019
PLACE: COUNCIL CHAMBERS
TIME: 6:30 P.M.**

THERE ARE NO PUBLIC HEARINGS TONIGHT

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILWOMAN MEGAN STARRETT**
- 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. 162 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio to enter into an agreement with Stark County Regional Planning Commission (SCRPC) for professional services provided by Stark County Regional Planning Commission (SCRPC) for the City's Housing Programs for the year ending December 31, 2020, and declaring an emergency.

ORDINANCE NO. 163 – 2019

BY: ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Memorandum of Understanding (MOU) agreement with Stark County Soil and Water Conservation District (SCSWCD) for technical assistance, and declaring an emergency.

ORDINANCE NO. 164 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to exercise the option to renew for the third year under the terms of the Agreement originally effective January 2013, with Kimble Recycling and Disposal Done Right for the collection of residential and commercial refuse and recycling for the calendar year 2020, and declaring an emergency.

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. 166 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a one (1) year contract with the Board of Trustees of Local Organized Government in Cooperation (L.O.G.I.C.) for fire department and police department dispatch services, and declaring an emergency.

ORDINANCE NO. 167 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Medical Mutual of Ohio for health insurance coverage for City employees, effective January 1, 2020 through December 31, 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. 169 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to enter into a one (1) year agreement with the Village of Navarre, Ohio, for the purpose of the Massillon Law Department to provide prosecutorial and legal services to the Village of Navarre, Ohio, and declaring an emergency.

ORDINANCE NO. 170 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health Services Fund for the Massillon City Health Department, for the year ending December 31, 2019, and declaring an emergency.

ORDINANCE NO. 171 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1433 Park and Recreation Capital Improvement Fund to purchase a mower for the Parks Department, for the year ending December 31, 2019, and declaring an emergency.

ORDINANCE NO. 172 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2019 appropriations from within the 1201 Street Construction M & R Fund, for the year ending December 31, 2019, and declaring an emergency.

ORDINANCE NO. 173 – 2019

BY: COMMITTEE OF THE WHOLE

AN ORDINANCE to approve current replacement pages to the Massillon Codified Ordinances, 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.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

- Mayor’s Report - October 2019
- Auditor’s Report - October 2019

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

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.

15. SECOND 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.

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 2, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 162 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio to enter into an agreement with Stark County Regional Planning Commission (SCRPC) for professional services provided by Stark County Regional Planning Commission (SCRPC) for the City's Housing Programs for the year ending December 31, 2020, 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 for the Mayor of the City of Massillon, Ohio, to enter into an agreement with Stark County Regional Planning Commission (SCRPC) for professional services provided by Stark County Regional Planning Commission (SCRPC) for the City's Housing Programs for the year ending December 31, 2020.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to enter into an agreement with Stark County Regional Planning Commission (SCRPC) for professional services provided by Stark County Regional Planning Commission (SCRPC) for the City's Housing Programs for the year ending December 31, 2020. Professional services include initial home inspections, home rehabilitation estimates, inspections during rehabilitation and final inspections of the completed rehabilitations. The compensation is Fifteen Thousand Dollars (\$15,000.00) per year.

(SEE EXHIBIT "A" HERETO ATTACHED)

DATE: DECEMBER 2, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 163 – 2019

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Memorandum of Understanding (MOU) agreement with Stark County Soil and Water Conservation District (SCSWCD) for technical assistance, 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 for the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Memorandum of Understanding (MOU) agreement with Stark County Soil and Water Conservation District (SCSWCD) for technical assistance.

Section 2:

The Director of Public Service and Safety of the City of the City of Massillon, Ohio, is hereby authorized and directed to enter into a Memorandum of Understanding (MOU) agreement with Stark County Soil and Water Conservation District (SCSWCD) for technical assistance. The Ohio EPA Storm Water Phase II Regulations require that large and medium-sized cities must obtain and maintain a National Pollutant Discharge Elimination System (NPDES) permit for municipal separate storm sewer systems (MS4s). A storm water management program must be developed to reduce storm water pollution, with several elements for which demonstrable progress must be achieved each year. This MOU allows SCSWCD to regulate, inspect and educate for EPA compliance in the corporation limits as required by the Ohio EPA under a five-year agreement. The Memorandum of Understanding agreement is attached hereto as Exhibit "A".

DATE: DECEMBER 2, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 164 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to exercise the option to renew for the third year under the terms of the Agreement originally effective January 2013, with Kimble Recycling and Disposal Done Right for the collection of residential and commercial refuse and recycling for the calendar year 2020, 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 for the Director of Public Service and Safety of the City of Massillon, Ohio, to exercise the option to renew for the third year under the terms of the Agreement originally effective January 2013, with Kimble Recycling and Disposal Done Right for the collection of residential and commercial refuse and recycling for the calendar year 2020.

Section 2:

The Director of Public Service and Safety of the City of the City of Massillon, Ohio, is hereby authorized and directed to exercise the option to renew for the third year under the terms of the Agreement originally effective January 2013, with Kimble Recycling and Disposal Done Right for the collection of residential and commercial refuse and recycling for the calendar year 2020.

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: DECEMBER 2, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 165 – 2019

BY: FINANCE COMMITTEE

TITLE: 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.

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 for 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.

Section 2:

The Director of Public Service and Safety of the City of the City of Massillon, Ohio, is hereby authorized and directed 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. Kimble has requested an amendment to the contract to increase the contract rate due to unforeseen market conditions that are negatively affecting the value of recyclable commodities world-wide. Said amended contract is attached hereto as 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: DECEMBER 2, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 166 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a one (1) year contract with the Board of Trustees of Local Organized Government in Cooperation (L.O.G.I.C.) for fire department and police department dispatch services, 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 Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a one (1) year contract with the Board of Trustees of Local Organized Government in Cooperation (L.O.G.I.C.) for fire department and police dispatch services.

Section 2:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, are hereby authorized and directed to enter into a one (1) year contract with the Board of Trustees of Local Organized Government in Cooperation (L.O.G.I.C.) for fire department and police department dispatch services. Contracts for dispatch services for the Massillon Fire Department and the Massillon Police Department are attached herein as 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: DECEMBER 2, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 167 – 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 contract with Medical Mutual of Ohio for health insurance coverage for City employees, effective January 1, 2020 through December 31, 2020, 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 to be necessary to enter into a contract with Medical Mutual of Ohio for health insurance coverage for City employees, effective January 1, 2020 through December 1, 2020.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a contract with Medical Mutual of Ohio for health insurance coverage for City employees, effective January 1, 2020 through December 31, 2020. The Healthcare Committee unanimously agreed to renew the current Medical Health Plan for 2020 with a rate increase of 2.8%.

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. Renewal Form attached hereto as Exhibit "A".

DATE: DECEMBER 2, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 168 - 2019

BY: FINANCE COMMITTEE

TITLE: 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.

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 amend Ordinance No. 144 – 2018, salary and wage schedules for SUPERVISORY (CLASSIFIED OR UNCLASSIFIED) EMPLOYEES, UNCLASSIFIED EMPLOYEES, and MISCELLANEOUS SCHEDULE for part-time employees.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed 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.

(SEE WAGE SCALE ATTACHMENTS "A thru E"; ATTACHED HEREIN)

Section 3:

Ordinance No. 144 – 2018 is hereby amended.

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 2, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 169 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to enter into a one (1) year agreement with the Village of Navarre, Ohio, for the purpose of the Massillon Law Department to provide prosecutorial and legal services to the Village of Navarre, Ohio, 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 for the Director of Law of the City of Massillon, Ohio, to enter into a one (1) year agreement with the Village of Navarre, Ohio, for the purpose of providing prosecutorial and legal services.

Section 2:

The Director of Law of the City of Massillon, Ohio, is hereby authorized to enter into a one (1) year agreement with the Village of Navarre, Ohio, for the purpose of providing prosecutorial and legal services. The Village of Navarre, Ohio, shall pay the sum of Fourteen Thousand Dollars (\$14,000.00) under the terms of the agreement. The contract will be effective from January 1, 2020 through December 31, 2020. These funds will go into the General Fund. Agreement attached hereto as 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 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 2, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 170 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health Services Fund for the Massillon City Health Department, 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 1235 Community Health Services Fund, for the year ending December 31, 2019, the following:

\$ 3,216.67 to an account entitled "Rent-St. James"	-	1235.705.5.2395
<u>550.00</u> to an account entitled "Salary"	-	1235.705.5.2110
\$ 3,766.67 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 meet payroll and rent billing. 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 2, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 171 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1433 Park and Recreation Capital Improvement Fund to purchase a mower for the Parks Department, 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 1433 Park and Recreation Capital Improvement Fund, for the year ending December 31, 2019, the following:

\$ 49,999.00 to an account entitled "Capital Equipment Leases/Purchases" - 1433.505.5.2530

Section 2:

This appropriation was approved by the Parks and Recreation Board by a 5 – 0 vote.

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 efficient operation of the various departments of the City of Massillon and for the further reason to purchase a mower for the parks. 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 2, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 172 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2019 appropriations from within the 1201 Street Construction M & R 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 1201 Street Construction M & R Fund, for the year ending December 31, 2019, the following:

FROM:	Street Gas and Oil	1201.435.5.2430	-	\$ - 7,500.00
TO:	Safety Utilities	1201.420.5.2340	-	\$+ 7,500.00

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 cover utility bills for the Massillon Safety Department for year-end 2019. 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.

ORDINANCE NO. 173-2019

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT
PAGES TO THE MASSILLON CODIFIED ORDINANCES
AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Constitution requires that Ohio municipal ordinances comply with State law if they are an exercise of the Municipality's police powers;

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Massillon, Ohio:

SECTION 1: That the ordinances of the City of Massillon, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the October 2019 Replacement Pages to the Codified Ordinances, are hereby approved and adopted.

SECTION 2: That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

- 301.04 Bicycle, Motorized Bicycle, Moped, Electric Bicycle. (Amended)
- 301.20 Motor Vehicle. (Amended)
- 301.251 Predicate Motor Vehicle Offense. (Amended)
- 301.361 Shared-Use Path. (Amended)
- 301.51 Vehicle. (Amended)
- 303.06 Freeway Use Restricted. (Amended)
- 313.09 Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
- 331.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
- 331.14 Signals Before Changing Course, Turning or Stopping. (Amended)
- 331.15 Hand and Arm Signals. (Amended)
- 331.37 Driving Upon Sidewalks, Street Lawns or Curbs. (Amended)
- 333.03 Maximum Speed Limits. (Amended)

DATE: DECEMBER 2, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 174 – 2019

BY: COMMITTEE OF THE WHOLE

TITLE: 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.

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

Section 1:

Whereas, the Council of the City of Massillon, Ohio, has determined that Ordinance No. 68 – 2012 should be repealed.

Section 2:

Whereas, the Council of the City of Massillon, Ohio, has determined that Ordinance No. 69 – 2012 should be repealed.

Section 3:

The language basing a salary increase upon an increase in the previous year's United States Consumer Price Index contained in Ordinance No. 252 – 1995 with regard to the Council President and Council Members be and is hereby reinstated, effective January 1, 2020, and shall read as follows:

“Effective January 1, 2020, and thereafter, the Council President and Council Members shall receive an increase in pay based on the previous year's United States Consumer Price Index.”

Section 4:

The language basing a salary increase upon an increase in the previous year's United States Consumer Price Index contained in Ordinance No. 251 – 1995 with regard to the Mayor, Auditor, Law Director and Treasurer be and is hereby reinstated, and shall read as follows:

“Effective January 1, 2020, and thereafter, the Mayor, Auditor and Law Director shall receive an increase in pay based on the previous year's United States Consumer Price Index.”