

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

**DATE: TUESDAY, FEBRUARY 19, 2019
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. 19 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 4318881, located at 3140 Lincoln Way E., Massillon, Ohio; and Parcel No. 4318333, located at 124 Austin Ave. N.W., Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

ORDINANCE NO. 20 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 4318330, located at 323 Marion Ave. N.W.; Parcel No. 4318329, Part of 323 Marion Ave. N.W.; Parcel No. 4318882, Marion Ave. N.W., Parking Lot; and Parcel No. 4309621, Bailey St. N.W., Parking Lot, all located in Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

ORDINANCE NO. 21 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the City of Massillon, Ohio, to least transfer Parcel No. 4318881, located at 3140 Lincoln Way E., Massillon, Ohio; and Parcel No. 4318333, located at 124 Austin Ave. N.W., Massillon, Ohio, from the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

ORDINANCE NO. 22 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the City of Massillon, Ohio, to transfer lease Parcel No. 4318330, located at 323 Marion Ave. N.W.; Parcel No. 4318329, Part of 323 Marion Ave. N.W.; Parcel No. 4318882, Marion Ave. N.W., Parking Lot; and Parcel No. 4309621, Bailey St. N.W., Parking Lot, all located in Massillon, Ohio, from the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

ORDINANCE NO. 23 – 2019

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE repealing Section 509.10, BEGGING, CHAPTER 509 – DISORDERLY CONDUCT AND PEACE DISTURBANCE of PART FIVE, GENERAL OFFENCES CODE of the Codified Ordinances of the City of Massillon, Ohio.

ORDINANCE NO. 24 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of the Park and Recreation Department of the City of Massillon, Ohio, to enter into an agreement with Lake Erie Golf Cars for a new lease, including ten (10) additional golf carts for The Legends of Massillon Golf Course, and declaring an emergency.

ORDINANCE NO. 25 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to renew the one (1) year Agreement with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services, and declaring an emergency.

ORDINANCE NO. 26 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2019, and declaring an emergency.

ORDINANCE NO. 27 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 3104 Vacant Foreclosure Deposit Fund to cover expenses for the Housing Market Reinvestment Program (HMRP), for the year ending December 31, 2019, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

A Request for a New Liquor License to 6th St. Market, LLC, DBA 6th Street Market located at 124 – 6th St. N.E., Massillon, Ohio 44646. It is located in Ward 2 and Permit Classes are C1 and C2.

9. BILLS, ACCOUNTS AND CLAIMS

The Repository - \$ 788.80 Publication of December Ordinances

10. REPORTS FROM CITY OFFICIALS

Auditor's Report - January 2019

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTION

ORDINANCE NO. 14 – 2019

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997, 610 – 615 WASTEWATER TREATMENT DEPARTMENT by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES, 610 – 615 WASTEWATER TREATMENT DEPARTMENT and enacting a new 610 – 615 WASTEWATER TREATMENT DEPARTMENT to Section 2(D) OCCUPATION LIST OF CLASS TITLES, in the City of Massillon, Ohio.

ORDINANCE NO. 15 – 2019

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997, 845 COMMUNITY DEVELOPMENT/PLANNING DEPARTMENT repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES, 845 COMMUNITY DEVELOPMENT/PLANNING DEPARTMENT and enacting a new 845 COMMUNITY DEVELOPMENT/PLANNING DEPARTMENT to Section 2(D) OCCUPATION LIST OF CLASS TITLES, in the City of 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: FEBRUARY 19, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 19 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 4318881, located at 3140 Lincoln Way E., Massillon, Ohio; and Parcel No. 4318333, located at 124 Austin Ave. N.W., Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), 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 that it is necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 4318881, located at 3140 Lincoln Way E., Massillon, Ohio and Parcel No. 4318333, located at 124 Austin Ave. N.W., Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC) for One Dollar (\$1.00) and other valuable consideration.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to transfer Parcel No. 4318881, located at 3140 Lincoln Way E., Massillon, Ohio and Parcel No. 4318333, located at 124 Austin Ave. N.W., Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC) for One Dollar (\$1.00) and other valuable consideration. Quit-Claim Deeds and Legal Descriptions attached hereto as Exhibit "1".

DATE: FEBRUARY 19, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 20 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 4318330, located at 323 Marion Ave. N.W.; Parcel No. 4318329, Part of 323 Marion Ave. N.W.; Parcel No. 4318882, Marion Ave. N.W., Parking Lot; and Parcel No. 4309621, Bailey St. N.W., Parking Lot, all located in Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), 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 that it is necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 4318330, located at 323 Marion Ave. N.W.; Parcel No. 4318329, Part of 323 Marion Ave. N.W.; Parcel No. 4318882, Marion Ave. N.W., Parking Lot; and Parcel No. 4309621, Bailey St. N.W., Parking Lot, all located in Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC) for One Dollar (\$1.00) and other valuable consideration.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to transfer Parcel No. 4318330, located at 323 Marion Ave. N.W.; Parcel No. 4318329, Part of 323 Marion Ave. N.W.; Parcel No. 4318882, Marion Ave. N.W., Parking Lot; and Parcel No. 4309621, Bailey St. N.W., Parking Lot, all located in Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC) for One Dollar (\$1.00) and other valuable consideration. Quit-Claim Deeds and Legal Descriptions attached hereto as Exhibit "1".

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LEGISLATIVE BRANCH

ORDINANCE NO. 21 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the City of Massillon, Ohio, to lease Parcel No. 4318881, located at 3140 Lincoln Way E., Massillon, Ohio; and Parcel No. 4318333, located at 124 Austin Ave. N.W., Massillon, Ohio, from the Community Improvement Corporation of Massillon (CIC), 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 that it is necessary for the City of Massillon, Ohio, to lease Parcel No. 4318881, located at 3140 Lincoln Way E., Massillon, Ohio; and Parcel No. 4318333, located at 124 Austin Ave. N.W., Massillon, Ohio, from the Community Improvement Corporation of Massillon (CIC).

Section 2:

The City of Massillon, Ohio, is hereby authorized and directed to lease Parcel No. 4318881, located at 3140 Lincoln Way E., Massillon, Ohio; and Parcel No. 4318333, located at 124 Austin Ave. N.W., Massillon, Ohio, from the Community Improvement Corporation of Massillon (CIC). The Lease is attached hereto as Exhibit "1".

DATE: FEBRUARY 19, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 22 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the City of Massillon, Ohio, to transfer lease Parcel No. 4318330, located at 323 Marion Ave. N.W.; Parcel No. 4318329, Part of 323 Marion Ave. N.W.; Parcel No. 4318882, Marion Ave. N.W., Parking Lot; and Parcel No. 4309621, Bailey St. N.W., Parking Lot, all located in Massillon, Ohio, from the Community Improvement Corporation of Massillon (CIC), 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 that it is necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 4318330, located at 323 Marion Ave. N.W.; Parcel No. 4318329, Part of 323 Marion Ave. N.W.; Parcel No. 4318882, Marion Ave. N.W., Parking Lot; and Parcel No. 4309621, Bailey St. N.W., Parking Lot, all located in Massillon, Ohio, from the Community Improvement Corporation of Massillon (CIC).

Section 2:

The City of Massillon, Ohio, is hereby authorized and directed to lease Parcel No. 4318330, located at 323 Marion Ave. N.W.; Parcel No. 4318329, Part of 323 Marion Ave. N.W.; Parcel No. 4318882, Marion Ave. N.W., Parking Lot; and Parcel No. 4309621, Bailey St. N.W., Parking Lot, all located in Massillon, Ohio, from the Community Improvement Corporation of Massillon (CIC). The Lease is attached hereto as Exhibit "1".

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MASSILLON CITY COUNCIL
CITY OF MASSILLON, OH
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COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 23 – 2019

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE repealing Section 509.10, BEGGING, CHAPTER 509 – DISORDERLY CONDUCT AND PEACE DISTURBANCE of PART FIVE, GENERAL OFFENCES CODE of the Codified Ordinances of the City of Massillon, Ohio.

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 that it is necessary to repeal Section 509.10, BEGGING, CHAPTER 509 – DISORDERLY CONDUCT AND PEACE DISTURBANCE of PART FIVE, GENERAL OFFENCES CODE of the Codified Ordinances of the City of Massillon, Ohio.

Section 2:

The City of Massillon, Ohio, is hereby authorized and directed to repeal Section 509.10, BEGGING, CHAPTER 509 – DISORDERLY CONDUCT AND PEACE DISTURBANCE of PART FIVE, GENERAL OFFENCES CODE of the Codified Ordinances of the City of Massillon, Ohio.

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: FEBRUARY 19, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 24 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of the Park and Recreation Department of the City of Massillon, Ohio, to enter into an agreement with Lake Erie Golf Cars for a new lease, including ten (10) additional golf carts for The Legends of Massillon Golf Course, 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 for the Director of the Park and Recreation Department of the City of Massillon, Ohio, to enter into an agreement with Lake Erie Golf Cars for a new lease, including ten (10) additional golf carts for The Legends of Massillon Golf Course.

Section 2:

The Director of the Park and Recreation Department of the City of Massillon, Ohio, is hereby authorized and directed to enter into an agreement with Lake Erie Golf Cars for a new lease, including ten (10) additional golf carts for The Legends of Massillon Golf Course. The Park and Recreation Board approved this new lease 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.

DATE: FEBRUARY 19, 2019

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 25 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to renew the one (1) year Agreement with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial 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 finds that it is necessary for the Director of Law of the City of Massillon, Ohio, to renew the one (1) year Agreement with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services.

Section 2:

The Director of Law of the City of Massillon, Ohio, is hereby authorized to renew the one (1) year agreement with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services. The City of Canal Fulton, Ohio, shall pay the sum of Twenty-Five Thousand Two Hundred Dollars (\$25,200.00) under the terms of the Agreement. The Agreement will be from February 1, 2019 through January 31, 2020. These funds will go into the General Fund. Said Agreement is attached 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: FEBRUARY 19, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 26 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of 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 appropriated from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2019, the following:

\$ 3,580.00 to an account entitled "Special Events Programs" - 1100.905.5.2398

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 pay existing invoices. 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: FEBRUARY 19, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 27 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 3104 Vacant Foreclosure Deposit Fund to cover expenses for the Housing Market Reinvestment Program (HMRP), 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 3104 Vacant Foreclosure Deposit Fund to cover expenses for the Housing Market Reinvestment Program (HMRP), for the year ending December 31, 2019, the following:

\$ 23,939.46 to an account entitled "HMRP Grant Program"	-	3104.415.5.2380
800.00 to an account entitled "HMRP Services/Contracts"	-	3104.415.5.2392
800.00 to an account entitled "HMRP" Supplies/Mats/Postage	-	3104.415.5.2410
\$ 25,539.46 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 move forward with HMRP Program for 2019. 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.