

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

**DATE: MONDAY, FEBRUARY 4, 2019
PLACE: COUNCIL CHAMBERS
TIME: 6:30 P.M.**

**THERE IS A PUBLIC HEARING TONIGHT
ORDINANCE NO. 2 – 2019
6:00 P.M.**

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILWOMAN LINDA LITMAN**
- 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. 12 – 2019

BY: ENVIRONMENTAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the disposal and removal of bio solids at the Massillon Wastewater Treatment Plant, and declaring an emergency.

ORDINANCE NO. 13 – 2019

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Intime Solutions, Inc. on behalf of the Massillon Police Department, and declaring an emergency.

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.

ORDINANCE NO. 16 – 2019

BY: RULES, COURTS, AND CIVIL SERVICE COMMITTEE

AN ORDINANCE requesting City Council of the City of Massillon, Ohio, to consider and vote to accept a State of Ohio State Employment Relations Board Report and Recommendation of a Fact-Finder and to enter into a contract agreement with the Fraternal Order of Police, OLC, Inc., Blue Unit, and declaring an emergency.

ORDINANCE NO. 17 – 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. 18 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1222 Waste Management Grant Fund, for the year ending December 31, 2019, and declaring an emergency.

RESOLUTION NO. 1 – 2019

BY: FINANCE COMMITTEE

A RESOLUTION authorizing the sale, by Internet Auction during calendar year 2019, of City owned personal property which is not needed for public use or which is obsolete or unfit for the use for which it was acquired.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

Keller's - \$ 21.37 Office Supplies

10. REPORTS FROM CITY OFFICIALS

Mayor's Report - December 2018

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 2 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-3 One-Family Residential to PUD Planned Unit Development, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTION

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 4, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 12 – 2019

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the disposal and removal of bio solids at the Massillon Wastewater Treatment Plant, 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 advertise for and receive sealed bids and enter into a contract, with the lowest and best bidder, upon the approval of the Board of Control, for the disposal and removal of bio solids at the Massillon Wastewater Treatment Plant.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to advertise for and receive sealed bids and enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the disposal and removal of bio solids at the Massillon Wastewater Treatment Plant.

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 4, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 13 – 2019

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Intime Solutions, Inc. on behalf of the Massillon Police Department, 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 a contract with Intime Solutions, Inc. on behalf of the Massillon Police Department.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract with Intime Solutions, Inc. on behalf of the Massillon Police Department. This contract is to implement a timekeeping system that will provide services in assisting with scheduling, timekeeping, employee portal, mobile app, support maintenance and secure hosting.

Section 3:

The first year total cost is \$18,905.00 - \$10,000 payroll and \$8,905.00 software/maint. The second year total cost is \$8,260.00 - \$5,760.00 software and \$2,500 maintenance. This will be paid from the 1220 Waste Management Grant Fund as this qualifies as a Go-Green Project.

DATE: FEBRUARY 4, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 14 – 2019

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: 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.

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

Section 1:

Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ord. No. 127 – 1997, 610 – 615 WASTEWATER TREATMENT DEPARTMENT is hereby repealed.

Section 2:

That Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ord. No. 127 – 1997, 610 – 615 WASTEWATER TREATMENT DEPARTMENT is hereby amended by the new 610 – 615 WASTEWATER TREATMENT DEPARTMENT.

(SEE ATTACHMENT “D”, PAGE 8 OF THE OCCUPATIONAL LIST OF CLASS TITLES)

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 4, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 15 – 2019

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: 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.

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

Section 1:

Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ord. No. 127 – 1997, 845 COMMUNITY DEVELOPMENT/PLANNING DEPARTMENT is hereby repealed.

Section 2:

That Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ord. No. 127 – 1997, 845 COMMUNITY DEVELOPMENT DEPARTMENT is hereby amended by the new 845 COMMUNITY DEVELOPMENT/PLANNING DEPARTMENT.

(SEE ATTACHMENT "D", PAGE 9 OF THE OCCUPATIONAL LIST OF CLASS TITLES)

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 4, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 16 – 2019

BY: RULES, COURTS, AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE requesting City Council of the City of Massillon, Ohio, to consider and vote to accept a State of Ohio State Employment Relations Board Report and Recommendation of a Fact-Finder and to enter into a contract agreement with the Fraternal Order of Police, OLC, Inc., Blue Unit, 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 consider and vote to accept a State of Ohio State Employment Relations Board Report and Recommendation of a Fact-Finder and to enter into a contract agreement with the Fraternal Order of Police, OLC, Inc., Blue Unit.

Section 2:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio are hereby authorized and directed to accept a State of Ohio State Employment Relations Board Report and Recommendation of a Fact-Finder and to enter into a contract agreement with the Fraternal Order of Police, OLC, Inc., Blue Unit.

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 4, 2019

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO

CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 17 – 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:

\$ 26,368.00 to an account entitled "Hospital Salary"	-	1100.915.5.2110
8,772.00 to an account entitled "Hospital Hosp/Eye/Den/Pres/Life-	-	1100.915.5.2210
2,637.00 to an account entitled "Hospital P.E.R.S."	-	1100.915.5.2230
383.00 to an account entitled "Hospital Medicare"	-	1100.915.5.2231
100,000.00 to an account entitled "Hospital Utilities"	-	1100.915.5.2340
100,000.00 to an account entitled "Hospital Services/Contracts"	-	1100.915.5.2392
<u>85,000.00</u> to an account entitled "Hospital Real Property Taxes"	-	1100.915.5.2391
\$323,160.00 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.

DATE: FEBRUARY 4, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 18 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1222 Waste Management Grant 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 1222 Waste Management Grant Fund, for the year ending December 31, 2019, the following:

\$ 18,905.00 to an account entitled "Services/Contracts" - 1222.905.5.2392

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 allow time to properly execute the proposal that was issued on December 13, 2018. 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 4, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

RESOLUTION NO. 1 - 2019

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION authorizing the sale, by Internet Auction during calendar year 2019, of City owned personal property which is not needed for public use or which is obsolete or unfit for the use for which it was acquired.

WHEREAS, pursuant to R.C. 721.15(D), Council for the City of Massillon, may adopt, during each calendar year, a resolution expressing its intent to sell municipally owned property, regardless of the property's value, by internet auction; and

WHEREAS, Council for the City of Massillon has determined that it is advantageous to contract with an Government Internet Auction Site, such as www.govdeals.com, or another provider in the business of auctioning unneeded government property as the City's representative to conduct auctions on its behalf for city owned property which is not needed for public use or which is obsolete or unfit for the use for which it was acquired.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Massillon, County of Stark, State of Ohio, as follows:

Section 1.

During calendar year 2019, city owned personal property which is not needed for public use, or which is obsolete or unfit for the use for which it was acquired, may be sold at internet auction.

Section 2.

All internet auction sales shall be conducted under the authority and direction of the Safety Service Director or his designee.

Section 3.

All internet auction sales of municipal personal property, shall be conducted by GovDeals.com internet auction service or another provider in the business of conducting auctions for unneeded, obsolete or unfit government property.

Section 4.

All internet auction sales shall be conducted pursuant to the rules and regulations promulgated and then in effect for the chosen provider. The City of Massillon will maintain a link to the current internet auction service on its website, www.massillonohio.com to inform the public of the providers name, address, telephone number and rules and regulations for current auctions.

Section 5.

For each internet auction sale, bidding shall remain open for not less than ten (10) days, including Saturdays, Sundays and legal holidays.

Section 6.

That it is FOUND and DETERMINED that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including those of Section 121.22 of the Ohio Revised Code.

PASSED, this _____ day of _____, 2019.

ATTEST: _____
Diane Rolland, Clerk of Council

Claudette O. Istnick, President

APPROVED: _____

Kathy Catazaro-Perry, Mayor