

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

**DATE: MONDAY, APRIL 1, 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. 45 – 2019**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the Director of Public Safety and Service of the City of Massillon, Ohio, to execute a Bill of Sale for the transfer of contents located at 3140 Lincoln Way East, Massillon, Ohio and 124 Austin Avenue NW, Massillon, Ohio; Parcel Nos. 43-18881 and 43-18333, to the Community Improvement Corporation of Massillon, Ohio (CIC), and declaring an emergency.

**ORDINANCE NO. 46 – 2019**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE adopting the recommendations of the Massillon Tax Incentive Review Committee (TIRC) with regard to the renewal and termination of Massillon Enterprise Zone (EZ) projects.

**ORDINANCE NO. 47 – 2019**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE directing the Director of Public Safety and Service of the City of Massillon, Ohio, to enter into a contract agreement with various programs through the Community Development Block Grant Programs for the FY 2019/2020, which the City has provided through the CDBG Program funding, and declaring an emergency.

**ORDINANCE NO. 48 – 2019**

**BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids according to law and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the City of Massillon Wastewater Treatment Plant; Final Clarifiers Coating Project 2019, and declaring an emergency.

**ORDINANCE NO. 49 – 2019**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2101 Wastewater Treatment Fund, for the year ending December 31, 2019, and declaring an emergency.

**ORDINANCE NO. 50 – 2019**

**BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Auditor of the City of Massillon, Ohio, to enter into a contract with the Ohio Auditor of State to audit the City's Basic Financial Statements as of and for the year ending December 31, 2018, and declaring an emergency.

**7. UNFINISHED BUSINESS**

**8. PETITIONS AND GENERAL COMMUNICATIONS**

**9. BILLS, ACCOUNTS AND CLAIMS**

**10. REPORTS FROM CITY OFFICIALS**

Mayor's Appointment of Helen Poole and Rodney Lemon to the City of Massillon Fair Housing Board for the term of April 1, 2019 to December 31, 2023

Treasurer's Report	-	February 2019
Mayor's Report	-	February 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. 30 – 2019**

**BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE**

AN ORDINANCE to accept the dedication of road right of way and easements for Phoenix Avenue S.E., located in the Neocom Industrial Park in Massillon, Ohio, and declaring an emergency.

**15. SECOND READING ORDINANCES AND RESOLUTIONS**

**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: APRIL 1, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 45 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Safety and Service of the City of Massillon, Ohio, to execute a Bill of Sale for the transfer of contents located at 3140 Lincoln Way East, Massillon, Ohio and 124 Austin Avenue NW, Massillon, Ohio; Parcel Nos. 43-18881 and 43-18333, to the Community Improvement Corporation of Massillon, Ohio (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 it necessary in the public health, safety and welfare of the community to authorize the Director of Public Safety and Service of the City of Massillon, Ohio, to execute a Bill of Sale for the transfer of contents located at 3140 Lincoln Way East and 124 Austin Avenue NW, Massillon, Ohio; Parcel Nos. 43-18881 and 43-18333, to the Community Improvement Corporation of Massillon, Ohio (CIC).

Section 2:

The Director of Public Safety and Service of the City of Massillon, Ohio, is hereby authorized and directed to execute a Bill of Sale for the transfer of contents located at 3140 Lincoln Way East, Massillon, Ohio and 124 Austin Avenue NW, Massillon, Ohio; Parcel Nos. 43-18881 and 43-18333, to the Community Improvement Corporation of Massillon, Ohio (CIC). The contents are being transferred to the CIC, so as to be included in the public auction of said real property. The Bill of Sale is attached hereto as Exhibit "1."

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.

Bill of Sale of Personal Property  
(Sold As-Is)

State of Ohio  
County of Stark

**KNOW ALL PERSONS BY THESE PRESENTS:**

THAT the City of Massillon, Seller of 3140 Lincoln Way East, Massillon, Ohio 44646, Stark County, Ohio, and 124 Austin Avenue NW, Massillon, Ohio 44646, Stark County, Ohio, in consideration of the payment of the sum of one dollar (\$1.00), receipt of payment acknowledged, do hereby sell and transfer to the Community Improvement Corporation of Massillon, Ohio, Buyer, of 50 First Street NE, Massillon, Ohio 44646, Stark County, Ohio, his/her successors or assigns, the following described personal property located in the County of Stark, State of Ohio:

Attached Exhibit A.

Seller warrants that he it is the lawful owner in every respect of all of the described property in Exhibit A and that it is free and clear of all liens, security agreements, encumbrances, claims demands, and charges of every kind whatsoever.

Seller binds Seller, his/her successor and assigns, to warrant and defend the title to all of the described property to Buyer, his/her successors and assigns, forever against every person lawfully claiming the described property or any part of it.

THE DESCRIBED PROEPRTY IS SOLD "AS-IS" WITHOUT ANY WARRANTIES, EXPRESS OR IMPLIED, AS TO THE CONDITION OF SUCH PROPERTY. BY ACCEPTING THIS BILL OF SALE, BUYER REPRESENT THAT BUYER ACCEPTS THE PROPERTY "AS-IS".

IN WITNESS WHEREOF, this Bill of Sale is executed on \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Seller's Signature

\_\_\_\_\_  
Seller's Typed or Printed Name

\_\_\_\_\_  
Witness' Signature

\_\_\_\_\_  
Witness' Typed or Printed Name

## ACKNOWLEDGMENT

**State of Ohio**

**County of** \_\_\_\_\_

Before me, the undersigned authority, on this day appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the instrument for the purposes and consideration expressed in the instrument. Given under my hand and seal of office on \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Notary's Signature

\_\_\_\_\_  
Notary's Typed or Printed Name

**NOTARY PUBLIC**  
**My Commission Expires:**

\_\_\_\_\_

DATE: APRIL 1, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 46 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE adopting the recommendations of the Massillon Tax Incentive Review Committee (TIRC) with regard to the renewal and termination of Massillon Enterprise Zone (EZ) projects.

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

Section 1:

The Massillon Tax Incentive Review Committee held its annual meeting regarding Massillon Enterprise Zone Projects on March 21, 2019. A summary report of the Massillon City Enterprise Zone Projects is attached hereto as Exhibit "A".

Section 2:

The Massillon Tax Incentive Review Committee has recommended that the exemptions for all of the City's active Enterprise Zone Projects be continued.

Section 3:

The Council of the City of Massillon hereby approves and adopts the recommendations of the Tax Incentive Review Committee as set forth on the attached Exhibit "A". All exemptions shall be continued.

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: APRIL 1, 2019

CLERK: DIANE ROLLAND

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CITY OF MASSILLON, OHIO  
CLAUDETTE O. ISTNICK, PRESIDENT

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LEGISLATIVE BRANCH

ORDINANCE NO. 47 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE directing the Director of Public Safety and Service of the City of Massillon, Ohio, to enter into a contract agreement with various programs through the Community Development Block Grant Programs for the FY 2019/2020, which the City has provided through the CDBG Program funding, 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 enter into a contract agreement with various programs through the Community Development Block Grant Programs for the FY 2019/2020, which the City has provided through the CDBG Program Funding.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into separate contract agreements with the programs listed below for the amounts specified through the Community Development Block Grant Programs for the FY 2019/2020, which the City has provided through the CDBG Program Funding:

Boys and Girls Club of Massillon	\$ 10,000.00
Canton Ex-News Boys Assoc.	8,000.00
CommQuest-Family Living Center	10,000.00
Domestic Violence Project Shelter	10,000.00
Faith in Action	8,000.00
Habitat for Humanity	10,000.00
Make-A-Way	5,500.00
Salvation Army of Massillon	8,000.00
Stark County Mental Health & Addiction	10,000.00
Vantage Aging	5,000.00
Westark Family Services	9,000.00
YMCA of Western Stark County	4,000.00
<b>TOTAL</b>	<b>\$ 97,500.00</b>



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COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 48 – 2019

BY: FINANCE 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 according to law and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the City of Massillon Wastewater Treatment Plant Final Clarifiers Coating Project 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 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 lowest and best bidder, upon the approval of the Board of Control, for the City of Massillon Wastewater Treatment Plant; Final Clarifiers Coating Project 2019.

Section 2:

The Director of Public Service and Safety 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 City of Massillon Wastewater Treatment Plant Final Clarifiers Coating Project 2019 . The estimated cost of said project is Four Hundred Forty Thousand Dollars (\$440,000.00) and will be funded through account 2101.610.5.2512, Clarifiers Coating Project 2019.

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: APRIL 1, 2019

CLERK: DIANE ROLLAND

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CITY OF MASSILLON, OHIO  
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 49 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 2101 Wastewater Treatment 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 2101 Wastewater Treatment Fund, for the year ending December 31, 2019, the following:

\$ 440,000.00 to an account entitled "Clarifiers Coating Project 2019" -	2101.610.5.2512
<u>35,170.00</u> to an account entitled "Clarifiers Coating Project 2019" -	2101.610.5.2512
<b>\$ 475,170.00 Total</b>	

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 additional reason to release funds timely for the sandblasting and painting to be completed during the summer months. 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: APRIL 1, 2019

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
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CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 50 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor of the City of Massillon, Ohio, to enter into a contract with the Ohio Auditor of State to audit the City's Basic Financial Statements as of and for the year ending December 31, 2018, 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 Auditor to enter into a contract with the Ohio Auditor of State to audit the City's Basic Financial Statements as of and for the year ending December 31, 2018.

Section 2:

The Auditor is hereby authorized and directed to enter into a contract with the Ohio Auditor of State to audit the City's Basic Financial Statements as of and for the year ending December 31, 2018.

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.