

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

**CORRECTED AGENDA**

DATE: MONDAY, MAY 20, 2019  
PLACE: COUNCIL CHAMBERS  
TIME: 6:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILMAN DAVE IRWIN
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. 67 – 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. 614523, a vacant lot located on North Avenue N.W., Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon, Ohio (CIC), and declaring an emergency.

**ORDINANCE NO. 68 – 2019**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with "Here for You" Child Development Center, located at 101 Tremont Avenue S.E., Massillon, Ohio, to provide an economic development grant to cover cost for property improvements, and declaring an emergency.

**ORDINANCE NO. 69 – 2019**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with JD Real Estate, located at 215 Erie Street N., Massillon, Ohio, to provide an economic development grant to cover the cost of replacing the sidewalk, and declaring an emergency.

**ORDINANCE NO. 70 – 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 to transfer hospital equipment items to the Community Improvement Corporation of Massillon, Ohio (CIC), and declaring an emergency.

**ORDINANCE NO. 71 – 2019**

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

**AN ORDINANCE** to accept the dedication of road right of way and easements for Westbrook Estates, Phase 5A subdivision, Massillon, Ohio, and declaring an emergency.

**ORDINANCE NO. 72 – 2019**

**BY: FINANCE COMMITTEE**

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

**ORDINANCE NO. 73 – 2019**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1237 Economic Development 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 - \$ 1,006.40 Publication of March Ordinances

**10. REPORTS FROM CITY OFFICIALS**

Auditor's Report - March 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 RESOLUTIONS**

**ORDINANCE NO. 59 – 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-1 One-Family Residential to O-1 Office, and declaring an emergency.

**ORDINANCE NO. 60 – 2019**

**BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE**

AN ORDINANCE amending Section 557.08(a) of CHAPTER 557 – “WEEDS AND TREES” of PART FIVE, GENERAL OFFENCES CODE of the Codified Ordinances of the City of Massillon, Ohio, 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: MAY 20, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 67 – 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. 614523, a vacant lot located on North Avenue N.W., Massillon, Ohio, from the City of Massillon 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 that it is necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 614523, a vacant lot located on North Avenue N.W., Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon, Ohio (CIC).

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to transfer Parcel No. 614523, a vacant lot located on North Avenue N. W., Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon, Ohio (CIC) for One Dollar (\$1.00) and other valuable consideration.

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: MAY 20, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 68 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with "Here for You" Child Development Center, located at 101 Tremont Avenue S.E., Massillon, Ohio, to provide an economic development grant to cover cost for property improvements, and declaring an emergency.

WHEREAS, the City of Massillon carries out a variety of economic development programs designed to promote the creation and expansion of business and industry in the community; and

WHEREAS, "Here for You" Child Development Center desires to be reimbursed of funds used for property improvements at the property located at 101 Tremont Avenue S.E., Massillon, Ohio, and

WHEREAS, the City of Massillon proposes to reimburse "Here for You" Child Development Center with an economic development grant, for the purpose to reimburse funds used for property improvements.

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

Section 1:

This Council hereby authorizes and directs the Mayor to enter into an agreement with "Here for You" Child Development Center by providing an economic development grant, in a total amount not to exceed Four Thousand Dollars (\$4,000.00) for the purpose of reimbursing the center for funds used for property improvements at 101 Tremont Ave. S.E., Massillon, Ohio.

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.

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COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 69 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with JD Real Estate, located at 215 Erie Street N., Massillon, Ohio, to provide an economic development grant to cover the cost of replacing the sidewalk, and declaring an emergency.

WHEREAS, the City of Massillon carries out a variety of economic development programs designed to promote the creation and expansion of business and industry in the community; and

WHEREAS, JD Real Estate desires to be reimbursed of funds used for cost of replacing the sidewalk at the property located at 215 Erie Street N., Massillon, Ohio, and

WHEREAS, the City of Massillon proposes to reimburse JD Real Estate with an economic development grant, for the purpose to reimburse funds used for the cost of replacing the sidewalk.

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

Section 1:

This Council hereby authorizes and directs the Mayor to enter into an agreement with JD Real Estate by providing an economic development grant, in a total amount not to exceed Fourteen Thousand Nine Hundred Forty-Five Dollars (\$14,950.00) for the purpose of reimbursing the business for funds used to replace the sidewalk located at 215 Erie Street N., Massillon, Ohio.

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: MAY 20, 2019

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COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 70 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement to transfer hospital equipment items to the Community Improvement Corporation of Massillon, Ohio (CIC), and declaring an emergency.

Section 1:

The Council of the City of Massillon, Ohio, hereby finds it necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement to transfer hospital equipment items per the attached Bill of Sale and as listed in the attached Exhibit "A", to the Community Improvement Corporation of Massillon, Ohio (CIC).

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into an agreement to transfer hospital equipment items per the attached Bill of Sale and as listed in the attached Exhibit "A" to the Community Improvement Corporation of Massillon, Ohio (CIC) for One Dollar (\$1.00) and other valuable consideration.

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: MAY 20, 2019

CLERK: DIANE ROLLAND

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LEGISLATIVE BRANCH

ORDINANCE NO. 71 – 2019

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE to accept the dedication of road right of way and easements for Westbrook Estates, Phase 5A subdivision, Massillon, 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 it necessary to accept the dedication of road right of way and easements for Westbrook Estate, Phase 5A subdivision, Massillon, Ohio, as shown on the attached map. At its April 10, 2019 meeting, the City Planning Commission approved for said plat for the subdivision. The request includes the dedication of 1.407 acres of roadways including extension of Alpha St. N.W. and Halle Circle N.W. There will be 20 platted lots and the area is currently zoned R-2 Single Family Residential.

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:

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: MAY 20, 2019

CLERK: DIANE ROLLAND

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CITY OF MASSILLON, OHIO  
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COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 72 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development 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 1237 Economic Development Fund, for the year ending December 31, 2019, the following:

\$ 4,000.00 to an account entitled "Services/Contracts" - 1237.845.2392

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 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 facilitate the economic development grant for the "Here for You" Child Development Center. 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: MAY 20, 2019

CLERK: DIANE ROLLAND

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LEGISLATIVE BRANCH

ORDINANCE NO. 73 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development 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 1237 Economic Development Fund, for the year ending December 31, 2019, the following:

\$ 14,950.00 to an account entitled "Services/Contracts" - 1237.845.2392

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 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 facilitate the economic development grant for JD Real Estate. 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.