

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

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

THERE ARE NO PUBLIC HEARINGS TONIGHT

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN MICHAEL GREGG**
- 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. 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 & BLDG. REGS. 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.

ORDINANCE NO. 61 – 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 purchase agreement with Penn Care Inc. to purchase a 2018 MEDIX Type I ambulance on behalf of the Massillon Fire Department.

ORDINANCE NO. 62 – 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., Gold Unit, and declaring an emergency.

ORDINANCE NO. 63 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 3112 Donations Fund and the 1100 General Fund, for the year ending December 31, 2019, and declaring an emergency.

ORDINANCE NO. 64 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1205 Safety Forces Improvement Fund and the 1100 General Fund, for the year ending December 31, 2019, and declaring an emergency.

ORDINANCE NO. 65 – 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. 66 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2019 appropriations from within the 1100 General 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

Keller's Office Furniture - \$ 45.75 Copy Paper and Office Supplies

10. REPORTS FROM CITY OFFICIALS

Treasurer's Report - March 2019
Mayor'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

ORDINANCE NO. 47 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications.

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: MAY 6, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 59 – 2019

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: 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.

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and prosperity of the community to change the designation of the area set forth in Section 2 hereof from R-1 One-Family Residential to O-1 Office. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on April 10, 2019, and that notice and public hearing has been given according to law.

Section 2:

The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and is hereby amended to show the following described area as O-1 Office.

Being known as Lot #4102 (106'ES) of Parcel #613863, a 5,450 square foot parcel located at 1225 – 4th St. S.W., Massillon, Ohio; and Lot #4102 (41'AV WE) of Parcel #613662, a 2,050 square foot parcel located at McKinley Ave. S.W., 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: MAY 6, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 60 – 2019

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: 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.

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 amend Section 557.08(a), CHAPTER 557 – “WEEDS AND TREES” 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 amend 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. Said amendment 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: JUNE 19, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 61 – 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 purchase agreement with Penn Care Inc. to purchase a 2018 MEDIX Type I ambulance on behalf of the Massillon Fire Department.

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 in the public health, safety and welfare to authorize and direct the Director of Public Service and Safety of the City of Massillon to enter into a purchase agreement with Penn Care Inc. to purchase a 2018 MEDIX Type I ambulance on behalf of the Massillon Fire 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 purchase agreement with Penn Care Inc. to purchase a 2018 MEDIX Type I ambulance on behalf of the Massillon Fire Department. The purchase price is not to exceed One Hundred Seventy-Three Thousand, Eight Hundred Thirty-Six Dollars (\$173,836.00), with funding for the entire project appropriated through the 1401 EMS Capital Fund.

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 6, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 62 – 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., Gold 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., Gold 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., Gold 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: MAY 6, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 63 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 3112 Donations Fund and 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 3112 Donations Fund, for the year ending December 31, 2019, the following:

\$ 900.00 to an account entitled "Supplies/Materials/Postage" - 3112.905.5.2411

Section 2:

There be and hereby is appropriated from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2019, the following:

\$100,492.60 to an account entitled "NIP Program" - 1100.905.5.239C

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 6, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 64 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1205 Safety Forces Improvement Fund and 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 1205 Safety Forces Improvement Fund, for the year ending December 31, 2019, the following:

\$ 10,000.00 to an account entitled "Services/Contracts" - 1205.125.5.2392

Section 2:

There be and hereby is appropriated from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2019, the following:

\$ 50,000.00 to an account entitled "Transfer/Advance Out" - 1100.905.5.2752

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 6, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 65 – 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:

\$ 125,000.00 to an account entitled "Hospital Utilities"	-	1100.915.5.2340
<u>75,000.00</u> to an account entitled "Hospital Services/Contracts"	-	1100.915.5.2392
\$ 200,000.00 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.

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 current and future bills related to the hospital properties. 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 6, 2019

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 66 – 2019

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2019 appropriations from within 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 transferred from the 2019 appropriations within the 1100 General Fund, for the year ending December 31, 2019, the following:

FROM:	Transfer/Advance Out	1100.905.5.2752	-	\$ - 50,000.00
TO:	Transfer In	1237.905.4.1860	-	\$ +50,000.00

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 allow funds to be appropriated and moved immediately. 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.