

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

**DATE: MONDAY, JANUARY 6, 2020
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. 1 – 2020

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 with John Patrick Picard Architect Inc. for architectural services in the redevelopment of Duncan Plaza.

ORDINANCE NO. 2 – 2020

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from O-1 Office to R-1 One Family Residential, and declaring an emergency.

ORDINANCE NO. 3 – 2020

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the City of Massillon, Ohio, to accept the estimated proposal submitted by Edward Elum for the repairs and improvements to Duncan Plaza.

ORDINANCE NO. 4 – 2020

BY: POLICE AND FIRE 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 Massillon Fire Department to purchase Advanced Fire Training Props, and declaring an emergency.

ORDINANCE NO. 5 – 2020

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY 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 2019 Erie Street South Resurfacing Project, and declaring an emergency.

ORDINANCE NO. 6 – 2019

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1409 Municipal Road Fund for the Erie St. S. Resurfacing Project, for the year ending December 31, 2020, and declaring an emergency.

ORDINANCE NO. 7 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for the City's share of the redevelopment of Duncan Plaza, for the year ending December 31, 2020, and declaring an emergency.

RESOLUTION NO. 1 – 2020

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

A RESOLUTION appointing Frank J. Manaco and David C. Lundquist to the Local Board of Tax Review created under Codified Ordinance 181.18.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

A Request for a Transfer of Liquor License from Bender's Inc., DBA Bender's Restaurant and Lounge & Patio located at 50 Lincoln Way E., 1st Floor and Bsmt., Massillon, OH 44646 to Bender's Food and Spirits, Inc., DBA Bender's Food and Spirits located at 50 Lincoln Way E., Massillon, OH 44646. Permit Class D5 and is located in Ward 2.

8. PETITIONS AND GENERAL COMMUNICATIONS (Cont.)

A Request for a Transfer of Liquor License from Vassiliki Vellios Estate, George John Vellios, Adm., DBA John George Convenient Store located at 3206 Lincoln Way W. Drive Thru, Massillon, OH 44647 to 3206 LWW Holdings, LLC, located at 3206 Lincoln Way W. Drive Thru, Massillon, OH 44647. Permit Classes are C1, C2 and D6 and is located in Ward 6.

9. BILLS, ACCOUNTS AND CLAIMS

Keller's Office Furniture - \$ 182.95 Office Supplies

10. REPORTS FROM CITY OFFICIALS

Treasurer's Report - October 2019
Treasurer's Report - November 2019
Auditor's Report - November 2019
Mayor's Report - November 2019
Mayor's State of the City Address to City Council

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. 174 – 2019

BY: COMMITTEE OF THE WHOLE

AN ORDINANCE reinstating the increase in pay based on the previous year's United States Consumer Price Index for the Council President, Council Members, Mayor, Auditor, Law Director and Treasurer, and declaring an emergency.

16. NEW AND MISCELLANEOUS BUSINESS

Appointment of Committees and Nomination of Council Pro Tem

17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA

18. ADJOURNMENT

DIANE ROLLAND – CLERK OF COUNCIL

DATE: JANUARY 6, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 1 – 2020

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 with John Patrick Picard Architect Inc. for architectural services in the redevelopment of Duncan Plaza.

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 Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with John Patrick Picard Architect Inc. for architectural services in the redevelopment of Duncan Plaza.

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 with John Patrick Picard Architect Inc. for architectural services in the redevelopment of Duncan Plaza as described in the agreement 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 of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

DATE: JANUARY 6, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 2 – 2020

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from O-1 Office to R-1 One Family Residential, 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 O-1 Office to R-1 One Family Residential. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on December 11, 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 R-1 One Family Residential. A map of the area is attached hereto as Exhibit "A".

Being known as Lot #725 of Parcel #604017, a .149 acre parcel located at 424 – 1st St. N.E., Massillon, Ohio. The purpose for the rezoning is so that Habitat for Humanity East Central Ohio can proceed with development. The area is currently zoned O-1 Office.

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: JANUARY 6, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 3 – 2020

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the City of Massillon, Ohio, to accept the estimated proposal submitted by Edward Elum for the repairs and improvements to Duncan Plaza.

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 accept the estimated proposal submitted by Edward Elum for the repairs and improvements to Duncan Plaza. The proposal includes the clean-up, landscape, repair, improvement of accessibility, utility hook-ups and increased seating as described in the estimated proposal attached hereto as Exhibit "A".

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 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 shall take effect and be in force from and after the earliest period allow by law.

DATE: JANUARY 6, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 4 – 2020

BY: POLICE AND FIRE 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 Massillon Fire Department to purchase Advanced Fire Training Props, 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 Massillon Fire Department to purchase Advanced Fire Training Props as described in Exhibit "A" attached hereto.

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 Massillon Fire Department to purchase Advanced Fire Training Props. The City of Massillon received a grant through FEMA in the amount of One Hundred Seven Thousand Nine Hundred Fifty-four Dollars and Fifty-four Cents (\$107,954.54). The City's share is 10% of the Federal Funds awarded in the amount of Ten Thousand, Seven Hundred Ninety-five Dollars and Forty-six Cents (\$10,795.46), which will be covered by Stark State College; for a total of One Hundred Eighteen Thousand, Seven Hundred Fifty Dollars and Zero Cents (\$118,750.00). The total cost to the City of Massillon is Zero Dollars (\$0.00).

DATE: JANUARY 6, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 5 – 2020

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY 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 2019 Erie Street South Resurfacing Project, 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 2019 Erie Street South Resurfacing Project.

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 2019 Erie Street South Resurfacing Project. The project limits are from Erie Street/SR 21 E. overpass to 2500 Erie St. South (Oakwood Cemetery). The total estimated project cost is One Hundred Seventy-four Thousand, Nine Hundred Fifty-four Dollars and Zero Cents (\$174,954.00) funded through the 1409 Municipal Road Fund reimbursement by the Stark County Commissioners.

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: JANUARY 6, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 6 – 2020

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1409 Municipal Road Fund for the Erie St. South Resurfacing Project, for the year ending December 31, 2020, 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 1409 Municipal Road Fund, for the year ending December 31, 2020, the following:

\$ 174,954.00 to an account entitled "Erie St. South Resurfacing Project" - 1409.435.5.2515

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 allow for the bid process to take place during January and February which will help to ensure multiple bidders and optimal pricing on the project. 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: JANUARY 6, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 7 – 2020

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for the City's share of the redevelopment of Duncan Plaza, for the year ending December 31, 2020, 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, 2020, the following:

\$ 88,500.00 to an account entitled "Duncan Plaza Redevelopment" - 1100.404.5.2511

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 projects to move forward. 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: JANUARY 6, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 1 - 2020

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: A RESOLUTION appointing Frank J. Manaco and David C. Lundquist to the Local Board of Tax Review created under Codified Ordinance 181.18.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby appoints Frank J. Manaco and David C. Lundquist to the Local Board of Tax Review created under Codified Ordinance 181.18.

Section 2:

The term of said appointees shall be for the term January 1, 2020 to December 31, 2021.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2020

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR