

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

**DATE: MONDAY, OCTOBER 5, 2020  
VIA TELECONFERENCE CALL  
TIME: 6:30 P.M.**

**THERE ARE NO PUBLIC HEARINGS TONIGHT**

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILWOMAN NANCY HALTER**
- 3. PLEDGE OF ALLEGIANCE**
- 4. READING OF THE JOURNAL**
- 5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA**
- 6. NEW AND MISCELLANEOUS BUSINESS**
- 7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 98 – 2020**

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

**AN ORDINANCE** authorizing the Massillon City Health Department to enter into Memorandum of Agreements with the Stark County Combined General Health District for a CT 21 Grant and a CO 21 Grant, under the Ohio Department of Health, and declaring an emergency.

**ORDINANCE NO. 99 – 2020**

**BY: PARKS AND RECREATION COMMITTEE**

**AN ORDINANCE** authorizing the Massillon Recreation Center to offer a 50% discount on memberships as part of the November 2020 Membership Drive, and declaring an emergency.

**ORDINANCE NO. 100 – 2020**

**BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE**

**AN ORDINANCE** authorizing the Auditor and the Mayor of the City of Massillon, Ohio, and the Massillon City Health Department, to enter into a contract with Local Government Services (LGS) to compile the basic financial statements for the Massillon City Health Department for the financial year ending December 31, 2020, and declaring an emergency.

**ORDINANCE NO. 101 – 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 an Intersection Streetlight Improvement Project, and declaring an emergency.

**ORDINANCE NO. 102 – 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 execute the Preliminary Participatory Legislation with the Ohio Dept. of Transportation (ODOT), for the STA US-30 0.00, PID 107458, and declaring an emergency.

**ORDINANCE NO. 103 – 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 execute the Preliminary Participatory Legislation with the Ohio Dept. of Transportation (ODOT), for the STA SR-93/236 11.71/0.00, PID 101417, and declaring an emergency.

**ORDINANCE NO. 104 – 2020**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation Fund for The Legends Golf Course of Massillon, for the year ending December 31, 2020, and declaring an emergency.

**ORDINANCE NO. 105 – 2020**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1424 Fresh Mark Infrastructure Fund and the 1429 Inn at University Village Infrastructure Fund, for the year ending December 31, 2020, and declaring an emergency.

**ORDINANCE NO. 106 – 2020**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1235 Community Health Services Fund, for the year ending December 31, 2020, and declaring an emergency.

**ORDINANCE NO. 107 – 2020**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1217 Local Coronavirus Relief Fund, for the year ending December 31, 2020, and declaring an emergency.

**RESOLUTION NO. 16 – 2020**

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

**A RESOLUTION** declaring the intent of the City of Massillon to appropriate property within its corporate limits, pursuant to Chapter 719 of the Ohio Revised Code, for the purpose of acquiring fee simple interests and temporary easements necessary for construction of the Wales Road Widening Project, STA SR-241 09.71, PID No. 100471, and declaring the same to be an emergency.

**8. UNFINISHED BUSINESS**

**9. PETITIONS AND GENERAL COMMUNICATIONS**

**10. BILLS, ACCOUNTS AND CLAIMS**

Ohio TechWorks, LLC      \$ 1,460.95      Computer Equipment for Chambers

**11. REPORTS FROM CITY OFFICIALS**

**12. REPORTS OF COMMITTEES**

**13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER**

**14. CALL OF THE CALENDAR**

**ORDINANCE NO. 11 – 2020**

**BY: FINANCE COMMITTEE**

Tabled July 20, 2020 until October 5, 2020

**AN ORDINANCE** authorizing the Director of Public Service and Safety of Massillon, Ohio, to exercise the option to renew the Engineering contract with OHM Advisors for the years 2020, 2021 and 2022, and declaring an emergency.

**15. THIRD READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 89 – 2020**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer Parcel No. 10003720 (former Affinity Medical Center), located at 845 8<sup>th</sup> St. N.E., Massillon, Ohio; and Parcel No. 10000149 (former Affinity Medical Center parking lot across 8<sup>th</sup> St. N.E.), from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

**16. SECOND READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 88 – 2020**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain real property from R-3 One Family Residential District to B-3 General Business District.

**ORDINANCE NO. 97 – 2020**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Lease Agreement with the Community Improvement Corporation of Massillon (CIC) for Parcel No. 10003720 (former Affinity Medical Center), located at 845 8<sup>th</sup> St. N.E., Massillon, Ohio; and Parcel No. 10000149 (former Affinity Medical Center parking lot across 8<sup>th</sup> St. N.E.), and declaring an emergency.

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

**18. ADJOURNMENT**

**DIANE ROLLAND – CLERK OF COUNCIL**

DATE: OCTOBER 5, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 98 – 2020

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE authorizing the Massillon City Health Department to enter into Memorandum of Agreements with the Stark County Combined General Health District for a CT 21 Grant and a CO 21 Grant, under the Ohio Department of Health, and declaring an emergency.

WHEREAS, the Massillon City Health Department possesses the legal authority to enter into this Agreement with the Stark County Combined General Health District; and

WHEREAS, the Board of Stark County Combined General Health District has authorized its Health Commissioner to enter into this Agreement.

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 Massillon City Health Department to enter into Memorandum of Agreements with the Stark County Combined General Health District for a CT 21 Grant and a CO 21 Grant, under the Ohio Department of Health.

Section 2:

The Massillon City Health Department is hereby authorized and directed to enter into Memorandum of Agreements with the Stark County Combined General Health District for a CT 21 Grant and a CO 21 Grant, under the Ohio Department of Health. The CT 21 Grant is for contact tracing through June 2021 in the amount of Twenty-One Thousand, Six Hundred Ninety-two Dollars (\$21,692.00) and the CO 21 Grant is for COVID-19 enforcement through June 2021 in the amount of Thirty-two Thousand Eight Hundred Eighty-five Dollars (\$32,885.00). The Memorandum of Agreements have been approved by the Massillon Board of Health and are attached hereto as Exhibit "A".

DATE: OCTOBER 5, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 99 – 2020

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Massillon Recreation Center to offer a 50% discount on memberships as part of the November 2020 Membership Drive, 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 approves of the Massillon Recreation Center offering a 50% discount on memberships as part of the November 2020 Membership Drive. The discount will apply to 3-month and 1-year memberships. The effective date for this action shall be November 1, 2020.

Section 2:

This measure was approved by the Recreation Board at the September 23, 2020, meeting by a vote of 4 – 0.

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: OCTOBER 5, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 100 – 2020

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor and the Mayor of the City of Massillon, Ohio, and the Massillon City Health Department, to enter into a contract with Local Government Services (LGS) to compile the basic financial statements for the Massillon City Health Department for the financial 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:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary for the Auditor and the Mayor of the City of Massillon, Ohio, and the Massillon City Health Department, to enter into a contract with Local Government Services (LGS) to compile the basic financial statements for the Massillon City Health Department for the financial year ending December 31, 2020.

Section 2:

The Auditor and the Mayor of the City of Massillon, Ohio, and the Massillon City Health Department are hereby authorized and directed to enter into a contract with Local Government Services (LGS) to compile the basic financial statements for the Massillon City Health Department for the financial year ending December 31, 2020. Said contract 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: OCTOBER 5, 2020

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 101 – 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 an Intersection Streetlight Improvement 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 peace, health or safety of the community 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 an Intersection Streetlight Improvement 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 an Intersection Streetlight Improvement Project. The intersection is located at Richville Drive SE and Nave Road SE (East). The projected cost is One Hundred Forty Thousand Dollars (\$140,000).

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: OCTOBER 5, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 102 – 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 execute the Preliminary Participatory Legislation with the Ohio Dept. of Transportation (ODOT), for the STA US-30 0.00, PID 107458, 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 authorizes and directs the Director of Public Service and Safety of the City of Massillon, Ohio, to execute the Preliminary Participatory Legislation with the Ohio Dept. of Transportation (ODOT), for the STA US-30 0.00, PID 107458.

Section 2:

Whereas the State has identified the need to perform resurfacing located within the Corporation Limits of the City of Massillon, Ohio, (See attached). Per Section 5521.01 of the Ohio Revised Code, the Director of Transportation is required to request and receive legislation from municipalities, prior to making any necessary repairs to State Highways within the Corporation Limits. The State shall assume and bear 100% of all of the costs of the improvement.

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: OCTOBER 5, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 103 – 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 execute the Preliminary Participatory Legislation with the Ohio Dept. of Transportation (ODOT), for the STA SR-93/236 11.71/0.00, PID 101417, 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 authorizes and directs the Director of Public Service and Safety of the City of Massillon, Ohio, to execute the Preliminary Participatory Legislation with the Ohio Dept. of Transportation (ODOT), for the STA SR-93/236 11.71/0.00, PID 101417.

Section 2:

Whereas the State has identified the need to perform resurfacing located within the Corporation Limits of the City of Massillon, Ohio, (See attached). Per Section 5521.01 of the Ohio Revised Code, the Director of Transportation is required to request and receive legislation from municipalities, prior to making any necessary repairs to State Highways within the Corporation Limits. There will be a 20% cost share by the City for the project, unless the City specifically requests items be completed that are determined by the State and Federal Highway Administration to be unnecessary for the project, then those costs will be paid 100% by the City.

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: OCTOBER 5, 2020

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 104 – 2020

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation Fund for The Legends Golf Course of Massillon, 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 1234 Parks and Recreation Fund, for the year ending December 31, 2020, the following:

\$ 18,000.00 to an account entitled "Legends/Supplies" - 1234.920.5.2410

Section 2:

This appropriation was approved by the Parks and Recreation Board by a roll call vote of 4 – 0.

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.

Section 4:

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 immediate preservation of the public peace, health or safety of the citizens of the City of Massillon; the emergency being to purchase supplies as soon as possible. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed 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: OCTOBER 5, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 105 – 2020

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1424 Fresh Mark Infrastructure Fund and the 1429 Inn at University Village Infrastructure Fund, 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 1424 Fresh Mark Infrastructure Fund, for the year ending December 31, 2020, the following:

\$ 95,000.00 to an account entitled "Richville/Southway/Nave Project" - 1424.435.5.2510

Section 2:

There be and hereby is appropriated from the unappropriated balance of the 1429 Inn at University Village Infrastructure Fund, for the year ending December 31, 2020, the following:

\$ 45,000.00 to an account entitled "Richville/Southway/Nave Project" - 1424.435.5.2510

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.

Section 4:

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 immediate preservation of the public peace, health or safety of the citizens of the City of Massillon; the emergency being to allow the upcoming Intersection Streetlight Improvement Project to proceed without delay. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed 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: OCTOBER 5, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 106 – 2020

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health Services Fund, 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 1235 Community Health Services Fund, for the year ending December 31, 2020, the following:

\$ 16,200.00 to an account entitled "Grant Expense" - 1235.705.5.2411

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 4:

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 immediate preservation of the public peace, health or safety of the citizens of the City of Massillon; the emergency being to pay COVID expenses in a timely manner to submit for grant reimbursement. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed 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: OCTOBER 5, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 107 – 2020

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1217 Local Coronavirus Relief Fund, 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 1217 Local Coronavirus Relief Fund, for the year ending December 31, 2020, the following:

\$ 283,530.33 to an account entitled "Local Coronavirus Relief Expenses" - 1217.905.5.2414

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 4:

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 immediate preservation of the public peace, health or safety of the citizens of the City of Massillon; the emergency being to pay expenses related to the COVID-19 pandemic before the end of the 2020 financial year and to encumber funds before the October 15, 2020 deadline. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed 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: OCTOBER 5, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

RESOLUTION NO. 16 – 2020

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: A RESOLUTION declaring the intent of the City of Massillon to appropriate property within its corporate limits, pursuant to Chapter 719 of the Ohio Revised Code, for the purpose of acquiring fee simple interests and temporary easements necessary for construction of the Wales Road Widening Project, STA SR-241 09.71, PID No. 100471, and declaring the same to be an emergency.

WHEREAS, the City of Massillon, in cooperation with the Ohio Department of Transportation, is undertaking the Wales Road Widening Project, STA SR-241 09.71, PID No. 100471 (the "Project"); and

WHEREAS, the Project involves the widening and resurfacing of Wales Road NE from Lincoln Way E to the City of Massillon's N. Corp. Limit; and

WHEREAS, the City of Massillon must acquire interests in real property necessary for construction of the Project, including numerous fee simple interests and temporary easements; and

WHEREAS, the City of Massillon has been unable to acquire several of the aforementioned interests in real property through good faith negotiations with the impacted property owners.

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

Section 1:

The City of Massillon's appropriation of the fee simple interests and temporary easements described below in Section 2 is deemed to be necessary for a public use, said public use being the construction of the Project.

Section 2:

Pursuant to Chapter 719 of the Ohio Revised Code, it is declared to be the intent of the City of Massillon to appropriate fee simple interests and/or temporary easements, legal descriptions of which are attached as Exhibit "A," in and to the parcels of real property described in the attached Exhibit "B," which provides owner names, relevant addresses, established fair market values and court deposit amounts, parcel numbers, and lot numbers.

Section 3:

Immediately upon the passage of this resolution, the Mayor shall cause written notice to be given to the owner of, person in possession of, or person having an interest of record in, every parcel of real property described above in Section 2, or to the authorized agent of the owner or other such person. Such notice shall be served and return shall be made as required in Chapter 719 of the Ohio Revised Code. If such owner, person, or agent cannot be found, notice shall be given by publication and as required in Chapter 719 of the Ohio Revised Code.

Section 4:

The Mayor and the Law Director, or their designee(s), on behalf of the City of Massillon, are authorized to take any and all steps deemed appropriate or necessary to allow the City to acquire the fee simple interests and temporary easements described above in Section 2 and for the City to take possession of said fee simple interests and temporary easements at the earliest time allowed by law, in accordance with Chapters 163 and 719 of the Ohio Revised Code.

Section 5:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this resolution. 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 resolution, during or after the pendency or passage of this resolution. Corrected copies are to be sent to all official recipients.

Section 6:

This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the citizens of the City of Massillon; the emergency being to avoid unnecessary delay to the Project. Provided this Resolution receives the affirmative vote of two-thirds of the elected and/or appointed 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.



PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

ATTEST: \_\_\_\_\_  
DIANE ROLLAND, CLERK OF COUNCIL      CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: \_\_\_\_\_  
KATHY CATAZARO-PERRY, MAYOR