

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

**DATE: MONDAY, FEBRUARY 3, 2020
PLACE: COUNCIL CHAMBERS
TIME: 6:30 P.M.**

THERE ARE NO PUBLIC HEARINGS TONIGHT

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN TED HERNCANE**
- 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. 14 – 2020

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an Agreement with the Massillon Board of Health, the Massillon City Health Department and the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 15 – 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 2020 Target Area Street Resurfacing Project, and declaring an emergency.

ORDINANCE NO. 16 – 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 2020 Street Resurfacing Project, and declaring an emergency.

ORDINANCE NO. 17 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2202 Insurance Fund, for the year ending December 31, 2020, and declaring an emergency.

ORDINANCE NO. 18 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2020, and declaring an emergency.

ORDINANCE NO. 19 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 3104 Vacant Foreclosure Deposit Fund to cover expenses for the Housing Market Reinvestment Program (HMRP), for the year ending December 31, 2020, and declaring an emergency.

RESOLUTION NO. 7 – 2020

BY: COMMITTEE OF THE WHOLE

A RESOLUTION appointing Linda Litman to the Historical Preservation Commission as a Council representative for the term expiring December 31, 2020.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

Keller's Office Furniture -	\$ 11.84	Office Supplies
Walter H. Drane Co.	390.00	Hosting Code for Online Codifides
	\$ 401.84	Total

10. REPORTS FROM CITY OFFICIALS

Council approval for the Mayor's Appointments:

Health District Board	-	Ann Palaski	4 years
Tax Incentive Review Committee	-	Brock Herring	2 years
Historic Preservation Commission	-	Mandy Pond	1 year
	-	Fred Horner	"
	-	Bob Richards	"
	-	Jeff Doll	"
	-	John Picard	"
	-	Jeff Day	"

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

14. THIRD READING 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. 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.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 8 – 2020

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

AN ORDINANCE amending Chapter 521 "HEALTH, SAFETY AND SANITATION" of the Codified Ordinances of the City of Massillon, Ohio, by repealing Ordinance 521.04 "SIDEWALK OBSTRUCTIONS; DAMAGE OR INJURY," and enacting an amended Ordinance 521.04 "SIDEWALK OBSTRUCTIONS; DAMAGE OR INJURY," and declaring an emergency.

ORDINANCE NO. 11 – 2020

BY: FINANCE COMMITTEE

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.

RESOLUTION NO. 1 – 2020

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

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: FEBRUARY 3, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 14 – 2020

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an Agreement with the Massillon Board of Health, the Massillon City Health Department and 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 finds that it is necessary for the Mayor of the City of Massillon, Ohio, to enter into an Agreement with the Massillon Board of Health, the Massillon City Health Department and the City of Massillon, Ohio.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to enter into an Agreement with the Massillon Board of Health, the Massillon City Health Department and the City of Massillon, Ohio. The Massillon Board of Health and the Massillon City Health Department are going through the accreditation process and are required to provide certain information to the State of Ohio and the National Public Health Accreditation Board regarding the relationship between the Board of Health, the Health Department and the City. Said Agreement and Health Department Meeting minutes are attached hereto as Exhibit "A" and Exhibit "B".

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: FEBRUARY 3, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 15 – 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 2020 Target Area Street 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 2020 Target Area Street 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 2020 Target Area Street Resurfacing Project. The current project cost estimate is \$99,000.00.

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: FEBRUARY 3, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 16 – 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 2020 Street 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 2020 Street 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 2020 Street Resurfacing Project. The current project cost estimate is \$1,656,000.00 and will be funded through the 1201 Street Construction M & R Fund, the 1100 General Fund and the 1401 Capital Improvement 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: February 3, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 17 – 2020

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 2202 Insurance 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 2202 Insurance Fund, for the year ending December 31, 2020, the following:

\$ 6,000.00 to an account entitled "Employee Insurance"	-	2202.905.5.2310
<u>1,500.00</u> to an account entitled "Retirees Insurance"	-	2202.905.5.2311
\$ 7,500.00 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 insurance invoices in a timely manner. 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: February 3, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 18 – 2020

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General 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 1100 General Fund, for the year ending December 31, 2020, the following:

\$ 36,539.00 to an account entitled "Hospital – Services/Contracts"	-	1100.915.5.2392
<u>169,008.00</u> to an account entitled "Hospital – Utilities"	-	1100.915.5.2340
\$205,547.00 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 bills at the former Affinity Medical Center through April 2020. 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: February 3, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 19 – 2020

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 3104 Vacant Foreclosure Deposit Fund to cover expenses for the Housing Market Reinvestment Program (HMRP), 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 3104 Vacant Foreclosure Deposit Fund, for the year ending December 31, 2020, the following:

\$ 18,038.50 to an account entitled "HMRP Grant"	-	3104.415.5.2380
800.00 to an account entitled "HMRP Services/Contracts"	-	3104.415.5.2392
<u>100.00</u> to an account entitled "HMRP Supplies/Mats./Postage"	-	3104.415.5.2410
\$ 18,938.50 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 allow for timely implementation of the 2020 HMRP Program and the application period begins March 1, 2020. 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: FEBRUARY 3, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 7 – 2020

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION appointing Linda Litman to the Historical Preservation Commission as a Council representative for the term expiring December 31, 2020.

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 approves the appointment of Linda Litman to the Historical Preservation Commission as a Council representative.

Section 2:

The term of said appointee shall be for the term expiring December 31, 2020.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2020

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR