

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

**DATE: MONDAY, APRIL 20, 2020
VIA TELECONFERENCE CALL
TIME: 6:30 P.M.**

THERE ARE NO PUBLIC HEARINGS TONIGHT

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILWOMAN JILL CREAMER**
- 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. 41 – 2020

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE adopting the recommendations of the Massillon Tax Incentive Review Committee (TIRC) with regard to the renewal and termination of Massillon Enterprise Zone (EZ) projects.

ORDINANCE NO. 42 – 2020

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.

ORDINANCE NO. 43 – 2020

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, and the Massillon Police Department to enter into a Memorandum of Understanding (MOU) with all agencies participating in the current Transportation Agreement, and declaring an emergency.

ORDINANCE NO. 44 – 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 enter into an agreement with Stark County for the purchase of salt for City streets for the 2020 – 2021 season and possible extension for 2021 – 2022 season, from the cooperative program.

ORDINANCE NO. 45 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a one-year contract between the City of Massillon, Ohio, and the Board of Stark County Commissioners for the housing of City of Massillon, Ohio, Codified Ordinance prisoners at the Stark County Jail, and declaring an emergency.

ORDINANCE NO. 46 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1203 Community Development Fund for the Target Street Improvement Project, for the year ending December 31, 2020, and declaring an emergency.

ORDINANCE NO. 47 – 2020

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2020 appropriations from within the 1201 Street Construction Fund, for the year ending December 31, 2020, and declaring an emergency.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

10. BILLS, ACCOUNTS AND CLAIMS

The Repository \$ 900.80 Publication of February Ordinances

11. REPORTS FROM CITY OFFICIALS

Auditor's Report - March 2020

12. REPORTS OF COMMITTEES

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

14. CALL OF THE CALENDAR

15. THIRD READING ORDINANCES AND RESOLUTIONS

16. SECOND READING ORDINANCES AND RESOLUTIONS

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

18. ADJOURNMENT

DIANE ROLLAND – CLERK OF COUNCIL

DATE: APRIL 20, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 41 – 2020

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE adopting the recommendations of the Massillon Tax Incentive Review Committee (TIRC) with regard to the renewal and termination of Massillon Enterprise Zone (EZ) projects.

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

Section 1:

The Massillon Tax Incentive Review Committee held its annual meeting regarding Massillon Enterprise Zone Projects on March 23, 2020. A summary report of the Massillon City Enterprise Zone Projects is attached hereto as Exhibit "A".

Section 2:

The Massillon Tax Incentive Review Committee has recommended that the exemptions for all of the City's active Enterprise Zone Projects be continued.

Section 3:

The Council of the City of Massillon hereby approves and adopts the recommendations of the Tax Incentive Review Committee as set forth on the attached Exhibit "A". All exemptions shall be continued.

Section 4:

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: APRIL 20, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 42 – 2020

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: 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.

WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974 (which title is hereunder referred to as the "Act") and the regulations promulgated thereunder (24 CFR Parts 58 and 570, hereunder referred to as the "Regulations") is authorized to make block grants to units of general local government to help finance housing and community development programs (which grants are hereinafter to as "CDBG" grants); and

WHEREAS, the City of Massillon proposes to apply for such a grant for Fiscal Year 2020 and has, in that connection and as required by and pursuant to the Act and Regulations, prepared a Consolidated Plan for community development, including a strategic plan for meeting its housing and community development needs, and an annual action plan describing the activities that the City proposes to undertake with CDBG funds; and

WHEREAS, the City of Massillon has developed and implemented a citizen participation plan to make information available to citizens, public agencies, and others on the various elements of CDBG program; to encourage participation of citizens and organizations representing citizens, particularly low and moderate income citizens, in the development of the Consolidated Plan; to hold public meetings on the Plan and proposed CDBG Budget and to provide timely and adequate notice of such meetings; and to provide technical assistance to citizens and citizen groups requesting assistance to adequately participate in the planning, implementation, and evaluation of the Consolidated Plan and CDBG Program; and

WHEREAS, the Council has duly reviewed and considered the Consolidated Plan and Annual Action Plan, along with the views and proposals of citizens, and the comments and recommendations of the City's administrative and planning officials.

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

Section 1:

This Council hereby finds and determines that the Consolidated Plan and Annual Action Plan properly and adequately identifies the City's housing and community development needs and objectives; and that the programs and activities to be undertaken by the City with CDBG funds as provided for under the Act for the 2020 Program Year have been designed so as to give maximum feasible priority to activities which will benefit low and moderate income households or aid in the prevention or elimination of slums and blight, so as to achieve the national objectives of the CDBG program which are to develop viable urban communities by providing decent housing and suitable living environment and expanding economic opportunities, principally for low and moderate income persons; and for these reasons, this Council approves said Plan.

Section 2:

That the Mayor, being the chief executive officer of the City of Massillon, is hereby designated as the authorized representative of the City, to act in connection with the City's application for CDBG funds, and to provide such additional information, as well as to execute and file such additional documentation or certifications as may be required by the Secretary or by other responsible agencies in connection with the application.

Section 3:

That this Council hereby finds and determines that the City in preparing its application for CDBG funds, has complied with the applicable requirements of the Act and Regulations, and that this Council hereby approves the Annual Action Plan and authorizes the Mayor to execute and file the application, together with all related documentation, with the Secretary.

Section 4:

That this Council hereby directs that the City of Massillon is carrying out its CDBG funded activities, continue to comply with applicable requirements of the Act and Regulations and with other applicable laws including civil rights, equal opportunity and fair housing, citizens participation, real property acquisition and relocation, environmental protection, fair labor standards, and the requirement of giving maximum feasible priority to activities which will benefit low and moderate income households or aid in the prevention or elimination of slums and blight, and this Council authorizes the Mayor to execute and file with the Secretary certifications in such form as the Secretary may prescribe, which will provide assurances concerning these foregoing matters, and concerning other matters as may be required by the Secretary in connection with carrying out the City's CDBG program.

Section 5:

That this Council hereby authorizes the Mayor to consent to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969, insofar as the provision of such act applies to the Secretary's responsibilities for environmental review, decision making, and action to be assumed and carried out by the Mayor, and authorizes the Mayor to consent, on behalf of the City, to accept the jurisdiction of the Federal Courts for the purposes of carrying out the CDBG program; and furthermore, that this Council hereby authorizes the Mayor to execute and file such other documents and take such other actions in connection with the environmental review process as may be required by the Act and Regulations.

Section 6:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public health, safety and welfare of the community and for the additional reason that the proposed Program Budget is due by the end of May. Provided it receives the affirmative vote of two-thirds of the elected members of 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

DATE: APRIL 20, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 43– 2020

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, and the Massillon Police Department to enter into a Memorandum of Understanding (MOU) with all agencies participating in the current Transportation Agreement, 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 authorize and direct the Mayor of the City of Massillon, Ohio, and the Massillon Police Department to enter into a Memorandum of Understanding (MOU) with all agencies participating in the current Transportation Agreement to be in compliance with Executive Order 2018-03K issued by Governor Kasich issued on April 23, 2018.

(SEE EXHIBIT "A" HERETO ATTACHED)

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: APRIL 20, 2020

CLERK: DIANE ROLLAND

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CITY OF MASSILLON, OHIO
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COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 44 – 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 enter into an agreement with Stark County for the purchase of salt for City streets for the 2020 – 2021 season and possible extension for the 2021 – 2022 season, from the cooperative program.

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 enter into an agreement with Stark County for the purchase of salt for City streets for the 2020 – 2021 and possible extension for the 2021 - 2022 season, from the cooperative program.

Section 2:

The Director of Public Service and Safety is hereby authorized and directed to enter into an agreement with Stark County for the purchase of salt for city streets for the 2020-2021 season and possible extension for the 2021 – 2022 from the cooperative program. Said quote 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.

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LEGISLATIVE BRANCH

ORDINANCE NO. 45 – 2020

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a one-year contract between the City of Massillon, Ohio and the Board of Stark County Commissioners for the housing of City of Massillon, Ohio, Codified Ordinance prisoners at the Stark County Jail, 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 enter into a one-year contract between the City of Massillon, Ohio and the Board of Stark County Commissioners for the housing of City of Massillon, Ohio, Codified Ordinance prisoners at the Stark County Jail.

Section 2:

The Director of Public Service and Safety is hereby authorized and directed to enter into a one-year contract between the City of Massillon, Ohio and the Board of Stark County Commissioners for the housing of City of Massillon, Ohio, Codified Ordinance prisoners at the Stark County Jail. Agreement 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.

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COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 46 – 2020

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1203 Community Development Fund for the Target Street Improvement 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 1203 Community Development Fund, for the year ending December 31, 2020, the following:

\$ 8,599.20 to an account entitled "Target Street Improvements" - 1203.845.5.2812

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 expend Community Development Block Grant funds from previous Program years. 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: APRIL 20, 2020

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 47 – 2020

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2020 appropriations from within the 1201 Street Construction 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 transferred from the 2020 appropriations within the 1201 Street Construction Fund, for the year ending December 31, 2020, the following:

| | | | | |
|-------|----------------------|-----------------|---|---------------|
| FROM: | Refunds – Income Tax | 1201.210.5.2720 | - | \$ - 5,500.00 |
| TO: | SD Revenue Sharing | 1201.435.5.2721 | - | \$ + 5,500.00 |

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 necessary for the efficient operation of the various departments of the City of Massillon and for the further reason to realign the budget to pay school district revenue sharing from the proper account. This is an income tax revenue to Massillon and Perry School Districts from income tax revenue sharing. 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.

**THE WEBSITE FOR THE MONDAY NIGHT
COUNCIL MEETINGS
AND
WORK SESSIONS**

www.uberconference.com/room/cityofmassillon

UNTIL FURTHER NOTICE