

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

**DATE: TUESDAY, JULY 6, 2021  
COUNCIL CHAMBERS and  
LIVE-STREAMING  
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. NEW AND MISCELLANEOUS BUSINESS**
- 7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 115 – 2021**

**BY: PARK AND RECREATION COMMITTEE**

**AN ORDINANCE** authorizing the Recreation Board of the City of Massillon, Ohio, to accept a COVID Relief Grant from the Ohio Department of Aging on behalf of the Massillon Park and Recreation Department, and declaring an emergency.

**ORDINANCE NO. 116 – 2021**

**BY: STREETS, HIGHWAYS, TRAFFIC & 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 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 2021 St. Andrews Estates Improvement Project, Phase III, and declaring an emergency.

**ORDINANCE NO. 117 – 2021**

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

**AN ORDINANCE** to accept the replat and dedication of sanitary sewer easements known as Outlot No. 399, East of 27<sup>th</sup> Street N. W. and North on Meadow Ave., Massillon, Ohio.

**ORDINANCE NO. 118 – 2021**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to submit applications for funding to the Ohio Public Works Commission for the funding year 2022, and declaring an emergency.

**ORDINANCE NO. 119 – 2021**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1234 Park and Recreation Fund, for the year ending December 31, 2021, and declaring an emergency.

**ORDINANCE NO. 120 – 2021**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 3112 Donation Fund for Duncan Plaza, for the year ending December 31, 2021, and declaring an emergency.

**8. UNFINISHED BUSINESS**

**9. PETITIONS AND GENERAL COMMUNICATIONS**

A Request for a STCK (Stock Exchange) of a Liquor License to West Long Enterprises, Inc. (Beir Banc) located at 211 Erie Street S., Massillon, OH 44646. Permit Classes are C1 and C2 and is located in Ward 12.

**10. BILLS, ACCOUNTS AND CLAIMS**

**11. REPORTS FROM CITY OFFICIALS**

**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**

**ORDINANCE NO. 101 – 2021**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** amending Ordinance No.78 - 2021 to include the corrected Community Development Block Grant (CDBG) amount to be received by the City of Massillon, Ohio, for Fiscal Year 2021 from the U.S. Department of Housing and Urban Development, and declaring an emergency.

**ORDINANCE NO. 102 – 2021**

**BY: HEALTH, WELFARE AND BLDG. REGULATIONS COMMITTEE**

**AN ORDINANCE** adding a dedicated “Animal Compliance Officer” to the Code Enforcement office of the City of Massillon Building Department.

**ORDINANCE NO. 105 – 2021**

**BY: POLICE AND FIRE COMMITTEE**

**AN ORDINANCE** amending the number of positions in the various ranks of the City of Massillon Police Department, repealing conflicting ordinances and resolutions, and declaring an emergency.

**ORDINANCE NO. 106 – 2021**

**BY: POLICE AND FIRE COMMITTEE**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into a Memorandum of Understanding with the Massillon FOP Henderson Lodge Police Officers Association Gold Unit, and declaring an emergency.

**ORDINANCE NO. 108 – 2021**

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

**AN ORDINANCE** to accept the replat and dedication of road right of way at Lincoln Way E. and 27<sup>th</sup> Street N.E., Massillon, Ohio.

**ORDINANCE NO. 109 – 2021**

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

**AN ORDINANCE** amending Section 919.04 “Responsibility of the City” of the Codified Ordinances of the City of Massillon, Ohio.

**ORDINANCE NO. 110 – 2021**

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

**AN ORDINANCE** to accept the dedication of road right of way and easements for Kenyon Creek Estates, Phase 2 subdivision, Massillon, Ohio.

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

18. ADJOURNMENT

DIANE ROLLAND – CLERK OF COUNCIL

DATE: JULY 6, 2021

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 115 – 2021

BY: PARK AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Recreation Board of the City of Massillon, Ohio, to accept a COVID Relief Grant from the Ohio Department of Aging on behalf of the Massillon Park and Recreation Department, 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 Recreation Board of the City of Massillon, Ohio, to accept a COVID Relief Grant from the Ohio Department of Aging on behalf of the Massillon Park and Recreation Department.

Section 2:

The grant is in the amount of Ten Thousand Dollars (\$10,000.00) and will be placed into the 1234.450.4.1420 account. The grant funds are to be used for renovations at the Massillon Senior Center. The acceptance of this grant was approved by the Recreation Board at its June 14, 2021, meeting by a 5 – 0 vote.

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:   JULY 6, 2021  

CLERK:   DIANE ROLLAND  

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 116 – 2021

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 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 2021 St. Andrews Estates Improvement Project, Phase III, 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 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 2021 St. Andrews Estates Improvement Project, Phase III. The estimated cost of the project is Two Hundred Thousand Dollars (\$200,000.00).

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 reason necessary for the immediate preservation of the public peace, health or safety of the citizens of the City of Massillon; the emergency being to ensure that the City is able to begin the sealed bid process without unnecessary delay and to ensure that construction of the project begins in a timely manner and in accordance with the current project schedule. 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: JULY 6, 2021

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 117 – 2021

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE to accept the replat and dedication of sanitary sewer easements known as Outlot No. 399, East of 27<sup>th</sup> Street N. W. and North on Meadow Ave., Massillon, Ohio.

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 it necessary to accept the replat and dedication of sanitary sewer easements, as shown on the attached map. At its June 9, 2021 meeting, the City Planning Commission approved said replat; including the dedication of easements for the existing sanitary trunk sewer and proposed extension of sewer on the property. The request includes the dedication of Outlot No. 399, East of 27<sup>th</sup> Street N. W. and North on Meadow Ave. The area is currently zoned R-1 Single Family and R-T Two Family Residential.

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

DATE: JULY 6, 2021

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 118 – 2021

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit applications for funding to the Ohio Public Works Commission for the funding year 2022, 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 Mayor of the City of Massillon, Ohio, to submit application for Ohio Public Works Commission for the funding year 2022 and to execute all necessary documentation needed to secure such funding. Said projects shall be as follows:

- Lincoln Way Improvement Project Phase III
- Warmington Road Improvements

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 immediate preservation of the public peace, health or safety of the citizens of the City of Massillon; the emergency being that the application for funding request is due September 17, 2021, via online portal. 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.



DATE:     JULY 6, 2021    

CLERK:     DIANE ROLLAND    

MASSILLON CITY COUNCIL  
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COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 119 – 2021

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Park and Recreation Fund, for the year ending December 31, 2021, 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 Park and Recreation Fund, for the year ending December 31, 2021, the following:

\$ 10,000.00 to an account entitled "Grant Expense"        -        1234.450.5.2411

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 3:

This Ordinance is hereby declared to be an emergency measure necessary for the Immediate preservation of the public peace, health or safety of the citizens of Massillon; the emergency being to release the established funds received from the COVID Relief Grant for renovations at the Massillon Senior Center. 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:   JULY 6, 2021  

CLERK:   DIANE ROLLAND  

MASSILLON CITY COUNCIL  
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COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 120 – 2021

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 3112 Donation Fund for Duncan Plaza, for the year ending December 31, 2021, 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 Donation Fund, for the year ending December 31, 2021, the following:

\$ 5,000.00 to an account entitled "Duncan Plaza Supplies/Materials" - 3112.905.5.2412

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 Immediate preservation of the public peace, health or safety of the citizens of Massillon; the emergency being to allow for timely payment of expenses related to the installation of donor plaques on Duncan Plaza. 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.