

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

**DATE: MONDAY, OCTOBER 17, 2022  
COUNCIL CHAMBERS  
TIME: 6:30 p.m.**

**THERE IS A PUBLIC HEARING TONIGHT  
6:00 P.M.  
ORD. NO. 126 – 2022  
REZONING: 56 – 5<sup>th</sup> St. S.E.**

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN MIKE GREGG**
- 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. 145 – 2022**

**BY: ECONOMIC DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Eugene Lingenhoel to provide an economic development “inducement grant” to fund start-up costs including build-out, equipment, etc. for Legacy Project located at 708 Tremont Ave. S.W., Massillon, Ohio, and declaring an emergency.

**ORDINANCE NO. 146 – 2022**

**BY: HEALTH, WELFARE AND BUILDING REGS. COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed Request for Qualifications (RFQ) for the City’s Information Technology Support Managed Services, all in accordance with Sections 153.65 to 153.73 of the Ohio Revised Code and the City of Massillon Qualifications-Based Selection (QBS) Process, to negotiate and to enter into a contract, upon the approval of the Board of Control, with the most qualified selected vendor, and declaring an emergency.

**ORDINANCE NO. 147 - 2022**

**BY: PUBLIC UTILITIES AND ENVIRONMENTAL 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 enter into contract with the lowest and best bidder, upon the approval of the Board of Control, for the Disposal of Municipal Solid Waste and Recycling Services for residential customers in the City of Massillon, Ohio, from January 3, 2023 to December 31, 2027, and an option for an additional five (5) – one (1) year renewals at the election of the Safety and Service Director of the City of Massillon, Ohio, and declaring an emergency.

**ORDINANCE NO. 148 – 2022**

**BY: POLICE AND FIRE COMMITTEE**

**AN ORDINANCE** amending Section 303.08 “Impounding of Vehicles; Redemption” under CHAPTER 303 “ENFORCEMENT, IMPOUNDING AND PENALTY” and Section 761.09 “Schedule of Rates” under CHAPTER 761 “TOWING COMPANIES” of the Codified Ordinances of the City of Massillon, Ohio, and declaring the same to be an emergency.

**ORDINANCE NO. 149 – 2022**

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

**AN ORDINANCE** authorizing the Auditor, the Mayor and the President of the Health Department Board of the City of Massillon, Ohio, to enter into contracts with Local Government Services (LGS) to compile the basic financial statements for the City of Massillon Health Department for the financial years ending December 31, 2022 and December 31, 2023, and declaring an emergency.

**ORDINANCE NO. 150 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2022, and declaring an emergency.

**ORDINANCE NO. 151 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1201 Street Construction M & R Fund, for the year ending December 31, 2022, and declaring an emergency.

**ORDINANCE NO. 152 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain transfers in the 2022 appropriations from within the 1100 General Fund and the 2101 Wastewater Treatment Fund, for the year ending December 31, 2022, and declaring an emergency.

**RESOLUTION NO. 12 – 2022**

**BY: COMMITTEE OF THE WHOLE**

**A RESOLUTION** appointing Julie Harwig Smith to the Historical Preservation Commission as a Council representative for the term ending December 31, 2023.

**RESOLUTION NO. 13 – 2022**

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

**A RESOLUTION** in support of the adoption of the Stark County 2022 Multi-Jurisdictional Hazard Plan, and declaring an emergency.

**8. UNFINISHED BUSINESS**

**9. PETITIONS AND GENERAL COMMUNICATIONS**

**10. BILLS, ACCOUNTS AND CLAIMS**

US Bank Equip. Finance -       \$ 127.00       October payment for Copier

**11. REPORTS FROM CITY OFFICIALS**

Mayor's Report    -       September 2022

**12. REPORTS OF COMMITTEES**

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

**14. CALL OF THE CALENDAR**

**ORDINANCE NO. 126 – 2022**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**Tabled October 3, 2022 until October 17, 2022**

**AN ORDINANCE** amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from R-1 One Family Residential to RM-1 Multiple Family Residential.

**15. THIRD READING ORDINANCES AND RESOLUTIONS**

**16. SECOND READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 138 – 2022**

**BY: ECONOMIC DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Israel Robinson to provide an economic development "inducement grant" to fund start-up costs including build-out, equipment, etc. for Israel Katina located at 256 Erie St. S., Massillon, Ohio, and declaring an emergency.

**ORDINANCE NO. 144 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2022, for the purpose of paying Assessment Taxes in the Building Department, 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 17, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 145 – 2022

BY: ECONOMIC DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Eugene Lingenhoel to provide an economic development “inducement grant” to fund start-up costs including build-out, equipment, etc. for Legacy Project located at 708 Tremont Ave. S.W., Massillon, Ohio, and declaring an emergency.

WHEREAS, the City of Massillon carries out a variety of economic development programs designed to promote the creation and expansion of business and industry in the community; and

WHEREAS, Eugene Lingenhoel desires to renovate Legacy Project, located at 708 Tremont Ave. S.W., Massillon, Ohio, and,

WHEREAS, the City of Massillon proposes to assist Eugene Lingenhoel with an economic development “inducement grant”, for the purpose of assisting with start-up costs, including build-out, equipment, etc. for Legacy Project.

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

Section 1:

This Council hereby authorizes and directs the Mayor to enter into an agreement with Eugene Lingenhoel to provide an economic development “inducement grant”, in a total amount not to exceed Nine Thousand Five Hundred Dollars (\$9,500.00), for the purpose of assisting with start-up costs including build-out, equipment, etc., for Legacy Project, located at 708 Tremont Ave. S.W., Massillon, Ohio.

DATE: OCTOBER 17, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 146 – 2022

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed Request for Qualifications (RFQ) for the City's Information Technology Support Managed Services, all in accordance with Sections 153.65 to 153.73 of the Ohio Revised Code and the City of Massillon Qualifications-Based Selection (QBS) Process, to negotiate and to enter into a contract, upon the approval of the Board of Control, with the most qualified selected vendor, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to advertise for and receive sealed Request for Qualifications (RFQ) for the City's Information Technology Support Managed Services, all in accordance with the Ohio Revised Code and the City of Massillon Qualifications-Based Selection (QBS) Process and to negotiate and enter into a contract with the most qualified selected vendor.

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: OCTOBER 17, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 147 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL 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 enter into contract with the lowest and best bidder, upon the approval of the Board of Control, for the Disposal of Municipal Solid Waste and Recycling Services for residential customers in the City of Massillon, Ohio, from January 3, 2023 to December 31, 2027, and an option for an additional five (5) – one (1) year renewals at the election of the Safety and Service Director of 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 Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to advertise for and receive sealed bids and enter into contract with the lowest and best bidder, for the Disposal of Municipal Solid Waste and Recycling Services for residential customers in the City of Massillon, Ohio, from January 3, 2023 to December 31, 2027, and an option for an additional five (5) – one (1) year renewals at the election of the Safety and Service Director of the City of Massillon, Ohio.

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: OCTOBER 17, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 148 – 2022

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE amending Section 303.08 "Impounding of Vehicles; Redemption" under CHAPTER 303 "ENFORCEMENT, IMPOUNDING AND PENALTY" and Section 761.09 "Schedule of Rates" under CHAPTER 761 "TOWING COMPANIES" of the Codified Ordinances of the City of Massillon, Ohio, and declaring the same to be an emergency.

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

Section 1:

Section 303.08 "Impounding of Vehicles; Redemption" under CHAPTER 303 "ENFORCEMENT, IMPOUNDING AND PENALTY" of the Codified Ordinances of the City of Massillon, Ohio, be and is hereby amended to read as follows:

303.08 IMPOUNDING OF VEHICLES; REDEMPTION.

(a) Pounds. The Safety-Service Director is hereby authorized to regulate pounds which shall meet all the requirements set for towing companies in Chapter 761 of the Codified Ordinances of the City of Massillon, Ohio.

(b) Police officers are authorized to provide for the removal of a vehicle under the following circumstances:

(1) When any vehicle is left unattended upon any street, bridge or causeway and is so illegally parked so as to constitute a hazard or obstruction to the normal movement of traffic, or so as to unreasonably interfere with street cleaning or snow removal operations.

(2) When any vehicle or "abandoned junk motor vehicle" as defined in R.C. § 4513.63 is left on private property for more than seventy-two consecutive hours without the permission of the person having the right to the possession of the property, or on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right of way of any road or highway, for forty-eight consecutive hours or longer, without notification to the Police Chief of the reasons for leaving such vehicle in such place. Prior to disposal of an "abandoned junk motor vehicle" as defined in R.C. § 4513.63, it shall be photographed by a law enforcement officer.

(3) When any vehicle has been stolen or operated without the

consent of the owner and is located upon either public or private property.

(4) When any vehicle displays illegal license plates or fails to display the current lawfully required plates and is located upon any public street or other property open to the public for purposes of vehicular travel or parking.

(5) When any vehicle has been used in or connected with the commission of a felony and is located upon either public or private property.

(6) When any vehicle has been damaged or wrecked so as to be inoperable or violates equipment provisions of this Traffic Code whereby its continued operation would constitute a condition hazardous to life, limb or property, and is located upon any public street or other property open to the public for purposes of vehicular travel or parking.

(7) When any vehicle is left unattended either on public or private property due to the removal of an ill, injured or arrested operator, or due to the abandonment thereof by the operator during or immediately after pursuit by a law enforcement officer.

(8) When any vehicle has been operated by any person who has failed to stop in case of an accident or collision and is located either on public or private property.

(9) When any vehicle has been operated by any person who is driving without a lawful license or while his license has been suspended or revoked and is located upon a public street or other property open to the public for purposes of vehicular travel or parking.

(10) When any vehicle is found for which two or more citation tags for violations of this Traffic Code have been issued and the owner or operator thereof has failed to respond to such citation tags as lawfully required, and is located upon a public street or other property open to the public for purposes of vehicular travel or parking. (A.O.)

(c) No owner or operator shall remove an impounded vehicle from the place of storage without complying with the above procedure. Possession of a vehicle which has been impounded and unlawfully taken from the place of storage, by the owner or operator, shall constitute prima-facie evidence that it was so removed by the owner or operator.

(d) Payment Under Protest. It shall be the duty of the officer or person in charge of any impounded vehicle to inform the owner or person claiming such vehicle of the nature and circumstances of the violation, or of the fine, for which the vehicle was impounded. If protest is made against the payment of any impounding or storage fee or any fine, the officer or person in charge of the pound shall mark upon the receipt evidencing payment of the impounding and storage fees and fine the words "paid under protest." In such case, it shall thereupon be the duty of the police officer having knowledge of the facts to make a report of the same to the Law Director, who shall bring appropriate criminal or civil proceedings against such owner as provided by law. Should the finding of the court be in favor of such owner, it shall be the duty of the Safety-Service Director to refund to such person whatever moneys have been paid under protest.

(e) Records. It shall be the duty of the Safety-Service Director to

account for all fees collected under this section and to pay the same to the Clerk of the Municipal Court daily, accompanied by an itemized statement thereof. The Director shall also cause to be kept a record of the names of the owners of all vehicles impounded, the numbers of their State license tags, the nature and circumstances of each violation and the disposition of each case.

Section 2:

Section 761.09 "Schedule of Rates" under CHAPTER 761 "TOWING COMPANIES" of the Codified Ordinances of the City of Massillon, Ohio, be and is hereby amended to read as follows:

**761.09 SCHEDULE OF RATES.**

**(a) Light Duty Towing.**

- (1) Passenger cars, vans, motorcycles and trucks up to and including 3/4 ton with up to 16" tires..... \$150.00

**(b) Heavy Duty Towing.**

- (1) Vehicles with one (1) ton or greater capacity and/or 17" tires or larger..... \$200.00
- (2) Semi-tractor..... \$250.00
- (3) Trailers..... \$250.00

**(c) Storage Charges (per unit).**

- (1) Light duty towing.....\$25.00 per day
- (2) Heavy duty towing.....\$35.00 per day
- (3) Semi-tractor.....\$35.00 per day
- (4) Trailers..... \$35.00 per day

**(d) Additional Charges.** The following are additional services which may be needed in conjunction with or in addition to standard towing services; all services and charges listed hereafter shall be in addition to the above standard towing charges.

- (1) Dollies - Flatbed service.....\$50.00
- (2) Winching (after 25 ft.)..... \$2.00 per ft.
- (3) Disconnect transmission linkage..... \$20.00
- (4) Unlocking doors for towing..... \$20.00
- (5) Extra labor and/or extra truck (to be charged only in extraordinary circumstances)
  - (i) Light duty towing.....\$50.00 per hour
  - (ii) Heavy duty towing.....\$150.00 per hour

- (6) Call out and no tow needed
  - (i) Light duty towing.....\$50.00
  - (ii) Heavy duty towing.....\$120.00 per hour
- (7) After hours release.....\$25.00

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 President of Council, 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 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, Ohio; the emergency being to ensure costs incurred in providing services are adequately reimbursed to allow the continued provision of such services and to preserve and support the continuous and essential operations in connection with such services. 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.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022.

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

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

DATE: OCTOBER 17, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 149 – 2022

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor, the Mayor and the President of the Health Department Board of the City of Massillon, Ohio, to enter into contracts with Local Government Services (LGS) to compile the basic financial statements for the City of Massillon Health Department for the financial years ending December 31, 2022 and December 31, 2023, and declaring an emergency.

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

Section 1:

The Auditor, the Mayor and the President of the Health Department Board of the City of Massillon, Ohio, are hereby authorized and directed to enter into contracts with Local Government Services (LGS) to compile the basic financial statements for the City of Massillon Health Department for the financial years ending December 31, 2022 and December 31, 2023. Said contracts are 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 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, Ohio; the emergency being that the contracts need to be signed and returned to Local Government Services (LGS) by October 28, 2022. 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.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

ATTEST: \_\_\_\_\_  
DIANE ROLLAND, CLERK OF COUNCIL

\_\_\_\_\_  
CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: \_\_\_\_\_

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

DATE: OCTOBER 17, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 150 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2022, 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, 2022, the following:

\$ 58,205.00 to an account entitled "L.O.G.I.C. Dispatch" - 1100.305.5.2375

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, Ohio; the emergency being to cover payment through the remainder of 2022 and is due to the new retroactive contract from January 1, 2022. 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 17, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 151 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1201 Street Construction M & R Fund, for the year ending December 31, 2022, 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 1201 Street Construction M & R Fund, for the year ending December 31, 2022, the following:

\$ 15,000.00 to an account entitled "Refunds-Income Tax" - 1201.210.5.2720

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, Ohio; the emergency being to establish funds for expenses related to income tax refunds for the year ending December 31, 2022. 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 17, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 152 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2022 appropriations from within the 1100 General Fund and the 2101 Wastewater Treatment Fund, for the year ending December 31, 2022, 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 2022 appropriations within the 1100 General Fund, for the year ending December 31, 2022 the following:

FROM:	SD Revenue Sharing	1100.210.5.2721	-	\$ - 2,860.00
TO:	Hosp/Eye/Den/Pres/Life	1100.845.5.2210	-	\$ + 2,860.00

Section 2:

There be and hereby is transferred from the 2022 appropriations within the 2101 Wastewater Treatment Fund, for the year ending December 31, 2022 the following:

FROM:	Hosp/Eye/Den/Pres/Life	2101.610.5.2210	-	\$ - 21,400.00
TO:	Hosp/Eye/Den/Pres/Life	2101.615.5.2210	-	\$ + 21,400.00

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: OCTOBER 17, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 12 – 2022

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION appointing Julie Harwig Smith to the Historical Preservation Commission as a Council representative for the term ending December 31, 2023.

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 Julie Harwig Smith to the Historical Preservation Commission as a Council representative.

Section 2:

The term of said appointee shall be for the term expiring December 31, 2023.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022

ATTEST: \_\_\_\_\_  
DIANE ROLLAND, CLERK OF COUNCIL

\_\_\_\_\_  
CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: \_\_\_\_\_

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

DATE: OCTOBER 17, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

RESOLUTION NO. 13 – 2022

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: A RESOLUTION in support of the adoption of the Stark County 2022 Multi-Jurisdictional Hazard Plan, and declaring an emergency.

WHEREAS natural, and technological hazards can affect the City of Massillon, Ohio; and

WHEREAS significant structural, historical, and economic losses could result from an occurrence of a natural, or technological hazard event; and

WHEREAS undertaking mitigation projects during pre-disaster periods could decrease the total losses Massillon incurs as a result of said hazard occurrences.

AND WHEREAS the Massillon City Council has a strong interest in reducing losses from future hazard occurrences; and

WHEREAS the hazard mitigation plan is a federal and state requirement to maintain eligibility for hazard mitigation funding, and, by that requirement, must be updated a minimum of every five (5) years; and

WHEREAS a cooperative, joint effort is a proven, efficient way to plan for and reduce hazard susceptibility in all government jurisdictions in Stark County, Ohio.

THEREFORE, the Massillon City Council has partnered with the County to update the existing *Stark County Multi-Jurisdictional Hazard Mitigation Plan* in an effort to further identify, define, and characterize the hazards affecting the city as well as continue identifying and prioritizing project that could lessen hazard vulnerability.

# **CALL OF THE CALENDAR**

DATE: SEPTEMBER 6, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 126 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from R-1 One Family Residential to RM-1 Multiple Family Residential.

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

Section 1:

The public necessity, convenience, general welfare, and good zoning practices require that the Zoning Map of the City of Massillon, Ohio, established in Section 1151.02 of the Codified Ordinances of the City of Massillon, Ohio, and subsequently amended, be amended to rezone the property described below in Section 2 from R-1 One Family Residential to RM-1 Multiple Family Residential. The City of Massillon Planning Commission did not give its recommendation for the rezoning at its meeting held on August 10, 2022. All required notices and public hearings have been given and held according to law.

Section 2:

The property to be rezoned is known as Lot #1562WH of Parcel #604597, a .152 acres parcel located at 56 – 5<sup>th</sup> St. S.E., Massillon, Ohio. The property shall be rezoned from R-1 One Family Residential to RM-1 Multiple Family Residential. The purpose for the rezoning is to allow for rental units and an office. A legal description of the property and a map of the area are attached to this Ordinance as Exhibit “A” and Exhibit “B” respectively.

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.

## **SECOND READING**

DATE: OCTOBER 3, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 138 – 2022

BY: ECONOMIC DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Israel Robinson to provide an economic development “inducement grant” to fund start-up costs including build-out, equipment, etc. for Israel Katina located at 256 Erie St. S., Massillon, Ohio, and declaring an emergency.

WHEREAS, the City of Massillon carries out a variety of economic development programs designed to promote the creation and expansion of business and industry in the community; and

WHEREAS, Israel Robinson desires to renovate Israel Katina, located at 256 Erie St. S., Massillon, Ohio, and,

WHEREAS, the City of Massillon proposes to assist owner, Israel Robinson, with an economic development “inducement grant”, for the purpose of assisting with start-up costs, including build-out, equipment, etc. for Israel Katina.

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

Section 1:

This Council hereby authorizes and directs the Mayor to enter into an agreement with Israel Robinson to provide an economic development “inducement grant”, in a total amount not to exceed One Thousand Dollars and Zero Cents (\$1,000.00), for the purpose of assisting with start-up costs including build-out, equipment, etc., for Israel Katina, located at 256 Erie St. S., Massillon, Ohio.

DATE: OCTOBER 3, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 144 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2022, for the purpose of paying Assessment Taxes in the Building Department, 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, 2022, the following:

\$ 2,300.00 to an account entitled "3% Assessment Tax"	-	1100.415.5.2420
<u>6,500.00</u> to an account entitled "Services/Contracts"	-	1100.415.5.2392
<b>\$ 8,800.00 Total</b>		

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, Ohio; the emergency being that due to a higher amount of assessment fees collected and increased Code Enforcement related activities and services. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed members of Council, it shall take effect and be in force immediately upon its passage and approval of the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.