

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

**DATE: MONDAY, NOVEMBER 21, 2022  
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. NEW AND MISCELLANEOUS BUSINESS**
- 7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 164 – 2022**

**BY: PARKS AND RECREATION COMMITTEE**

**AN ORDINANCE** authorizing the Director of Parks and Recreation, on behalf of the Massillon Recreation Board and the City of Massillon, Ohio, to accept new and ongoing donations in memory of Phil Roberson to the Jake Roberson Splash Park Project.

**ORDINANCE NO. 165 – 2022**

**BY: POLICE AND FIRE COMMITTEE**

**AN ORDINANCE** repealing Section 2 of Ordinance No. 127 – 1997 and enacting a new Section 2 of Ordinance 127 – 1997, and declaring an emergency.

**ORDINANCE NO. 166 – 2022**

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

**AN ORDINANCE** amending Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997, 845 COMMUNITY DEVELOPMENT-PLANNING DEPARTMENT to increase Class Grade Pay Schedule for Economic Development Director from 22S SU UN to Class Grade 26S SU UN.

**ORDINANCE NO. 167 - 2022**

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

**AN ORDINANCE** amending CHAPTER 165 of the Codified Ordinances of the City of Massillon, Ohio, by enacting Section 165.01 to require that employees of the City reside within Stark County or any adjacent county.

**ORDINANCE NO. 168 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 3112 Donation Fund, for the year ending December 31, 2022, and declaring an emergency.

**ORDINANCE NO. 169 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation Fund, for the year ending December 31, 2022, and declaring an emergency.

**ORDINANCE NO. 170 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** reducing the appropriations in the 3109 TIF Service Payment Fund, the 3110 Massillon Museum Fund and 1340 Tax Increment Fund, for the year ending December 31, 2022, and declaring an emergency.

**ORDINANCE NO. 171 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement for a one (1) year renewal with Medical Mutual of Ohio for health insurance coverage for City employees, effective January 1, 2023 through December 31, 2023, and declaring an emergency.

**8. UNFINISHED BUSINESS**

**9. PETITIONS AND GENERAL COMMUNICATIONS**

A Request for the Transfer of a Liquor License from Ashely Willis DBA West End Tavern, 1<sup>st</sup> Floor, Basement & Patio, located at 1407 Tremont Ave. S.W., Massillon, OH 44647 to Benders Food & Spirits, Inc. DBA West End Tavern, 1<sup>st</sup> Floor, Basement & Patio, located at 1407 Tremont Ave. S.W., Massillon, OH 44647. Permit Classes are D1, D3 and D3A and is located in Ward 5.

**10. BILLS, ACCOUNTS AND CLAIMS**

Walter H. Drane Co.	-	\$ 5,463.28	Replacement Pages to the Codifieds
The Repository	-	<u>1,250.00</u>	Publication of Aug. and Sept. Ordinances
<b>Total</b>	-	<b>\$ 6,713.28</b>	

**11. REPORTS FROM CITY OFFICIALS**

Treasurer's Report	-	October 2022
Mayor's Report	-	October 2022

**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. 155 – 2022**

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

**AN ORDINANCE** amending Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997 by separating the positions of Civil Service Administrator and Equal Employment Opportunity Officer as merged by the enactment of Ordinance No. 93 – 2018, reclassifying and enacting an increase to the Class Grade pay schedule for the position of Civil Service Administrator under 150 “CIVIL SERVICE COMMSSION,” re-establishing and creating the 175 “HUMAN RESOURCES DEPARTMENT,” re-establishing and creating the position of Equal Employment Opportunity Officer and establishing the Class Grade pay schedule for said position within the 175 “HUMAN RESOURCES DEPARTMENT, repealing Ordinance No. 93 – 2018 in its entirety, in the City of Massillon, Ohio, and declaring the same to be an emergency.

**ORDINANCE NO. 160 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** amending Ordinance No. 143 – 1976 to enact a new Section “ALLOCATION OF FUNDS – INCOME TAX” by repealing Section 13 – “ALLOCATION OF FUNDS - INCOME TAX” and enacting a new Section 13 – “ALLOCATION OF FUNDS - INCOME TAX” and repealing Ordinance No. 151 – 2019, and declaring an emergency.

**ORDINANCE NO. 161 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** to adopt appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year 2023, and declaring an emergency.

**ORDINANCE NO. 162 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** amending the salary and wage schedules for SUPERVISORY (CLASSIFIED OR UNCLASSIFIED) EMPLOYEES, CLASSIFIED EMPLOYEES, and UNCLASSIFIED EMPLOYEES in the City of Massillon, Ohio, also amending the MISCELLANEOUS SCHEDULE for part-time employees in the City of Massillon, Ohio, and declaring an emergency.

**RESOLUTION NO. 14 – 2022**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**A RESOLUTION** reversing the decision of the Massillon Board of Zoning Appeals in the Variance Case No. 2022-16.

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

**18. ADJOURNMENT**

**DIANE ROLLAND – CLERK OF COUNCIL**

DATE: NOVEMBER 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 164 – 2022

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Parks and Recreation, on behalf of the Massillon Recreation Board and the City of Massillon, Ohio, to accept new and ongoing donations in memory of Phil Roberson to the Jake Roberson Splash Park Project.

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

Section 1:

The Director of Parks and Recreation, on behalf of the Massillon Recreation Board and the City of Massillon, Ohio, is hereby authorized and directed to accept new and ongoing donations in memory of Phil Roberson to the Jake Roberson Splash Park Project.

Section 2:

This measure was approved by the Recreation Board at its June 1, 2022 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.

Section 4:

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

DATE: NOVEMBER 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 165 – 2022

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE repealing Section 2 of Ordinance No. 127 – 1997 and enacting a new Section 2 of Ordinance 127 – 1997, and declaring an emergency.

WHEREAS, Section 737.05 of the Ohio Revised Code grants Massillon City Council the authority to set the number of positions in said ranks via ordinance; and

WHEREAS, in order to preserve and enhance the continuous and essential operations of the City of Massillon Police Department, and to ensure the department functions in a more efficient and cost-effective manner, the Chief of Police has requested that City Council amend the number of positions in the aforementioned ranks.

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

Section 1:

Upon the effective date of this Ordinance, that there by and is hereby enacted a new Section 2 of Ordinance No. 126 – 1997. Said new Section 2 shall read as follows:

Personnel of Police Department

Chief of Police (1)

Captain (1) – The Captain shall hold the special title of “Deputy Chief” while maintaining the rank of Captain. This title allows for continuity of leadership among the ranks and clearly defines his/her role in the organization.

Lieutenants (4)

Sergeants (7)

Section 2:

This newly created Section abolishes one (1) Captain position and adds one (1) sergeant position. The abolished position will be accomplished through attrition and no layoffs or demotions will be used to enact the abolishment. One (1) new Sergeant position will be created upon the official retirement date of one (1) current Captain. This new section is necessary for a more efficient and cost-effective Police Department which is vitally essential to providing police services to the community. Reducing the command staff position of Captain in the department and adding a first-line supervisory position of Sergeant, reallocated a leadership role closer to the patrol division where it is need.

Section 3:

All existing ordinances and resolutions in conflict with any provision of this Ordinance are hereby repealed to the extent of the conflict.

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.

Section 5:

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, Ohio; the emergency being to preserve and enhance the continuous and essential operations of the City of Massillon Police Department, and to allow the department to begin functioning in a more efficient and cost-effective manner without unnecessary 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, this Ordinance 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: NOVEMBER 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 166 – 2022

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997, 845 COMMUNITY DEVELOPMENT-PLANNING DEPARTMENT to increase Class Grade Pay Schedule for Economic Development Director from 22S SU UN to Class Grade 26S SU UN.

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

Section 1:

Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ord. No. 127 – 1997 is hereby amended.

Section 2:

That a new Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ord. No. 127 – 1997 is hereby amended to increase Class Grade Pay Schedule for Economic Development Director from 22S SU UN to Class Grade 26S SU UN within the 845 COMMUNITY DEVELOPMENT-PLANNING DEPARTMENT.

(SEE ATTACHMENT “A” OCCUPATION LIST OF CLASS TITLES, 845 COMMUNITY DEVELOPMENT/PLANNING DEPARTMENT; PAGE 9)

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: NOVEMBER 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 167 – 2022

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 165 of the Codified Ordinances of the City of Massillon, Ohio, by enacting Section 165.01 to require that employees of the City reside within Stark County or any adjacent county.

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

Section 1:

Section 165.01 of the Codified Ordinances of the City of Massillon is hereby amended as stated in the attached 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 shall take effect and be in force from and after the earliest period allowed by law.

DATE: NOVEMBER 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 168 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 3112 Donation 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 3112 Donation Fund, for the year ending December 31, 2022, the following:

\$ 107,000.00 to an account entitled "Ice Rink Supplies/Mat./Postage"- 3112.905.5.2413

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 expedite the process for completion of the ice rink donated by FreshMark. 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.

DATE: NOVEMBER 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 169 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation 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 1234 Parks and Recreation Fund, for the year ending December 31, 2022, the following:

\$ 19,000.00 to an account entitled "Salaries"	-	1234.920.5.2110
2,660.00 to an account entitled "P.E.R.S"	-	1234.920.5.2230
276.00 to an account entitled "Medicare"	-	1234.920.5.2231
561.00 to an account entitled "Workers Comp."	-	1234.920.5.2270
<u>8,800.00 to an account entitled "Capital Improvements"</u>	-	<u>1234.920.5.2510</u>
<b>\$ 31,297.00 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 to pay salary and improvement expenses and to complete training and projects for 2022. 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.

DATE: NOVEMBER 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 170 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriations in the 3109 TIF Service Payment Fund, the 3110 Massillon Museum Fund and 1340 Tax Increment 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:

The appropriations are hereby reduced in the 3109 TIF Service Payment Fund, for the year ending December 31, 2022, as follows:

\$ - 7,289.96 from an account entitled "School District TIF's"	-	3109.905.5.2379
- 6,116.03 from an account entitled "County Collection Fees"	-	3109.905.5.2393
<b>\$ - 13,405.99 Total</b>		

Section 2:

The appropriations are hereby reduced in the 3110 Massillon Museum Fund, for the year ending December 31, 2021, as follows:

\$ - 591.27 from an account entitled "Massillon Museum Holding"	-	3110.905.5.2379
- 575.22 from an account entitled "Fees"	-	3110.905.5.2393
<b>\$ - 1,166.49 Total</b>		

Section 3:

The appropriations are hereby reduced in 1340 Tax Increment Fund, for the year ending December 31, 2021, as follows:

\$ - 5,717.96 from an account entitled "Fees"	-	1340.905.5.2382
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DATE: NOVEMBER 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 171 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement for a one (1) year renewal with Medical Mutual of Ohio for health insurance coverage for City employees, effective January 1, 2023 through 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 Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into an agreement for a one (1) year renewal with Medical Mutual of Ohio for health insurance coverage for City employees, effective January 1, 2023 through December 31, 2023. The Healthcare Committee unanimously agreed to renew the current Medical Health Plan for 2023 with a 14.8% rate increase. The Renewal Form is 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.

## **SECOND READING**

DATE: NOVEMBER 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 155 – 2022

BY: RULES, COURTS, AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997 by separating the positions of Civil Service Administrator and Equal Employment Opportunity Officer as merged by the enactment of Ordinance No. 93 – 2018, reclassifying and enacting an increase to the Class Grade pay schedule for the position of Civil Service Administrator under 150 “CIVIL SERVICE COMMISSION,” re-establishing and creating the 175 “HUMAN RESOURCES DEPARTMENT,” re-establishing and creating the position of Equal Employment Opportunity Officer and establishing the Class Grade pay schedule for said position within the 175 “HUMAN RESOURCES DEPARTMENT, repealing Ordinance No. 93 – 2018 in its entirety, in 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 2(D) OCCUPATION LIST OF CLASS TITLES of Ord. No. 127 – 1997 is hereby amended.

Section 2:

That a new Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997 is hereby amended by separating the positions of Civil Service Administrator and Equal Employment Opportunity Officer as merged by the enactment of Ordinance No. 93 – 2018, reclassifying and enacting an increase to the Class Grade pay schedule for the position of Civil Service Administrator under 150 “CIVIL SERVICE COMMISSION” from a 22S Unclassified to a 23S Classified, re-establishing and creating the 175 “HUMAN RESOURCES DEPARTMENT,” re-establishing and creating the position Equal Employment Opportunity Officer and establishing the Class Grade pay schedule for said position within the 175 “HUMAN RESOURCES DEPARTMENT” as a 22S Unclassified.

(SEE ATTACHMENT “A” OCCUPATION LIST OF CLASS TITLES, 150 “CIVIL SERVICE COMMISSION” and 175 “HUMAN SERVICES DEPT.”, PAGES 2 AND 3 AND INSERT IN THE SALARY ORDINANCE NO. 127 – 1997)

DATE: NOVEMBER 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 160 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 143 – 1976 to enact a new Section “ALLOCATION OF FUNDS – INCOME TAX” by repealing Section 13 – “ALLOCATION OF FUNDS - INCOME TAX” and enacting a new Section 13 – “ALLOCATION OF FUNDS - INCOME TAX” and repealing Ordinance No. 151 – 2019, and declaring an emergency.

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

Section 1:

Ordinance No. 151 – 2019 be and is hereby repealed.

Section 2:

That there be and hereby is enacted a new Section 13 “ALLOCATION OF FUNDS - INCOME TAX” of Ordinance No. 143 - 1976. Said new Section 13 shall read as follows:

Section 13 - ALLOCATION OF FUNDS

- (A) Effective January 1, 2023 the funds collected under the provision of this ordinance shall be disbursed as follows:
- (1) Ninety-three percent (93%) percent shall be deposited in the “1100 General Fund” and Seven percent (7%) shall be deposited in said “1401 Income Tax Capital Improvements Fund” and shall be used for capital improvements to defray operating expenses of the City including such part thereof as shall be necessary to defray all costs of administering and enforcing the provisions thereof.
  - (2) Capital Improvements are all property, assets, machinery, equipment or improvements which the City is authorized by law to acquire, construct and maintain, including plans and studies thereof with an estimated life or usefulness of five (5) years or more, including land and interests therein, and including reconstructions, enlargements and extension thereof having an estimated life or usefulness of five (5) years or more provided, however, that the purchase of motorized equipment for the various city departments and the resurfacing and resealing of public streets, including



DATE: NOVEMBER 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 161 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE to adopt appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year 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 Council of the City of Massillon, Ohio, adopts and approves permanent appropriations, effective January 1, 2023, for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year ending December 31, 2023, pursuant to Ohio Revised Code, Section 5705.38, which appropriations and legal level of control are set forth on the attached Exhibit "A".

Section 2:

That the Auditor of the City of Massillon, Ohio, is hereby authorized and directed to draw warrants on the Treasurer of the City of Massillon, Ohio, for payments from any of the foregoing appropriations upon proper certification and vouchers approved by the Board of Officers (or Officer) authorized by law to approve the same or any ordinance or resolution of Council to make expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed in accordance with law or ordinance.

Section 3:

The Auditor of the City of Massillon, Ohio, is hereby authorized to execute the inter-fund transfers outlined in the attached Exhibit "A" and to draw the warrants upon receipt of vouchers duly approved by the proper departmental authority.

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: NOVEMBER 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 162 - 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending the salary and wage schedules for SUPERVISORY (CLASSIFIED OR UNCLASSIFIED) EMPLOYEES, CLASSIFIED EMPLOYEES, and UNCLASSIFIED EMPLOYEES in the City of Massillon, Ohio, also amending the MISCELLANEOUS SCHEDULE for part-time employees in 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 salary and wage schedules for SUPERVISORY (CLASSIFIED OR UNCLASSIFIED) EMPLOYEES, CLASSIFIED EMPLOYEES, and UNCLASSIFIED EMPLOYEES in the City of Massillon, Ohio, and the MISCELLANEOUS SCHEDULE for part-time employees in the City of Massillon, Ohio, previously amended via Ordinance No. 177 – 2021, are hereby amended and shall read as follows:

(SEE WAGE SCALE ATTACHMENTS “A” AND “B” AND ATTACHMENT C”; ATTACHED HERETO)

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to revise all copies of schedules referenced above in Section 1 in accordance with the amendments reflected in this Ordinance.

Section 3:

All existing ordinances and resolutions in conflict with any provision of this Ordinance are hereby repealed to the extent of the conflict.

DATE: NOVEMBER 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

RESOLUTION NO. 14 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: A RESOLUTION reversing the decision of the Massillon Board of Zoning Appeals in the Variance Case No. 2022-16.

WHEREAS, on October 13, 2022, the Massillon Board of Zoning Appeals rendered its decision in Case No. 2022-16 and granted applicant Kevin Smith's request for two variances to the Massillon Zoning Ordinance; and

WHEREAS, pursuant to Section 1177.01 of the Codified Ordinances of the City of Massillon, the requested variances are required as the applicant has built a 26' x 40' detached garage in the rear yard of Parcel No. 619373; and

WHEREAS, on October 14, 2022, Richard and Charlene Willey filed a Notice of Appeal of the aforementioned decision of the Board of Zoning Appeals with the Clerk of Council, pursuant to Section 1129.09 of the Codified Ordinances of the City of Massillon.

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

Section 1:

Council, in the best interest of proper community growth and general welfare of the City, hereby reverse the decision of the Massillon Board of Zoning Appeals in Variance Case No. 2022-16. The variances requested by Mr. Kevin Smith in said case are hereby denied.

Section 2:

The City of Massillon Building Department and the Massillon Board of Zoning Appeals shall take all actions necessary to carry out the provisions of this Resolution and the decision of Council rendered herein.