

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

**DATE: TUESDAY, FEBRUARY 22, 2022  
COUNCIL CHAMBERS and  
LIVE-STREAMING  
TIME: 6:30 p.m.**

**THERE IS A PUBLIC HEARING TONIGHT  
6:00 P.M.  
ORDINANCE NO. 1 - 2022**

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILWOMAN JULIE HARWIG SMITH**
- 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. 35 – 2022**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer 2.8257 acres (2.6082 acres from Parcel No. 680220 and 0.2175 acres from Parcel No. 680671) from the western portion of 401 Walnut Rd. S.W., located in Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

**ORDINANCE NO. 36 – 2022**

**BY: ECONOMIC DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Casey Conkle to provide an economic development “inducement grant” to fund start-up costs including build-out, equipment, etc. for Casey’s Play Care, located at 209 Ohio Ave. N.E., Massillon, Ohio.

**ORDINANCE NO. 37 – 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. 38 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund, for the year ending December 31, 2022, and declaring an emergency.

**8. UNFINISHED BUSINESS**

**9. PETITIONS AND GENERAL COMMUNICATIONS**

A Request for a New Liquor License for Don't Pass Go, LLC, DBA Don't Pass Go, located at 805 Wales Rd. N.E., Massillon, OH 44646. Permit Class is D1 and is located in Ward 1.

A Request for a New Liquor License for Ventura Communications, Inc., located at 45 – 1<sup>st</sup> St. N.W., Massillon, OH 44647. Permit Class is D3 and is located in Ward 2.

A Request for an Economic Transfer (TRES) from Magoo Properties, LLC, DBA The Shoppes at Wagram Center, located at 12990-98 National Rd. S.W., Etna Twp., Pataskala, OH 43062 to Ventura Communications, Inc., 1<sup>st</sup> Floor & Patio, located at 45 – 1<sup>st</sup> St. N.W., Massillon, OH 44647. Permit Classes are D1 and D2 and is located in Ward 2.

**10. BILLS, ACCOUNTS AND CLAIMS**

The Repository	-	\$ 629.92	Publication of December Ordinances
The Repository	-	64.12	Publication of Notice of Public Hearing
U.S. Bank Equip.	-	<u>133.35</u>	February Payment on Copier
<b>Total</b>	-	<b>\$ 827.39</b>	

**11. REPORTS FROM CITY OFFICIALS**

Mayor's Report	-	January 2022
Auditor's Report	-	January 2022

**12. REPORTS OF COMMITTEES**

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

**14. CALL OF THE CALENDAR**

## 15. THIRD READING ORDINANCES AND RESOLUTIONS

### **ORDINANCE NO. 1 – 2022**

### **BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from R-1 One Family Residential to B-3 General Business District.

### **ORDINANCE NO. 4 – 2022**

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

**AN ORDINANCE** to accept the dedication of a sanitary sewer easement for Candell St., S.E., Massillon, Ohio.

### **ORDINANCE NO. 5 – 2022**

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

**AN ORDINANCE** to accept the dedication of road right of way and approve the Replat of Out Lot 927, Massillon, Ohio.

### **ORDINANCE NO. 6 – 2022**

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

**AN ORDINANCE** to accept the dedication of sanitary sewer easements in the City of Massillon, Ohio.

## 16. SECOND READING ORDINANCES AND RESOLUTIONS

### **ORDINANCE NO. 11 – 2022**

### **BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE**

**AN ORDINANCE** amending Chapter 920 “Erosion/Sediment Control”, Sections 920.01(b), 920.07(a), and 920.10(b) of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

### **ORDINANCE NO. 12 – 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the Sippo Sanitary Sewer Replacement Project, 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, and declaring an emergency.

**ORDINANCE NO. 13 – 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 to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Sippo Sanitary Sewer Replacement Project, and declaring an emergency.

**ORDINANCE NO. 14 – 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the 26<sup>th</sup> St. N.W. Area Storm Sewer Improvement Project, 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, and declaring an emergency.

**ORDINANCE NO. 15 – 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 to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 26<sup>th</sup> St. N.W. Storm Sewer Improvement Project, and declaring an emergency.

**ORDINANCE NO 16 – 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the, 20<sup>th</sup> St. S.E. Area Storm Sewer Improvement Project, 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, and declaring an emergency.

**ORDINANCE NO. 17 – 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 to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 20<sup>th</sup> St. S.E. Area Storm Sewer Improvement Project, and declaring an emergency.

**ORDINANCE NO. 18 – 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the North Erie Canal/Burton Ave. N.E. Storm Sewer Improvement Project, 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, and declaring an emergency.

**ORDINANCE NO. 19 – 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 to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the North Erie Canal/Burton Ave. N.E. Storm Sewer Improvement Project, and declaring an emergency.

**ORDINANCE NO. 20 – 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract for the inspection of the Tuscarawas River Protection Project, 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, and declaring an emergency.

**ORDINANCE NO. 21 – 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 to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Tuscarawas River Protection Project, and declaring an emergency.

**ORDINANCE NO. 22 – 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 to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Hills and Dales Road Pipe Replacement Project, and declaring an emergency.

**ORDINANCE NO. 29 – 2022**

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

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the Erie St. S. Improvement Project, 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, and declaring an emergency.

**ORDINANCE NO. 32 – 2022**

**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 2023, and declaring an emergency.

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

**18. ADJOURNMENT**

**DIANE ROLLAND – CLERK OF COUNCIL**

DATE: FEBRUARY 22, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 35 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to transfer 2.8257 acres (2.6082 acres from Parcel No. 680220 and 0.2175 acres from Parcel No. 680671) from the western portion of 401 Walnut Rd. S.W., located in Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC), and declaring an emergency.

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

Section 1:

Council finds the 2.8257 acres (2.6082 acres from Parcel No. 680220 and 0.2175 acres from Parcel No. 680671) from the western portion of 401 Walnut Rd. S.W., located in Massillon, Ohio, and owned by the City of Massillon are not required by the City for its purposes. Council also finds that the conveyance of said real property to the Community Improvement Corporation of Massillon (CIC) will meet the requirements of Division (B) of Section 1724.10 of the Ohio Revised Code. Said real property is depicted in the attached Exhibit "A".

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to transfer 2.8257 acres (2.6082 acres from Parcel No. 680220 and 0.2175 acres from Parcel No. 680671) from the western portion of 401 Walnut Rd. S.W., located in Massillon, Ohio, from the City of Massillon to the Community Improvement Corporation of Massillon (CIC) for One Dollar (\$1.00) and other valuable consideration.

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

DATE: FEBRUARY 22, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 36 – 2022

BY: ECONOMIC DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Casey Conkle to provide an economic development “inducement grant” to fund start-up costs including build-out, equipment, etc. for Casey’s Play Care, located at 209 Ohio Ave. N.E., 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, Casey Conkle desires to renovate Casey’s Play Care, located at 209 Ohio Ave. N.E., Massillon, Ohio, and,

WHEREAS, the City of Massillon proposes to assist Casey Conkle with an economic development “inducement grant”, for the purpose of assisting with start-up costs, including build-out, equipment, etc. for Casey’s Play Care.

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 Casey Conkle to provide an economic development “inducement grant”, in a total amount not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), for the purpose of assisting with start-up costs including build-out, equipment, etc., for Casey’s Play Care, located at 209 Ohio Ave. N.E, Massillon, Ohio.



DATE: FEBRUARY 22, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 37 – 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:

\$ 210,000.00 to an account entitled "Legends Capital Improvement" - 1234.920.5.2510

Section 2:

This action was approved by the Recreation Board on February 2, 2022, by 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: FEBRUARY 22, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 38 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development 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 1237 Economic Development Fund, for the year ending December 31, 2022, the following:

\$ 2,500.00 to an account entitled "Services/Contracts" - 1237.845.5.2392

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 an economic development "inducement grant" and the economic impact said grant will have on the City. 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.

## **THIRD READING**

DATE: JANUARY 18, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 1 – 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 B-3 General Business District.

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 B-3 General Business District. The rezoning was recommended by the City of Massillon Planning Commission after a public hearing held on November 10, 2021. 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 #478WH of Parcel #610533, a .164 acre parcel located at 723 Lincoln Way N.W., Massillon, Ohio. The property shall be rezoned from R-1 One Family Residential to B-3 General Business District. The purpose for the rezoning is to locate an auto repair and/or used car facility. 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.

DATE: JANUARY 18, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 4 – 2022

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE to accept the dedication of a sanitary sewer easement for Candell St., S.E., 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 accepts the dedication of a sanitary sewer easement for Candell St., S.E., Massillon, Ohio, as shown on the attached map. At its September 8, 2021 meeting, the City Planning Commission approved said easement plat in conjunction with proposed sanitary sewer extension project. The area is currently zoned R-1 Single Family Residential and R-3 Single 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: JANUARY 18, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 5 – 2022

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE to accept the dedication of road right of way and approve the Replat of Out Lot 927, 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 accepts the dedication of road right of way and approves the Replat of Out Lot 927, Massillon, Ohio, as shown on the attached map. At its December 8, 2021 meeting, the City Planning Commission approved said plat for the subdivision. The request includes the dedication of .045 acres of roadways including a portion of 29<sup>th</sup> St. N.W., Massillon, Ohio. There will be five (5) additional platted lots to complete the subdivision and the area is currently zoned R-3 Single 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: JANUARY 18, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 6 – 2022

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE to accept the dedication of sanitary sewer easements in the City of 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 accepts the dedication of sanitary sewer easements in the City of Massillon, Ohio, as shown on the attached map. At its December 8, 2021 meeting, the City Planning Commission approved said plat; including the dedication of easements for proposed extension of sewer on the property. The area is currently zoned 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.

## **SECOND READING**



DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 11 – 2022

BY: PUBLIC UTILITIES AND ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE amending Chapter 920 “Erosion/Sediment Control”, Sections 920.01(b), 920.07(a), and 920.10(b) of the Codified Ordinances 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:

Section 920.01(b) of “Findings/Purpose and Scope” of the Codified Ordinances of the City of Massillon, Ohio, is hereby amended in accordance with the attached Exhibit “A”, which is made part hereof as if fully set forth herein.

Section 2:

Section 920.07(a) of “Fee” of the Codified Ordinances of the City of Massillon, Ohio, is hereby amended in accordance with the attached Exhibit “B”, which is made part hereof as if fully set forth herein.

Section 3:

Section 920.10(b) of “Water Quality” of the Codified Ordinances of the City of Massillon, Ohio, is hereby amended in accordance with the attached Exhibit “C”, which is made part hereof as if fully set forth herein.

Section 4:

Existing Sections 920.01(b), 920.07(a), and 920.10(b) of Chapter 920 “Erosion/Sediment Control” are hereby repealed.

DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 12 – 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the Sippo Sanitary Sewer Replacement Project, 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, 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the Sippo Sanitary Sewer Replacement Project, 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. The cost is not to exceed Three Hundred Thirty Thousand Dollars (\$330,000.00).

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.

DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 13 – 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 to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Sippo Sanitary Sewer Replacement Project, and declaring an emergency.

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

Section 1:

The 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 a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Sippo Sanitary Sewer Replacement Project. The project cost estimate is Three Million Five Hundred Thousand Dollars (\$3,500,000.00).

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 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 that the City is able to begin the sealed bid process for the project without unnecessary delay and as soon as design is completed, receives favorable bid pricing in a timely manner, and meets all requirements and deadlines for the obligation and expenditure of American Rescue Plan Act funding. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed members to Council, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 14 – 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the 26<sup>th</sup> St. N.W. Area Storm Sewer Improvement Project, 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, 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the 26<sup>th</sup> St. N.W. Area Storm Sewer Improvement Project, 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. The cost is not to exceed Three Hundred Fifty Thousand Dollars (\$350,000.00).

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.

DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 15 – 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 to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 26<sup>th</sup> St. N.W. Storm Sewer Improvement Project, and declaring an emergency.

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

Section 1:

The 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 a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 26<sup>th</sup> St. N.W. Storm Sewer Improvement Project. The project cost estimate is Three Million Twenty-five Hundred Thousand Dollars (\$3,025,000.00).

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 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 that the City is able to begin the sealed bid process for the project without unnecessary delay, receives favorable bid pricing in a timely manner, and meets all requirements and deadlines for the obligation and expenditure of American Rescue Plan Act funding. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed members to Council, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 16 – 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the, 20<sup>th</sup> St. S.E. Area Storm Sewer Improvement Project, 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, 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the 20<sup>th</sup> St. S.E. Area Storm Sewer Improvement Project, 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. The cost is not to exceed Two Hundred Sixty-six Thousand Dollars (\$266,000.00).

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.

DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 17 – 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 to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 20<sup>th</sup> St. S.E. Area Storm Sewer Improvement Project, and declaring an emergency.

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

Section 1:

The 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 a contract with the lowest and best bidder, upon the approval of the Board of Control, for the 20<sup>th</sup> St. S.E. Area Storm Sewer Improvement Project. The project cost estimate is Two Million Five Hundred Thousand Dollars (\$2,500,000.00).

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 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 that the City is able to begin the sealed bid process for the project without unnecessary delay and as soon as design is completed, receives favorable bid pricing in a timely manner, and meets all requirements and deadlines for the obligation and expenditure of American Rescue Plan Act funding. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed members to Council, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 18 – 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the North Erie Canal/Burton Ave. N.E. Storm Sewer Improvement Project, 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, 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the North Erie Canal/Burton Ave. N.E. Storm Sewer Improvement Project, 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. The cost is not to exceed Two Hundred Twenty-five Thousand Dollars (\$225,000.00).

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.



DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 19 – 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 to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the North Erie Canal/Burton Ave. N.E. Storm Sewer Improvement Project, and declaring an emergency.

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

Section 1:

The 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 a contract with the lowest and best bidder, upon the approval of the Board of Control, for the North Erie Canal/Burton Ave. N.E. Storm Sewer Improvement Project. The project cost estimate is One Million Nine Hundred Fifty Thousand Dollars (\$1,950,000.00).

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 necessary for the immediate preservation of the public peace, health or safety of the citizens of the City of Massillon, Ohio; the emergency being the emergency being to ensure that the City is able to begin the sealed bid process for the project without unnecessary delay and as soon as design is completed, receives favorable bid pricing in a timely manner, and meets all requirements and deadlines for the obligation and expenditure of American Rescue Plan Act funding. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed members to Council, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 20 – 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract for the inspection of the Tuscarawas River Protection Project, 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, 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract for the inspection of the Tuscarawas River Protection Project, 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. The cost is not to exceed Forty Thousand Dollars (\$40,000.00).

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.

DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 21 – 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 to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Tuscarawas River Protection Project, and declaring an emergency.

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

Section 1:

The 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 a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Tuscarawas River Protection Project. The project cost estimate is Four Hundred Ten Thousand Dollars (\$410,000.00).

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 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 that the City is able to begin the sealed bid process for the project without unnecessary delay, receives favorable bid pricing in a timely manner, can commence construction as soon as weather allows, and meets all requirements and deadlines for the obligation and expenditure of American Rescue Plan Act funding. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed members to Council, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 22 – 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 to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Hills and Dales Road Pipe Replacement Project, and declaring an emergency.

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

Section 1:

The 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 a contract with the lowest and best bidder, upon the approval of the Board of Control, for the Hills and Dales Road Pipe Replacement Project. The project cost estimate is One Hundred Six Thousand Dollars (\$106,000.00). The funds have been authorized in the 2022 Budget from the 1206.435.2517 Hills and Dales Road Rehab account.

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 ensure that the City is able to begin the sealed bid process for the project without unnecessary delay, receives favorable bid pricing in a timely manner, and can commence construction as soon as weather allows. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed members to Council, this Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 29 – 2022

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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the Erie St. S. Improvement Project, 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, 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, receive, and evaluate Statements of Qualifications and to negotiate and enter into contract(s) for the design and the inspection of the Erie St. S. Improvement Project, 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. The cost is not to exceed Fifty Thousand Dollars (\$50,000.00). The funds have been authorized in the 2022 budget through the American Rescue Plan Expenses Account-1100.905.2414.

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: FEBRUARY 7, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 32 – 2022

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 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, hereby authorizes and directs the Mayor of the City of Massillon, Ohio, to submit applications for funding to Ohio Public Works Commission for the funding year 2023 and to execute all necessary documentation needed to secure such funding. Said projects shall be as follows:

- North Erie Canal/Burton Ave. Storm Sewer Improvement
- 20<sup>th</sup> St. S.E. Storm Sewer Improvement
- 26<sup>th</sup> St. N.W. Storm Sewer Improvement
- 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, Ohio; the emergency being that the applications are due to OPWC by July 2022, via online portal, and the City intends to submit its applications as early as possible in order to increase the City's chances of receiving funding. 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.