

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

DATE: MONDAY, FEBRUARY 7, 2022  
COUNCIL CHAMBERS and  
LIVE-STREAMING

TIME: 6:30 p.m.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL - *9 Present*

2. INVOCATION BY COUNCILMAN MIKE GREGG

3. PLEDGE OF ALLEGIANCE

4. READING OF THE JOURNAL - *Posted*

5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA

6. NEW AND MISCELLANEOUS BUSINESS *Amend agenda to place Ord. #30 last after 5th reading*

7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS *9 yes to amend agenda*

*Passed - 9 yes*  
ORDINANCE NO. 10 - 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 extend the Lease Agreement with Municipal Asset Management for fitness equipment at the Massillon Recreation Center, and declaring an emergency.

*1st Reading*  
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.

*1st Reading*  
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.

*1<sup>st</sup> Reading*  
**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.

*1<sup>st</sup> Reading*  
**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.

*1<sup>st</sup> Reading*  
**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.

*1<sup>st</sup> Reading*  
**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.

*1<sup>st</sup> Reading*  
**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.

*1st Reading*  
**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.

*1st Reading*  
**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.

*1st Reading*  
**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.

*1st Reading*  
**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.

*1st Reading*  
**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.

*Passed - 9 yes*  
**ORDINANCE NO. 23 - 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 2022 Annual Removal and Disposal of Anaerobically Municipal Sludge at the Wastewater Treatment Plant, and declaring an emergency.

*Passed - 9 yes*  
**ORDINANCE NO. 24 - 2022**

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

**AN ORDINANCE** authorizing the Director of Law of the City of Massillon, Ohio to renew a one (1) year agreement with the Stark County Public Defender's Office, for the purpose of providing representation for indigent defendants that are charged under City Ordinances, and declaring an emergency.

*Passed - 7 yes; 2 no - Creamer & Heracane*  
**ORDINANCE NO. 25 - 2022**

*Revised Lombardi  
7 yes; 1 no - Creamer  
1 abstention*  
**BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE**

**AN ORDINANCE** amending the rules of Massillon City Council by enacting Rule 1.1 of Section 121.02 "RULES OF COUNCIL" of the Codified Ordinances of the City of Massillon, Ohio.

*Passed - 9 yes*  
**ORDINANCE NO. 26 - 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 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 Erie Street South Improvement Project, and declaring an emergency.

*Passed - 9 yes*  
**ORDINANCE NO. 27 - 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 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 purchase of fuel for City vehicles at an off-site location, and declaring an emergency.

*Passed - 9 yes*  
**ORDINANCE NO. 28 - 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 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 City Streets Pavement Marking Project, and declaring an emergency.

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*1st Reading*  
**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.

*Moved to end of 2nd Reading*  
**ORDINANCE NO. 30 – 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.

*Passed - 9 yes*  
**ORDINANCE NO. 31 – 2022** **BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1433 Parks and Recreation Capital Improvement Fund, for the year ending December 31, 2022, and declaring an emergency.

*1st Reading*  
**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.

*Passed - 9 yes*  
**ORDINANCE NO. 33 – 2022** **BY: FINANCE COMMITTEE**

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

*Passed - 8 yes; 1 abstained*  
**RESOLUTION NO. 5 – 2022** **BY: COMMITTEE OF THE WHOLE**

**A RESOLUTION** appointing Jim Thieret to the Historical Preservation Commission as a Council representative for the term January 1, 2022 to December 31, 2023.

**8. UNFINISHED BUSINESS**

**9. PETITIONS AND GENERAL COMMUNICATIONS**

**10. BILLS, ACCOUNTS AND CLAIMS**

The Repository	-	\$ 1,131.76	Publication of November Ordinances
Bonnie's Engraver's Gallery	-	293.50	Name Plates and Rubber Stamp
Office Depot	-	130.12	Office Supplies
The Repository	-	64.12	Publication of Public Hearing
Corporate Credit Card	-	21.25	Webex Subscription - January
<b>Total</b>	-	<b>\$ 1,640.75</b>	

*9 yes to pay the bills*

**11. REPORTS FROM CITY OFFICIALS**

Auditor's Report	-	January 2022	- <i>next agenda</i>
Treasurer's Report	-	December 2021	

**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**

*2nd Reading*  
**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.

*Passed - 9 yes*  
**ORDINANCE NO. 2 – 2022**

**BY: ECONOMIC DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Jennifer Perko to provide an economic development "inducement grant" to fund start-up costs including build-out, equipment, etc. for Luvih Yoga Studio located at 15 Federal Ave. N.E., Massillon, Ohio.

*Passed - 9 yes*  
**ORDINANCE NO. 3 – 2022**

**BY: ECONOMIC DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Joyce and Judy Phillips to provide an economic development "inducement grant" to fund start-up costs including build-out, equipment, etc. for The Good Way to Shop, located at 104 Cherry Ave. N.W., Massillon, Ohio.

*2nd Reading*  
**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.

*2nd Reading*  
**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.

*2nd Reading*  
**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.

*Passed - 9 yes*  
**ORDINANCE NO. 9 – 2022**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of Massillon, Ohio, to exercise the option to renew for the fifth year under the terms of the Agreement originally effective January 1, 2013, with Kimble Recycling & Disposal, Inc. for the collection of residential and commercial refuse and recycling for the 2022 calendar year, and declaring an emergency.

*Ord. no. 30-2022 - 9 yes Passed*  
**17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA**

**18. ADJOURNMENT**

*7:30 P*

**DIANE ROLLAND – CLERK OF COUNCIL**