

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

**DATE: MONDAY, MAY 16, 2022
COUNCIL CHAMBERS
TIME: 6:30 p.m.**

**THERE IS A PUBLIC HEARING TONIGHT
6:00 P.M.
ORD. NO. 56 - 2022**

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN JIM THIERET**
- 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. 77 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1238 Probation Service Fund, for the year ending December 31, 2022, and declaring an emergency.

ORDINANCE NO. 78 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1222 Waste Management Grant Fund, for the year ending December 31, 2022.

RESOLUTION NO. 7 - 2022

BY: FINANCE COMMITTEE

A RESOLUTION authorizing the City of Massillon, Ohio, to form and join a governance structure for Region 6 pursuant to the OneOhio Memorandum of Understanding and the OneOhio Subdivision Settlement Agreement in the City of Massillon's ongoing Opioid Litigation; also authorizing the Mayor and/or the Director of Public Service and Safety to enter into any necessary agreements and to take any necessary actions to facilitate said process, and declaring the same to be an emergency.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

10. BILLS, ACCOUNTS AND CLAIMS

U.S. Bank Equip. Finance - \$ 127.00 May Payment for Copier

11. REPORTS FROM CITY OFFICIALS

Treasurer's Report - April 2022
Mayor's Report - April 2022
Auditor's Report - April 2022

12. REPORTS OF COMMITTEES

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

14. CALL OF THE CALENDAR

ORDINANCE NO. 55 – 2022 **BY: COMMUNITY DEVELOPMENT COMMITTEE**
Tabled May 2, 2022 until May 16, 2022

AN ORDINANCE authorizing the Mayor and/or the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Capital Improvement Community Park, Recreation/Conservation Project Pass Through Grant Agreement with the Ohio Department of Natural Resources (ODNR), and declaring an emergency.

ORDINANCE NO. 56 – 2022 **BY: COMMUNITY DEVELOPMENT COMMITTEE**
Tabled May 2, 2022 until May 16, 2022

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

ORDINANCE NO. 67 – 2022 **BY: FINANCE COMMITTEE**
Tabled May 2, 2022 until May 16, 2022

AN ORDINANCE amending and approving the Wage Scale for City of Massillon Police Department Supervisors, specifically the wage differential for the position of Captain, and declaring an emergency.

15. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 73 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE granting the Mayor of the City of Massillon, Ohio, a one-time salary increase to \$90,000.00 per year, effective January 1, 2024, and granting the Auditor of the City of Massillon, Ohio, a one-time salary increase to \$77,000.00 per year, effective January 1, 2024.

16. SECOND READING ORDINANCES AND RESOLUTIONS

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

18. ADJOURNMENT

DIANE ROLLAND – CLERK OF COUNCIL

DATE: MAY 16, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

ORDINANCE NO. 77 – 2022

LEGISLATIVE BRANCH

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1238 Probation Service 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 1238 Probation Service Fund, for the year ending December 31, 2022, the following:

\$ 175,000.00 to an account entitled "Services/Contracts" - 1238.125.5.2392

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 pay expected invoices for upgrade to security video system and improvements to Court Offices, per Court Order JE No. 50 – 2022. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed member to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: MAY 16, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 78 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1222 Waste Management Grant Fund, for the year ending December 31, 2022.

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 1222 Waste Management Grant Fund, for the year ending December 31, 2022, the following:

\$ 10,500.00 to an account entitled "Services/Contracts" - 1222.605.5.2392

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

DATE: MAY 16, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

RESOLUTION NO. 7 – 2022

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION authorizing the City of Massillon, Ohio, to form and join a governance structure for Region 6 pursuant to the OneOhio Memorandum of Understanding and the OneOhio Subdivision Settlement Agreement in the City of Massillon's ongoing Opioid Litigation; also authorizing the Mayor and/or the Director of Public Service and Safety to enter into any necessary agreements and to take any necessary actions to facilitate said process, and declaring the same to be an emergency.

WHEREAS, the City of Massillon, Ohio, is a local government that has adopted and approved the OneOhio Memorandum of Understanding (the "Memorandum"), which establishes a mechanism to disburse settlement proceeds from opioid litigation into Ohio's communities to help abate the opioid crisis, including allocations to local governments and regions through a statewide foundation; and

WHEREAS, the City is a participant in Region 6, as established by the Memorandum; and

WHEREAS, pursuant to the Memorandum, each region shall create their own governance structure so it ensures all local governments have input and equitable representation regarding regional decisions, including representation on the statewide foundation board, and selection of projects to be funded from the region's regional share; and

WHEREAS, regions have the responsibility to make submissions regarding the allocation of funds to projects that will equitably serve the needs of the entire region; and

WHEREAS, the regional governance structure below ensures all local governments in Region 6 have input and equitable representation regarding regional decisions under the Memorandum;

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

Section 1:

The City of Massillon, Ohio, is authorized to form and join a governance structure for Region 6 pursuant to the OneOhio Memorandum of Understanding and the OneOhio Subdivision Settlement Agreement as follows:

- 2 members appointed by the Stark County Commissioners;
- 2 members appointed by the mayor of the largest municipality;
- 2 members appointed by a majority vote of the mayors or head executives of the remaining municipalities;
- 2 members appointed by a majority vote of the various boards of township trustees;
- and 2 community members elected by the above members who have experience in addiction, mental illness and treatment and effected by, and active in, the fight against the opioid crisis.

-- For a total of 10 members.

Section 2:

The Mayor and/or the Director of Public Service and Safety are authorized to enter into any necessary agreements and to take any necessary actions to facilitate the process outlined above in Section 1.

Section 3:

All formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of this Council, and all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

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 Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, or safety of the citizens of the City of Massillon, Ohio; the emergency being to ensure prompt formation of the governance structure for Region 6, which is an essential step in the ongoing pursuit of funding to assist in abating the opioid epidemic in the City, Region 6, and throughout Ohio.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2022

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

CALL OF THE CALENDAR

DATE: APRIL 4, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 55 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and/or the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Capital Improvement Community Park, Recreation/Conservation Project Pass Through Grant Agreement with the Ohio Department of Natural Resources (ODNR), and declaring an emergency.

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

Section 1:

The Mayor and/or the Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a Capital Improvement Community Park, Recreation/Conservation Project Pass Through Grant Agreement with the Ohio Department of Natural Resources (ODNR). The agreement 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.

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 the agreement is executed in a timely manner and is in compliance with all grant and funding requirements. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: APRIL 4, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 56 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from RM-1 Multiple-Family Residential District 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 RM-1 Multiple-Family Residential District to B-3 General Business District. The rezoning was recommended by the City of Massillon Planning Commission at its March 16, 2022 meeting. All required notices and public hearings have been given and held according to law.

Section 2:

The properties to be rezoned are known as the following:

Lot #3641-3642 WH EX 60' SE EACH of Parcel #600764, a .83-acre vacant parcel located on Lincoln Way E., Massillon, Ohio 44646

Lot #3643 WH of Parcel #607402, a .50-acre vacant parcel located on Lincoln Way E., Massillon, Ohio 44646

Lot #3644 WH of Parcel #612594, a .50-acre vacant parcel located on Lincoln Way E., Massillon, Ohio 44646

Lot #3645 WH of Parcel #601670, a .54-acre vacant parcel located on Lincoln Way E., Massillon, Ohio 44646

These properties shall be rezoned from RM-1 Multiple-Family Residential District to B-3 General Business District. The purpose for the rezoning is to allow for professional services and/or retail. A map and a legal description of the properties are attached to this Ordinance as Exhibit "A" and Exhibit "B", respectively.

DATE: APRIL 4, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 67 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending and approving the Wage Scale for City of Massillon Police Department Supervisors, specifically the wage differential for the position of Captain, and declaring an emergency.

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

Section 1:

The Wage Scale for City of Massillon Police Department Supervisors, specifically the wage differential for the position of Captain, last amended via Ordinance No. 90 – 2019, is hereby amended and approved as follows:

(SEE ATTACHMENT “A” – Wage Differential for the
Position of Captain in the City of Massillon Police Department)

Section 2:

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

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 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 for the amended differential to become effective without delay and per the dates provided on Attachment “A”. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

THIRD READING

DATE: APRIL 18, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 73 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE granting the Mayor of the City of Massillon, Ohio, a one-time salary increase to \$90,000.00 per year, effective January 1, 2024, and granting the Auditor of the City of Massillon, Ohio, a one-time salary increase to \$77,000.00 per year, effective January 1, 2024.

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

Section 1:

Effective January 1, 2024, the Mayor of the City of Massillon, Ohio, shall receive a one-time salary increase to \$90,000.00 per year. This one-time salary increase shall be in lieu of, and not in addition to, the CPI salary increase provided for in Ordinance No. 174 – 2019. Said CPI salary increase for the Mayor is hereby suspended for calendar year 2024. Effective January 1, 2025, the Mayor shall commence receiving said CPI salary increase.

Section 2:

Effective January 1, 2024, the Auditor of the City of Massillon, Ohio, shall receive a one-time salary increase to \$77,000.00 per year. This one-time salary increase shall be in lieu of, and not in addition to, the CPI salary increase provided for in Ordinance No. 174 – 2019. Said CPI salary increase for the Auditor is hereby suspended for calendar year 2024. Effective January 1, 2025, the Auditor shall commence receiving said CPI salary increase.

Section 3:

In the event of any conflict between the provisions of any existing ordinances or resolutions and the provisions of this Ordinance, the provisions of this Ordinance shall control.