

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

**DATE: TUESDAY, JUNE 21, 2022
COUNCIL CHAMBERS
TIME: 6:30 p.m.**

THERE ARE NO PUBLIC HEARINGS TONIGHT

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN MIKE GREGG**
- 3. PLEDGE OF ALLEGIANCE**
- 4. READING OF THE JOURNAL**
- 5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA**
- 6. NEW AND MISCELLANEOUS BUSINESS**
- 7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 88 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications, and declaring an emergency.

ORDINANCE NO. 89 – 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 a donation from an anonymous donor, and declaring an emergency.

ORDINANCE NO. 90 - 2022

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Section 961.13, "LIQUOR, DRUGS PROHIBITED" of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 91 - 2022

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

AN ORDINANCE enacting Rule 25.2 of the Rules of Massillon City Council, as codified in Section 121.02 "RULES OF COUNCIL" of the Codified Ordinances of the City of Massillon, Ohio.

ORDINANCE NO. 92 - 2022

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2202 Insurance Fund, for the year ending December 31, 2022, and declaring an emergency.

ORDINANCE NO. 93 - 2022

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health Services Fund, for the year ending December 31, 2022, and declaring an emergency.

ORDINANCE NO. 94 - 2022

BY: FINANCE COMMITTEE

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

ORDINANCE NO. 95 - 2022

BY: FINANCE COMMITTEE

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

ORDINANCE NO. 96 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1206 Municipal Motor Vehicle Tax Fund, for the year ending December 31, 2022, and declaring an emergency.

ORDINANCE NO. 97 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to accept and enter into a collective bargaining agreement between the employees of the Wastewater Treatment Department and the City of Massillon, Ohio, effective April 1, 2021 through March 31, 2024, and declaring an emergency.

ORDINANCE NO. 98 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to accept and enter into a collective bargaining agreement between AFSCME, Ohio Council 8, Local 996, AFL-CIO and the City of Massillon, Ohio, effective April 1, 2021 through March 31, 2024, and declaring an emergency.

RESOLUTION NO. 9 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

A RESOLUTION reversing the decision of the Massillon Board of Zoning Appeals in Variance Request Case No. 2022-5, and declaring the same to be an emergency.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

10. BILLS, ACCOUNTS AND CLAIMS

11. REPORTS FROM CITY OFFICIALS

Auditor's Report - May 2022

12. REPORTS OF COMMITTEES

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

14. CALL OF THE CALENDAR

ORDINANCE NO. 73 – 2022

BY: FINANCE COMMITTEE

Tabled June 6, 2022 until June 21, 2022

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.

15. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 79 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor and/or the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a commercial real estate purchase agreement with Campbell Oil Company for the purchase of Parcel Nos. 614431 and 601521, further known as 611 Erie Street South, Massillon, OH 44646; further authorizing the Mayor and/or the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an escrow agreement with Alpha Land Title Agency, Inc., and to take all other actions necessary to facilitate said purchase; also authorizing the relocation of the Massillon City Health Department; and declaring the same to be an emergency.

16. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 83 – 2022

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Tom Green to provide an economic development “inducement grant” to fund start-up costs, including build-out, equipment, etc., for Discount Tire Outlet, located at 2034 Southway St. S.W., Massillon, Ohio, and declaring an emergency.

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

18. ADJOURNMENT

DIANE ROLLAND – CLERK OF COUNCIL

DATE: JUNE 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 88 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications, and declaring an emergency.

WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974 (which title is hereinafter referred to as the "Act") and the regulations promulgated thereunder (24 CFR Parts 58 and 570, hereinafter referred to as the "Regulations") the Secretary of the Department of Housing and Urban Department (hereinafter referred to as the "Secretary") is authorized to make block grants to units of general local government to help finance housing and community development programs (which grants are hereinafter to as "CDBG" grants); and

WHEREAS, the City of Massillon proposes to apply for such a grant for Program Year 2022 and has, in that connection and as required by and pursuant to the Act and Regulations, prepared a Consolidated Plan for community development, including a strategic plan for meeting its housing and community development needs, and an annual action plan describing the activities that the City proposes to undertake with CDBG funds; and

WHEREAS, the City of Massillon has developed and implemented a citizen participation plan to make information available to citizens, public agencies, and others on the various elements of CDBG program; to encourage participation of citizens and organizations representing citizens, particularly low and moderate income citizens, in the development of the Consolidated Plan; to hold public meetings on the Plan and proposed CDBG Budget and to provide timely and adequate notice of such meetings; and to provide technical assistance to citizens and citizen groups requesting assistance to adequately participate in the planning, implementation, and evaluation of the Consolidated Plan and CDBG Program; and

WHEREAS, the Council has duly reviewed and considered the Consolidated Plan and Annual Action Plan, along with the views and proposals of citizens, and the comments and recommendations of the City's administrative and planning officials.

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

Section 1:

This Council hereby finds and determines that the Consolidated Plan and Annual Action Plan properly and adequately identifies the City's housing and community development needs and objectives; and that the programs and activities to be undertaken by the City with CDBG funds as provided for under the Act for the 2022 Program Year have been designed so as to give maximum feasible priority to activities which will benefit low and moderate income households or aid in the prevention or elimination of slums and blight, so as to achieve the national objectives of the CDBG program which are to develop viable urban communities by providing decent housing and suitable living environment and expanding economic opportunities, principally for low and moderate income persons; and for these reasons, this Council approves said Plan.

Section 2:

That the Mayor, being the chief executive officer of the City of Massillon, is hereby designated as the authorized representative of the City, to act in connection with the City's application for CDBG funds, and to provide such additional information, as well as to execute and file such additional documentation or certifications as may be required by the Secretary or by other responsible agencies in connection with the application.

Section 3:

That this Council hereby finds and determines that the City in preparing its application for CDBG funds, has complied with the applicable requirements of the Act and Regulations, and that this Council hereby approves the Annual Action Plan and authorizes the Mayor to execute and file the application, together with all related documentation, with the Secretary.

Section 4:

That this Council hereby directs that the City of Massillon is carrying out its CDBG funded activities, continue to comply with applicable requirements of the Act and Regulations and with other applicable laws including civil rights, equal opportunity and fair housing, citizens participation, real property acquisition and relocation, environmental protection, fair labor standards, and the requirement of giving maximum feasible priority to activities which will benefit low and moderate income households or aid in the prevention or elimination of slums and blight, and this Council authorizes the Mayor to execute and file with the Secretary certifications in such form as the Secretary may prescribe, which will provide assurances concerning these foregoing matters, and concerning other matters as may be required by the Secretary in connection with carrying out the City's CDBG program.

Section 5:

That this Council hereby authorizes the Mayor to consent to assume the status of a responsible Federal official under the National Environmental Police Act of 1969, insofar as the provision of such act applies to the Secretary's responsibilities for environmental review, decision making, and action to be assumed and carried out by the Mayor, and authorizes the Mayor to consent, on behalf of the City, to accept the jurisdiction of the Federal Courts for the purposes of carrying out the CDBG program; and furthermore, that this Council hereby authorizes the Mayor to execute and file such other documents and take such other actions in connection with the environmental review process as may be required by the Act and Regulations.

Section 6:

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 City must file its Program Year 2022 CDBG Budget application with HUD by August 16, 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 by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2022

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

FY 2022 CDBG PROGRAM BUDGET
CITY OF MASSILLON, OHIO

CDBG PROGRAM FUNDING RESOURCES

FY 2022

CDBG Entitlement Grant from U.S. Department of HUD	\$	665,007.00
Unallocated Balance from previous years	\$	133,671.37
Estimated Program Income to be Received during Program Year	\$	1,500.00
FY 2022 CDBG PROGRAM BUDGET	\$	800,178.37

Project Name

Description

FY 2022

CITY OF MASSILLON CDBG ACTIVITIES

City Housing Program	Housing Rehabilitation/Emergency Home Repair Program	\$	268,819.81
Downtown Street Improvements	Streets, street/storm drains, curbs/ gutters, bridges, traffic lights/signs, sidewalk improvements, landscaping	\$	31,299.00
Habitat Renewal Project	Housing Rehabilitation Activities for qualified low-to-moderate income households in renewal area	\$	100,000.00
Housing Code Enforcement	Code Enforcement in Low Income Neighborhoods/Target Areas	\$	33,747.00
Massillon Main Street	Downtown Improvements	\$	16,299.00
Planning, Administration, Fair Housing	Community Development and Fair Housing	\$	131,702.40
Target Street Program	Repaving of Streets within designated Low Income Residential Neighborhoods	\$	119,811.16
CITY OF MASSILLON CDBG ACTIVITIES TOTAL		\$	701,678.37

LOCAL AGENCY PROJECTS

Boys and Girls Club of Massillon	Be Great Graduate Program	\$	9,500.00
Canton Ex-Newsboys Assoc.	No Child Shall Miss School for the Need of Shoes or Clothing	\$	6,000.00
CommQuest	Homeless Family Living Shelter	\$	10,000.00
Domestic Violence Project	Shelter for Domestic Violence Victims	\$	10,000.00
Faith In Action	In-Home Caregivers For Elderly	\$	8,000.00
Habitat For Humanity	Hope ReStored	\$	6,000.00
Legacy Project of Stark County		\$	3,000.00
Make A Way	Support - Various Disabilities Persons	\$	5,000.00
Stark Fresh	Mobile Food Market	\$	9,000.00
Stark County Mental Health & Addiction Recovery	Stark County Centralized Intake & Coordinated Assessment	\$	10,000.00
Straight Path Program	Youth Mentoring	\$	3,000.00
Vantage Aging	Feeding Massillon Seniors	\$	5,000.00
Westark Family Services	Homemaker Services - Elderly /Handicap	\$	9,000.00
YMCA of Western Stark County	All Access	\$	5,000.00
LOCAL AGENCY PROJECTS TOTAL		\$	98,500.00

TOTAL CDBG ACTIVITIES AND PROGRAMS:

\$ 800,178.37

Note:

Administrative expenses cannot exceed 20% of grant

Public Service Activities cannot exceed 15% of grant

At least 70% of grant must benefit low-to-moderate income persons

DATE: JUNE 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 89 – 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 a donation from an anonymous donor, 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 Parks and Recreation, on behalf of the Massillon Recreation Board and the City of Massillon, Ohio, is hereby authorized to accept a donation from an anonymous donor.

Section 2:

The donation is in the amount of Three Thousand Dollars and Zero Cents (\$3,000.00) to the City of Massillon Parks and Recreation Department and shall be placed into the 1234.510.4.1890, Miscellaneous Revenue account to be used for youth memberships at the Massillon Recreation Center.

Section 3:

This measure was approved by the Recreation Board at its June 1, 2022 meeting by a 5 – 0 vote.

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: JUNE 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 90 – 2022

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 961.13, "LIQUOR, DRUGS PROHIBITED" 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 961.13 "LIQUOR, DRUGS PROHIBITED" of the Codified Ordinances of the City of Massillon, Ohio, is hereby amended to read as follows:

961.13 LIQUOR, DRUGS PROHIBITED

No person shall possess or use any intoxicating liquor, beer, illegal drugs or controlled substances of any form whatsoever on park property in the City. This section shall not apply to special events held in Duncan Plaza that are approved by the Recreation Board and that obtain an appropriate State of Ohio liquor permit. Approval of the Recreation Board shall be considered on a case-by-case basis and shall only be granted in conjunction with the confirmation of all other required permits, insurances, and security provisions as required by federal, state, and local liquor laws.

Section 2:

Existing Section 961.13 "LIQUOR, DRUGS PROHIBITED" of the Codified Ordinances of the City of Massillon, Ohio, is hereby repealed.

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: JUNE 21, 2022

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
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COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 91 – 2022

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE enacting Rule 25.2 of the Rules of Massillon City Council, as codified in Section 121.02 “RULES OF COUNCIL” of the Codified Ordinances of the City of Massillon, Ohio.

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

Section 1:

Rule 25.2 of the Rules of Massillon City Council, as codified in Section 121.02 “RULES OF COUNCIL” of the Codified ordinances of the City of Massillon, Ohio, is hereby enacted to read as follows:

Rule 25.2. Any ordinance accepting capital budget awards from the General Assembly of the State of Ohio shall be preceded by an ordinance or resolution stating City Council’s support of the project.

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: JUNE 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 92 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 2202 Insurance 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 2202 Insurance Fund, for the year ending December 31, 2022, the following:

\$ 30,000.00 to an account entitled "Employee Insurance" - 2202.905.5.2310

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 insurance premiums in an uninterrupted and timely manner. 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: JUNE 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 93 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health Services 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 1235 Community Health Services Fund, for the year ending December 31, 2022, the following:

\$ 22,548.61 to an account entitled "Services/Contracts" - 1235.705.5.2392

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 ensure the continuous and uninterrupted provision of essential services by the Massillon City Health Department. 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: JUNE 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 94 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund for the Castlewest Improvement and St. Andrews Improvement Projects, for the year ending December 31, 2022, and declaring an emergency.

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

Section 1:

There be and hereby is appropriated from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2022, the following:

\$ 45,000.00 to an account entitled "Castlewest Underdrain"	-	1100.405.5.2515
<u>85,000.00</u> to an account entitled "St. Andrews Drainage"	-	1100.405.5.2512
\$ 130,000.00		

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 avoid further delay of the 2022 Castlewest – Phase II and the 2022 St. Andrews Improvement – Phase IV Projects and to release additional funds required for the projects due to nationwide price increases. 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: JUNE 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 95 – 2022

BY: FINANCE COMMITTEE

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

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

Section 1:

There be and hereby is appropriated from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2022, the following:

\$ 350,000.00 to an account entitled "Street Resurfacing"- 1100.435.5.2511

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 avoid further delay of the 2022 Street Resurfacing Project and to release additional funds required for the project due to nationwide price increases. 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: JUNE 21, 2022

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
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COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 96 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1206 Municipal Motor Vehicle Tax 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 1206 Municipal Motor Vehicle Tax Fund, for the year ending December 31, 2022, the following:

\$ 30,500.00 to an account entitled "Hills & Dales Road Rehab" - 1206.435.5.2517

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 avoid further delay of the 2022 Hills and Dales Road Pipe Replacement Project and to release additional funds required for the project due to nationwide price increases. 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: JUNE 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 97 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to accept and enter into a collective bargaining agreement between the employees of the Wastewater Treatment Department and the City of Massillon, Ohio, effective April 1, 2021 through March 31, 2024, 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 finds it necessary for the City of Massillon, Ohio, to accept and enter into a collective bargaining agreement between the employees of the Wastewater Treatment Department and the City of Massillon, Ohio.

Section 2:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio are hereby authorized and directed to accept and enter into a collective bargaining agreement between the employees of the Wastewater Treatment Department and the City of Massillon, Ohio, effective April 1, 2021 through March 31, 2024.

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: JUNE 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 98 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to accept and enter into a collective bargaining agreement between AFSCME, Ohio Council 8, Local 996, AFL-CIO and the City of Massillon, Ohio, effective April 1, 2021 through March 31, 2024, 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 finds it necessary for the City of Massillon, Ohio, to accept and enter into a collective bargaining agreement between AFSCME, Ohio Council 8, Local 996, AFL-CIO and the City of Massillon, Ohio.

Section 2:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio are hereby authorized and directed to accept and enter into a collective bargaining agreement between AFSCME, Ohio Council 8, Local 996, AFL-CIO and the City of Massillon, Ohio, effective April 1, 2021 through March 31, 2024.

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: JUNE 21, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

RESOLUTION NO. 9 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: A RESOLUTION reversing the decision of the Massillon Board of Zoning Appeals in Variance Request Case No. 2022-5, and declaring the same to be an emergency.

WHEREAS, on April 28, 2022, the Massillon Board of Zoning Appeals rendered its decision in Case No. 2022-5 and denied applicant John Bolan's request for two variances to the Massillon Zoning Ordinance; and

WHEREAS, pursuant to Sections 1181.01(b) and 1181.01(h) of the Codified Ordinances of the City of Massillon, the requested variances are required for an existing 16' x 24' detached garage that Mr. Bolan relocated to the front yard of the property known as Parcel No. 617224 in the City of Massillon, Ohio; and

WHEREAS, on May 4, 2022, Mr. Bolan filed a timely Notice of Appeal of the aforementioned decision of the Board of Zoning Appeals with the Clerk of Council, in accordance with 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 interests of proper community growth and the general welfare of the City, hereby reverse the decision of the Massillon Board of Zoning Appeals in Variance Request Case No. 2022-5. The variances requested by Mr. John Bolan in said case are hereby granted.

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.

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this Resolution. 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 Resolution, during or after the pendency or passage of this Resolution. Corrected copies are to be sent to all official recipients.

Section 4:

This Resolution 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 promote proper community growth and the general welfare of the City. Provided this Resolution 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 fail and be of no effect, as provided in Section 1129.09 of the Codified Ordinances of the City of Massillon.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2022

APPROVED: _____
DIANE ROLLAND, CLERK OF COUNCIL CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____
KATHY CATAZARO-PERRY, MAYOR

CALL OF THE CALENDAR

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.

THIRD READING

DATE: MAY 31, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 79 – 2022

BY: FINANCE 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 commercial real estate purchase agreement with Campbell Oil Company for the purchase of Parcel Nos. 614431 and 601521, further known as 611 Erie Street South, Massillon, OH 44646; further authorizing the Mayor and/or the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an escrow agreement with Alpha Land Title Agency, Inc., and to take all other actions necessary to facilitate said purchase; also authorizing the relocation of the Massillon City Health Department; 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:

The Mayor and/or the Director of Public Service and Safety of the City of Massillon, Ohio, are hereby authorized and directed to enter into a commercial real estate purchase agreement with Campbell Oil Company for the purchase of Parcel Nos. 614431 and 601521, further known as 611 Erie Street South, Massillon, OH 44646. A copy of the purchase agreement is attached to this Ordinance as Exhibit "A". The purpose of this purchase is to provide for a new facility for the Massillon City Health Department.

Section 2:

The Mayor and/or the Director of Public Service and Safety are hereby authorized and directed to enter into an escrow agreement with Alpha Land Title Agency, Inc., to facilitate the purchase referenced above in Section 1. A copy of the escrow agreement is attached to this Ordinance as Exhibit "B". The Mayor and/or the Director of Public Service and Safety are also authorized to take all other actions necessary to facilitate said purchase.

Section 3:

Upon successful completion of the purchase referenced above in Section 1, Council authorizes the relocation of the Massillon City Health Department to Parcel Nos. 614431 and 601521, further known as 611 Erie Street South, Massillon, OH 44646.

SECOND READING

DATE: JUNE 6, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 83 – 2022

BY: ECONOMIC DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Tom Green to provide an economic development “inducement grant” to fund start-up costs, including build-out, equipment, etc., for Discount Tire Outlet, located at 2034 Southway St. S.W., Massillon, Ohio, and declaring an emergency.

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

WHEREAS, Tom Green desires to renovate Discount Tire Outlet, located at 2034 Southway St. S.W., Massillon, Ohio, and,

WHEREAS, the City of Massillon proposes to assist Tom Green with an economic development “inducement grant”, for the purpose of assisting with start-up costs, including build-out, equipment, etc., for Discount Tire Outlet.

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 Tom Green to provide an economic development “inducement grant”, in a total amount not to exceed Ten Thousand Dollars and Zero Cents (\$10,000.00), for the purpose of assisting with start-up costs, including build-out, equipment, etc., for Discount Tire Outlet, located at 2034 Southway St. S.W., Massillon, Ohio.