

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

**DATE: TUESDAY, JANUARY 17, 2023  
COUNCIL CHAMBERS  
TIME: 6:30 p.m.**

**THERE ARE NO PUBLIC HEARINGS TONIGHT**

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN MICHAEL SNEE**
- 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. 5 – 2023**

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

**AN ORDINANCE** authorizing the Director of the Parks and Recreation Department of the City of Massillon, Ohio, to apply for a D-6 Liquor Permit for The Legends of Massillon Restaurant and Golf Course for Sunday sales of liquor, and declaring an emergency.

**ORDINANCE NO. 6 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** authorizing the Director of the Parks and Recreation Department of the City of Massillon, Ohio, to accept a donation from Stark Community Foundation on behalf of the Massillon Recreation Center, and declaring an emergency.

**ORDINANCE NO. 7 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** authorizing the Mayor and the Safety Service Director of the City of Massillon, Ohio, to enter into a contract between the City of Massillon and the Stark County Sheriff's Office for the use of the Stark County Law Enforcement Training Facility (LETC) located at 143 – 1<sup>st</sup> St. S.E., Massillon, Ohio, and declaring an emergency.

**RESOLUTION NO. 2 – 2023**

**BY: COMMITTEE OF THE WHOLE**

**A RESOLUTION** consenting to the appointment of Alex Wood to the Recreation Board of the City of Massillon, Ohio, for the term expiring December 31, 2025.

**8. UNFINISHED BUSINESS**

**9. PETITIONS AND GENERAL COMMUNICATIONS**

A Request for a New Liquor License for Tiger Island Mexican Grille LLC located at 426 – 3<sup>rd</sup> St. S.E., Massillon, Ohio 44646. Permit Classes are D1 and D2 and is located in Ward 3.

**10. BILLS, ACCOUNTS AND CLAIMS**

Copley Ohio Newspapers	-	\$ 403.44	Publication of Ord. and Public Hrgs.
Office Depot	-	175.17	Copy Paper and 2023 Supplies
US Bank Equip. Finance	-	<u>127.00</u>	January Paymt. for Copier
<b>Total</b>	-	<b>\$ 705.61</b>	

**11. REPORTS FROM CITY OFFICIALS**

Mayor's Report	-	December 2022
Auditor's Report	-	December 2022

**12. REPORTS OF COMMITTEES**

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

**14. CALL OF THE CALENDAR**

**ORDINANCE NO. 173 – 2022**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**Tabled January 3, 2023 until January 17, 2023**

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

**ORDINANCE NO. 174 – 2022**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**Tabled January 3, 2023 until January 17, 2023**

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

**ORDINANCE NO. 175 – 2022**      **BY: COMMUNITY DEVELOPMENT COMMITTEE**  
**Tabled January 3, 2023 until January 17, 2023**

**AN ORDINANCE** amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from O-1 Office to R-1 One Family Residential.

**ORDINANCE NO. 177 – 2022**      **BY: ECONOMIC DEVELOPMENT COMMITTEE**  
**Tabled January 3, 2023 until January 17, 2023**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Cyrus Ausar to provide an economic development “inducement grant” to fund start-up costs, including build-out, equipment, etc., for Grow Mental Health & Wellness, located at 141 – 1<sup>st</sup> St. N.E., Massillon, Ohio, and declaring an emergency.

**ORDINANCE NO. 184 – 2022**      **BY: FINANCE COMMITTEE**  
**Tabled January 3, 2023 until January 17, 2023**

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

**15. THIRD READING ORDINANCES AND RESOLUTIONS**

**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: JANUARY 17, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 5 – 2023

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of the Parks and Recreation Department of the City of Massillon, Ohio, to apply for a D-6 Liquor Permit for The Legends of Massillon Restaurant and Golf Course for Sunday sales of liquor, 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 the Park and Recreation Department of the City of Massillon, Ohio, is hereby authorized and directed to apply for a D-6 Liquor Permit for The Legends of Massillon Restaurant and Golf Course for Sunday sales of liquor. Cost not to exceed Six Hundred Dollars and Zero Cents (\$600.00).

Section 2:

This action was approved by the Recreation Board by a 4 – 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 the 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 the ordinance, during or after the pendency or passage of the ordinance. Corrected copies are to be sent to all official recipients.

DATE: JANUARY 17, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 6 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of the Parks and Recreation Department of the City of Massillon, Ohio, to accept a donation from Stark Community Foundation on behalf of the Massillon Recreation Center, 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 the Park and Recreation Department of the City of Massillon, Ohio, is hereby authorized and directed to accept a donation from Stark Community Foundation on the behalf of the Massillon Recreation Center to be used for Automatic External Defibrillator (AED) replacements. The donation is in the amount of Six Thousand Six Hundred Dollars and Zero Cents (\$6,600.00).

Section 2:

This action was approved by the Recreation Board by a 4 – 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 the 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 the ordinance, during or after the pendency or passage of the ordinance. Corrected copies are to be sent to all official recipients.

DATE: JANUARY 17, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 7 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Safety Service Director of the City of Massillon, Ohio, to enter into a contract between the City of Massillon and the Stark County Sheriff's Office for the use of the Stark County Law Enforcement Training Facility (LETC) located at 143 – 1<sup>st</sup> St. S.E., Massillon, Ohio, and declaring an emergency.

WHEREAS, the Sheriff's Office operates the Stark County Law Enforcement Training Center for the purpose of providing professional training to law enforcement agencies; and

WHEREAS, the Massillon Police Department desires to make use of the Stark County Law Enforcement Training Center for the period commencing January 1, 2023 through December 31, 2023; and,

WHEREAS, the City of Massillon shall pay to the Sheriff's Office the annual sum of Twenty-five Dollars and Zero Cents (\$25.00) per officer to make use of the Stark County Law Enforcement Training Center per year.

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 and the Safety Service Director of the City of Massillon, Ohio, to enter into a contract with the Stark County Sheriff's Office for the use of the Stark County Law Enforcement Training Center. Said contract 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 the 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 the ordinance, during or after the pendency or passage of the ordinance. Corrected copies are to be sent to all official recipients.

DATE: JANUARY 17, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

RESOLUTION NO. 2 – 2023

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION consenting to the appointment of Alex Wood to the Recreation Board of the City of Massillon, Ohio, for the term expiring December 31, 2025.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby consents to the appointment of Alex Wood to the Recreation Board of the City of Massillon, Ohio.

Section 2:

The term of said appointee shall be for the term expiring December 31, 2025.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023

ATTEST: \_\_\_\_\_  
DIANE ROLLAND, CLERK OF COUNCIL

\_\_\_\_\_  
CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
KATHY CATAZARO-PERRY, MAYOR

# **CALL OF THE CALENDAR**



DATE: DECEMBER 5, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 173 – 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 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 to B-3 General Business District. The rezoning was approved by the City of Massillon Planning Commission after a meeting held on November 9, 2022. All required notices and public meetings have been given and held according to law.

Section 2:

The property to be rezoned is known as Lot 4330 WH of Parcel #600285 and Lot 4328/4329-237'NE EA of Parcel #606737, .93 acre parcels, both located on Lincoln Way E., Massillon, Ohio. The property shall be rezoned from RM-1 Multiple Family Residential to B-3 General Business District. The purpose for the rezoning is to allow for the operation of a full-service bank. A map of the area and a legal description of the property are attached to this Ordinance as Exhibit "A".

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: DECEMBER 5, 2022

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
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COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 174 – 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 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 to B-3 General Business District. The rezoning was approved by the City of Massillon Planning Commission after a meeting held on November 9, 2022. All required notices and public meetings have been given and held according to law.

Section 2:

The property to be rezoned is known as Lot 4332 WH/4333-50' WE of Parcel #10000012, Lot 4334/4333-50'WE of Parcel #10000013, Lot 4335/4336 WH EA of Parcel #619349, Lot 4337 of Parcel #604626, Lot 4338 WH of Parcel #685875 and Lot 4339 WH of Parcel #605876, a total of 1.82 acres, all located on Lincoln Way E., Massillon, Ohio. The property shall be rezoned from RM-1 Multiple Family Residential to B-3 General Business District. The purpose for the rezoning is to allow for motor fuel retail convenience. A map of the area and a legal description of the property are attached to this Ordinance as Exhibit "A".

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.

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 175 – 2022

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain property from O-1 Office to R-1 One Family Residential.

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 O-1 Office to R-1 One Family Residential. The rezoning was approved by the City of Massillon Planning Commission after a meeting held on November 9, 2022. All required notices and public meetings have been given and held according to law.

Section 2:

The property to be rezoned is known as Lot 723 WH of Parcel #609331, .178 acres located on 1<sup>st</sup> St. N.E., Massillon, Ohio. The property shall be rezoned from O-1 Office to R-1 One Family Residential. The purpose for the rezoning is to allow for new residential construction. A map of the area and a legal description of the property are attached to this Ordinance as Exhibit "A".

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.

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 177 – 2022

BY: ECONOMIC DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Cyrus Ausar to provide an economic development “inducement grant” to fund start-up costs, including build-out, equipment, etc., for Grow Mental Health & Wellness, located at 141 – 1<sup>st</sup> St. 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, Cyrus Ausar desires to renovate Grow Mental Health & Wellness, located at 141 – 1<sup>st</sup> St. N.E., Massillon, Ohio, and,

WHEREAS, the City of Massillon proposes to assist Cyrus Ausar with an economic development “inducement grant”, for the purpose of assisting with start-up costs, including build-out, equipment, etc., for Grow Mental Health & Wellness.

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 Seven Thousand Dollars and Zero Cents (\$7,000.00), for the purpose of assisting with start-up costs, including build-out, equipment, etc., for Grow Mental Health & Wellness, located at 141 – 1<sup>st</sup> St. N.E., Massillon, Ohio.

DATE: DECEMBER 5, 2022

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 184 – 2022

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General 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 1100 General Fund, for the year ending December 31, 2022, the following:

\$ 225,000.00 to an account entitled "City Improvement Project" - 1100.905.5.239C

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 provide funding for reimbursable expenses related to demolition of unsafe buildings within the City. Provided this Ordinance receives the affirmative vote of two-thirds of the elected and/or appointed members of Council, it shall take effect and be in force immediately upon its passage and approval of the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.