

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

**DATE: MONDAY, OCTOBER 2, 2023  
COUNCIL CHAMBERS  
TIME: 6:30 p.m.**

**THERE IS A PUBLIC HEARING TONIGHT  
6:00 p.m.  
ORD. NO. 82 – 2023  
Designated Outdoor Refreshment Area (DORA)**

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN AARON VIOLAND**
- 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. 101 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1216 Federal Law Enforcement Fund, for the purpose of the Massillon Police Department, for the year ending December 31, 2023, and declaring an emergency.

**ORDINANCE NO. 102 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with Innovative Software Services, Inc. for the Income Tax software program, "CityTax".

**8. UNFINISHED BUSINESS**

**9. PETITIONS AND GENERAL COMMUNICATIONS**

**10. BILLS, ACCOUNTS AND CLAIMS**

**11. REPORTS FROM CITY OFFICIALS**

Auditor's Report	-	September 2023
Health Commissioner's Report	-	October 2, 2023 Workforce Development Grant
Mayor's Board Appointment	-	Recreation Board-Nicole Herrera

**12. REPORTS OF COMMITTEES**

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

**14. CALL OF THE CALENDAR**

**ORDINANCE NO. 82 – 2023**                      **COMMUNITY DEVELOPMENT COMMITTEE**  
**Tabled September 18, 2023 until October 2, 2023**

**AN ORDINANCE** creating a Designated Outdoor Refreshment Area (DORA) and establishing requirements to ensure public health and safety within such area.

**15. THIRD READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 87 – 2023**                      **BY: COMMUNITY DEVELOPMENT 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 construction of the Roberson Splash Pad at Wampler Park, and declaring an emergency.

**ORDINANCE NO. 90 – 2023**                      **BY: HEALTH, WELFARE AND BLDG. REGS. COMMITTEE**

**AN ORDINANCE** enacting CHAPTER 962 "CEMETERIES" under TITLE FIVE – OTHER PUBLIC SERVICES of PART NINE – STREETS, UTILITIES, AND PUBLIC SERVICES CODE of the Codified Ordinances of the City of Massillon, Ohio for the disposition of deceased indigents and the administration thereof.

**ORDINANCE NO. 92 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1100 General Fund, for the purpose of the Roberson Splash Pad Project, for the year ending December 31, 2023, and declaring an emergency.

**16. SECOND READING ORDINANCE AND RESOLUTIONS**

**RESOLUTION NO. 7 – 2023**

**BY: FINANCE COMMITTEE**

**A RESOLUTION** in support of waiving the building permit fees for the Massillon City School District's East and West Side Elementary Schools.

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

**18. ADJOURNMENT**

**DIANE ROLLAND – CLERK OF COUNCIL**

DATE: OCTOBER 2, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 101 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1216 Federal Law Enforcement Fund, for the purpose of the Massillon Police Department, for the year ending December 31, 2023, 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 appropriated from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2023, the following:

\$ 13,100.00 to an account entitled "Supplies/Material/Postage" - 1216.305.5.2410

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 purchase law enforcement equipment before price increase goes into effect. 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.

DATE: OCTOBER 2, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 102 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with Innovative Software Services, Inc. for the Income Tax software program, "CityTax".

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

Section 1:

The Council of the City of Massillon, Ohio, hereby authorizes and directs the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with Innovative Software Services, Inc. for the Income Tax software program, "CityTax". Funds for this program conversion were allocated in the 1401 Income Tax Capital Improvement Account – 1401.210.5.2530 in the amount of One Hundred Ten Thousand Dollars and Zero Cents (\$110,000.00) and approved in the 2023 City Budget. Said quote and agreement are 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 shall take effect and be in force from and after the earliest period allowed by law.

# **CALL OF THE CALENDAR**

DATE: AUGUST 21, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 82 – 2023

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE creating a Designated Outdoor Refreshment Area (DORA) and establishing requirements to ensure public health and safety within such area.

**WHEREAS**, RC. § 4301.82 permits the City of Massillon to create and approve an application for a "Designated Outdoor Refreshment Area" (DORA) within its corporate limits; and

**WHEREAS**, The Mayor has submitted and filed an application with Massillon City Council in compliance with R.C. § 4301.82(B) to have certain property designated as an outdoor refreshment area on INSERT date; and

**WHEREAS**, a public hearing concerning this application was held in Massillon City Council Chambers on INSERT, a notice of which was published not less than 30 days prior to the date of said hearing in The Massillon Independent, a newspaper of general circulation in the City of Massillon, once a week for two separate weeks in compliance with RC. § 4301.82(C) and (F)(2); and

**WHEREAS**, Massillon City Council finds that the application is in compliance with R.C. § 4301.82(B) and that the DORA to be created would be in compliance with R.C. § 4301.82(C); and

**WHEREAS**, municipalities have the power to enact laws that preserve the health, safety, and welfare, comfort and peace of the municipality;

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

**Section 1.** Pursuant to RC. § 4301.82, there is hereby established and designated the Massillon Designated Outdoor Refreshment Area (DORA) with the boundaries of the area, including the street addresses, as described in the application being attached hereto as Exhibit A and incorporated herein.

# **THIRD READING**



DATE: SEPTEMBER 5, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 87 – 2023

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the construction of the Roberson Splash Pad at Wampler Park, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to advertise for and receive sealed bids and enter into a contract with the lowest and best bidder, upon the approval of the Board of Control, for the construction of the Roberson Splash Pad at Wampler Park.

Section 2:

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

Section 3:

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

DATE: SEPTEMBER 5, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 90 – 2023

BY: HEALTH, WELFARE & BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE enacting CHAPTER 962 “CEMETERIES” under TITLE FIVE – OTHER PUBLIC SERVICES of PART NINE – STREETS, UTILITIES, AND PUBLIC SERVICES CODE of the Codified Ordinances of the City of Massillon, Ohio for the disposition of deceased indigents and the administration thereof.

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

Section 1:

CHAPTER 962 “CEMETERIES” under TITLE FIVE – OTHER PUBLIC SERVICES of PART NINE – STREETS, UTILITIES, AND PUBLIC SERVICES CODE of the Codified Ordinances of the City of Massillon, Ohio, be enacted and to read as follows:

**CHAPTER 962**  
**Cemeteries**

**962.01 Disposition of deceased indigents.**

**962.02 Cost to be paid for indigent burials.**

**CROSS REFERENCES**

Burials may be prohibited - see Ohio R.C. § 759.05  
Management and control - see Ohio R.C. § 759.09  
Burial permits - see Ohio R.C. § 3705.24 et seq.  
Burial of indigent persons - see Ohio R.C. § 9.15

**962.01 DISPOSITION OF DECEASED INDIGENTS.**

Whenever the City is legally responsible for the disposition and related costs of deceased persons found to be indigent, the City assigns that

DATE: SEPTEMBER 5, 2023

CLERK: DIANE ROLLAND

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LEGISLATIVE BRANCH

ORDINANCE NO. 92 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the purpose of the Roberson Splash Pad Project, for the year ending December 31, 2023, 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 appropriated from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2023, the following:

\$ 784,000.00 to an account entitled "Roberson Splash Pad Project" - 1100.905.5.2512

Section 2:

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

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of the City of Massillon, Ohio; the emergency being to expedite the appropriation to start the project. 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.

# SECOND READING

DATE: SEPTEMBER 18, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

RESOLUTION NO. 7 – 2023

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION in support of waiving the building permit fees for the Massillon City School District's East and West Side Elementary Schools.

WHEREAS, the Council of the City of Massillon, Ohio, hereby supports waiving the building permit fees for the Massillon City School District's East and West Side Elementary Schools.

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 supports the waiving of the following fees; the building permit fee for the East Side Elementary School is Thirty-five Thousand Six Hundred Twenty-seven Dollars and Twenty-three Cents (\$35,627.23); the building permit fee for the West Side Elementary School is Thirty-three Thousand Six Hundred Ninety-three Thousand Dollars and Fifty-nine Cents (\$33,693.59) for a total of Sixty-nine Thousand Six Hundred Twenty Dollars and Eighty-two Cents (\$69,620.82).

Section 2:

This resolution shall be immediately effective.

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

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

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

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

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



Office of the Mayor

RECEIVED SEP 26 2023

**INTEROFFICE MEMO**

\*\*\*\*\*

**DATE:** 9/26/2023

**TO:** Diane Rolland & Massillon City Council President & Members

**FROM:** Mayor Kathy Catazaro-Perry

**SUBJECT:** Appointments to Boards

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Below is an additional Board appointment that needs approval of council. Please put on the agenda for October 2, 2023.

Thank you

Parks & Recreation Board:

Nicole Herrera – replacing member David Harding who resigned effective 9/23/2023.

**RECEIVED** SEP 26 2023



To Massillon City Council:

In accordance with Massillon Codified Ordinance 17-2023 Section 3, this is the report for City Council meeting October 2, 2023 pertaining to positions hired by the Massillon City Health Department Workforce Development Grant.

The status of positions is as such; two positions have been filled, a full-time Outreach Coordinator, hired on August 1, 2023, and a part-time Language Services Coordinator, hired on August 15, 2023. Both positions are 11S Classified.

These positions and benefits are funded by the Workforce Development Grant 2022 which continues until December 31, 2023. The amount remaining on that grant is \$160,735.00.

This grant (Workforce Development Grant 2023) has been renewed as of July 1, 2023, and will be continued through December 31, 2027. The amount of that grant is \$370,000.00. This will fund these positions for the next four years.

Any questions may be directed to Terri Argent, Health Commissioner, Massillon City Health Department.

9/20/2023