

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

**DATE: MONDAY, DECEMBER 4, 2023  
COUNCIL CHAMBERS  
TIME: 6:30 p.m.**

**THERE ARE NO PUBLIC HEARINGS TONIGHT**

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN TED HERNCANE**
- 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**

Answer to question asked at the November 6, 2023 meeting:

Downtown Parking – Brooke Longheir

**7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 134 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain transfers in the 2023 appropriations from within the 1100 General Fund, for the purpose of the Massillon Fire Department, for the year ending December 31, 2023, and declaring an emergency.

**ORDINANCE NO. 135 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1209 Police Pension Fund and 1210 Fire Pension Fund, for the year ending December 31, 2023, and declaring an emergency.

**ORDINANCE NO. 136 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain transfers in the 2023 appropriations from within the 1201 Street Construction M & R Fund and the 1234 Parks and Recreation Fund, for the year ending December 31, 2023, and declaring an emergency.

**RESOLUTION NO. 11 – 2023**

**BY: PARKS AND RECREATION COMMITTEE**

**A RESOLUTION** supporting the City Administration's grant request for the Reservoir Park stream, pond and pumphouse restoration project for the Fiscal Year 2025 – 2026 State Capital Budget Funding, and declaring an emergency.

**8. UNFINISHED BUSINESS**

**9. PETITIONS AND GENERAL COMMUNICATIONS**

**10. BILLS, ACCOUNTS AND CLAIMS**

Gannet Ohio LocaliQ	-	\$ 172.04	Balance of Publications
Visual Edge IT	-	<u>75.18</u>	Overage Charge-08/24/23 to 11/23/23
<b>Total</b>	-	<b>\$ 247.22</b>	

**11. REPORTS FROM CITY OFFICIALS**

Treasurer's Report	-	October 2023
Auditor's Report	-	November 2023

**12. REPORTS OF COMMITTEES**

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

**14. CALL OF THE CALENDAR**

**15. THIRD READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 110 – 2023**

**BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE**

**AN ORDINANCE** authorizing the Mayor and/or the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with Kettle Creek Capital I, LLC for a traffic signal improvement at Lincoln Way E. between 24<sup>th</sup> St. N.E. and 25<sup>th</sup> St. N.E., Massillon, Ohio.

**ORDINANCE NO. 113 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the 1419 Marketplace Infrastructure (TIF) Fund, for the year ending December 31, 2023.

**ORDINANCE NO. 118 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** amending Section 2 of Ordinance No. 148 – 2017 and any other ordinances inconsistent with this ordinance, and authorizing and directing the Auditor of the City of Massillon, Ohio, as of January 1, 2024, to deposit funds received from golfing fees at The Legends of Massillon Golf Course into the 1234 The Legends Operating Fund, the 1306 Bond Retirement Fund and the 1433 Parks and Recreation Capital Improvement Fund.

**ORDINANCE NO. 119 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** to adopt appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year 2024, and declaring an emergency.

**ORDINANCE NO. 120 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** amending the salary and wage schedules for SUPERVISORY (CLASSIFIED OR UNCLASSIFIED) EMPLOYEES, CLASSIFIED EMPLOYEES, and UNCLASSIFIED EMPLOYEES in the City of Massillon, Ohio, also amending the MISCELLANEOUS SCHEDULE for part-time employees in the City of Massillon, Ohio, and declaring an emergency.

**16. SECOND READING ORDINANCE AND RESOLUTIONS**

**ORDINANCE NO. 124 – 2023**

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

**AN ORDINANCE** amending Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997 by establishing and creating the position of Director of Development and establishing the Class Grade pay schedule for said position within the 845 “COMMUNITY DEVELOPMENT AND PLANNING DEPARTMENT,” and declaring the same to be an emergency.

**ORDINANCE NO. 127 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** declaring the improvement of certain real property located in the City of Massillon, Ohio, to be a public purpose (Aldi’s); declaring such property to be exempt from real property taxation; designating the improvements to be made that will directly benefit or serve such real property; requiring the owner of such real property to make annual service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments, and declaring an emergency.

**ORDINANCE NO. 128 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** declaring the improvement of certain real property located in the City of Massillon, Ohio, to be a public purpose (7Brew); declaring such property to be exempt from real property taxation; designating the improvements to be made that will directly benefit or serve such real property; requiring the owner of such real property to make annual service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments, and declaring an emergency.

**ORDINANCE NO. 129 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** declaring the improvement of certain real property located in the City of Massillon, Ohio, to be a public purpose (Consumers National Bank); declaring such property to be exempt from real property taxation; designating the improvements to be made that will directly benefit or serve such real property; requiring the owner of such real property to make annual service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments, and declaring an emergency.

**ORDINANCE NO. 130 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** declaring the improvement of certain real property located in the City of Massillon, Ohio, to be a public purpose (Get Go); declaring such property to be exempt from real property taxation; designating the improvements to be made that will directly benefit or serve such real property; requiring the owner of such real property to make annual service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments, and declaring an emergency.

**ORDINANCE NO. 131 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** declaring the improvement of certain real property located in the City of Massillon, Ohio, to be a public purpose (Panda Express); declaring such property to be exempt from real property taxation; designating the improvements to be made that will directly benefit or serve such real property; requiring the owner of such real property to make annual service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments, and declaring an emergency.

**ORDINANCE NO. 132 – 2023**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** declaring the improvement of certain real property located in the City of Massillon, Ohio, to be a public purpose (Starbuck's); declaring such property to be exempt from real property taxation; designating the improvements to be made that will directly benefit or serve such real property; requiring the owner of such real property to make annual service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments, and declaring an emergency.

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

**18. ADJOURNMENT**

**DIANE ROLLAND – CLERK OF COUNCIL**

DATE: DECEMBER 4, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 134 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2023 appropriations from within the 1100 General Fund, for the purpose of the Massillon Fire 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 is transferred from the 2023 appropriations within the 1100 General Fund, for the year ending December 31, 2023 the following:

FROM:	Disability & Pension Transfer	1100.325.5.2710	-	\$ - 60,428.50
TO:	Transfer In	1210.325.4.1860	-	\$ + 60,428.50

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 fire pension in December 2023. 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: DECEMBER 4, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 135 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1209 Police Pension Fund and 1210 Fire Pension Fund, 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 1209 Police Pension Fund, for the year ending December 31, 2023, the following:

\$ 1,244.49 to an account entitled "Police Pension" - 1209.305.5.2240

Section 2:

There be and hereby appropriated from the unappropriated balance of the 1210 Fire Pension Fund, for the year ending December 31, 2023, the following:

\$ 63,576.31 to an account entitled "Fire Pension" - 1210.325.5.2240

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 4, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 136 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2023 appropriations from within the 1201 Street Construction M & R Fund and the 1234 Parks and Recreation Fund, 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 is transferred from the 2023 appropriations within the 1201 Street Construction M & R Fund, for the year ending December 31, 2023 the following:

FROM:	Supplies/Materials/Postage	1201.435.5.2410	-	\$ - 5,000.00
TO:	Refunds – Income Tax	1201.210.5.2720	-	\$ + 5,000.00

Section 2:

There be and hereby is transferred from the 2023 appropriations within the 1234 Parks and Recreation Fund, for the year ending December 31, 2023 the following:

FROM:	Services/Contracts	1234.505.5.2392	-	\$ - 5,000.00
TO:	Refunds – Income Tax	1234.201.5.2720	-	\$ + 5,000.00

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 4, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

RESOLUTION NO. 11 - 2023

BY: PARKS AND RECREATION COMMITTEE

TITLE: A RESOLUTION supporting the City Administration's grant request for the Reservoir Park stream, pond and pumphouse restoration project for the Fiscal Year 2025 – 2026 State Capital Budget Funding, and declaring an emergency.

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, as outlined in Rule 25.2 in Section 121.02 "RULES OF COUNCIL" of the Codified ordinances of the City of Massillon, Ohio, hereby supports the City Administration's grant request for the Reservoir Park stream, pond and pumphouse restoration project for the Fiscal Year 2025 – 2026 State Capital Budget Funding.

Section 2:

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 move the grant request forward. Provided it receives the affirmative vote of two-thirds of the elected and/or appointed members of Council, this Resolution shall be in full force and effect immediately from and after 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 \_\_\_\_\_, 2023

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

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

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

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

DATE: JUNE 21, 2022

CLERK: DIANE ROLLAND

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

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.

# THIRD READING

DATE: NOVEMBER 6, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 110 – 2023

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY 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 an agreement with Kettle Creek Capital I, LLC for a traffic signal improvement at Lincoln Way E. between 24<sup>th</sup> St. N.E. and 25<sup>th</sup> St. N.E., Massillon, Ohio.

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 is hereby authorized and directed to enter into an agreement with Kettle Creek Capital I, LLC for a traffic signal improvement at Lincoln Way E. between 24<sup>th</sup> St. N.E. and 25<sup>th</sup> St. N.E, Massillon, Ohio. 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:

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: NOVEMBER 6, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 113 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1419 Marketplace Infrastructure (TIF) Fund, for the year ending December 31, 2023.

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 1419 Marketplace Infrastructure (TIF) Fund, for the year ending December 31, 2023, the following:

\$ 75,000.00 to an account entitled "Street Repairs & Reconstruction" - 1419.435.5.2511

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:

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: NOVEMBER 6, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 118 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Section 2 of Ordinance No. 148 – 2017 and any other ordinances inconsistent with this ordinance, and authorizing and directing the Auditor of the City of Massillon, Ohio, as of January 1, 2024, to deposit funds received from golfing fees at The Legends of Massillon Golf Course into the 1234 The Legends Operating Fund, the 1306 Bond Retirement Fund and the 1433 Parks and Recreation Capital Improvement Fund.

WHEREAS, the legislative authority of the City of Massillon, Ohio, is required to designate the funds where such monies are to be deposited; and

WHEREAS, the City desires, as of January 1, 2024, to deposit 95% of the monies received from golfing fees at The Legends of Massillon Golf Course into the 1234 The Legends Operating Fund, 3% of the monies received into the 1306 Bond Retirement Fund and 2% of the monies received into the 1433 Parks and Recreation Capital Improvement Fund.

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

Section 1:

Ordinance No. 148 – 2017 and any other ordinance inconsistent with this ordinance be and are hereby repealed.

Section 2:

The Auditor of the City of Massillon is hereby authorized and directed, as of January 1, 2024, to deposit funds received from golfing fees at The Legends of Massillon Golf Course as follows: 95% of the monies received shall be deposited into the 1234 The Legends Operating Fund, 3% of the monies received shall be deposited into the 1306 Bond Retirement Fund and 2% of the monies shall be deposited into the 1433 Parks and Recreation Capital Improvement Fund.

DATE: NOVEMBER 6, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 119 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE to adopt appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year 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, adopts and approves permanent appropriations, effective January 1, 2024, for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year ending December 31, 2024, pursuant to Ohio Revised Code, Section 5705.38, which appropriations and legal level of control are set forth on the attached Exhibit "A".

Section 2:

That the Auditor of the City of Massillon, Ohio, is hereby authorized and directed to draw warrants on the Treasurer of the City of Massillon, Ohio, for payments from any of the foregoing appropriations upon proper certification and vouchers approved by the Board of Officers (or Officer) authorized by law to approve the same or any ordinance or resolution of Council to make expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed in accordance with law or ordinance.

Section 3:

The Auditor of the City of Massillon, Ohio, is hereby authorized to execute the inter-fund transfers outlined in the attached Exhibit "A" and to draw the warrants upon receipt of vouchers duly approved by the proper departmental authority.

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: NOVEMBER 6, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 120 - 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending the salary and wage schedules for SUPERVISORY (CLASSIFIED OR UNCLASSIFIED) EMPLOYEES, CLASSIFIED EMPLOYEES, and UNCLASSIFIED EMPLOYEES in the City of Massillon, Ohio, also amending the MISCELLANEOUS SCHEDULE for part-time employees in 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:

The salary and wage schedules for SUPERVISORY (CLASSIFIED OR UNCLASSIFIED) EMPLOYEES, CLASSIFIED EMPLOYEES, and UNCLASSIFIED EMPLOYEES in the City of Massillon, Ohio, and the MISCELLANEOUS SCHEDULE for part-time employees in the City of Massillon, Ohio, previously amended via Ordinance No. 162 – 2022, are hereby amended and shall read as follows:

(SEE WAGE SCALE ATTACHMENTS “A” AND “B” AND ATTACHMENT C”; ATTACHED HERETO)

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to revise all copies of schedules referenced above in Section 1 in accordance with the amendments reflected in this Ordinance.

Section 3:

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



# SECOND READING

DATE: NOVEMBER 20, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 124 – 2023

BY: RULES, COURTS, AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997 by establishing and creating the position of Director of Development and establishing the Class Grade pay schedule for said position within the 845 “COMMUNITY DEVELOPMENT AND PLANNING 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:

Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ord. No. 127 – 1997 is hereby amended.

Section 2:

That Section 2(D) OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997 is hereby amended by establishing and creating the position of Director of Development and establishing the Class Grade pay schedule for said position within the 845 “COMMUNITY DEVELOPMENT AND PLANNING DEPARTMENT” as a 30S Supervisory Unclassified.

(SEE ATTACHMENT “A” OCCUPATION LIST OF CLASS TITLES, 845 “COMMUNITY DEVELOPMENT AND PLANNING DEPARTMENT,” PAGE 9, AND INSERT IN THE SALARY ORDINANCE NO. 127 – 1997)

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 President of Council, 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:

All Ordinances or parts of Ordinances in conflict with this Ordinance are repealed. If

DATED: NOVEMBER 20, 2023

CLERK: DIANE ROLLAND

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 127 - 2023

BY: FINANCE COMMITTEE

**AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF MASSILLON, OHIO TO BE A PUBLIC PURPOSE (ALDI'S); DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING THE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT OR SERVE SUCH REAL PROPERTY; REQUIRING THE OWNER OF SUCH REAL PROPERTY TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ohio Revised Code Sections 5709.40 through 5709.43 (collectively, the "TIF Statutes") authorize the City of Massillon (the "City") to utilize municipal tax increment financing to declare the improvement to certain parcels of real property located within the municipal corporation to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the City, local or exempted village school district, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels for which improvements are declared to be a public purpose; and

**WHEREAS**, the parcels of real property identified and depicted in Exhibit A attached hereto and incorporated herein are located within the City (collectively, the "Property"), and Massillon City Council (the "Council") has determined to declare the Improvement(s) (as defined in Section 1 of this Ordinance) to the Property to be a public purpose; and

**WHEREAS**, this Council has determined that it is necessary and appropriate and in the best interest of the City to exempt from taxation seventy-five percent (75%) of the Improvement to the Property as permitted and provided in Section 5709.40(B) of the Ohio Revised Code for up to ten (10) years (the "TIF Exemption") and to simultaneously direct and require the current and future owner(s) of such parcel(s) (each such owner individually, an "Owner," and collectively, the "Owners") comprising the Property to make annual Service Payments (as defined in Section 2 of this Ordinance) with respect to the

DATED: NOVEMBER 20, 2023

CLERK: DIANE ROLLAND

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 128 – 2023

BY: FINANCE COMMITTEE

**AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF MASSILLON, OHIO TO BE A PUBLIC PURPOSE (7BREW); DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING THE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT OR SERVE SUCH REAL PROPERTY; REQUIRING THE OWNER OF SUCH REAL PROPERTY TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ohio Revised Code Sections 5709.40 through 5709.43 (collectively, the “TIF Statutes”) authorize the City of Massillon (the “City”) to utilize municipal tax increment financing to declare the improvement to certain parcels of real property located within the municipal corporation to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the City, local or exempted village school district, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels for which improvements are declared to be a public purpose; and

**WHEREAS**, the parcels of real property identified and depicted in Exhibit A attached hereto and incorporated herein are located within the City (collectively, the “Property”), and Massillon City Council (the “Council”) has determined to declare the Improvement(s) (as defined in Section 1 of this Ordinance) to the Property to be a public purpose; and

**WHEREAS**, this Council has determined that it is necessary and appropriate and in the best interest of the City to exempt from taxation seventy-five percent (75%) of the Improvement to the Property as permitted and provided in Section 5709.40(B) of the Ohio Revised Code for up to ten (10) years (the “TIF Exemption”) and to simultaneously direct and require the current and future owner(s) of such parcel(s)(each such owner individually, an “Owner,” and collectively, the “Owners”) comprising the Property to make annual Service Payments (as defined in Section 2 of this Ordinance) with respect to the

DATED: NOVEMBER 20, 2023

CLERK: DIANE ROLLAND

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 129 – 2023

BY: FINANCE COMMITTEE

**AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF MASSILLON, OHIO TO BE A PUBLIC PURPOSE (CONSUMERS NATIONAL BANK); DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING THE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT OR SERVE SUCH REAL PROPERTY; REQUIRING THE OWNER OF SUCH REAL PROPERTY TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ohio Revised Code Sections 5709.40 through 5709.43 (collectively, the “TIF Statutes”) authorize the City of Massillon (the “City”) to utilize municipal tax increment financing to declare the improvement to certain parcels of real property located within the municipal corporation to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the City, local or exempted village school district, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels for which improvements are declared to be a public purpose; and

**WHEREAS**, the parcels of real property identified and depicted in Exhibit A attached hereto and incorporated herein are located within the City (collectively, the “Property”), and Massillon City Council (the “Council”) has determined to declare the Improvement(s) (as defined in Section 1 of this Ordinance) to the Property to be a public purpose; and

**WHEREAS**, this Council has determined that it is necessary and appropriate and in the best interest of the City to exempt from taxation seventy-five percent (75%) of the Improvement to the Property as permitted and provided in Section 5709.40(B) of the Ohio Revised Code for up to ten (10) years (the “TIF Exemption”) and to simultaneously direct and require the current and future owner(s) of such parcel(s)(each such owner individually, an “Owner,” and collectively, the “Owners”) comprising the Property to make annual Service Payments (as defined in Section 2 of this Ordinance) with respect to the

DATED: NOVEMBER 20, 2023

CLERK: DIANE ROLLAND

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 130 – 2023

BY: FINANCE COMMITTEE

**AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF MASSILLON, OHIO TO BE A PUBLIC PURPOSE (GET GO); DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING THE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT OR SERVE SUCH REAL PROPERTY; REQUIRING THE OWNER OF SUCH REAL PROPERTY TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ohio Revised Code Sections 5709.40 through 5709.43 (collectively, the “TIF Statutes”) authorize the City of Massillon (the “City”) to utilize municipal tax increment financing to declare the improvement to certain parcels of real property located within the municipal corporation to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the City, local or exempted village school district, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels for which improvements are declared to be a public purpose; and

**WHEREAS**, the parcels of real property identified and depicted in Exhibit A attached hereto and incorporated herein are located within the City (collectively, the “Property”), and Massillon City Council (the “Council”) has determined to declare the Improvement(s) (as defined in Section 1 of this Ordinance) to the Property to be a public purpose; and

**WHEREAS**, this Council has determined that it is necessary and appropriate and in the best interest of the City to exempt from taxation seventy-five percent (75%) of the Improvement to the Property as permitted and provided in Section 5709.40(B) of the Ohio Revised Code for up to ten (10) years (the “TIF Exemption”) and to simultaneously direct and require the current and future owner(s) of such parcel(s)(each such owner individually, an “Owner,” and collectively, the “Owners”) comprising the Property to make annual Service Payments (as defined in Section 2 of this Ordinance) with respect to the

DATED: NOVEMBER 20, 2023

CLERK: DIANE ROLLAND

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 131 – 2023

BY: FINANCE COMMITTEE

**AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF MASSILLON, OHIO TO BE A PUBLIC PURPOSE (PANDA EXPRESS); DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING THE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT OR SERVE SUCH REAL PROPERTY; REQUIRING THE OWNER OF SUCH REAL PROPERTY TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ohio Revised Code Sections 5709.40 through 5709.43 (collectively, the “TIF Statutes”) authorize the City of Massillon (the “City”) to utilize municipal tax increment financing to declare the improvement to certain parcels of real property located within the municipal corporation to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the City, local or exempted village school district, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels for which improvements are declared to be a public purpose; and

**WHEREAS**, the parcels of real property identified and depicted in Exhibit A attached hereto and incorporated herein are located within the City (collectively, the “Property”), and Massillon City Council (the “Council”) has determined to declare the Improvement(s) (as defined in Section 1 of this Ordinance) to the Property to be a public purpose; and

**WHEREAS**, this Council has determined that it is necessary and appropriate and in the best interest of the City to exempt from taxation seventy-five percent (75%) of the Improvement to the Property as permitted and provided in Section 5709.40(B) of the Ohio Revised Code for up to ten (10) years (the “TIF Exemption”) and to simultaneously direct and require the current and future owner(s) of such parcel(s)(each such owner individually, an “Owner,” and collectively, the “Owners”) comprising the Property to make annual Service Payments (as defined in Section 2 of this Ordinance) with respect to the

DATED: NOVEMBER 20, 2023

CLERK: DIANE ROLLAND

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 132 – 2023

BY: FINANCE COMMITTEE

**AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF MASSILLON, OHIO TO BE A PUBLIC PURPOSE (STARBUCKS); DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING THE IMPROVEMENTS TO BE MADE THAT WILL DIRECTLY BENEFIT OR SERVE SUCH REAL PROPERTY; REQUIRING THE OWNER OF SUCH REAL PROPERTY TO MAKE ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SERVICE PAYMENTS; AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ohio Revised Code Sections 5709.40 through 5709.43 (collectively, the “TIF Statutes”) authorize the City of Massillon (the “City”) to utilize municipal tax increment financing to declare the improvement to certain parcels of real property located within the municipal corporation to be a public purpose and exempt from taxation, require the owner of each parcel to make service payments in lieu of taxes, provide for the distribution of the applicable portion of such service payments to the City, local or exempted village school district, establish a municipal public improvement tax increment equivalent fund for the deposit of the remainder of such service payments and specify public infrastructure improvements made, to be made or in the process of being made that directly benefit, or that once made will directly benefit, those parcels for which improvements are declared to be a public purpose; and

**WHEREAS**, the parcels of real property identified and depicted in Exhibit A attached hereto and incorporated herein are located within the City (collectively, the “Property”), and Massillon City Council (the “Council”) has determined to declare the Improvement(s) (as defined in Section 1 of this Ordinance) to the Property to be a public purpose; and

**WHEREAS**, this Council has determined that it is necessary and appropriate and in the best interest of the City to exempt from taxation seventy-five percent (75%) of the Improvement to the Property as permitted and provided in Section 5709.40(B) of the Ohio Revised Code for up to ten (10) years (the “TIF Exemption”) and to simultaneously direct and require the current and future owner(s) of