

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

**DATE: MONDAY, JUNE 5, 2023
COUNCIL CHAMBERS
TIME: 6:30 p.m.**

THERE ARE NO PUBLIC HEARINGS TONIGHT

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILWOMAN JILL CREAMER**
- 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. 55 – 2023

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending Section 1137.08 “Frequency of Applications” under CHAPTER 1137 “CHANGES AND AMENDMENTS” of TITLE THREE – ZONING ADMINISTRATION, PART ELEVEN – PLANNING AND ZONING CODE of the Codified Ordinances of the City of Massillon, Ohio.

ORDINANCE NO. 56 – 2023

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 the Community for the Improvement of Lawndale Park, and declaring an emergency.

ORDINANCE NO. 57 – 2023

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Consent Legislation with Ohio Department of Transportation (ODOT) for the micro surfacing of U.S. 62 within the City of Massillon, PID 94136, and declaring an emergency.

ORDINANCE NO. 58 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2023.

ORDINANCE NO. 59 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1201 Street Construction M & R Fund, the 1219 WIC Program Fund, the 1232 Clerk of Courts Computing Fund and the 1242 ADR (Alternative Dispute Resolution) Fund, for the year ending December 31, 2023.

ORDINANCE NO. 60 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the year ending December 31, 2023.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

10. BILLS, ACCOUNTS AND CLAIMS

Copley Ohio Newspapers	-	\$ 311.76	Publication of February Ordinances
Visual Edge IT	-	<u>44.65</u>	Overage Charge-02/24/23 to 05/23/23
Total		\$ 356.41	

11. REPORTS FROM CITY OFFICIALS

Treasurer’s Report	-	April 2023
Auditor’s Report	-	May 2023

12. REPORTS OF COMMITTEES

13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

14. CALL OF THE CALENDAR

15. THIRD READING ORDINANCES AND RESOLUTIONS

16. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 46 – 2023

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE enacting CHAPTER 166 “LAND REUTILIZATION PROGRAM” under TITLE FIVE – ADMINISTRATIVE of PART I – ADMINISTRATIVE CODE of the Codified Ordinances of the City of Massillon, Ohio and authorizing and directing thereunder the disposition of certain nonproductive land not needed for municipal purposes.

ORDINANCE NO. 47 – 2023

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety, on behalf of the City of Massillon, Ohio, to enter into a 3-year billing agreement with the Board of Trustees of Jackson Township, Stark County, Ohio, for the processing and collection of EMS charges for the Massillon Fire Department, 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 5, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 55 – 2023

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1137.08 “Frequency of Applications” under CHAPTER 1137 “CHANGES AND AMENDMENTS” of TITLE THREE – ZONING ADMINISTRATION, PART ELEVEN – PLANNING AND ZONING CODE 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:

Section 1137.08 “Frequency of Applications” under CHAPTER 1137 “CHANGES AND AMENDMENTS” of TITLE THREE – ZONING ADMINISTRATION, PART ELEVEN – PLANNING AND ZONING CODE of the Codified Ordinances of the City of Massillon, Ohio, be and is hereby amended to read as follows:

1137.08 FREQUENCY OF APPLICATIONS.

- (a) Application by a property owner pursuant to Section 1137.02(a)(2) for a change in the zoning district of any property of record can be submitted only once in any twenty-four-month period with the following exceptions:
- (1) If there is a zoning district change made on abutting property or property within 200 feet of the subject property; or
 - (2) If through the action of a public body, the economic use of abutting property or property within 200 feet of the subject property has been changed; or
 - (3) If through destruction, demolition or removal of structures, the economic use of abutting property within 200 feet of the subject property has been changed; or

- (4) If because of a procedural error incurred in processing the application by the City, whereby the applicant would not be at fault; or
- (5) If the zone change request is withdrawn by the applicant in a written notice to the Clerk of Council prior to the time that Council schedules a public hearing.

(b) The property owner may then apply to the Planning Commission for a right of rehearing. If the Planning Commission determines that the property owner should have a rehearing by virtue of one or more of the exceptions set forth in this section, then the Commission shall notify the Clerk of Council to accept an application for a change in the zoning district(s) of the subject property.

Section 2:

All Ordinances or parts of Ordinances in conflict with this Ordinance are repealed. If any provision of this Ordinance is judged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder.

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:

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

PASSED IN COUNCIL THIS _____ DAY OF _____, 2023.

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

APPROVED: _____
 KATHY CATAZARO-PERRY, MAYOR

DATE: JUNE 5, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 56 – 2023

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 the Community for the Improvement of Lawndale 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 Parks and Recreation, on behalf of the Massillon Recreation Board and the City of Massillon, Ohio, is hereby directed and authorized to accept a donation from the Community for the Improvement of Lawndale Park which is a group of people that initiated this project to honor a young man who recently passed away.

Section 2:

The donation is in the amount of Eleven Thousand Dollars and Zero Cents (\$11,000.00) to the City of Massillon Parks and Recreation Department and shall be placed into the 1234.505.4.1430, Parks and Recreation 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 May 17, 2023 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.

Section 5:

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 funds have already been received and deposited in the aforementioned account. 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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2023

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: JUNE 5, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 57 – 2023

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Consent Legislation with Ohio Department of Transportation (ODOT) for the micro surfacing of U.S. 62 within the City of Massillon, PID 94136, 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 sign the Consent Legislation with Ohio Department of Transportation (ODOT) for the micro surfacing of U.S. 62 within the City of Massillon, PID 94136. The State and the City have identified the need for micro surfacing within the Corporation Limits of the City of Massillon, Ohio. Per Section 5521.01 of the Ohio Revised Code, the Director of Transportation is required to request and receive legislation from municipalities, prior to making any necessary repairs or replacements to State Highways within the corporation limits. Said Consent Legislation is attached hereto. The State shall assume and bear 100% of all the costs of the improvement. The City agrees to pay 100% of the cost of those features which are not included in the General Engineering Services.

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 that ODOT is required to request and receive legislation from municipalities, prior to making any necessary repairs or replacement to State highways within the corporation limits. 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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2023

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: JUNE 5, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 58 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General 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 1100 General Fund, for the year ending December 31, 2023, the following:

\$ 21,574.00 to an account entitled "Hosp/Eye/Den/Pres/Life-Bailiffs"	-	1100.135.5.2210
8,833.00 to an account entitled "Hosp/Eye/Den/Pres/Life-Muni. Ct."	-	1100.125.5.2210
4,054.00 to an account entitled "Hosp/Eye/Den/Pres/Life-Building"	-	1100.415.5.2210
2,839.00 to an account entitled "Hosp/Eye/Den/Pres/Life-Auditor"	-	1100.205.5.2210
1,912.00 to an account entitled "Hosp/Eye/Den/Pres/Life-Mayor"	-	1100.110.5.2210
1,452.00 to an account entitled "Hosp/Eye/Den/Pres/Life-SSD"	-	1100.160.5.2210
796.00 to an account entitled "Hosp/Eye/Den/Pres/Life-Treasurer"	-	1100.215.5.2210
429.00 to an account entitled "Hosp/Eye/Den/Pres/Life-Econ. Dev"	-	1100.845.5.2210
<u>371.00</u> to an account entitled "Hosp/Eye/Den/Pres/Life-Council"	-	1100.105.5.2210
\$ 42,260.00 Total		

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 5, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 59 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1201 Street Construction M & R Fund, the 1219 WIC Program Fund, the 1232 Clerk of Courts Computing Fund and the 1242 ADR (Alternative Dispute Resolution) 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 1201 Street Construction M & R Fund, for the year ending December 31, 2023, the following:

\$ 22,758.00 to an account entitled "Hosp/Eye/Den/Pres/Life-Safety"	-	1201.435.5.2210
<u> 1,602.00</u> to an account entitled "Hosp/Eye/Den/Pres/Life-Street"	-	1201.420.5.2210
\$ 24,360.00 Total		

Section 2:

There be and hereby appropriated from the unappropriated balance of the 1219 WIC Program Fund, for the year ending December 31, 2023, the following:

\$ 1,920.00 to an account entitled "Hosp/Eye/Den/Pres/Life"	-	1219.730.5.2210
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Section 3:

There by and hereby appropriated from the unappropriated balance of the 1232 Clerk of Courts Computing Fund, for the year ending December 31, 2023, the following:

\$ 1,120.00 to an account entitled "Hosp/Eye/Den/Pres/Life"	-	1232.130.5.2210
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Section 4:

There by and hereby appropriated from the unappropriated balance of the 142 ADR Fund, for the year ending December 31, 2023, the following:

\$ 800.00 to an account entitled "Hosp/Eye/Den/Pres/Life"	-	1242.125.5.2210
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DATE: JUNE 5, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 60 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General 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 1100 General Fund, for the year ending December 31, 2023, the following:

\$ 7,205.00 to an account entitled "Salary – Council"	-	1100.105.5.2110
1,275.00 to an account entitled "Salary – Treasurer"	-	1100.215.5.2110
1,010.00 to an account entitled "P.E.R.S. – Council"	-	1100.105.5.2230
180.00 to an account entitled "P.E.R.S. – Treasurer"	-	1100.215.5.2230
105.00 to an account entitled "Medicare – Council"	-	1100.105.5.2231
<u>20.00</u> to an account entitled "Medicare – Treasurer"	-	1100.215.5.2231
\$ 9,795.00 Total		

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.

SECOND READING

DATE: MAY 15, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 46 – 2023

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE enacting CHAPTER 166 “LAND REUTILIZATION PROGRAM” under TITLE FIVE – ADMINISTRATIVE of PART I – ADMINISTRATIVE CODE of the Codified Ordinances of the City of Massillon, Ohio and authorizing and directing thereunder the disposition of certain nonproductive land not needed for municipal purposes.

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

Section 1:

CHAPTER 166 “LAND REUTILIZATION PROGRAM” under TITLE FIVE – ADMINISTRATIVE of PART I – ADMINISTRATIVE CODE of the Codified Ordinances of the City of Massillon, Ohio, be enacted and to read as follows:

CHAPTER 166
Land Reutilization Program

166.01 Implementation of Program, Purpose, and Administration.

166.02 Appropriation of Fees Collected.

CROSS REFERENCES

Definitions – see R.C. § 5722.01

Electing Subdivision May Implement Procedures for Reutilization of Nonproductive Land – see R.C. § 5722.02

Sale of Nonproductive Tax-Foreclosed Lands to Municipal Corporation; Procedures – see R.C. § 5722.03

Rejection of Parcels – see R.C. § 5722.031

Forfeited Lands – see R.C. § 5722.04

Limitation of Actions to Challenge Sales – see R.C. § 5722.05

Duties of Electing Subdivision – see R.C. § 5722.06

Resale by Electing Subdivision – see R.C. § 5722.07

Distribution of Proceeds – see R.C. § 5722.08
Rights of Other Interested Taxing Districts; Neighborhood Advisory Committees – see R.C. § 5722.09
Acceptance of Conveyance in Lieu of Foreclosure – see R.C. § 5722.10
Tax Exemption – see R.C. § 5722.11
Discontinuance of Program – see R.C. § 5722.12
Disposition Within Sixteen Years Required – see R.C. § 5722.13
Relation to Impacted Cities Project – see R.C. § 5722.14
Removal of Taxes on Land Conveyed to Electing Subdivision – see R.C. § 5722.15
Declaration of Acquisition of Tax-Delinquent Real Property is in Public Interest; Purchase; Release of Claim and Delinquent Taxes – see R.C. § 5722.21
Land Reutilization Corporations; Immunity from Liability – see R.C. § 5722.22

166.01 IMPLEMENTATION OF PROGRAM, PURPOSE, AND ADMINISTRATION.

(a) The City of Massillon adopts and implements the procedures set forth in R.C. Chapter 5722 in order to develop a process to facilitate the effective reutilization of nonproductive land situated in the boundaries of the City of Massillon and owned by the City of Massillon. The procedures set forth in R.C. Chapter 5722 are adopted and implemented by the City of Massillon as there exists sufficient and substantial nonproductive land owned by the City of Massillon within the boundaries of the City of Massillon which is of such nature and extent as to necessitate the implementation of a Land Reutilization Program to advance either the return of such nonproductive land to tax revenue generating status or the devotion thereof to public use.

(b) The Director of Community Development shall administer the Land Reutilization Program established pursuant to subsection (a) hereof and R.C. Chapter 5722. In order to return nonproductive land to tax revenue-generating status, Council may authorize and direct by ordinance the sale of any nonproductive land that it determines is not needed for municipal purposes through the Land Reutilization Program. Properties directed and authorized by Council for disposition through the Land Reutilization Program shall be sold upon the following terms and conditions:

(1) The bidder shall submit a bid form in writing to the Director of Community Development indicating which lot(s) they wish to bid on denoted by the land parcel number and indicating the proposed use for redevelopment of the property. The minimum bid price shall not be less than fair market value which has been determined to be \$8.00 per front foot regardless of the size or location of the lot.

Corner lots shall be charged for the front footage on the address side of the property. If two or more persons are interested in purchasing the same lot(s), the City reserves the right to give preferred status to the following:

- (i) Abutting owner-occupied property owners;
- (ii) Abutting property owners;
- (iii) Citizens of the City of Massillon and corporations, companies, organizations and institutions located in the City of Massillon; and
- (iv) Land reuse that is consistent with the current City Zoning Code and fits within the current neighborhood characteristics.

(2) The conveyance from the City shall contain the covenant and agreement that the purchaser shall comply with the proposed use for redevelopment.

(3) It shall further be a condition of the conveyance from the City that the purchaser shall agree in writing to maintain the property in accordance with all applicable Health, Building and Property Maintenance Codes of the City. No lot shall be sold to any person who is delinquent of his/her/its real estate taxes and/or municipal income taxes, nor in violation of any Zoning, Building, Health or Property Maintenance Codes of the City. In addition, no property shall be sold to any person who is more than sixty (60) days delinquent on any City utility bill or in arrears on payments to the City in any capacity.

(4) At any point in time, no one person, firm, corporation or company may own more than five (5) lots pursuant to the City's Land Reutilization Program.

(5) The Law Director is authorized to prepare, the Safety Service Director is authorized to execute, and the Director of Community Development is authorized to deliver all deeds or other instruments of conveyances necessary to dispose of land acquired or disposed of through the City's Land Reutilization Program.

(6) The Director of Community Development shall compile and maintain a written inventory of all properties held by and/or obtained under the Land Reutilization Program and establish and maintain records and accounts reflecting all transactions,

expenditures and revenues relating to the Land Reutilization Program.

(7) In order to enhance the effectiveness of the Land Reutilization Program, the Director of Community Development may accept, as gifts on behalf of the City, real property, which, upon approval by Council, shall be held, administered and disposed of in the same manner as are lands acquired pursuant to this Chapter and R.C. Chapter 5722. Any and all real property offered and/or accepted must be free of any and all encumbrances.

166.02 APPROPRIATION OF FEES COLLECTED.

Any and all fees collected shall be paid into the Treasury of the City and shall in turn be certified by the City Auditor and appropriated into the 1237 Economic Development fund for the administration of this Ordinance with any excess amounts applied and distributed in accordance with R.C. § 5722.08.

Section 2:

The Clerk of Council is hereby authorized and directed to transmit certified copies of this Ordinance to the County Auditor, the County Treasurer, and the County Prosecutor as provided in R.C. § 5722.02(C).

Section 3:

Council hereby determines that the property identified at **Exhibit A** is nonproductive land that is not needed for municipal purposes, and further hereby authorizes and directs the sale of such land through the Land Reutilization Program established by Chapter 166 of the Massillon Codified Ordinances as enacted herein and R.C. Chapter 5722.

Section 4:

All Ordinances or parts of Ordinances in conflict with this Ordinance are repealed. If any provision of this Ordinance is judged invalid by a court of competent jurisdiction, such judgment shall not affect or invalidate the remainder.

Section 5:

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

DATE: MAY 15, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 47 – 2023

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety, on behalf of the City of Massillon, Ohio, to enter into a 3-year billing agreement with the Board of Trustees of Jackson Township, Stark County, Ohio, for the processing and collection of EMS charges for the Massillon Fire Department, 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 that it is necessary for the Mayor and Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a 3-year billing agreement with the Board of Trustees of Jackson Township, Stark County, Ohio (“Jackson Township”), for the processing and collection of EMS charges for the Massillon Fire Department.

Section 2:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, are hereby authorized and directed to enter into a 3-year billing agreement with Jackson Township for the processing and collection of EMS charges for the Massillon Fire Department. The fee increases to Twenty Dollars and Zero Cents (\$20.00) per billable run from May 1, 2023 to December 1, 2023, Twenty-One Dollars and Zero Cents (\$21.00) per billable run in 2024, and Twenty-Two Dollars and Zero Cents (\$22.00) in 2025. There are no other changes from the previous agreement. Said agreement is attached hereto 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.

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of the City of Massillon, Ohio; the emergency being that the current contract with Jackson Township for the aforementioned services has expired. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2023

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

CALUDETTE O ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR