

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

**DATE: MONDAY, SEPTEMBER 18, 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. 98 – 2023

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing and directing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Ground Lease Agreement with the Massillon Community Improvement Corporation (CIC), pursuant to Section 1724.10 of the Ohio Revised Code concerning the lease of land described in the attached Exhibit “A”, and hereby further authorizing and directing the Mayor and the Director of Public Service and Safety to enter into the Ground Lease Agreement with the Massillon CIC for such land for the purpose of promoting the industrial and economic development of the community and hereby further authorizing and directing the Mayor and Director of Public Service and Safety to enter into the related Memorandum of Ground Lease Agreement with the Massillon CIC, and declaring the same to be an emergency.

ORDINANCE NO. 99 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing and directing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Sublease Agreement with Charles Street Association LTD., for the real estate described in the attached Exhibit “A”, and further authorizing and directing the Mayor and the Director of Public Service and Safety to enter into the related Memorandum of Sublease Agreement, and declaring the same to be an emergency.

ORDINANCE NO. 100 – 2023

BY: FINANCE COMMITTEE

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

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.

8. UNFINISHED BUSINESS

9. PETITIONS AND GENERAL COMMUNICATIONS

10. BILLS, ACCOUNTS AND CLAIMS

US Bank Equip. Finance -	\$ 127.00	September Payment for Copier
Office Depot -	116.54	Copy Paper and Office Supplies
First Commonwealth -	<u>45.77</u>	Pedestal Sign Stand
Total -	\$ 289.31	

11. REPORTS FROM CITY OFFICIALS

Mayor's Report - August 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. 82 – 2023

COMMUNITY DEVELOPMENT COMMITTEE

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

16. SECOND READING ORDINANCE 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.

ORDINANCE NO. 96 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for funding to the Ohio Public Works Commission for the funding year 2024, and declaring an emergency.

ORDINANCE NO. 97 – 2023

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for funding to the Ohio Public Works Commission for the funding year 2024, and declaring an emergency.

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

18. ADJOURNMENT

DIANE ROLLAND – CLERK OF COUNCIL

DATE: SEPTEMBER 18, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 98 – 2023

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Ground Lease Agreement with the Massillon Community Improvement Corporation (CIC), pursuant to Section 1724.10 of the Ohio Revised Code concerning the lease of land described in the attached Exhibit "A", and hereby further authorizing and directing the Mayor and the Director of Public Service and Safety to enter into the Ground Lease Agreement with the Massillon CIC for such land for the purpose of promoting the industrial and economic development of the community and hereby further authorizing and directing the Mayor and Director of Public Service and Safety to enter into the related Memorandum of Ground Lease Agreement with the Massillon CIC, and declaring the same to be an emergency

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

Section 1:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, are hereby authorized and directed to enter into a Ground Lease Agreement with the Massillon Community Improvement Corporation (CIC), pursuant to Section 1724.10 of the Ohio Revised Code concerning the lease of land described in the attached Exhibit "A", and hereby further authorizing and directing the Mayor and the Director of Public Service and Safety to enter into the Ground Lease Agreement, attached hereto, with the Massillon CIC for such land for the purpose of promoting the industrial and economic development of the community and hereby further authorizing and directing the Mayor and Director of Public Service and Safety to enter into the related Memorandum of Ground Lease Agreement, attached hereto, with the Massillon CIC.

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.

DATE: SEPTEMBER 18, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 99 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Sublease Agreement with Charles Street Association LTD., for the real estate described in the attached Exhibit "A", and further authorizing and directing the Mayor and the Director of Public Service and Safety to enter into the related Memorandum of Sublease Agreement, and declaring the same to be an emergency.

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

Section 1:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, are hereby authorized and directed to enter into a Sublease Agreement with Charles Street Association LTD., for the real estate described in the attached Exhibit "A", and further authorizing and directing the Mayor and the Director of Public Service and Safety to enter into the related Memorandum of Sublease Agreement.

Section 2:

The Base Rent shall be that the Lessee agrees to pay to Lessor during the primary term a base annual rental of Twelve Thousand and Zero Dollars (\$12,000.00), payable in advance beginning September 1, 2023, and annually on each September 1st thereafter. Beginning September 1, 2023, and each 5th anniversary thereafter (including the option periods), base annual rent shall increase by three percent (3%) from the previous five (5) year period. The Base Rent is to be paid from Account 1100.410.5.2392.

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 to effect the settlement of pending litigation involving the City of Massillon, Ohio. 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: SEPTEMBER 18, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 100 – 2023

BY: FINANCE COMMITTEE

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

\$ 110,769.00 to an account entitled "Comp. Paid"	-	1100.325.5.2118
<u>62,355.00</u> to an account entitled "Overtime Paid"	-	1100.325.5.2119
\$ 173,124.00 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 is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of Massillon, Ohio; the emergency being to realign the budget to ensure funds are available to cover projected costs. Provided it 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: 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

THIRD READING

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.

SECOND 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

responsibility to the Massillon City Board of Health according to the terms and conditions set forth in this Chapter.

962.02 COST TO BE PAID FOR INDIGENT BURIALS.

According to the written agreement between the City and the Massillon City Board of Health, the Health Commissioner, or their designee, on an annual basis, shall solicit, receive, and review informal bids to establish for that period, cost to be paid by the City when it is legally liable for the disposition by burial, cremation or other legally authorized method, of deceased persons found to be indigent.

Based on the cost proposals received, the Health Commissioner, or designee, shall establish for the annual period, uniform rates to be paid for the disposition of indigent persons.

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: SEPTEMBER 5, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

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.

DATE: SEPTEMBER 5, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 96 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for funding to the Ohio Public Works Commission for the funding 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, hereby authorizes and directs the Mayor of the City of Massillon, Ohio, to submit an application for funding to Ohio Public Works Commission for the funding year 2024 and to execute all necessary documentation needed to secure such funding. Said project shall be as follows:

- Tremont Ave. S.W. Resurfacing 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 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 applications are due to OPWC beginning September 2023, via online portal, and the City intends to submit its applications as early as possible in order to increase the City's chances of receiving funding. Provided this Ordinance 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.

DATE: SEPTEMBER 5, 2023

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE BRANCH

ORDINANCE NO. 97 – 2023

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for funding to the Ohio Public Works Commission for the funding 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, hereby authorizes and directs the Mayor of the City of Massillon, Ohio, to submit an application for funding to Ohio Public Works Commission for the funding year 2024 and to execute all necessary documentation needed to secure such funding. Said project shall be as follows:

- Lincoln Way Phase III Improvement 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 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 applications are due to OPWC beginning September 2023, via online portal, and the City intends to submit its applications as early as possible in order to increase the City's chances of receiving funding. Provided this Ordinance 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.