

AGENDA

DATE: MONDAY, NOVEMBER 21, 2005
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M. 8:00

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL - *Levin's Council*
2. INVOCATION BY COUNCILMAN TIM BRYAN – GUEST SPEAKER PASTOR JOSEPH HARKLESS AT MT CALVERY BAPTIST CHURCH AND CHAPLAIN AT INDIAN RIVER SCHOOL
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 129 – 2005 BY: PARK AND RECREATION COMMITTEE

P 8-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids, and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder, for the removal and sale of specific trees at the Legends Golf Course in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 130 – 2005 BY: FINANCE COMMITTEE

P 9-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Solid Waste Fund, Probation Services Fund, Fire Pension Fund, Legends Operating Fund, Capital Improvement Fund, General Fund, TIF Fund and the Shaw Castle West Fund, for the year ending December 31, 2005, and declaring an emergency.

ORDINANCE NO. 131 – 2005 BY: FINANCE COMMITTEE

P 9-0
AN ORDINANCE reducing the appropriations in the Police Pension Fund, of the City of Massillon, for the year ending December 31, 2005, and declaring an emergency.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS

(A) LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A NEW LIQUOR LICENSE FOR TAMARKIN COMPANY DBA GETGO MASSILLON #3132 2046 LINCOLN WAY EAST MASSILLON OHIO 44646

9. BILLS, ACCOUNTS AND CLAIMS
10. REPORTS FROM CITY OFFICIALS

- A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR OCTOBER 2005
- B). TREASURER SUBMITS MONTHLY REPORT FOR OCTOBER 2005
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR OCTOBER 2005.
- D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR OCTOBER 2005

E). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR OCTOBER 2005

F). MAYOR SUBMITS MONTHLY REPORT FOR OCTOBER 2005

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 21 – 2005

BY: COMMUNITY DEVELOPMENT COMMITTEE

*P
B-D
MAJER
ADSTAN*
A RESOLUTION authorizing the Mayor and the Director of Public Service and Safety to enter into a settlement agreement settling the pending litigation between the City of Massillon and the Massillon and Perry Local School Districts concerning payroll tax revenue sharing between the City and School Districts.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 117 – 2005 BY: COMMUNITY DEVELOPMENT COMMITTEE

PA- 12/5

ZND
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from I-1 Light Industrial to RM-1 Multiple Family Residential and R-CRD Condominium Residential District. *- SAN EAD.
- PATHEAD.*

ORDINANCE NO. 118 – 2005 BY: COMMUNITY DEVELOPMENT COMMITTEE

PA 12/5

ZND
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-3 Single Family Residential to O-1 Office.

ORDINANCE NO. 119 – 2005 BY: COMMUNITY DEVELOPMENT COMMITTEE

PA 12/5

ZND
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-1 Single Family Residential to RM-1 Multiple Family Residential.

ORDINANCE NO. 122 – 2005 BY: POLICE AND FIRE COMMITTEE

ZND
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a three-year contract with the Board of Trustees of Local Organized Governments in Cooperation (LOGIC) for fire dispatching services with the Regional Emergency Dispatch for the Massillon Fire Department, and declaring an emergency.

16. NEW AND MISCELLANEOUS BUSINESS

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

18. ADJOURNMENT

MARY BETH BAILEY - CLERK OF COUNCIL

DATE: NOVEMBER 21, 2005

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 129 - 2005

BY: PARKS AND RECREATION 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 enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder, for the removal and sale of specified trees at the Legends Golf Course in the City of Massillon, 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 determines it to be necessary in the public health, safety and welfare to advertise for and receive sealed bids, according to law, and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder, for the removal and sale of specified trees at the Legends Golf Course in the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for and to receive sealed bids according to law, and enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the removal and sale of specified trees at the Legends Golf Course in the City of Massillon.

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to remove the trees at the present time before it becomes a grounds maintenance problem at the Legends Golf Course. 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 _____ 2005

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL GLENN E. GAMBER, PRESIDENT

APPROVED: _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: NOVEMBER 21, 2005

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 130 - 2005

Passed
LEGISLATIVE DEPARTMENT

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Solid Waste Fund, Probation Services Fund, Fire Pension Fund, Legends Operating Fund, Capital Improvement Fund, General Fund, TIF Fund and the Shaw Castle West Fund, for the year ending December 31, 2005, 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 Solid Waste Fund, for the year ending December 31, 2005, the following:

\$50,000.00 to an account entitled "Salary" 2102.605.2110
\$ 7,500.00 to an account entitled "Administrative Expense" 2102.605.2377
\$ 5,000.00 to an account entitled "PERS" 2102.605.2230

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Probation Services Fund, for the year ending December 31, 2005, the following:

\$50,000.00 to an account entitled "Probation Services Salary" 1238.125.2110
\$ 400.00 to an account entitled "Probation Services Medicare" 1238.125.2231

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Fire Pension Fund, for the year ending December 31, 2005, the following:

\$40,000.00 to an account entitled "Fire Pension Fund" 1210.325.2240

Section 4:

There be and hereby is appropriated from the unappropriated balance of the Legends Operating Fund, for the year ending December 31, 2005, the following:

\$7,120.00 to an account entitled "Services/Contracts" 2104.920.2392
\$5,578.00 to an account entitled "Supplies/Materials" 2104.920.2410

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Capital Improvement Fund, for the year ending December 31, 2005, the following:

\$8,995.00 to an account entitled "Council Copier" 1401.105.2530

\$5,000.00 to an account entitled "Fire Department Equipment" 1401.325.2531

Section 6:

There be and hereby is appropriated from the unappropriated balance of the General Fund, for the year ending December 31, 2005, the following:

\$2,000.00 to an account entitled "Gas/Oil" 1100.325.2430

Section 7:

There be and hereby is appropriated from the unappropriated balance of the TIF Fund, for the year ending December 31, 2005, the following:

\$2,000.00 to an account entitled "Services/Contracts" 1340.905.2382

Section 8:

There be and hereby is appropriated from the unappropriated balance of the Shaw Castle West Fund, for the year ending December 31, 2005, the following:

\$500.00 to an account entitled "Services/Contracts" 1351.735.2382

Section 9:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. 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 _____ 2005

ATTEST: _____

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: NOVEMBER 21, 2005

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 131 - 2005

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriation in the Police Pension Fund, of the City of Massillon, for the year ending December 31, 2005, and declaring an emergency.

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

Section 1:

The appropriations are hereby reduced in the Police Pension Fund, for the year ending December 31, 2005, as follows:

\$57,100.00 from an account entitled "Police Pension Fund" 1209.305.2240

Section 2:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community and for the additional reason that the appropriation needs to be reduced because of an audit procedure. 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 _____ 2005

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL GLENN E. GAMBER, PRESIDENT

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR