

AGENDA

DATE: MONDAY, MAY 1, 2006

PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILMAN PAUL MANSON
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

Passed
8/11
ORDINANCE NO. 64 – 2006

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE accepting the Final Plat and dedication of various streets for Cherry Springs Phase II, in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

15" resting
ORDINANCE NO. 65 – 2006

BY: COMMUNITY DEVELOPMENT COMMITTEE

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

Passed
9/0
ORDINANCE NO. 66 – 2006

BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the Fact Finders Report of April 27, 2006, with the Massillon Firefighters, IAFF, Local 251, and declaring an emergency.

Passed
9/0
ORDINANCE NO. 67 – 2006

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – POLICE DEPARTMENT of Ordinance No. 127 – 1997 by amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – POLICE DEPARTMENT, and establishing one (1) new classification under Section 2(D) OCCUPATION LIST OF CLASS TITLES – POLICE DEPARTMENT in the City of Massillon, Ohio, and declaring an emergency.

Passed
9/0
ORDINANCE NO. 68 – 2006

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – SERVICE DEPARTMENT of Ordinance No. 127 – 1997 by amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – SERVICE DEPARTMENT, and establishing one (1) new classification under Section 2(D) OCCUPATION LIST OF CLASS TITLES – SERVICE DEPARTMENT in the City of Massillon, Ohio, and declaring an emergency.

MONDAY, MAY 1, 2006

ORDINANCE NO. 69 – 2006

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

Passed

9/0

AN ORDINANCE vacating an existing temporary turn-around and dedicate a new temporary turn-around easement on Wright State Drive SE, and declaring an emergency.

ORDINANCE NO. 70 – 2006

BY: FINANCE COMMITTEE

Passed

9/0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive sealed bids, and enter into contract upon award and approval of the Board Control, with the lowest and best bidder for the purchase of fuel for city vehicles at an off-site location, and declaring an emergency.

ORDINANCE NO. 71 – 2006

BY: FINANCE COMMITTEE

Passed

9/0

AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Bond Retirement – WWTP Fund, Bond Retirement – TIF Fund, TIF Service Payment Fund, Community Development Fund and the WWTP Capital Improvement Fund, for the year ending December 31, 2006, and declaring an emergency.

RESOLUTION NO. 11 – 2006

BY: COMMITTEE OF THE WHOLE

Passed

9/0

A RESOLUTION commending Marcus Simpson as an Intern for Massillon City Council during the Spring Semester of 2006.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS
9. BILLS, ACCOUNTS AND CLAIMS
10. REPORTS FROM CITY OFFICIALS

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR APRIL 2006
- B). AUDITOR SUBMITS MONTHLY REPORT FOR APRIL 2006
- C). HEALTH DEPT SUBMITS ANNUAL REPORT FOR 2005

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER
13. CALL OF THE CALENDAR

ORDINANCE NO. 47 – 2006

BY: COMMUNITY DEVELOPMENT COMMITTEE

Passed

9/0

AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications.

4. THIRD READING ORDINANCES AND RESOLUTIONS

MONDAY, MAY 1, 2006

15. SECOND READING ORDINANCES AND RESOLUTIONS

Passed
9/0
ORDINANCE NO. 61 – 2006

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and received sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the 2006 Target Neighborhood Street Program improvements in the City of Massillon, and declaring an emergency.

Passed
9/0
ORDINANCE NO. 62 – 2006

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids, upon award and approval of the Board of Control, with the lowest and best bidder for the 2006 Street Resurfacing Program within the City of Massillon, 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: MAY 1, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 64 - 2006

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE accepting the Final Plat and dedication of various streets for Cherry Springs Phase II, in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

Section 1:

The Final Plat for Cherry Springs Phase II, in the City of Massillon, Stark County, Ohio, presently on file in the Office of the City Engineer, is hereby approved and accepted and that the dedication to public use is hereby accepted and confirmed. This plat was approved by the Planning Commission at a meeting held April 12th 2006. The undertaking given by the owners for improvement of streets and now on file with the City Engineer is approved. The description of Cherry Springs Phase II is as follows:

Being Known as Parts of Out Lots 91, 93 and 94, located on the south side of Cherry Road NW, east of 17th Street NW. The proposal would create 1 new lot and 2 new Out Lots with frontage on Cherry Road and includes the dedication of a portion of the existing street (Cherry Road NW), as well as the dedication of public utility/sanitary sewer easements.

All of the streets to be constructed within the development will be private streets. The property is zoned R-1 single family residential, RM-1 multi family and R-CRD condominium. Total acreage is 36.32 acres. The applicant is Marion, Francis, Thomas Co.

Section 2:

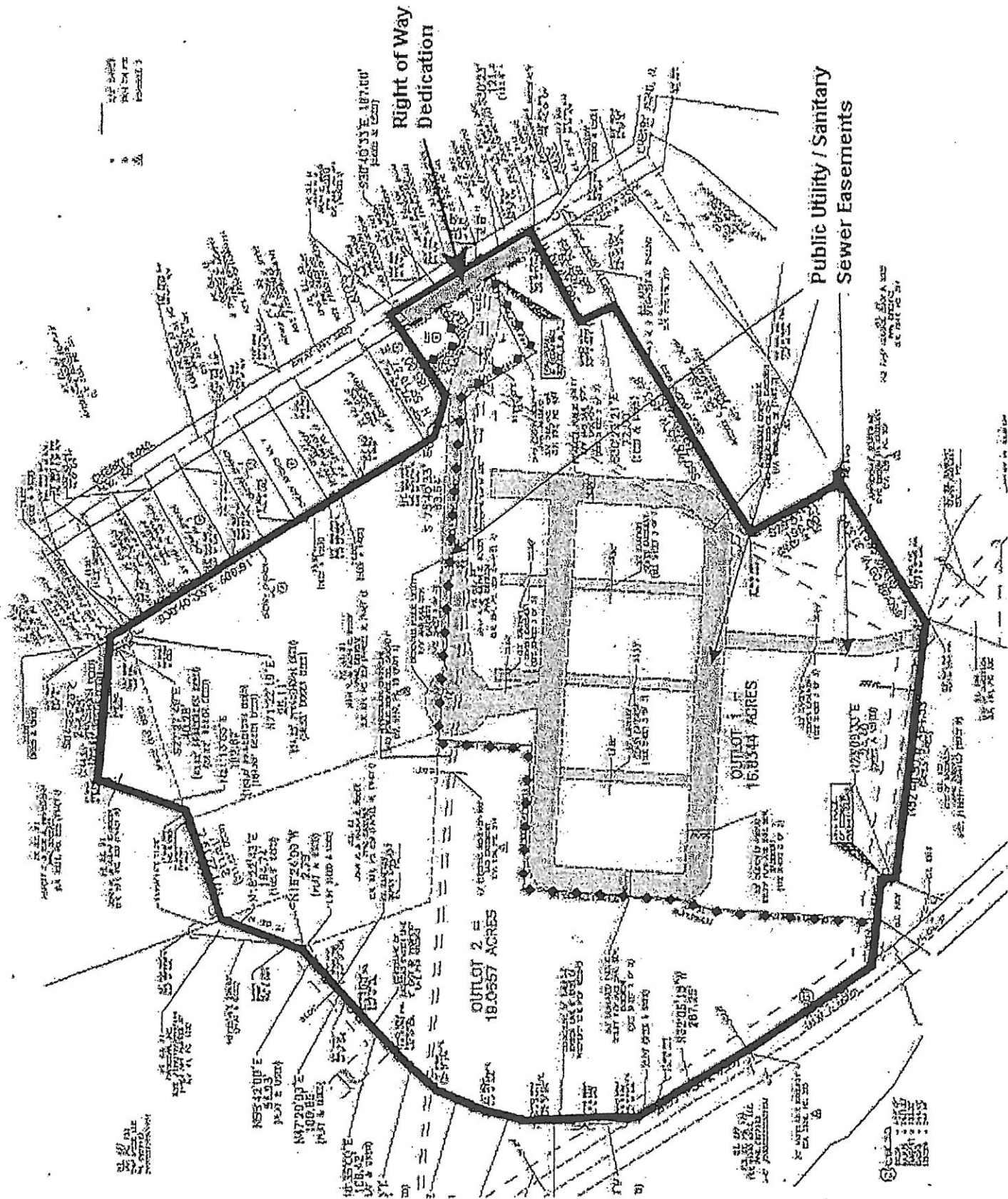
This Ordinance is declared to be an emergency measure for the reason that said plat is urgently needed for the development of this area and for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Provided it receives the 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 _____ 2006

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

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

• 45



DATE: MAY 1, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 65 - 2006

passed 6/5

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Perry Township Zoning to R-1 Single Family Residential.

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from Perry Township Zoning to R-1 Single Family Residential. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on April 12, 2006 and that notice and public hearing has been given according to law.

Section 2:

The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and is hereby amended to show the following described area as R-1 Single Family Residential.

Being known as the eastern portion (54.3 feet) of Lots No. 17096 and 17097, located on the northwest corner of Elizabeth Avenue SE and Harsh Avenue SE.

The applicant is the City of Massillon/Dale Alpeters (Property Owner). This property has recently been annexed to the City from Perry Township and must be given a city zoning district classification.

Section 3:

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

PASSED IN COUNCIL THIS _____ DAY OF _____ 2006

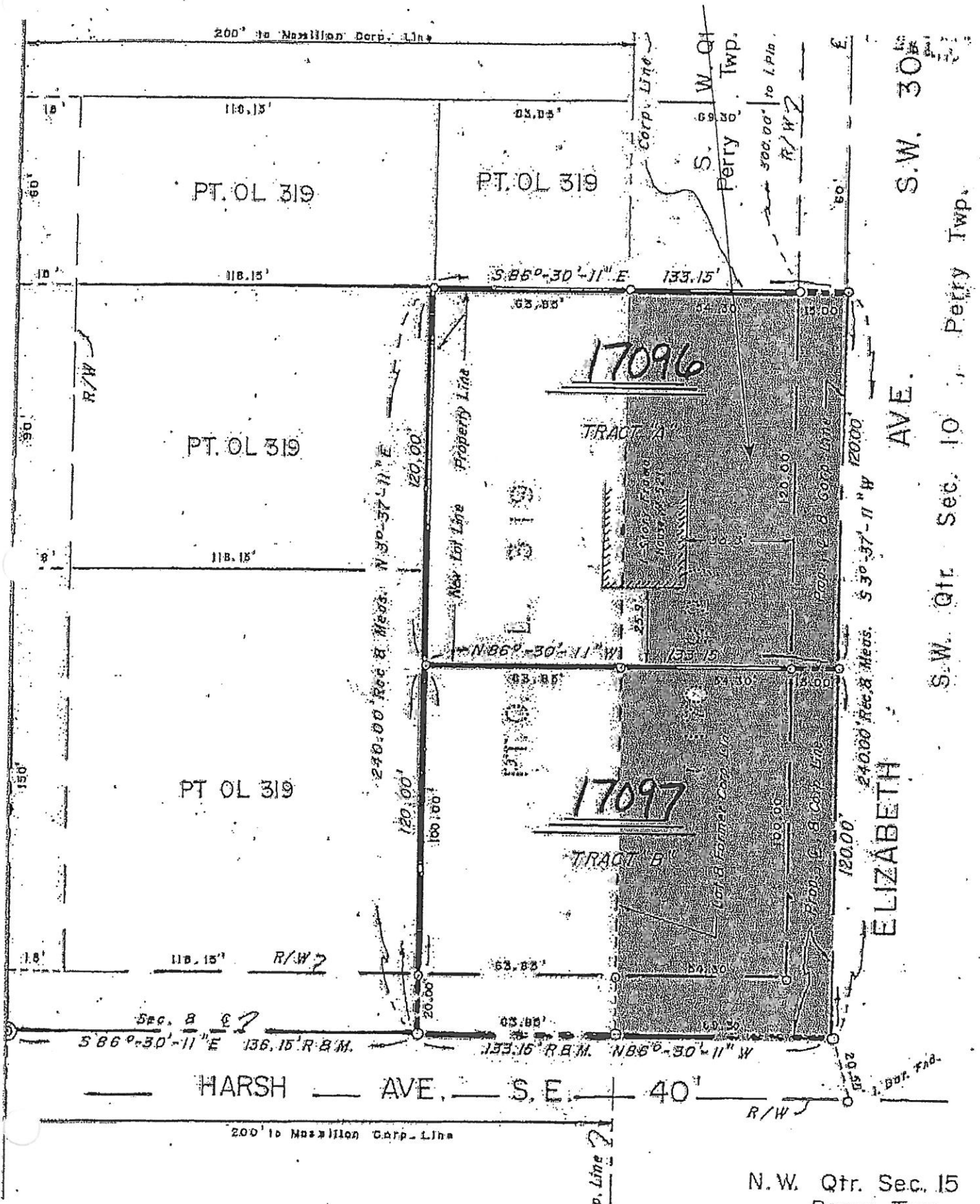
APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

Rezoning Request - 521 Elizabeth Avenue SE
 Eastern Half of Lots No. 17096 and 17097
 From Perry Township Zoning to R-1 Single Family Residential



N.W. Qtr. Sec. 15
 Perry Twp.

DATE: MAY 1, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 66 - 2006

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service & Safety of the City of Massillon, Ohio, to accept the Fact Finders Report of April 27, 2006, with the Massillon Firefighters, IAFF, Local 251, 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 to accept the Fact Finders Report of April 27, 2006, with the Massillon Firefighters, IAFF, Local 251.

Section 2:

The Mayor and the Director of Public Service & Safety of the City of Massillon, Ohio, are hereby authorized to accept the Fact Finders Report of April 27, 2006, with the Massillon Firefighters, IAFF, Local 251.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason to finalize the contract that the City has with the Massillon Firefighters, IAFF, Local 251. 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 _____ 2006

ATTEST: _____

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED _____

FRANCIS H. CICCHINELLI, JR., MAYOR

Apr 27 06 10:37a

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Apr 27 2006 12:03pm P005/011
Apr 27 2006 10:39am P005/011
P.5

**OHIO STATE EMPLOYMENT RELATIONS BOARD
FACT FINDING REPORT
APRIL 27, 2006**

**MASSILLON FIREFIGHTERS,
IAFF LOCAL 251**

Union

-and-

CITY OF MASSILLON, OHIO

Employer

CASE NO. 05-MED-08-0973

APPEARANCES FOR THE UNION:

Dennis Haines, Attorney
Tom Burgasser, Secretary/Treasurer
Michael Canfora, Neg. Committee Member
Paul Harbaugh, Committee Member
Erik Smith, Committee Member
Patrick Perkowski, Neg. Committee Member
Jeff McGrimm, Neg. Member
Michael Taylor, OAIFF/IAFF Representative
Matt Heck, Neg. Committee Member
Randy E. Stuck, Union President

APPEARANCES FOR THE EMPLOYER:

Leslie Jams Kuntz, Representative
Larry Layne, Fire Chief
Bill Hamit, Auditor, City of Massillon
Mike Loudiana, Safety Service Director

FACT FINDER:

JOSEPH W. GARDNER, Reg. No. 0033400
4280 Boardman Canfield Road
Canfield, OH 44406
Phone: 330-533-1118
Fax: 330-533-1025
jwg1118@sbcglobal.net

INTRODUCTION

On or about October 25, 2005, SERB appointed this fact finder in the above captioned case. Contact was made with the parties and the parties agreed to continue to engage in collective bargaining in an attempt to settle. The parties reached an impasse and the fact finder set a mutually accepted date for fact finding. During the pendency of these negotiations, the parties waived the provisions of Ohio Revised Code §4117.14(G)(11).

Both parties presented timely and complete position statements. The parties met at the Massillon City Hall on April 13, 2006. The parties engage in extensive mediation that proved fruitful and after the mediation took place, the fact finding conference was opened. The parties submitted evidence, arguments and stipulations. The parties further agreed that the date of mailing of the report of the fact finding report would be April 27, 2006.

Findings of Fact

The City of Massillon is located in Stark County, Ohio and encompasses approximately 18.7 square miles. Massillon's population in the 2000 census was 31,325. There has been a slight increase in the population since the 1990 census.

The fire department has 48 full time employees with 47 of those employees being members of the bargaining unit.

The parties have a long history of collective bargaining. Parity with the police department is very important to the City and also to the Union members. Parity has been a part of the parties' collective bargaining history. The City has claimed that there would be an inability to pay and that there would be an actual deficit for the City in this calendar year. In rebuttal, the Union explained that although the budgeted projections may show a deficit, there

would not be a deficit in fact. The undersigned does find that the City does have an ability to pay, however, the funds at the end of the year would also be "tight."

In reviewing the evidence presented to the undersigned, this fact finder took into consideration the following:

- (a) Past collectively bargained agreements, if any, between the parties;
- (b) Comparison of issues submitted to final offer settlement relative to the employees in the bargaining unit involved with those issues related to other public and private employees doing in comparable work, giving consideration to factors peculiar to the area and classification involved;
- (c) The interest in welfare of the public, the ability of the public employer to finance and administer the issues proposed, and the effect of the adjustments on the normal standards of public service;
- (d) The lawful authority of the public employer;
- (e) The stipulations of the parties;
- (f) Such other factors, not confined to those listed in this section, which are normally or traditionally taken into consideration in the determination of the issues submitted to final offer settlement through voluntary collective bargaining, mediation, fact-finding, or other impasse resolution procedures in the public service or in private employment.

RECOMMENDATIONS

Issue No. 1: Wages, Longevity and Entrance Rates

Recommendation:

This fact finder recommends that the longevity scale, which is described in Exhibit 1, a copy of which is attached hereto and made a part hereof, be implemented in the first year of this contract. It is recommended that the longevity scale be blended in with the wage in accordance with the parties past practice. Said longevity implementation shall be effective as of November 14, 2005.

It is further recommended that the members of the bargaining unit receive the following percentage wage increase for the following years of the collective bargaining contract: increase for the first year, 0%; increase for the second year of the contract, 4%; increase for the third year of the contract, 4%.

Issue No. 2, Overtime

The City desired to reduce the scheduling from 28 days to 21 days as per the FSLA. The Union demanded an increase in overtime. During mediation, the parties agreed to withdraw each of their respective demands. At fact finding each party withdrew their respective demands.

Recommendation

This fact finder recommends that the wishes of the parties be honored and that the demands be withdrawn.

Issue No. 3, Health Insurance

During mediation, the parties were close to a settlement, and only needed dialogue between them to understand the terms of each party's demands. After discussion with all of the

parties, both parties entered into a tentative agreement and no evidence was presented at fact finding.

Recommendation

This fact finder recommends that the demands under the health insurance issue be withdrawn since the parties have entered into a tentative agreement outside of fact finding.

Issue No. 4, Minimum Manning/Minimum Staffing

Both parties have agreed that the "position of the City is that no decision has been made to transport EMS patients instead of allowing private ambulances to continue to do so. Instead it has been proposed and the parties are currently in the process of meeting to discuss the pros and cons of transporting. If it is determined that such a change needs to be made, the City would meet and negotiate with the Union regarding how to handle additional staffing needs."

The parties have entered into a "side agreement" and the main thrust of the side agreement is the paragraph set forth above. The parties stipulated to remove their claims on minimum manning/staffing and agree that the agreement set forth in the paragraph above is the "side agreement" of the parties.

Recommendation

This fact finder recommends that the stipulation of the parties be honored and that the side agreement as described above be honored between the parties. The above side agreement shall not, however, be a part of the collective bargaining contract, but shall remain a "side agreement" until the parties agree otherwise or until the parties agree to make said agreement a part of the collective bargaining agreement.

Apr 27 06 10:38a

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KRUGLIAK WILKINS

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p. 10

Issue No. 6. Residency

The parties entered into an agreement at mediation have agreed that the agreement reached at mediation be a part of the collective bargaining unit. The undersigned has independently reviewed the agreement in light of the above factors. The agreement is fair to both sides.


Recommendation

This fact finder recommends that the agreement made at mediation become part of the collective bargaining contract.


JOSEPH W. GARDNER #0033400
4280 Boardman-Canfield Rd.
Canfield, OH 44406
Phone: (330) 533-1118
Fax: (330) 533-1025
Email: jwg1118@sbcglobal.net

CERTIFICATION

A copy of the foregoing Fact-Finding Report was sent this 27th day of April 2006, by Certified U.S. Mail/RRR to: Dennis Haines, National City Bank Building, Suite 400, PO Box 849, Youngstown, Ohio 44501 and to Leslie Jams Kuntz, 4775 Munson Street NW, PO Box 36963, Canton, Ohio 44735.


JOSEPH W. GARDNER #0033400
4280 Boardman-Canfield Rd.
Canfield, OH 44406
Phone: 330-533-1118
Fax: 330-533-1025

November 14, 2005

	ENTRY	LONG/PARTY	EQUAL/PD	0.01%	0.98%	0.97%	0.97%	0.97%	0.97%	0.97%
FIREFIGHTER	\$ 1,486.03	1	2	3	5	10	15	20	25	30
MEDIC/INSPECTOR	\$ 1,590.05	1,566.08	1,596.44	1,639.76	1,691.24	1,720.75	1,750.76	1,781.12	1,822.29	1,863.81
CAPT./EMS/MECH	\$ 1,708.93	1,665.01	1,708.19	1,754.54	1,809.63	1,841.20	1,873.32	1,905.80	1,949.85	1,994.29
CAPT. MEDIC	\$ 1,783.23	1,789.50	1,835.91	1,885.72	1,944.93	1,978.87	2,013.38	2,048.29	2,095.83	2,143.39
SUPT. BLDG	\$ 1,820.38	1,867.30	1,915.73	1,967.71	2,029.49	2,084.91	2,100.91	2,137.34	2,186.75	2,236.59
ASST. CHIEF	\$ 1,931.84	1,906.20	1,955.64	2,008.71	2,071.77	2,107.92	2,144.69	2,181.87	2,232.31	2,283.17
		2,022.90	2,075.38	2,131.69	2,198.61	2,236.99	2,276.99	2,315.45	2,368.98	2,422.96

Exhibit 1

Apr 27 06 10:38a

KRUGLIAK WILKINS
KRUGLIAK WILKINS

Fax: 3304974020
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Apr 27 2006 12:05pm P011/011
Apr 27 2006 10:39am P011/011
P. 11

DATE: MAY 1, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 67 - 2006

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - POLICE DEPARTMENT of Ordinance No. 127 - 1997 by amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - POLICE DEPARTMENT , and establishing one (1) new classification under Section 2(D) OCCUPATION LIST OF CLASS TITLES - POLICE DEPARTMENT 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:

Section 2(D) OCCUPATION LIST OF CLASS TITLES - POLICE DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby amended to reflect the establishment of one (1) new classification in the Police Department.

Section 2:

That an amended Section 2(D) OCCUPATION LIST OF CLASS TITLES - POLICE DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby adopted and enacted and shall read as follows:

(SEE ATTACHMENT "A" PAGE 7; AND INSERT IN THE SALARY ORDINANCE NO. 127 - 1997)

Section 3:

This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the additional reason that the provisions hereby enacted are immediately necessary to create this position within the Police Department. 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 _____, 2006

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

MS

PART TIME TEMPORARY/SEASONAL

Clerk Typist

CLASS GRADE	SCHEDULE	DEPARTMENT & TITLE DESCRIPTION
		<u>POLICE DEPARTMENT</u> 305
E	P	Police Chief
D	P	Police Captain
C	P	Police Lieutenant
B	P	Police Sergeant
A	P	Police Officer
15S	UN	Animal Control Officer
12S	UN	Administrative Assistant Ord. 67 - 2006
9S	UN	Police Secretary - Bookkeeper
6S	UN	Police Stenographer - Secretary
5S	UN	Clerk Typist I
3S	UN	Parking Enforcement Officer
		<u>PART TIME/TEMPORARY/SEASONAL</u>
	MS	Regular School Patrol
	MS	Extra School Patrol
	MS	Clerk
	MS	Clerk Typist
	MS	Parking Enforcement Officer
	MS	Hearing Officer - \$25.00 per hr - added Ord. 100 - 04
		<u>FIRE DEPARTMENT</u> 325
	F	Chief
	F	Assistant Chief
	F	Superintendent Buildings
	F	Captain/Medic
	F	Fire Captain/Mechanic/EMS Coordinator
	F	Firefighter - Paramedic
	F	Firefighter
	F	Cadet I
	F	Cadet II
		<u>PART TIME/TEMPORARY/SEASONAL</u>
	MS	Clerk
		<u>ENGINEERING DEPT</u> 405
29S	SU UN	City Engineering/Planning Director
24S	CL	Assistant City Engineer
22S	CL	Civil Engineer IV
20S	CL	Civil Engineer III
19S	CL	Civil Engineer II
18S	CL	Civil Engineer I
18S	CL	Engineering Technical II
16S	CL	Engineering Technician I
15S	CL	Contract Manager
14S	CL	Construction Inspector III
14S	CL	Engineering Aide III

DATE: MAY 1, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 68 - 2006

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - SERVICE DEPARTMENT of Ordinance No. 127 - 1997 by amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - SERVICE DEPARTMENT , and establishing one (1) new classification under Section 2(D) OCCUPATION LIST OF CLASS TITLES - SERVICE DEPARTMENT 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:

Section 2(D) OCCUPATION LIST OF CLASS TITLES - SERVICE DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby amended to reflect the establishment of one (1) new classification in the Service Department.

Section 2:

That an amended Section 2(D) OCCUPATION LIST OF CLASS TITLES - SERVICE DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby adopted and enacted and shall read as follows:

(SEE ATTACHMENT "A" PAGE 7; AND INSERT IN THE SALARY ORDINANCE NO. 127 - 1997)

Section 3:

This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the additional reason that the provisions hereby enacted are immediately necessary to create this position within the Service Department. 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 _____, 2006

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

CLASS GRADE	SCHEDULE	DEPARTMENT & TITLE DESCRIPTION	
		<u>BAILIFF</u>	135
	EL	Bailiffs	
		<u>PLANNING DEPARTMENT</u>	140
	MS	<u>PART TIME/TEMPORARY/SEASONAL</u>	
		Secretary - Planning Board	
		<u>CIVIL SERVICE COMMISSION</u>	150
12S	CL	Civil Service Administrator (1)	
9S	CL	Clerk Administrator	
	MS	Chairman (Appointed by Mayor)	
	MS	Members (Appointed by Mayor)	
		<u>SERVICE DEPARTMENT</u>	160
26S	SU UN	Safety Service Director	
9S	UN	Secretary	
	MS	Clerk Typist I Ord. 68 - 2006	
		<u>DATA CENTER</u>	170
15S	SU UN	Data Center Chief (Split 1/3)	
		<u>HUMAN SERVICES DEPARTMENT</u>	175
22S	SU UN	E.E.O./M.B.E. Director/Drug Coordinator	
6S	UN	Clerk Typist II	
		<u>PART TIME/TEMPORARY/SEASONAL</u>	
	MS	EEO Director \$17.00 per hour - added Ord. 147 - 05	
		<u>AUDITOR DEPARTMENT</u>	205
	EL	Auditor	
14S	UN	Chief Deputy Clerk	
13S	UN	Deputy Clerk	
12S	UN	Deputy Auditor	
9S	UN	Deputy Account Clerk II	
8S	UN	Deputy Account Clerk II	
6S	UN	Deputy Clerk Typist II	
		<u>PART TIME/TEMPORARY/SEASONAL</u>	
	MS	Clerk Typist	
		<u>INCOME TAX DEPARTMENT</u>	210
20S	SU UN	Collection Supervisor/Tax Administrator (Split 1/3) - added Ord. 16 - 2005	
12S	UN	Investigator/Administration Assistant	
11S	UN	Deputy Tax Administrator	
9S	UN	Senior Auditor	
8S	UN	Income Tax Auditor	
6S	UN	Cashier/Receptionist	
5S	UN	Deputy Clerk Typist II	
		<u>PART TIME TEMPORARY/SEASONAL</u>	
	MS	Auditor	
	MS	Cooperative Business Education Student	
	MS	Investigator \$15.00 per hour - added Ord. 16 - 2005	
		<u>TREASURER</u>	215
	EL	Treasurer	

JANUARY 1, 2003 - 5 % INCREASE
CITY OF MASSILLON
MISCELLANEOUS SCHEDULE

PAY PERIOD
CODE 12-30-02 TO 01-12-03
MS TWO DAYS OLD RATE
EIGHT DAYS NEW RATE
PAID 1/17/2003

DEPARTMENT		AMOUNT	
MUNICIPAL COURT PART TIME MEDIATOR (JUDGE SETS RATE)			
MEDIATOR			PER HR
COURT HOUSE SECURITY (JUDGE SETS RATES)			
SUPERVISOR			PER HR
OFFICERS			PER HR
HUMAN SERVICES			
EEO DIRECTOR (ORD. 147-2005)	17.00		PER HR
PLANNING DEPT/ZONING BOARD			
SECRETARY	55.84		PER MEETING
LAW DIRECTOR DEPARTMENT			
CHIEF POLICE PROSECUTOR/ASSISTANT LAW DIRECTOR	867.76		BI-WEEKLY
ASSISTANT POLICE PROSECUTOR (2)	694.21		BI-WEEKLY
CIVIL SERVICE BOARD (APPOINTED BY MAYOR)			
CHAIRMAN	319.24		PER MONTH
MEMBERS	237.39		PER MONTH
SCHOOL PATROL			
REGULAR	265.05		BI-WEEKLY
EXTRA	6.91		PER HR
BUILDING DEPARTMENT			
PLANS EXAMINER	48.77		PER HR
CLASS III INSPECTOR (BACKUP)	28.94		PER HR
ELECTRIC/PLUMBING INSPECTOR (BACKUP)	16.26		PER HR
HEALTH DEPARTMENT			
COMMISSIONER	868.43		BI-WEEKLY
ACTING HEALTH COMMISSIONER	200.00		BI-WEEKLY
MEDICAL DIRECTOR	420.87		BI-WEEKLY
SANITARIAN (NOT TO EXCEED \$12,000.00 PER YEAR)	15.88		PER HR
WIC PROFESSIONAL/NUTRITIONIST	15.21		PER HR
WIC STAFF PROFESSIONAL/PUBLIC HEALTH NURSE	14.23		PER HR
WIC CLERK	11.55		PER HR
PARK AND RECREATION			
RECREATION COORDINATOR III	15.20		PER HR
RECREATION COORDINATOR II	13.64		PER HR
RECREATION COORDINATOR I	12.40		PER HR
PROGRAM COORDINATOR III	11.16		PER HR
PROGRAM COORDINATOR II	9.92		PER HR
PROGRAM COORDINATOR I	8.68		PER HR
SECURITY			PER HR
PARKING METER			
HEARING OFFICER (ORD. 100-2004)	25.00		PER HR
METER MAID	11.03		PER HR
SUMMER YOUTH PROGRAM			
SYPE TEACHER	18.74		PER HR
SESP ADMINISTRATOR (LIMIT 6 HRS PER DAY)	9.96		PER HR
COOK	9.77		PER HR
AID	9.04		PER HR
SYPE COORDINATOR	8.20		PER HR
SITE COORDINATOR	8.15		PER HR
SECRETARY/JANITOR (LIMIT 6 HRS PER DAY)	8.15		PER HR
SYPE COUNSELOR	7.03		PER HR
COOK HELPER	6.84		PER HR
PART-TIME/TEMPORARY			
JANITOR	13.29		PER HR
AUDITOR	12.56		PER HR
CLERK TYPIST	11.87		PER HR
CLERK TYPIST I	13.00		PER HR
LEGAL CLERK	11.20		PER HR
CLERK/LABORER	9.04		PER HR
OFFICE WORKER	6.38		PER HR
COOPERATIVE BUSINESS EDUCATION STUDENT	MIN. WAGE		PER HR
COOPERATIVE BUSINESS AIDE	MIN WAGE		PER HR
CLERK/RECEPTIONIST	MIN WAGE & \$1.15		
ALL MISCELLANEOUS SCHEDULE EMPLOYEES EARN SICK LEAVE AT .0575 PER HOURS WORKED			
VACATION-HOLIDAYS-PERSONAL TIME ARE ALSO ESTABLISHED BY HOURS WORKED			
MSRATES.XLS (MS)			

DATE: MAY 1, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 69 - 2006

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating an existing temporary turn-around and dedicate a new temporary turn-around easement on Wright State Drive SE, and declaring an emergency.

WHEREAS, there has been filed with this Council a vacation and dedication plat by the developer of all of the lots and lands bounding and abutting upon the street hereinafter described, a plat requesting that a portion thereinafter described be vacated and dedicated, and

WHEREAS, upon hearing, this Council hereby finds that there is good cause for such vacation and dedication and that it will not be detrimental to the general interest of this community and that such vacation and dedication should be made.

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

Section 1:

There has been a request to vacate the existing temporary turn-around easement and dedicate a new temporary turn-around easement only on the east side of the street. This is a revision to the original University Village Phase III plat, and therefore requires a separate approval. The property is zoned R-T Two Family Residential. The applicant is PRMDC/Fred Tobin. This vacation and dedication plat is filed in the City Engineer's Office. Approval of the vacation and dedication was recommended by the City Planning Commission on April 12th 2006. Said vacation and dedication is hereby approved, adopted and confirmed.

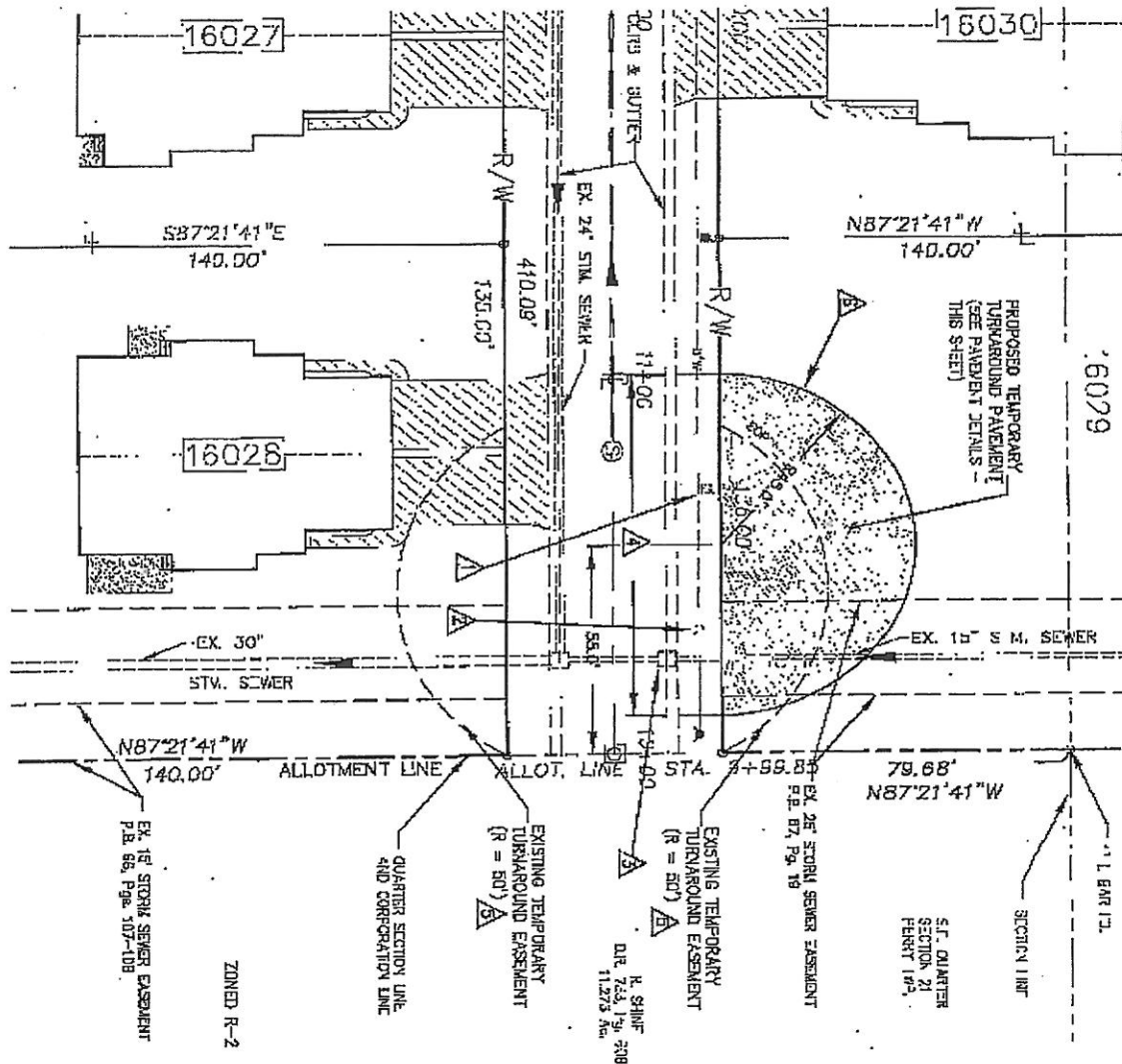
Section 2:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the continued efficient operation of the City of Massillon, Ohio, the portion of the street to be vacated and dedication will enable the required turn-around to be constructed at the end of Wright State Drive and the vacation and dedication will benefit the development of the area. 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 _____ 2006

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

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



- DEFINED WORK ITEMS**
- △ RELocate EXISTING LIGHT POLE TO LOT LINE AS PREPARED.
 - △ EXtEND EXISTING WATER LINE AND RELOCATE EXISTING FIRE HYDRANT SOUTH, SET 4'-6" FROM CURB AT STA. 10+41.68 RT.
 - △ THE EXISTING CB CORKING (ELEM. 770.0) SHALL BE ADJUSTED FOR CONVERSION TO TYPE TO BACK.
 - △ CONCRETE SPALL SWEEP CURB (11'-15") FROM STA. 10+10.00 RT TO STA. 11+60.00 RT.
 - △ EASEMENT TO BE WACKED BY SEPARATE INSTRUMENT.
 - △ EASEMENT TO BE CREATED BY SEPARATE INSTRUMENT.

- PAVEMENT DETAIL**
- 2x CONTINUOUS SLOPE TOWARD RIGHT STATE PAVEMENT
- ① 200T 104 - 1-1/2" ASPHALT CONCRETE SURFACE COAT
 - ② 200T 201 - 4" BRIDGEMAN'S BASE COURSE
 - ③ 200T 403 - BRIDGEMAN'S PRIME COAT (0.4 GAL PER SQ.)
 - ④ 200T 204 - 6" AGGREGATE BASE
 - ⑤ 200T 202 - COMPACTION SUBBASE

PROJ. #
06132

SHEET
1 OF 1

TEMPORARY TURN AROUND
UNIVERSITY VILLAGE - WRIGHT STATE
LOCATED IN
CITY OF MASSILLON, STARK COUNTY, OHIO
FOR: P.R.M.D.C.



COOPER & ASSOCIATES, LLP
ENGINEERS AND
SURVEYORS
ONE HURON
STREET, SUITE 200
MASSILLON, OHIO 44861

PHONE (440) 632-0731
FAX (440) 439-8110

DRAWN BY: C.H.B.
CHECKED BY: B.J.A.
SCALE: 1"=30'

DATE: MAY 1, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 70 - 2006

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive sealed bids, and enter into contract upon award and approval of the Board of Control, with the lowest and best bidder for the purchase of fuel for city vehicles at an off-site location, 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 and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the purchase of fuel for city vehicles at an off-site location.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to advertise for, receive sealed bids, and enter into contract with the lowest and best bidder for the purchase of fuel for city vehicles at an off-site location.

Section 3:

This Ordinance is declared to be an emergency measure for the reason that the city's yearly contract will expire June 2006. Due to the time involved in advertising and bid process it must be commenced immediately so that fuel can be purchased at an off-site location for city vehicles for the efficient operation of these various departments. 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 _____, 2006

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

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

DATE: MAY 1, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 71 - 2006

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Bond Retirement – WWTP Fund, Bond Retirement – TIF Fund, TIF Service Payment Fund, Community Development Fund, and the WWTP Capital Improvement Fund, for the year ending December 31, 2006, 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 General Fund, for the year ending December 31, 2006, the following:

\$4,974.22 to an account entitled "City Hall Services/Contracts" 1100.410.2392

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Bond Retirement – WWTP Fund, for the year ending December 31, 2006, the following:

\$4,000.00 to an account entitled "Fees" 1305.940.2393

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Bond Retirement – TIF Fund, for the year ending December 31, 2006, the following:

\$3,000.00 to an account entitled "Fees" 1340.905.2382

Section 4:

There be and hereby is appropriated from the unappropriated balance of the TIF Service Payment Fund, for the year ending December 31, 2006, the following:

\$3,000.00 to an account entitled "Fees" 3109.905.2393

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Community Development Fund, for the year ending December 31, 2006, the following:

\$2,000.00 to an account entitled "Fees" 1203.845.2385

Section 6:

There be and hereby is appropriated from the unappropriated balance of the WWTP Capital Improvement Fund, for the year ending December 31, 2006, the following:

\$1,000.00 to an account entitled "Fees" 1406.610.2393

Section 7:

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 _____ 2006

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

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: MAY 1, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 11 - 2006

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION commending Marcus Simpson as an intern for Massillon City Council during the Spring Semester of 2006.

WHEREAS, Marcus Simpson has served Massillon City Council as intern during the Spring Semester of 2006, while continuing his academic career at the University of Akron; and

WHEREAS, Marcus Simpson has willingly and professionally dispatched the duties required of him as intern; and

WHEREAS, Marcus Simpson has cooperated with all Members of the City Council of the City of Massillon and the members of the administrative staff that he has come in contact with.

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 commends Marcus Simpson for his professional and cooperative service as intern during the Spring Semester 2006; and

Section 2:

The Council of the City of Massillon, Ohio, wishes to extend to Marcus Simpson its best wishes for his future endeavors in whatever fields he pursues; and

Section 3:

The Council of the City of Massillon, Ohio, hereby honors Marcus Simpson for his attitude of public service and intellectual curiosity.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2006

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

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