

AGENDA

DATE: MONDAY, APRIL 16, 2007

PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M.

THERE IS ONE PUBLIC HEARING TONIGHT ORDINANCE NO. 41 – 2007 AT 6:30P.M. – CDBG BUDGET

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILWOMAN KATHY CATAZARO-PERRY**
- 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. 49 – 2007

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to renewed the one year contract with the City of Canal Fulton, for the purpose of providing prosecutorial services, and declaring an emergency.

- 7. UNFINISHED BUSINESS**
- 8. PETITIONS AND GENERAL COMMUNICATIONS**
- 9. BILLS, ACCOUNTS AND CLAIMS**
- 10. REPORTS FROM CITY OFFICIALS**
 - A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR MARCH 2007**
 - B). TREASURER SUBMITS MONTHLY REPORT FOR MARCH 2007**
 - C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR MARCH 2007.**
 - D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR MARCH 2007**
 - E). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR MARCH 2007**
 - F). MAYOR SUBMITS MONTHLY REPORT FOR MARCH 2007**
- 11. REPORTS OF COMMITTEES**
- 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS**
- 13. CALL OF THE CALENDAR**
- 14. THIRD READING ORDINANCES AND RESOLUTIONS**
- 15. SECOND READING ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 41 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

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.

ORDINANCE NO. 42 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

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

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: APRIL 16, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 49 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Law of the City of Massillon, to renew the one year contract with the City of Canal Fulton, for the purpose of providing prosecutorial services, 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 Director of Law of the City of Massillon, to renew the one year contract with the City of Canal Fulton for the purpose of providing prosecutorial services.

Section 2:

The Director of Law of the City of Massillon, Ohio, is hereby authorized to renew the one year contract with the City of Canal Fulton for the purpose of providing prosecutorial services. The City of Canal Fulton shall pay the sum of Twenty-Four Thousand Dollars (\$24,000.00) under the terms of the contract.

Section 2:

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 the City of Canal Fulton has requested the Director of Law of the City of Massillon to prosecute all criminal and traffic cases that come before the Massillon Municipal Court and it is necessary to be effective immediately so that increased revenue can be received. 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 16th DAY OF April 2007

APPROVED: Mary Beth Bailey Glenn E. Gamber
MARY BETH BAILEY, CLERK OF COUNCIL GLENN E. GAMBER, PRESIDENT

APPROVED April 17, 2007 Francis H. Cicchinelli, Jr.
FRANCIS H. CICCHINELLI, JR., MAYOR

I hereby certify that the foregoing ordinance
is a true copy of the original, as passed by
the Council of the City of Massillon, Ohio,
and approved as noted thereon:

Mary Beth Bailey
Clerk of Council

Date 4/16/07

AGREEMENT

THIS AGREEMENT effective February 1, 2007 through January 31, 2008, between the CITY OF CANAL FULTON and the CITY OF MASSILLON LAW DEPARTMENT, (MLD) sets forth the following responsibilities and mutual benefits. Accordingly, MLD agrees to prosecute criminal and traffic offenders in the Massillon Municipal Court, perform other related traffic and criminal legal services for Canal Fulton and maintain specific responsibility for:

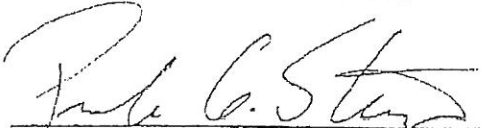
1. Municipal Cases via City Ordinances /ORC (Titles 29 & 45);
2. Private citizens complaints and affidavits for violations under ORC Titles 29 & 45;
3. Informal Prosecutor conferences for bad checks, domestic disputes, neighborhood disturbances, and other appropriate circumstances as the MLD determines;
4. Review search warrants when appropriate or upon request;
5. Assist with and direct Misdemeanor/Felony summons/warrants when appropriate;
6. Issue subpoenas when appropriate (trials/hearings in Massillon Municipal Court);
7. Participate in Court pre-trials, trials, pleas and felony preliminary hearings to conclusion as required and scheduled by Massillon Municipal Court;
8. Prosecute traffic/criminal offenders by trial (judge/magistrate/jury) to conclusion as necessary. Objections to Magistrate decisions are part of this contract included in basic compensation below. Appeals of trial court decisions to a higher court is not included in this Agreement;


9. Coordinate with crime victims to explain their rights under law and secure their attendance when defendants are arraigned for issuance of TPO's, plus attendance at pre-trials, pleas and trial and coordinate restitution when appropriate; and
10. Serve as liaison between The Massillon Municipal Court and the Canal Fulton Police Department;
11. BASIC COMPENSATION: The City of Canal Fulton will pay the City of Massillon Twenty-Four Thousand Dollars (\$24,000.00) for the one (1) year Agreement. The amount shall be paid in twelve (12) monthly payments of Two Thousand and 00/100 Dollars (\$2000.00) commencing on February 1, 2007 and payable on the 1st of each month thereafter.

TERM: THIS AGREEMENT is subject to termination at will by the CITY OF CANAL FULTON or the CITY OF MASSILLON LAW DEPARTMENT upon written notice by U.S. CERTIFIED MAIL, effective thirty (30) days after receipt.

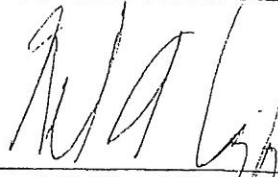
EXECUTED ON DATE INDICATED BELOW:

MASSILLON CITY
LAW DEPARTMENT


PERICLES G. STERGIOS
Director of Law


Director of Law
Canal Fulton

CITY OF CANAL FULTON

BY: 
CITY MANAGER MARIA COZY

BY: _____
DIRECTOR OF FINANCE

BY: _____
CLERK OF COUNCIL