

AGENDA

DATE: MONDAY, NOVEMBER 5, 2007

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**

ORDINANCE NO. 124 – 2007

BY: HEALTH, WELFARE AND BLDG REGULATIONS

AN ORDINANCE amending CHAPTER 1309 "HOUSING CODE" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 1309.14(a) "REPAIR, REMOVAL OR SECURING OF FIRE DAMAGED BUILDINGS OR STRUCTURES" and enacting a new Section 1309.14(a) "REPAIR, REMOVAL OR SECURING OF FIRE DAMAGED BUILDINGS OR STRUCTURES" of CHAPTER 1309, and declaring an emergency.

ORDINANCE NO. 125 – 2007

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Fund, Capital Improvement Fund and the 1201 Street Fund, for the year ending December 31, 2007, and declaring an emergency.

ORDINANCE NO. 126 – 2007

BY: FINANCE COMMITTEE

AN ORDINANCE reducing the appropriation in the Legends Operating Fund, of the City of Massillon, for the year ending December 31, 2007, and declaring an emergency.

- 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 OCTOBER 2007

B). AUDITOR SUBMITS MONTHLY REPORT FOR OCTOBER 2007

D). MAYOR HAS AN ECONOMIC DEVELOPMENT ANNOUNCEMENT

- 11. REPORTS OF COMMITTEES**
- 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER**
- 13. CALL OF THE CALENDAR**
- 14. THIRD READING ORDINANCES AND RESOLUTIONS**

15. SECOND READING ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 14 – 2007

BY: ENVIRONMENTAL COMMITTEE

A RESOLUTION authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to send a letter of support to the NEFCO approving its request for a 201 Mini Update for the Massillon, Navarre Facilities Planning Areas, 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 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 124 – 2007

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1309 "HOUSING CODE" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 1309.14(a) "REPAIR, REMOVAL OR SECURING OF FIRE DAMAGED BUILDINGS OR STRUCTURES" and enacting a new Section 1309.14(a) "REPAIR, REMOVAL OR SECURING OF FIRE DAMAGED BUILDINGS OR STRUCTURES" of CHAPTER 1309, and declaring an emergency.

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

Section 1:

The existing Section 1309.14(a) "REPAIR, REMOVAL OR SECURING OF FIRE DAMAGE BUILDINGS OR STRUCTURES" of CHAPTER 1309 "HOUSING CODE" of the Codified Ordinances of the City of Massillon, Ohio, be and hereby is repealed.

Section 2:

That there be and hereby is enacted a new Section 1309.14(a) "REPAIR, REMOVAL OR SECURING OF FIRE DAMAGE BUILDINGS OR STRUCTURES" of CHAPTER 1309 "HOUSING CODE" of the Codified Ordinances of the City of Massillon, Ohio, be and hereby is enacted. Said amendment is indicated in bold type on the attached exhibit "A".

SEE ATTACHED EXHIBIT "A" HERETO

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety and for the further reason that the building department would be in compliance with ORC 715.26(f). 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.

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1309.14 REPAIR, REMOVAL OR SECURING OF FIRE DAMAGED BUILDINGS OR STRUCTURES.

- (a) When the loss agreed to between the named insured or insureds and the insurance company or insurance companies equals or exceeds sixty percent (60%) of the aggregate limits of liability on all fire policies covering the building or structure, the insurance company or companies in accordance with Ohio R.C. 715.26(f) shall transfer from the insurance proceeds to the City Auditor in the aggregate amount of **two thousand dollars (\$2,000) for each fifteen thousand dollars (\$15,000)** and each fraction of that amount, of a claim, or, if at the time of a proof of loss agreed to between the named insured or insureds and the insurance company or companies the named insured or insureds have submitted a contractor's signed estimate of the costs of removing, repairing, or securing the building or other structure, shall transfer from the insurance proceeds the amount specified in the estimate. There shall be a minimum transfer of one thousand dollars (\$1,000).

DATE: NOVEMBER 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 125 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Fund, Capital Improvement Fund and the 1201 Street Fund, for the year ending December 31, 2007, 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 Wastewater Treatment Fund, for the year ending December 31, 2007, the following:

\$96,000.00 to an account entitled "Supplies/Materials" 2101.610.2410

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Capital Improvement Fund, for the year ending December 31, 2007, the following:

\$14,000.00 to an account entitled "Fire Dept Equipment" 1401.325.2531

Section 3:

There be and hereby is appropriated from the unappropriated balance of the 1201 Street Fund, for the year ending December 31, 2007, the following:

\$3,500.00 to an account entitled "Storm Sewer Repairs" 1201.435.2397

Section 4:

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.

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DATE: NOVEMBER 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 126 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriation in the Legends Operating Fund, of the City of Massillon, for the year ending December 31, 2007, 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 Legends Operating Fund, for the year ending December 31, 2007, as follows:

\$35,522.00 from an account entitled "Supplies/Materials/Postage"	2104.920.2410
\$22,806.00 from an account entitled "Utilities"	2104.920.2340
\$15,665.00 from an account entitled "Services/Contracts"	2104.920.2392
\$12,450.00 from an account entitled "Capital Equipment"	2104.920.2532
\$ 9,012.00 from an account entitled "Hosp/Dental/Eye"	2104.920.2210
\$ 3,842.00 from an account entitled "Gas and Oil"	2104.920.2430
\$ 2,500.00 from an account entitled "Sales Tax"	2104.920.2390
\$ 1,642.00 from an account entitled "Bank Charges"	2104.920.2398
\$ 1,000.00 from an account entitled "Uniform Allowance"	2104.920.2280
\$ 181.00 from an account entitled "Travel/Seminar"	2104.920.2389

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.

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