

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN GAMBER, PRESIDENT

AGENDA

DATE: MONDAY, JANUARY 7, 2008
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.
7:27

THERE IS ONE PUBLIC HEARING TONIGHT
ORDINANCE NO. 143 – 2007 AT 7:15P.M. – REZONING REGARDING CELL TOWERS

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. 2 – 2008

BY: PARK AND RECREATION COMMITTEE

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Lake Region Oil, Inc., for the installation of a gas well at Community Park and another at Oak Knoll Park, and declaring an emergency.

N

ORDINANCE NO. 3 – 2008

BY: PARK AND RECREATION COMMITTEE

PASS 9-0

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – RECREATION DEPARTMENT AND THE GOLF COURSE DEPARTMENT of Ordinance No. 127 – 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES – RECREATION DEPARTMENT AND THE GOLF COURSE DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES – RECREATION DEPARTMENT AND THE GOLF COURSE DEPARTMENT, in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 4 – 2008

BY: PUBLIC UTILITIES COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Non-Surface Development Gas & Oil Lease with Lake Region Oil, Inc., for a .90 acre parcel owned by the City of Massillon, and declaring an emergency.

ORDINANCE NO. 5 – 2008

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Auditor to pay various 2007 bills that have been received and that will be received by her office between January 1, 2008 and March 1, 2008, out of the 2008 appropriations within the various departments of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 6 – 2008

BY: FINANCE COMMITTEE

Pass 9-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Park & Rec. Capital Improvement Fund, for the year ending December 31, 2008, and declaring an emergency.

RESOLUTION NO. 2 – 2008

BY: COMMITTEE OF THE WHOLE

Pass 9-0
A RESOLUTION commending Tim Bryan as a Member of City Council for the City of Massillon, Ohio.

RESOLUTION NO. 3 – 2008

BY: COMMITTEE OF THE WHOLE

Pass 9-0
A RESOLUTION commending Jayne Ferrero as a Member of City Council for the City of Massillon, Ohio.

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 DECEMBER 2007
- B). AUDITOR SUBMITS MONTHLY REPORT FOR DECEMBER 2007
- C). MAYOR'S LIST OF APPOINTMENTS TO BOARDS AND COMMISSIONS *8-1 (SAGLE)*
- D). MAYOR GIVES STATE OF THE CITY ADDRESS TO COUNCIL

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

ORDINANCE NO. 143 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

Pass 9-0
AN ORDINANCE amending CHAPTER 1121 "CONSTRUCTION OF LANGUAGE; DEFINITIONS", CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" and CHAPTER 1189 "GENERAL EXCEPTIONS" of the Codified Ordinances of the City of Massillon, by repealing existing Sections 1121.02 (23) and (67) "DEFINITIONS", 1187.01 "COMMERCIAL TELEVISION AND RADIO TOWERS AND PUBLIC UTILITY MICROWAVES AND PUBLIC UTILITY T.V. TRANSMITTING TOWERS" and 1189.04 "HEIGHT LIMIT" and enacting new Sections 1121.02 (23) and (67) "DEFINITIONS", 1187.01 "COMMERCIAL TELEVISION AND RADIO TOWERS AND PUBLIC UTILITY MICROWAVES AND PUBLIC UTILITY T.V. TRANSMITTING TOWERS" and 1189.04 "HEIGHT LIMIT" of CHAPTER 1121, CHAPTER 1187 and CHAPTER 1189, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 127 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND READING
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 contract with the highest bidder, for the sale of approximately 51 acres located at the Legends Golf Course, in the City of Massillon, Stark County, Ohio and owned by said City, which are not needed for any municipal purpose, 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: JANUARY 7, 2008

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN GAMBER, PRESIDENT

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 2 - 2008

Passed 1/22/08

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Lake Region Oil, Inc., for the installation of a gas well at Community Park and another at Oak Knoll 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 Council of the City of Massillon, Ohio, hereby determines it to be necessary and in the public health, safety and welfare to enter into a contract with Lake Region Oil, Inc., for the installation of a gas well at Community Park and another at Oak Knoll Park.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a contract with Lake Region Oil, Inc., for the installation of a gas well at Community Park and another at Oak Knoll Park. This was approved by the Parks and Recreation Board at their October 11, 2007 meeting.

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 that the drilling of these two wells would provide revenue to the Parks and Recreation 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.

DATE: JANUARY 7, 2008

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN GAMBER, PRESIDENT

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 3 - 2008

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION DEPARTMENT AND THE GOLF COURSE DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION DEPARTMENT AND THE GOLF COURSE DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION DEPARTMENT AND THE GOLF COURSE 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 - RECREATION DEPARTMENT AND THE GOLF COURSE DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby repealed.

Section 2:

That a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION DEPARTMENT AND THE GOLF COURSE DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby enacted and shall read as follows:

(SEE ATTACHMENT 'A' PAGE 6; AND INSERT IN THE SALARY ORDINANCE 127 - 1997)

Section 3:

That this Ordinance is 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 provision hereby enacted is immediately necessary to bring current personnel up to an appropriate rate of pay in the Recreation Department and the Golf Course Department according to the new minimum wage law that was passed recently. 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.

The Legends of Massillon
Proposed Seasonal Pay Schedule

ALL PROPOSED CHANGES IN BOLD

Position Level	Entry	Step 1	Step 2
Laborer 1	6.85/ \$7.00	\$7.10	\$7.35
Laborer 2	\$7.00/ \$7.15	\$7.25	\$7.50
Laborer 3	\$7.40	\$7.65	\$7.90
Laborer 4	\$7.80	\$8.05	\$8.30
Laborer 5	\$8.20	\$8.45	\$8.70
Laborer 6	\$8.60	\$8.85	\$9.10
Laborer 7	\$9.00	\$9.25	\$9.50

Proposed Schedule

DIVISION	POSITION	PAY SCHEDULE	INITIAL HIRE	Mid-Point	MAXIMUM
Golf	Customer Serv. Rep	Laborer 1	6.85/ \$7.00	\$7.10	\$7.35
Golf	Customer Serv. Rep I	Laborer 2	7.00/ \$7.15	\$7.25	\$7.50
Golf	Program Coordinator	Laborer 5	\$8.20	\$8.45	\$8.70
Golf	Starter/Ranger	Laborer 1	6.85/ \$7.00	\$7.10	\$7.35
Golf	Golf Cart Personnel	Laborer 1	6.85/ \$7.00	\$7.10	\$7.35
Golf	Grounds Maint. Laborer	Laborer 1	6.85/ \$7.00	\$7.10	\$7.35
Golf	Grounds Maint. Laborer I	Laborer 2	7.00/ \$7.15	\$7.25	\$7.50

Eliminate positions from existing schedule:

Starter/Ranger II

Starter/Ranger III

Golf Cart Personnel II

Grounds Maintenance Laborer II

Grounds Maintenance Laborer III

Parks and Recreation Department

ALL CHANGES IN BOLD

Proposed Seasonal Pay Schedule

Position Level	Entry	Step 1	Step 2	Step 3	Step 4
Laborer 1	6.85/ \$7.00	\$7.10	\$7.35	\$7.60	\$7.85
Laborer 2	7.00/ \$7.15	\$7.25	\$7.50	\$7.75	\$8.00
Laborer 3	\$7.40	\$7.65	\$7.90	\$8.15	\$8.40
Laborer 4	\$7.80	\$8.05	\$8.30	\$8.55	\$8.80
Laborer 5	\$8.20	\$8.45	\$8.70	\$8.95	\$9.20
Laborer 6	\$8.60	\$8.85	\$9.10	\$9.35	\$9.60
Laborer 7	\$9.00	\$9.25	\$9.50	\$9.75	\$10.00

PART-TIME STAFFING PAY RANGES

				Previous
DIVISION	POSITION	PAY SCHEDULE	PAY RANGE	Pay Range
Recreation	Lifeguard	Laborer 2	\$7.15 -\$8.00	\$7.15-\$8.00
Recreation	Head Lifeguard	Laborer 4	\$7.80-\$8.80	\$7.80-\$8.80
Recreation	Custodian	Laborer 3	\$7.40-\$8.40	\$7.40-\$8.40
Recreation	FP Head Cook	Laborer 7	\$9.00-\$10.00	\$9.00-\$10.00
Recreation	Asst. Cook	Laborer 4	\$7.80-\$8.80	\$7.80-\$8.80
Recreation	FP Driver/Helper	Laborer 1	\$7.00 -\$7.85	\$7:00-\$7.85
Recreation	Fitness Rm	Laborer 1	\$7.00 -\$7.85	\$7:00-\$7.85
Recreation	Fitness Rm Lead Att.	Laborer 2	\$7.15 -\$8.00	\$7.15-\$8.00
Recreation	Front Desk Staff	Laborer 4	\$7.80-\$8.80	\$7.80-\$8.80
Recreation	Front Desk Auditor	Laborer 5	\$7.80-\$8.80	\$7.80-\$8.80
Recreation	Gym Attendant	Laborer 1	\$7:00 -\$7.85	\$7:00-\$7.85
Recreation	Program Coordinator I	Laborer 3	\$7.40-\$8.40	\$7.40-\$8.40
Recreation	Program Coordinator II	Laborer 5	\$8.20-\$9.20	N/A
Recreation	Program Coordinator III	Laborer 7	\$9.00-\$10.00	N/A
Recreation	Child Care Attendant	Laborer 1	\$7.00 -\$7.85	\$7:00-\$7.85
Recreation	Child Care Lead	Laborer 3	\$7.40-\$8.40	N/N
Recreation	Rec Aide/Scorekeep	Laborer 1	\$7.00 -\$7.75	\$7:00-\$7.85

DATE: JANUARY 7, 2008

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN GAMBER, PRESIDENT

COUNCIL CHAMBERS

Massillon
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 4 - 2008

BY: PUBLIC UTILITIES COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Non-Surface Development Gas & Oil Lease with Lake Region Oil, Inc., for a .90 acre parcel owned by 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 enter into a Non-Surface Development Gas & Oil Lease with Lake Region Oil, Inc., for a .90 acre parcel owned by the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a Non-Surface Development Gas & Oil Lease with Lake Region Oil, Inc., for a .90 acre parcel owned by the City of Massillon. A copy of the Non-Surface Development Oil & Gas Lease and map is attached hereto as Exhibit "A".

Section 3:

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 that this oil and gas lease is signed. 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.

2nd page is the signature page

DATE: JANUARY 7, 2008

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN GAMBER, PRESIDENT

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 5 - 2008

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor to pay various 2007 bills that have been received and that will be received by her office between January 1, 2008 and March 1, 2008, out of the 2008 appropriations within the various departments of 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:

The Council of the City of Massillon, Ohio, hereby finds it necessary to authorize the City Auditor to pay various 2007 bills that have been received and that will be received by her office between January 1, 2008 and March 1, 2008, out of the 2008 appropriations within the various departments of the City of Massillon, Ohio,

Section 2:

The City Auditor is hereby authorized and directed to pay various 2007 bills that have been received and that will be received by her office between January 1, 2008 and March 1, 2008, out of the 2008 appropriations within the various departments of the City of Massillon, Ohio.

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary to pay various 2007 bills that will be submitted to the City Auditors office between January 1, 2008 and March 1, 2008, 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 form and after the earliest period allowed by law.

DATE: JANUARY 7, 2007

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN GAMBER, PRESIDENT

COUNCIL CHAMBERS

Massill
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 6 - 2008

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Park & Rec. Capital Improvement Fund, for the year ending December 31, 2008, 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 Park & Rec. Capital Improvement Fund, for the year ending December 31, 2008, the following:

\$50,000.00 to an account entitled "Services/Contracts" 1433.505.2392

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. 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 _____ 2008

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

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: JANUARY 7, 2008

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN GAMBER, PRESIDENT

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 2 - 2008

BY COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION commending Tim Bryan as a Member of City Council for the City of Massillon, Ohio.

WHEREAS, on December 31, 2007 Tim Bryan completed 8.5 terms as a member of Council of the City of Massillon, Ohio, and

WHEREAS, Tim Bryan has devoted himself to his responsibilities and duties as a member of Massillon City Council, and

WHEREAS, Mr. Bryan, during his terms of office as a member of City Council has given outstanding service to the Citizens for the betterment of Massillon; and

WHEREAS, City Council desires to recognize and note upon its official records its appreciation and commendation to Mr. Tim Bryan for the excellent service she has rendered to the people and the City of Massillon during his terms of office.

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

Section 1:

On behalf of the City of Massillon and the members of City Council, the Council commends Tim Bryan for the efficient, energetic and capable manner in which he has discharged his duties and for the lasting contribution he has made to the City during his terms of office.

Section 2:

That this Resolution shall be immediately effective.

DATE: JANUARY 7, 2008

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN GAMBER, PRESIDENT

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 3 - 2008

BY COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION commending Jayne Ferrero as a Member of City Council for the City of Massillon, Ohio.

WHEREAS, on December 31, 2007 Jayne Ferrero completed 1.5 terms as a member of Council of the City of Massillon, Ohio, and

WHEREAS, Jayne Ferrero has devoted herself to her responsibilities and duties as a member of Massillon City Council, and

WHEREAS, Mrs. Ferrero, during her terms of office as a member of City Council has given outstanding service to the Citizens for the betterment of Massillon; and

WHEREAS, City Council desires to recognize and note upon its official records its appreciation and commendation to Mrs. Jayne Ferrero for the excellent service she has rendered to the people and the City of Massillon during her terms of office.

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

Section 1:

On behalf of the City of Massillon and the members of City Council, the Council commends Jayne Ferrero for the efficient, energetic and capable manner in which she has discharged her duties and for the lasting contribution she has made to the City during her terms of office.

Section 2:

That this Resolution shall be immediately effective.