

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
GLENN E. GAMBER, PRESIDENT  
AGENDA

DATE: MONDAY, OCTOBER 19, 2009  
PLACE: COUNCIL CHAMBERS  
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILMAN TONY TOWNSEND
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. 125 – 2009

BY: COMMUNITY DEVELOPMENT COMMITTEE

*PASS 9-0*  
AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Hendricks Area Annexation, upon annexation, and declaring an emergency.

ORDINANCE NO. 126 – 2009

*FINANCE COMM.*  
BY: RULES, COURT & CIVIL SERVICE

*1ST READING*  
AN ORDINANCE repealing Ordinance No. 251 – 1995 effective January 1, 2010, and declaring an emergency.

ORDINANCE NO. 127 – 2009

BY: FINANCE COMMITTEE

*PASS 9-0*  
AN ORDINANCE making certain appropriations from the unappropriated balance of the Parks & Rec. Fund, Community Development Block Grant Program Fund, Probation Services Fund, Marketplace Infrastructure Fund, Solid Waste Fund, Neighborhood Stabilization Program Fund and the Summer Concert Fund, for the year ending December 31, 2009, and declaring an emergency.

ORDINANCE NO. 128 – 2009

BY: FINANCE COMMITTEE

*PASS 9-0*  
AN ORDINANCE reducing the appropriation in the Parks & Rec. Capital Fund, for the year ending December 31, 2009, and declaring an emergency.

ORDINANCE NO. 129 – 2009

BY: FINANCE COMMITTEE

*PASS 9-0*  
AN ORDINANCE making certain transfers in the 2009 appropriation from within the General Fund and the Parks & Rec. Fund, for the year ending December 31, 2009, and declaring an emergency.

ORDINANCE NO. 130 – 2009

BY: FINANCE COMMITTEE

*PASS 9-0*  
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to sign all applicable local documents with the Ohio EPA Division of Environmental & Financial Assistance (DEFA) for the NEOCOM Sanitary Sewer Interceptor Project, and declaring an emergency.

ORDINANCE NO. 131 – 2009

BY: FINANCE COMMITTEE

*PASS 9-0*  
AN ORDINANCE establishing a fund entitled "LAW DEPARTMENT – Community Partnersh Prosecution Fund", and creating line items within said fund, and declaring an emergency.

ORDINANCE NO. 132 – 2009

BY: FINANCE COMMITTEE

*PASS 9-0*  
AN ORDINANCE authorizing the approval of the cash match for the Community Partnersh Prosecution Grant (2009-RA-D01-2203), and declaring an emergency.

ORDINANCE NO. 133 – 2009

BY: FINANCE COMMITTEE

*PASS 9-0*  
AN ORDINANCE authorizing the Auditor of the City of Massillon, Ohio, to enter into a contract with the Auditor of State, Local Government Services for the 2010 preparation of the basic financial statements, and declaring an emergency.

RESOLUTION NO. 19 – 2009

BY: FINANCE COMMITTEE

*PASS 9-0*  
A RESOLUTION accepting the amounts and rates as determined by the Budget Commission authorizing the necessary tax levies and certifying them to the County Auditor by November 1, 2009.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A NEW LIQUOR  
LICENSE FOR 3333 LINCOLN WAY EAST LLC 3333 LINCOLN WAY E MASSILLON OH.  
44648

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

- A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR SEPTEMBER 2009
- B). TREASURER SUBMITS MONTHLY REPORT FOR SEPTEMBER 2009
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR SEPTEMBER 2009
- D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR SEPTEMBER 2009
- E). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR SEPTEMBER 2009
- F). MAYOR SUBMITS MONTHLY REPORT FOR SEPTEMBER 2009

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

ORDINANCE NO. 115 – 2009

BY: POLICE AND FIRE COMMITTEE

TABLED 11/2/09

AN ORDINANCE amending CHAPTER 711 "AMBULANCE COMPANIES" of the Codified Ordinances of the City of Massillon, by repealing existing Section 711.02 "Description of Service" of CHAPTER 711 "AMBULANCE COMPANIES".

ORDINANCE NO. 116 – 2009

BY: POLICE AND FIRE COMMITTEE

TABLED 11/2/09

AN ORDINANCE enacting a new CHAPTER 967 "EMERGENCY MEDICAL SERVICES" of the Codified Ordinances of the City of Massillon.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 118 – 2009

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a contract development agreement with the Association for Better Community Development, Inc., (ABCD, Inc) to utilize Neighborhood Stabilization Program (NSP) funding to acquire, rehabilitate and resell two vacant, foreclosed properties in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 120 – 2009

BY: FINANCE COMMITTEE

PASS 8-1 (CATAZARO - PERRY)

AN ORDINANCE making certain appropriations from the unappropriated balance of the Neighborhood Stabilization Program Fund and the Marketplace Infrastructure Fund, for the year ending December 31, 2009, and declaring an emergency.

ORDINANCE NO. 122 – 2009

BY: FINANCE COMMITTEE

2ND READING

AN ORDINANCE establishing a fund entitled "EMS Fund", and creating line items within said fund, 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: OCTOBER 19, 2009

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 125 - 2009

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Hendricks Area Annexation, upon annexation, and declaring an emergency.

WHEREAS, certain property owners have filed a petition requesting the Hendricks Area be annexed to the City of Massillon, Ohio, pursuant to the Ohio Revised Code Section 709.02, and

WHEREAS, Ohio Revised Code Section 709.03(D) requires that upon receiving notice, the Municipal Legislative Authority, shall by Ordinance or Resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation, and

WHEREAS, this Ordinance is intended to comply with the requirements of the Ohio Revised Code section 709.03(D), and

WHEREAS, it is required by Section 709.033 (A) (6) of the Ohio Revised Code, that no street or highway will be segmented by municipal/township boundary line as to create a maintenance problem; and if a street or highway is divided, the municipality agrees to assume all maintenance of such street or highway as part of the annexation.

WHEREAS, the legislative authority of the City of Massillon, Ohio, is supportive of the annexation proposal, and

WHEREAS, the Stark County Commissioners have scheduled a public hearing to be held at the Massillon City Council Chambers, One James Duncan Plaza S. Massillon, Ohio, on Tuesday, December 1, 2009 at 7:00p.m.

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



Section 1:

Sanitary sewer and water service is already available to the proposed area and the City will extend to the proposed area, upon annexation, the availability of all municipal services extended to all of the current citizens, residents and property owners of the City of Massillon, including but not limited to the services of the Municipal Police Department, Municipal Fire Department, Municipal Service Department, Engineering Department, Building Department, Street Department, Safety Department, Planning Department, Health Department, Sewer Department and the services of the City of Massillon Administration within approximately one year of the annexation. Also the City will maintain the entire width of Carmont Avenue SW aka 17<sup>th</sup> Street SW which is adjacent to the proposed area to be annexed.

Section 2:

This Ordinance is hereby declared to be an emergency measure for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to indicate what services the City of Massillon will provide to the area upon annexation prior to the Stark County Commissioners hearing December 1, 2009 at the Massillon City Council Chambers, One James Duncan Plaza S. Massillon, Ohio, 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 \_\_\_\_\_ 2009

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

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: OCTOBER 19, 2009

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

*1st Reading*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 126 - 2009

*Repeal 12/7*

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE repealing Ordinance No. 251 – 1995 effective January 1, 2010, and declaring an emergency.

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

Section 1:

Whereas, the Council of the City of Massillon, Ohio, has determined that the automatic cost of living raise contained in Ordinance No. 251 – 1995 should be repealed.

Section 2:

Ordinance No. 251 - 1995 be and is hereby repealed effective January 1, 2010.

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. 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 \_\_\_\_\_ 2009

APPROVED \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL

\_\_\_\_\_   
GLENN E. GAMBER, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_   
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: OCTOBER 19, 2009

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

  
LEGISLATIVE DEPARTMENT

ORDINANCE NO.127 – 2009

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Parks & Rec. Fund, Community Development Block Grant Program Fund, Probation Services Fund, Marketplace Infrastructure Fund, Solid Waste Fund, Neighborhood Stabilization Program Fund and the Summer Concert Fund, for the year ending December 31, 2009, 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 Parks & Rec. Fund, for the year ending December 31, 2009, the following:

\$70,000.00 to an account entitled "Advance To" 1234.505.2750

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Community Development Block Grant Program Fund, for the year ending December 31, 2009, the following:

\$35,000.00 to an account entitled "Housing Rehabilitation" 1203.845.2870

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Probation Services Fund, for the year ending December 31, 2009, the following:

\$28,874.10 to an account entitled "Salary – Probation Services" 1238.125.2110  
\$ 4,042.37 to an account entitled "PERS – Probation Services" 1238.125.2230  
\$ 418.67 to an account entitled "Medicare – Probation Services" 1238.125.2231

Section 4:

There be and hereby is appropriated from the unappropriated balance of the Marketplace Infrastructure Fund, for the year ending December 31, 2009, the following:

\$25,041.75 to an account entitled "State Rt 21-Erie St Bridge Project" 1419.435.2510

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Solid Waste Fund, for the year ending December 31, 2009, the following:

\$24,000.00 to an account entitled "Solid Waste Salary" 2102.605.2110

Section 6:

There be and hereby is appropriated from the unappropriated balance of the Neighborhood Stabilization Program Fund, for the year ending December 31, 2009, the following:

\$10,000.00 to an account entitled "NSP Administration" 1207.845.2377

Section 7:

There be and hereby is appropriated from the unappropriated balance of the Summer Concert Fund, for the year ending December 31, 2009, the following:

\$3,000.00 to an account entitled "Summer Concerts Salary" 1212.505.2110

\$ 150.00 to an account entitled "Summer Concerts PERS" 1212.505.2230

Section 8:

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 \_\_\_\_\_ 2009

ATTEST: \_\_\_\_\_

MARY BETH BAILEY, CLERK OF COUNCIL

\_\_\_\_\_  
GLENN E. GAMBER, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR, MAYOR



DATE: OCTOBER 19, 2009

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 128 - 2009

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriation in the Parks & Rec. Capital Fund, for the year ending December 31, 2009, 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 Parks & Rec. Capital Fund, for the year ending December 31, 2009, as follows:

\$43,000.00 from an account entitled "Park - Salary" 1234.505.2111  
\$37,500.00 from an account entitled "Supplies/Materials" 1234.515.2410  
\$25,187.05 from an account entitled "Salary - Youth Feeding" 1234.515.2110  
\$20,000.00 from an account entitled "Park & Rec. Overtime Paid" 1234.505.2119  
\$ 4,500.00 from an account entitled "PERS" 1234.505.2230  
\$ 2,058.74 from an account entitled "PERS - Youth Feeding" 1234.515.2230  
\$ 1,000.00 from an account entitled "Park & Rec. Comp Paid" 1234.505.2118  
\$ 1,000.00 from an account entitled "Senior Center - Salary" 1234.505.2113  
\$ 900.00 from an account entitled "Services/Contracts" 1234.515.2392  
\$ 365.09 from an account entitled "Medicare - Youth Feeding" 1234.515.2231  
\$ 100.00 from an account entitled "Travel/Seminar/Schooling" 1234.515.2389

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.

DATE: OCTOBER 19, 2009

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 129 - 2009

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2009 appropriations from within the General Fund and the Parks & Rec. Fund, for the year ending December 31, 2009, 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 transferred from the 2009 appropriation from within the General Fund, the following:

FROM:	Police Dispatch	1100.305.2375	55,576.00
	Engineer Salary	1100.405.2110	47,679.21
	Bailiff Salary	1100.135.2111	28,874.10
	Health Salary	1100.705.2110	19,000.00
	Accum. Sick Leave	1100.905.2150	14,441.34
	Police Medicare	1100.305.2231	10,000.00
	Contracted Services	1100.125.2392	10,000.00
	Sub. Judge Salary	1100.125.2112	10,000.00
	Supplies/Materials	1100.125.2410	10,000.00
	Income Tax Salary	1100.210.2111	9,000.00
	Contracted Services	1100.410.2392	7,000.00
	Fire Medicare	1100.325.2231	6,400.00
	Mayor Hospital	1100.110.2210	4,800.00
	Council Hospital	1100.105.2210	4,600.00
	Bailiff PERS	1100.135.2230	4,042.37
	Income Tax Hospital	1100.210.2210	3,200.00
	Real Property Tax	1100.905.2391	3,303.10
	Health PERS	1100.705.2230	2,800.00
	Building Hospital	1100.415.2210	2,600.00
	Travel/Seminar	1100.135.2389	2,000.00
	Bailiff Bond	1100.135.2317	1,700.00
	Health Medicare	1100.705.2231	1,000.00
	Engineer Medicare	1100.405.2231	689.19
	Engineer Hospital	1100.405.2210	554.50

	Auditor Medicare	1100.205.2231	500.00
	Bailiff Medicare	1100.135.2231	418.67
	Mayor PERS	1100.110.2230	200.00
	Auditor Bond	1100.205.2317	100.00
TO	Police Salary	1100.305.2110	211,858.48
	Police Hospital	1100.305.2210	39,000.00
	Fire Hospital	1100.325.2210	4,800.00
	Janitor Hospital	1100.410.2210	2,500.00
	Treasure Hospital	1100.215.2210	2,320.00

Section 2:

There be and hereby is transferred from the 2009 appropriation from within the Parks & Rec. Fund, the following:

FROM:	Advance To	1234.505.2750	70,000.00
TO	Return On Advance	1100.905.1865	70,000.00

Section 3

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are necessary for the preservation of the public health, safety and welfare of the community and for the additional reason that the funds are required in the specific accounts to pay city obligations by the end of 2005. 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 \_\_\_\_\_ 2009

APPROVED: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL

\_\_\_\_\_  
GLENN E. GAMBER, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR



DATE: OCTOBER 19, 2009

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 130 - 2009

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to sign all applicable loan documents with the Ohio EPA Division of Environmental & Financial Assistance (DEFA) for the NEOCOM Sanitary Sewer Interceptor Project, 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 sign all applicable loan documents with the Ohio EPA Division of Environmental & Financial Assistance (DEFA) for the NEOCOM Sanitary Sewer Interceptor Project.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized to sign all applicable loan documents with the Ohio EPA Division of Environmental & Financial Assistance (DEFA) for the NEOCOM Sanitary Sewer Interceptor Project. The City of Massillon has received 50% of the project costs through the America Reinvestment and Recovery Act. The remainder project costs will be funded through the Wastewater Treatment Plant Capital Improvement Fund which is already in place.

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 reason that it is necessary for these loan documents to signed in a timely manner since time is of the essence. 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: OCTOBER 19, 2009

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 131 - 2009

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE establishing a fund entitled "LAW DEPARTMENT – Community Partnership Prosecution Fund", and creating line items within said fund, 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 is hereby established within the City of Massillon, Ohio, a fund entitled "LAW DEPARTMENT – Community Partnership Prosecution Fund", and creating line items within said fund.

Section 2:

The City Auditor is hereby authorized and directed to draw her warrants and make payments on vouchers duly approved by the proper departmental authority.

Section 3:

That this Ordinance is declared to be an emergency measure immediately necessary in order to keep federal stimulus grant dollars in one specific fund as required by the terms of the grant. 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.

2<sup>nd</sup> page is the signature page

DATE: OCTOBER 19, 2009

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 132 - 2009

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the approval of the cash match for the Community Partnership Prosecution Grant (2009-RA-D01-2203), 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 for the approval of the cash match for the Community Partnership Prosecution Grant (2009-RA-D01-2202) for the amount of Forty-Two Thousand Four Hundred Forty-Four Dollars Sixty-Seven Cents (\$42,444.67).

Section 2:

The cash match for the Community Partnership Prosecution Grant (2009-RA-D01-2203) for the amount of Forty-Two Thousand Four Hundred Forty-Four Dollars Sixty-Seven Cents (\$42,444.67) is hereby approved. The grant was accepted on October 5, 2009 however the cash match was inadvertently left out of the ordinance.

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 reason that the grant is necessary for use in the Massillon Law 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.

2<sup>nd</sup> page is the signature page

DATE: OCTOBER 19, 2009

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 133 - 2009

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor of the City of Massillon, Ohio, to enter into a contract with the Auditor of State, Local Government Services for the 2010 preparation of the basic financial statements, 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 contract with the Auditor of State, Local Government Services for the 2010 preparation of the basic financial statements.

Section 2:

The Auditor of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract with the Auditor of State, Local Government Services for the 2010 preparation of the basic financial statements not to exceed Thirteen Thousand Seven Hundred Fifty Dollars (13,750.00).

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 the Auditor of the City of Massillon sign the contract with the Auditor of State, Local Government Services for the 2010 preparation for the basic financial statements be 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.

2<sup>nd</sup> page is the signature page



DATE: OCTOBER 19, 2009

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 19 - 2009

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION accepting the amounts and rates as determined by the Budget Commission authorizing the necessary tax levies and certifying them to the County Auditor by November 1, 2009.

(SEE ATTACHED PAGES)

PASSED THIS 19<sup>th</sup> DAY OF October, 2009

APPROVED: Mary Beth Bailey  
MARY BETH BAILEY, CLERK OF COUNCIL

Glenn E. Gamber  
GLENN E. GAMBER, PRESIDENT

APPROVED: October 20, 2009

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 10/19/09



KIM R PEREZ  
STARK COUNTY AUDITOR

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE  
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND  
CERTIFYING THEM TO THE COUNTY AUDITOR

Revised Code, Secs. 5705.34-5705.35

~~The (Council of the)~~ MASSILLON CITY,

Of Stark County, Ohio, met in Open Session on the 19<sup>th</sup> day of  
October at the office of Cruce Chamber with the following members present:

Bruce Mang  
Dan Anderson  
Kathy Calazano-Perry  
Spill Jones  
Monnie Peters  
Dave McCune  
Paul Mason  
Steve Dwyer  
Dan Magle

Mr./Ms. Mason moved the adoption of the following Resolution:

WHEREAS, This council in accordance with the provisions of law has previously adopted  
a Tax Budget for the next succeeding fiscal year commencing January 1st, 2010; and

WHEREAS, The Budget Commission of Stark County, Ohio, has certified its action thereon to this council  
together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this (Council/Board),  
and that part thereof is without, and what part within the ten mill limitation; there be it

RESOLVED, by the (Council) of Massillon City/Village, Stark County, Ohio that the  
amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted:  
and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said (Village/City) the rate of each  
tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE B  
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND

Maximum Rate  
Authorized  
to be Levied

County Auditor's  
Estimate of Yield  
of Levy

GENERAL FUND:

Current expense levy authorized by voters on  
for not to exceed Continued years.

Emergency Current expense levy authorized by voters on  
for not to exceed 5 years.

Emergency Current expense levy authorized by voters on  
for not to exceed Continued years.

Current expense levy authorized by voters on  
for not to exceed Continued years.

Current expense levy authorized by voters on  
for not to exceed Continued years.

Current expense levy authorized by voters on  
for not to exceed 5 years.

Current expense levy authorized by voters on  
for not to exceed Continued years.

Current expense levy authorized by voters on  
for not to exceed Continued years.

Current expense levy authorized by voters on  
for not to exceed Continued years.

Current expense levy authorized by voters on  
for not to exceed years.

Museum Levy authorized by voters on 3/4/08  
for not to exceed 5 years.

1.00

545,044

Fund: Levy authorized by voters on  
for not to exceed years.

Fund: Levy authorized by voters on  
for not to exceed years.

Fund: Levy authorized by voters on  
for not to exceed years.

Fund: Levy authorized by voters on  
for not to exceed years.

And be it further

Resolved, That the clerk of this Board be and he is hereby directed to certify a copy of this resolution to the County Auditor of said County.

Mr./Ms. Glave Hershey seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr./Ms. Donna Mang

Mr./Ms. Barry Anderson

Mr./Ms. Kathy Cortazaro-Perry

Mr./Ms. Spencer Thompson

Mr./Ms. Thomas Petro

yes  
yes  
yes  
yes  
yes

Glave McCune - Yes  
Paul Manson - Yes  
Glave Hershey - Yes  
Barry Slagle - Yes

CERTIFICATE TO COPY  
ORIGINAL ON FILE

Tate of Ohio, Stark County, Ss.

I, Mary Beth Bailey Clerk City/Village of Massillon

Within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the Original

now on file, that the foregoing has been compared by me with said original document, and that the same is true and correct copy thereof.

Witness my signature, this 19<sup>th</sup> day of Oct. 2009  
Massillon Clerk

No. 19<sup>th</sup>  
City/Village Massillon, Stark County Ohio.

Resolution

Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Adopted October 19<sup>th</sup> 2009  
Mary Beth Bailey Clerk

Filed \_\_\_\_\_

\_\_\_\_\_  
County Auditor

By \_\_\_\_\_  
Deputy Auditor