

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

DATE: MONDAY, SEPTEMBER 20, 2010
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

- ✓ 1. ROLL CALL
2. INVOCATION BY COUNCILMAN DAVE HERSHER
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

* KATHY - CATAZARO - PERRY ABSENT

ORDINANCE NO. 108 - 2010

BY: HEALTH, WELFARE & BLDG REGULATIONS

PASS 8-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Public Entities Pool of Ohio (PEP) for the vehicle, property, general and public official liability, and law enforcement coverage for the City of Massillon, and declaring an emergency.

ORDINANCE NO. 109 - 2010

BY: PUBLIC UTILITIES COMMITTEE

1ST READING

AN ORDINANCE establishing a video service provider fee to be paid by any video service provider offering video service in the city; authorizing the Mayor to give notice to the video service provider of the video service provider fee; and declaring an emergency.

ORDINANCE NO. 110 - 2010

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS 8-0

AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with the Ohio Department of Transportation for the preventative maintenance project along US 62 (US 30) within the corporate limits of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 111 - 2010

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS 8-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with the Board of Stark County Commissioners, upon approval of the Board of Control, for the purchase of salt for ice control on the city streets for the 2010-2011 winter season, and declaring an emergency.

ORDINANCE NO. 112 - 2010

BY: FINANCE COMMITTEE

PASS 8-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the Muni Motor Vehicle Fund, Legends Fund, Municipal Road Fund, General Fund, Solid Waste Fund and the Home Health Fund, for the year ending December 31, 2010, and declaring an emergency.

ORDINANCE NO. 113 – 2010

BY: FINANCE COMMITTEE

PASS 8-0

AN ORDINANCE amending Ordinance No. 144 – 2008 by revising Section 1, and declaring an emergency.

RESOLUTION NO. 14 – 2010

BY: COMMUNITY DEVELOPMENT COMMITTEE

6-2
A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on July 15, 2010 wherein the Zoning Board of Appeals upheld the decision of the Building Inspector issuing a permit for a proposed fence at 2950 Meadowcrest Street NW, on Lot No. 16369 in the City of Massillon, Ohio, 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 AUGUST 2010
- B). TREASURER SUBMITS MONTHLY REPORT FOR AUGUST 2010
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR AUGUST 2010
- D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR AUGUST 2010
- E). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR AUGUST 2010
- F). MAYOR SUBMITS MONTHLY REPORT FOR AUGUST 2010

- 11. REPORTS OF COMMITTEES
- 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
- 13. CALL OF THE CALENDAR - TABLED FROM AUGUST 16, 2010

ORDINANCE NO. 88 – 2010

BY: HEALTH, WELFARE & BLDG REGULATIONS

OCT 4th - TABLED 8-0

AN ORDINANCE amending CHAPTER 1188 "SIGNS" of the Codified Ordinances of the City of Massillon, by repealing existing SubSections 1188.03 "General Provisions"(b) and 1188.04 "Regulation of On-Premise Signs by Zone"(a)(7), and enacting new SubSections 1188.03 "General Provisions"(b) and 1188.04 "Regulations of On-Premise Signs by Zone"(a)(7),

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 95 – 2010

BY: ENVIRONMENTAL COMMITTEE

AN ORDINANCE enacting a new CHAPTER 943 "STORMWATER UTILITY" of the Codified Ordinances of the City of Massillon, and declaring an emergency.

OCT 4th - TABLED 8-0

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 102 – 2010

BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND READING

AN ORDINANCE indicating what services and zoning conditions the City of Massillon, Ohio, will provide to the Bit of Eden Area Annexation, upon annexation.

ORDINANCE NO. 104 – 2010

BY: HEALTH, WELFARE & BLDG REGULATIONS

2ND READING

AN ORDINANCE amending CHAPTER 1188 "SIGNS" of the Codified Ordinances of the City of Massillon, by repealing existing SubSections 1188.07 (c) "Permit Fees" and 1188.07 (e) "Permit Conditions, Refunds and Penalties" (1), (2) and (3), and enacting new SubSections 1188.07 (c) "Permit Fees" and 1188.07 (e) "Permit Conditions, Refunds and Penalties" (1) and (2).

ORDINANCE NO. 107 – 2010

BY: COMMITTEE OF THE WHOLE

2ND READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with CBSC for the collection of delinquent accounts including but not limited to ambulance services, utility bills, delinquent taxes and parking violations, 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: SEPTEMBER 20, 2010

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 108 - 2010

passed

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into a contract with Public Entities Pool of Ohio (PEP) for the vehicle, property, general and public official liability, and law enforcement coverage for 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 and in the public health, safety and welfare to enter into contract with Public Entities Pool of Ohio (PEP) for the vehicle, property, general and public official liability, and law enforcement coverage for the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into contract with Public Entities Pool of Ohio (PEP) for the vehicle, property, general and public official liability, and law enforcement coverage for the City of Massillon.

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 it is necessary to enter into a contract with Public Entities Pool of Ohio (PEP) as the previous policies are about to expire and the renewal is due in September, 2010. In addition it is necessary to maintain insurance coverage for the City. 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: SEPTEMBER 20, 2010

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 109 - 2010

BY: PUBLIC UTILITIES COMMITTEE

1st Reading
Passed 10/4

TITLE: AN ORDINANCE establishing a video service provider fee to be paid by any video service provider offering video service in the city; authorizing the Mayor to give notice to the video service provider of the video service provider fee; and declaring an emergency.

WHEREAS, the Ohio General Assembly enacted Sections 1332.21 through 1332.34 of the Ohio Revised Code, effective September 24, 2007, to provide a statewide "uniform regulatory framework" for the provision of cable television and/or other video service (the "Video Law"), and

WHEREAS, the City of Massillon has a cable television franchise agreement with Massillon Cable TV, Inc., ("Franchisee"), which expires by its own terms on or about October 18, 2010 and pursuant to which Franchisee is paying franchise fees in the amount of two one half percent (2.5%) of the annual gross revenue it receives from cable subscribers in the City; and

WHEREAS, under the Video Law a video service provider that is providing video service to subscribers in the City pursuant to a state-issued video service authorization must pay the City a video service provider fee ("VSP Fee") based on a percentage of the provider's gross revenues received from providing video service in the City, not to exceed five percent (5%) of such gross revenues; and

WHEREAS, the Video Law requires that the percentage of gross revenues on which VSP Fees are paid must be the same as the percentage of gross revenues that a cable operator pays pursuant to a franchise agreement that is in effect in the City (the "VSP Fee Percentage") or, if there is no effective franchise agreement under which franchise fees are payable for a given calendar quarter, the VSP Fee percentage shall be zero percentage (0%) of gross revenues unless the City determines by Ordinance that the VSP Fee will be a percentage of gross revenues not to exceed five percent (5%) of gross revenues; and

WHEREAS, the Video Law further requires the City to provide a video service provider with written notice of the VSP Fee Percentage within ten (10) days of receiving notice from the video service provider, pursuant to R.C. 1332.27(A), that it will begin offering service in the City; and

WHEREAS, in order to provide timely notice to a video service provider of the VSP Fee Percentage, it is necessary for this Council (i) to establish the VSP Fee Percentage; and (ii) to authorize the Mayor to provide the appropriate notice of the VSP Fee Percentage to a video service provider within ten (10) days of the City receiving notice that a video service provider will begin providing service in the City.

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

Section 1:

That this Council of the City of Massillon, hereby establishes a VSP Fee that is calculated by applying a VSP Fee Percentage of two and one half percent (2.5%) to the video service provider's gross revenues as defined in Section 1332.32(B) of the Video Law. All video service providers and cable television operators providing video service in the City shall apply the VSP Fee Percentage against gross revenues as defined in the Video Law.

Section 2:

That the VSP Fee shall be paid by each video service provider providing service in the City on a quarterly basis but not sooner than forty-five (45) days not later than sixty (60) days after the end of each calendar quarter, R.C. 1332.32(A).

Section 3:

That the Mayor is authorized and directed to provide any video service provider with notice of the VSP Fee Percentage as determined by this Council above, which notice shall be given by certified mail, upon receipt of notice from such video service provider that it will begin providing video service in the City pursuant to a state-issued video service authorization.

Section 4:

That it is found and determined that all formal actions of the Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Massillon, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earlier period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2010

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

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

DATE: SEPTEMBER 20, 2010

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 110 - 2010

passed

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with the Ohio Department of Transportation for a preventative maintenance project along US 62 (US 30) within the corporate limits 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 that it is necessary to enter into an agreement with the Ohio Department of Transportation for a preventative maintenance project along US 62 (US 30) within the corporate limits of the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into the agreement attached as exhibit "A". There will be no city dollars involved in this project all funding will be 100% ODOT unless the city specifically requests items be completed that are determined by the State and Federal Highway Administration to be unnecessary for the project.

(SEE EXHIBIT "A" HERETO ATTACHED)

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 to enter into the agreement with the Ohio Department of Transportation so as to proceed with the necessary preventative maintenance along US 62 (US 30) needed to make the roads safer for vehicular travel. 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.

PRELIMINARY LEGISLATION
RC 5521.01

Ordinance/Resolution# _____
PID No. 87593
County/Route/Section D04-Preventative Maintenance
ODOT Agreement No. _____

The following is _____ enacted by the City of Massillon of
(An Ordinance/a Resolution) (Local Public Agency)
Stark County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in
the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the STATE has identified the need for the described project:

Preventative Maintenance Paving on US62 within the City limits

NOW THEREFORE, be it ordained by the City of Massillon of Stark
(LPA)
Ohio.

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA grants permission to the Director of the Ohio Department of Transportation to acquire in the name of the LPA all necessary right-of-way required for the described Project. The LPA agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Consultants and Authority to Sign

The _____ of said _____ is hereby empowered on behalf of
(Contractual Agent) (LPA)
the _____ to enter into contracts with ODOT pre-qualified consultants
(LPA)
for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation necessary to complete the above described project.

Upon the request of ODOT, the _____ is also empowered to assign
(Contractual Agent)
all rights, title, and interests of the _____ to ODOT arising from
(LPA)
any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Passed: _____, 20____
(Date)

Attested: _____
(Clerk) (Officer of LPA - title)

Attested: _____
(Title) (President of Council)

This _____ is hereby declared to be an emergency measure to
(Ordinance/Resolution)
expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

City of Massillon of Stark County, Ohio
(LPA)

I, _____, as Clerk of the City of Massillon
(LPA)
of Stark County, Ohio, do hereby certify that the forgoing is a true and
correct copy of _____ adopted by the legislative Authority of the said
(Ordinance/Resolution)
City on the _____ day of _____, 20____
(LPA)
that the publication of such _____ has been made and certified of
(Ordinance/Resolution)
record according to law; that no proceedings looking to a referendum upon such
_____ have been taken; and that such _____
(Ordinance/Resolution) (Ordinance/Resolution)
and certificate of publication thereof are of record in _____ Page _____
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my
official seal, if applicable, this _____ day of _____, 20____

Clerk

(SEAL)
(If Applicable)

_____ of _____, Ohio
(LPA)

The foregoing is accepted as a basis for proceeding with the project herein
described.

For the _____ of _____, Ohio
(LPA)

Attest: _____, Date _____

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation

DATE: SEPTEMBER 20, 2010

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 111 - 2010

passed

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with the Board of Stark County Commissioners, upon approval of the Board of Control, for the purchase of salt for ice control on the city streets for the 2010-2011 winter season, 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 an agreement with the Board of Stark County Commissioners, upon approval of the Board of Control, for the purchase of salt for ice control on city streets for the 2010-2011 winter season.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into an agreement with the Board of Stark County Commissioners, upon approval of the Board of Control, for the purchase of salt for ice control on city streets for the 2010-2011 winter season.

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, participating in the cooperative purchase program saves the city money in its salt purchases and for the additional reason for the more efficient operation of the Street Department in the City of Massillon during the winter months of 2010-2011. 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: SEPTEMBER 20, 2010

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO.112 – 2010

passed

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Muni Motor Vehicle Fund, Legends Fund, Municipal Road Fund, General Fund, Solid Waste Fund and the Home Health Fund, for the year ending December 31, 2010, 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 Muni Motor Vehicle Fund, for the year ending December 31, 2010, the following:

\$34,625.95 to an account entitled "Street Repairs" 1206.435.2410

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Legends Fund, for the year ending December 31, 2010, the following:

\$18,000.00 to an account entitled "Golf Supplies" 2104.920.2410

\$10,000.00 to an account entitled "Food and Beverage Supplies" 2104.920.2412

\$10,000.00 to an account entitled "Food and Beverage Services" 2104.920.2393

\$ 6,000.00 to an account entitled "Sales Tax" 2104.920.2390

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Municipal Road Fund, for the year ending December 31, 2010, the following:

\$19,753.56 to an account entitled "Tremont Ave SW Improvement Project" 1409.435.2513

Section 4:

There be and hereby is appropriated from the unappropriated balance of the General Fund, for the year ending December 31, 2010, the following:

\$16,670.00 to an account entitled "Garage - Supplies/Materials" 1100.440.2410

\$ 6,000.00 to an account entitled "Fire - Contracted Services" 1100.325.2392

\$13,330.00 to an account entitled "Services/Contracts" 1100.150.2392

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Solid Waste Fund, for the year ending December 31, 2010, the following:

\$16,000.00 to an account entitled "Solid Waste – Hosp/Eye/Dental" 2102.605.2210

Section 6:

There be and hereby is appropriated from the unappropriated balance of the Home Health Fund, for the year ending December 31, 2010, the following:

\$15,000.00 to an account entitled "Home Health Services/Contracts" 1235.705.2392

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 _____ 2010

ATTEST: _____

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: SEPTEMBER 20, 2010 CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 113 - 2010

passed

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 144 – 2008 by revising Section 1, and declaring an emergency.

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

Section 1:

Ordinance No. 144 - 2008 a copy of which is attached hereto as Exhibit "A" be and is hereby amended, by amending the provisions specified below.

Section 2:

The following provision is hereby inserted into Section 1, of Ordinance No. 144 – 2008:

An Ordinance establishing the City's Administrative "Travel Policy" for the employee's reimbursements from the City of Massillon. All expenses submitted to be reimbursed must have their department head or another administrative person check, approve and sign off on before their reimbursement for their expenses can be submitted to the auditor's office for payment.

Section 3:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said amendment to the policy would be for better management of human resources in the workplace. 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 _____, 2010

ATTEST:

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED:

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: SEPTEMBER 20, 2010

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 14 - 2010

failed

BY COMMUNITY DEVELOPMENT COMMITTEE

TITLE: A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on July 15, 2010 wherein the Zoning Board of Appeals upheld the decision of the building inspector issuing a permit for a proposed fence at 2950 Meadowcrest Street NW, on Lot No. 16369 in the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, the Massillon Zoning Board of Appeals on July 15, 2010 upheld the decision of the building inspector in Case No. 1956; and

WHEREAS, on July 20, 2010, a Notice of Appeal pursuant to Section 1129.09 of the Massillon Zoning Code was filed with the Clerk of Council by Joseph Glick, appealing the decision in Case No. 1956 of the Massillon Zoning Board of Appeals.

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, deems it is in the best interest of proper community growth to reverse the decision of the Massillon Zoning Board of Appeals made on July 15, 2010 and hereby determines that the decision of the building inspector issuing a building permit permitting the construction of a fence on Lot No. 16369 is hereby overturned.

Section 2:

This Resolution is declared to be an emergency measure so that a prompt decision can be given to both the applicant and the adjacent property owners on the status of this construction, and that the reversal of the decision of the Massillon Zoning Board of Appeals is essential for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Wherefore, this Resolution shall be in full force and effect immediately from and after passage and approval by the Mayor.

PASSED THIS _____ DAY OF _____ 2010

ATTEST: _____

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR