

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

**DATE: MONDAY, OCTOBER 18, 2010
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.**

THERE ARE NO PUBLIC HEARINGS TONIGHT

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN GARY ANDERSON**
- 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. 120 – 2010

BY: FINANCE COMMITTEE

Pass 9-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1419 Marketplace Infrastructure Fund, for the year ending December 31, 2010, and declaring an emergency.

ORDINANCE NO. 121 – 2010

BY: FINANCE COMMITTEE

Pass 9-0

AN ORDINANCE making certain transfers in the 2010 appropriations from within the General Fund, for the year ending December 31, 2010, and declaring an emergency

RESOLUTION NO. 15 – 2010

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, 2010.

- 7. UNFINISHED BUSINESS**
- 8. PETITIONS AND GENERAL COMMUNICATIONS**

LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A NEW LIQUOR LICENSE FOR ELKS ONE INC DBA FIREHOUSE GRILLE & PUB 48 2ND ST SE SUITE A 1ST FL MASSILLON OHIO 44646

- 9. BILLS, ACCOUNTS AND CLAIMS**
- 10. REPORTS FROM CITY OFFICIALS**

- A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR SEPTEMBER 2010**
- B). TREASURER SUBMITS MONTHLY REPORT FOR SEPTEMBER 2010**
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR SEPTEMBER 2010**
- D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR SEPTEMBER 2010**
- E). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR SEPTEMBER 2010**
- F). MAYOR SUBMITS MONTHLY REPORT FOR SEPTEMBER 2010**

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

RESOLUTION NO. 12 – 2010

BY: PARKS AND RECREATION COMMITTEE

TABLED BY 12/6/10 → PASS 9-0 NOV 18TH 7:00 PUBLIC HEARING

A RESOLUTION renaming Shriver Park to T. Roy Roberson Memorial Park in honor of his service and dedication as the 4th Ward Councilman during 1981 until 1992. ↑ AT OLD

MASSILLON FIELD

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 95 – 2010

BY: ENVIRONMENTAL COMMITTEE

2ND READING

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

ORDINANCE NO. 114 – 2010

BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND READING

AN ORDINANCE declaring the improvement of certain real property located in the City of Massillon, Ohio, to be a public purpose; declaring such property to be exempt from real property taxation; designating the improvements to be made that will directly benefit or serve such real property; requiring the owner of such real property to make annual service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments, and declaring an emergency.

ORDINANCE NO. 115 – 2010

BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND READING

AN ORDINANCE declaring the improvement of certain real property located in the City of Massillon, Ohio, to be a public purpose; declaring such property to be exempt from real property taxation; designating the improvements to be made that will directly benefit or serve such real property; requiring the owner of such real property to make annual service payments in lieu of taxes; establishing a municipal public improvement tax increment equivalent fund for the deposit of service payments, and declaring an emergency.

ORDINANCE NO. 117 – 2010

BY: PUBLIC UTILITIES COMMITTEE

PASS 8-1 (PETERS)

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract extending our present Centrex services with AT&T on all City government telephone lines for a period of three (3) years, and declaring an emergency.

ORDINANCE NO. 118 – 2010

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

2ND READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Preliminary Legislation with the Ohio Department of Transportation for the SR 172 Paving Project, 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 18, 2010

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO.120 – 2010

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1419 Marketplace Infrastructure 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 1419 Marketplace Infrastructure Fund, for the year ending December 31, 2010, the following:

\$10,000.00 to an account entitled "Street Repairs/Reconstruction" 1419.435.2511

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 _____ 2010

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

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: OCTOBER 18, 2010

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

ORDINANCE NO. 121 - 2010

LEGISLATIVE DEPARTMENT

passed

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2010 appropriations from within the General 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 transferred from the 2010 appropriation from within the General Fund, for the year ending December 31, 2010, the following:

FROM:	Insurance	1100.905.2312	\$39,498.45
	Fire Hospital	1100.325.2210	\$33,000.00
	Domestic Violence - Salary	1100.116.2111	\$30,000.00
	Utilities	1100.410.2340	\$24,000.00
	Building - Salary	1100.415.2110	\$14,876.46
	Police - Hospital	1100.305.2210	\$10,000.00
	Deputy Auditor - Salary	1100.205.2110	\$ 6,400.00
	Engineer - PERS	1100.405.2230	\$ 5,128.00
	Law Director - Hospital	1100.115.2210	\$ 3,699.00
	Building - PERS	1100.415.2230	\$ 3,520.00
	Engineer - Salary	1100.405.2110	\$ 2,779.00
	Income Tax - Hospital	1100.210.2210	\$ 1,900.00
	Mayor - Hospital	1100.110.2210	\$ 1,486.00
	Building - Hospital	1100.415.2210	\$ 1,400.00
	Council - PERS	1100.105.2230	\$ 1,154.00
	Domestic Violence - Hosp	1100.116.2210	\$ 944.00
	Service Director - Hosp	1100.160.2210	\$ 919.00
	Mayor Ad - Salary	1100.110.2111	\$ 724.00
	Auditor - PERS	1100.205.2230	\$ 440.00
	Health - PERS	1100.705.2230	\$ 413.00
	Income Tax - Medicare	1100.210.2231	\$ 324.00
	Council Clerk - Salary	1100.105.2111	\$ 369.00
	Council Clerk - Hosp	1100.105.2210	\$ 304.00
	Domestic Violence - PERS	1100.116.2230	\$ 233.00
	Mayor - PERS	1100.110.2230	\$ 197.00
	Engineer - Medicare	1100.405.2231	\$ 190.00

	Law Director – PERS	1100.115.2230	\$ 177.00
	Income Tax – PERS	1100.210.2230	\$ 140.00
	Auditor – Medicare	1100.205.2231	\$ 126.00
	Treasurer – PERS	1100.215.2230	\$ 70.00
TO	Police – Comp Paid	1100.305.2118	\$58,782.08
	Police – Overtime Paid	1100.305.2119	\$21,815.00
	Health – Salary	1100.705.2110	\$11,996.00
	Law Staff – Salary	1100.115.2111	\$ 9,724.00
	Police Clerks – Salary	1100.305.2111	\$ 7,938.00
	Fire Overtime Paid	1100.325.2119	\$ 1,305.00
	Animal Control – Salary	1100.305.2114	\$ 1,003.00
	Director – Salary	1100.160.2110	\$ 1,000.00
	Janitor – Salary	1100.410.2110	\$ 170.00
	Fire – Medicare	1100.325.2231	\$14,000.00
	Police – Medicare	1100.305.2231	\$ 3,894.00
	Health – Medicare	1100.705.2231	\$ 82.00
	Police – PERS	1100.305.2230	\$ 1,355.00
	Service Director - PERS	1100.160.2230	\$ 119.00
	Civil Service – PERS	1100.150.2230	\$ 33.00
	Janitor – PERS	1100.410.2230	\$ 20.00
	Health – Hospital	1100.705.2210	\$ 3,943.00
	Engineer – Hospital	1100.405.2210	\$ 3,347.83
	Janitor – Hospital	1100.410.2210	\$ 884.00
	Street Lighting	1100.905.2392	\$35,000.00
	Police – Contract Services	1100.305.2392	\$ 8,000.00

Section 2

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 2010. 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

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

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

DATE: OCTOBER 18, 2010

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 15 - 2010

passed

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, 2010.

(SEE ATTACHED PAGES)

PASSED THIS _____ DAY OF _____, 2010

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

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 _____ Session on the _____ day of _____
at the office of _____ with the following members present:

Mr./Ms. _____ 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, 2011; 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 what part thereof is without, and what part within the ten mill limitation; there be it

RESOLVED, by the (Council) of _____ 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
x necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

<u>JND</u>	Amount to be derived from Levies outside 10 mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside	Outside
General Fund		44,837	1.60 (TLSD)	
		1,252,384	3.10 (MCSD)	
		93,818	1.00 (PLSD)	
		5,301	1.40 (JLSD)	
		15,495	2.60 (FLSD)	
Firemen Pension		160,675	0.30	
Police Pension		160,675	0.30	
Museum	535,127			1.00
Total	535,127	1,733,185	10.30	1.00

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

D	Maximum Rate Authorized to be Levied	County Auditor's Estimate of Yield of Levy
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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.		
useum Levy authorized by voters on 3/4/08 for not to exceed 5 years.	1.00	535,127
and: Levy authorized by voters on for not to exceed years.		
und: Levy authorized by voters on for not to exceed years.		
und: Levy authorized by voters on for not to exceed years.		
und: 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. _____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr./Ms. _____	_____
Mr./Ms. _____	_____
Mr./Ms. _____	_____
Mr./Ms. _____	_____
Mr./Ms. _____	_____

CERTIFICATE TO COPY
ORIGINAL ON FILE

The State of Ohio, Stark County, Ss.

I, _____ Clerk City/Village of _____

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 _____ day of _____, _____.

Clerk

to, _____

City/Village _____, 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.

dated _____

Clerk

filed _____

County Auditor

y. _____
Deputy Auditor

Massillon City			September 23, 2010		Tax Year 2010		
					EST 2010		
					General		
			Public Utility	Personal	Personal	Total	
2009 TAX YEAR VALUATION			Res/Agr	Other	Personal		
District 05			22,373,410	5,034,650	614,780	8,177	28,031,017
District 06			278,096,320	105,875,080	20,023,370	516,087	404,510,857
District 07			51,871,760	40,968,950	977,740	62,673	93,881,123
District 08			144,190	3,628,310	13,660	567	3,786,727
District 09			647,400	5,312,380	0	0	5,959,780
Totals			353,133,080	160,819,370	21,629,550	587,504	536,169,504
					EST 2011		
					General		
			Public Utility	Personal	Personal	Total	
ESTIMATED 2010 TAX YEAR VALUATION			Res/Agr	Other	Personal		
District 05			22,373,410	5,034,650	614,780	0	28,022,840
District 06			278,096,320	105,875,080	20,023,370	0	403,994,770
District 07			51,871,760	40,968,950	977,740	0	93,818,450
District 08			144,190	3,628,310	13,660	0	3,786,160
District 09			647,400	5,312,380	0	0	5,959,780
Totals			353,133,080	160,819,370	21,629,550	0	535,582,000
GENERAL FUND			Res/Agr	Other	Personal		
			Inside	Effective	Real Estate	Property	Total Tax
District	Levy Year(s)	Millage	Millage	Millage	Tax Estimate	Tax Estimate	Estimate
05	Continuous	1.60	1.60	1.60	44,837	0	44,837
06	Continuous	3.10	3.10	3.10	1,252,384	0	1,252,384
07	Continuous	1.00	1.00	1.00	93,818	0	93,818
08	Continuous	1.40	1.40	1.40	5,301	0	5,301
09	Continuous	2.60	2.60	2.60	15,495	0	15,495
Totals					1,411,835	0	1,411,835
POLICE PENSION FUND			Res/Agr	Other	Personal		
			Inside	Effective	Real Estate	Property	Total Tax
Districts	Levy Year(s)	Millage	Millage	Millage	Tax Estimate	Tax Estimate	Estimate
All	Continuous	0.30	0.30	0.30	160,675	0	160,675
FIREMEN PENSION FUND			Res/Agr	Other	Personal		
			Inside	Effective	Real Estate	Property	Total Tax
Districts	Levy Year(s)	Millage	Millage	Millage	Tax Estimate	Tax Estimate	Estimate
All	Continuous	0.30	0.30	0.30	160,675	0	160,675
MUSEUM FUND			Res/Agr	Other	Personal		
			Voted	Effective	Real Estate	Property	Total Tax
Date Voted	Levy Year(s)	Millage	Millage	Millage	Tax Estimate	Tax Estimate	Estimate
3/4/2008	08-12 Replace New 08	1.00	1.000000	0.997170	535,127	0	535,127

MASSILLON CITY

Gen Pers	2010 TAX YEAR						
		VALUATION	Effective	Amount	Estimated	Tax	Tax
Res/Ag		353,133,080	Millage	Requested	Income	In	Out
Other		160,819,370					
PU Pers		21,629,550					
Gen Pers		0					
Total		535,582,000					
		GENERAL					
Date Voted		Prop. Tax	1.60		44,837	1.60	TLSD
		Prop. Tax	3.10		1,252,384	3.10	MCSD
		Prop. Tax	1.00		93,818	1.00	PLSD
		Prop. Tax	1.40		5,301	1.40	JLSD
		Prop. Tax	2.60		15,495	2.60	FLSD
		Local Government			774,321		
		Income Tax					
		Other Sources			14,820,646		
		PPT Los Reimbursement			158,192		
		Estimated Bal Jan 1, 2011			(965,864)		
		Actual Balance Jan 1, 2010	\$373,558				
		Total		21,209,870	16,199,130		
		FIREMEN PENSION					
		Prop Tax	0.30		160,675	0.30	
		Other Sources			540,000		
		PPT Los Reimbursement			17,886		
		Estimated Bal Jan 1, 2011			0		
		Actual Balance Jan 1, 2010	\$0				
		Total		700,000	718,561		
		POLICE PENSION					
		Prop Tax	0.30		160,675	0.30	
		Other Sources			436,000		
		PPT Los Reimbursement			17,886		
		Estimated Bal Jan 1, 2011			0		
		Actual Balance Jan 1, 2010	\$0				
		Total		600,000	614,561		
		MUSEUM					
3/4/2008	1.00	08-12 Replacement New 08	1.00		535,127		1.00
		Other Sources			0		
		PPT Los Reimbursement			59,619		
		Estimated Bal Jan 1, 2011			0		
		Actual Balance Jan 1, 2010	\$0				
		Total		545,044	594,746		
		TOTAL INSIDE MILLAGE				2.20	TLSD
						3.70	MCSD
						1.60	PLSD
						2.00	JLSD
						3.20	FLSD
		TOTAL OUTSIDE MILLAGE					1.00
		TOTAL MILLAGE			District		
					5	TLSD	3.20
					6	MCSD	4.70
					7	PLSD	2.60
					8	JLSD	3.00
					9	FLSD	4.20