

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

DATE: MONDAY, OCTOBER 17, 2011

PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL **MANY ABSENT**
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. 121 – 2011

BY: FINANCE COMMITTEE

PASS 8-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the Fire Damage Structure Fund, State Highway Fund and the Home Health Fund, for the year ending December 31, 2011, and declaring an emergency.

RESOLUTION NO. 15 – 2011

BY: FINANCE COMMITTEE

PASS 8-0

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, 2011, and declaring an emergency.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS

LETTER FROM THE DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM GIBSON'S FAMILY CARRY OUT LLC DBA GIBSON FAMILY CARRYOUT 1014 AMHERST RD NE MASSILLON OHIO 44646 TO J LALLY INC DBA MASSILLON FAMILY CARRY OUT 1014 AMHERST RD NE MASSILLON OHIO 44646

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

- A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR SEPTEMBER 2011
- B). TREASURER SUBMITS MONTHLY REPORT FOR SEPTEMBER 2011
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR SEPTEMBER 2011
- D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR SEPTEMBER 2011
- E). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR SEPTEMBER 2011
- F). MAYOR SUBMITS MONTHLY REPORT FOR SEPTEMBER 2011

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 116 - 2011

BY: FINANCE COMMITTEE

PASS 8-0

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$925,000 OF BONDS FOR THE PURPOSE OF CURRENTLY REFUNDING BONDS ISSUED IN 1994 FOR THE PURPOSE OF PROVIDING PERMANENT FINANCING FOR THE MASSILLON SENIOR APARTMENTS PROJECT; AUTHORIZING A BOND PURCHASE AGREEMENT APPROPRIATE FOR THE SALE OF THE BONDS; AUTHORIZING AN ESCROW AGREEMENT IN CONNECTION WITH THE BONDS, IF DESIRED; AUTHORIZING AN OFFICIAL STATEMENT IN CONNECTION WITH THE SALE OF THE BONDS; AUTHORIZING THE PURCHASE OF A MUNICIPAL BOND INSURANCE POLICY, IF DESIRED, IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

ORDINANCE NO. 117 - 2011

BY: FINANCE COMMITTEE

PASS 8-0

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$11,500,000 OF BONDS FOR THE PURPOSE OF ADVANCE REFUNDING BONDS ISSUED IN 2002 FOR THE PURPOSE OF (I) ACQUIRING LAND IN CONNECTION WITH A CITY RECREATION CENTER; SITE IMPROVEMENTS FOR THE CITY RECREATION CENTER, INCLUDING DEMOLITION RELATED THERETO; CONSTRUCTING, FURNISHING AND EQUIPPING THE CITY RECREATION CENTER; (II) CONSTRUCTING PHASE I PARK AND RECREATION FACILITIES AT THE COMMUNITY PARK; FURNISHING AND EQUIPPING THE SAME; LANDSCAPING AND IMPROVING THE SITES THEREOF; ACQUIRING LAND AND INTEREST IN LAND FOR PARK AND RECREATION PURPOSES; AND (III) DREDGING AND IMPROVING THE RESERVOIR AT RESERVOIR PARK AND SITE IMPROVEMENTS RELATED THERETO; AUTHORIZING A BOND PURCHASE AGREEMENT APPROPRIATE FOR THE SALE OF THE BONDS; AUTHORIZING AN ESCROW AGREEMENT IN CONNECTION WITH THE BONDS; AUTHORIZING AN OFFICIAL STATEMENT IN CONNECTION WITH THE SALE OF THE BONDS; AUTHORIZING THE PURCHASE OF A MUNICIPAL BOND INSURANCE POLICY, IF DESIRED, IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 119 - 2011

BY: HEALTH, WELFARE & BLDG REGULATIONS

2ND READING

AN ORDINANCE enacting a new Chapter 1323 "NOTIFICATION OF FORECLOSURE FILING" of the Codified Ordinances of the City of Massillon, Ohio.

ORDINANCE NO. 120 - 2011

BY: FINANCE COMMITTEE

SECTION 1, 2, 4 & 5 → PASS 8-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Solid Waste Fund, 1206 Muni Motor Vehicle License Tax Fund, 1401 Capital Improvement Fund and the Local Law Enforcement Trust Fund, for the year ending December 31, 2011, and declaring an emergency.

SECTION 3 & 4

1ST READING

2ND READING?

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 17, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO.121 – 2011

Passed

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Fire Damage Structure Fund, State Highway Fund and the Home Health Fund, for the year ending December 31, 2011, 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 Fire Damage Structure Fund, for the year ending December 31, 2011, the following:

\$35,000.00 to an account entitled "Fire Damage Structures" 3107.905.2390

Section 2:

There be and hereby is appropriated from the unappropriated balance of the State Highway Fund, for the year ending December 31, 2011, the following:

\$4,500.00 to an account entitled "Safety - Salary" 1202.420.2110

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Home Health Fund, for the year ending December 31, 2011, the following:

\$1,513.00 to an account entitled "Home Health Rent/AME Zion Church" 1235.705.2395

Section 4:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: OCTOBER 17, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 15 - 2011

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, 2011.

(SEE ATTACHED PAGES)

PASSED THIS _____ DAY OF _____, 2011

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

ALAN HAROLD
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, 2012; 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
tax 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

FUND	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		48,912	1.60 (TLSD)	
		1,253,564	3.10 (MCSD)	
		91,026	1.00 (PLSD)	
		5,409	1.40 (JLSD)	
		20,945	2.60 (FLSD)	
Firemen Pension		161,367	0.30	
Police Pension		161,367	0.30	
Museum	537,892			1.00
Total	537,892	1,742,590	10.30	1.00

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

<u>FUND</u>	<u>Maximum Rate Authorized to be Levied</u>	<u>County Auditor's Estimate of Yield of Levy</u>
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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.

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

537,882

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. _____ 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

No. _____

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.

Adopted _____

Clerk

Filed _____

County Auditor

By _____
Deputy Auditor