

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

DATE: MONDAY, JUNE 4, 2012  
PLACE: COUNCIL CHAMBERS  
TIME: 7:30 P.M.

THERE ARE NO PUBLIC MEETINGS TONIGHT

1. ROLL CALL *SLAQUE ABSENT*
2. INVOCATION BY COUNCILWOMAN ANDREA SCASSA
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. 56 – 2012

BY: COMMUNITY DEVELOPMENT COMMITTEE

*1ST READING*

*PUBLIC HEARING 7/2/12 7:20*

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Perry Township to I-1 and I-2 Industrial.

ORDINANCE NO. 57 – 2012

BY: COMMUNITY DEVELOPMENT COMMITTEE

*1ST READING*

*PUBLIC HEARING 7/2/12 7:15*

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Tuscarawas Township to R-MH Mobile Home Park.

ORDINANCE NO. 58 – 2012

BY: ENVIRONMENTAL COMMITTEE

*1ST 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 a contract, upon award and approval of the Board of control, with the lowest and best bidder for the Bit of Eden Pump Station Project, and declaring an emergency.

ORDINANCE NO. 59 – 2012

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY

*PASS 8-0*

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for Stark County Area Transportation Study (SCATS) Funding for the 2016 and 2017 funding year, and declaring an emergency.

ORDINANCE NO. 60 – 2012

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY

*PASS 8-0*

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the 1<sup>st</sup> Street NE Improvement Project in the City of Massillon, and declaring an emergency.

MONDAY, JUNE 4, 2012

**ORDINANCE NO. 61 – 2012**

**BY: FINANCE COMMITTEE**

*PASS 8-0*  
AN ORDINANCE amending Ordinance No. 28 – 2012 by revising the 2012 budget, and declaring an emergency.

**ORDINANCE NO. 62 – 2012**

**BY: FINANCE COMMITTEE**

*PASS 8-0*  
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio to sell to the highest bidder, according to law, various vehicles and/or equipment, which is no longer needed for any municipal purpose, and declaring an emergency.

**ORDINANCE NO. 63 – 2012**

**BY: FINANCE COMMITTEE**

*PASS ~~8~~ 7-1 (SCASSA)*  
AN ORDINANCE amending CHAPTER 913 "EXCAVATIONS" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 913.02 "OBTAINING A PERMIT AND FEES", and declaring an emergency.

**ORDINANCE NO. 64 – 2012**

**BY: FINANCE COMMITTEE**

*PASS 8-0*  
AN ORDINANCE amending CHAPTER 917 "STANDARDS FOR CURBS, SIDEWALKS AND DRIVEWAYS" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 917.12(b) "LICENSE REQUIRED; FEE; BOND; EXCEPTION", and Section 917.13(b) "PERMIT REQUIRED; FEES" and declaring an emergency.

**ORDINANCE NO. 65 – 2012**

**BY: FINANCE COMMITTEE**

*PASS 8-0*  
AN ORDINANCE amending CHAPTER 925 "SEWERS GENERALLY" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 925.13(a) "SEWER TAPPPER; LICENSE AND BOND LICENSE REVOCATION", and declaring an emergency.

**ORDINANCE NO. 66 – 2012**

**BY: FINANCE COMMITTEE**

*PASS 8-0*  
AN ORDINANCE amending CHAPTER 1369 "NUMBERING STRUCTURES" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 1369.01(f) "SCHEME OF NUMBERING", and declaring an emergency.

**ORDINANCE NO. 67 – 2012**

**BY: FINANCE COMMITTEE**

*PASS 7-1 (LEWIS)*  
AN ORDINANCE amending CHAPTER 131 "MAYOR" of the Codified Ordinances of the City of Massillon, Ohio, by creating and enacting a new Subsection 131.01 "WEDDING CEREMONIES", and declaring an emergency.

**ORDINANCE NO. 68 – 2012**

**BY: FINANCE COMMITTEE**

*1ST READING*  
AN ORDINANCE amending Ordinance No. 252 – 1995 effective January 1, 2014, and declaring an emergency.

**ORDINANCE NO. 69 – 2012**

**BY: FINANCE COMMITTEE**

*1<sup>ST</sup> READING*

**AN ORDINANCE** amending Ordinance No. 251 – 1995 effective January 1, 2016, and declaring an emergency.

- 7. UNFINISHED BUSINESS
- 8. PETITIONS AND GENERAL COMMUNICATIONS
- 9. BILLS, ACCOUNTS AND CLAIMS
- 10. REPORTS FROM CITY OFFICIALS

- A). MAYOR SUBMITS MONTHLY REPORT FOR APRIL 2012
- B). AUDITOR SUBMITS MONTHLY REPORT FOR MAY 2012

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

**ORDINANCE NO. 46 – 2012**

**BY: ENVIRONMENTAL COMMITTEE**

*PASS B-O*

**AN ORDINANCE** amending CHAPTER 925 "SEWERS GENERALLY" of the Codified Ordinances of the City of Massillon, Ohio, by amending existing Section 925.12 SEWER CONNECTION PERMIT REQUIRED; FEE, and declaring an emergency.

**ORDINANCE NO. 47 – 2012**

**BY: ENVIRONMENTAL COMMITTEE**

*PASS (5-4) GAMBER TIE BREAKER (PETERS; HALTER; TOWNSEND; SCASSA) - NO*

**AN ORDINANCE** amending CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Sections 937.05 PAYMENT DATES; PENALTY CHARGE, 937.08 ADMINISTRATION AND DISTRIBUTION OF FUNDS, 937.09 ANNUAL RATES FOR SEWER SERVICE and 937.10 ADDITIONAL SURCHARGE FOR INDUSTRIAL WASTES and enacting new Sections 937.05 PAYMENT DATES; PENALTY CHARGE, 937.08 ADMINISTRATION AND DISTRIBUTION OF FUNDS, 937.09 ANNUAL RATES FOR SEWER SERVICE and 937.10 ADDITIONAL SURCHARGE FOR INDUSTRIAL WASTES of CHAPTER 937, and declaring an emergency.

**ORDINANCE NO. 48 – 2012**

**BY: HEALTH, WELFARE & BLDG REGULATIONS**

*TABLED TO 7/2/12*

**AN ORDINANCE** enacting a new CHAPTER 1331 "REGISTRATION OF VACANT BUILDINGS", of the Codified Ordinances of the City of Massillon, and declaring an emergency.

**ORDINANCE NO. 49 – 2012**

**BY: HEALTH, WELFARE & BLDG REGULATIONS**

*TABLED TO 7/2/12*

**AN ORDINANCE** enacting a new CHAPTER 1330 "REGISTRATION OF NON-OWNER OCCUPIED" the Codified Ordinances of the City of Massillon, and declaring an emergency.

**MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
GLENN E. GAMBER, PRESIDENT  
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**DATE: MONDAY, JUNE 4, 2012  
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- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILWOMAN ANDREA SCASSA**
- 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**

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**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Perry Township to I-1 and I-2 Industrial.

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**AN ORDINANCE** amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Tuscarawas Township to R-MH Mobile Home Park.

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**BY: ENVIRONMENTAL COMMITTEE**

**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 a contract, upon award and approval of the Board of control, with the lowest and best bidder for the Bit of Eden Pump Station Project, and declaring an emergency.

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**BY: STREET, HIGHWAYS, TRAFFIC & SAFETY**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to submit an application for Stark County Area Transportation Study (SCATS) Funding for the 2016 and 2017 funding year, and declaring an emergency.

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**BY: STREET, HIGHWAYS, TRAFFIC & SAFETY**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the 1<sup>st</sup> Street NE Improvement Project in the City of Massillon, and declaring an emergency.



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**BY: FINANCE COMMITTEE**

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AN ORDINANCE enacting a new CHAPTER 1330 "REGISTRATION OF NON-OWNER OCCUPIED" the Codified Ordinances of the City of Massillon, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS
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: JUNE 4, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 56 - 2012

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Perry Township to I-1 and I-2 Industrial.

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from Perry Township to I-1 and I-2 Industrial.. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on May 9, 2012 and that notice and public hearing has been given according to law.

Section 2:

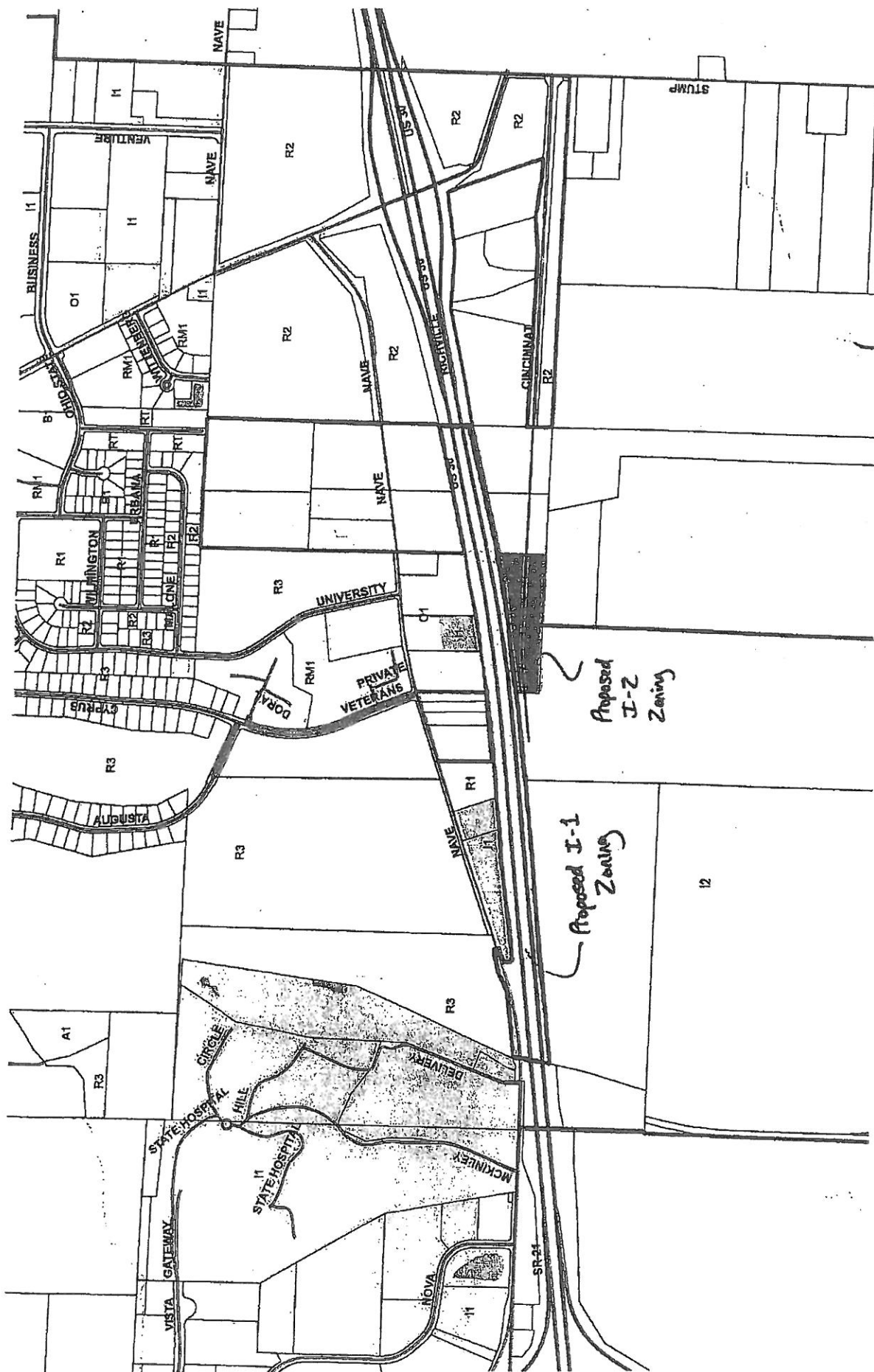
The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and is hereby amended to show the following described area as I-1 and I-2 Industrial.

Cincinnati Area Annexation consists of 34.947 acres from Perry Township, including the end of Cincinnati Street and the right-of-way for US Route 30. Property was recently annexed to the City of Massillon and need to give this property a zoning classification under the Massillon Zoning regulations.

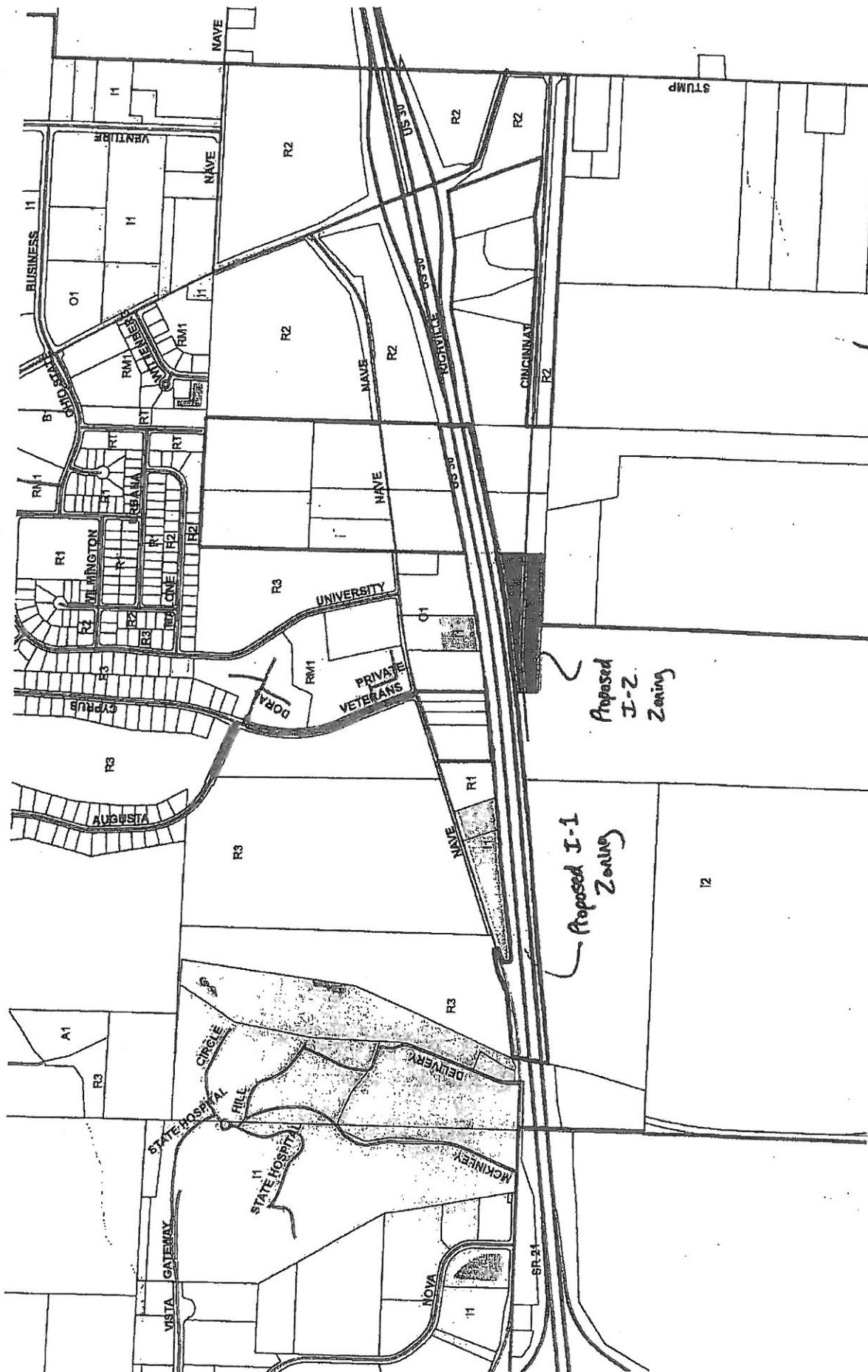
Section 3:

This ordinance 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: JUNE 4, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 57 - 2012

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Tuscarawas Township to R-MH Mobile Home Park.

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from Tuscarawas Township to R-MH Mobile Home Park.. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on May 9, 2012 and that notice and public hearing has been given according to law.

Section 2:

The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and is hereby amended to show the following described area as R-MH Mobile Home Park.

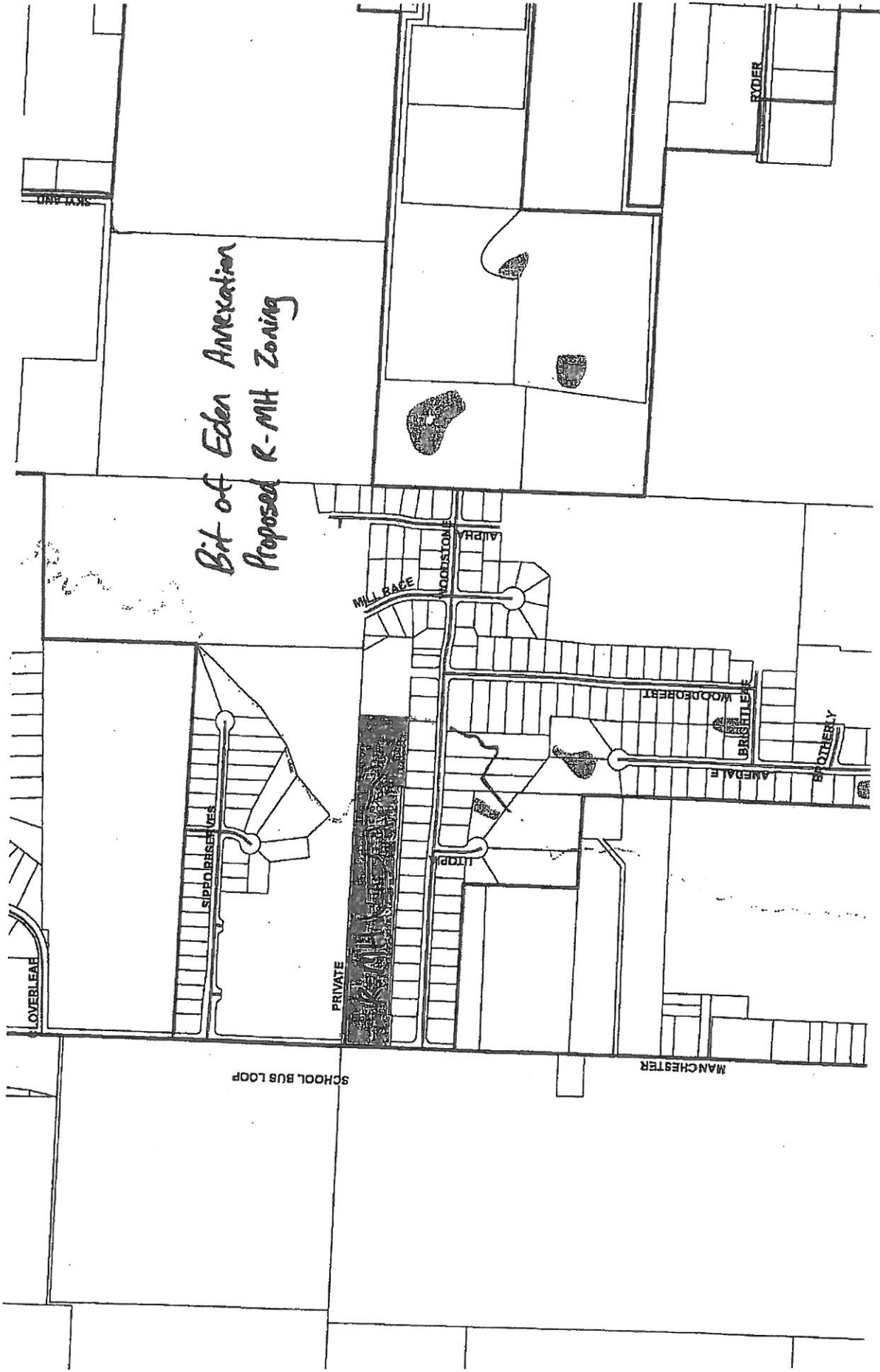
Bit of Eden Annexation consists of 8.298 acres from Tuscarawas Township. Property was recently annexed to the City of Massillon and need to give this property a zoning classification under the Massillon Zoning regulations.

Section 3:

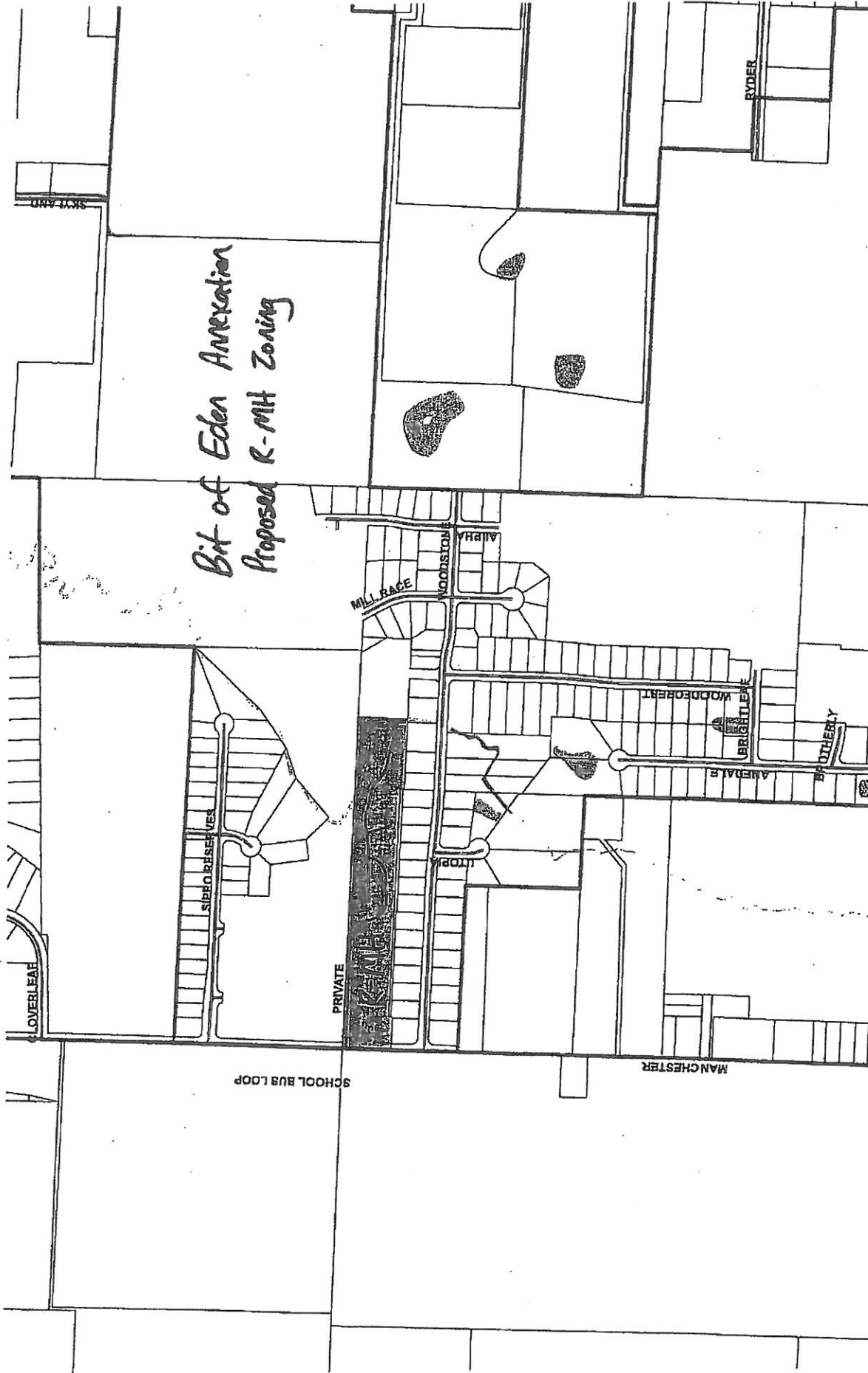
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*Bit of Eden Annexation  
Proposed R-MH Zoning*



*Bit of Eden Annexation  
Proposed R-MH Zoning*



DATE: JUNE 4, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 58 - 2012

BY: ENVIRONMENTAL COMMITTEE

TITLE: 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 a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Bit of Eden Pump Station 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 determines it to be necessary in the public health, safety and welfare to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Bit of Eden Pump Station Project.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for and receive sealed bids according to law, and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Bit of Eden Pump Station Project. The estimated cost of the project is Thirty-Eight Thousand Dollars (\$38,000.00) which will be split equally with the property owner. When construction is completed the pump station and force main will be private and be the maintenance responsibility of the property owner. Funds for the City's portion of the project will be provided for from the 1414 Collection System Improvement Fund.

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 bids be received so that work may be timely commenced on the Bit of Eden Pump Station Project. 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: JUNE 4, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 59 - 2012

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for Stark County Area Transportation Study (SCATS) Funding for the 2016 and 2017 funding year, 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 authorize the Mayor of the City of Massillon, Ohio, to submit an application for Stark County Area Transportation Study (SCATS) Funding for the fiscal years of 2016 and 2017 and execute any such documents necessary to obtain such funding.

Section 2:

That the Mayor of the City of Massillon, Ohio, is hereby authorized and directed to submit an application for Stark County Area Transportation Study (SCATS) Funding for the fiscal years of 2016 and 2017 and execute any documents necessary to obtain such funding for the following projects for the year 2012. Said projects shall be as follows:

- A. Main Avenue Improvement Project
- B. Tremont Avenue SE Improvement Project
- C. Lincoln Way (SR 172) Streetscape Project

Section 3:

That 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 to submit the application in order to receive Stark County Area Transportation Study (SCATS) funding. 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: JUNE 4, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 60 - 2012

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the 1<sup>st</sup> Street NE Improvement Project in 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 advertise for, receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the 1<sup>st</sup> Street NE Improvement Project in 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 prepare plans and specifications and to advertise for, receive sealed bids according to law, and to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the 1<sup>st</sup> Street NE Improvement Project in the City of Massillon. Project limits along 1<sup>st</sup> Street NE are Cherry Road NE to Lake Avenue NE with Main project components consisting of items such as partial and full depth pavement repair; grinding of existing asphalt surface; 2' 448 Asphalt Concrete Surface Course, Curb Ramp Installation; Catch Basin Replacement; Storm Sewer Piping Replacement; Sanitary Sewer Piping Replacement; Manholes Casting Replacement; Pavement Markings. The project estimate is Eight Hundred One Thousand One Hundred Seventy-Three Dollars (\$801,173.00). The City has received a grant from the Ohio Public Works Commission (OPWC) for this project and at this time the City cost share for the project is projected to be One Hundred Sixty Thousand Dollars (\$160,000.00)

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 bids be received so that work may be completed on the 1<sup>st</sup> Street NE Improvement Project. 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 \_\_\_\_\_, 2012

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

APPROVED: \_\_\_\_\_  
KATHERINE CATAZARO-PERRY, MAYOR

DATE: JUNE 4, 2012 CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 61 - 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 28 – 2012 by revising the 2012 budget, 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. 28 - 2012 a copy of which is attached hereto as Exhibit "A" be and is hereby amended.

Section 2:

The City Council hereby declares that amounts may be transferred between accounts in the same Department subject to the approval of the Department Head, the Finance Committee and the Auditor.

Section 3:

That the City Auditor is hereby authorized to draw his/her warrants on the City Treasurer for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefore, approved by the Board of Officers (or Officer) authorized by law to be approved the same, or an Ordinance a Resolution of council to make the expenditures; provided that no warrant shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or Ordinance. Provided further that the appropriation for contingencies can only be expended upon approval of a two-thirds vote of Council for items of expense constituting a legal obligation against the City and for purposes other than those covered by other specific appropriations herein made.

Section 4:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said amendment is necessary to the budget as a requirement by the State Auditor for these transferred to be completed. 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.

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CLERK: MARY BETH BAILEY

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BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio to sell to the highest bidder, according to law, various vehicles and/or equipment, which is no longer needed for any municipal purpose, and declaring an emergency.

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

Section 1:

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Section 2:

Director of Public Service and Safety is hereby authorized to sell to the highest bidder, according to law, various vehicles and/or equipment, which is no longer needed for any municipal purpose.

Section 3:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the community and for the further reason that it is necessary to dispose of the various vehicles and/or equipment, which is no longer needed for any municipal purpose for the best price obtainable. Provided it receives the affirmative vote of two-thirds of the elected members and 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.



Items to be considered for sale or salvage include but are not limited to: scrap metal, excess scrap iron from City Garage and other city facilities. Scrap and salvage vehicles from each department including forfeited vehicles. Obsolete excess computers and electronics no longer serviceable to the city. Obsolete copy and fax machines no longer serviceable to the city.

Date Original Given to Auditor:

5/14/12

Date Copy Given to Council Clerk:

\_\_\_\_\_

DATE: JUNE 4, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 63 - 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 913 "EXCAVATIONS" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 913.02 "OBTAINING A PERMIT AND FEES", and declaring an emergency.

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

Section 1:

The existing Section 913.02 "OBTAINING A PERMIT AND FEES" of CHAPTER 913 "EXCAVATIONS" of the Codified Ordinances of the City of Massillon, Ohio, be and hereby is repealed.

Section 2:

Section 913.02 "OBTAINING A PERMIT AND FEES" of CHAPTER 913 "EXCAVATIONS" of the Codified Ordinances of the City of Massillon, Ohio, is hereby amended as follows:

913.02 OBTAINING A PERMIT AND FEES

The City Engineer shall, upon the filing of a ten thousand dollars (\$10,000) street opening bond, proof of at least five hundred thousand dollars (\$500,000) liability, and an application for a permit, investigate the same and, if he deems it necessary, issue a permit to the person or public utility to make each excavation at the place designated in the application. **The fee for each such person shall be thirty dollars (\$30.00) for each application.** For each application over 100 feet, an additional charge of twenty cents (\$0.20) per foot shall be assessed. **Additional re-inspection fee of seventy-five dollars and permits issued after work is started the fee will be two times the original fee**

Section 3:

That 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 further reason that the proposed fee changes are based from the completed Sewer Rate Study that was performed by URS Corporation. 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: JUNE 4, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 64 - 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 917 "STANDARDS FOR CURBS, SIDEWALKS AND DRIVEWAYS" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 917.12(b) "LICENSE REQUIRED; FEE; BOND; EXCEPTION", and Section 917.13(b) "PERMIT REQUIRED; FEES" and declaring an emergency.

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

Section 1:

The existing Section 917.12(b) "LICENSE REQUIRED; FEE; BOND; EXCEPTION", and Section 917.13(b) "PERMIT REQUIRED; FEES" of CHAPTER 917 "STANDARDS FOR CURBS, SIDEWALKS AND DRIVEWAYS" of the Codified Ordinances of the City of Massillon, Ohio, be and hereby is repealed.

Section 2:

Section 917.12(b) "LICENSE REQUIRED; FEE; BOND; EXCEPTION", and Section 917.13(b) "PERMIT REQUIRED; FEES" of CHAPTER 917 "STANDARDS FOR CURBS, SIDEWALKS AND DRIVEWAYS" of the Codified Ordinances of the City of Massillon, Ohio, are hereby amended as follows:

917.12 LICENSE REQUIRED; FEE; BOND; EXCEPTION

(b) The fee for such license shall be **one hundred and twenty-five dollars (\$125.00)** per year, or part thereof, and each renewal thereof. All licenses are to run for a period ending on December 31 in the year in which they are issued unless renewed. Each applicant for a license must file with the City Engineer a surety bond in the sum of ten thousand dollars (\$10,000) guaranteeing that the work he may do will comply in all respects the City specifications and provisions, all of which are made a part hereof, and to save the City harmless from any damage claims by reason of work done by the person, firm or corporation. A five hundred thousand dollar (\$500,000) liability policy must also be on file with the City Engineer and renewed yearly when requesting said license.

917.13 PERMIT REQUIRED; FEES

(b) The permit shall be in such form as the Director may prescribe, and each permit shall be issued only upon the payment of a minimum permit fee of **thirty dollars (\$30.00)** for repairing. **Additional re-inspection fee of seventy-five dollars and permits issued after work is started the fee will be two times the original fee**

Section 3:

That 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 further reason that the proposed fee changes are at the request of the City Engineer. 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 \_\_\_\_\_, 2012

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

APPROVED \_\_\_\_\_  
KATHERINE CATAZARO-PERRY, MAYOR

DATE: JUNE 4, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 65 - 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 925 "SEWERS GENERALLY" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 925.13(a) "SEWER TAPPER; LICENSE AND BOND LICENSE REVOCATION", and declaring an emergency.

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

Section 1:

The existing Section 925.13(a) "SEWER TAPPER; LICENSE AND BOND LICENSE REVOCATION" of CHAPTER 925 "SEWERS GENERALLY" of the Codified Ordinances of the City of Massillon, Ohio, be and hereby is repealed.

Section 2:

Section 925.13(a) "SEWER TAPPER; LICENSE AND BOND LICENSE REVOCATION" of CHAPTER 925 "SEWERS GENERALLY" of the Codified Ordinances of the City of Massillon, Ohio, is hereby amended as follows:

925.13 SEWER TAPPER; LICENSE AND BOND LICENSE REVOCATION

(a) All persons making connections, whether at the main sewer or at the end of the lateral, with a public sewer of the City are required before tapping such sewer to procure a license from the City Engineer. The fee for such license shall be **one hundred and twenty-five dollars (\$125.00)** for every year thereof. All licenses are to run for a period ending December 31, in the year in which they are issued, unless renewed. Each applicant for a license must file with the City Engineer a surety bond in the sum of ten thousand dollars (\$10,000) guaranteeing that the work he may do will comply in all respects to the provisions of this chapter or other ordinances which may be in force regarding sewer tapping in the City, and proof of five hundred thousand dollars (\$500,000) liability, and that the City shall be saved harmless from any damage claims by reason or work done by the applicant. Only such persons shall be given a license to make connections with the City sewer systems as shall have furnished proof of their experience which may qualify them to do such work.



Section 3:

That 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 further reason that the proposed fee changes are at the request of the City Engineer. 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 \_\_\_\_\_, 2012

ATTEST:

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

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

APPROVED \_\_\_\_\_

\_\_\_\_\_  
KATHERINE CATAZARO-PERRY, MAYOR

DATE: JUNE 4, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 66 - 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1369 "NUMBERING STRUCTURES" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 1369.01(f) "SCHEME OF NUMBERING", and declaring an emergency.

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

Section 1:

The existing Section 1369.01(f) "SCHEME OF NUMBERING" of CHAPTER 1369 "NUMBERING STRUCTURES" of the Codified Ordinances of the City of Massillon, Ohio, be and hereby is repealed.

Section 2:

Section 1369.01(f) "SCHEME OF NUMBERING" of CHAPTER 1369 "NUMBERING STRUCTURES" of the Codified Ordinances of the City of Massillon, Ohio, is hereby amended as follows:

1369.01 SCHEME OF NUMBERING

(f) The permit shall be in such form as the City Engineer may prescribe, and such person shall be issued only upon the payment of a permit fee of **ten dollars (\$10.00)** for each house numbering.

Section 3:

That 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 further reason that the proposed fee changes are at the request of the City Engineer. 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: JUNE 4, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 67 - 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 131 "MAYOR" of the Codified Ordinances of the City of Massillon, Ohio, by creating and enacting a new Subsection 131.01 "WEDDING CEREMONIES", and declaring an emergency.

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

Section 1:

CHAPTER 131 "MAYOR" of the Codified Ordinances of the City of Massillon, Ohio, is hereby amended by creating and enacting new Subsection 131.01 "WEDDING CEREMONIES". Said new enacted Subsection shall read as follows"

SEE EXHIBIT "A" ATTACHED HERETO

Section 2:

That 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 further reason that this will allow the Mayor of the City of Massillon to perform wedding ceremonies. 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 \_\_\_\_\_, 2012

ATTEST:

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

APPROVED \_\_\_\_\_

KATHERINE CATAZARO-PERRY, MAYOR

### 131.02 WEDDING CEREMONIES.

(a) In accordance with Ohio R.C. 3101.08, the Mayor may join together as husband and wife any persons who are not prohibited by law from being joined in marriage.

(b) The Mayor's office is hereby specifically authorized to collect a minimum fee of fifty dollars and no cents (\$50.00) for performing a wedding ceremony. Fees collected shall be deposited into the General Fund.

DATE: JUNE 4, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 68 - 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 252 – 1995 effective January 1, 2014, 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. 252 – 1995 should be repealed.

Section 2:

Ordinance No. 252 - 1995 be and is hereby amended effective January 1, 2014 and the pay raise language based upon any increase in the United States Consumer Price Index is hereby deleted

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 \_\_\_\_\_ 2012

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

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

APPROVED: \_\_\_\_\_  
KATHY CATAZARO-PERRY, MAYOR

DATE: JUNE 4, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 69 - 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 251 – 1995 effective January 1, 2016, 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 amended effective January 1, 2016 and the pay raise language based upon any increase in the United States Consumer Price Index is hereby deleted

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 \_\_\_\_\_ 2012

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

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

APPROVED: \_\_\_\_\_  
KATHY CATAZARO-PERRY, MAYOR