

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

DATE: MONDAY, NOVEMBER 19, 2012
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILMAN TONY TOWNSEND
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 123 – 2012

BY: HEALTH, WELFARE & BLDG REGULATIONS

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – HEALTH DEPARTMENT of Ordinance No. 127 – 1997 by amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – HEALTH DEPARTMENT, and adding a 16S position classification under said section, in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 124 – 2012

BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids, for the lease/purchase of two (2) pick up trucks for the Massillon City Parks and Recreation Department, and declaring an emergency.

ORDINANCE NO. 125 – 2012

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Fire Pension Fund, Police Pension Fund, Parking Enforcement Fund, Bond Retirement Senior Housing Debt Fund and the Employee Insurance Fund, for the year ending December 31, 2012, and declaring an emergency.

ORDINANCE NO. 126 – 2012

BY: FINANCE COMMITTEE

AN ORDINANCE reducing the appropriations in the Massillon Museum Fund and the Bond Retirement Park & Rec. Fund, for the year ending December 31, 2012, and declaring an emergency.

ORDINANCE NO. 127 – 2012

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2012 appropriations from with the General Fund, for the year ending December 31, 2012, and declaring an emergency.

ORDINANCE NO. 128 – 2012

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2012 appropriations from with the General Fund, for the year ending December 31, 2012, and declaring an emergency.

ORDINANCE NO. 129 – 2012

BY: FINANCE COMMITTEE

AN ORDINANCE amending Ordinance No. 44 – 2012 by revising the 2012 budget, and declaring an emergency.

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

A). TREASURER SUBMITS MONTHLY REPORT FOR OCTOBER 2012

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

ORDINANCE NO. 111 – 2012

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE amending CHAPTER 121 "COUNCIL" of the Codified Ordinances of the City of Massillon, by deleting Section 121.02(r) Rule 73 "Unclassified Rules", and declaring an emergency.

ORDINANCE NO. 112 – 2012

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE amending CHAPTER 121 "COUNCIL" of the Codified Ordinances of the City of Massillon, by enacting a new Section 121.02(r) Rule 72 "Unclassified Rules", and declaring an emergency.

ORDINANCE NO. 120 – 2012

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety and the Mayor of the City of Massillon, Ohio, to enter into a three-year contract with the Board of Trustees of Local Organized Governments in Cooperation (LOGIC) for fire dispatching services with the Regional Emergency Dispatch for the Massillon Police Department, and declaring an emergency.

RESOLUTION NO. 19 – 2012

BY: COMMUNITY DEVELOPMENT COMMITTEE

A RESOLUTION reversing the decision of the Massillon Historic Preservation Commission made on August 8, 2012 and again on September 13, 2012 wherein the Historic Preservation Commission denied a request for a Certificate of Approval from the Visconsi Companies, Ltd, 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: NOVEMBER 19, 2012 CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 123 - 2012

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – HEALTH DEPARTMENT of Ordinance No. 127 - 1997 by amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – HEALTH DEPARTMENT, and adding a 16S position classification under said section, in 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:

Section 2(D) OCCUPATION LIST OF CLASS TITLES – HEALTH DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby amended.

Section 2:

That a new 16S position is hereby created under OCCUPATION LIST OF CLASS TITLES – HEALTH DEPARTMENT of Ordinance No. 127 - 1997 and shall read as follows:

(SEE ATTACHMENT 'A' PAGE 1; AND INSERT IN THE SALARY ORDINANCE 127 - 1997)

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community that the establishment of the 16S position in the health department is required by the Ohio Department of Health. This position will be funding solely through grant dollars with no general fund monies being used. 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

CLASS GRADE	SCHEDULE	DEPARTMENT & TITLE DESCRIPTION
<u>CON'T WASTEWATER TREATMENT</u>		
8S	UN	Account Clerk II Typist
8S	UN	Laboratory Asst/Admin.. Aide
7S	UN	Account Clerk II Typist
6S	UN	Secretary
3S	UN	Clerk Typist I
16W	WW	Chief Operator
16W	WW	Collection System Crew Chief
16W	WW	Chief Maintenance Mechanic
15W	WW	Operator III
15W	WW	Maintenance Mechanic III (w/class III license)
14W	WW	Maintenance Mechanic II (w/class II license)
14W	WW	Vactor Operator
14W	WW	Operator II (w/class II license)
14W	WW	Sewer Inspector
13W	WW	Operator I (w/class I license)
13W	WW	Maintenance Mechanic I
13W	WW	Light Equipment Operator
12W	WW	Operator (w/o license)
11W	WW	Laborer II
9W	WW	Laborer I
1W	WW	Temporary Labor
<u>PART TIME/TEMPORARY/SEASONAL</u>		
	MS	Clerk/Laborer
	MS	** Collections Specialist/Consultant @ \$25.00 per hour (Split 1/3) Ordinance No. 57 - 2011
1W	WW	Temp. sanit sewer Insp. (West Mass Trunk)
<u>HEALTH DEPARTMENT</u> 705-710-730		
21S	SU CL	Health Administration Officer
17S	CL	Public Health Nursing Director/Supervisor
16S	CL	**Environmental Health Director Ord. 123 - 2012
15S	CL	Housing Inspector
15S	CL	Public Health Nurse I
14S	CL	Public Health Sanitarian
12S	CL	Public Health Sanitarian-in-Training
14S	CL	WIC Clinic Supervisor
12S	CL	**WIC Clinic Licensed Dietician Ord. 29 – 2010
9S	CL	WIC Clinic Assistant
9S	CL	Registrar of Vital Statistics
8S	CL	Registrar of Vital Statistics
8S	CL	Clerk Typist II Deputy Registrar
7S	CL	WIC Clerk
6S	CL	Clerk Typist II

DATE: NOVEMBER 19, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 124 - 2012

BY: PARKS AND RECREATION 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, for the lease/purchase of two (2) pick up trucks for the Massillon City Parks and Recreation Department, 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, according to law, for the lease/purchase of two (2) pick up trucks for the Massillon City Parks and Recreation Department.

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 to receive sealed bids according to law, for the lease/purchase of two (2) pick up trucks for the Massillon City Parks and Recreation Department.

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 4:

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 for the more efficient operation of the Massillon City Parks and Recreation Department. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

2nd page is the signature page

DATE: NOVEMBER 19, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO.125 – 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Fire Pension Fund, Police Pension Fund, Parking Enforcement Fund, Bond Retirement Senior Housing Debt Fund and the Employee Insurance Fund, for the year ending December 31, 2012, 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 General Fund, for the year ending December 31, 2012 the following:

\$90,765.53 to an account entitled "Salary – FEMA Safer Act Grant" 1100.326.2110
\$22,043.20 to an account entitled "Hosp/Eye/FEMA Safer Grant" 1100.326.2210
\$21,783.74 to an account entitled "Disability/Pension Tr. Fem. 1100.326.2710
\$ 3,334.36 to an account entitled "Workers Comp FEMA Safer" 1100.326.2270
\$ 1,316.09 to an account entitled "Medicare – FEMA Safer Act" 1100.326.2231

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Fire Pension Fund, for the year ending December 31, 2012 the following:

\$101,611.82 to an account entitled "Fire Pension" 1210.325.2240

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Police Pension Fund, for the year ending December 31, 2012 the following:

\$99,752.49 to an account entitled "Police Pension" 1209.305.2240

Section 4:

There be and hereby is appropriated from the unappropriated balance of the Parking Enforcement Fund, for the year ending December 31, 2012 the following:

\$5,000.00 to an account entitled "Services & Contracts" 1208.445.2392

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Bond Retirement Senior Housing Debt Fund, for the year ending December 31, 2012 the following:

\$2,337.50 to an account entitled "Debt Retirement Senior Housing Interest" 1304.940.2620

Section 6:

There be and hereby is appropriated from the unappropriated balance of the Employee Insurance Fund, for the year ending December 31, 2012 the following:

\$1,000.00 to an account entitled "Employee Insurance" 2202.905.2310

Section 7:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 8:

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

PASSED IN COUNCIL THIS _____ DAY OF _____ 2012

ATTEST: _____

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

KATHERINE CATAZARO-PERRY, MAYOR

DATE: NOVEMBER 19, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 126 - 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriations in the Massillon Museum Fund and the Bond Retirement Park & Rec. Fund, for the year ending December 31, 2012, and declaring an emergency.

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

Section 1:

The appropriations are hereby reduced in the Massillon Museum Fund, for the year ending December 31, 2012, as follows:

\$5,338.27 from an account entitled "Massillon Museum Holding Account" 3110.905.2379

Section 2:

The appropriations are hereby reduced in the Bond Retirement Park & Rec. Fund, for the year ending December 31, 2012, as follows:

\$1.00 from an account entitled "Bond Retirement Park & Rec. Fund" 1306.920.2611

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

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 and for the additional reason that the appropriation needs to be reduced because of an audit procedure. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: NOVEMBER 19, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 127 - 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2012 appropriations from within the General Fund, for the year ending December 31, 2012, 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 2012 appropriation from within the General Fund, for the year ending December 31, 2012, the following:

FROM:	Health Insurance	1100.325.2210	\$ 9,550.00
	Garage – Supplies & Materials	1100.440.2410	\$ 4,000.00
	Workers Comp.	1100.905.2270	\$ 2,927.79
	Annexation Fees	1100.905.2721	\$ 3,572.21
TO	Health Insurance	1100.305.2210	\$ 9,550.00
	Police Central Dispatch	1100.305.2375	\$ 1,896.00
	Supplies/Materials (Land & Bldg)	1100.410.2410	\$ 2,104.00
	Contracted Services	1100.415.2392	\$ 6,500.00

Section 2:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 3:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are necessary for the preservation of the public health, safety and welfare of the community and for the additional reason that the funds are required in the specific accounts to pay city obligations by the end of 2012. 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: _____

KATHERINE CATAZARO-PERRY, MAYOR

DATE: NOVEMBER 19, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 128 - 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2012 appropriations from within the General Fund, for the year ending December 31, 2012, 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 2012 appropriation from within the General Fund, for the year ending December 31, 2012, the following:

FROM:	SD Revenue Sharing	1100.210.2721	\$35,000.61
TO	Salary -- Law Director Staff	1100.115.2111	\$35,000.61

Section 2:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 3:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are necessary for the preservation of the public health, safety and welfare of the community and for the additional reason that the funds are required in the specific accounts to pay city obligations by the end of 2012. 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: NOVEMBER 19, 2012

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 129 - 2012

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 44 – 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. 44 - 2012 a copy of which is attached hereto as Exhibit "A" be and is hereby amended.

Section 2:

The following provision is hereby inserted into Ordinance No. 44 – 2012:

\$596,914.00 from General Fund to Fire Pension Fund
\$513,808.00 from General Fund to Police Pension Fund
\$313,770.00 from General Fund to Lincoln Center II Debt Fund
\$198,006.26 from General Fund to Lincoln Center III Debt Fund
\$ 2,208.33 from General Fund to Senior Housing Debt
\$ 24,631.46 from General Fund to OPWC Debt Fund
\$ 6,461.86 from Unclaimed Fund to General Fund

Section 3:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2012

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

APPROVED: _____
KATHERINE CATAZARO-PERRY, MAYOR