

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
TONY M. TOWNSEND, PRESIDENT  
AGENDA

DATE: MONDAY, FEBRUARY 4, 2013  
PLACE: COUNCIL CHAMBERS  
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILMAN PAUL MANSON
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. 11 – 2013

BY: ENVIRONMENTAL COMMITTEE

*PASS 8-0*  
AN ORDINANCE amending CHAPTER 1185 "FLOOD PLAIN AREAS" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 1185.09(a) "Designation of the Floodplain Administrator" and enacting replacement Section 1185.09(a) "Designation of Floodplain Administrator", and declaring an emergency.

ORDINANCE NO. 12 – 2013

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

*1ST READING*  
AN ORDINANCE amending Ordinance No. 3 – 2010 and all other ordinances inconsistent therewith by repealing Section 8, paragraphs (f)(1) and (f)(6), and enacting new Section 8, paragraphs (f)(1) and (f)(6), and declaring an emergency.

ORDINANCE NO. 13 – 2013

BY: FINANCE COMMITTEE

*PASS 8-0*  
AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund and the 1414 Collection System Improvement Fund, for the year ending December 31, 2013, and declaring an emergency.

ORDINANCE NO. 14 – 2013

BY: FINANCE COMMITTEE

*PASS 8-0*  
AN ORDINANCE authorizing the Director of Law of the City of Massillon, to renew the one year contract with the City of Canal Fulton, for the purpose of providing prosecutorial services, and declaring an emergency.

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

- A). AUDITOR SUBMITS MONTHLY REPORT FOR JANUARY 2013
- B). MAYOR APPOINTMENTS TO BOARDS AND COMMISSIONS

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

ORDINANCE NO. 3 - 2013

BY: FINANCE COMMITTEE

PASS 7-1 (Manson)

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into contract with the Auditor of State for use of the Leverage for Efficiency, Accountability and Performance (LEAP) fund loan program for purpose of a performance audit of select areas of the City, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 7 - 2013

BY: RULES, COURTS AND CIVIL SERVICE

PASS 8-0

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - ENGINEER DEPARTMENT, BUILDING DEPARTMENT, STREET DEPARTMENT, PARK DEPARTMENT, SOLID WASTE DEPARTMENT and the WASTEWATER TREATMENT DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - ENGINEER DEPARTMENT, BUILDING DEPARTMENT, STREET DEPARTMENT, PARK DEPARTMENT, SOLID WASTE DEPARTMENT and the WASTEWATER TREATMENT DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - ENGINEER DEPARTMENT, BUILDING DEPARTMENT, PUBLIC WORKS DEPARTMENT and the WASTEWATER TREATMENT DEPARTMENT, in the City of Massillon, Ohio, 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: FEBRUARY 4, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 11 - 2013

BY: ENVIRONMENTAL COMMITTEE:

TITLE: AN ORDINANCE amending CHAPTER 1185 "FLOOD PLAIN AREAS" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 1185.09(a) "Designation of the Floodplain Administrator" and enacting replacement Section 1185.09(a) "Designation of Floodplain Administrator", 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 1185.09(a) "Designation of the Floodplain Administrator" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

That there hereby is enacted new Section 1185.09(a) "Designation of the Floodplain Administrator" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1185.09(a) Designation of the Floodplain Administrator: The City Engineer is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator.

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 further reason that this change is simply a language change from Chief Building Official to 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 \_\_\_\_\_, 2013

ATTEST: \_\_\_\_\_

MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: \_\_\_\_\_

KATHY CATAZARO-PERRY, MAYOR

DATE: FEBRUARY 4, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 12 - 2013

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 3 – 2010 and all other ordinances inconsistent therewith by repealing Section 8, paragraphs (f)(1) and (f)(6), and enacting new Section 8, paragraphs (f)(1) and (f)(6), 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. 3 – 2010 by deleting paragraphs (f)(1) and (f)(6) of existing Section 8, paragraph (f) and replacing them with the following new amended sections

Section 1: The City of Massillon will provide health care insurance to eligible city employees who elect to participate in the health care insurance as outlined in the Health Care Committee By-Laws per Ordinance No. 151 – 2012.

Sections (2)(3)(4)(5)(7) and (8) remain the same.

Section 6: All new employees who meet the eligibility requirements as established may elect to enroll in said insurance program on the 1<sup>st</sup> day of the month following the date of hire. Eligible employees not participating in the health insurance may elect to participate during open enrollment or in the event of a qualifying event.

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:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said amendment is necessary to omit the waiting period for newly hired employees to be covered under the City's health insurance. 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 \_\_\_\_\_, 2013

ATTEST: \_\_\_\_\_

MARY BETH BAILEY, CLERK OF COUNCIL

\_\_\_\_\_ TONY M. TOWNSEND, PRESIDENT

APPROVED: \_\_\_\_\_

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

DATE: FEBRUARY 4, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 13 – 2013

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund and the 1414 Collection System Improvement Fund, for the year ending December 31, 2013, 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, 2013 the following:

\$12,200.00 to an account entitled "Unemployment Comp - Fire" 1100.325.2290  
\$10,780.00 to an account entitled "Unemployment Comp – Police" 1100.305.2290

Section 2:

There be and hereby is appropriated from the unappropriated balance of the 1414 Collection System Improvement Fund, for the year ending December 31, 2013 the following:

✓ \$6,200.00 to an account entitled "Sanitary Sewer Improvements" 1414.610.2510

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. 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: FEBRUARY 4, 2013

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 14 - 2013

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Law of the City of Massillon, to renew the one year contract with the City of Canal Fulton, for the purpose of providing prosecutorial services, 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 for the Director of Law of the City of Massillon, to renew the one year contract with the City of Canal Fulton for the purpose of providing prosecutorial services.

Section 2:

The Director of Law of the City of Massillon, Ohio, is hereby authorized to renew the one year contract with the City of Canal Fulton for the purpose of providing prosecutorial services. The City of Canal Fulton shall pay the sum of Twenty-Five Thousand Two Hundred Dollars (\$25,200.00) under the terms of the contract. The contract will be from February 1, 2013 through January 31, 2014. These funds will go into the 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 necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason the City of Canal Fulton has requested the Director of Law of the City of Massillon to prosecute all criminal and traffic cases that come before the Massillon Municipal Court and it is necessary to be effective immediately so that increased revenue can be received. 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 \_\_\_\_\_ 2013

APPROVED: \_\_\_\_\_

MARY BETH BAILEY, CLERK OF COUNCIL

\_\_\_\_\_ TONY M. TOWNSEND, PRESIDENT.

APPROVED \_\_\_\_\_

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