

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

DATE: MONDAY, JULY 15, 2013
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE TWO PUBLIC HEARINGS TONIGHT
ORDINANCE NO. 62 – 2013 AT 6:45PM FIBERCORR REZONING
ORDINANCE NO. 63 – 2013 AT 7:00PM SAM DAUT REZONING

1. ROLL CALL *HALTER 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. 72 – 2013

BY: COMMUNITY DEVELOPMENT COMMITTEE

1ST READING

AN ORDINANCE amending Ordinance No. 36 – 2013 the Community Development Block Grant Action Plan for the FY 2013 to include amendments to two additional activities along with adding an additional activity to the program, and declaring an emergency.

ORDINANCE NO. 73 – 2013

BY: PARKS AND RECREATION COMMITTEE

1ST READING

AN ORDINANCE amending CHAPTER 163 "RECREATION BOARD" of the Codified Ordinances of the City of Massillon, by repealing existing Subsections 163.03 "POWERS AND DUTIES", 163.04 "PARKS AND RECREATION DEPARTMENT" and creating a new Subsection 163.06 "GOLF ADVISORY COMMITTEE OF THE LEGENDS OF MASSILLON GOLF CLUB", and declaring an emergency.

ORDINANCE NO. 74 – 2013

BY: POLICE AND FIRE COMMITTEE

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Waiken Ford Inc., for the purchase of two (2) police cruisers for the Massillon Police Department, and declaring an emergency.

ORDINANCE NO. 75 – 2013

BY: POLICE AND FIRE COMMITTEE

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with J.D. Freidrich dba J.D. Freidrich Limited for the purchase and installation of vehicle equipment for the two (2) police cruisers for the Massillon Police Department, and declaring an emergency.

ORDINANCE NO. 76 – 2013

BY: RULES, COURTS AND CIVIL SERVICE

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a participation agreement with the Ohio AFSCME Care Plan for dental insurance coverage for City employees, and declaring an emergency.

ORDINANCE NO. 77 – 2013

BY: STREETS, 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 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 2013 CDBG Target Neighborhood Resurfacing Program in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 78 – 2013

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS 8-0

AN ORDINANCE amending CHAPTER 339 "COMMERCIAL AND HEAVY VEHICLES" of the Codified Ordinances of the City of Massillon, by repealing existing Subsection 339.13 "APPLICATION FOR SPECIAL HAULING PERMIT", and declaring an emergency.

ORDINANCE NO. 79 – 2013

BY: FINANCE COMMITTEE

PASS 8-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1414 Collection System Improvement Fund, 1482 OPWC Project Fund, 1406 Wastewater Treatment Plant Capital Improvement Fund, (Capital Improvement Fund) and the 1206 Municipal Motor Vehicle License Plate Fund, for the year ending December 31, 2013, and declaring an emergency.

REMOVED

RESOLUTION NO. 11 – 2013

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS 8-0

A RESOLUTION adopting the decision of the Tax Incentive Review Committee made on March 15, 2013 wherein they recommended that those certain Enterprise Zone Agreements listed on the attached exhibit "A" be continued, and declaring an emergency.

RESOLUTION NO. 12 – 2013

BY: PUBLIC UTILITIES COMMITTEE

1ST READING

A RESOLUTION authorizing and directing the Director of Public Service and Safety to enter into an agreement with IGS Energy as the natural gas supplier of an endorsement program for the benefit of residents, small businesses, and other natural gas consumers in the City.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS
9. BILLS, ACCOUNTS AND CLAIMS
10. REPORTS FROM CITY OFFICIALS
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. 62 – 2013

BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND READING

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-1 Single Family Residential to I-1 Industrial.

ORDINANCE NO. 63 – 2013

BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND READING

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-1 Single Family Residential to B-3 General Business.

ORDINANCE NO. 65 – 2013

BY: RULES, COURTS AND CIVIL SERVICE

PASS 7-1 (SAGLE)

AN ORDINANCE amending CHAPTER 549 "WEAPONS AND EXPLOSIVES" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Subsection 549.12(a) "Carrying Weapons" and enacting a new subsection 549.12(a) "Carrying Weapons", and declaring an emergency.

ORDINANCE NO. 66 – 2013

BY: RULES, COURTS AND CIVIL SERVICE

2ND READING

AN ORDINANCE amending Ordinance No. 12 – 2013 and all other ordinances inconsistent therewith by repealing Section 1 and enacting a new Section 1, and declaring an emergency.

ORDINANCE NO. 67 – 2013

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

2ND READING

AN ORDINANCE vacating a portion of an unnamed, unimproved 12 foot wide alley located between Tremont Avenue SE and Oak Avenue SE, and declaring an emergency.

ORDINANCE NO. 68 – 2013

BY: FINANCE COMMITTEE

PASS B-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, 1406 Wastewater Treatment Plant Capital Improvement Fund, 2105 Stormwater Utility Fund, Income Tax Capital Improvement Fund and the Capital Improvement Fund, for the year ending December 31, 2013, and declaring an emergency.

ORDINANCE NO. 69 – 2013

BY: FINANCE COMMITTEE

PASS B-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the Economic Development Fund, for the year ending December 31, 2013, and declaring an emergency.

ORDINANCE NO. 70 – 2013

BY: FINANCE COMMITTEE

Pass B-O

AN ORDINANCE reducing the appropriations in the Home Fund, for the year ending December 31 2013, and declaring an emergency.

ORDINANCE NO. 71 – 2013

BY: FINANCE COMMITTEE

Pass B-O

AN ORDINANCE making certain transfers in the 2013 appropriations from within the General Fund for the year ending December 31, 2013, 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: JULY 15, 2013

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 72 - 2013

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 36 – 2013 the Community Development Block Grant Action Plan for the FY 2013 to include amendments to two additional activities along with adding an additional activity to the program, 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. 36 – 2013 is amended by including two amendments and adding an additional activity to the Community Development Block Grant Action Plan for the FY 2013:

- A). City Housing Program - \$20,294 Revised Budget - \$175,294
- B). Target Area Street Program - \$33,000 Revised Budget - \$108,000
- C). City Demolition - \$24,876.60 (addition)

Section 2:

A public hearing has been set for Monday, August 5, 2013 at 7:00pm for purpose of input from the community regarding these three activities.

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 is to have these two activities included with the CDBG Action Plan for the FY 2013. 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: JULY 15, 2013

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 73 - 2013

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 163 "RECREATION BOARD" of the Codified Ordinances of the City of Massillon, by repealing existing Subsections 163.03 "POWERS AND DUTIES", 163.04 "PARK AND RECREATION DEPARTMENT" and creating a new Subsection 163.06 "GOLF ADVISORY COMMITTEE OF THE LEGENDS OF MASSILLON GOLF CLUB", and declaring an emergency.

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

Section 1:

Existing Chapter 163 "RECREATION BOARD" is hereby amended by repealing existing Subsections 163.03 "POWERS AND DUTIES", 163.04 "PARK AND RECREATION DEPARTMENT" and enacting new Subsections 163.03 "POWERS AND DUTIES", 163.04 "PARK AND RECREATION DEPARTMENT" and enacting a new 163.06 "GOLF ADVISORY COMMITTEE OF THE LEGENDS OF MASSILLON GOLF CLUB" of the Codified Ordinances of the City of Massillon. Said newly enacted Subsections shall read as follows:

SEE EXHIBIT "A" ATTACHED HERETO

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 shall take effect and be in force from and after the earliest period allowed by law.

163.03 POWERS AND DUTIES.

The Recreation Board shall have the power to equip with nonpermanent personal property and the power to operate playgrounds, play fields, gymnasiums, swimming pools and other recreation centers, including but not limited to, the Massillon Recreation Center, the Senior Citizens Center and the Legends of Massillon Golf Club.

The Recreation Board shall generally act in an advisory capacity, making recommendations to the (Parks and Recreation Director) and to Council concerning the development, maintenance and operation of playgrounds, recreational facilities, and programs for the City, including fees and rates thereof. The Parks and Recreation Board shall also have those powers and perform those duties as Council may provide by ordinance or resolution, including, specifically, the following powers and duties:

- (a) To analyze community needs in the parks and recreation area, and recommend such programs, activities, and improvements as might be deemed necessary to the Parks and Recreation Director and Council.
- (b) To plan for both long-range and short-range expansions and changes in parks, park facilities, and recreation facilities and make such recommendations to the Director and Council.
- (c) To recommend rules and regulations governing the use of parks and recreation facilities such as: closing hours, restrictions on use, and guidelines for use of parks and recreation facilities, subject to the approval by legislation of Council.
- (d) To recommend rates and fees for the municipal golf course and other City parks and recreation facilities, and to recommend rates and fees for other recreational activities, all subject to approval by legislation of Council.
- (e) To monitor the quality of parks and recreational service provided to the public for the purpose of advising the Parks and Recreation Director and Council of existing problems, needs and potential areas of improvement.
- (f) To assist the Parks and Recreation Director in coordinating City recreational policy with other area organizations, both public and private.

(g) To receive and review the draft of an annual budget for **parks and recreational purposes**, and to pass on to Council their recommendations for any additions, deletions, or other changes in the draft the Board feels are necessary or desirable, to be passed on or prior to January 1, to Council for consideration.

(h) To review and make recommendations to the **Parks and Recreation Director and Council** concerning the need for capital outlays, or the acquisition of major pieces of equipment in the area of **parks and recreation**.

(i) To recommend the purchase, lease, sale, or exchange of real or personal property in the name of the City, which is no longer needed for recreational purposes, within or outside the City, subject to approval of Council.

(j) The Board shall devise and recommend for adoption by the City a recreational program for children, young people, and men and women in all walks of life; offer leadership in coordinating and correlating all recreational activities to the maximum benefit of the citizens of the City; and cooperate and coordinate the building of the total community recreational program into and around the public and private organizations concerned with public welfare, education, and family relations.

163.04 PARK AND RECREATION DEPARTMENT

The **Parks and Recreation Department** shall be headed by the Director of **Parks and Recreation**. No person shall be appointed Director of **Park and Recreation** unless they have been actively engaged on a full-time basis as a Director or similar level in **Parks and Recreation** activities for a minimum period of ten (10) years or more prior to his/her appointment. In addition, an individual appointed to the position of Director of **Parks and Recreation** must have at least a Bachelor's Degree in **Parks Administration**, **Public Administration**, **Sports Management** or similar degree from an accredited institution of higher learning, plus have supervised a minimum of twenty-five (25) employees at one time. A Master's Degree in **Park or Recreation Administration** or **Public Administration** is preferred.

The Parks and Recreation Director shall be appointed by the Recreation Board subject to the approval of a majority of the members of Council, with tenure of office during good behavior and efficient service. The Recreation Board may remove the Director for cause and with the consent of five members of Council. However, the Director shall be given the right to be heard at an official meeting of Council before its consent to his or her removal is given. The Recreation Board shall interview and submit a list of candidates to Council, with its recommendations, out of which they may make the appointment

The Director of Parks and Recreation shall have charge of the Park and Recreation Department.

The Director of Parks and Recreation shall have the control and management of parks, park entrances, parkways, children's playgrounds, public recreation facilities, gymnasiums, swimming pools, playfields, or indoor recreational centers, and any lands or buildings set aside for park or recreational use by the public, and the acquisition, construction, repair, and maintenance thereof. The Director shall create and supervise all Recreational Programs for the City of Massillon. The Director shall exercise exclusively all the powers and perform all the duties, in regard to such property, vested in and imposed upon the Director of Public Service by the statutes of the State of Ohio. The Director of Parks and Recreation shall have the responsibility for expenditures of all monies appropriated by the legislative authority of the City in the Parks Fund or received from any other source for the purchase, acquisition, improvement, maintenance, equipment, or enjoyment of all property under his/her control, but no liability shall be incurred or expenditure made unless the money required therefore is in the Treasury to the credit of the Park and Recreation Fund and not appropriated for any other purpose.

The Director of Parks and Recreation may employ recreational supervisors, engineers, clerks, and other necessary employees for carrying into effect the purposes of the Department's creation, and the Council shall fix the compensation and term of service of such employees within its appropriation.

The Director of Parks and Recreation, in letting of contracts, shall be governed by the bidding procedures of the City of Massillon.

ADMINISTRATION Budget. The annual budget for parks and recreational purposes and all parks and recreation policy as approved by Council shall be administered by the Parks and Recreation Director.

163.06 GOLF ADVISORY COMMITTEE OF THE LEGENDS OF MASSILLON GOLF CLUB.

There is hereby established a Golf Advisory Committee of the Legends of Massillon Golf Club which shall be composed of five members, who are not required to be members of the Golf Club, but who shall be residents of the City and appointed to three-year terms, such terms to be staggered originally for periods of one, two and three years. The Committee shall be appointed by the Parks and Recreation Director. A member of the Recreation Board, the Legends of Massillon Golf Superintendent, or his/her designee and the Chair Person of the Massillon City Council Parks and Recreation Committee shall serve on the Committee but act without vote. Such Committee shall have no official status with the City, and Committee members shall not be entitled to any compensation from the City. The duties of the Committee shall be to regularly meet with the Legends of Massillon Golf Club members and golfing public to have an understanding of the concerns and recommendations of the members and the public regarding the operation and maintenance of the Legends of Massillon Golf Club. The Committee shall incorporate those concerns and recommendations into regular communications with the Legends of Massillon Golf Superintendent, the Parks and Recreation Director and the Parks and Recreation Board, with such communications to include the expertise of the Committee as it provides such recommendations.

DATE: JULY 15, 2013

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 74 - 2013

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Waikem Ford Inc., for the purchase of two (2) police cruisers for the Massillon Police 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 finds that it is necessary to enter into a contract with Waikem Ford Inc., for the purchase of two (2) police cruisers for the Massillon Police Department. The cost of said contract shall not exceed Fifty-Four Thousand Two Hundred Dollars (\$54,200.00) plus interest at a rate of 5.00% with an underwriting fee of Four Hundred and Twenty-Five Dollars (\$425.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a contract with Waikem Ford Inc., for purchase of two (2) police cruisers for the Massillon Police Department.

Section 3:

Upon delivery of the aforesaid agreement, the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for said agreement and the City Auditor is authorized and directed to honor and pay said vouchers.

Section 4:

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 5:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason the City of Massillon enter into a contract with Waikem Ford Inc., so the police cruisers may be purchased for use by the Police 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.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2013

APPROVED _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: JULY 15, 2013

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 75 - 2013

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with J.D. Freidrich dba J.D. Freidrich Limited for the purchase and installation of vehicle equipment for the two (2) police cruisers for the Massillon Police 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 finds that it is necessary to enter into a contract with J.D. Freidrich dba J.D. Freidrich Limited for the purchase and installation of vehicle equipment for the two (2) police cruisers for the Massillon Police Department. The cost of said contract shall not exceed Twenty-Six Thousand Eight Hundred Seventy-One Dollars and Twenty Cents (\$26,871.20) for both police cruisers.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a contract with J.D. Freidrich dba J.D. Freidrich Limited for purchase and installation of vehicle equipment for the two (2) police cruisers for the Massillon Police Department.

Section 3:

Upon delivery of the aforesaid agreement, the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for said agreement and the City Auditor is authorized and directed to honor and pay said vouchers.

Section 4:

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 5:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason the City of Massillon enter into a contract with J.D. Freidrich dba J.D. Freidrich Limited, so the vehicle equipment can be installed on the two (2) police cruisers for use by the Police 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.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2013

APPROVED _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

Quote A**JOSEPH FREIDRICH, JR. 11881 LINCOLN WAY NW
MASSILLON, OHIO 44647**City of Massillon Police Dept
2 James Duncan Plaza SE
Suite 1
Massillon, Ohio 44646

Qty	Description	Amount
1	MPH Python III - FS K Band Radar Unit * 3yr Warranty per State Contract	\$ 1,124.00
1	L3 Mobile Vision Flashback 3 DVR *Pricing per Ohio STS845 Contract	\$ 4,921.40
1	L3 IR Rear Seat Camera *option*	\$ 271.40
1	Whelen WECAN Liberty Light Bar *fully loaded LED, clear lenses. Blue	\$ 1,773.65
1	Havis Shield VS Console for Interceptor *with appropriate panels for equipment	\$ 373.55
1	ProGuard ProCell Prisoner Transport Cell *Full cage, molded seat floorpan, divider, etc	\$ 1,272.50
1	Whelen SideKick LED Lights *side warning lights for Sedan	\$ 341.65
1	Motorola XPR4550 VHF Mobile Radio *remote mount with antenna	\$ 893.00
1	ProGard Dual Weapons Mount *gunrack - adjustable vertical, partition mount	\$ 250.00
1	ProGard SafeStop *vehicle anti-theft system	\$ 116.50
1	Whelen Inner Edge Lightbar *rear lower warning for Interceptor Sedan	\$ 972.95
1	3M Custom Vinyl Reflective Decals * all-vinyl decals with custom designed plates	\$ 475.00
	Sub Total	\$ 12,785.60
	Labor	\$ 650.00
	Accepted by: _____ Date: _____	
	Total	\$ 13,435.60

DATE: JULY 15, 2013

CERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 76 - 2013

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a participation agreement with the Ohio AFSCME Care Plan for dental insurance coverage for City employees, 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 enter into a participation agreement with the Ohio AFSCME Care Plan for dental insurance coverage for City employees.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a participation agreement with the Ohio AFSCME Care Plan for dental insurance coverage for City employees for the period of August 1, 2013 thru December 31, 2014. The dental insurance will be an opt-in option for existing City employees however will be mandatory for new employees.

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 that it is necessary to enter into a participation agreement with the Ohio AFSCME for dental insurance coverage for City employees. 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: JULY 15, 2013

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 77 - 2013

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY 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 2013 CDBG Target Neighborhood Resurfacing Program 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 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 2013 CDBG Target Neighborhood Resurfacing Program 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 and 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 2013 CDBG Target Neighborhood Resurfacing Program in the City of Massillon. The estimated cost of said project is One Hundred Seven Thousand Seven Twenty Dollars (\$107,720.00).

WARD	STREET NAME	FROM	TO
4	Edwin Avenue SE	Erie Street S	3 rd Street SE
4	Ideal Court SE	3 rd Street SE	2 nd Street SE
4	2 nd Street SE	Ideal Court SE	Dwight Avenue SE

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 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 2013 CDBG Target Neighborhood Resurfacing Program. 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: JULY 15, 2013

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 78 - 2013

BY: STREETS, HIGHWAYS, SAFETY AND TRAFFIC COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 339 "COMMERCIAL AND HEAVY VEHICLES" of the Codified Ordinances of the City of Massillon, by repealing existing Subsection 339.13 "APPLICATION FOR SPECIAL HAULING PERMIT", and declaring an emergency.

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

Section 1:

Existing Chapter 339 "COMMERCIAL AND HEAVY VEHICLES" is hereby amended by repealing existing Subsection 339.13 "APPLICATION FOR SPECIAL HAULING PERMIT" of the Codified Ordinances of the City of Massillon. Said newly enacted Subsection shall read as follows:

SEE EXHIBIT "A" ATTACHED HERETO

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 necessary for the preservation of the health, safety and welfare of the community, and for the further reason that the change to the special hauling permit is at the request of ODOT. 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.

SPECIAL HAULING PERMIT

48 Hours Notice Required for Approval

COM-1

CITY OF MASSILLON
CITY ENGINEER/PUBLIC WORKS DIRECTOR
151 LINCOLN WAY EAST
MASSILLON, OHIO 44646
Phone 330-830-1722
Fax 330-830-1786

Kathy Catazaro-Perry, Mayor

James Johnson, Director of Public Safety and Service

Massillon
City of Champions

Insurance Bond Required

Yes _____

No _____

Amount of Bond \$ _____

Please Type or Print Legibly / All Dimensions Must be in Feet and Inches and Weights in Pounds

Applicant Name- Owner / Leasee / Insured (of Vehicle)			Application Date		
Address (Mailing)			Telephone Number		
City	State	Zip Code	Fax Number		
All Weights Legal? _____ Yes		Various Trailers? _____	Email Address:		

Vehicle Information

	Make	No. Axles	License Number	State
Power Unit				
Trailer 1				
Trailer 2				
Trailer 3				

Load Information

	Make (If applicable)	Model (If applicable)	Length	Width	Height	Weight
Load						
Load Description						Owner of Load

Maximum Overall Dimensions

Length	Width	Height	Weight	Deck Height of Trailer	Minimum Underclearance

Axle Weights

Total Number of Axles - _____		Complete if Overweight (Please Use COM-1A if more than 9 axles)							
Axle Number	1 (front)	2	3	4	5	6	7	8	9
Load (Axle Weights)									
Number of Tires									
Tire Width									

Axle Spacing: _____

Routing Information

From (Location Address)	To (Location Address)
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Sequence of Roads in the City to be used:

Length of Haul on City Roads:

Desired Effective Date:	Date of Permit Termination:
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ALL MOVEMENTS ARE SUBJECT TO THE LIMITATIONS AND PROVISIONS LISTED IN COM-1B WHICH SHALL BE CARRIED AT ALL TIMES ALONG WITH THIS PERMIT

TYPE OF PERMIT (check only one)

SINGLE OCCASION:

<input type="checkbox"/>	ONE-WAY TRIP (\$50.00)
<input type="checkbox"/>	ROUND Trip (\$100.00)

CONTINUING:

<input type="checkbox"/>	ANNUAL OVERSIZED OF LEGAL WEIGHT (\$100.00)
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SPECIAL

<input type="checkbox"/>	DESCRIPTION: _____
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X _____
Signature of Applicant

Date

Make Checks payable to: City Of Massillon
Please fax a copy of your check in with the permit

X _____
City Engineer

Date

Rev. 4-13

COM-1A

CITY OF MASSILLON

TO BE ATTACHED TO PERMIT FORM COM-1 WHEN NUMBER OF AXLES EXCEEDS NINE (9)

	Axle Spacings (Feet & Inches)	Axle Number	Axle Weights	No. of Tires per Axle	Tire Size
A		1			
		2			
B		3			
C		4			
D		5			
E		6			
F		7			
G		8			
H		9			
I		10			
J		11			
K		12			
L		13			
M		14			
N		15			
O		16			
P		17			
Q		18			
R		19			
S		20			
T		21			
U		22			
TOTAL GROSS WEIGHT					

CITY OF MASSILLON

LIMITATIONS/PROVISIONS ON THE USE OF A SPECIAL HAULING PERMIT

THIS IS A TWO-SIDED FORM AND MUST BE CARRIED IN ITS ENTIRETY

GENERAL PROVISIONS & LIMITATIONS

- 1) The granting of this permit does not guarantee that the load described can be moved without damage to the pavement or structures although the permit is granted on the assumption that the load can be moved without damage, based on the best information available.
- 2) Permittee will be held liable for any damage caused by the movement. The City of Massillon assumes no responsibility for damage to the permittee's equipment or load being moved due to any such failure. The permittee agrees to compensate the City of Massillon for any damage to a roadway or road structure and also to hold The City of Massillon harmless from all claims, damages, or proceedings of any kind and from all responsibility for personal injury or property damages (public or private) caused directly or indirectly as a result of the transportation of said vehicle(s) or object(s).
- 3) If requested, the applicant must file a bond or certificate of his liability insurance, showing that he has procured adequate bond or insurance to cover the provisions of the previous paragraph 2.
- 4) The Special Hauling Permit (SHP) shall be in the possession of the driver at all times during the progress of transportation and will be shown on demand to any Deputy Sheriff, State Highway Patrolman, or other law enforcement officer.
- 5) The permission granted restricts the movement of the vehicle(s) or object(s) to only the City of Massillon roads specified, between the points designated, and within the time allotted. Permittee is responsible to check the route for abnormal, changed, or unknown conditions, which may exist during any move. Permission to travel state routes, township roads or local streets not part of the City of Massillon's road system must be obtained from the proper authorities.
- 6) No vehicle(s) or object(s) being transported under a Special Hauling Permit shall be left parked on the roadway either day or night except in case of an emergency, in which case adequate protection shall be provided for the traveling public. The vehicle(s) shall not be loaded or unloaded within the limits of the highway.
- 7) The operator of the vehicle must comply with all laws, rules, or regulations covering the movement of traffic over highways and streets.
- 8) Special Hauling Permits will not generally be issued for a built-up load that is divisible into legal loads or loads that have not been loaded to the least over dimension or the least overweight. Miscellaneous items may, however, be transported on the same vehicle with an over dimension piece or pieces so long as the miscellaneous items do not add to the over dimension. It is not necessary to identify these miscellaneous items. If, in the event of an extenuating circumstance, a permit is issued for a divisible load in which two or more pieces add to the over dimension or overweight, such load will be adequately described.
- 9) A Special Hauling Permit is void at any time road, weather, or traffic conditions make travel unsafe, as determined by the City of Massillon.
- 10) Movement of mobile homes, manufactured structures, office trailers, and park model recreational vehicles is prohibited when wind velocity exceeds 20 mph.

OPERATING LIMITATIONS

- 1) No vehicle(s) or object(s) being transported under a Special Hauling Permit shall travel in convoy with any other oversize/overweight vehicle or vehicle and load. Every vehicle operating under a SHP shall maintain a minimum spacing of 500' from all vehicles traveling in front and in the same lane as said vehicle whenever possible. No vehicle operating under a Special Hauling Permit shall pass other vehicles traveling in the same direction.
- 2) Any load with an overall height in excess of 14 feet 10 inches shall be required to coordinate the move with the owners of all overhead signs, signals, utilities, etc., which may obstruct safe, clear movement.
- 3) Reductions in legal weight posted on roadways or bridges must be obeyed. Contact the City of Massillon's Engineer's Office immediately if your route includes legal load reductions.
- 4) Movement of all vehicles/loads traveling under an Annual Oversized of Legal Weight Special Hauling Permit that exceed the posted weight of the 25% seasonal weight reduction on City of Massillon's roads shall acquire an additional permit for each movement on said roads while the reductions are in effect.

DAYS/HOURS OF OPERATION

- 1) Overweight vehicle/loads that are not over dimensional, traveling under the authority of a Special Hauling Permit, will not be restricted as to travel hours or days so long as the overweight vehicle/load can move without obstructing the normal flow of the traffic.
- 2) With the exception of permitted legal dimensioned overweight vehicle/loads noted in 1) above, vehicle/loads traveling under the authority of Special Hauling Permits shall be prohibited from movement on the holidays listed by ODOT's Oversize/Overweight Special Hauling Permits Holiday Restrictions Notice. Holiday prohibitions begin at noon the day preceding and continue until one-half hour before sunrise the day following the holiday or holiday weekend.
- 3) Movement of all vehicles/loads in excess of twelve feet in width shall be prohibited during the following travel times:
Saturday from 3:00 P.M. until ½ hour before sunrise on the following Sunday
Sunday from 3:00 P.M. until ½ hour before sunrise on the following Monday
Friday from 3:00 P.M. until ½ hour before sunrise on the following Saturday (April 1 through November 30)
These time limitations are in addition to item 2) of the Days/Hours of Operation, above.
- 4) With the exception of limits noted in 1), 2) and 3) above, permit vehicles and loads may move during daylight hours, Sunday through Saturday. Daylight hours are defined as one-half hour before sunrise until one-half hour after sunset.

WARNING FLAGS AND SIGNS

- 1) Warning flags shall be displayed on all over dimensional vehicles and loads. Warning flags shall be 18 inches square, red or orange in color, in good repair and free of printing or other markings and shall be securely fastened by at least one corner or securely mounted on a staff.
- 2) Over width vehicles and loads shall bear two flags at the widest extremities of the vehicle or load as well as one flag at each corner of the vehicle or load. Warning flags are not required to be displayed on the tractor.
- 3) Over length vehicles and loads or vehicles and loads with a rear overhang of 4 feet or greater shall display a single flag at the extreme rear if the over length or projecting part is two feet wide or less. Two flags shall be displayed if the over length or projecting portion is wider than two feet and the flags should be located to indicate maximum width.
- 4) Warning signs, when required, shall be in good repair, shall read "OVERSIZE LOAD" and shall be at least 7 feet long and 18 inches high. The sign's background shall be yellow with black lettering. Letters shall be at least 10 inches with a 1.41 inch brush stroke. If series E Modified is used, the brush stroke is to be two inches.
- 5) OVERSIZE LOAD signs shall be displayed on any vehicle or vehicle/load exceeding the maximum legal length limit as set forth in the Ohio Revised Code, Section 5577.05.
- 6) OVERSIZE LOAD signs shall be displayed on any vehicle or vehicle/load with an overall width of 10 feet or greater.
- 7) OVERSIZE LOAD signs shall be displayed on any vehicle or vehicle/load with an overall height in excess of 14 feet 6 inches.
- 8) OVERSIZE LOAD signs, when required, shall be displayed on the front and rear of the over dimensioned vehicle or vehicle/load.

LIGHTING

- 1) All Permitted vehicles' standard vehicle lighting must be in operating order. THE HEADLIGHTS MUST BE ON DURING THE MOVEMENT OF ANY OVER DIMENSION VEHICLE/LOAD.

ESCORT VEHICLES

- 1) Escort vehicles, when required by a Special Hauling Permit to accompany an over dimensional or overweight vehicle/load, shall be required to display a warning sign, yellow with black letters, reading "OVERSIZE LOAD". The sign shall be 5 feet long by 12 inches high with 8 inch high letters and shall be in good repair. Escort vehicles shall also be required to maintain radio communication with the operator of the permitted vehicle and shall also be required to be equipped with a roof mounted amber flashing or rotating light(s). Driver of the escort vehicle is to act as a flagger when needed.
- 2) One rear escort vehicle shall be required for the transportation of any vehicle/load with an overall length in excess of 90 feet.
- 3) One lead escort vehicle shall be required for the transportation of any vehicle/load with an overall width in excess of 12 feet.
- 4) One lead escort vehicle equipped with a height-sensing device shall be required for the transportation of any vehicle/load with an overall height in excess of 14 feet 6 inches.
- 5) One lead and one rear escort shall be required on any vehicle or vehicle/load with an overall width in excess of 14 feet 6 inches.
- 6) One lead and one rear escort shall be required on any vehicle or vehicle/load with an overall height in excess of 14 feet 10 inches.
- 7) If more than one of the conditions set forth in numbers 2) through 4) above are met, (for example, a load exceeding 12 feet in width and 90 feet in length), two escorts (one lead and one rear) shall be required.
- 8) Lead escort vehicle, when required, is to proceed 500 feet in advance of permit vehicle/load.
- 9) Rear escort vehicle, when required, is to follow 500 feet in back of permit vehicle/load.

FLAGGERS

- 1) Flaggers shall be used when limited sight distance or hazards are encountered.

PENALTY FOR VIOLATION

- 1) Failure to comply with the general or special provisions of a Special Hauling Permit, exceeding the weights or dimensions granted, or operating on dates or upon highways other than assigned shall render the permit null and void and the operator of the vehicle subject to arrest, as provided in Sections 5577.02 to 5577.05 inclusive, of the Ohio Revised Code.
- 2) These limitations and provisions describe the general requirements placed on the operation of over dimension and overweight vehicles traveling on Massillon City roads, and are in addition to specific provisions stated on the permit or its attachments. For reference or detailed information, please contact the City of Massillon's Engineer's Office.

DATE: JULY 15, 2013

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 79 – 2013

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1414 Collection System Improvement Fund, 1482 OPWC Project Fund, 1406 Wastewater Treatment Plant Capital Improvement Fund, Capital Improvement Fund and the 1206 Municipal Motor Vehicle License Plate 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 1414 Collection System Improvement Fund, for the year ending December 31, 2013 the following:

\$59,262.83 to an account entitled "Griffith Ave SW Sanitary Sewer Replacement Project"
1414.610.2514

Section 2:

There be and hereby is appropriated from the unappropriated balance of the 1482 OPWC Project Fund, for the year ending December 31, 2013 the following:

\$129,727.62 to an account entitled "Griffith Ave SW Sanitary Sewer Replacement Project"
1482.610.2514

Section 3:

There be and hereby is appropriated from the unappropriated balance of the 1406 Wastewater Treatment Plant Capital Improvement Fund, for the year ending December 31, 2013 the following:

\$13,415.00 to an account entitled "Services/Contracts" 1406.610.2392

Section 4:

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

\$19,054.03 to an account entitled "Lease Purchase Police Cruisers" 1401.305.2530
\$15,918.03 to an account entitled "Lease Purchase Police Cruisers" 1401.305.2530
\$10,953.17 to an account entitled "Lease Purchase Police Cruisers" 1401.305.2530

Section 5:

There be and hereby is appropriated from the unappropriated balance of the 1206 Municipal Motor Vehicle License Plate Fund, for the year ending December 31, 2013. the following:

\$8,540.00 to an account entitled "Services/Contracts" 1206.435.2392

Section 6:

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 7:

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 _____ 2013

ATTEST: _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: JULY 15, 2013

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 11 - 2013

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: A RESOLUTION adopting the decision of the Tax Incentive Review Committee made on March 15, 2013 wherein they recommended that those certain Enterprise Zone Agreements listed on the attached exhibit "A" be continued, and declaring an emergency.

WHEREAS, the Tax Incentive Review Committee recommended on March 15, 2013 that those certain Enterprise Zone Agreements listed on the attached exhibit "A" be continued.

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

Section 1:

The Council of the City of Massillon, Ohio, deems it proper to adopt the decision of the Tax Incentive Review Committee made on March 15, 2013 continuing the Enterprise Zone Agreements listed on exhibit "A" which the Committee has recommended to be continued.

Section 2:

This Resolution is declared to be an emergency measure in that the adoption of the decision of the Tax Incentive Review Committee is essential for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Wherefore, this Resolution shall be in full force and effect immediately from and after passage and approval by the Mayor.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2013

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE:

July 15, 2013

CLERK:

Mary Beth Bailey

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 12 - 2013

BY: PUBLIC UTILITIES COMMITTEE

TITLE: A RESOLUTION authorizing and directing the Director of Public Service and Safety to enter into a agreement with IGS Energy as the natural gas supplier of an endorsement program for the benefit of residents, small businesses, and other natural gas consumers in the City.

WHEREAS, this Council seeks to continue a natural gas supplier endorsement program for the benefit of residents, small businesses, and other natural gas consumers in the City.

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

Section 1:

The Director of Public Service and Safety is hereby authorized and directed to enter a supply agreement with IGS Energy in order to continue a natural gas supplier endorsement program for the benefit of residents, small businesses, and other natural gas consumers in the City.

Section 2:

This Council finds and determines that it is in the best interest of the City, its residents, small businesses, and other natural gas consumers located within the corporate limits of the City to continue the natural gas supplier endorsement program in the City. The City may exercise such authority jointly with other municipalities using Independent Energy Consultants, Inc., as to the full extent permitted by law. The Director of Public Service and Safety is hereby authorized to execute and deliver a supply agreement with IGS Energy to continue the endorsement program. The endorsement program will allow residents, small businesses, and other natural gas consumers located within the corporate limits of the City to enroll into the program by contacting IGS Energy.

Section 3:

This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4:

This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this Resolution is required to be immediately effective in order to file a certified copy of this Resolution.

PASSED IN COUNCIL THIS ____ DAY OF _____, 2013

APPROVED _____
CLERK OF COUNCIL

PRESIDENT

APPROVED _____
DATE

MAYOR

MASSILLON ENTERPRISE ZONE PROGRAM - TAX INCENTIVE REVIEW COMMITTEE MEETING					
COMPANY	SCHOOL DISTRICT	DATE OF AGREEMENT	INVESTMENT LEVELS	EMPLOYMENT LEVELS	COMMENTS / COMMITTEE RECOMMENDATION
OHIO DRILLING COMPANY	Tuslaw	9/11/2002	101%	72%	Continue Abatement
E-B DISPLAY COMPANY, INC.	Tuslaw	9/13/2006	108%	160%	Continue Abatement
CLOVERLEAF COLD STORAGE COMPANY	Perry	8/9/2001	0%	0%	Expired
VASCO ASPHALT COMPANY	Perry	5/16/2002	148%	131%	Continue Abatement
KENDEL WELDING & FABRICATION	Perry	4/28/2003	92%	50%	Continue Abatement on Probation
CLOVERLEAF COLD STORAGE COMPANY	Perry	5/29/2003	138%	160%	Continue Abatement
E-TANK LTD	Perry	9/15/2004	275%	209%	Continue Abatement
GENCO	Perry	12/9/2005	109%	83%	Continue Abatement
CLOVERLEAF COLD STORAGE COMPANY	Perry	9/1/2005	195%	110%	Continue Abatement
POLYMER PACKAGING, INC.	Perry	5/31/2006	84%	41%	Terminate
INTEGRITY CRANE SERVICES LTD	Perry	6/28/2006	99%	100%	Continue Abatement
BILL HAWK INC	Perry	7/11/2007	100%	114%	Continue Abatement
KRAFT POWER CORP.	Perry	7/18/2007	179%	100%	Continue Abatement
CASE FARMS LLC	Perry	3/18/2008	119%	100%	Continue Abatement on Probation
SHEARER'S FOODS INC.	Perry	10/8/2008	398%	167%	Continue Abatement
HEINZ FROZEN FOOD CO.	Massillon	5/19/1999	142%	88%	Continue Abatement
PEPSI COLA GENERAL BOTTLERS	Massillon	5/9/2002	104%	205%	Continue Abatement
ALCO INDUSTRIES DBA US CHEMICAL & PLASTICS	Massillon	8/2/2006	70%	340%	Continue Abatement