

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

WEDNESDAY 8
DATE: ~~MONDAY~~, JANUARY 6, 2014
PLACE: COUNCIL CHAMBERS
TIME: 7:30P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL

A. APPOINTMENT OF COUNCIL CLERK

RESOLUTION NO. 1 – 2014

BY: COMMITTEE OF THE WHOLE

A RESOLUTION appointing Mary Beth Bailey as Clerk of Massillon City Council and establishing salary for said position.

B. NOMINATION AND ELECTION OF PRESIDENT PRO-TEM OF COUNCIL

C. ADOPTION OF COUNCIL COMMITTEE ASSIGNMENTS

2. INVOCATION BY COUNCILMAN MILAN CHOVAN

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. 1 – 2014

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS 9-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Consent Legislation with the Ohio Department of Transportation for the D04-MOW FY 2014/2015, PID 96758, and declaring an emergency.

RESOLUTION NO. 2 – 2014

BY: COMMITTEE OF THE WHOLE

PASS 9-0

A RESOLUTION commending Donnie Peters, Jr., as a Member of City Council for the City of Massillon, Ohio.

RESOLUTION NO. 3 – 2014

BY: COMMITTEE OF THE WHOLE

PASS 9-0

A RESOLUTION commending Larry V. Slagle, as a Member of City Council for the City of Massillon, Ohio.

RESOLUTION NO. 4 – 2014

BY: COMMITTEE OF THE WHOLE

PASS 9-0

A RESOLUTION commending Quenessa N. Hampton, as a Member of City Council for the City of Massillon, Ohio.

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

A). AUDITOR SUBMITS MONTHLY REPORT FOR DECEMBER 2013

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

ORDINANCE NO. 157 – 2013

BY: RULES, COURTS AND CIVIL SERVICE

2ND READING

AN ORDINANCE amending CHAPTER 121 "COUNCIL" of the Codified Ordinances of the City of Massillon, by enacting a new Section 121.02(b) Rule 8.1 "Powers and Duties, and declaring an emergency.

ORDINANCE NO. 158 – 2013

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS 9-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Consent Legislation with the Ohio Department of Transportation for the D04-Herbicidal Spraying FY 2015, PID 96977, and declaring an emergency.

ORDINANCE NO. 159 – 2013

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS 9-0

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for 2014 Municipal Road Funds for the Hankins Road Improvement Project, 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: JANUARY 6, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 1 - 2014

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION appointing Mary Beth Bailey as Clerk of Massillon City Council and establishing salary for said job.

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

Section 1:

Mary Beth Bailey be appointed Clerk of City Council of Massillon, Ohio.

Section 2:

That the annual salary for the Clerk of Council shall be classified as a 12S UN Classified position.

Section 3:

This Resolution being one for the internal management of Council shall be immediately effective and Section 2 shall have retroactive effect as of January 1, 2014.

PASSED THIS _____ DAY OF _____, 2014

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: JANUARY 6, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 1 - 2014

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Consent Legislation with the Ohio Department of Transportation for the D04-MOW FY 2014/2015, PID 96758, 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 sign the Consent Legislation with the Ohio Department of Transportation for the D04-MOW FY 2014/2015, PID 96758.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to sign the Consent Legislation with the Ohio Department of Transportation for the D04-MOW FY 2014/2015, PID 96758. The State has identified the need for mowing in various spots on US 30 that is located within the Corporation Limits of the City. There will be no City dollars expended for this project it will be funded 100% by ODOT, unless the City specifically requests items be completed that are determined by the State and Federal Highway Administration to be unnecessary for the project than those costs would be 100% City.

(SEE EXHIBIT "A" HERETO ATTACHED)

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 reason that it is necessary to sign the Consent Legislation with Ohio Department of Transportation for the D04-MOW FY 2014/2015, PID 96758 which would cover the need for mowing in various spots on US 30.

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 _____ 2014

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED _____

KATHY CATAZARO-PERRY, MAYOR

PRELIMINARY LEGISLATION

RC 5521.01

Ordinance/Resolution# _____

PID No. 96758

County/Route/Section D04-MOW FY2014/15 (West)

The following is _____ enacted by the City of Massillon of Stark
(An Ordinance/a Resolution) (Local Public Agency)
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I - Project Description

WHEREAS, the (LPA/STATE) has identified the need for the described project:

Mowing along US30 within the City limits

NOW THEREFORE, be it ordained by the City of Massillon of Stark County, Ohio.
(LPA)

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The State shall assume and bear 100% of all of the costs of the improvement.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of way costs include eligible utility costs.

SECTION V - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Authority to Sign

The _____ of said _____ is hereby empowered on behalf of
the _____ (Contractual Agent) _____ (LPA)
the _____ (LPA) to enter into contracts with the Director of Transportation which is

necessary to complete the above described project.

Passed: _____, 20____
(Date)

Attested: _____
(Clerk) _____ (Officer of LPA - title)

Attested: _____
(Title) _____ (President of Council)

This _____ is hereby declared to be an emergency measure to
(Ordinance/Resolution)
expedite the highway project(s) and to promote highway safety. Following appropriate legislative
action, it shall take effect and be in force immediately upon its passage and approval, otherwise it
shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

City of Massillon of Stark County, Ohio
(LPA)

I, _____, as Clerk of the City of Massillon
(LPA)
of Stark County, Ohio, do hereby certify that the forgoing is a true and
correct copy of _____ adopted by the legislative Authority of the said
(Ordinance/Resolution)
City _____ on the _____ day of _____, 20____
(LPA)
that the publication of such _____ has been made and certified of
(Ordinance/Resolution)
record according to law; that no proceedings looking to a referendum upon such
_____ have been taken; and that such
(Ordinance/Resolution) _____
(Ordinance/Resolution) Page _____
and certificate of publication thereof are of record in _____
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if
applicable, this _____ day of _____, 20____

Clerk

_____ of _____, Ohio
(LPA)
(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No
Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the _____ of _____, Ohio
(LPA)

Attest: _____, Date _____

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation

DATE: JANUARY 6, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 2 - 2014

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION commending Donnie Peters, Jr., as a Member of City Council for the City of Massillon, Ohio.

WHEREAS, on December 31, 2013 Donnie Peters, Jr., completed 8 years as a member of Council of the City of Massillon, Ohio, and

WHEREAS, Donnie Peters, Jr., has devoted himself to his responsibilities and duties as a member of Massillon City Council, and

WHEREAS, Mr. Peters, Jr., during his terms of office as a member of City Council has given outstanding service to the Citizens for the betterment of Massillon; and

WHEREAS, City Council desires to recognize and note upon its official records its appreciation and commendation to Mr. Donnie Peters, Jr., for the excellent service he has rendered to the people and the City of Massillon during his terms of office. It should also be dully noted that Mr. Donnie Peters, Jr., had a perfect attendance record for all regular and special council meetings during his terms of office.

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

Section 1:

On behalf of the City of Massillon and the members of City Council, the Council commends Donnie Peters, Jr., for the efficient, energetic and capable manner in which he has discharged his duties and for the lasting contribution he has made to the City during his terms of office.

Section 2:

That this Resolution shall be immediately effective.

DATE: JANUARY 6, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 3 - 2014

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION commending Larry V. Slagle, as a Member of City Council for the City of Massillon, Ohio.

WHEREAS, on December 31, 2013 Larry V. Slagle, completed 6 years as a member of Council of the City of Massillon, Ohio, and

WHEREAS, Larry V. Slagle, has devoted himself to his responsibilities and duties as a member of Massillon City Council, and

WHEREAS, Mr. Slagle, during his terms of office as a member of City Council has given outstanding service to the Citizens for the betterment of Massillon; and

WHEREAS, City Council desires to recognize and note upon its official records its appreciation and commendation to Mr. Larry V. Slagle, for the excellent service he has rendered to the people and the City of Massillon during his terms of office.

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

Section 1:

On behalf of the City of Massillon and the members of City Council, the Council commends Larry V. Slagle, for the efficient, energetic and capable manner in which he has discharged his duties and for the lasting contribution he has made to the City during his terms of office.

Section 2:

That this Resolution shall be immediately effective.

DATE: JANUARY 6, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 4 - 2014

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION commending Quenessa N. Hampton, as a Member of City Council for the City of Massillon, Ohio.

WHEREAS, on December 31, 2013 Quenessa N. Hampton, completed 10 months as a member of Council of the City of Massillon, Ohio, and

WHEREAS, Quenessa N. Hampton, has devoted herself to her responsibilities and duties as a member of Massillon City Council, and

WHEREAS, Mrs. Hampton, during her term of office as a member of City Council has given outstanding service to the Citizens for the betterment of Massillon; and

WHEREAS, City Council desires to recognize and note upon its official records its appreciation and commendation to Mrs. Quenessa N. Hampton, for the excellent service she has rendered to the people and the City of Massillon during her term of office.

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

Section 1:

On behalf of the City of Massillon and the members of City Council, the Council commends Quenessa n. Hampton, for the efficient, energetic and capable manner in which she has discharged her duties and for the lasting contribution she has made to the City during her term of office.

Section 2:

That this Resolution shall be immediately effective.