

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

DATE: TUESDAY, JANUARY 21, 2014  
PLACE: COUNCIL CHAMBERS  
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILWOMAN SARITA CUNNINGHAM-HEDDERLY
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. 2 – 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

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

ORDINANCE NO. 3 – 2014

BY: RULES, COURTS AND CIVIL SERVICE

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. 4 – 2014

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1406 Wastewater Treatment Capital Improvement Fund and the 1414 Collection System Improvement Fund, for the year ending December 31, 2014, and declaring an emergency.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS

LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A NEW LIQUOR LICENSE FOR WINE N GOLD LLC 921 AMHERST NE MASSILLON OHIO 44646

9. BILLS, ACCOUNTS AND CLAIMS
10. REPORTS FROM CITY OFFICIALS

- A. MAYOR'S SUBMITS MONTHLY REPORT FOR NOVEMBER 2013
- B. TREASURER SUBMITS MONTHLY REPORT FOR NOVEMBER 2013

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

**13. CALL OF THE CALENDAR**

**14. THIRD READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 157 – 2013**

**BY: RULES, COURTS AND CIVIL SERVICE**

**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.

**15. SECOND READING ORDINANCES AND RESOLUTIONS**

**16. NEW AND MISCELLANEOUS BUSINESS**

**17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA**

**18. ADJOURNMENT**

**MARY BETH BAILEY - CLERK OF COUNCIL**

DATE: JANUARY 21, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 2 - 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-3 Single Family Residential to RM-1 Multiple Family Residential.

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from R-3 Single Family Residential to RM-1 Multiple Family Residential. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on January 8<sup>th</sup>, 2014 and that notice and public hearing has been given according to law.

Section 2:

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

Being known as Out Lot 737, a 19.822 acre area, former Ashland University campus. The applicant is Lemmon and Lemmon, Inc., on behalf of Ashland University, property owner. The purpose for the rezoning is for the construction of a 122 unit senior living facility consisting of apartments and assisted living units with memory care services. The rezoning of this area is necessary for Lemmon and Lemmon, Inc., to purchase the property and begin construction of the proposed senior living facility.

Section 3:

Provided it receives the affirmative vote of majority of the elected members of Council this ordinance it shall take effect and be in force from and after the earliest period allowed by law.



DATE: JANUARY 21, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 3 - 2014

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: 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.

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, desires to amend Section 121.02(b) Rule 8.1 "Powers and Duties" of Chapter 121 "COUNCIL" of the Codified Ordinances of the City of Massillon to change the way Committee Meetings of Council are conducted.

Section 2:

There be and is hereby enacted a new Section 121.02(b) Rule 8.1 "Powers and Duties: of the Chapter 121 "COUNCIL" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

Rule 8.1: Committee meetings of Council shall be held on the second and last Monday of each month in the Council Chambers in the Municipal Government Center, at 6:00p.m., except on a Monday when the building is closed for a holiday, the Council shall meet on the following day, (Tuesday). Committee meetings will begin with the Community Development, then other committees alphabetically, with Finance last. During each respective committee meeting only those members of the committee shall be seated at the table. Any correspondence from a non-committee member shall be ushered through the committee chairperson and follow Robert's Rules of Order.

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 efficient operation of the Massillon City Council and for the additional reason that it is necessary to make the change on the record to reflect the way committee meetings are conducted. 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

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

MARY BETH BAILEY, CLERK OF COUNCIL

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

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

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

DATE: JANUARY 21, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 4 – 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1406 Wastewater Treatment Capital Improvement Fund and the 1414 Collection System Improvement Fund, for the year ending December 31, 2014, 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 1406 Wastewater Treatment Capital Improvement Fund, for the year ending December 31, 2014, the following:

\$146,662.25 to an account entitled "Supplies/Materials/Postage" 1406.610.2410  
\$ 29,850.00 to an account entitled "Services/Contracts" 1406.610.2392  
\$ 21,246.35 to an account entitled "Supplies/Materials/Postage" 1406.610.2410

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, 2014, the following:

\$9,209.79 to an account entitled "Griffith Ave Sanitary Sewer Replacement Project" 1414.610.2514

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.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2014

ATTEST:

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

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

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

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