

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

→ ABSENT
MANSON → ACTING
DATE: MONDAY, MARCH 3, 2014
PLACE: COUNCIL CHAMBERS
TIME: 7:30P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILMAN ED LEWIS, IV
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. 21 – 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a purchase agreement between the City of Massillon and the Community Improvement Corporation of Massillon, Inc., for the sale of real estate located on the south side of Lincoln Way West (SR 172) adjacent to Holy Trinity Church known as Outlot #967 containing 3 acres of land, upon approval of the Board of Control.

ORDINANCE NO. 22 – 2014

BY: HEALTH, WELFARE & BLDG REGULATIONS

1ST READING

AN ORDINANCE enacting a new CHAPTER 1351 "OUTDOOR FURNITURE RESTRICTION" of the Codified Ordinances of the City of Massillon.

ORDINANCE NO. 23 – 2014

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

1ST READING

AN ORDINANCE accepting the vacation of Saint Luke Street NW, and declaring an emergency.

ORDINANCE NO. 24 – 2014

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2105 Stormwater Utility 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
9. BILLS, ACCOUNTS AND CLAIMS
10. REPORTS FROM CITY OFFICIALS

A). AUDITOR SUBMITS MONTHLY REPORT FOR FEBRUARY 2014

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

ORDINANCE NO. 6 – 2014

BY: PARKS AND RECREATION COMMITTEE

PASS 9-0

AN ORDINANCE establishing the new 2014 Club Legends Room/Tent fees to be charged at The Legends of Massillon Golf Course, and declaring an emergency.

ORDINANCE NO. 7 – 2014

BY: PARKS AND RECREATION COMMITTEE

PASS 9-0

AN ORDINANCE establishing the new 2014 Facility/Pavilion Cancellation fees for the Massillon Parks and Recreation Department, and declaring an emergency.

ORDINANCE NO. 9 – 2014

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS 9-0

AN ORDINANCE accepting the dedication of road right of way and replat for the property located at 1306 17th Street SW owned by Jamie Gresser. The dedication includes approximately 0.119 acres of the existing roadway area and replat of the adjoining property, and declaring an emergency.

ORDINANCE NO. 10 – 2014

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the Safety Forces Improvement Fund, for the year ending December 31, 2014, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 5 – 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND READING

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement between the City of Massillon, Downtown Massillon Hotel, Ltd., and Charles Street Ltd., which would permit, if certain conditions are met, canceling the promissory note associated with the loan for the Hampton Inn project and release the related mortgages and any other liens related to the financing of the project upon payment in the amount of \$1.4 million to the City, and declaring an emergency.

ORDINANCE NO. 13 – 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND READING

AN ORDINANCE amending the Community Reinvestment Area Agreement between the City of Massillon and Midwest Health Services for the construction of a new office building within the City of Massillon, and declaring an emergency.

ORDINANCE NO. 14 – 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the resale and conveyance of property Parcel #06-07770 pursuant to the City's Vacant Land Reutilization Program, establishing the fair market value of said property, and declaring an emergency.

ORDINANCE NO. 15 – 2014

BY: HEALTH, WELFARE & BLDG REGULATIONS

2ND READING

AN ORDINANCE repealing existing CHAPTER 1323 "NOTIFICATION OF FORECLOSURE FILING" and enacting a new CHAPTER 1323 "FORECLOSURE PROPERTY REGISTRY", of the Codified Ordinances of the City of Massillon.

ORDINANCE NO. 16 – 2014

BY: HEALTH, WELFARE & BLDG REGULATIONS

2ND READING

AN ORDINANCE repealing existing CHAPTER 1330 "REGISTRATION OF NON-OWNER OCCUPIED STRUCTURES" and enacting a new CHAPTER 1330 "REGISTRATION OF NON-OWNER OCCUPIED RENTAL STRUCTURES", of the Codified Ordinances of the City of Massillon.

ORDINANCE NO. 17 – 2014

BY: HEALTH, WELFARE & BLDG REGULATIONS

2ND READING

AN ORDINANCE repealing existing CHAPTER 1331 "REGISTRATION OF VACANT BUILDINGS" and enacting a new CHAPTER 1331 "REGISTRATION OF VACANT BUILDINGS", of the Codified Ordinances of the City of Massillon.

ORDINANCE NO. 19 – 2014

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the Local Law Enforcement Trust Fund, for the year ending December 31, 2014, 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

**MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
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18. ADJOURNMENT

MARY BETH BAILEY - CLERK OF COUNCIL

DATE: MARCH 3, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 21 - 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a purchase agreement between the City of Massillon and the Community Improvement Corporation of Massillon, Inc., for the sale of real estate located on the south side of Lincoln Way West (SR 172) adjacent to Holy Trinity Church known as Outlot #967 containing 3 acres of land, upon approval of the Board of Control.

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 purchase agreement between the City of Massillon and the Community Improvement Corporation of Massillon, Inc., for the sale of real estate located on the south side of Lincoln Way West (SR 172) adjacent to Holy Trinity Church known as Outlot #967 containing 3 acres of land.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into the purchase agreement between the City of Massillon and the Community Improvement Corporation of Massillon, Inc.

Section 3:

The purchase price for said real estate shall be \$15,000 (Fifteen Thousand Dollars). The city will be receiving the \$15,000 (Fifteen Thousand Dollars) through the Community Improvement Corporation of Massillon, Inc., and said funds will be used to pay for the purchase of this parcel of real estate.

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 public health, safety and welfare of the community and for the further reason the Massillon Community Improvement Corporation (CIC) plan to use said property for the purpose of economic development. 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.

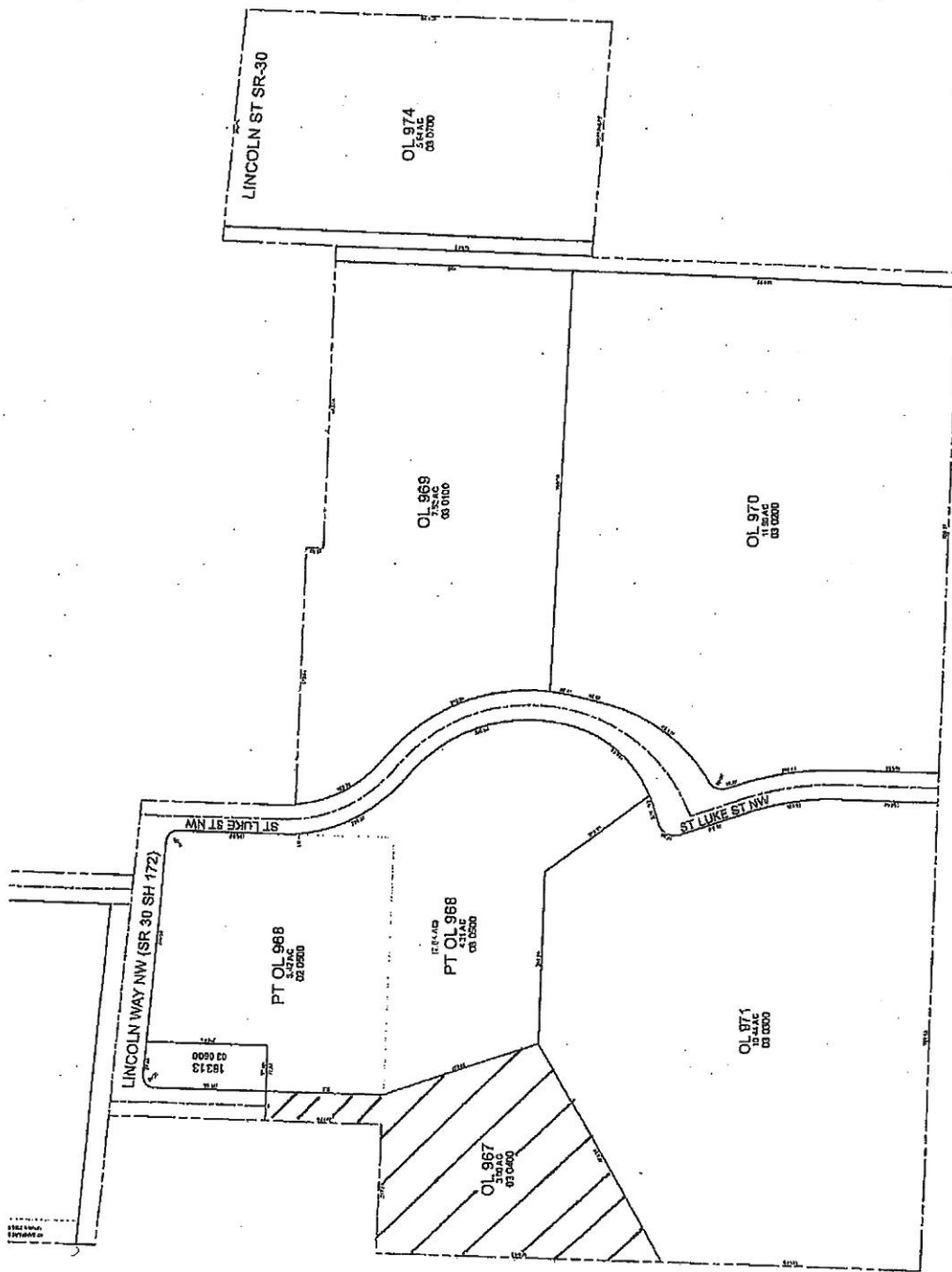
PASSED IN COUNCIL THIS _____ DAY OF _____ 2014

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR



DATE: MARCH 3, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 22 - 2014

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE enacting a new CHAPTER 1351 "OUTDOOR FURNITURE RESTRICTION", of the Codified Ordinances of the City of Massillon.

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

Section 1:

There be and is hereby enacted a new CHAPTER 1351 "OUTDOOR FURNITURE RESTRICTION", of the Codified Ordinances of the City of Massillon. Said newly created Chapter shall read as follows:

(SEE ATTACHED EXHIBIT "A")

Section 2:

This ordinance 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

DATE: MARCH 3, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 23 - 2014

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the vacation of Saint Luke Street NW, and declaring an emergency.

WHEREAS, there has been filed with this Council by the owners of all of the lots and lands bounding and abutting upon the street hereinafter described, a petition requesting that thereafter described be vacated, and

WHEREAS, upon hearing, this Council hereby finds that there is good cause for such vacation and that it will not be detrimental to the general interest of this community and that such vacation should be made.

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

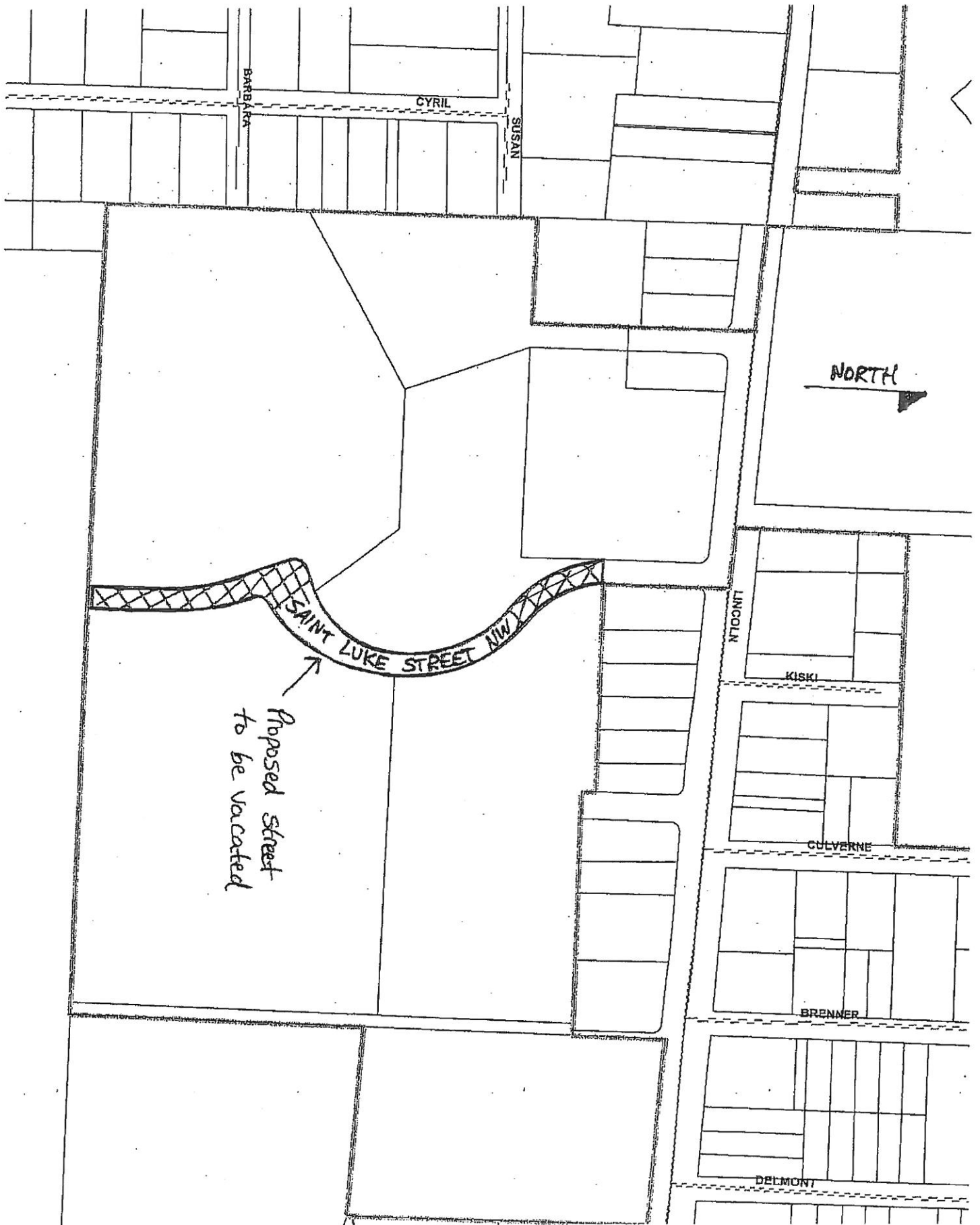
Section 1:

There has been a request to vacate Saint Luke Street NW consisting of approximately 1300 feet of roadway with a total of 1.59 acres. This was dedicated in 2003 as a proposed new street, however the roadway improvements were never installed and the property remains vacant. This vacation plat is filed in the City Engineer's Office. Approval of the vacation was recommended by the City Planning Commission on February 12th 2014. Said vacation is hereby approved, adopted and confirmed.

Section 2:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the continued efficient operation of the City of Massillon, Ohio, the street to be vacated has never been used for municipal purposes and is no longer needed for municipal purposes. 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.

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DATE: MARCH 3, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 24 – 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 2105 Stormwater Utility 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 2105 Stormwater Utility Fund, for the year ending December 31, 2014, the following:

\$47,550.00 to an account entitled "Storm Sewer Repairs" 2105.425.2510

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:

\$20,000.00 to an account entitled "Supplies/Materials/Postage" 1414.610.2410

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. 2nd page is the signature page