

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

**DATE: MONDAY, MAY 5, 2014  
PLACE: COUNCIL CHAMBERS  
TIME: 7:30P.M.**

**THERE IS ONE PUBLIC MEETING TONIGHT  
ORDINANCE NO. 38 – 2014 AT 6:30PM – MASSILLON HISTORIC DISTRICT**

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN SHADDRICK STINSON**
- 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. 59 – 2014**

**BY: ENVIRONMENTAL COMMITTEE**

*1st READING*  
**AN ORDINANCE** amending CHAPTER 943 "STORMWATER UTILITY" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 943.04 "Stormwater Fee" and enacting replacement Section 943.04 "Stormwater Fee".

**ORDINANCE NO. 60 – 2014**

**BY: ENVIRONMENTAL COMMITTEE**

*1st READING*  
**AN ORDINANCE** amending CHAPTER 943 "STORMWATER UTILITY" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 943.04 "Stormwater Fee" and enacting replacement Section 943.04 "Stormwater Fee".

**ORDINANCE NO. 61 – 2014**

**BY: POLICE AND FIRE COMMITTEE**

*PASS 9-0*  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into contract with the Board of Trustees of Jackson Township for the purpose of EMS Transport billing, and declaring an emergency.

**ORDINANCE NO. 62 – 2014**

**BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY**

*PASS 9-0*  
**AN ORDINANCE** vacating a part of Poets Glen Allotment No. 1, and declaring an emergency.

**ORDINANCE NO. 63 – 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 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 9<sup>th</sup> Street SW Improvement Project in the City of Massillon, and declaring an emergency.

**ORDINANCE NO. 64 – 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 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 Hankins Road NE Improvement Project in the City of Massillon, and declaring an emergency.

**ORDINANCE NO. 65 – 2014**

**BY: FINANCE COMMITTEE**

*PASS 9-0*  
AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, 1414 Collection System Improvement Fund, 1406 Wastewater Treatment Capital Improvement Fund and the 1433 Fund, for the year ending December 31, 2014, and declaring an emergency.

**ORDINANCE NO. 66 – 2014**

**BY: FINANCE COMMITTEE**

*PASS 9-0*  
AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – PARKS AND RECREATION DEPARTMENT of Ordinances No. 127 – 1997 by establishing additional employee identification numbers, in the City of Massillon, Ohio, 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 R SNACK POP STORE LLC 3050 LINCOLN WAY E MASSILLON OHIO 44656

LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A NEW LIQUOR LICENSE FOR WALGREENS CO DBA WALGREENS 07865 1950 WALES RD NE MASSILLON OHIO 44646

**9. BILLS, ACCOUNTS AND CLAIMS**

**10. REPORTS FROM CITY OFFICIALS**

A). AUDITOR SUBMITS MONTHLY REPORT FOR APRIL 2014

**11. REPORTS OF COMMITTEES**

**12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER**

**13. CALL OF THE CALENDAR – TABLED INDEFINITELY ON MARCH 17, 2014**

**ORDINANCE NO. 136 – 2013**

**BY: PUBLIC UTILITIES COMMITTEE**

*DEFEAT 9-0*  
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Non-Surface Development Gas & Oil Lease with Everflow Eastern Partners LP., for 8.10 acres of real estate owned by the City of Massillon, and declaring an emergency.

**ORDINANCE NO. 137 – 2013**

**BY: PUBLIC UTILITIES COMMITTEE**

*DEFEAT 9-0*  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Non-Surface Development Gas & Oil Lease with Everflow Eastern Partners LP., for 10.65 acres of real estate owned by the City of Massillon, and declaring an emergency.

**ORDINANCE NO. 148 – 2013**

**BY: PUBLIC UTILITIES COMMITTEE**

*DEFEAT 9-0*  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign an amendment and extension of an existing Oil and Gas Lease. The well lease area includes part of The Legends Golf Course property with a requested lease area from the City of Massillon of 9.77 acres, and declaring an emergency.

**ORDINANCE NO. 149 – 2013**

**BY: PUBLIC UTILITIES COMMITTEE**

*DEFEAT 9-0*  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign an amendment and extension of an existing Oil and Gas Lease. The well lease area includes the property known as Shriver Park, with a requested lease area from the City of Massillon of 5.40 acres, and declaring an emergency.

**14. THIRD READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 33 – 2014**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

*PASS 9-0*  
**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Modern Ritual Piercing to provide an economic development "inducement grant" to assist the company in renovation expenses at 28 Erie Street N., and declaring an emergency.

**ORDINANCE NO. 34 – 2014**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

*PASS 9-0*  
**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Pampered Nails Boutique to provide an economic development "inducement grant" to assist the company in renovation expenses at 2107 Lincoln Way West, and declaring an emergency.

**ORDINANCE NO. 36 – 2014**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

*PASS 9-0*  
**AN ORDINANCE** approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications, and declaring an emergency.

**ORDINANCE NO. 38 – 2014**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

*TABLE TO 6/16/14*  
**AN ORDINANCE** expanding the boundaries of the Massillon Historic District.

**ORDINANCE NO. 42 – 2014**

**BY: FINANCE COMMITTEE**

*PASS 9-0*  
(Section 1)

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

**15. SECOND READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 44 – 2014**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

*2ND READING 5/19/14 7:00 P.H.*  
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from RM-1 Multiple Family Residential to RCRD Condominium Residential.

**ORDINANCE NO. 45 – 2014**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

*2ND READING 5/19/14 7:15 P.H.*  
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 RM-1 Multiple Family Residential.

**ORDINANCE NO. 46 – 2014**

**BY: ENVIRONMENTAL COMMITTEE**

*PASS 9-0*  
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 contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Anaerobic Digester Cleaning at the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

**ORDINANCE NO. 47 – 2014**

**BY: ENVIRONMENTAL COMMITTEE**

*PASS 9-0*  
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 contract, upon award and approval of the Board of Control, with the lowest and best bidder for Process Waste Removal at the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

**ORDINANCE NO. 48 – 2014**

**BY: PUBLIC UTILITIES COMMITTEE**

*2ND READING*  
AN ORDINANCE establishing a street lighting district encompassing the entire City of Massillon, Ohio.

**ORDINANCE NO. 49 – 2014**

**BY: PUBLIC UTILITIES COMMITTEE**

*2ND READING*  
AN ORDINANCE to assess a street lighting fee.

**ORDINANCE NO. 56 – 2014**

**BY: FINANCE COMMITTEE**

*2ND READING*

**AN ORDINANCE** amending CHAPTER 181 "INCOME TAX" of the Codified Ordinances of the City of Massillon and enacting new Section 181.031 LEVY OF ADDITIONAL TAX to reflect the increase in the municipal income tax rate from one and eight-tenths percent (1.8%) to two percent (2.00%) to be effective January 1, 2015 subject to the approval of the electors of the City of Massillon at the General Election to be held on November 4, 2014.

**ORDINANCE NO. 57 – 2014**

**BY: FINANCE COMMITTEE**

~~ORDINANCE NO. 57 – 2014~~ *PASS 9-0*

**AN ORDINANCE** amending Section 181.15 "CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY" of CHAPTER 181 "INCOME TAX" of the Codified Ordinances of the City of Massillon by enacting a new Section 181.15 "CREDIT FOR TAX PAID TO ANOTHER MUNICIPALITY" of said CHAPTER 181 "INCOME TAX".

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: MAY 5, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 59 - 2014

BY: ENVIRONMENTAL COMMITTEE:

TITLE: AN ORDINANCE amending CHAPTER 943 "STORMWATER UTILITY" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 943.04 "Stormwater Fee" and enacting replacement Section 943.04 "Stormwater Fee".

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

Section 1:

The existing Section 943.04 "Stormwater Fee" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

That there hereby is enacted new Section 943.04 "Stormwater Fee" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

943.04 Stormwater Fee: Subject to the provisions of this Chapter, each and every residential developed and nonresidential developed, other than exempt property, within the corporate limits of the City, and the owners and non-owner users thereof, have imposed upon them a stormwater fee. In the event the owner and non-owner users of a particular property are not the same, the liability for each the owner and non-owner user for the fee attributable to that property shall be joint and several. The stormwater fee shall be billed on a quarterly basis which shall be determined by the provisions of this Chapter and the ERU and ERU Rate which shall be established and changed from time to time by City Council. The rate hereby adopted by the City Council is \$2.00 per month per Equivalent Residential Unit (ERU) and by the following scale for any developed property not considered R-1 Residential. All school properties regardless of size of impervious area shall be calculated as being in the "tier 1" at \$5.00 per month. Rates shall be effective beginning July 1, 2014.

Total Impervious Surface Area

Fee Per Month

1 – 10,000 Square Feet	\$5.00
10,001 – 25,000 Square Feet	\$7.00
25,001 – 50,000 Square Feet	\$10.00
50,001 – 100,000 Square Feet	\$20.00
100,001 Square Feet and up	\$40.00

Section 3:

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

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

MARY BETH BAILEY, CLERK OF COUNCIL

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

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

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

DATE: MAY 5, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 60 -2014.

BY: ENVIRONMENTAL COMMITTEE:

TITLE: AN ORDINANCE amending CHAPTER 943 "STORMWATER UTILITY" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 943.04 "Stormwater Fee" and enacting replacement Section 943.04 "Stormwater Fee".

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

Section 1:

The existing Section 943.04 "Stormwater Fee" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

That there hereby is enacted new Section 943.04 "Stormwater Fee" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

**943.04 Stormwater Fee:** Subject to the provisions of this Chapter, each and every residential developed and nonresidential developed, other than exempt property, within the corporate limits of the City, and the owners and non-owner users thereof, have imposed upon them a stormwater fee. In the event the owner and non-owner users of a particular property are not the same, the liability for each the owner and non-owner user for the fee attributable to that property shall be joint and several. The stormwater fee shall be billed on a quarterly basis which shall be determined by the provisions of this Chapter and the ERU and ERU Rate which shall be established and changed from time to time by City Council. The rate hereby adopted by the City Council is \$3.00 per month per Equivalent Residential Unit (ERU) and by the following scale for any developed property not considered R-1 Residential. All school properties regardless of size of impervious area shall be calculated as being in the "tier 1" at \$5.00 per month. Rates shall be effective beginning January 1, 2015.

Total Impervious Surface Area

Fee Per Month

1 – 10,000 Square Feet	\$5.00
10,001 – 25,000 Square Feet	\$7.00
25,001 – 50,000 Square Feet	\$10.00
50,001 – 100,000 Square Feet	\$20.00
100,001 Square Feet and up	\$40.00



Section 3:

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

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

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

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

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

DATE: MAY 5, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 61 - 2014

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 contract with the Board of Trustees of Jackson Township for the purpose of EMS Transport billing, 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 enter into contract with the Board of Trustees of Jackson Township for the purpose of EMS Transport billing.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into contract with the Board of Trustees of Jackson Township for the purpose of EMS Transport billing. The contract will be for a period of three (3) years commencing on March 1, 2014. The said contract is attached hereto as Exhibit "A".

Section 3:

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 the three (3) year contract be signed with the Board of Trustees of Jackson Township so the billing process can begin on March 1, 2014 for EMS Transporting that will be performed by the Massillon Fire 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.

### EMS Charges Billing Agreement

The following is an Agreement between the Board of Trustees of Jackson Township, Stark County, Ohio (Jackson Township), and the City of Massillon, Stark County, Ohio (Massillon).

Jackson Township agrees to:

1. Process and mail insurance claims by generating a computerized HCFA-1500 form. This includes all commercial insurance, Medicaid, UMWA, Worker's Compensation and Medicare supplemental policies.
2. Manage accounts receivable for up to 120 days. After that time, Jackson Township will submit these accounts to Massillon's designated collection agency.
3. Provide all insurance forms, postage and billing supplies.
4. Maintain hard copy files for audit purposes.
5. Stay current with insurance changes, billing technique improvements, Medicare updates and all HIPAA compliancy regulations.
6. Provide Massillon with a monthly report that will show what was billed, to whom, what dollar amount and how many claims were submitted.
7. Reprocess any claims denied due to processing errors, coding, and patient information at no extra charge.
8. Respect the confidentiality of your records by providing secure and password protected measures and require all staff to sign confidentiality agreements.
9. To pay half the yearly fees, and other assessed cost from time to time, associated with Medicare electronic filing currently administered by the Ability Network or any successor network identified by Medicare for electronic billing.

Massillon agrees to:

1. Collect all necessary patient and insurance information. This will include the authorization signature (HIPAA Privacy Act) for submission to patient's insurance company.
2. Massillon will be billed every two months.
3. Pay invoices by the fifteenth (15<sup>th</sup>) of the month after invoice received. Billing will be bi-monthly.
4. Forward all copies of patient payments along with EOB's to Jackson Township.
5. Pay fifteen (\$15.00) dollars for each run processed by Jackson Township.

6. To pay half the yearly fees, and other assessed cost from time to time, associated with Medicare electronic billing currently administered by the Ability Network or any successor network identified by Medicare for electronic billing.

Conditions:

1. This Agreement will be binding for a period of three (3) years commencing March 1, 2014.
2. Amendments to this Agreement will be accepted if signed by both parties.
3. Jackson Township reserves the right to discontinue all services if its invoices are not paid in full by the fifteenth (15<sup>th</sup>) of the month after an invoice is received. A late fee of fifty (\$50.00) dollars may be incurred on all past due invoices.
4. This Agreement may be terminated after a thirty (30) day written notice by either party.

WITNESSES:

BOARD OF TRUSTEES OF JACKSON  
TOWNSHIP, STARK COUNTY, OHIO

\_\_\_\_\_

\_\_\_\_\_  
Todd J. Hawke, President

\_\_\_\_\_

\_\_\_\_\_  
James N. Walters, Vice President

\_\_\_\_\_

\_\_\_\_\_  
John E. Pizzino, Trustee

DATE: \_\_\_\_\_

THE CITY OF MASSILLON  
STARK COUNTY, OHIO

\_\_\_\_\_

\_\_\_\_\_  
Kathy Catazaro-Perry, Mayor

\_\_\_\_\_

\_\_\_\_\_  
Alfred G. Hennon, Safety Service Director

DATE: \_\_\_\_\_

DATE: MAY 5, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 62 - 2014

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a part of Poets Glen Allotment No. 1, 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 a part of Poets Glen Allotment No. 1 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:

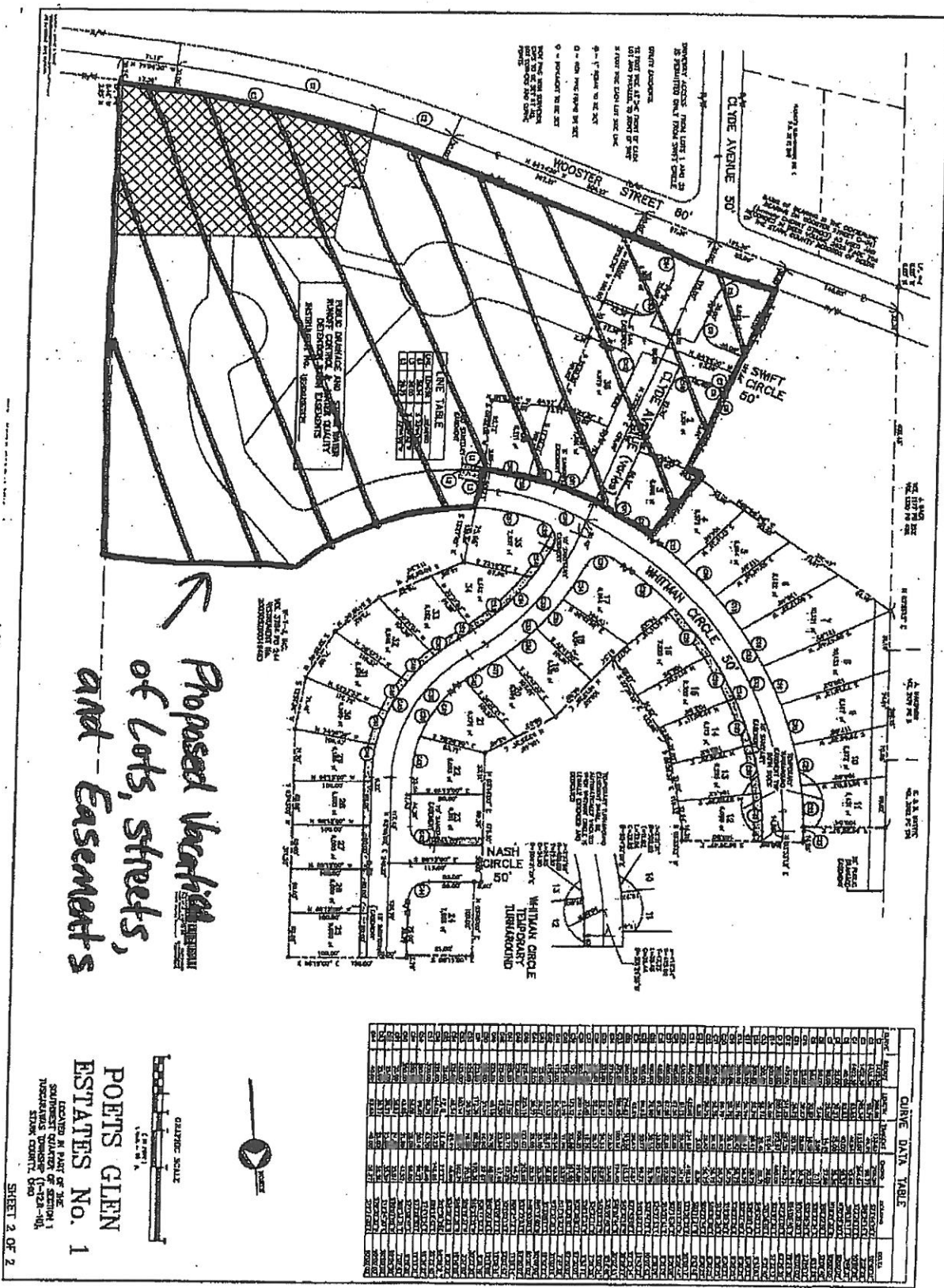
That Poets Glen Allotment No. 1, consisting of portions of Clyde Ave NW, Swift Circle NW and Whitman Circle NW. Also including 7 platted lots and various utility easements. This development was dedicated in Stark County and annexed to the City of Massillon. Approval of the vacation was recommended by the Planning Commission on April 9<sup>th</sup>, 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, and that the portion of the street to be vacated is necessary to permit immediate commencement of the vacation of the lots in the area. 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.

2<sup>nd</sup> page is the signature page





Proposed location  
of lots, streets,  
and easements

POETS GLEN  
ESTATES NO. 1  
SHEET 2 OF 2

DATE: MAY 5, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 63 - 2014

BY: STREETS, HIGHWAYS, TRAFFIC & 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 9<sup>th</sup> Street SW Improvement Project 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 9<sup>th</sup> Street SW Improvement Project 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 9<sup>th</sup> Street SW Improvement Project in the City of Massillon. The estimated cost of said project is One Million Three Hundred Fifty-Seven Thousand Nine Hundred Eighty-Four Dollars (\$1,357,984.00) with the funding breakdown being 20% local funds and 80% OPWC funds (20% grant, 80% loan).

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 9<sup>th</sup> Street SW Improvement Project. 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: MAY 5, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 64 - 2014

BY: STREETS, HIGHWAYS, TRAFFIC & 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 Hankins Road NE Improvement Project 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 Hankins Road NE Improvement Project 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 Hankins Road NE Improvement Project in the City of Massillon. The estimated cost of said project is One Million Four Hundred Ninety-Nine Thousand Six Hundred Thirty-Two Dollars (\$1,499,632.00) with the funding breakdown being 21% local funds and 79% OPWC funds (20% grant, 80% loan).

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 Hankins Road NE Improvement Project. 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: MAY 5, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 65 – 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, 1414 Collection System Improvement Fund, 1406 Wastewater Treatment Capital Improvement Fund and the 1433 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 General Fund, for the year ending December 31, 2014, the following:

\$67,889.24 to an account entitled "Levee Infrastructure Improvement Project" 1100.405.2393

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:

\$80,352.20 to an account entitled "Genshaft Park Sewer Project" 1414.610.2516

\$78,141.46 to an account entitled "Levee Infrastructure Improvement Project" 1414.610.2515

Section 3:

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:

\$45,200.00 to an account entitled "Supplies/Materials/Postage" 1406.610.2410

Section 4:

There be and hereby is appropriated from the unappropriated balance of the 1433 Fund, for the year ending December 31, 2014, the following:

\$11,250.00 to an account entitled "Capital Park Equipment" 1433.505.2530

Section 5:

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 6:

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

DATE: MAY 5, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 66 - 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES – PARKS AND RECREATION DEPARTMENT of Ordinance No. 127 - 1997 by establishing additional employee identification numbers, in the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

Section 2(D) OCCUPATION LIST OF CLASS TITLES – PARKS AND RECREATION DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby amended to include additional employee identification numbers commencing with 511.

Section 2:

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the reason that it is necessary to increase employee identification numbers beginning with 511 (001 to 999) within the Parks and Recreation 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 \_\_\_\_\_ 2014

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

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

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

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