

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

DATE: MONDAY, JUNE 2, 2014  
PLACE: COUNCIL CHAMBERS  
TIME: 7:30P.M.

THERE ARE NO PUBLIC MEETINGS 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. 77 – 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Bill Weaver, owner of A Victorian Reflection, to provide an economic development grant to assist the business with upgrading and beautifying the City's downtown, and declaring an emergency.

ORDINANCE NO. 78 – 2014

BY: RULES, COURTS & CIVIL SERVICE

AN ORDINANCE amending Chapter 121 "COUNCIL" of the Codified Ordinances of the City of Massillon, Ohio, by enacting a new Section 121:02(b) Rule 8.1 "Powers and Duties".

ORDINANCE NO. 79 – 2014

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

AN ORDINANCE creating a Roads Improvement Commission, and declaring an emergency.

ORDINANCE NO. 80 – 2014

BY: FINANCE COMMITTEE

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

ORDINANCE NO. 81 – 2014

BY: FINANCE COMMITTEE

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.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS
9. BILLS, ACCOUNTS AND CLAIMS

**10. REPORTS FROM CITY OFFICIALS**

- A). AUDITOR SUBMITS MONTHLY REPORT FOR MAY 2014
- B). MAYOR SUBMITS MONTHLY REPORT FOR APRIL 2014

**11. REPORTS OF COMMITTEES**

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

**13. CALL OF THE CALENDAR – Tabled FROM MAY 19, 2014**

**ORDINANCE NO. 44 – 2014**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**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**

**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.

**14. THIRD READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 59 – 2014**

**BY: ENVIRONMENTAL COMMITTEE**

**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**

**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".

**15. SECOND READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 67 – 2014**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Gallery 121 to provide an economic development "inducement grant" to assist the company in renovation expenses at 121 Lincoln Way West, and declaring an emergency..

**ORDINANCE NO. 70 – 2014**

**BY: PUBLIC UTILITIES COMMITTEE**

**AN ORDINANCE** enacting CHAPTER 741 "OIL & GAS LEASING PROCEDURES" of the Codified Ordinances of the City of Massillon, and declaring an emergency.



ORDINANCE NO. 72 – 2014

*gmb* BY: FINANCE COMMITTEE

**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.

ORDINANCE NO. 73 – 2014

*p* BY: FINANCE COMMITTEE

**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

DATE JUNE 2, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 77 - 2014

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Bill Weaver, owner of A Victorian Reflection, to provide an economic development grant to assist the business with upgrading and beautifying the City's downtown, and declaring an emergency.

WHEREAS, the City of Massillon carries out a variety of economic development programs designed to promote the creation and expansion of business and industry in the community; and

WHEREAS, Bill Weaver, owner of A Victorian Reflection, desires to upgrade and beautify his downtown business located at 28 Lincoln Way East, and

WHEREAS, the City of Massillon proposed to assist Bill Weaver, owner of A Victorian Reflection, in upgrading and beautifying the downtown business by providing an economic development grant, the purpose of which is to help offset the business's costs in the upgrade.

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

Section 1:

This Council hereby authorizes the Mayor to enter into an agreement with Bill Weaver, owner of A Victorian Reflection, providing an economic development grant, in a total amount not to exceed Five Hundred Dollars (\$500.00) for the purpose of assisting the business with the purchase of top soil, mulch, flowers and plants to beautify the City's downtown brick planters for the summer. The funds for this grant will be provided through the City's Economic Development Fund 1237.845.2392.

Section 2:

In return for this economic development grant assistance, Bill Weaver, owner of A Victorian Reflection, located at 28 Lincoln Way East will use the funds for the purchase of top soil, mulch, flowers and plants for the City's downtown brick planters located in front of his business for the purpose of upgrading and beautifying that area.

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 immediately necessary for the preservation of the health, safety, and welfare of the community and for the additional reason that it is necessary to improve the economic climate of the community through the economic development grant dollars. 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

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

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

DATE: JUNE 2, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 78 - 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".

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 all members of council may 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 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: JUNE 2, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 79 - 2014

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE:

TITLE: AN ORDINANCE creating a Roads Improvement Commission, 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, desired to create a Roads Improvement Commission. The mission of the Roads Improvement Commission is to evaluate the current conditions of all roadways throughout the City. From this evaluation the commission will then develop a five (5) year re-pavement plan for targeted areas throughout the City. The commission will then present the plan to both the city administration and legislative authority for acceptance and implementation. Upon implementation of the plan the commission will annually monitor the progress being made. This commission is to operate under the assumption that all parts of the Fiscal Emergency Plan for the City of Massillon are successfully implemented. The commission will consist of one (1) council member of the Streets and Highways Committee, one (1) other member of council, the City Engineer, one (1) representative of the City Auditor's office and one (1) citizen appointment made by the Mayor of the city.

Section 2:

This ordinance is hereby declared to be an emergency measure the reason for the emergency being is to establish the Roads Improvement Commission within the City of Massillon. 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



DATE: JUNE 2, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 80 – 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General 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:

\$4,795.00 to an account entitled "Municipal Court Staff Salary" 1100.125.2111

\$ 672.00 to an account entitled "PERS" 1100.125.2230

\$ 176.00 to an account entitled "Workers Comp" 1100.905.2270

\$ 69.00 to an account entitled "Medicare" 1100.125.2231

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 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.

DATE: JUNE 2, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 81 – 2014

BY: FINANCE COMMITTEE

TITLE: 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.

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 Economic Development Fund, for the year ending December 31, 2014, the following:

\$500.00 to an account entitled "Services/Contracts" 1237.845.2392

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 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.