

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

**DATE: MONDAY, DECEMBER 15, 2014
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.**

THERE ARE NO PUBLIC HEARINGS TONIGHT

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN PAUL MANSON**
- 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. 169 – 2014

BY: COMMITTEE OF THE WHOLE

AN ORDINANCE to approve current replacement pages to the Massillon Codified Ordinances, and declaring an emergency.

ORDINANCE NO. 170 – 2014

BY: STREETS, HIGHWAYS & TRAFFIC COMMITTEE

AN ORDINANCE to accept the dedication of road right of way area located on the east side of 9th St. S.W., and declaring an emergency.

ORDINANCE NO. 171 – 2014

BY: STREETS, HIGHWAYS & TRAFFIC COMMITTEE

AN ORDINANCE to accept the dedication of road right of way area located at 2850 Richville Dr. S.E., and declaring an emergency.

ORDINANCE NO. 172 – 2014

BY: FINANCE COMMITTEE

AN ORDINANCE amending Ordinance No. 143 – 1976 by repealing Section 13 – “ALLOCATION OF FUNDS – INCOME TAX” and enacting a new Section 13 – “ALLOCATION OF FUNDS – INCOME TAX” and repealing Ordinance No. 126 – 2013, and declaring an emergency.

ORDINANCE NO. 173 – 2014

BY: FINANCE COMMITTEE

AN ORDINANCE reducing the appropriations in the 3110 Massillon Museum Fund, the 3105 State Patrol Transfer Fund, the 1409 Municipal Road Fund, the 1100 General Fund, the 1482 OPWC Projects Fund, the 1421 WWT Plant Upgrade Fund, the 1229 Home Fund, and the 1235 Community Health Fund, for the year ending December 31, 2014, and declaring an emergency.

ORDINANCE NO. 174 – 2014

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Chief of Police of the City of Massillon, Ohio, to accept a grant from the Health foundation of Greater Massillon for the Massillon Police Department, and declaring an emergency.

ORDINANCE NO. 175 – 2014

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1209 Police Pension Fund, for the year ending December 31, 2014, and declaring an emergency.

ORDINANCE NO. 176 – 2014

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2014 appropriations from within the 1100 General Fund, for the year ending December 31, 2014, and declaring an emergency.

ORDINANCE NO. 177 – 2014

BY: FINANCE COMMITTEE

AN ORDINANCE adopting temporary appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for fiscal year 2015, and declaring an emergency.

ORDINANCE NO. 178 – 2014

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1212 Summer Concert Fund, for the year ending December 31, 2014, and declaring an emergency.

RESOLUTION NO. 13 – 2014

BY: FINANCE COMMITTEE

A RESOLUTION waiving any interest or penalties that may be owed by taxpayer that is required for the first time to pay estimated taxes by reason of reduction of the income tax credit for the City of Massillon, Ohio, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

- A. LETTER FROM DEPT. OF COMMERCE, DIVISION OF LIQUOR CONTROL REGARDING THE TRANSFER OF LIQUOR LICENSE FROM CHERYL L LEONARD ESTATE, CHARLES LEONARD JR, EXECUTOR, DBA EMMERT'S MARKET, 1107 ERIE ST S, 1ST FLOOR, MASSILLON, OH, 44646 TO PATRICK EMMERT, DBA EMMERT'S MARKET, 1107 ERIE ST S, 1ST FLOOR, MASSILLON, OH, 44646

9. BILLS, ACCOUNTS AND CLAIMS

- A. THE REPOSITORY – \$ 782.00
B. COPECO - \$ 887.00

10. REPORTS FROM CITY OFFICIALS

- A. THE AUDITOR'S REPORT FOR THE MONTH OF NOVEMBER 2014

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. 158 – 2014

BY: PARKS & RECREATION COMMITTEE

AN ORDINANCE authorizing the Mayor to enter into a lease agreement on behalf of the City of Massillon, Ohio, with the Stark County Park District, an Ohio Political Subdivision of Canton, Ohio, as Lessee, and declaring an emergency.

ORDINANCE NO. 160 – 2014

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

AN ORDINANCE authorizing the Director of Public Safety and Service of the City of Massillon, Ohio to amending Ordinance No. 133 – 1964, to reflect an updated complete list of emergency snow streets 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

DIANE ROLLAND – CLERK OF COUNCIL

ORDINANCE NO. 169

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT
PAGES TO THE MASSILLON CODIFIED ORDINANCES AND
DECLARING AN EMERGENCY.

WHEREAS, the Ohio Constitution requires that Ohio municipal ordinances comply with State law if they are an exercise of the Municipality's police powers;

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Massillon, Ohio:

SECTION 1: That the ordinances of the City of Massillon, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2015 Replacement Pages to the Codified Ordinances, are hereby approved and adopted.

SECTION 2: That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

301.161	Highway Maintenance Vehicle. (Added)
301.162	Highway Traffic Signal. (Added)
303.04	Road Workers, Motor Vehicles and Equipment Excepted. (Amended)
313.03	Traffic Signal Indications. (Amended)
333.01	Driving or Physical Control While Under the Influence. (Amended)
333.03	Maximum Speed Limits. (Amended)
333.031	Approaching a Stationary Public Safety, Emergency or Road Service Vehicle. (Amended)
337.16	Number of Lights; Limitations on Flashing. (Amended)
337.17	Focus and Aim of Headlights. (Amended)
339.01	Oversize or Overweight Vehicle on State Routes. (Amended)
351.03	Prohibited Standing or Parking Places. (Amended)
351.04	Parking Near Curb; Handicapped Parking. (Amended)

General Offenses Code

505.071	Cruelty to Companion Animals. (Amended)
525.01	Law Enforcement and Public Office Definitions. (Amended)
525.02	Falsification. (Amended)
525.05	Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
529.01	Liquor Control Definitions. (Amended)
529.07	Open Container Prohibited. (Amended)
533.09	Soliciting. (Amended)
533.14	Unlawful Advertising of Massage. (Added)
537.03	Assault. (Amended)
537.05	Aggravated Menacing. (Amended)
537.051	Menacing by Stalking. (Amended)
537.06	Menacing. (Amended)
537.12	Misuse of 9-1-1 System. (Amended)
537.16	Illegal Distribution of Cigarettes, Other Tobacco Products or Alternate Nicotine Products. (Amended)
537.17	Criminal Child Enticement. (Amended)
545.01	Theft and Fraud Definitions. (Amended)
545.02	Determining Property Value in Theft Offense. (Amended)
545.05	Petty Theft. (Amended)
545.15	Securing Writings by Deception. (Amended)
553.03	Duties of Locomotive Engineer. (Amended)

SECTION 3: That the complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

SECTION 4: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Municipality and its inhabitants for the reason that there exists an imperative necessity for the earliest publication and distribution of current Replacement Pages to the officials and residents of the Municipality, so as to facilitate administration, daily operation and avoid practical and legal entanglements, including conflict with general State law, and shall go into effect immediately.

PASSED IN COUNCIL THIS _____ DAY OF _____, _____.

APPROVED: _____
Clerk of Council

President

Mayor

DATE: DECEMBER 15, 2014

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 170 – 2014

BY: STREETS, HIGHWAYS & TRAFFIC COMMITTEE

TITLE: AN ORDINANCE to accept the dedication of road right of way area located on the east side of 9th Street S.W., and declaring an emergency.

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

Section 1:

The City accepts the dedication of road right of way areas as shown on the attached map. At its November 19, 2014 meeting, the City Planning Commission approved said dedication and replat for the property of PSR Development; located on the east side of 9th St. S.W. The request includes the dedication of approximately 1 acre of property to be used as part of the current 9th Street SW roadway replacement project. The area is currently zoned I-1 Industrial.

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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2014

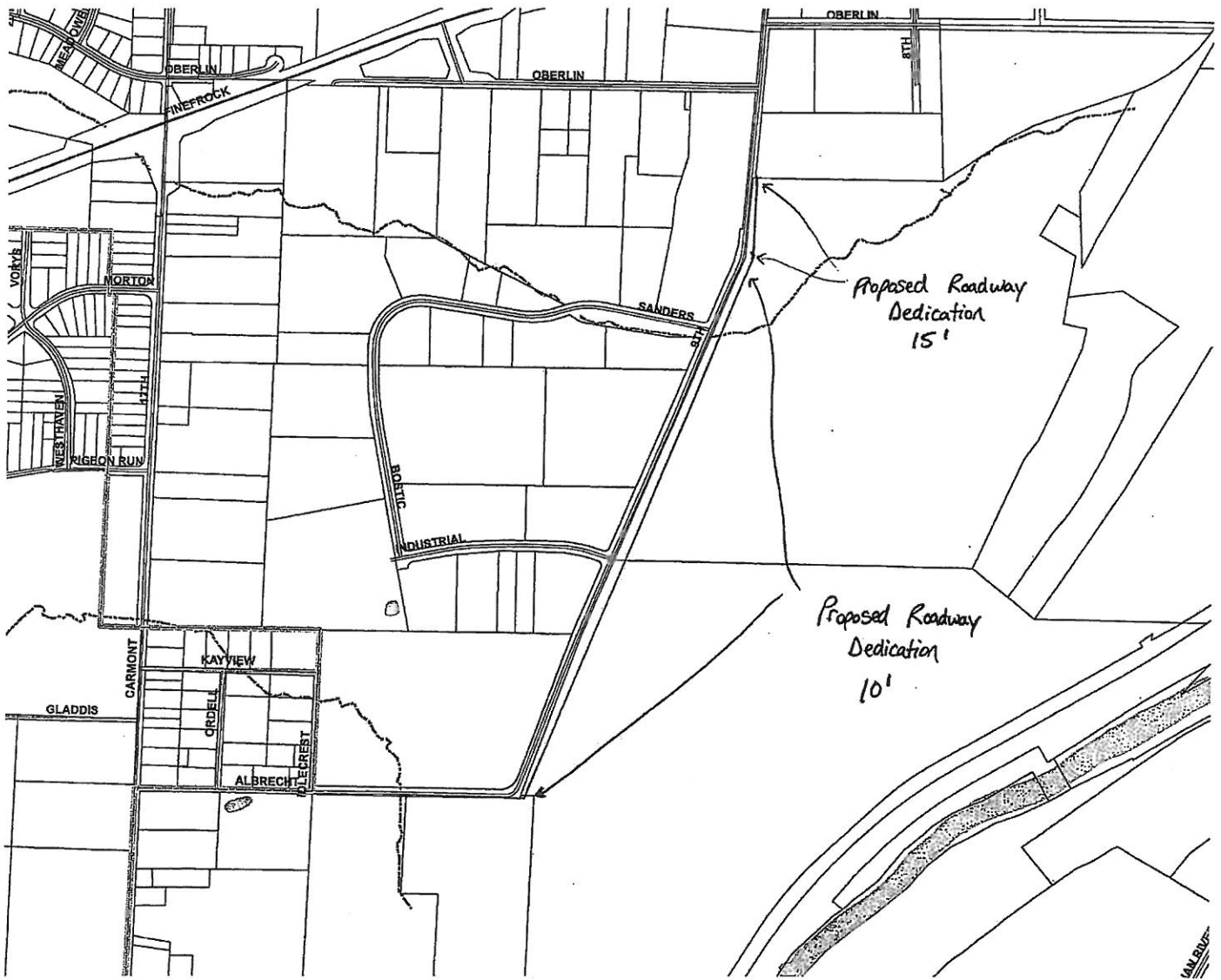
ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

TONY TOWNSEND, PRESIDENT

APPROVED:

KATHY CATAZARO-PERRY, MAYOR



DATE: DECEMBER 15, 2014

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 171 – 2014

BY: STREETS, HIGHWAYS & TRAFFIC COMMITTEE

TITLE: AN ORDINANCE to accept the dedication of road right of way area located at 2850 Richville Dr. S.E., and declaring an emergency.

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

Section 1:

The City accepts the dedication of road right of way areas as shown on the attached plat. At its November 19, 2014 meeting, the City Planning Commission approved said dedication and replat for the property of Filters Inc./RJ Matthews Co.; located at address 2850 Richville Dr. S.E. The request includes the dedication of approximately 0.8099 acres of the existing roadway areas along Richville Dr. and Nave Road; and including the replat of the adjoining property. The area is currently zoned I-1 Industrial.

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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2014

ATTEST: _____

DIANE ROLLAND, CLERK OF COUNCIL

_____ TONY TOWNSEND, PRESIDENT

APPROVED: _____

_____ KATHY CATAZARO-PERRY, MAYOR

DATE: DECEMBER 15, 2014

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 172 - 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 143 – 1976 by repealing Section 13 – “ALLOCATION OF FUNDS - INCOME TAX” and enacting a new Section 13 – “ALLOCATION OF FUNDS - INCOME TAX” and repealing Ordinance No. 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:

Ordinance No. 31 – 2014 be and is hereby repealed.

Section 2:

That there be and hereby is enacted a new Section 13 “ALLOCATION OF FUNDS - INCOME TAX” of Ordinance No. 143 - 1976. Said new Section 13 shall read as follows:

Section 13 - ALLOCATION OF FUNDS

(A) Effective January 1, 2015 the funds collected under the provision of this ordinance shall be disbursed as follows:

- (1) Ninety-Nine percent (99%) percent shall be deposited in the General Fund and One percent (1%) percent shall be deposited in said “Income Tax Capital Improvements” Fund and shall be used for capital improvements to defray operating expenses of the City including such part thereof as shall be necessary to defray all costs of administering and enforcing the provisions thereof.
- (2) Capital Improvements are all property, assets, machinery, equipment or improvements which the City is authorized by law to acquire, construct and maintain, including plans and studies thereof with an estimated life or usefulness of five (5) years or more, including land and interests therein, and including reconstructions, enlargements and extension thereof having an estimated life or usefulness of five (5) years or more provided, however, that the purchase of motorized equipment for the various city departments and the resurfacing and resealing of public streets, including

"Chip and Seal" method, shall be deemed Capital Improvement without regard to estimated life or usefulness.

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 public peace, welfare and safety and the emergency being the necessity of providing funds for the operation of necessary governmental functions imposed by law, including the proper police and fire protection, but not limited thereto, for, without said funds, said governmental functions would have to be curtailed to such an extent that the public safety and welfare would be greatly jeopardized. And 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: _____
DIANE ROLLAND, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: MARCH 17, 2014

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 31 - 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 143 - 1976 by repealing Section 13 - "ALLOCATION OF FUNDS - INCOME TAX" and enacting a new Section 13 "ALLOCATION OF FUNDS - INCOME TAX" and repealing Ordinance No. 126 - 2013, and declaring an emergency.

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

Section 1:

Ordinance No. 126 - 2013 be and is hereby repealed.

Section 2:

That there be and hereby is enacted a new Section 13 "ALLOCATION OF FUNDS - INCOME TAX" of Ordinance No. 143 - 1976. Said new Section 13 shall read as follows:

Section 13 - ALLOCATION OF FUNDS

(A) Effective January 1, 2014 the funds collected under the provision of this ordinance shall be disbursed as follows:

- (1) Ninety-Nine and One-Half percent (99.50%) percent shall be deposited in the General Fund and One-Half percent (.50%) percent shall be deposited in said "Income Tax Capital Improvements" Fund and shall be used for capital improvements to defray operating expenses of the City including such part thereof as shall be necessary to defray all costs of administering and enforcing the provisions thereof.
- (2) Capital Improvements are all property, assets, machinery, equipment or improvements which the City is authorized by law to acquire, construct and maintain, including plans and studies thereof with an estimated life or usefulness of five (5) years or more, including land and interests therein, and including reconstructions, enlargements and extension thereof having an estimated life or usefulness of five (5) years or more provided, however, that the purchase of motorized equipment for the various city departments and the resurfacing and resealing of public streets, including "Chip and Seal" method, shall be deemed Capital Improvement without regard to estimated life or usefulness.

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 public peace, welfare and safety and the emergency being the necessity of providing funds for the operation of necessary governmental functions imposed by law, including the proper police and fire protection, but not limited thereto, for, without said funds, said governmental functions would have to be curtailed to such an extent that the public safety and welfare would be greatly jeopardized. And 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 24th DAY OF March, 2014

ATTEST: Mary Beth Bailey
MARY BETH BAILEY, CLERK OF COUNCIL

Paul Manson
TONY M. TOWNSEND, PRESIDENT
Paul Manson, Acting

APPROVED: March 26, 2014

Kathy Catazaro-Perry
KATHY CATAZARO-PERRY, MAYOR

I hereby certify that the foregoing ordinance is a true copy of the original, as passed by the Council of the City of Massillon, Ohio, and approved as noted thereon:

Mary Beth Bailey
Clerk of Council

Date 3/24/14

DATE: DECEMBER 15, 2014

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 173 - 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriations in the 3110 Massillon Museum Fund, the 3105 State Patrol Transfer Fund, the 1409 Municipal Road Fund, the 1100 General Fund, the 1482 OPWC Projects Fund, the 1421 WWT Plant Upgrade Fund, the 1229 Home Fund, and the 1235 Community Health 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:

The appropriations are hereby reduced in the 3110 Massillon Museum Fund, for the year ending December 31, 2014, as follows:

\$ 2,074.82	from an account entitled "Massillon Museum Holding Acct."	- 3110.905.5.2379
<u>408.81</u>	from an account entitled "Fees"	- 3110.905.5.2393
\$ 2,483.63		

Section 2:

The appropriations are hereby reduced in the 3105 State Patrol Transfer Fund, for the year ending December 31, 2014, as follows:

\$ 12,414.14	from an account entitled "State Patrol Transfer Law Library"	- 3105.930.5.2390
<u>12,414.14</u>	from an account entitled "State Patrol Refund to General"	- 3105.930.5.2720
\$ 24,828.28		

Section 3:

The appropriations are hereby reduced in the 1409 Municipal Road Fund, for the year ending December 31, 2014, as follows:

\$ 7,307.60	from an account entitled "Lake Ave. N.E. Resurfacing Proj."	- 1409.435.5.2394
<u>113,937.86</u>	from an account entitled "Hankins Rd. N.E. Resurf. Proj."	- 1409.435.5.2396
\$ 121,245.46		

Section 4:

The appropriations are hereby reduced in the 1100 General Fund, for the year ending December 31, 2014, as follows:

\$ 372,379.84 from an account entitled "9th St. S.W. Improvmnt. Proj." - 1100.405.5.2394

Section 5:

The appropriations are hereby reduced in the 1482 OPWC Projects Fund, for the year ending December 31, 2014, as follows:

\$ 25,309.16 from an account entitled "Griffith Ave. S.W. Sanitary Sewer" - 1482.610.5.2514
 399,515.24 from an account entitled "Levee Intrastruc. Improv. Proj." - 1482.610.5.2515
 680,927.88 from an account entitled "9th St. S.W. Improv. Project" - 1482.610.5.2516
611,542.51 from an account entitled "Hankins Rd. N.E. Improv. Project" - 1482.610.5.2517
 \$1,717,294.79

Section 6:

The appropriations are hereby reduced in the 1421 Wastewater Treatment Plant Upgrade Fund, for the year ending December 31, 2014, as follows:

\$2,576,167.94 from an account entitled "WWT Plant Upgrade Project" - 1421.610.5.2510

Section 7:

The appropriations are hereby reduced in the 1229 HOME Fund, for the year ending December 31, 2014, as follows:

\$ 145,817.45 from an account entitled "HOME Housing Rehabilitation" - 1229.845.5.2814

Section 8:

The appropriations are hereby reduced in the 1235 Community Health Fund, for the year ending December 31, 2014, as follows:

\$ 1,900.00 from an account entitled "Salary - Health" - 1235.705.5.2110
 2,370.52 from an account entitled "P.E.R.S. - Health" - 1235.705.5.2230
 179.48 from an account entitled "Medicare - Health" - 1235.705.5.2231
450.00 from an account entitled "Gas and Oil" - 1235.705.5.2430
 \$ 4,900.00

Section 9:

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 10:

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 and for the additional reason that the appropriation needs to be reduced because of an audit procedure. 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: _____
DIANE ROLLAND, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: DECEMBER 15, 2014

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 174 – 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Chief of Police of the City of Massillon, Ohio, to accept a grant from the Health Foundation of Greater Massillon for the Massillon Police Department, 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 accept a grant from the Health Foundation of Greater Massillon for the Massillon Police Department in the amount of Five Thousand Dollars (\$ 5,000.00).

Section 2:

The Chief of Police of the City of Massillon, Ohio, is hereby authorized and directed to accept a grant from the Health Foundation of Greater Massillon to be used in the Massillon Police Department. The grant dollars will be deposited into the following account, 1215.305.1430 – Law Enforcement Local Grant which will be used for the purchase of the Range Trauma Kit; 2 AED Units and Certification for the AED's.

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 immediate preservation of the health, safety and welfare of the community and for the reason that the grant is necessary for the purchase of the Trauma Kit, 2 AED Units and certification for the AED's. 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: _____

DIANE ROLLAND, CLERK OF COUNCIL

TONY TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: DECEMBER 15, 2014

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 175 – 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1209 Police Pension 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 appropriated from the unappropriated balance of the 1209 Police Pension Fund, for the year ending December 31, 2014, the following:

\$ 23,500.00 to an account entitled "Police Pension" - 1209.305.5.2240

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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2014

ATTEST: _____

DIANE ROLLAND, CLERK OF COUNCIL

TONY TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: DECEMBER 15, 2014

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 176 – 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2014 appropriations from within the 1100 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 transferred from the 2014 appropriations from within the 1100 General Fund, for the year ending December 31, 2014, the following:

FROM:	1100.410.5.2210 – Hosp/Eye/Den/Pres/Life	\$ 6,105.22
	1100.325.5.2231 – Medicare – Fire	<u>1,500.00</u>
		\$ 7,605.22
TO:	1100.105.5.2392 – Services/Contracts	\$ 3,500.00
	1100.435.5.2410 – Supplies/Materials/Postage	<u>4,105.22</u>
		\$ 7,605.22

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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2014

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

TONY TOWNSEND, PRESIDENT

APPROVED:

KATHY CATAZARO-PERRY, MAYOR

DATE: DECEMBER 15, 2014

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 177 – 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE adopting temporary appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for fiscal year 2015, 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, adopts and approves temporary appropriations effective January 1, 2015, for the capital and operation expenditures of the City of Massillon, Ohio, for the first 91 days of the fiscal year ending December 31, 2015, pursuant to Ohio Revised Code, Section 5705.38, which appropriations and legal level of control are set forth on Exhibit "A".

Section 2:

The Auditor of the City of Massillon, Ohio, is hereby authorized and directed to draw her warrants on the Treasurer for payment from any of the foregoing appropriations upon proper certification and vouchers approved by any board or officers authorized by law to approve the same or any ordinance or resolution of Council to make expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed in accordance with law or ordinance.

Section 3:

The Auditor of the City of Massillon, Ohio is hereby authorized to execute the interfund transfers outlined in Exhibit "A" and to draw her warrants upon receipt of vouchers duly approved by the property departmental authority.

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 to obtain immediate passage of the temporary appropriations for fiscal year 2015, in order to fund and conduct business of the various city departments effective January 1, 2015. Provided it receives the affirmative vote of two-thirds of the elected members of Council, it shall take effect and be in force immediately upon its passage and approval of 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: _____
DIANE ROLLAND, CLERK OF COUNCIL

TONY TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: DECEMBER 15, 2014

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 178 – 2014

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1212 Summer Concert 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 appropriated from the unappropriated balance of the 1212 Summer Concert Fund, for the year ending December 31, 2014, the following:

\$ 2,000.00 to an account entitled "Summer Concert Series" - 1212.505.2392

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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2014

ATTEST: _____

DIANE ROLLAND, CLERK OF COUNCIL

TONY TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: DECEMBER 15, 2014

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 13 - 2014

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION waiving any interest or penalties that may be owed by taxpayer that is required for the first time to pay estimated taxes by reason of the reduction of the income tax credit for the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, deems it necessary to approve waiving any interest or penalties that may be owed by taxpayer that is required for the first time to pay estimated taxes by reason of the reduction of the income tax credit. The waiver of interest and penalties owed will only be for returns that are timely filed for the 2014 tax year. The waiver shall automatically expire on April 15, 2015, or upon the expiration date granted by the City.

Section 2:

This Resolution is declared to be an emergency measure in that the adoption of this decision is essential for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Wherefore, this Resolution shall be in full force and effect immediately from and after passage and approval by the Mayor.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2014

APPROVED: _____
DIANE ROLLAND, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR