

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

DATE: MONDAY, JANUARY 5, 2015  
PLACE: COUNCIL CHAMBERS  
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL *8 present - Halter absent*
2. INVOCATION BY COUNCILWOMAN MEGAN STARRETT
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

*Passed 8 yes*  
ORDINANCE NO. 1 – 2015

BY: COMMUNITY DEVELOPMENT COMMITTEE

*Passed 8 yes*  
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio to enter into an agreement with Stark County Regional Planning Commission (SCRPC) for housing rehabilitation for the year ending December 31, 2015, and declaring an emergency.

*Passed 8 yes*  
ORDINANCE NO. 2 – 2015

BY: FINANCE COMMITTEE

*Passed 8 yes*  
AN ORDINANCE making certain appropriations from the unappropriated balance of the 1203 FY 2014/2015 CDBG Program Fund, for the year ending December 31, 2015, and declaring an emergency.

*Passed 8 yes*  
ORDINANCE NO. 3 – 2015

BY: FINANCE COMMITTEE

*Passed 8 yes*  
AN ORDINANCE making certain appropriations from the unappropriated balance of the 1414 Collection System Improvement Fund, for the year ending December 31, 2015, and declaring an emergency.

*Passed*  
**ORDINANCE NO. 4 – 2015**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve the prisoner transport agreement between the City of Massillon and political subdivisions using the City's prisoner transport service and authorizing the Auditor of the City of Massillon, Ohio, to deposit said funds into the 1100 General Fund and the 1401 Capital Improvement Fund effective January 1, 2015, 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 RJ ONE STOP INC, 704 WALES RD NE, MASSILLON, OH, 44646 TO R & J PETROLEUM INC, DBA R & J MARATHON 1, 704 WALES RD NE, MASSILLON, OH, 44646

**9. BILLS, ACCOUNTS AND CLAIMS**

- A. THE REPOSITORY – \$ 741.20 – PUBLICATION OF NOVEMBER ORDINANCES  
B. KELLER'S OFFICE FURNITURE - \$ 88.85 – OFFICE SUPPLIES  
C. NORLSON INC. - \$ 68.50 – DICTATION CASSETTS

**10. REPORTS FROM CITY OFFICIALS**

- A. THE MAYOR'S REPORT FOR THE MONTH OF NOVEMBER 2014  
B. MAYOR GIVES STATE OF THE CITY ADDRESS TO CITY COUNCIL

**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**

**16. NEW AND MISCELLANEOUS BUSINESS**

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

**18. ADJOURNMENT**

DIANE ROLLAND – CLERK OF COUNCIL

*Power Point Presentation*  
*Finance Committee commended Auditor's office*

DATE: JANUARY 5, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 1 – 2015

BY: COMMUNITY DEVELOPMENTY COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio to enter into an agreement with Stark County Regional Planning Commission (SCRPC) for housing rehabilitation for the year ending December 31, 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, hereby finds that it is necessary for the Mayor of the City of Massillon, Ohio, to enter into an agreement with Stark County Regional Planning Commission (SCRPC) for housing rehabilitation as set forth in the attached agreement.

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, the reason for the emergency being that said amendment is necessary 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 \_\_\_\_\_, 2015.

ATTEST: \_\_\_\_\_  
DIANE ROLLAND, CLERK OF COUNCIL      TONY TOWNSEND, PRESIDENT

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

REQUEST FOR LEGISLATION TO:

Community Development  
Council Committee

REQUEST LEGISLATION FOR:

Jan 5<sup>th</sup> 2015  
Council Meeting Date

DEPARTMENT REQUESTING LEGISLATION:

\_\_\_\_\_  
Department Head

MAYOR'S APPROVAL:

Patricia Perry  
Mayor

December 16, 2014  
Date

AVAILABILITY OF FINANCES:

(If legislation is for Finance Committee)

J. Herrera  
Auditor

12/18/2014  
Date

RECEIVED DEC 18 2014

SUBJECT OF REQUESTED LEGISLATION:

Authorize the Mayor to enter into the attached agreement with Stark County Regional Planning Commission (SCRPC) for housing rehab.

REQUEST GIVEN TO AUDITOR:

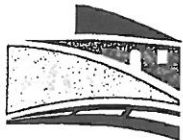
12-16-14

REQUEST GIVEN TO COUNCIL:

\_\_\_\_\_

Paul Manson 12-29-14  
Marianne Allen 12-29-14

Ord. #1



**STARK COUNTY  
REGIONAL PLANNING  
COMMISSION**

201 3<sup>RD</sup> ST. NE, STE. 201, CANTON, OH 44702-1211

[www.rpc.starkcountyohio.gov](http://www.rpc.starkcountyohio.gov)

t 330 451 7389 f 330 451 7990

**DOCUMENT TRANSMITTAL MEMO**

Date: December 10, 2014

To: Kathy Catazaro-Perry, Mayor  
Municipal Government Annex  
151 Lincoln Way East  
Massillon, OH 44646

From: Bob Nau, Executive Director

Re: Massillon Housing Rehab Agreement

☐

Please sign the enclosed documents and return to the address below for execution.

☒

These documents have been signed by Regional Planning; please return one fully executed copy to the address below.

☐

Enclosed is a fully executed original for your records.

ADDITIONAL COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Jill Gerber, Office Manager  
Stark County Regional Planning Commission  
201 Third Street, NE, Suite 201  
Canton, OH 44702**

Tel: 330-451-7934

E-mail: [jagerber@starkcountyohio.gov](mailto:jagerber@starkcountyohio.gov)

AGREEMENT  
WITH CITY OF MASSILLON

SUBJECT: PROFESSIONAL SERVICES - HOUSING REHABILITATION

This Agreement, entered into this day, by and between the Stark County Regional Planning Commission, hereinafter referred to as the "Planning Commission" and duly authorized and adopted on December 9, 2014, and the City of Massillon, Ohio, hereinafter referred to as the "City" and duly authorized through an ordinance adopted on \_\_\_\_\_.

WHEREAS, the City of Massillon is desirous of obtaining certain professional administrative services for the purpose of assisting in various activities and duties in conjunction with the provision of professional housing rehabilitation services by the Planning Commission to the City of Massillon; and

WHEREAS, the County has entered into a contract with the Planning Commission to administer the Community Development Block Grant and HOME programs of the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the Planning Commission employs a staff specifically trained to administer HUD programs; and

WHEREAS, the City is willing to enter into an agreement with the Planning Commission to administer certain professional services for the City's Owner-Occupied Housing Rehabilitation, Rental Rehabilitation and Homebuyer programs; and

WHEREAS, the Planning Commission is willing and desirous of entering into an agreement to provide these services; and

WHEREAS, the Planning Commission does and hereby agrees to enter into such an agreement with the City of Massillon to perform the work and administrative procedures as described in the Scope of Services.

NOW, THEREFORE, in consideration of the provisions hereinabove and hereinafter contained it is mutually agreed as follows:

SECTION 1. Scope of Services

The Planning Commission shall be responsible for providing professional housing rehabilitation support services to the City of Massillon for its Owner-Occupied Housing Rehabilitation, Rental Rehabilitation and Homebuyer programs. Said services of the Planning Commission shall include the following:

- A) Conduct the initial inspection;
- B) Prepare work write-up and cost estimate;
- C) Conduct inspections for progress payments; and
- D) Conduct final inspection for final payment.

The services of the Planning Commission shall be performed in cooperation with the City's housing rehabilitation staff.

SECTION 2. Term

The City hereby contracts for the services of the Planning Commission to commence on January 1, 2015 and shall continue until terminating on December 31, 2015.

SECTION 3. Compensation

The City agrees to pay the Planning Commission a total of \$15,000 per year to be billed monthly by the Planning Commission at a rate of \$1,250.00 per month. In addition, the City agrees to pay the direct costs associated with the lead inspections and clearance testing.

The total amount of compensation to be paid to the Planning Commission as reimbursement shall not exceed \$15,000 (fifteen thousand dollars) plus the costs of the lead inspection and clearance testing.

The Planning Commission and/or the City may amend the total amount of compensation with prior approval of the other party of this Agreement. A request to amend the total compensation must be made in writing.

SECTION 4. Termination

The City and/or the Planning Commission may either jointly or individually terminate this Agreement at any time by providing at least sixty (60) days notice in writing.

SECTION 5. Compliance with Laws and Regulations

In the performance of service under this Agreement, the Planning Commission shall comply with all statutes, ordinances, regulations, and rules of the Federal Government, the State of Ohio, and Stark County, which are applicable to the performance of the services under this Agreement.

SECTION 6. Reports, Information and Audits

The Planning Commission, at such times, and in such form as HUD and/or the City may require, shall furnish HUD and/or the City such reports as may be requested pertaining to the work of services undertaken pursuant to this Agreement, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this Agreement. All financial and administrative records shall be retained by the City, and the Planning Commission, and HUD, or any of their authorized representatives or auditors shall be provided access to such records.

SECTION 7. Non-Discrimination

The Planning Commission will not discriminate against any employee or applicant for employment because of race, color, religion, sex, disability, age, ancestry, or national origin.

SECTION 8. Approval of Incurred Costs

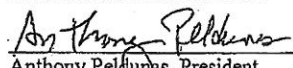
Any activity, expenditure and/or costs incurred by the Planning Commission in conjunction with this Agreement, and the service to be provided by this Agreement, are hereby ratified by the parties to this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands this date.

WITNESSED BY:

  
\_\_\_\_\_

STARK COUNTY REGIONAL  
PLANNING COMMISSION

  
Anthony Peldunas, President

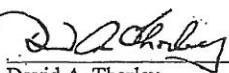
WITNESSED BY:

\_\_\_\_\_

CITY OF MASSILLON

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

Approved as to Form and Legal  
Sufficiency:

  
David A. Thorley  
Attorney at Law

Approved as to Form and Legal  
Sufficiency:

\_\_\_\_\_  
City Law Director



DATE: JANUARY 5, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 2 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1203 FY 2014/2015 CDBG Program Fund, for the year ending December 31, 2015, 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 1203 FY 2014/2015 CDBG Fund for the year ending December 31, 2015, the following:

\$ 100,000.00 to an account entitled "Target Area Street Improvements"	1203.845.2812
43,000.00 to an account entitled "Housing Rehabilitation"	1203.845.2806
5,000.00 to an account entitled "Main Street Revitalization"	1203.845.2828
8,000.00 to an account entitled "Elderly Homemaker Program"	1203.845.2803
8,000.00 to an account entitled "Salvation Army Housing Outreach"	1203.845.2869
8,000.00 to an account entitled "Family Living Center"	1203.845.2841
8,000.00 to an account entitled "Domestic Violence Shelter"	1203.845.2858
6,000.00 to an account entitled "Lighthouse Visions Program"	1203.845.2863
5,000.00 to an account entitled "Foreclosure Prevention Legal Aid"	1203.845.2873
6,000.00 to an account entitled "Faith in Action Caregiver Program"	1203.845.2859
9,000.00 to an account entitled "Habitat for Humanity"	1203.845.2849
10,000.00 to an account entitled "Youth Summer Program"	1203.845.2874
3,000.00 to an account entitled "Fair Housing"	1203.845.2814

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, the reason for the emergency being that said amendment is necessary 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 \_\_\_\_\_, 2015

ATTEST: \_\_\_\_\_  
DIANE ROLLAND, CLERK OF COUNCIL

\_\_\_\_\_  
TONY TOWNSEND, PRESIDENT

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

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

REQUEST FOR LEGISLATION TO:

FINANCE COMMITTEE

REQUEST LEGISLATION FOR:

January 5, 2015

DEPARTMENT REQUESTING LEGISLATION:

Community Development

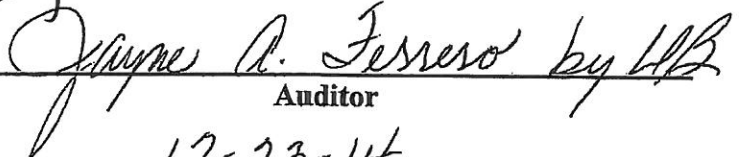
MAYOR'S APPROVAL:

  
Mayor

Date:

December 23, 2014

AVAILABILITY OF FINANCES:

  
Auditor

Date:

12-23-14

SUBJECT OF REQUESTED LEGISLATION:

RECEIVED DEC 23 2014

I request the following appropriations which are supported by CDBG approved funds for the FY 2014/2015 CDBG Program Budget and the following activities:

FROM THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM FUND

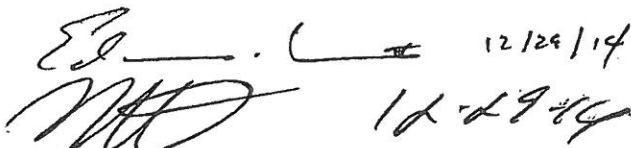
- \$ 100,000.00 to an account entitled "Target Area Street Improvements", 1203.845.2812
- 43,000.00 to an account entitled "Housing Rehabilitation", 1203.845.2806
- 5,000.00 to an account entitled "Main Street Revitalization", 1203.845.2828
- 8,000.00 to an account entitled "Elderly Homemaker Program", 1203.845.2803
- 8,000.00 to an account entitled "Salvation Army Housing Outreach", 1203.845.2869
- 8,000.00 to an account entitled "Family Living Center", 1203.845.2841
- 8,000.00 to an account entitled "Domestic Violence Shelter", 1203.845.2858
- 6,000.00 to an account entitled "Lighthouse Visions Program", 1203.845.2863
- 5,000.00 to an account entitled "Foreclosure Prevention Legal Aid", 1203.845.2873
- 6,000.00 to an account entitled "Faith in Action Caregiver Program", 1203.845.2859
- 9,000.00 to an account entitled "Habitat for Humanity", 1203.845.2849
- 10,000.00 to an account entitled "Youth Summer Program" delivered in Massillon Parks, 1203.845.2874
- 3,000.00 to an account entitled "Fair Housing", 1203.845.2814

Thank you.

 12/18/14

Date Given to Auditor:

Date Given to Council Clerk:

 12/29/14

Ord. #2

DATE: JANUARY 5, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 3 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1414 Collection System Improvement Fund, for the year ending December 31, 2015, 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 1414 Collection System Improvement Fund, for the year ending December 31, 2015, the following:

\$ 267,000.00 to an account entitled "Levee Infrastructure Improvement Project" 1414.610.2515

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, the reason for the emergency being that said amendment is necessary 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 \_\_\_\_\_, 2015

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

DIANE ROLLAND, CLERK OF COUNCIL

TONY TOWNSEND, PRESIDENT

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

KATHY CATAZARO-PERRY, MAYOR

REQUEST FOR LEGISLATION TO:

Finance Committee  
Council Committee

REQUEST LEGISLATION FOR:

January 5, 2015  
Council Meeting Date

DEPARTMENT REQUESTING LEGISLATION:

Keith A. Dylewski, City Engineer  
Department Head

MAYOR'S APPROVAL:

  
Mayor

Date: December 11, 2014

AVAILABILITY OF FINANCES:

  
Auditor

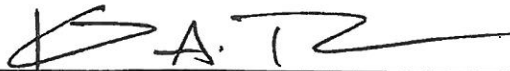
Date:

12/12/14

SUBJECT OF REQUESTED LEGISLATION:

RECEIVED DEC 12 2014 

Please appropriate \$267,000.00 from the unappropriated balance of the 1414 Collection System Improvement fund to account 1414-610-2515 for project change orders for the Levee Infrastructure Improvement Project.



Keith A. Dylewski, P.E., P.S.  
City Engineer

Date Given to Auditor:

12-11-14

Date Given to Council Clerk:

12-12-14

 12/29/14

 12-29-14

Ord. #3

DATE: JANUARY 5, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 4 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve the prisoner transport agreement between the City of Massillon and political subdivisions using the City's prisoner transport service and authorizing the Auditor of the City of Massillon, Ohio, to deposit said funds into the 1100 General Fund and the 1401 Capital Improvement Fund effective January 1, 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, hereby finds that it is necessary to authorize the Director of Public Service and Safety to approve the prisoner transport agreement between the City of Massillon and political subdivisions using the City's prisoner transport service.

(SEE EXHIBIT "A" HERETO ATTACHED)

Section 2:

The Council of the City of Massillon, Ohio, hereby authorizes the Auditor to deposit said funds to the following:

96% to an account entitled "Transport Fees"	1100.305.4.1500
4% to an account entitled "Prisoner Transport Van Replacement Fund"	1401.305.4.1500

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, the reason for the emergency being that said amendment is necessary 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 \_\_\_\_\_, 2015

ATTEST:

\_\_\_\_\_  
DIANE ROLLAND, CLERK OF COUNCIL

\_\_\_\_\_  
TONY TOWNSEND, PRESIDENT

APPROVED:

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