

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

DATE: TUESDAY, FEBRUARY 17, 2015
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL - 9 present
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. 15 – 2015

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

Passed 9-yes
AN ORDINANCE vacating a portion of Healthcare Way S.W. (formerly part of Cleveland St. S.W.), and declaring an emergency.

ORDINANCE NO. 16 – 2015

BY: FINANCE COMMITTEE

Passed 9-yes
AN ORDINANCE making certain appropriations from the unappropriated balance of the 1227 Forfeited Fund, for the year ending December 31, 2015, and declaring an emergency.

ORDINANCE NO. 17 – 2015

BY: FINANCE COMMITTEE

Passed 9-yes
AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to renew the one (1) year contract with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services, and declaring an emergency.

ORDINANCE NO. 18 – 2015

BY: FINANCE COMMITTEE

Passed 9-yes
AN ORDINANCE making certain appropriations from the unappropriated balance of the 1205 Safety Forces Improvement Fund, for the year ending December 31, 2015, and declaring an emergency.

Passed 9-yes

ORDINANCE NO. 19 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2200 Insurance Fund, for the year ending December 31, 2015, and declaring an emergency.

Passed 9-yes

ORDINANCE NO. 20 – 2105

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1401 Income Tax Capital Improvement Fund, for the year ending December 31, 2015, and declaring an emergency.

First Reading

ORDINANCE NO. 21 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE appropriating money for current expenses and other expenses of the City of Massillon, Ohio, for fiscal period ending December 31, 2015, and declaring an emergency.

Passed Ordinance No. 5-2015

ORDINANCE NO. 22 – 2015

BY: PARKS & RECREATION COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a Partnership Agreement, with the Stark County Park District, an Ohio Political Subdivision, in Canton, Ohio, and declaring an emergency.

Passed 9-yes

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

9-yes to pay the bills

A. The Repository - \$1,190.00 – Publication of December Ordinances

10. REPORTS FROM CITY OFFICIALS

A. Treasurer's January 2015 Report

B. Mayor's List of Boards and Commissions

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

Moved on Agenda - 9 yes

ORDINANCE NO. 5 – 2015

BY: PARKS & RECREATION COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a Trailway Easement Agreement on behalf of the City of Massillon, as Grantor, with the Stark County Park District, an Ohio Political Subdivision, in Canton, Ohio, as Grantee, and declaring an emergency.

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

DATE: FEBRUARY 17, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 15 – 2015

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of Healthcare Way S.W. (formerly part of Cleveland St. S.W.), 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 portion thereafter described be vacated, and

WHEREAS, upon hearing, the 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:

The approximately 300 feet of roadway, just south of Finefrock Road/State Route 241. The request is to vacate that portion beginning at Finefrock Rd. SW. At its January 14, 2015 meeting, the City Planning Commission reviewed the request from adjoining property owners to vacate this street and approved said vacation.

Section 2:

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.

DATE: FEBRUARY 17, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 16 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1227 Forfeited 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 appropriated from the unappropriated balance of the 1227 Forfeited Fund, for the year ending December 31, 2015, the following:

\$ 9,000.00 to an account entitled "Professional Dues"	-	1227.115.2394
2,000.00 to an account entitled "Travel/Seminar"	-	1227.115.2389
6,000.00 to an account entitled "Supplies/Materials"	-	1227.115.2410

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 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 necessary for the immediate preservation of the 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 allow by law.

DATE: FEBRUARY 17, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 17 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to renew the one (1) year contract with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services, 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 Director of Law of the City of Massillon, Ohio, to renew the one (1) year contract with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services.

Section 2:

The Director of Law of the City of Massillon, Ohio, is hereby authorized to renew the one (1) year contract with the City of Canal Fulton, Ohio, for the purpose of providing prosecutorial services. The City of Canal Fulton, Ohio, shall pay the sum of Twenty-Five Thousand Two Hundred Dollars (\$25,200.00) under the terms of the contract. The contract will be from February 1, 2015 through January 31, 2016. These funds will go into the General Fund.

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 of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

DATE: FEBRUARY 17, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 18 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1205 Safety Forces 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 1205 Safety Forces Improvement Fund, for the year ending December 31, 2015, the following:

\$ 2,000.00 to an account entitled "Services/Contracts" – 1205.305.2392

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 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 necessary for the efficient operation of the various departments of the City of Massillon, Ohio, and for the preservation of the 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 allow by law.

DATE: FEBRUARY 17, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 19 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 2200 Insurance 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 2200 Insurance Fund, for the year ending December 31, 2015, the following:

\$ 10,000.00 to an account entitled "Employee Insurance (COBRA)" – 2202.905.5.2310

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 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 necessary for the efficient operation of the various departments of the City of Massillon, Ohio, and for the preservation of the 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 allow by law.

DATE: FEBRUARY 17, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 20 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1401 Income Tax Capital 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 1041 Income Tax Capital Improvement Fund, for the year ending December 31, 2015, the following:

\$ 6,000.00 to an account entitled "Police Dept. Renovations" – 1401.305.5.2510

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 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 necessary for the efficient operation of the various departments of the City of Massillon, Ohio, and for the preservation of the 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 allow by law.

DATE: FEBRUARY 17, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 21 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE appropriating money for current expenses and other expenses of the City of Massillon, Ohio, for fiscal period 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:

That in order to provide for the current expenses and other expenses of the City of Massillon, Ohio, for the fiscal period ending December 31, 2015. (Budget Document Attached.)

Section 2:

The Council of the City of Massillon, Ohio, hereby declares that amounts may be transferred between accounts in the same Department subject to the approval of the Department Head, the Finance Committee and the Auditor.

Section 3:

That the City Auditor is hereby authorized to draw warrants on the City Treasurer for payments from any of the foregoing appropriations upon receiving proper certificates and vouchers therefrom, approved by the Board of Officers (or Officer) authorized by law to be approved the same, or an ordinance or resolution of Council to make expenditures; provided that no warrant shall be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance; provided further, that the appropriations for contingencies can only be expended upon approval of a two-thirds vote on Council for items of expense constituting a legal obligation against the City and for the purposes other than these covered by other specific appropriations herein made.

DATE: FEBREUARY 17, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 22- 2015

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a Partnership Agreement, with the Stark County Park District, an Ohio Political Subdivision, in Canton, Ohio, 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 a Partnership Agreement, (hereto attached Exhibit "A") with the Stark County Park District, an Ohio Political Subdivision, in Canton, Ohio.

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.

DATE: JANUARY 20, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

Tabled until 2/17/15
ORDINANCE NO. 5 - 2015

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio; to enter into a Trailway Easement Agreement on behalf of the City of Massillon, as Grantor, with the Stark County Park District, an Ohio Political Subdivision, in Canton, Ohio; as Grantee, 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 a Trailway Easement Agreement on behalf of the City of Massillon, as Grantor, with the Stark County Park District, an Ohio Political Subdivision, in Canton, Ohio, as Grantee.

Section 2:

This Trailway Easement Agreement is for an area referred to as the Wheeling and Lake Erie Railroad area north of Warmington Road. The Trailway Easement Agreement covers numerous acres, parcels and lots across Massillon where the City of Massillon is owner and identified and detailed in the Trailway Easement Agreement and attached exhibits.

Section 3:

This Trailway Easement Agreement is for an area referred to as the Sippo Valley area. The Trailway Easement Agreement covers numerous acres, parcels and lots across Massillon where the city of Massillon is owner and identified and detailed in the Trailway Easement Agreement and attached exhibits.

Section 4:

This Trailway Easement Agreement is for an area referred to as the Wheeling and Lake Erie Railroad area south of Warmington Road to Wooster Road. The Trailway Easement Agreement covers numerous acres, parcels and lots across Massillon where the City of Massillon is owner and identified and detailed in the Trailway Easement Agreement and attached exhibits.