

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

REVISED

DATE: MONDAY, APRIL 20, 2015
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE IS A PUBLIC HEARING TONIGHT
ORDINANCE NO. 48 – 2015 – CDBG GRANT AT 6:30 P.M.

COUNCIL DISCUSSION PERTAINING TO REPEALING OF
RESOLUTION NO. 1 – 2015 – FINANCIAL RECOVERY PLAN AT 7:00 P.M.

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. 47 – 2015

BY: COMMUNITY DEVELOPMENT COMMITTEE

Pass 9-0
AN ORDINANCE adopting the recommendations of the Massillon Tax Incentive Review Committee (TIRC) with regard to the renewal and termination of Massillon Enterprise Zone (EZ) projects.

ORDINANCE NO. 48 – 2015

BY: COMMUNITY DEVELOPMENT COMMITTEE

1st Reading
AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications.

ORDINANCE NO 49 – 2015

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

1st Reading
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the 2015 CDBG Target Neighborhood Resurfacing Program in the City of Massillon, and declaring an emergency.

ORDINANCE 50 – 2015

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

PASS 9-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the 3104 Vacant Foreclosure Depository Fund, for the year ending December 31, 2015, and declaring an emergency.

ORDINANCE NO. 51 – 2015

BY: FINANCE COMMITTEE

PASS 9-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the 1220 Foreclosure Property Administration Fund, for the year ending December 31, 2015, and declaring an emergency.

ORDINANCE NO. 52 – 2015

BY: FINANCE COMMITTEE

PASS 9-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the 1206 Municipal Motor Vehicle License Plate Fund and the 1414 Collection System Improvement Fund, for the year ending December 31, 2015, and declaring an emergency.

ORDINANCE NO. 53 – 2015

BY: FINANCE COMMITTEE

PASS 9-0
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.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

Transfer of Liquor License from Walgreen Co., DBA Walgreens 01502, 6204 Montgomery Rd., Cincinnati, OH 45213 to Walgreen Co., DBA Walgreens 07865, 1950 Wales Rd. N.E., Massillon, OH 44646

Transfer of Liquor License from Walgreen Co., DBA Walgreens 02875, 1982 8 Mile Rd., Anderson Twp., Cincinnati, OH 45255 to Walgreen Co., DBA Walgreens 15467, 110 Lincoln Way W., Massillon, OH 44647

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

Treasurer's Report – March 2015 (Copies distributed to Council Members)

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. 40 – 2015

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

PASS 9-0

AN ORDINANCE accepting the dedication of highway easement areas and temporary work areas owned by the City of Massillon, Ohio, located at 17th St. N.E. and Sippo Blvd., and declaring an emergency.

ORDINANCE NO. 41 – 2015

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

2ND READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Southway/Richville Intersection Improvement Project in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 42 – 2015

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

PASS 9-0

AN ORDINANCE accepting the dedication of road right of way located at Finefrock Road and Healthcare Way S.W., Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 43 – 2015

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

PASS 8-1 (DEL RIO-KELLER)

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to sign the Engineering Agreement with MS Consultants, Inc., for the year ending December 31, 2015, and declaring an emergency.

ORDINANCE NO. 45 – 2015

BY: FINANCE COMMITTEE

PASS 8-1 (DEL RIO-KELLER)

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio to accept a grant from the Aultman Foundation for the Lincoln Way Streetscape and authorizing the Auditor of the City of Massillon, Ohio, to establish a fund entitled "Lincoln Way Streetscape Fund 1213", 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

DATE: APRIL 20, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 47 – 2015

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE adopting the recommendations of the Massillon Tax Incentive Review Committee (TIRC) with regard to the renewal and termination of Massillon Enterprise Zone (EZ) projects.

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

Section 1:

The Massillon Tax Incentive Review Committee has held its annual meeting regarding Massillon Enterprise Zone Projects. A summary report of the Massillon City Economic Zone Projects is attached hereto as Exhibit "A".

Section 2:

The Massillon Tax Incentive Review Committee has recommended that the exemptions for all of the City's active Enterprise Zone Projects be continued except for the agreement with Bill Hawk, Inc.

Section 3:

The Tax Incentive Review Committee has recommended that the agreement with Bill Hawk, Inc. be immediately terminated as the company ceased operations, terminated all employees and liquidated all assets in 2014.

Section 4:

The Council of the City of Massillon hereby approves and adopts the recommendations of the Tax Incentive Review Committee as set forth on the attached Exhibit "A". All exemptions shall be continued except for the agreement with Bill Hawk, Inc. which is immediately terminated.

MASSILLON ENTERPRISE ZONE PROGRAM - TAX INCENTIVE REVIEW COMMITTEE MEETING

COMPANY	SCHOOL DISTRICT	DATE OF AGREEMENT	INVESTMENT LEVELS	EMPLOYMENT LEVELS	COMMENTS / COMMITTEE RECOMMENDATION
E-B DISPLAY COMPANY, INC.	Tuslaw	9/13/2006	100%	100%	Continue Abatement
KENDEL WELDING & FABRICATION	Perry	4/29/2003	100%	100%	Continue Abatement.
E-TANK LTD	Perry	9/15/2004	100%	100%	Continue Abatement
NATION LAND CO LLC & GENCO	Perry	12/9/2005	100%	100%	Continue Abatement
INTEGRITY CRANE SERVICES LTD	Perry	6/28/2006	100%	100%	Continue Abatement
BILL HAWK INC	Perry	7/11/2007			Business closed, terminate agreement
KRAFT POWER CORP.	Perry	7/18/2007	100%	95%	Continue Abatement
CASE FARMS LLC	Perry	3/18/2008	100%	100%	Continue Abatement
SHEARER'S FOODS INC.	Perry	10/8/2008	100%	100%	Continue Abatement
HEINZ FROZEN FOODS CO./VC FREEZER MASSILLON	Massillon	5/9/2002	100%	100%	Expiring 2015
QUEST AUTOMOTIVE PRODUCTS	Massillon	8/2/2006	100%	100%	Continue Abatement
QUEST AUTOMOTIVE PRODUCTS	Massillon		100%	100%	Continue Abatement

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CLERK: DIANE ROLLAND

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LEGISLATIVE DEPARTMENT

ORDINANCE NO. 48 – 2015

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications.

WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974 (which title is hereunder referred to as the "Act") and the regulations promulgated thereunder (24 CFR Parts 58 and 570, hereunder referred to as the "Regulations") is authorized to make block grants to units of general local government to help finance housing and community development programs (which grants are hereinafter to as "CDBG" grants); and

WHEREAS, the City of Massillon proposes to apply for such a grant for Fiscal Year 2015 and has, in that connection and as required by and pursuant to the Act and Regulations, prepared a Consolidated Plan for community development, including a strategic plan for meeting its housing and community development needs, and an annual action plan describing the activities that the City proposes to undertake with CDBG funds; and

WHEREAS, the City of Massillon has developed and implemented a citizen participation plan to make information available to citizens, public agencies, and others on the various elements of CDBG program; to encourage participation of citizens and organizations representing citizens, particularly low and moderate income citizens, in the development of the Consolidated Plan; to hold public meetings on the Plan and proposed CDBG Budget and to provide timely and adequate notice of such meetings; and to provide technical assistance to citizens and citizen groups requesting assistance to adequately participate in the planning, implementation, and evaluation of the Consolidated Plan and CDBG Program; and

WHEREAS, the Council has duly reviewed and considered the Consolidated Plan and Annual Action Plan, along with the views and proposals of citizens, and the comments and recommendations of the City's administrative and planning officials.

CDBG PROGRAM FUNDING RESOURCES		FY 2015
CDBG Entitlement Grant from U.S. Dept. of HUD		\$609,000
Unallocated Balance from previous years		\$40,000
Amount Reserved by HUD for Section 108 Loan Payment		\$-87,261
Estimated Program Income to be Received during Program Year		\$5,000
FY 2015 CDBG PROGRAM BUDGET		\$566,739
Project Name	Description	
CITY CDBG ACTIVITIES		FY 2015 CDBG Program
City Housing Program	Housing Rehabilitation/Emergency Home Repair Program	\$165,000
Housing Code Enforcement	Code Enforcement in lower income Neighborhoods	\$80,000
Target Area Street Program	Repaving of streets within designated low income residential neighborhoods	\$131,739
Planning, Administration, Fair Housing	CD Dept. Staff costs	\$99,000
CITY PROJECTS TOTAL		\$475,739
LOCAL AGENCY PROJECTS		
Massillon Main Street	Downtown Rehabilitation	8,000
Child & Adolescent Behavioral Health	Mental health assistance for Massillon youth	8,000
Westark Family Services	Homemaker services for elderly and/or handicapped residents	9,000
Habitat for Humanity Greater Stark & Carroll Counties	Housing Redevelopment Program	10,000
Community Services of Stark County	Family Living Center Homeless Shelter services	10,000
Boys & Girls Club of Massillon	Be Great Graduate Program	10,000
Lighthouse Visions Inc.	Basic life skills education for youth, including foster children	9,000
Domestic Violence Project	Massillon Shelter Services for domestic violence victims	9,000
The Salvation Army	Housing Outreach Specialist serving homeless & families in crisis	10,000
Faith in Action of Western Stark County	In-home caregiver services for the ill, frail elderly And /or handicapped	8,000
LOCAL AGENCY PROJECTS		\$91,000
CDBG PROGRAM TOTALS (City Projects + Local Agency Projects)		\$566,739

DATE: APRIL 20, 2015

CLERK: DIANE ROLLAND

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COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 49 – 2015

BY: STREET, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the 2015 CDBG Target Neighborhood Resurfacing Program in the City of Massillon, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the 2015 CDBG Target Neighborhood Resurfacing Program in the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for and receive sealed bids according to law, and to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the 2015 CDBG Target Neighborhood Resurfacing Program in the City of Massillon. The estimated cost of said project is Two Hundred Forty Nine Thousand Dollars (\$249,000.00).

WARD	STREET NAME	FROM	TO
3	Harsh Avenue SE	20 th Street SE	Elizabeth Street SE
4	Dwight Ave SE	Erie Street South	3 rd Street SE
5	13 th Street SW	Main Avenue SW	Tremont Avenue SW
5	14 th Street SW	Main Avenue SW	Tremont Avenue SW
5	15 th Street SW	Main Avenue SW	Tremont Avenue SW
5	16 th Street SW	Main Avenue SW	Tremont Avenue SW

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LEGISLATIVE DEPARTMENT

ORDINANCE NO. 50 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 3104 Vacant Foreclosure Depository 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 3104 Vacant Foreclosure Depository Fund, for the year ending December 31, 2015, the following:

\$ 117,000.00 to an account entitled "Escrow Refund" - 3104.415.5.2379

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 various departments of the City of Massillon 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 allowed by law.

DATE: APRIL 20, 2015

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
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LEGISLATIVE DEPARTMENT

ORDINANCE NO. 51 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1220 Foreclosure Property Administration 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 1220 Foreclosure Property Administration Fund, for the year ending December 31, 2015, the following:

\$ 3,000.00 to an account entitled "Supplies/Materials/Postage"	-	1220.415.2410
<u>2,000.00</u> to an account entitled "Services/Contracts"	-	1220.415.2392

\$ 5,000.00 TOTAL

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 various departments of the City of Massillon 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 allowed by law.

DATE: APRIL 20, 2015

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LEGISLATIVE DEPARTMENT

ORDINANCE NO. 52 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1206 Municipal Motor Vehicle License Plate Fund and 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 1206 Municipal Motor Vehicle License Plate Fund, for the year ending December 31, 2015, the following:

\$ 40,149.00 to an account entitled "Lincoln Way SR 172/1st St." - 1206.435.2513

Section 2

There be and hereby is appropriated from the unappropriated balance of the 1414 Collection System Improvement Fund, for the year ending December 31, 2015, the following:

\$ 30,000.00 to an account entitled "Supplies/Materials/Postage" - 1414.610.5.2410

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.

DATE: APRIL 20, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 53 – 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 1401 Income Tax Capital Improvement Fund, for the year ending December 31, 2015, the following:

\$ 7,697.00 to an account entitled "Elevator Repairs." - 1401.410:5.2515

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 for the efficient operation of various departments of the City of Massillon 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 allowed by law.

SCHINDLER ELEVATOR CORPORATION

18013 Cleveland Parkway
Suite 140
Cleveland, OH 44135-3231
Phone: 216-370-9523
Fax: 216-391-5006

UPGRADE ORDER AGREEMENT

Date: 03/23/2015

Estimate Number: KMRA-9UVNDD (2015.2.1)

To:

City Of Massillon
1 James Duncan Plz
Massillon, OH 44646-6652

Customer:

City Of Massillon
1 James Duncan Plz
Massillon, OH 44646-6652

Attn: George Maier

Schindler hereby proposes to furnish and install the following with respect to the equipment located at the above building:

Door Protection | Standard for the #1 Admin and Police Lobby Elevators (STID's 23253 & 23254)

The Schindler GateKeeper light curtain car door protection system is designed to help protect passengers from closing elevator car doors. GateKeeper will immediately initiate reversal of a closing elevator car door even if an object as small as a finger moves into its path.

Our proposal includes all labor, material, engineering and supervision required to perform the following scope of work during regular working hours of the elevator trade:

- Remove the existing mechanical or Infrared safety edge and related equipment.
- Supply and install new transmitter and receiver units.
- Mount the power supply unit on the top of the elevator car and connect to the receiver and transmitter.
- Perform all necessary interfacing with existing door operator.
- Test operation and return the unit back into service.

✓ **Price:** \$7,697.00, plus applicable taxes. (Quotations valid for 60 days; price based upon work during regular working hours of regular working days.)

Payment: 35% of the price is due upon acceptance of this proposal;
Balance due upon completion, within 30 days of invoice.
Schindler retains title to any equipment furnished hereunder until final payment is made. Late or non-payment will result in assessment of interest charged at a rate of 1 1/2% per month or the highest legal rate available, and any attorneys' fees, expenses and costs of collection.