

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

DATE: MONDAY, MAY 18, 2015  
PLACE: COUNCIL CHAMBERS  
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL

- 7 Present

Absent -

Stinson  
Cunningham - Hedderly

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 7-yes*  
ORDINANCE NO. 60 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a grant from Walmart and a donation from a private donor for the Massillon Police Department, and declaring an emergency.

*Passed 7-yes*  
ORDINANCE NO. 61 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1215 Law Enforcement Local Grant Fund for the year ending December 31, 2015, and declaring an emergency.

*Passed 7-yes*  
ORDINANCE NO. 62 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1401 Income Tax Capital Improvement Fund, the 2105 Stormwater Utility Fund, the 1305 Bond Retirement WWTP Fund, and the 2101 Wastewater Treatment Fund for the year ending December 31, 2015, and declaring an emergency.

*Passed 7-yes*  
ORDINANCE NO. 63 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2105 Stormwater Utility Fund for the year ending December 31, 2015, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

Request for New Liquor License by Dolgen Midwest, LLC, DBA Dollar General Store  
#15543, 4590 Lincoln Way W., Massillon, OH 44647

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

- A. Mayor's Report – March 2015
- B. Treasurer's Report – April 2015

11. REPORTS OF COMMITTEES

*Next Shock Session - Tuesday 5/26/15 @ 6:00 p*

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

ORDINANCE NO. 41 – 2015

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

Tabled at May 4, 2015 Meeting until May 18, 2015

*Tabled until 7/6/15 - 7 yes to table*

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.

14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 55 – 2015

BY: POLICE AND FIRE COMMITTEE

*Passed 7-yes*

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Penn Care Medical Products for the purchase of a 2015 MEDIX Ambulance for the Massillon Fire Department, and declaring an emergency.

MONDAY, MAY 18, 2015

*Paul  
Zalinski*  
**ORDINANCE NO. 56 – 2015**

**BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE**

**AN ORDINANCE AMENDING TITLE ONE, STREETS AND SIDEWALK AREAS, OF PART NINE-STREETS UTILITIES AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF MASSILLON BY THE ADDITION OF CHAPTER 904, ROADSIDE MEMORIAL PROGRAM.**

**16. NEW AND MISCELLANEOUS BUSINESS**

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

**18. ADJOURNMENT** *- 8:00 pm*

**DIANE ROLLAND – CLERK OF COUNCIL**

DATE: MAY 18, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 60 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a grant from Walmart and a donation from a private donor 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 Walmart in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) and a donation from a private donor in the amount of One Hundred Dollars (\$100.00) for the Massillon Police Department.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to accept a grant from Walmart and a donation from a private donor to be used in the Massillon Police Department. The grant dollars will be deposited into the following account, 1215.305.1410, Law Enforcement Local Grant which will be used for the purchase of Fugi digital cameras. The donated dollars will be deposited into the same account, 1215.305.1410, Law Enforcement Local Grant which will be used towards work on a vehicle that was acquired free and is owned by the Massillon Police Department.

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: MAY 18, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 61 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1215 Law Enforcement Local Grant 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 1215 Law Enforcement Local Grant Fund, for the year ending December 31, 2015, the following:

\$ 2,600.00 to an account entitled "Supplies/Materials/Postage" – 1215.305.2410

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 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 immediate preservation of the public health, safety and welfare of the community, and for the reason that the grant is necessary for the purchase of Fuji digital cameras to be issued to all patrol officers and make repairs on a vehicle owned by the Massillon Police Dept. 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: MAY 18, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 62 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1401 Income Tax Capital Improvement Fund, the 2105 Stormwater Utility Fund, the 1305 Bond Retirement WWTP Fund, and the 2101 Wastewater Treatment 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:

\$ 10,129.59 to an account entitled "Street Dept. Equipment" - 1401.435.5.2530

Section 2:

There be and hereby is appropriated from the unappropriated balance of the 2105 Stormwater Utility Fund, for the year ending December 31, 2015, the following:

\$ 1,500.00 to an account entitled "County Collection Fees" - 2105.549.5.2393

Section 3:

There be and hereby is appropriated from the unappropriated balance of the 1305 Bond Retirement WWTP Fund, for the year ending December 31, 2015, the following:

\$ 10,000.00 to an account entitled "Fees"	-	1305.940.5.2393
357,747.45 to an account entitled "Principal – Design"	-	1305.940.5.2611
<u>62,143.97</u> to an account entitled "Interest – Design"	-	1305.940.5.2621
<b>\$429,891.42 - Total</b>		

Section 4:

There be and hereby is appropriated from the unappropriated balance of the 2101 Wastewater Treatment Fund, for the year ending December 31, 2015, the following:

\$ 15,000.00 to an account entitled "County Collection Fees" - 2101.610.5.2382

Section 5:

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 6:

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 \_\_\_\_\_, 2015

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

DIANE ROLLAND, CLERK OF COUNCIL

TONY TOWNSEND, PRESIDENT

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

KATHY CATAZARO-PERRY, MAYOR



DATE: MAY 18, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 63 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 2105 Stormwater Utility 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 2105 Stormwater Utility Fund, for the year ending December 31, 2015, the following:

\$ 41,000.00 to an account entitled "Storm Sewer Repairs" - 2105.425.5.2510

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

Section 3:

This Ordinance is hereby declared to be an emergency measure for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



DATE: APRIL 6, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 41 - 2015

*Tabled until 5/18/15*

BY: STREETS, HIGHWAYS, TRAFFIC & 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 Southway/Richville Intersection Improvement Project 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 Southway/Richville Intersection Improvement Project 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 Southway/Richville Intersection Improvement Project in the City of Massillon. The estimated cost of said project is One Hundred Twenty-Five Thousand Dollars (\$125,000.00) and will be funded through the 1206 Municipal Motor Vehicle License Plate 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 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: MAY 4, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 55 – 2015

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Penn Care Medical Products for the purchase of a 2015 MEDIX Ambulance for the Massillon Fire 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 enter into a contract with Penn Care Medical Products for the purchase of a 2015 MEDIX Ambulance for the Massillon Fire Department. Said contract is through the Ohio STS Procurement State Purchasing Plan, so soliciting bids is not required.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract with Penn Care Medical Products for the purchase of a 2015 MEDIX Ambulance for the Massillon Fire Department. The cost of the ambulance will be One Hundred Twenty Thousand Six Hundred Twenty Five Dollars (\$120,625.00). These funds will come from the EMS Capital Fund.

Section 3:

This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the community and for the additional reason for efficient operation of the Massillon Fire Department. 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: MAY 4, 2015

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
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COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 56 – 2015

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE AMENDING TITLE ONE, STREETS AND SIDEWALK AREAS, OF PART NINE-STREETS UTILITIES AND PUBLIC SERVICES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF MASSILLON BY THE ADDITION OF CHAPTER 904, ROADSIDE MEMORIAL PROGRAM.

WHEREAS, the purpose of the Precious Memories Roadside Memorial Program is to provide friends and relatives of a person deceased due to a tragic event, the opportunity to memorialize them by establishing a process for the placement of a memorial near the scene of the tragic event in a safe and consistent manner;

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

Section 1:

Title One, Streets and Sidewalk Areas, of Part Nine-Streets, Utilities and Public Services Codes of the Codified Ordinances of the City of Massillon, Ohio, is amended by the addition of Chapter 904, Roadside memorial Program, which shall read as follows:

CHAPTER 904  
Roadside Memorial Program

904.01 DEFINITION.

"Roadside memorial" means the placement of materials as a tribute that commemorates a person who dies in a tragic event on a public sidewalk, roadway or right-of-way. Deaths of animals or pets are not eligible.

904.02 REGULATION.

The placement of a roadside memorial will be permitted along a public sidewalk, roadway or right-of-way owned and maintained by the city anytime within 30 days after a death due to a tragic event as long as:

DATE: MAY 18, 2015

CLERK: DIANE ROLLAND

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LEGISLATIVE DEPARTMENT

ORDINANCE NO. 61 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1215 Law Enforcement Local Grant 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 1215 Law Enforcement Local Grant Fund, for the year ending December 31, 2015, the following:

\$ 2,600.00 to an account entitled "Supplies/Materials/Postage" - 1215.305.2410

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 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 immediate preservation of the public health, safety and welfare of the community, and for the reason that the grant is necessary for the purchase of Fugi digital cameras to be issued to all patrol officers and make repairs on a vehicle owned by the Massillon Police Dept. 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.