

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

**AMENDED**  
**AGENDA**

DATE: MONDAY, JUNE 15, 2015  
PLACE: COUNCIL CHAMBERS  
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL

*7 Present - Walter & Harrett absent*

2. INVOCATION BY COUNCILMAN MILAN CHOVAN

3. PLEDGE OF ALLEGIANCE

4. READING OF THE JOURNAL

5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA

*Robin Harrold - Transitional Reg. on Harrold in favor of.*

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

*1st Reading*  
**ORDINANCE NO. 79 – 2015**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning the north portion of a certain tract of land from I-1 Light Industrial to RM-1 Multiple Family Residential and the south portion of a certain tract of land from I-1 Light Industrial to A-1 Agriculture.

*Passed 7-yes*  
**ORDINANCE NO. 80 – 2015**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE authorizing the Mayor to enter into an agreement with the Board of Stark County Commissioners and the City of Alliance, Ohio, to form a consortium for the purpose of becoming a participating jurisdiction in the Federal HOME Investment Partnership Program and declaring an emergency.

*Passed 7-yes*  
**ORDINANCE NO. 81 – 2015**

**BY: ENVIRONMENTAL COMMITTEE**

AN ORDINANCE authorizing the Safety Service Director of the City of Massillon, Ohio, to enter into the Recycling Program Grant Agreement with the Stark-Tuscarawas-Wayne Joint Solid Waste Management District, and declaring an emergency.

*Passed 7-yes*  
**ORDINANCE NO. 82 – 2015**

**BY: PARKS AND RECREATION COMMITTEE**

AN ORDINANCE approving the proposed rate adjustments for at The Legends of Massillon Golf Course beginning the year 2015, and declaring an emergency.

MONDAY, JUNE 15, 2015

*Passed 7-yes*  
**ORDINANCE NO. 83 – 2015**

**BY: PUBLIC UTILITIES COMMITTEE**

*Passed 7-yes*  
AN ORDINANCE authorizing and directing the Safety Service director of the City of Massillon, Ohio, to extend an agreement with IGS Energy as the natural gas supplier of an endorsement program for the benefit of residents, small businesses, and other natural gas consumers in the City

*Passed 7-yes*  
**ORDINANCE NO. 84 – 2015**

**BY: FINANCE COMMITTEE**

*Passed 7-yes*  
AN ORDINANCE making certain appropriations from the unappropriated balance of the 3112 Donation Fund (formerly Massillon Mural Fund, for the year ending December 31, 2015, and declaring an emergency.

*Passed 7-yes*  
**ORDINANCE NO. 85 – 2015**

**BY: FINANCE COMMITTEE**

*Passed 7-yes*  
AN ORDINANCE making certain transfers in the 2015 appropriations of the 3112 Donation Fund (formerly Massillon Mural Fund), and declaring an emergency.

**7. UNFINISHED BUSINESS**

**8. PETITIONS AND GENERAL COMMUNICATIONS**

**9. BILLS, ACCOUNTS AND CLAIMS**

*- 7 yes to pay the bills*

- A. The Repository – \$904.40 – Publication of April Ordinances
- B. Norlson Inc. - \$277.68 – Maintenance Agreements on Transcription Machines
- C. Keller's Office Furniture - \$42.39 – Office Supplies

**10. REPORTS FROM CITY OFFICIALS**

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

**11. REPORTS OF COMMITTEES**

*Councilwoman Cunningham - Zedlerby  
Complimented the Street Dept for  
trees removed.*

**12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER**

*Councilwoman  
Del Bis-Keller re:  
Parks & Rec Board  
mtg.*

**13. CALL OF THE CALENDAR**

**14. THIRD READING ORDINANCES AND RESOLUTIONS**

**15. SECOND READING ORDINANCES AND RESOLUTIONS**

MONDAY, JUNE 15, 2015

*2nd Reading*  
**ORDINANCE NO. 64 – 2015**

**BY: ENVIRONMENTAL COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Safety and Service of the City of Massillon, Ohio, to enter into an agreement with AECOM, for the year ending December 31, 2015, and declaring an emergency.

*2nd Reading*  
**ORDINANCE NO. 65 – 2015**

**BY: RULES, COURTS & CIVIL SERVICE**

**AN ORDINANCE** adopting a "Cash Disbursement Procedure Policy" that shall be in effect in the City of Massillon, Ohio, and declaring an emergency.

*2nd Reading*  
**ORDINANCE NO. 66 – 2015**

**BY: RULES, COURTS & CIVIL SERVICE**

**AN ORDINANCE** adopting a "Purchasing Policy" that shall be in effect in the City of Massillon, Ohio, and declaring an emergency.

*2nd Reading*  
**ORDINANCE NO. 67 – 2015**

**BY: RULES, COURTS & CIVIL SERVICE**

**AN ORDINANCE** adopting a "Deposit Policy" that shall be in effect in the City of Massillon, Ohio, and declaring an emergency.

*2nd Reading*  
**ORDINANCE NO. 68 – 2015**

**BY: RULES, COURTS & CIVIL SERVICE**

**AN ORDINANCE** repealing Ordinance 134 – 2008 and adopting a revised "Capital Asset Policy Manual" as recommended by the State of Ohio Auditor's Office, and declaring an emergency.

*2nd Reading*  
**ORDINANCE NO. 69 – 2015**

**BY: RULES, COURTS & CIVIL SERVICE**

**AN ORDINANCE** amending Ordinance No. 224 – 1996 to reflect a change in the existing "Investment and Depository Policy", and declaring an emergency.

*2nd Reading*  
**ORDINANCE NO. 70 – 2015**

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

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to change the speed limit within the corporation limits of the City of Massillon on Hankins Street, and, declaring an emergency.

*Passed 7-7-15*  
**ORDINANCE NO. 71 – 2015**

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

**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 Millennium Boulevard Extension Project in the City of Massillon, and declaring an emergency.

MONDAY, JUNE 15, 2015

*Passed 7-yes*  
**ORDINANCE NO. 72 – 2015**

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

AN ORDINANCE accepting the dedication of road right of way areas and the sanitary sewer easement areas for the property located at 27<sup>th</sup> St. S.E., and declaring an emergency.

*Passed 7-yes*  
**ORDINANCE NO. 73 – 2015**

**BY: FINANCE COMMITTEE**

**SECTION 1 - ONLY**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 2105 Stormwater Utility Fund and the 1401 EMS Capital Fund, for the year ending December 31, 2015, and declaring an emergency.

*Passed 7-yes*  
**ORDINANCE NO. 74 – 2015**

**BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for assistance to the Muskingum Watershed Conservancy District for the Sippo Creek Reservoir Dam Improvement Project, and declaring an emergency.

*Passed 7-yes*  
**ORDINANCE NO. 75 – 2015**

**BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit applications for funding to the Ohio Public Works Commission for the funding year of 2016, and declaring an emergency.

*Passed 7-yes*  
**ORDINANCE NO. 78 – 2015**

**BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Director of Public Safety and Service of the City of Massillon, Ohio, to accept a grant from the Ohio Development Services Agency for the Millennium Boulevard Extension Project, for the year ending December 31, 2015, and declaring an emergency.

**16. NEW AND MISCELLANEOUS BUSINESS**

*Ann Blesse - Friends of Legends of Organized Self*  
**17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA**

*Ken Boher - Bel Article that appeared in The Ohio regarding the Tax Dept.*  
**18. ADJOURNMENT**

DIANE ROLLAND – CLERK OF COUNCIL

DATE: JUNE 15, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 79 – 2015

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning the north portion of a certain tract of land from I-1 Light Industrial to RM-1 Multiple Family Residential and the south portion of a certain tract of land from I-1 Light Industrial to A-1 Agriculture.

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set for in Section 2 hereof from I-1 Light Industrial to RM-1 Multiple Family Residential for the north portion and from I-1 Light Industrial to A-1 Agriculture for the south portion. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on May 27, 2015 and that notice and public hearing has been given according to law.

Section 2:

The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and is hereby amended to show the following described area as RM-1 Multiple Family Residential.

Being known as Outlot #1135 located on Harsh Ave SE with a total of 2.2 acres to be rezoned. The applicants are Robin C. and Debra Warstler. The purpose for the rezoning is so that the north portion of the property can be acquired by Coleman Professional Services to develop and manage a residential rental development of 11 units to serve transitional young adults and the south portion of the property will remain under the Warstler family ownership and use for agriculture.



DATE: JUNE 15, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 80 – 2015

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor to enter into an agreement with the Board of Stark County Commissioners and the City of Alliance, Ohio, to form a consortium for the purpose of becoming a participating jurisdiction in the Federal HOME Investment Partnership Program and declaring an emergency.

WHEREAS, the Congress of the United States has enacted the Cranston-Gonzales National Affordable Housing Act of 1990, which established the HOME Investment Partnership Program (HOME) to provide funds to state and local governments for the purpose of developing affordable housing programs and providing housing assistance for lower income persons; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) has issued regulations allowing units of general local government to enter into mutual cooperation agreements to form consortiums for the purpose of obtaining federal funding from the HOME Program; and

WHEREAS, the City of Massillon, under the regulations established by HUD, does not meet the minimum requirements necessary to be designated as a participating jurisdiction under the HOME Program; and

WHEREAS, the City of Massillon, along with the City of Alliance and the Board of Stark County Commissioners, agree that it is in the best interest of carrying out the objectives of the HOME Program within Stark County that the communities should for a consortium to work together in the planning and implementation of affordable housing development activities.

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

Section 1:

That this Council hereby authorizes and directs the Mayor to enter into an agreement with the Board of Stark County Commissioners and the City of Alliance, Ohio, to form a consortium for the purpose of becoming a participating jurisdiction eligible to receive Federal funds under the HOME Investment Partnership Program for Fiscal Years 2015 – 2017.

DATE: JUNE 15, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 81 – 2015

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Safety Service Director of the City of Massillon, Ohio, to enter into the Recycling Program Grant Agreement with the Stark-Tuscarawas-Wayne Joint Solid Waste Management District, and declaring an emergency.

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

Section 1:

The Safety Service Director of the City of Massillon, Ohio, is hereby authorized and directed to enter into the Recycling Program Grant Agreement with the Stark-Tuscarawas-Wayne Joint Solid Waste Management District.

Section 2:

A copy of the grant agreement is attached hereto as Exhibit "A".

Section 3:

The grant will be awarded at the minimum amount of Twenty-five Dollars (\$25.00) per ton of recyclable materials plus incentives.

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that the grant agreement be entered into for the efficient operation of the recycling program for 2015. 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: JUNE 15, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 82 – 2015

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE approving the proposed rate adjustments for at The Legends of Massillon Golf Course beginning the 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, hereby determines that it is necessary to approve the proposed rate adjustments for The Legends of Massillon Golf Course beginning the year.

Section 2:

It is hereby determined that the following proposed rate adjustments for The Legends of Massillon Golf Course beginning the year 2015 are hereby approved and accepted by this Council.

(SEE ATTACHED PROPOSED RATE ADJUSTMENTS FOR THE LEGENDS GOLF COURSE AS IF FULLY REWRITTEN HEREIN).

Section 3:

This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that the proposed rate adjustments are necessary for the efficient operation of The Legends of Massillon Golf Course. 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: June 15, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 83 - 2015

BY: PUBLIC UTILITIES COMMITTEE

TITLE: A ORDINANCE authorizing and directing the Safety Service Director to extend an agreement with IGS Energy as the natural gas supplier of an endorsement program for the benefit of residents, small businesses, and other natural gas consumers in the City.

WHEREAS, this Council seeks to continue a natural gas supplier endorsement program for the benefit of residents, small businesses, and other natural gas consumers in the City.

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

Section 1:

The Safety Service Director is hereby authorized and directed to amend the supply agreement with IGS Energy in order to continue a natural gas supplier endorsement program for the benefit of residents, small businesses, and other natural gas consumers in the City.

Section 2:

This Council finds and determines that it is in the best interest of the City, its residents, small businesses, and other natural gas consumers located within the corporate limits of the City to continue the natural gas supplier endorsement program in the City. The City may exercise such authority jointly with other municipalities using Independent Energy Consultants, Inc., as to the full extent permitted by law. The Safety Service Director is hereby authorized to execute and deliver an amended supply agreement with IGS Energy to continue the endorsement program. The endorsement program will allow residents, small businesses, and other natural gas consumers located within the corporate limits of the City to enroll into the program by contacting IGS Energy.

Section 3:

This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective in order to file a certified copy of this Ordinance.

PASSED IN COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2015

APPROVED \_\_\_\_\_  
CLERK OF COUNCIL

\_\_\_\_\_  
PRESIDENT

APPROVED \_\_\_\_\_  
DATE

\_\_\_\_\_  
MAYOR

DATE: JUNE 15, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 84 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 3112 Donation Fund (formerly Massillon Mural 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 3112 Donation Fund (formerly Massillon Mural Fund), for the year ending December 31, 2015, the following:

\$ 555.08                      -                      "Transfer Out"

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 recipients.

Section 3:

This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that the proposed rate adjustments are necessary for the efficient operation of The Legends of Massillon Golf Course. 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: JUNE 15, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 85 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2015 appropriations of the 3112 Donation Fund (formerly Massillon Mural Fund), 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 3112 Donation Fund (formerly Massillon Mural Fund), for the year ending December 31, 2015, the following:

FROM:	Transfer Out	3112.905.5.2752	\$ 555.08
TO:	Transfer In	1100.905.4.1860	\$ 555.08

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.