

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

DATE: MONDAY, SEPTEMBER 21, 2015
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL — *9 Present*

2. INVOCATION BY COUNCILMAN ANDREA SCASSA

3. PLEDGE OF ALLEGIANCE

4. READING OF THE JOURNAL — *Not done yet*

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

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

7-yes Motion made to remove ordinance from agenda
ORDINANCE NO. 134 – 2015 BY: PARKS & RECREATION COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Lake Erie Golf Cars for the year ending December 31, 2015, and declaring an emergency.

7-yes
ORDINANCE NO. 135 – 2015 BY: PARKS & RECREATION COMMITTEE

AN ORDINANCE repealing 163.02 (Ordinance No. 26 – 2009, passed 02/18/2009), and enacting a new Section 163.02, and declaring an emergency.

pt. 100870
ORDINANCE NO. 136 – 2015 BY: STREETS, HIGHWAYS & TRAFFIC COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Preliminary Legislation with the Ohio Department of Transportation (ODOT) for the State Route 172 Resurfacing Project, PID 100870, and declaring an emergency.

9-yes
ORDINANCE NO. 137 – 2015 BY: STREETS, HIGHWAYS & TRAFFIC COMMITTEE

AN ORDINANCE accepting the dedication of road right of way and easement areas for Buckeye Ridge Estates Phase 1, and declaring an emergency.

Passed 9-22-15
ORDINANCE NO. 138 – 2015

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers within the 2015 appropriations from within the 1100 General Fund, for the year ending December 31, 2015, and declaring an emergency.

7. UNFINISHED BUSINESS - *0*

8. PETITIONS AND GENERAL COMMUNICATIONS - *0*

9. BILLS, ACCOUNTS AND CLAIMS

The Repository - \$ 1,210.40 – Publication of July Ordinances - *9 yes to pay the bills*

10. REPORTS FROM CITY OFFICIALS

Approval of Mayor's appointment of Reginald Hye as a member of the Health District Board for the term ending December 31, 2016. *Council approval only needed for Stark? See appointments*

11. REPORTS OF COMMITTEES - *Left Stark Session - 9/28/15 - 6^{PM}*

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER - *Councilwoman Walter commented on 16th St. Commented*

13. CALL OF THE CALENDAR *Joel Smith responded*

Passed 6-2-10
ORDINANCE NO. 109 – 2015

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

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

14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTIONS

2nd Reading
ORDINANCE NO. 122 – 2015

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from B-1 Business District to R-1 Residential.

16. NEW AND MISCELLANEOUS BUSINESS - *Joel Smith spoke re police vehicles
Capt. Covert*

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

18. ADJOURNMENT

Reginald Hye spoke re no sidewalks on 16th St. for children attending Franklin School
DIANE ROLLAND – CLERK OF COUNCIL

DATE: SEPTEMBER 21, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 134 – 2015

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Lake Erie Golf Cars 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 hereby determines it to be necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Lake Erie Golf Cars for The Legends of Massillon Golf Course.

Section 2:

The Director of Public Service and Safety is hereby authorized and directed to enter into a contract with Lake Erie Golf Cars for The Legends of Massillon Golf Course.

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: SEPTEMBER 21, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 135 – 2015

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE repealing 163.02 (Ordinance No. 26 – 2009, passed 02/18/2009), and enacting a new Section 163.02, 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 hereby determines it to be necessary to repeal Section 163.02 of Ordinance No. 26 – 2009 and enact a new 163.02 to read as attached hereto as Exhibit "A".

Section 2:

Massillon Codified Ordinance 163.02 is hereby repealed and a new Section 163.02 is hereby enacted.

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 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 21st DAY OF September, 2015

ATTEST: *Diane Rolland*
DIANE ROLLAND, CLERK OF COUNCIL

Tony Townsend
TONY TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR



**CHAPTER 163
PARK AND RECREATION BOARD**

163.02 MEMBERS

(a) The number of members of the Recreation Board shall consist of five members who are residents of the City of Massillon. Three members shall be appointed by the Mayor with the consent of Council for a term of five years except the original appointments for the terms beginning January 1, 1996, one shall be appointed for a term of one year, one for a term of three years and one for a term of three years and one for a term of five years. The other two members of the Board shall be appointed by the Board of Education of the City of Massillon for a term of five years except that the original appointments for the terms beginning January 1, 1996, one shall be for two years and one shall be for a term of four years. The successors to each member of the board shall be appoint for a term of five years by the original appointing authority. Vacancies on the Board shall be filled for the unexpired term by the original appointing authority for the members. The three members of the Recreation Board appointed by the Mayor and the successors to each of those members shall be appoint with the consent of Council. Vacancies in the Recreation Board, occurring otherwise than expiration of term, shall be for the unexpired term and shall be filled in the same as the original appointments with the consent of Council. Members of the Board shall serve without pay.

(b) All members of the board shall act in accordance with the code of conduct and by-laws enacted by the Board. Any member of the Board may be removed from office for just case by Council following notice and opportunity to be heard; in addition, the Board of Education may remove any of their appointees for just cause following notice and opportunity to be heard. Such removed member shall not be eligible for appointment to the board for a period of six years following removal. Any member of the Parks and Recreation board that has been absent from three regularly called meetings during any calendar year, whether excused or not, shall be removed from office.

(c) Vacancies shall be filled for unexpired terms in the manner as initially executed. If an Appointment to be made by the Mayor is not made within 60 days after the date such vacancy occurs, Council by majority vote, shall make the appointment to the Board of the unexpired term. In the event the Board of Education fails to appoint a member to the Board within 60 days from the vacancy, Council shall appoint the additional member of the Board for that term.

DATE: SEPTEMBER 21, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 136 – 2015

BY: STREETS, HIGHWAYS AND TRAFFIC COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Preliminary Legislation with the Ohio Department of Transportation (ODOT) for the State Route 172 Resurfacing Project, PID 100870, 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 hereby determines it to be necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Preliminary Legislation with the Ohio Department of Transportation (ODOT) for the State Route 172 Resurfacing Project, PID 100870.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby directed and authorized to sign the Preliminary Legislation with the Ohio Department of Transportation (ODOT) for the State Route 172 Resurfacing Project, PID 100870.

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: SEPTEMBER 21, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 137 – 2015

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the dedication of road right of way and easement areas for Buckeye Ridge Estates Phase 1, and declaring an emergency.

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

Section 1:

The dedication of road right of way and easement areas for Buckeye Ridge Estates Phase 1; as shown on the attached map. At its August 26, 2015 meeting, the City Planning Commission approved said dedication and replat for the property located on Wooster Rd. N.W. The request includes the dedication of roadway areas for Buckeye Ridge Blvd. N.W., Cottonwood Drive N.W. and Red Bud Circle N.W. as well as portions of Wooster Road and Beaumont Ave. The plat will create 14 residential lots and two (2) out lots. The area is currently zoned R-1 Single Family Residential.

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 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: SEPTEMBER 21, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 138 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers within the 2015 appropriations from within the 1100 General 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 transferred from the 1100 General Fund, for the year ending December 31, 2015, the following:

FROM:	Disability and Pension	1100.325.5.2710	\$ 32,300.00
TO:	Salary-FEMA Safer Grant	1100.326.5.2110	\$ 22,150.00
	Hosp/Eye-FEMA Safer Grant	1100.326.5.2210	9,800.00
	Medicare-FEMA	1100.326.5.2231	250.00
	Disability/Pension FEMA	1100.326.5.2710	100.00
	TOTAL		\$ 32,300.00

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.

Kathy Catazaro-Perry, Mayor
Massillon
City of Champions
Office of the Mayor

INTEROFFICE MEMO

DATE: 9/16/15

TO: Diane Rolland

FROM: Mayor Kathy Catazaro-Perry 

SUBJECT: Appointment to Boards

The following is an appointment, that I have made that needs City Council Approval. Please add this to the agenda for the next Council Meeting. Thanks!

Reginald Hye to the Health District Board for the term ending 12-31-16