

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

DATE: MONDAY, NOVEMBER 16, 2015
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL T² & NANCY ABSENT.
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. 170 – 2015

BY: POLICE & FIRE COMMITTEE

PASS 8-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with TASER International for the City of Massillon, Ohio, on behalf of the Massillon Police Department, and declaring an emergency.

ORDINANCE NO. 171 – 2015

BY: PUBLIC UTILITIES COMMITTEE

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an Easement Agreement with Dominion East Ohio Gas for the purpose of replacing a gas pipeline in South Sippo Park and Kiwanis Park, and declaring an emergency.

ORDINANCE NO. 172 – 2015

BY: FINANCE COMMITTEE

1ST READING

AN ORDINANCE to adopt appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year 2016, and declaring an emergency.

ORDINANCE NO. 173 – 2015

BY: FINANCE COMMITTEE

PASS B-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1216 Federal Law Enforcement Fund, for the year ending December 31, 2015, and declaring an emergency.

ORDINANCE NO. 174 – 2015

BY: FINANCE COMMITTEE

PASS B-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1229 HOME Program Fund, for the year ending December 31, 2015, and declaring an emergency.

ORDINANCE NO. 175 – 2015

BY: FINANCE COMMITTEE

PASS B-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1414 Collection System Improvement Fund, for the year ending December 31, 2015, and declaring an emergency.

ORDINANCE NO. 176 – 2015

BY: FINANCE COMMITTEE

PASS B-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the 3107 Fire Damage Structure Fund, for the year ending December 31, 2015, and declaring an emergency.

ORDINANCE NO. 177 – 2015

BY: FINANCE COMMITTEE

PASS B-0

AN ORDINANCE authorizing the Auditor to pay various 2015 bills that have been received and that will be received by her office between January 1, 2016 and March 31, 2016, out of the 2016 appropriations within the various departments of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 178 – 2015

BY: FINANCE COMMITTEE

PASS B-0

AN ORDINANCE establishing the blanket purchase order amount for the fiscal year 2016 not to exceed Fifteen Thousand Dollars (\$15,000.00) for all departments with the exception of the 2101 Wastewater Treatment Fund within the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 179 – 2015

BY: FINANCE COMMITTEE

PASS B-O

AN ORDINANCE establishing a fund entitled "3103 State Assessment Fee/Building Department" and creating line items within said fund, and declaring an emergency.

ORDINANCE NO. 180 – 2015

BY: FINANCE COMMITTEE

1ST READING

AN ORDINANCE amending Ordinance No. 143 – 1976 by repealing Section 13 – "ALLOCATION OF FUNDS - INCOME TAX" and enacting a new Section 13 – "ALLOCATION OF FUNDS - INCOME TAX" and repealing Ordinance No. 31 – 2014, and declaring an emergency.

ORDINANCE NO. 181 – 2015

BY: FINANCE COMMITTEE

PASS B-O

AN ORDINANCE authorizing the Auditor of the City of Massillon to deposit the three-tenths percent (.3%) City Income Tax for the Parks and Recreation system into the "Parks and Recreation Operations Fund", "Parks and Recreation Debt Retirement fund" and the "Parks and Recreation Capital Improvement Fund", and declaring an emergency.

ORDINANCE NO. 182 – 2015

BY: FINANCE COMMITTEE

PASS B-O

AN ORDINANCE amending Ordinance No. 124 – 2013 and any other ordinances inconsistent with this ordinance, and authorizing and directing the Auditor of the City of Massillon as of January 1, 2016, to deposit funds received from golfing fees at The Legends of Massillon Golf Course into the Legends fund and the Bond Retirement – Legends fund, and declaring an emergency.

ORDINANCE NO. 183 – 2015

BY: FINANCE COMMITTEE

PASS B-O

AN ORDINANCE making certain transfers in the 2015 appropriations from within the 1202 State Highway M & R Fund and the 1100 General Fund, for the year ending December 31, 2015, and declaring an emergency.

RESOLUTION NO. 9 – 2015

BY: FINANCE COMMITTEE

PASS B-O

A RESOLUTION requesting the Stark County Auditor and Stark County Treasurer to pay the City's share of 75% of the estate and inheritance taxes for the 2016 fiscal year.

RESOLUTION NO. 10 – 2015

BY: FINANCE COMMITTEE

PASS B-O

A RESOLUTION requesting the Stark County Auditor and Stark County Treasurer to pay the City's share of real estate taxes for the 2016 fiscal year.

RESOLUTION NO. 11 – 2015

BY: COMMUNITY DEVELOPMENT COMMITTEE

1ST READING

A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on October 15, 2015, wherein the Zoning Board of Appeals denied a variance from the Massillon Zoning Code to construct a cell tower on Lot No. 16262 in the City of Massillon, Ohio, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

Correspondence from Dept. of Commerce Division of Liquor Control RE: Permit Renewal Objections. Copy forwarded to each Council Person.

9. BILLS, ACCOUNTS AND CLAIMS

Keller's Office Furniture - \$40.00 – Copy Paper

10. REPORTS FROM CITY OFFICIALS

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

ORDINANCE NO. 149 – 2015

BY: POLICE & FIRE COMMITTEE

DEFEAT B-O

Tabled Nov. 2, 2015 until Nov. 16, 2015

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a grant from the Office of Community Oriented Policing Services (COPS) for the City of Massillon, Ohio, on behalf of the Massillon Police Department, and declaring an emergency.

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 158 – 2015

BY: HEALTH, WELFARE & BLDG. REGULATIONS COMMITTEE

TABLE TO DEC 7th 2015

AN ORDINANCE amending Chapter 509 of the Codified Ordinances of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 159 – 2015

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

PASS B-O

AN ORDINANCE to amend Title Nine, Chapter 181 of the Codified Ordinances of the City of Massillon, Ohio, regarding Municipal Income Tax, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 164 – 2015

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS B-O

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with The Salon House/Genuine Risk Investments to provide an economic development "inducement grant" to assist the business in renovation expenses at 317 Lincoln Way E., and declaring an emergency.

ORDINANCE NO. 165 – 2015

BY: HEALTH, WELFARE & BLDG. REGULATIONS COMMITTEE

PASS B-O

AN ORDINANCE repealing 505.01, Section (a) of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 168 – 2015

BY: FINANCE COMMITTEE

PASS B-O

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1237 Economic Development Fund, for the year ending December 31, 2015, and declaring an emergency.

ORDINANCE NO. 169 – 2015

BY: FINANCE COMMITTEE

PASS B-O

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a two (2) year contract with the Board of Trustees of Local Organized Government in Cooperation (L.O.G.I.C.) for fire department and police department dispatch services, 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: NOVEMBER 16, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 170 – 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 TASER International for the City of Massillon, Ohio, on behalf of 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 finds that it is necessary in the interest of public health, safety and welfare to authorize the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with TASER International on behalf of 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 enter into a contract with TASER International on behalf of the Massillon Police Department for the purchase and five (5) year maintenance and replacement plan for fifteen (15) new Class III X26P tasers totaling Twenty Eight Thousand Five Hundred Seventy One Dollars and Fifty Cents (\$28,571.50), with said maintenance and replacement plan consisting of five (5) annual payments of Two Thousand Eight Hundred Fifty Eight Dollars and Twenty-five Cents (\$2,858.25).

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: NOVEMBER 16, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 173 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1216 Federal Law Enforcement 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 1216 Federal Law Enforcement Fund the following:

\$ 14,637.04 to an account entitled "Supplies/Materials" - 1216.305.5.2410

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:

That this Ordinance is declared to be an emergency measure immediately necessary 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: NOVEMBER 16, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 171 – 2015

BY: PUBLIC UTILITIES COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an Easement Agreement with Dominion East Ohio Gas for the purpose of replacing a gas pipeline in South Sippo Park and Kiwanis Park, 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 in the interest of public health, safety and welfare to authorize the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an Easement Agreement with Dominion East Ohio Gas for the purpose of replacing a gas pipeline in South Sippo Park and Kiwanis Park.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into an Easement Agreement with Dominion East Ohio Gas for the purpose of replacing a gas pipeline in South Sippo Park between Lincoln Way E. and Tremont Ave. S.E. and Kiwanis Park between Tremont Ave. S.E. and Hess Blvd. S.E. Dominion East Ohio Gas has had an appraisal prepared and is offering the sum of Twenty Thousand Dollars (\$20,000.00) to the City for such easement. A draft of the proposed Easement Agreement is hereto attached.

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: NOVEMBER 16, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 172 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE to adopt appropriations for the operating and capital expenditures of the City of Massillon, Ohio, for the fiscal year 2016, 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, adopts and approves permanent appropriations, effective January 1, 2016, the capital and operation expenditures of the city of Massillon, Ohio, for the fiscal year ending December 31, 2016, pursuant to Ohio Revised Code, Section 5705.38, which appropriations and legal level of control are set forth on Exhibit "A".

Section 2:

That the Auditor of the city of Massillon, Ohio, is hereby authorized and directed to draw her warrants on the Treasurer for payment from any of the foregoing appropriations upon proper certification and vouchers approved by any board or officers authorized by law to approve the same or any ordinance or resolution of Council to make expenditures; provided that no warrants shall be drawn or paid for salaries or wages except to persons employed in accordance with law or ordinance.

Section 3:

The Auditor of the City of Massillon, Ohio, is hereby authorized to execute the inter-fund transfers outlined in Exhibit "A" and to draw her warrants upon receipt of vouchers duly approved by the proper departmental authority.

Section 4:

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: NOVEMBER 13, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 174 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1229 HOME Program 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 1229 HOME Program Fund, for the year ending December 31, 2014, the following:

\$ 33,000.00 to an account entitled "HOME Housing Program" 1229.845.2814

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 HOME Program Fund of the City of Massillon, Ohio, 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: NOVEMBER 13, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 175 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of 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 1414 Collection System Improvement Fund, for the year ending December 31, 2015, the following:

\$ 33,000.00 to an account entitled "Sanitary Sewer Improvements" - 1414.610.5.2510

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 City of Massillon, Ohio, 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: NOVEMBER 13, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 176 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 3107 Fire Damage Structure 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 3107 Fire Damage Structure Fund, for the year ending December 31, 2015, the following:

\$ 50,000.00 to an account entitled "Fire Damage Structures" - 3107.905.5.2390

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 City of Massillon, Ohio, 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: NOVEMBER 13, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 177 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor to pay various 2015 bills that have been received and that will be received by her office between January 1, 2016 and March 31, 2016, out of the 2016 appropriations within the various departments of the City of Massillon, 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 it necessary to authorize the City Auditor to pay various 2015 bills that have been received and that will be received by her office between January 1, 2016 and March 31, 2016, out of the 2016 appropriations within the various departments of the City of Massillon, Ohio.

Section 2:

The City Auditor is hereby Authorized and directed to pay various 2015 bills that have been received and that will be received by her office between January 1, 2016 and March 31, 2016, out of the 2016 appropriations within the various departments of the City of Massillon, Ohio.

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: NOVEMBER 13, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 178 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE establishing the blanket purchase order amount for the fiscal year 2016 not to exceed Fifteen Thousand Dollars (\$15,000.00) for all departments with the exception of the 2101 Wastewater Treatment Fund within the City of Massillon, 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 establishing the blanket purchase order amount for the fiscal year 2016 not to exceed Fifteen Thousand Dollars (\$15,000.00) for all departments with the exception of the 2101 Wastewater Treatment Fund within the City of Massillon, Ohio.

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: NOVEMBER 13, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 179 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE establishing a fund entitled "3103 State Assessment Fee/Building Department" and creating line items within said 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 is hereby established within the City of Massillon, Ohio, a fund entitled "3103 State Assessment Fee/Building Department", and creating line items within said fund.

Section 2:

The City Auditor is hereby authorized and directed to draw her warrants and make payments on vouchers duly approved by the proper departmental authority.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary as recommended by the State Auditor for accounting procedures within the Auditor's 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: NOVEMBER 13, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 180 - 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 143 – 1976 by repealing Section 13 – “ALLOCATION OF FUNDS - INCOME TAX” and enacting a new Section 13 – “ALLOCATION OF FUNDS - INCOME TAX” and repealing Ordinance No. 31 – 2014, and declaring an emergency.

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

Section 1:

Ordinance No. 31 – 2014 be and is hereby repealed.

Section 2:

That there be and hereby is enacted a new Section 13 “ALLOCATION OF FUNDS - INCOME TAX” of Ordinance No. 143 - 1976. Said new Section 13 shall read as follows:

Section 13 - ALLOCATION OF FUNDS

(A) Effective January 1, 2016 the funds collected under the provision of this ordinance shall be disbursed as follows:

- (1) Ninety-Eight percent (98%) percent shall be deposited in the General Fund and Two percent (2%) shall be deposited in said “Income Tax Capital Improvements” Fund and shall be used for capital improvements to defray operating expenses of the City including such part thereof as shall be necessary to defray all costs of administering and enforcing the provisions thereof.
- (2) Capital Improvements are all property, assets, machinery, equipment or improvements which the City is authorized by law to acquire, construct and maintain, including plans and studies thereof with an estimated life or usefulness of five (5) years or more, including land and interests therein, and including reconstructions, enlargements and extension thereof having an estimated life or usefulness of five (5) years or more provided, however, that the purchase of motorized equipment for the various city departments and the resurfacing and resealing of public streets, including

DATE: NOVEMBER 13, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 181 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor of the City of Massillon to deposit the three-tenths percent (.3%) City Income Tax for the Parks and Recreation system into the "Parks and Recreation Operations Fund", "Parks and Recreation Debt Retirement fund" and the "Parks and Recreation Capital Improvement Fund", and declaring an emergency.

WHEREAS, the electors of the City of Massillon voted to raise the city income tax rate by three-tenths percent (.3%) effective January 1, 1996, and to be used exclusively for the Parks and Recreation System in the City of Massillon.

WHEREAS, it is necessary to determine what percentage of the tax collected for the Parks and Recreation Department shall be deposited into the Parks and Recreation Operations Fund", "Parks and Recreation Debt Retirement Fund" and the "Parks and Recreation Capital Improvement Fund".

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

Section 1:

It is hereby determined that it is necessary for the Auditor of the City of Massillon to deposit a portion of the three-tenths percent (.3%) City Income Tax for the Parks and Recreation System into the "Parks and Recreation Fund", Parks and Recreation Capital Improvement Fund" and the "Parks and Recreation Bond Retirement Fund.

Section 2:

Effective January 1, 2016 through December 31, 2016, the Auditor of the City of Massillon is hereby authorized to deposit the following percentages into the following funds for the amounts collected from the income tax for the Parks and Recreation Department:

- 1.) Forty-Two and a Half percent (42.5%) shall be deposited into the "Parks and Recreation Operations 1234 Fund".
- 2.) Fifty-Six and a Half percent (56.5%) shall be deposited into the "Parks and Recreation Debt Retirement 1306 Fund".
- 3.) One percent (1%) shall be deposited into the "Parks and Recreation Capital Improvement 1433 Fund".

Section 3:

That Ordinance No. 125 – 2013 be and is hereby repealed as of December 31, 2015.

Section 4:

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 5:

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 further reason that said funds are necessary to provide sufficient fund to adequately maintain the Parks and Recreation Department and provide sufficient funds for the operations of the department on a daily basis. 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: NOVEMBER 13, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 182 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 124 – 2013 and any other ordinances inconsistent with this ordinance, and authorizing and directing the Auditor of the City of Massillon as of January 1, 2016, to deposit funds received from golfing fees at The Legends of Massillon Golf Course into the Legends fund and the Bond Retirement – Legends fund, and declaring an emergency.

WHEREAS, the legislative authority of the City of Massillon, Ohio, is required to designate the funds where such monies are to be deposited; and

WHEREAS, the City desires, as of January 1, 2016, to deposit 97.25% of the monies received from golfing fees at The Legends of Massillon Golf Course into The Legends Operating Fund and 2.75% of the monies received into the Bond Retirement Fund.

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

Section 1:

Ordinance No. 124 – 2013 and any other ordinance inconsistent with this ordinance be and are hereby amended.

Section 2:

The Auditor of the City of Massillon is hereby authorized and directed, as of January 1, 2016, to deposit funds received from golfing fees at The Legends of Massillon Golf Course as follows: 97.25% of the monies received shall be deposited into The Legends Operating fund and 2.75% of the monies shall be deposited into the Bond Retirement Fund.

DATE: NOVEMBER 13, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 183 – 2015

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2015 appropriations from within the 1202 State Highway M & R Fund and 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 2015 appropriations from within the 1202 State Highway M & R Fund, for the year ending December 31, 2015, the following:

| | | |
|-------|---|-----------------|
| FROM: | 1202.420.5.2110 – Salary – Safety | \$ 9,346.50 |
| | 1202.420.5.2230 – P.E.R.S. – Safety | 1,260.00 |
| | 1202.420.5.2231 – Medicare – Safety | 135.52 |
| | 1202.420.5.2270 – Worker's Comp. | <u>163.56</u> |
| | | \$ 10,905.58 |
| TO: | 1202.435.5.2392 – Contracted Services | \$ 5,000.00 |
| | 1202.435.5.2410 – Supplies/Matls./Postage | <u>5,905.58</u> |
| | | \$ 10,905.58 |

Section 2:

There be and hereby is transferred from the 2015 appropriations from within the 110 General Fund, for the year ending December 31, 2015, the following:

| | | |
|-------|---|--------------|
| FROM: | 1100.905.5.2752 – Transfer Out | \$ 72,000.00 |
| TO: | 2202.905.4.1862 – Worker's Comp. Accrued Liability | \$ 72,000.00 |

DATE: NOVEMBER 13, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 9 - 2015

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION requesting the Stark County Auditor and Stark County Treasurer to pay the City's share of 75% of the estate and inheritance taxes for the 2016 fiscal year.

WHEREAS, Ohio Revised Code Section 321.34 provides that a municipality may request by Resolution an advance payment from the county of 75% of the estate and inheritance taxes that the County collects on behalf of the municipality, and

WHEREAS, the legislative authority of the City of Massillon has deemed it necessary to request such advance payment, an

WHEREAS, the legislative authority of the City of Massillon has determined such request necessary at this time.

NOW, therefore, it is hereby resolved that the legislative authority of the City of Massillon hereby request an advance payment of the 75% of the estate and inheritance taxes collected for the 2016 fiscal year, as permitted by Ohio Revised Code Section 321.34.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2015

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: NOVEMBER 13, 2015

CLERK: DIANE ROLLAND

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 10 - 2015

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION requesting the Stark County Auditor and Stark County Treasurer to pay the City's share of real estate taxes for the 2016 fiscal year.

WHEREAS, Ohio Revised Code Section 321.34 provides that a municipality may request by Resolution an advance payment from the County of real estate taxes that the County collects on behalf of the municipality, and

WHEREAS, the legislative authority of the City of Massillon has deemed it necessary to request such advance payment, and

WHEREAS, the legislative authority of the City of Massillon has determined such request necessary at this time.

NOW, therefore, it is hereby resolved that the legislative authority of the City of Massillon hereby request an advance payment of real estate taxes collected for the 2016 fiscal year, as permitted by Ohio Revised Code Section 321.34.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2015

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

TONY M. TOWNSEND, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR



**Department
of Commerce**

Division of Liquor Control

John R. Kasich, Governor
Jacqueline T. Williams, Director

**NOTICE TO LEGISLATIVE AUTHORITIES
Re: Permit Renewal Objections**

76-143

NOVEMBER 06, 2015

CLERK OF MASSILLON CITY COUNCIL
ONE JAMES DUNCAN PLAZA SE
MASSILLON OHIO 44646

RECEIVED NOV 10 2015

Dear Clerk of Legislative Authority:

We are writing to notify you that all permits to sell alcoholic beverages in your political subdivision will expire on **February 1, 2016**. In order to maintain permit privileges, every permit holder must file a renewal application.

Ohio Revised Code Section 4303.271(B) provides the legislative authority with the right to object to the renewal of a permit and to request a hearing. The hearing may be held in the county seat of the county in which the permit premises is located if that request is made in writing. This will be your only opportunity to object to the renewal of a liquor permit premises which might be a problem in your community.

In order to register a valid objection with this Division and obtain a hearing, the legislative authority must pass a resolution which specifies the problems at the liquor permit premises and the legal grounds for objections as set forth in Ohio Revised Code Section 4303.292(A). It is suggested that a separate resolution be passed for each permit premises. The Chief Legal Officer of your political subdivision must also submit a statement with the resolution that, in the Chief Legal Officer's opinion, the objection is based upon substantial legal grounds within the meaning and intent of Ohio Revised Code Section 4303.292(A). The resolution and Chief Legal Officer's statement must be addressed to the Division of Liquor Control, Attn: Legal Section, 6606 Tussing Road, P.O. Box 4005, Reynoldsburg, Ohio 43068-9005 and postmarked no later than January 4, 2016.

For your convenience, you may access our brochure entitled "How to Object to the Issuance or Renewal of a Liquor Permit" from our website at www.com.ohio.gov/liqr which explains the process in more detail.

You may wish to contact the law enforcement agency for your jurisdiction to determine if it has any information which will aid in your decision whether or not to object and request a hearing. If you wish to obtain a list of permit holders in your jurisdiction, you may now access this list from our website at www.com.ohio.gov/liqr, and under "Liquor Control" click on "Look it up" and under that mega menu please select "Search Permit Holders" "Permit Applicant / Holder Information (types and status)". You will then enter the search criteria for your county / city / township to bring up the issued permits in your jurisdiction. If you do not have access to the internet, this list can be provided by this Division upon written request.

If you have any questions, please contact the Legal Section at (614)644-2489.

Very truly yours,

Cassandra L. Hicks

Cassandra L. Hicks, Chief Of Licensing

Licensing Renewal Section
6606 Tussing Road
PO Box 4005
Reynoldsburg, OH 43068-9005 U.S.A.

614 | 644 3162
Fax 614 | 644 6968
TTY/TDD 800 | 750 0750
www.com.ohio.gov/liqr

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