

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
CLAUDETTE O. ISTNICK, PRESIDENT
AGENDA

DATE: MONDAY, MARCH 7, 2016
PLACE: COUNCIL CHAMBERS
TIME: 6:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL *8 present; Councilman Ikin absent 8 yes to excuse*
2. INVOCATION BY COUNCILMAN LEWIS
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 - 8 yes
ORDINANCE NO. 33 – 2016

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE amending Ordinance No. 110 – 2015, Section 1, to adopt and approve the "Cash Drawer Policy" submitted by the Treasurer of the City of Massillon, Ohio, and attached hereto and marked as "Exhibit A", revised March 7, 2016.

Passed - 8 yes
ORDINANCE NO. 34 – 2016

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

AN ORDINANCE to accept the dedication of road right of way for portions of Millennium Blvd. S.E. and Cincinnati Dr. S.E., Massillon, Ohio, and declaring an emergency.

Passed - 8 yes
ORDINANCE NO. 35 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1421 Wastewater Treatment Upgrade Fund, for the year ending December 31, 2016, and declaring an emergency.

Passed - 8 yes
ORDINANCE NO. 36 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1213 Lincoln Way Streetscape Fund and the 1206 Municipal Motor Vehicle License Plate Fund, for the year ending December 31, 2016, and declaring an emergency.

Passed - 8 yes
ORDINANCE NO. 37 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1223 Indigent Driver Interlock Fund, for the year ending December 31, 2016, and declaring an emergency.

Passed - 8 yes
ORDINANCE NO. 38 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers within the 2016 appropriations within the 1223 Indigent Driver Interlock Fund, for the year ending December 31, 2016, and declaring an emergency.

Passed - 8 yes
ORDINANCE NO. 39 – 2016

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1225 Indigent Drivers Alcohol and Treatment Fund, for the year ending December 31, 2016, and declaring an emergency.

Passed - 8 yes
ORDINANCE NO. 40 – 2016

BY: FINANCE 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 to enter into a Purchase Agreement, contingent on the approval of Council and the City of Massillon, Ohio, with the highest and best bidder for the sale of land and building owned by the City of Massillon located at 955 Wales Road N.E., and declaring an emergency.

7. UNFINISHED BUSINESS - 0

8. PETITIONS AND GENERAL COMMUNICATIONS - 0

9. BILLS, ACCOUNTS AND CLAIMS

Copeco	-	\$ 15.30 – Finance Charge
Bonnie's Engravers	-	\$ 22.50 – Name Plate/Hour Change – 6:30 p.m.
		\$ 37.80 – Total

10. REPORTS FROM CITY OFFICIALS

Mayor's Report – January 2016

MONDAY, MARCH 7, 2016

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

TABLED JANUARY 4, 2016 UNTIL MARCH 7, 2016

Defeated - 8 no
ORDINANCE NO. 158 - 2015

Will be revamped and re-introduced
BY: HEALTH, WELFARE & BLDG. REGS. COMMITTEE

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

14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTIONS

16. NEW AND MISCELLANEOUS BUSINESS

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

18. ADJOURNMENT

1. Don Gorte - Free Trade Agreement - WTO
 2. Sam Daut - guardrail on Cherry Rd.
 3. Tom Ferrero - Issue #4 - Become 1st
 4. James Shilling - Sam Daut's neighbor
- DIANE ROLLAND - CLERK OF COUNCIL

DATE: MARCH 7, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 33 – 2016

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Ordinance No. 110 – 2015, Section 1, to adopt and approve the "Cash Drawer Policy" submitted by the Treasurer of the City of Massillon, Ohio, and attached hereto and marked as "Exhibit A", revised March 7, 2016.

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 adopt and approve the "Cash Drawer Policy" submitted by the Treasurer of the City of Massillon, Ohio, and attached hereto and marked as "Exhibit A", revised March 7, 2016.

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 declared to be an emergency measure necessary 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.

CASH DRAWER POLICY

The city of Massillon will enforce a NO PETTY CASH policy. This will apply to all city departments with the exception of the Legends Food & Beverage Department, which will keep \$ 1000.00. In the event that a city employee uses personal cash for a purchase benefiting the city, an invoice charging the appropriate expense account should be presented to the Auditor for re-imbursement.

Cash drawers, to be used when accepting payments for city services and fines, will be permitted. Those departments are and the amounts to be kept available:

Building	\$ 100.00	
Engineering	50.00	
Health	50.00	
Income Tax	300.00	During tax season from February 15 to April 15 this will be increased by \$ 300 which will be returned to the General Fund on April 16.
Legends, Food & Beverage	300.00	
Legends, Golf	400.00	
Parks & Rec	300.00	
Parking	100.00	
Police	100.00	
Total	\$ 1,700.00	

In addition:

\$700.00 "Other Cash" will be kept at the Legends Golf Course/ Pro Shop for making change as needed.

\$500.00 "Other Cash" will be kept at Legends Food/Beverage for making change as needed.

All Legends Golf Course and Food & Beverage "Other Cash" will be returned when the golf course closes for the season.

\$ 300.00 "Other Cash" will be kept at the Recreation Center for making change as needed.

All cash drawers, petty cash and other cash will be reconciled daily. A daily log will be maintained noting the department employee who counted and the supervisor who verified the amount. Any shortage will be reported to the Treasurer with an explanation and a Purchase Order to replenish the shorted amount will be presented to the Auditor. Any overage will be forwarded to the Treasurer for deposit. All cash will be stored overnight in a locked secure safe. The Treasurer will, at his/her discretion, audit both the cash and daily log.

DATE: MARCH 7, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 34 – 2016

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE to accept the dedication of road right of way for portions of Millennium Blvd. S.E. and Cincinnati Dr. S.E., 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 accept the dedication of road right of way for portions of Millennium Blvd. S.E. and Cincinnati Dr. S.E., Massillon, Ohio as shown on the attached map. At its February 10, 2016 meeting, the City Planning Commission approved said dedication for the property located in Neocomm. Industrial Park. The request includes the dedication of 6.014 acres of roadway areas for extension of Millennium Blvd. northward to U.S. Rt. 30, as well as a future part of Cincinnati Drive. Total approximately 4,000 ft. of new industrial roadway. The area is currently zoned I-2 Industrial.

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 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 _____ DAY OF _____, 2016

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED:

KATHY CATAZARO-PERRY, MAYOR

DATE: MARCH 7, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 35 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1421 Wastewater Treatment Upgrade Fund, for the year ending December 31, 2016, 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 1421 Wastewater Treatment Upgrade Fund, for the year ending December 31, 2016, the following:

\$16,000,000.00 to an account entitled "WWT Plant Upgrade Project" - 1421.610.5.2510

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 declared to be an emergency measure necessary for the efficient operation of the various departments 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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2016

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED:

KATHY CATAZARO-PERRY, MAYOR

DATE: MARCH 7, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 36 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1213 Lincoln Way Streetscape Fund and the 1206 Municipal Motor Vehicle License Plate Fund, for the year ending December 31, 2016, 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 1213 Lincoln Way Streetscape Fund, for the year ending December 31, 2016, the following:

\$ 23,500.00 to an account entitled "Services/Contracts"	-	1213.905.5.2392
\$ <u>23,500.00</u> to an account entitled "Supplies/Mats./Postage"	-	1213.905.5.2410
\$ 47,000.00 Total		

Section 2:

There be and hereby is appropriated from the unappropriated balance of the 1206 Municipal Motor Vehicle License Plate Fund, for the year ending December 31, 2016, the following:

\$ 60,000.00 to an account entitled "Services/Contracts"	-	1206.435.5.2392
--	---	-----------------

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 declared to be an emergency measure necessary for the efficient operation of the various departments 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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2016

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: MARCH 7, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 37 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1223 Indigent Driver Interlock Fund, for the year ending December 31, 2016, 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 1223 Indigent Driver Interlock Fund, for the year ending December 31, 2016, the following:

\$ 100,000.00 from an account entitled "Transfer Out" - 1223.135.5.2752

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 declared to be an emergency measure necessary for the efficient operation of the various departments 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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2016

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED:

KATHY CATAZARO-PERRY, MAYOR

DATE: MARCH 7, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 38 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers within the 2016 appropriations within the 1223 Indigent Driver Interlock Fund, for the year ending December 31, 2016, 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 2016 appropriations within the 1223 Indigent Driver Interlock Fund, for the year ending December 31, 2016, the following:

FROM:	Transfer Out	1223.135.5.2752	\$ 100,000.00
TO:	Transfer In	1225.125.4.1860	\$ 100,000.00

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 declared to be an emergency measure necessary for the efficient operation of the various departments 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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2016

ATTEST: _____
DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: MARCH 7, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 39 – 2016

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1225 Indigent Drivers Alcohol and Treatment Fund, for the year ending December 31, 2016, 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 1225 Indigent Drivers Alcohol and Treatment Fund, for the year ending December 31, 2016, the following:

\$ 100,000.00 to an account entitled "Services/Contracts" - 1225.125.5.2392

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 declared to be an emergency measure necessary for the efficient operation of the various departments 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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2016

ATTEST:

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR

DATE: MARCH 7, 2016

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
CLAUDETTE O. ISTNICK, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 40 – 2016

BY: FINANCE 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 to enter into a Purchase Agreement, contingent on the approval of Council and the City of Massillon, Ohio, with the highest and best bidder for the sale of land and building owned by the City of Massillon located at 955 Wales Road N.E., 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 necessary in the public health, safety and welfare for the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into a Purchase Agreement, contingent on the approval of Council and the City of Massillon, Ohio, with highest and best bidder for the sale of land and building owned by the City of Massillon located at 955 Wales Road N.E. Said land is further known as being parcel #680301, containing approximately 0.402 acres of land and a 2,592 ft. structure, formerly Fire Station #3, and currently zoned R-1-Single Family Residential.

Section 2:

The Director of Public Service and Safety is hereby authorized and directed to advertise for and receive sealed bids and enter into a Purchase Agreement, contingent on the approval of Council and the City of Massillon, with the highest and best bidder for the sale of land and building owned by the City of Massillon located at 955 Wales Road N.E.

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 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 _____ DAY OF _____, 2016

ATTEST: _____

DIANE ROLLAND, CLERK OF COUNCIL

CLAUDETTE O. ISTNICK, PRESIDENT

APPROVED: _____

KATHY CATAZARO-PERRY, MAYOR