

THE CITY OF MASSILLON, OHIO



Francis H. Cicchinelli, Jr.
Mayor

Phone (216) 830-1700
FAX (216) 830-1786

Director of Public Safety & Service
Alan W. Climer - 830-1702

Public Service
830-1701

City Engineer/Planning Director
Robert F. Wagoner - 830-1722

Community Development Director
Aane Aaby - 830-1721

Golf Course Superintendent
Martin A. Young - 830-4653

Chief Building Official
Starr Surbey - 830-1724

Fair Housing/
Rehabilitation Director
Marilyn Frazier - 830-1717

Wastewater Treatment Department
Manager/Superintendent
Ronald L. Halter - 833-3304

Collections Department Chief
Linda S. McGill - 830-1705

Chief of Police
Mark D. Weldon - 830-1762

Fire Chief
Tommy R. Matthews - 833-1053

Equal Employment Opportunity/
Minority Business/Drug Coordinator
Edward W. Grier - 830-1716

Health Commissioner
Thomas K. Ellis, M.D. - 830-1710

Park Superintendent
Robert T. Straughn - 830-1791

Youth Director
Constance Ledwell - 837-3137

Senior Citizens Director
Nancy A. Johnson - 837-2784

Data Center Chief
Keith Wires - 830-3647



January 17, 1996

John D. Ferrero, Jr.
City Law Director
Two James Duncan Plaza
Massillon, Ohio 44646

Dear John:

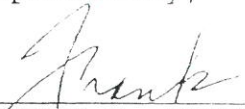
I am requesting a legal opinion as soon as possible concerning the ninth appointment to the Massillon Planning Commission.

As stated in **Article 1: Purpose and Authority; Section 713.01 R.C.**, of the Massillon Planning Commission By-Laws (see attachment), the ninth appointment was held by the President of the Massillon Park Board. However, since the establishment of the new Parks & Recreation Department, there is no longer a Massillon Park Board as we have always known it; therefore, does this mean the Chairperson of the newly created Massillon Recreation Board automatically steps into this ninth appointment or does the Mayor have the ability to appoint yet another person to the Massillon Planning Commission since there must be nine members.

I would ask that you please render your legal opinion on this issue as quickly as possible due to the fact that the Massillon Planning Commission will be holding its next regularly scheduled meeting on Wednesday, February 14, 1996.

Thank you for your immediate attention to this matter.

Respectfully,


FRANCIS H. CICCHINELLI, JR.
Mayor

FHC/mac
Attachment

Massillon Municipal Government Center
One James Duncan Plaza
Massillon, Ohio 44646

ARTICLE 1. PURPOSE AND AUTHORITY

The purpose and authority of the Planning Commission are hereby set forth in Chapter 713, Ohio Revised Code, and those powers and duties delegated to the Commission by Section 31.10, Chapter 31, Title 111, of the Massillon Code.

Section 713.01 R.C. "The legislative authority of each City having a Board of Park Commissioners may establish a city planning commission of nine members, consisting of the Mayor, the Director of Public Service, the President of the Board of Park Commissioners, and six citizens of the municipal corporation who shall serve without compensation and shall be appointed by the Mayor for terms to six years each, except that the term of the members of the first commission shall be for three years."

ARTICLE 2. OFFICE OF THE COMMISSION

The office of the Planning Director shall be the location where all applications for Commission action are filed and where all Commission records are kept.

ARTICLE 3. OFFICERS AND THEIR DUTIES

1. The Officers of the Commission shall consist of a Chairman and a Vice Chairman.
2. The Chairman shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by parliamentary usage on such officers. The Chairman shall have the authority to appoint committees, authorize expenditures of funds up to \$100.00 without prior approval of the Commission, call special meetings, and generally perform other duties as may be prescribed in these by-laws. The Chairman shall be one of the Commission members and shall have the privilege of discussing all matters before the Commission and of voting thereon.
3. The Vice Chairman shall act for the Chairman in his absence and have the authority to perform the duties prescribed for that office. He shall be a Commission member.