

AGENDA

DATE: APRIL 1, 1996
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INVOCATION - COUNCILMAN JAMES ROHR
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. 62 - 1996

BY: STREETS, HIGHWAY, TRAFFIC & SAFETY COMM

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to execute a temporary right-of-way for and on behalf of the City of Massillon, to the State of Ohio, and declaring an emergency.

ORDINANCE NO. 63 - 1996

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE authorizing and directing the Mayor of the City of Massillon, to enter into a loan agreement with Sandra Eberhart, Kim Himmel and Apple Jax Cafe, Inc., under the City of Massillon's Economic Development Revolving Loan fund, for the purchase of restaurant equipment at 49 Lincoln Way East, in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 64 - 1996

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE authorizing and directing the Mayor of the City of Massillon, to enter into a loan agreement with Cunningham Services, Inc., under the City of Massillon's Economic Development Revolving Loan fund, for the purchase of machinery and equipment related to the business, at 318 Erie Street south, in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 65 - 1996

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, including the Statement of Community Development Objectives and Projected Use of Funds; authorizing the execution and filing of the application and related assurances and certifications, and declaring an emergency.

ORDINANCE NO. 66 - 1996

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 1996 appropriation from within the General Fund, of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 67 - 1996

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

AN ORDINANCE enacted by the City of Massillon, Stark County, Ohio, in the matter of the hereinafter described improvement and to request cooperation by the Director of Transportation, and declaring an emergency.

ORDINANCE NO. 68 - 1996

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon to enter into an agreement with the Board of Stark County Commissioners for receipt of a grant for the Misdemeanant Community Sanctions Coordination Project, and declaring an emergency.

ORDINANCE NO. 69 - 1996

BY: FINANCE COMMITTEE

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - MUNICIPAL COURT of Ordinance No. 94 - 1994 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - MUNICIPAL COURT and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - MUNICIPAL COURT, in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 70 - 1996

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund, General Fund, Fire Damage Structure Fund, House Trailer and Recreation Vehicle Park and Camp Fund, and Parks and Recreation Fund, of the City of Massillon, Ohio, for the year ending December 11, 1996, and declaring an emergency.

APRIL 1, 1996

ORDINANCE NO. 71 - 1996

BY: FINANCE COMMITTEE

AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - MUNICIPAL COURT of Ordinance No. 94 - 1994 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - MUNICIPAL COURT and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - MUNICIPAL COURT, in the City of Massillon, Ohio, and declaring an emergency.

✓ 7. UNFINISHED BUSINESS

✓ 8. PETITIONS AND GENERAL COMMUNICATIONS

A). MASSILLON MAIN STREET SUBMITS YEARLY REPORT FOR 1995

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR MARCH 1996

B). AUDITOR SUBMITS MONTHLY REPORT FOR MARCH 1996

C). HEALTH DEPARTMENT SUBMITS YEARLY REPORT FOR 1995

✓ 11. REPORTS OF COMMITTEES - Finance 5:30 4/8 / whole 6:00 4/8

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 55 - 1996 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

✓ 15. SECOND READING ORDINANCES AND RESOLUTIONS
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from Perry Township to Massillon Zoning, and declaring an emergency.

ORDINANCE NO. 59 - 1996

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

✓ 16. NEW AND MISCELLANEOUS BUSINESS
17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA
18. ADJOURNMENT
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from R-1 Single Family Residential to I-1 Light Industrial, and declaring an emergency.

SHARON HOWELL
COUNCIL CLERK

THERE ARE NO PUBLIC HEARINGS THIS EVENING

DATE: April 1, 1996

CLERK: SHARON HOWELL

Sharon
CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 62 - 1996

BY: STREETS, HIGHWAY, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to execute a temporary right-of-way for and on behalf of the City of Massillon, to the State of 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 Director of Public Service and Safety is hereby authorized to sign on behalf of the City of Massillon, Ohio, a temporary right-of-way for and on behalf of the City of Massillon, granting to the State of Ohio, its successors and assigns, certain rights as more fully set forth in Section 2 hereof.

Section 2:

The temporary right-of-way referred to in Section 1 hereof shall be in the following form and shall contain the following terms and conditions:

(SEE ATTACHED)

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the further reason that said right-of-way is necessary to provide construction of SR-21 ramps. Provided it receives the affirmative vote of two-thirds of the members elected 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 at the earliest period allowed by law.

PASSED IN COUNCIL THIS ____ DAY OF ____, 1996

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED: _____

FRANCIS H. CICHINELLI, JR., MAYOR

TEMPORARY RIGHT OF WAY AGREEMENT

PARCEL NO. 2I S.R. NO. 21, SECTION 14.44, Stark COUNTY, OHIO

ARTICLES OF AGREEMENT

These articles of agreement, entered into this day of ,
nineteen hundred and by

 and the Department of Transportation, State of Ohio, Witnesseth:

That for and in consideration of the sum of
 Dollars (\$) to paid by the

State of Ohio, the receipt of which is hereby acknowledged, do hereby authorize the Director of
Transportation of the State of Ohio or his duly authorized agents or contractors to enter upon and use
 land hereinafter described as Parcel No. 2I, during the period beginning with the breaking of
ground for the construction of the above highway improvement, and terminating when the completed work
has been fully accepted by the Director of Transportation, for the purpose of performing the work necessary
to relocate access drive

in accordance with plans and specifications prepared by the Ohio Department of Transportation.

PARCEL NO. 2I

Being a parcel of land situated in the City of Massillon, Stark County, Ohio, Original Perry
Township, Section 20, Town 10 North, Range 9 West, and lying on the left side of a
survey, made by the Department of Transportation and recorded in Book, Page , of
the records of Stark County and being located within the following described points in the boundary
thereof:

Commencing at the Southeast corner of the Southwest Quarter of Section 20;

Thence, North 2° 44' 53" East on the easterly line of the Southwest Quarter of Section 20 a distance of
684.873m (2,246.96 feet) to a point;

Thence, North 88° 49' 03" West on the centerline of survey of Relocated Erie Street a distance of 523.044m
(1,716.02 feet) to a point;

Thence, North 1° 10' 57" East a distance of 9.646m (31.65 feet) to a point, said point being 88.404m left
of Station 14+482.641 on the centerline of survey of State Route 21 and the true place of beginning of the
parcel herein described.

Thence, North 88° 55' 32" West on the existing limited access right of way line a distance of 44.385m
(145.62 feet) to a point;

Thence, North 1° 04' 07" East a distance of 154.940m (508.33 feet) to a point;

Thence, North 43° 49' 08" East a distance of 42.771m (140.33 feet) to a point on Grantor's property
corner;

Thence, South 3° 14' 41" East on Grantor's property line a distance of 65.403m (214.58 feet) to a point;

Thence, South $8^{\circ} 52' 32''$ East on Grantor's property line a distance of 59.601m (195.54 feet) to a point;

Thence, South $8^{\circ} 52' 32''$ East on Grantor's property line and the proposed limited access right of way line a distance of 47.540m (155.97 feet) to a point;

Thence, South $28^{\circ} 24' 09''$ West on Grantor's property line and the proposed limited access right of way line a distance of 17.563m (57.62 feet) to the true place of beginning containing 6,912.6 square meters (74,407 square feet).

All distances shown have been rounded to the nearest (5) millimeters (0.005).

The bearings used in the above description are based on a bearing of South $88^{\circ} 49' 03''$ East on the centerline of relocated Erie Street as shown on Right of Way plan Sta-21-8.40.

This description is based on a survey made by URS Consultants under the direction and supervision of Richard E. Rockich, Registered Surveyor No. 5680.

Grantor claims title by instrument recorded in O.R. Volume 3792, Page 415 of the Stark County Records.

It is understood the area of land above described contains _____ acres, more or less.

IN WITNESS WHEREOF, the said _____

_____ ha _____ hereunto set _____ hand _____ the _____ day of _____

_____ in the year of our Lord, one thousand nine hundred and _____

_____.

Signed and sealed in the presence of:

STATE OF OHIO, COUNTY OF _____, ss.

BE IT REMEMBERED, that on this _____ day _____, 19____, before me the

subscriber, a Notary Public in and for said county, personally came the above named

_____ and acknowledged the signing of the foregoing agreement to be

_____ voluntary act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Notary Public

(Seal)

STATE OF OHIO, COUNTY OF _____, ss.

BE IT REMEMBERED, that on this _____ day _____, 19____, before me the

subscriber, a Notary Public in and for said county, personally came the above named

_____ and acknowledged the signing of the foregoing agreement to be

_____ voluntary act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Notary Public

DATE: April 1, 1996

CLERK: SHARON HOWELL

1st JES defeated 5/4/96
COUNCIL CHAMBERS
recommended & passed June 3, 1996
ORDINANCE NO. 63 - 1996
BY: THE COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

LEGISLATIVE DEPARTMENT

TITLE: AN ORDINANCE authorizing and directing the Mayor of the City of Massillon, to enter into a loan agreement with Sandra Eberhart, Kim Himmel and Apple Jax Cafe, Inc. under the City of Massillon's Economic Development Revolving Loan Fund, for the purchase of restaurant equipment at 49 Lincoln Way East, in the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, the City of Massillon, Ohio, has established an Economic Development Revolving Loan Fund to assist the expansion and development of local businesses and industries; and

WHEREAS, Sandra Eberhart, Kim Himmel and Apple Jax Cafe, Inc. have made application to the City of Massillon, Ohio, for financial assistance in the form of a \$41,000.00 loan, from the City's Economic Development Revolving Loan Fund, to assist in the purchasing of restaurant equipment; and

WHEREAS, the proposed revolving loan fund assistance to Sandra Eberhart, Kim Himmel and Apple Jax Cafe, Inc., will result in the creation of approximately 17 new jobs; and

WHEREAS, the City of Massillon's Revolving Loan Fund Committee, on March 2, 1996, reviewed and approved the loan application from Sandra Eberhart, Kim Himmel and Apple Jax Cafe, Inc., and made a determination that the financial assistance to be provided by the City was both necessary and appropriate, taking into account the actual needs of the business in making the project financially feasible, as well as the extent of public benefit expected to be derived from the project.

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

Section 1:

The Mayor be and is hereby authorized to enter into a loan agreement with Sandra Eberhart, Kim Himmel and Apple Jax Cafe, Inc., in the amount of Forty-One Thousand Dollars (\$41,000.00), from the City's Economic Development Revolving Loan Fund, for the purpose of purchasing restaurant equipment located at 49 Lincoln Way East, in the City of Massillon, Ohio.

Section 2:

That upon delivery of the aforesaid agreement, the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for said agreement, and the City Auditor is authorized and directed to honor and pay said vouchers.

Section 3:

That 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 this program is needed to promote the economic development and expansion within the City of Massillon. Provided it receives the affirmative vote of two-thirds of the elected members of 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 _____, 1996

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCINELLI, JR., MAYOR

DATE: April 1, 1996

CLERK: SHARON HOWELL

COUNCIL CHAMBERS

CITY OF MASSILLON, OHIO

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 64 - 1996

BY: THE COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Mayor of the City of Massillon, to enter into a loan agreement with Cunningham Services, Inc., under the City of Massillon's Economic Development Revolving Loan Fund, to assist in the purchase of machinery and equipment related to the business, at 318 Erie Street South, in the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, the City of Massillon, Ohio, has established an Economic Development Revolving Loan Fund to assist the expansion and development of local businesses and industries; and

WHEREAS, Cunningham Services, Inc., has made application to the City of Massillon, Ohio, for financial assistance in the form of a \$45,000.00 loan, from the City's Economic Development Revolving Loan Fund, to assist in the purchasing of machinery and equipment related to the business; and

WHEREAS, the proposed revolving loan fund assistance to Cunningham Services, Inc., will result in the creation of approximately two (2) new jobs; and

WHEREAS, the City of Massillon's Revolving Loan Fund Committee, on March 12, 1996, reviewed and approved the loan application from Cunningham Services, Inc., and made a determination that the financial assistance to be provided by the City was both necessary and appropriate, taking into account the actual needs of the business in making the project financially feasible, as well as the extent of public benefit expected to be derived from the project.

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

Section 1:

The Mayor be and is hereby authorized to enter into a loan agreement with Cunningham Services Inc., in the amount of Forty-Five Thousand Dollars (\$45,000.00), from the City's Economic Development Revolving Loan Fund, to assist in the purchase of machinery and equipment related to the business, located at 318 Erie Street South, in the City of Massillon, Ohio.

Section 2:

That upon delivery of the aforesaid agreement, the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for said agreement, and the City Auditor is authorized and directed to honor and pay said vouchers.

Section 3:

That 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 this program is needed to promote the economic development and expansion within the City of Massillon. Provided it receives the affirmative vote of two-thirds of the elected members of 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 _____, 1996

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED:

FRANCIS H. CICCINELLI, JR., MAYOR

DATE: April 1, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

2nd reading 4/15/96
passed 5/6/96

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 65 - 1996

BY: THE COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, including the Statement of Community Development Objectives and Projected Use of Funds; authorizing the execution and filing of the application and related assurances and certifications, and declaring an emergency.

WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974 (which title is hereinafter referred to as the "Act") and the regulations promulgated thereunder (24 CFR Parts 58 and 570, hereinafter referred to as "Regulations"), the Secretary of the Department of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to make block grants to units of general local government to help finance community development programs (which grants are hereinafter referred to as "CDBG" Grants); and

WHEREAS, the City of Massillon proposes to apply for such a grant for Fiscal year 1996 and has, in that connection and as required by and pursuant to the Act and Regulations, prepared in Statement of Community Development Objectives and Projected Use of Funds, a copy of which is on file with the Council Clerk, and including the following items: (a) the community development objectives the City proposes to pursue; and (b) the community development activities the City proposes to carry out with anticipated CDBG Funds; and

WHEREAS, the City of Massillon has furnished citizens with information concerning the amount of CDBG Funds expected to be available for community development and housing activities, and the range of activities that may be undertaken with those funds; has held several public hearings to obtain the views of citizens on the City's housing and community development needs; and has published community wide its proposed Statement of Community Development Objectives and Projected Use of Funds as to afford affected citizens an opportunity to examine the Statement's contents and to provide comments on the proposed Statement and on the City's community development performance; and

WHEREAS, the Council has duly reviewed and considered the Statement of Community Development Objectives and Projected Use of Funds, along with the various views and proposals of citizens, and the comments and recommendations of the City's administrative and planning officials.

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

Section 1:

This Council hereby finds and determines that the Statement of Community Development Objectives and Projected Use of Funds properly and adequately identifies the City's Community Development needs and objectives; and that the programs and activities to be undertaken by the City with CDBG Funds as provided for under the Act for the 1996 Program Year have been designed so as to give maximum feasible priority to activities which will benefit low and moderate income families or aid in the prevention or elimination of slums or blight; and that this Council hereby approves said Statement.

Section 2:

That the Mayor, being the chief executive officer of the City of Massillon, Ohio, is hereby designated as the authorized representative of the City, to act in connection with the City's application for CDBG Funds, and to provide such additional information, as well as execute and file such additional documentation or certification, as may be required by the Secretary or by other responsible agencies in connection with the application.

Section 3:

That this Council hereby finds and determines that the City, in preparing its application for CDBG Funds, has complied with the applicable requirements of the Act and Regulations, and that this Council hereby approves the application and hereby authorizes the Mayor to execute and file the application, together with all related documentation, with the Secretary.

Section 4:

That this Council hereby directs that the City of Massillon, Ohio, in carrying out its CDBG - Funded activities, continue to comply with applicable requirements of the Act and Regulations and with other applicable laws, including civil rights, equal opportunity and fair housing, citizens participation, real property acquisition and relocation, environmental protection, labor standards, and the requirement of giving maximum feasible priority to activities which will benefit low and moderate income families or aid in the prevention or elimination of slums or blight, and that this council authorizes the Mayor to execute and file with the Secretary certifications in such forms as the Secretary may prescribe, which will provide assurances concerning these foregoing matters, and concerning such other matters as may be required by the Secretary in connection with carrying out the City's CDBG Program.

Section 5:

That this Council hereby authorizes the Mayor to consent to assume the status of a responsible Federal official under the National Environmental Policy Act of 1969, insofar as the provision of such act apply to the Secretary's responsibilities for environmental review, decision making, and action to be assumed and carried out by the Mayor, and authorizes the Mayor to consent, on behalf of the City, to accept the jurisdiction of the Federal Courts for the purposes of carrying out the CDBG program; and furthermore, that this Council hereby authorizes the Mayor to execute and file requests for release of funds and related certifications, and to prepare and file such other documents and take such other actions in connection with the environmental review process as may be required by the Act and Regulations.

Section 6:

That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the further reason that the immediate approval and filing of the Application is necessary to enable the City to qualify for its CDBG Grant for the 1996 Program Year and thus enable it to carry out its Community Development program. And 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 _____, 1996

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL JOHN H. FRIEG, PRESIDENT

APPROVED: _____

FRANCIS H. CICHINELLI, JR., MAYOR

CDBG PROGRAM BUDGET

Massillon CDBG Entitlement
Estimated Program Income
Massillon CDBG Budget

EY 1996
(100% FY 95)
\$976,000.00
40,000.00
\$1,016,000.00

Housing Activities	Proposed Budget
City Housing Rehabilitation Program	\$120,000.00
Neighborhood Housing Services of Massillon Comprehensive Housing Program	120,000.00
✓ St. James Church & National Church Residences Site Improvements - Elderly Housing Project	100,000.00
Habitat for Humanity New Housing Construction Site Improvements	50,000.00
Family Living Center Homeless Shelter - Catholic Community Services: Bathroom remodeling/front ramp installation	10,000.00
City Housing Code Enforcement	35,000.00
Public Works & Facilities	
Target Area Neighborhood Street Improvements	54,000.00
Fire Equipment - EMS Paramedic Vehicle for Fire Sta. No. 1	75,000.00
Non-Residential Rehabilitation	
Historic Preservation: Five Oaks Historic Home	16,000.00
Massillon Main Street Downtown Improvement Program	60,000.00
Joe Sparma Community Center/Kitchen Facilities	15,000.00
Boys & Girls Club of Massillon Building Expansion	20,000.00
Demolition & Clearance Activities	
City Demolition Program	30,000.00
Economic Development Activities	
RLF Program	60,000.00
Public Service Activities	
City Youth Center Program	55,000.00
✓ Elderly Homemaker Program - Westark Family Services	20,000.00
✓ Housing Counseling Program - Massillon Urban League	15,000.00
Begin-A-New Summer Tutoring Program	10,000.00
Teen Pregnancy Prevention - Massillon Urban League	6,000.00
Children's Art Connection - City Youth Center/Franklin Elementary School/Canton Cultural Center for the Arts	10,000.00
Catholic Community Services - Family Living Center Homeless Shelter Operating Assistance	10,000.00
Massillon Commission to Advance Literacy	
✓ Adult Literacy Training Program	5,000.00
Massillon Drug Task Force Commission	5,000.00
Planning & Administration Activities	
Planning Activities	
City Fair Housing Program	5,000.00
City CDBG Administration	30,000.00
	80,000.00

FY 1996 CDBG PROGRAM BUDGET

\$1,016,000.00

DATE: April 1, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 66 - 1996

BY: THE FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1996 appropriation from within the General Fund, 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:

There be and hereby is transferred from the 1996 appropriation from within the General Fund of the City of Massillon, Ohio, the following:

\$ 39,068.95 from "Misc. Accumulated Sick Leave" 1100.905.2150 to

\$23,197.37 "Safety Accumulated Sick Leave" 1100.420.2150

\$15,871.58 "Street Accumulated Sick Leave" 1100.435.2150

Section 2:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for the payment of accumulated sick leave for two City retirees 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 ____, 1996

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

C 'PROVED: _____

FRANCIS H. CICCCHINELLI, JR., MAYOR

DATE: April 1, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 67 - 1996

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: An emergency ordinance enacted by the City of Massillon, Stark County, Ohio, in the matter of the hereinafter described improvement and to request cooperation by the Director of Transportation and declaring an emergency.

WHEREAS, the City has identified the need for and proposes the improvement of a portion of the public highway which is described as follows:

Widen roadway to four lanes and five lanes where necessary from Marland Avenue northerly to US 30.

said portion of highway within the municipal corporation limits being hereinafter referred to as the improvement, and

WHEREAS, the City further desires cooperation from the Director of Transportation in the planning, design and construction of said improvement.

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

Section 1:

The City of Massillon hereby requests the cooperation of the Ohio Director of Transportation in the cost of the above described improvement as follows:

Consent is given for the above improvement, and further the City will assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement, as determined by the State and the Federal Highway Administration.

Section 2:

It is declared to be in the public interest that the consent of said City be and such consent is hereby given to the Director of Transportation to construct the above described improvement, in accordance with plans, specifications and estimates as approved by the Director.

Section 3:

The Director of Public Service and Safety of the City of Massillon, is hereby empowered and directed on behalf of the City to enter into agreements with the Director of Transportation necessary to complete the planning and construction of this improvement.

Section 4:

Traffic control devices installed within the limits of the project will conform with Section 4511 of the Ohio Revised Code.

Section 5:

Upon completion of said improvement, said City, will thereafter keep said highway open to traffic at all times, and

- (a) Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial and other provision for such maintenance; and
- (b) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the State of Ohio and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and

- (c) Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code.
- (d) Regulate parking in the following manner:

Prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code, unless otherwise controlled by local ordinance or resolution.

Section 6:

The following is further required to be in the said agreement:

- (a) That all existing street and public way right-of-way within the City which is necessary for the aforesaid improvement, shall be made available therefor.
- (b) That the State will acquire any additional right-of-way required for the construction of the aforesaid improvement.
- (c) That arrangements have been or will be made with and agreements obtained from all public utility companies whose line or structures will be affected by the said improvement and said companies have agreed to make any and all necessary plant removals or rearrangements in such manner as to be clear of any construction called for by the plans of said improvement and said companies have agreed to make such necessary rearrangements immediately after notification by said City of the Department of Transportation.
- (d) That it is hereby agreed that the City shall at its own expense, make all rearrangements of water mains, service lines, fire hydrants, valve boxes, sanitary sewers or other municipally owned utilities and/or any appurtenances thereto, which do not comply with the provision of Directive H-P-508 inside or outside the corporate limits as may be necessary to conform to the said improvement and rearrangements shall be done at such time as requested by the Department of Transportation Engineer.
- (e) That the construction, reconstruction, and/or rearrangement of both publicly and privately owned utilities, referred to in subsections (c) and (d) above, shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provisions of the Ohio Department of Transportation Construction and Material Specifications and shall be subject to approval by the State.
- (f) That the installation of all utility facilities on the right-of-way shall conform with the requirements of the Federal Highway Administration Policy and Procedure Memorandum 30-4 "Utilities Relocations and Adjustments" and the Department of Transportation's rules on Utility Accommodation.
- (g) That the City hereby agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the City's obligations made or agreed to in Section (a), (b), (c), (e) and (f) hereinabove. Likewise, The State agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the negligence of its officers, employees or agents in the performance of the State's obligations made or agreed to in Sections (a), (b), (c), (d), (e) and (f) hereinabove.

Section VII

This Ordinance is hereby declared to be an emergency measure by reason of the need for expediting highway improvements to promote highway safety, and provided it receives the affirmative vote of two-thirds of the members elected 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 _____, 1996

ATTEST: SHARON HOWELL, CLERK OF COUNCIL JOHN H. FRIEG, PRESIDENT

APPROVED: _____
FRANCIS H. CICCINELLI, JR., MAYOR

CERTIFICATE OF COPY

STATE OF OHIO

City of Massillon SS

County Stark

I, Sharon Howell, as Clerk of the City of Massillon, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 67 - 1996, adopted by the legislative authority of the said City on the 1st day of April, 1996, that the publications of such ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance and certificate of publication thereof are of record in Ordinance Record No. 67-1996.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this _____ day of _____, 1996.

(SEAL)

CLERK

City of Massillon, Ohio.

The foregoing is accepted as a basis for proceeding with the improvement herein described.

For the City of _____, Ohio

Attest: _____

Contractual Officer, Date _____

For the State of Ohio

Attest: _____

Director, Ohio Department of Transportation

DATE: April 1, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 68 - 1996

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon to enter into an agreement with the Board of Stark County Commissioners for receipt of a grant for the Misdemeanant Community Sanctions Coordination Project, and declaring an emergency.

WHEREAS, the State of Ohio, Department of Rehabilitation and Correction is offering to various counties within the State of Ohio grant funds under the Misdemeanant Community Sanctions Coordination Project, for the purpose of developing alternatives to jail incarceration for additional misdemeanants pursuant to Senate Bill No. 2; and

WHEREAS, Stark County has submitted a grant proposal to the State of Ohio for the foregoing project, which has been approved, and which will provide the total sum of \$33,345.00 for the period January 1 through June 30, 1996 and an additional \$66,690.00 for the period July 1, 1996 through June 30, 1997; and

WHEREAS, these funds are to be divided among the three municipal courts within Stark County in the following proportions; Canton Municipal Court, 50%; Massillon Municipal Court, 30%; and Alliance Municipal Court, 20%; and

WHEREAS, the Board of County Commissioners is the recipient of the funds and the City of Massillon is required to subcontract for receipt of thee grant funds with the Commissioners:

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

Section 1:

The Mayor, on behalf of the City of Massillon be and is hereby authorized and directed to enter into an Agreement with the Board of Stark County Commissioners for the receipt of a grant for the Misdemeanant Community Sanctions Coordination Project as follows:

- (a) For the period January 1 through June 30, 1996, the sum of \$10,003.50
- (b) For the period July 1, 1996 through June 30, 1997, the sum of \$20,007.00.

Section 2:

The City Auditor, on behalf of the City of Massillon be and is hereby authorized and directed to establish a Misdemeanant Community Sanctions Grant Fund Account, within the Massillon Municipal Court.

Section 3:

The Administrative Judge of the Massillon Municipal Court, on behalf of the Massillon Municipal Court be and is hereby authorized and directed to establish a budget for the foregoing services.

Section 4:

The City Auditor is hereby authorize and directed to draw her warrants upon receipt of vouchers duly approved by the proper departmental authority.

Section 5:

This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of the City of Massillon; the emergency being the necessity to avoid unnecessary time delay in obtaining receipt of the foregoing funds, which are needed for the immediate hiring of additional personnel and/or equipment for the Misdemeanant Community Sanctions Coordination Project. 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 _____, 1996

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCINELLI, JR., MAYOR

DATE: April 1, 1996

CLERK: SHARON HOWELL


CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 69 - 1996

BY: THE RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - MUNICIPAL COURT of Ordinance No. 94 - 1994 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - MUNICIPAL COURT and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - MUNICIPAL COURT, in 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:

Section 2(D) OCCUPATION LIST OF CLASS TITLES - MUNICIPAL COURT of Ordinance No. 94 - 1994 and is hereby repealed.

Section 2:

That a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - MUNICIPAL COURT of Ordinance No. 94 - 1994 be and is hereby enacted and shall read as follows:

(SEE ATTACHMENT 'A' PAGE 2 AND INSERT IN THE SALARY ORDINANCE 94 - 1994)

Section 3:

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the additional reason that the provisions hereby enacted are immediately necessary to employ a full time Magistrate and part time security officers due to the increase case load of the Massillon Municipal Court. 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 _____, 1996

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCINELLI, JR., MAYOR

CLASS	DEPARTMENT &		
GRADE	SCHEDULE	TITLE DESCRIPTION	BASE RATE EFFECTIVE SCHEDULE
		<u>MUNICIPAL COURT</u> 125	<u>March 21, 1994</u>
15S	SU UN	Court Administrator	"
12S	UN	Administrative Assistant I	"
9S	UN	Administrative Assistant II	"
6S	UN	Secretary	"

Two elected Judges: salaries are State determined: City, 60% (3/5) - County, 40% (2/5)

* One Magistrate appointed by elected Judges - salary shall be \$54,000.00 per year - effective April 1, 1996: City paying 60% (3/5) - County paying 40% (2/5)

	<u>PART TIME/TEMPORARY/SEASONAL</u>	<u>April 1, 1996</u>
* UN	Security Supervisor	\$12.00 Per Hr
* UN	Security Officer	\$10.00 Per Hr

BAILIFFS 135
Appointments and salaries determined by Judges

CLERK OF COURTS 130

The City of Massillon has one elected Clerk of Court. His salary is based on 85% of the sub-judge salary. The City of Massillon is responsible for 60% (3/5) - Stark County 40% (2/5). The Clerk of Court determines his employees salaries.

		<u>PLANNING DEPARTMENT</u> 140			
		<u>PART TIME/TEMPORARY/SEASONAL</u>	<u>March 21, 1994</u>	<u>March 20, 1995</u>	<u>March 18, 1996</u>
	UN	Secretary - Planning Board	\$40.82 Per Mtg	\$42.04 Per Mtg	\$43.51 Per Mtg
		<u>CIVIL SERVICE COMM.</u> 150			
12S	CL	Civil Service Administrator(1)	<u>March 20, 1995</u>		
9S	CL	Clerk Administrator	<u>March 21, 1994</u>		
		<u>APPOINTED BY MAYOR</u>	<u>April 1, 1994</u>	<u>April 1, 1995</u>	<u>April 1, 1996</u>
		Chairman	\$233.32 Per Mo	\$240.32 Per Mo	\$248.73 Per Mo
		Members	\$173.50 Per Mo	\$178.71 Per Mo	\$184.96 Per Mo
		<u>SERVICE DEPARTMENT</u> 160			
26S	SU UN	Safety Service Director	<u>January 1, 1996</u>		
9S	UN	Secretary	<u>March 21, 1994</u>		
		<u>DATA CENTER</u> 170	<u>March 21, 1994</u>		
15S	SU UN	Data Center Chief	"		
		<u>HUMAN SERVICE DEPART.</u> 175	<u>March 21, 1994</u>		
22S	SU UN	E.E.O./M.B.E. Director/Drug Coordinator	"		
6S	UN	Clerk /Typist II	"		

DATE: April 1, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 70 - 1996

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund, General Fund, House Trailer and Recreational Vehicle Park and Camp Fund, Fire Damage Structure Fund, and Parks and Recreation Fund, of the City of Massillon, Ohio, for the year ending December 31, 1996, 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 Community Development Block Grant Program Fund of the City of Massillon, Ohio, for the year ending December 31, 1996, the following:

→ ~~\$ 86,000.00 to an account entitled "Economic Development Loans" 1402.845.2817~~
\$ 1,700.00 to an account entitled "Ohio Society of Military History"
1402.845.2848

Section 2:

There be and hereby is appropriated from the unappropriated balance of the General Fund of the City of Massillon, Ohio, for the year ending December 31, 1996, the following:

\$ 35,000.00 to an account entitled "Court House Security" 1100.125.2115
\$ 32,000.00 to an account entitled "Accumulated Sick Leave" 1100.305.2150
\$ 24,400.00 to an account entitled "Bailiff" 1100.125.2111
\$ 16,200.00 to an account entitled "(Magistrate) Referee 1100.125.2114
\$ 11,000.00 to an account entitled "P.E.R.S." 1100.125.2230
\$ 10,000.00 to an account entitled "Community Sanctions Coordinator"
1100.125.2113
\$ 367.61 to an account entitled "Travel, Seminar, Schooling" 1100.160.2389

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Fire Damage Structure Fund of the City of Massillon, Ohio, for the year ending December 31, 1996, the following:

\$ 22,000.00 to an account entitled "Fire Damage Structures" 3107.905.2390

Section 4:

There be and hereby is appropriated from the unappropriated balance of the House Trailer and Recreational Vehicle Park and Camp Fund of the City of Massillon, Ohio, for the year ending December 31, 1996, the following:

\$ 2,400.00 to an account entitled "Mobile Home & Rec. Vehicle" 1207.910.2390

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Parks and Recreation Fund of the City of Massillon, Ohio, for the year ending December 31, 1996, the following:

\$ 2,000.00 to an account entitled "Petty Cash" 1234.510.2383

Section 6:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for the more efficient operation of the aforesaid 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 _____, 1996

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCCHINELLI, JR., MAYOR

DATE: April 1, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

4/15/96 passed
ORDINANCE NO. 71 - 1996

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - PARKS AND RECREATION DEPARTMENT of Ordinance No. 94 - 1994 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - PARKS AND RECREATION DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - PARKS AND RECREATION DEPARTMENT, in 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:

Section 2(D) OCCUPATION LIST OF CLASS TITLES - PARKS AND RECREATION DEPARTMENT of Ordinance No. 94 - 1994 be and is hereby repealed.

Section 2:

That a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - PARKS AND RECREATION DEPARTMENT of Ordinance No. 94 - 1994 be and is hereby enacted and shall read as follows:

(SEE ATTACHMENT "A" PAGE 9; AND INSERT IN THE SALARY ORDINANCE 94 - 1994)

Section 3:

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the additional reason that the provisions hereby enacted are immediately necessary so that the Parks and Recreation Department may employ staffing necessary to operate the 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.

PASSED IN COUNCIL THIS _____ DAY OF _____, 1996

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

CON'T COMMUNITY DEVELOPMENT/PLANNING 845 PART TIME/TEMPORARY/SEASONAL