

AGENDA

DATE: MAY 6, 1996
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
- INVOCATION - COUNCILMAN DALE WALTERHOUSE
- 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. 83 - 1996 BY: SEWER AND WASTE 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 enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for polymers used in the sludge thickening process at the Wastewater Treatment Plant, and declaring an emergency.

ORDINANCE NO. 84 - 1996 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with the Boys and Girls Club of Massillon to provide funding assistance for expansion of the current facilities, in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 85 - 1996 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE accepting the Final Plat for St. Andrews Golf Estates No. 2, in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

ORDINANCE NO. 86 - 1996 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

AN ORDINANCE authorizing and directing the Mayor and the Director of Public Service and Safety to enter into a permanent highway easement with the State of Ohio for the Route 21 Ramp Project, and declaring an emergency.

ORDINANCE NO. 87 - 1996 BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE authorizing the Massillon Parks and Recreation Board to pay moral obligations totaling \$248.23, and declaring an emergency.

ORDINANCE NO. 88 - 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. 89 - 1996 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund, Community Development Block Grant Program Fund, General Fund, Legends Golf Course Fund, Municipal Golf Course Fund and the State Highway M&R Fund, of the City of Massillon, Ohio, for the year ending December 31, 1996, and declaring an emergency.

ORDINANCE NO. 90 - 1996 BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 1996 appropriation from within the Capital Improvement Fund to the Bond Retirement Lincoln Center Fund, Legends Golf Fund, General Fund and the Municipal Golf Course Fund to the Bond Retirement Legends Fund, of the City of Massillon, and declaring an emergency.

RESOLUTION NO. 13 - 1996 BY: COMMITTEE OF THE WHOLE

AN ORDINANCE opposing Senate Bill 19, which designates the State of Ohio as the first low-level radioactive waste dumping site for six midwestern states, and declaring an emergency.

UNFINISHED BUSINESS
PETITIONS AND GENERAL COMMUNICATIONS
BILLS, ACCOUNTS AND CLAIMS
REPORTS FROM CITY OFFICIALS

- 8-
- 9-
- 10-

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR APRIL 1996
- B). AUDITOR SUBMITS MONTHLY REPORT FOR APRIL 1996

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR

ORDINANCE NO. 59 - 1996 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

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.

14. THIRD READING ORDINANCES AND RESOLUTIONS

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.

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

SHARON HOWELL
COUNCIL CLERK

A PUBLIC HEARING IS SCHEDULED FOR 7:00 P.M.
FOR ORDINANCE NO. 59 - 1996

DATE: May 6, 1996

CLERK: SHARON HOWELL

Sharon Howell
CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 83 - 1996

BY: SEWER AND WASTE 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 enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for polymers used in the sludge thickening process at the Wastewater Treatment Plant, 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 to be necessary in the public health, safety and welfare to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for polymers used in the sludge thickening process at the Wastewater Treatment Plant, in the City of Massillon.

Section 2:

That the Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for and receive sealed bids according to law, and upon award and approval by the Board of Control, with the lowest and best bidder, according to law, as authorized in Section 1 of this Ordinance.

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to purchase the polymers for the more efficient operation of the Wastewater Treatment Plant in the City of Massillon. 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

DATE: May 6, 1996

CLERK: SHARON HOWELL

passed
CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 84 - 1996

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with the Boys & Girls Club of Massillon to provide funding assistance for expansion of the current facilities, 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:

The City Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with the Boys & Girls Club of Massillon to provide funding assistance for expansion of the current facilities, in the City of Massillon, Ohio. The contract for services shall not exceed Fifteen Thousand Dollars (\$15,000.00).

Section 2:

That the Mayor and the Director of Public Service and Safety of the City of Massillon be and is hereby authorized to enter into a contract with the Boys & Girls Club of Massillon to provide funding assistance for expansion of the current facilities, in the City of Massillon, Ohio.

Section 3:

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 4:

That this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to implement the 1995 fiscal year Community Development Block Grant Program. 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

APPROVED:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCINELLI, JR., MAYOR

DATE: May 6, 1996

CLERK: SHARON HOWELL

1st reading
CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed June 3, 1996

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 85 - 1996

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting the Final Plat for St. Andrews Golf Estates No. 2, in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

Section 1:

The Final Plat for St. Andrews Golf Estates No. 2 in the City of Massillon, Stark County, Ohio, presently on file in the Office of the City Engineer and designated as File No. SD 495 - Acc. No. 3313 be, and the same is approved and accepted and that the dedication to public use of the streets and alleys thereon shown, be, and the same is hereby accepted and confirmed. This plat was approved by the Planning Commission at a meeting held April 10, 1996. The undertaking given by the owners for improvement of streets and now on file with the City Engineer is approved as heretofore described:

St. Andrews Golf Estates No. 2, located on the north side of Nave Road, S.E., west of Veterans Boulevard, S.E. and consists of part of Out Lot 558, part of Out Lot 559 and part of Out Lot 561, a 24.255 acre parcel of land. This request is to plat this property into a total of 58 lots, zoned R-3 Single Family Residential. The plat also includes the dedication of the following streets: Augusta Circle S.E., and the extension of existing Augusta Drive S.E. The project developer is A.R. Lockhart.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said plat is urgently needed for proper community growth and the need for residential development and hence 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.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1996

APPROVED:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED:

FRANCIS H. CICCCHINELLI, JR., MAYOR

DATE: May 6, 1996

CLERK: SHARON HOWELL

passed

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 87 - 1996

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Massillon Parks and Recreation board to pay a moral obligation totaling \$248.23, and declaring an emergency.

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

Section 1:

The Massillon Parks and Recreation Board on behalf of the City of Massillon be and is hereby directed to pay the following Moral Obligation:

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\$248.23 to Mr. Thomas Rickett for reimbursement of expenses he incurred for his attending a Recreation conference in Toledo, Ohio, on March 25th and 26th, 1996.

Section 2:

That the Massillon Parks and Recreation Board is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for such expenses and the City Auditor is hereby authorized and directed to honor and pay said vouchers.

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 and for the further reason that said moral obligation needs to be paid in that the expenses were for a valid municipal purpose. 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 an and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1996

APPROVED:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED:

FRANCIS H. CICCINELLI, JR., MAYOR

DATE: May 6, 1996

CLERK: SHARON HOWELL

passed
CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 88 - 1996

BY: 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:

\$10,000.00	from "Community Sanction Coordinator"	1100.125.2113	to
\$ 4,700.00	"Salary"	1100.126.2110	
\$ 1,380.00	"Hospital/Eye/Dental"	1100.126.2210	
\$ 8.00	"Life"	1100.126.2220	
\$ 228.00	"P.E.R.S."	1100.126.2230	
\$ 3,184.00	"Supplies"	1100.126.2410	
\$ 500.00	"Travel/Seminar/Schooling"	1100.126.2389	

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 initial set up of the department to track the grant funds. 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

Sec

Section 7:

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. CICCINELLI, JR., MAYOR

DATE: May 6, 1996

CLERK: SHARON HOWELL

passed

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 90 - 1996

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1996 appropriation from within the Capital Improvement Fund to the Bond Retirement Lincoln Center Fund, Legends Golf Fund, General Fund and the Municipal Golf Course Fund to the Bond Retirement Legends Fund, of the City of Massillon, 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 Capital Improvement Fund of the City of Massillon to the Bond Retirement Lincoln Center Fund, the following:

\$106,171.00 from "Transfer to Bond Retirement Lincoln Center" 1401.410.2711
to "Transfer In" 1303.410.1860

Section 2:

There be and hereby is transferred from the 1996 appropriation from within the Legends Golf Fund of the City of Massillon to the Bond Retirement Legends Fund, the following:

\$ 56,900.00 from "Transfer To" 2104.920.2710
to "Transfer In" 1302.940.1860

Section 3:

There be and hereby is transferred from the 1996 appropriation from within the General Fund of the City of Massillon to the Bond Retirement Legends Fund, the following:

\$ 50,000.00 from "Transfer To Bond Retirement Legends" 1100.905.2722
to "Transfer In" 1302.940.1860

Section 4:

There be and hereby is transferred from the 1996 appropriation from within the Municipal Golf Course Fund of the City of Massillon to the Bond Retirement Legends Fund, the following:

\$ 8,750.00 from "Transfer To" 1432.920.2710
to "Transfer In" 1302.940.1860

Section 5:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for payment of the bond retirement on the Lincoln Center Project and Legends Golf Course Project, 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

APPROVED:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCCHINELLI, JR., MAYOR