

A G E N D A

DATE: JULY 15, 1996
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INVOCATION - COUNCILMAN DAVE SMITH
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
- 5a. COUNCIL TO ADJOURN TO EXECUTIVE SESSION REGARDING CITY'S INTEREST IN THE MASSILLON COMMUNITY HOSPITAL REAL ESTATE.
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 124 - 1996 BY: PARKS AND RECREATION 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 computers and software for use in the Parks and Recreation Department, and declaring an emergency.

ORDINANCE NO. 125 - 1996 BY: SEWER AND WASTE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with CTI Environmental, Inc. for services to assist in the operation of the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 126 - 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 Stark Metropolitan Housing Authority to provide funding assistance for the construction of 25 single family homes which will be conveyed to first time home buyers, in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 127 - 1996 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety to enter into negotiations and convey certain land that is presently owned by the City of Massillon to the Community Improvement Corporation in accordance with Section 1724.10 of the Ohio Revised Code, and declaring an emergency.

ORDINANCE NO. 128 - 1996 BY: FINANCE COMMITTEE

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

ORDINANCE NO. 129 - 1996 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund, General Fund and Capital Improvement Fund, of the City of Massillon, Ohio, for the year ending December 31, 1996, and declaring an emergency.

ORDINANCE NO. 130 - 1996 BY: PUBLIC UTILITIES/GOLF COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into contract with Massillon Washington High School, Massillon Perry High School and Walsh University for golf team privileges at the Legends of Massillon Golf Course, and declaring an emergency.

ORDINANCE NO. 131 - 1996 BY: FINANCE COMMITTEE

and the Director of Public Service and

BILLS, ACCOUNTS AND CLAIMS
REPORTS FROM CITY OFFICIALS

- A). MAYOR SUBMITS MONTHLY REPORT FOR JUNE 1996
- B). POLICE CHIEF SUBMITS MONTHLY REPORT FOR JUNE 1996
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR JUNE 1996

REPORTS OF COMMITTEES

- 1. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS ~~ATTACHED~~
- 2. CALL OF THE CALENDAR

ORDINANCE NO. 107 - 1996 BY: FINANCE COMMITTEE

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

- 14. THIRD READING ORDINANCES AND RESOLUTIONS
- 15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 117 - 1996 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE approving and authorizing the Mayor to enter into an agreement with E-B Wireworks Inc., providing an economic development "inducement grant" to assist the company in relocating to and expanding its operations in Massillon, and declaring an emergency.

ORDINANCE NO. 118 - 1996 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE approving and authorizing the Mayor to enter into an agreement with E-B Advertising Display Co., Inc., providing an economic development "inducement grant" to assist the company in relocating to and expanding its operations in Massillon, and declaring an emergency.

ORDINANCE NO. 119 - 1996 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

AN ORDINANCE amending the agreement between the City of Massillon and U.S. Chemical & Plastics Co., under the Ohio Urban Jobs and Enterprise Zone Program, by extending the date for completion and installation of machinery and equipment at the Company's new site in Nova Technology park to September 30, 1995, and declaring an emergency.

ORDINANCE NO. 120 - 1996 BY: FINANCE

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

NEW AND MISCELLANEOUS BUSINESS

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

THERE ARE NO PUBLIC HEARINGS THIS EVENING

SHARON HOWELL
CLERK OF COUNCIL

DATE: July 15, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 124 - 1996

BY: PARKS AND RECREATION 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 computers and software for use in the Parks and Recreation Department, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby 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 computers and software for use in the Parks and Recreation Department.

Section 2:

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, enter into contract with the lowest and best bidder for computers and software for use in the Parks and Recreation Department.

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 that the equipment is needed to operate the Parks and Recreation 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

APPROVED:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED:

FRANCIS H. CICHINELLI, JR., MAYOR

DATE: July 15, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 125 - 1996

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with CTI Environmental, Inc., for services to assist in the operation of the Wastewater Treatment Plant in 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:

The City Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract, without competitive bidding, with CTI Environmental, Inc., for services to assist in the operation of 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 enter into a contract, without competitive bidding, with CTI Environmental, Inc., for services to assist in the operation of the Wastewater Treatment Plant in the City of Massillon.

Section 3:

That the cost of this professional service will not exceed the amount of Thirty Thousand Dollars (\$30,000.00)

Section 4:

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 additional reason that it is necessary that CTI Environmental, Inc., has the experience and technology to perform the required services. 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: July 15, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 126 - 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 Stark Metropolitan Housing Authority to provide funding assistance for the construction of 25 single family homes which will be conveyed to first time homebuyers, 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 Stark Metropolitan Housing Authority to provide funding assistance for the construction of 25 single family homes which will be conveyed to first time homebuyers, in the City of Massillon, Ohio. The contract for services shall not exceed One Hundred Thousand Dollars (\$100,000.00).

Section 2:

The Mayor and the Director of Public Service and Safety of the City of Massillon be and are hereby authorized to enter into a contract with the Stark Metropolitan Housing Authority to provide funding assistance for the construction of 25 single family homes which will be conveyed to first time homebuyers, 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

DATE: July 15, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 127 - 1996

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety to enter into negotiations and convey certain lands that are presently owned by the City of Massillon to the Community Improvement Corporation in accordance with Section 1724.10 of the Ohio Revised Code, and declaring an emergency.

WHEREAS, under Ohio Revised Code Section 761.02, the legislative authority of the City of Massillon may determine that to promote the industrial and economic welfare of said City, real property may be acquired and in turn sold without competitive bidding at such times and in such manner as the legislative authority so chooses; and,

WHEREAS, if the legislative authority finds that the industrial and economic welfare of such municipal corporation would be benefitted by the sale of such real property, it may enter into negotiations with the Community Improvement Corporation (CIC) as designated by the municipal corporation and convey said real property to the CIC; and,

WHEREAS, pursuant to the Ohio Revised Code 1724.10(B) the legislative authority shall specify the consideration for such sale to the CIC which shall be conclusive and a mandatory directive on the officers of said CIC who shall act on behalf of the municipal corporation as its agent.

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

Section 1:

The Mayor and the Director of Public Service and Safety be and are hereby authorized and directed to enter into negotiations with the Massillon Community Improvement Corporation (CIC) pursuant to Section 1724.10 of the Ohio Revised Code concerning the sale terms of the land to be conveyed and are hereby authorized and directed to convey to the Massillon CIC the following described real estate for the purpose of promoting the industrial and economic development of the community:

PART O.L. 563

Known as and being Part of O.L. 563 in the City of Massillon,
County of Stark and State of Ohio, located on the north side of Nave
Road S.E. and containing a new acreage of 20.0364 acres.

Section 2:

That the Mayor and Service and Safety Director are hereby authorized and directed to sell said described lands to the Massillon CIC without competitive bidding for the price of Eighty Thousand ^{one} Hundred Forty-five Dollars and Sixty Cents (\$80,145.60).

Section 3:

That this Council, the duly elected legislative authority of the City of

Section 4:

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 land conveyance is needed to promote the industrial and economic development of the City. Provided this Ordinance 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 time allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1996

APPROVED:

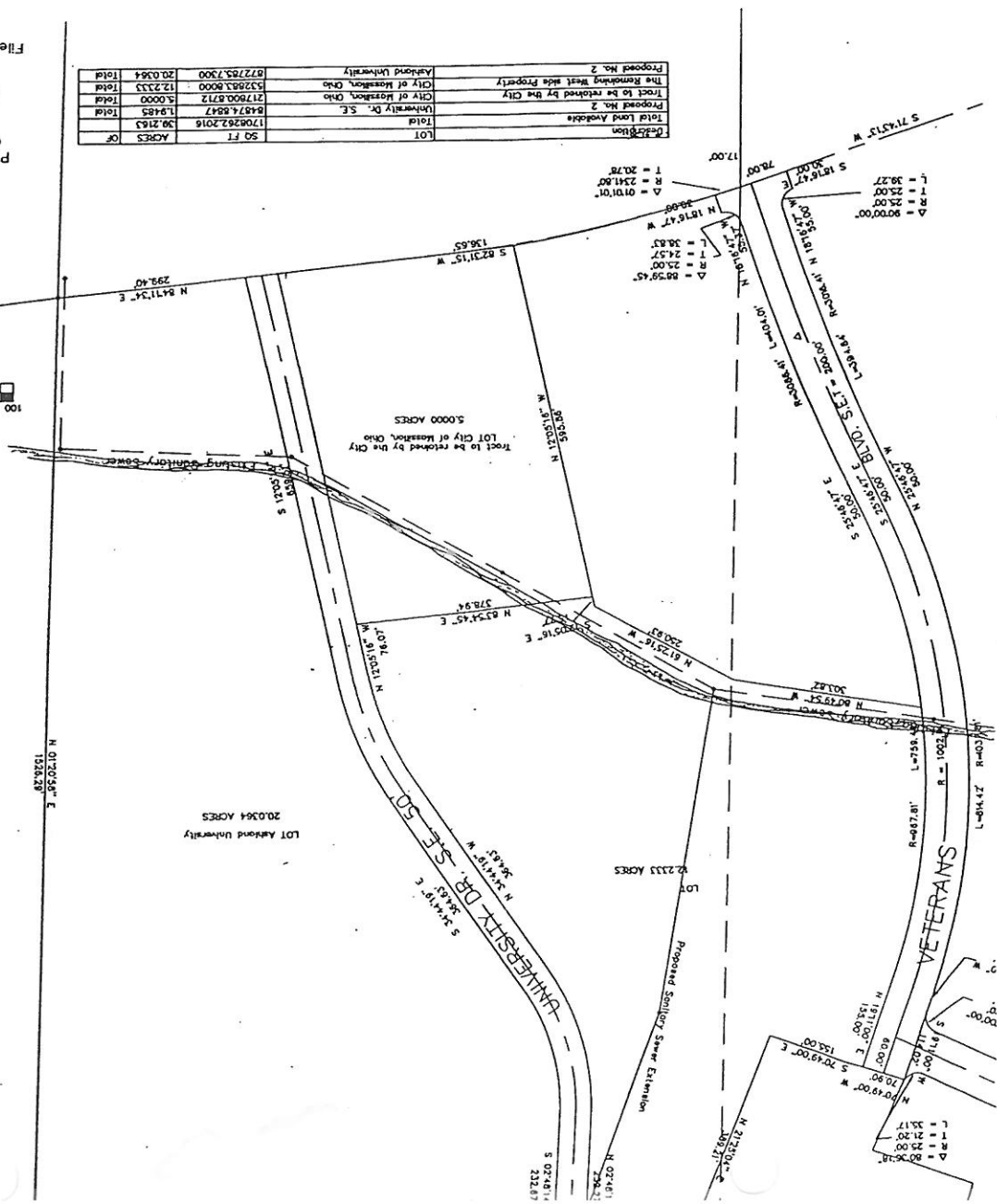
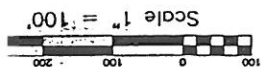
SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCINELLI, JR., MAYOR

Acres	170.3622	2016	99.2185	2016	20.0364
Lot	1	2	3	4	5
Location	Tract land available	Proposed No. 2	Tract to be retained by the City	Proposed No. 2	Proposed No. 2
City of Madison, Ohio	City of Madison, Ohio	City of Madison, Ohio	City of Madison, Ohio	City of Madison, Ohio	City of Madison, Ohio
University Dr. SE	University Dr. SE	University Dr. SE	University Dr. SE	University Dr. SE	University Dr. SE
4847.4, 8847.1	4847.4, 8847.1	4847.4, 8847.1	4847.4, 8847.1	4847.4, 8847.1	4847.4, 8847.1
53,785.3353	53,785.3353	53,785.3353	53,785.3353	53,785.3353	53,785.3353
877,783.7300	877,783.7300	877,783.7300	877,783.7300	877,783.7300	877,783.7300



DATE: July 15, 1996 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 128 - 1996

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1996 appropriation from within the Parks and Recreation 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 Parks and Recreation Fund of the City of Massillon, Ohio, the following:

\$70,000.00 FROM "Park Salary" 1234.505.2110
TO "Recreation Salary" 1234.510.2110

\$10,000.00 FROM "Park Salary" 1234.505.2110
TO "Recreation Operating Supplies" 1234.510.2420

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 operation of the Parks and Recreation Department for 1996, 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: July 15, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 129 - 1996

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund, General Fund and Capital Improvement 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:

\$100,000.00 to an account entitled "SMHA Homes" 1402.845.2851

ection 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:

\$ 10,000.00 to an account entitled "City Hall Building & Maintenance"

1100.410.2332

\$ 800.00 to an account entitled "Vehicle Maintenance" 1100.135.2331

Section 3:

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

\$ 3,400.00 to an account entitled "Antenna Safety Forces" 1401.325.2591

Section 4:

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

DATE: July 15, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 130 - 1996

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into contract with Massillon Washington High School, Massillon Perry High School and Walsh University for golf team privileges at the Legends of Massillon Golf Course, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into contract with Massillon Washington High School, Massillon Perry High School and Walsh University for golf team privileges at the Legends of Massillon Golf Course.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to enter into contract with Massillon Washington High School, Massillon Perry High School and Walsh University for golf team privileges at the Legends of Massillon Golf Course.

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 additional reason that contracts with the schools must be entered into prior to the start of the school year. Provided it receives the affirmative vote of two-thirds of the elected members to Council it shall take effect and e 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. CICHINELLI, JR., MAYOR

DATE: July 15, 1996

CLERK: SHARON HOWELL

COUNCIL CHAMBERS

CITY OF MASSILLON, OHIO

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 131 - 1996

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety to execute on behalf of the City of Massillon, subordination and non-disturbance agreements and any other related documents with respect to a lease with AT & T Wireless, PCS, Inc., and the Massillon Senior Apartments Limited Partnership, and declaring an emergency.

WHEREAS, the City of Massillon has loaned the Massillon Senior Apartment Limited Partnership funds for their renovation of the Massillon Senior Apartment Building;

WHEREAS, the City of Massillon currently has the first mortgage on the real estate owned by the Partnership,

WHEREAS the Partnership desires to enter into a lease with AT & T Wireworks PCS, Inc., to install antennas for cellular phones and pagers;

WHEREAS, the Partnership will be receiving monthly rental fees in which a percentage of shall be paid to the City to reduce the balance of the loan that the Partnership has with the City.

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

Section 1:

The Mayor and Director of Public Service and Safety are hereby authorized to execute on behalf of the City of Massillon, subordination and non-disturbance agreement and any other related documents, with respect to a lease with AT & T Wireless PCS, Inc., and Massillon Senior Apartments Limited Partnership.

Section 2:

The Mayor and Director of Public Service and Safety Director shall only execute the required documents if the Partnership agrees to pay the City 50% of the monthly rental fees. The amount paid by the Partnership to the City shall be applied to the loan balance that the Partnership owes the City.

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 additional reason that it is necessary that the city substitute its mortgage position in the Partnership property so that the lease may be entered into and that the City may receive additional funds to secure the payment of its mortgage. 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:

CITIZEN THOMAS JOHN OF THE CITY OF MASSILLON

JOHN H ERTEG

PRESIDENT