

A G E N D A

DATE: SEPTEMBER 3, 1996 (TUES)
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INVOCATION - COUNCILMAN TIM BRYAN
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA

5.a COUNCIL TO ADJOURN TO EXECUTIVE SESSION REGARDING PENDING LITIGATION MASSILLON COMMUNITY HOSPITAL

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 160 - 1996 BY: POLICE & FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and 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 the purchase of one (1) EMS Vehicle for use in the Fire Department of the City of Massillon, and declaring an emergency.

ORDINANCE NO. 161 - 1996 BY: POLICE & FIRE COMMITTEE

AN ORDINANCE amending CHAPTER 1501 "OHIO FIRE CODE" of the Codified Ordinances of the City of Massillon, by repealing existing Section 1501.01(b) "ADOPTION" of said CHAPTER 1501 and enacting a new Section 1501.01(b) "ADOPTION" of CHAPTER 1501, and declaring an emergency.

ORDINANCE NO. 162 - 1996 BY: POLICE & FIRE COMMITTEE

AN ORDINANCE repealing CHAPTER 761 "TOWING COMPANIES" of the codified Ordinances of the City of Massillon, Ohio, and enacting a new CHAPTER 761 "TOWING COMPANIES" of the Codified Ordinances of the City of Massillon, and declaring an emergency.

ORDINANCE NO. 163 - 1996 BY: POLICE & FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for and receive sealed bids for the purchase of six (6) full size vehicles to be used for marked cruisers and two (2) mid-sized vehicles for detective cars for use in the Police Department of the City of Massillon, and declaring an emergency.

ORDINANCE NO. 164 - 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 P-1 Vehicular Parking, and declaring an emergency.

ORDINANCE NO. 165 - 1996 BY: SEWER AND WASTE DISPOSAL COMMITTEE

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit the Lincoln Way West Storm Sewer Rehab Project for the proposed 1997 Ohio Public Works Commission Funding and to execute said contract when approved, and declaring an emergency.

ORDINANCE NO. 166 - 1996 BY: SEWER AND WASTE DISPOSAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with CTI Environmental Inc., for the design of rehabilitation improvements for primary clarifiers No. 7 * 8 and for the design of the replacement of the roof for the sludge pump building No. 2, in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 167 - 1996 BY: PARKS AND RECREATION COMMITTEE and PUBLIC UTILITIES/GOLF COURSE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to take proposals from qualified firms for the provisions of energy management services at selected facilities in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 168 - 1996 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Sewer O&M Fund, Community Development Block Grant Program Fund, Mural Fund, Municipal Golf Course Fund and Towne Plaza UDAG B-81-AB-39-0097 Fund of the City of Massillon, Ohio, for the year ending December 31, 1996, and declaring an emergency.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS
9. BILLS, ACCOUNTS AND CLAIMS
10. REPORTS FROM CITY OFFICIALS

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR AUGUST 1996
- B). AUDITOR SUBMITS MONTHLY REPORT FOR AUGUST 1996
- C). MAYOR SUBMITS LIST FOR APPROVAL OF REPRESENTATIVES FOR THE CITIZENS COMMITTEE FOR LAND USE IN THE 6TH AND A PORTION OF THE 5TH WARDS IN MASSILLON.

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR
14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 135 - 1996 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from RM-1 Multiple Family Residential to B-1 Local Business, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 146 - 1996 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE authorizing the sale of certain tracts of land known as and being parts of Out Lot Nos. 562 and 563 within the City of Massillon, Stark County, Ohio, and owned by said City, said property being no longer needed for any municipal purpose, to the highest and best bidder according to law, and declaring an emergency.

16. 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: September 3, 1996 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 160 - 1996

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and 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 the purchase of one (1) EMS Vehicle for use in the Fire Department 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:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to prepare plans and specifications and 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 the purchase of one (1) EMS Vehicle for use in the Fire Department of 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 and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder, for the purchase of one (1) EMS Vehicle for use in the Fire Department of the City of Massillon.

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 City purchase a new EMS Vehicle due to the poor condition of the present one. 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: September 3, 1996

CLERK: _____ SHARON HOWETT

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 161 - 1996

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1501 "OHIO FIRE CODE" of the Codified Ordinances of the City of Massillon, by repealing existing Section 1501.01(b) "ADOPTION" of said CHAPTER 1501 and enacting a new Section 1501.01(b) "ADOPTION" of CHAPTER 1501, and declaring an emergency.

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

Section 1:

The existing Section 1501.01(b) "ADOPTION" of CHAPTER 1501 "OHIO FIRE CODE" of the Codified Ordinances of the City of Massillon be and hereby is repealed.

Section 2:

There be and hereby is enacted a new Section 1501.01(b) "ADOPTION" of CHAPTER 1501 "OHIO FIRE CODE" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1501.01 ADOPTION

(b) The BOCA National Fire Prevention Code, Current Edition, as promulgated by the Building Officials and Code Administrators International, Inc, as amended by Chapters 1301:7-1 to 1301:7-7 of the Ohio Administrative Code, is incorporated herein as fully as if set out in length.

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the City to amend Ohio Fire Code to comply with the laws of the State of Ohio. 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: September 3, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 162 - 1996

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE repealing CHAPTER 761 "TOWING COMPANIES" of the Codified Ordinances of the City of Massillon, Ohio, and enacting a new CHAPTER 761 "TOWING COMPANIES" of the Codified Ordinances 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:

CHAPTER 761 "TOWING COMPANIES" of the Codified Ordinances of the City of
Massillon, Ohio, be and is hereby repealed.

Section 2:

That there be and hereby is enacted a new CHAPTER 761 "TOWING COMPANIES" of the Codified Ordinances of the City of Massillon, Ohio. Said new chapter shall read as follows:

(SEE ATTACHED)

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is necessary for the more efficient operation of towing and storage of vehicles within the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS DAY OF 1996

APPROVED:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED:

FRANCIS H. CICHINELLI, JR., MAYOR

761.01 IMPOUND LOTS

- (a) Must be located within the city limits and conform to zoning laws.
- (b) Must have space for 35 vehicles for the Massillon Police Department.
- (c) Must be secured with a steel fence at least six (6) feet high. Must have three (3) strands of barbed wire on the top of the fence, commonly referred to as stockade type fence.

761.02 HOURS OF OPERATION

Storage lots will be opened for business six (6) days a week (Holidays excluded) between the hours of 7:00 A.M. and 10:00 P.M. or will provide a lot attendant as may be required by the Police Department.

761.03 EQUIPMENT

A tow company must maintain safe equipment and responsible personnel for the purpose of towing vehicles on a normal day-to-day basis as the City may require for adequate towing service. A tow company must have at ready use for the City at least one (1) tow truck with a wrecker crane rated for at least 20 tons. They must also have at ready use for the City at least two (2) tow trucks with a wrecker crane rated at least four (4) tons and must have wheel lift capability. A roll back flat-bed must be included in company equipment.

761.04 FINANCIAL RESPONSIBILITY OF TOW COMPANY

Insurance of a minimum of One Million Dollars (\$1,000,000.00) of liability shall be carried for the tow truck and the vehicle (s) in tow. The tow company will be liable for loss of contents to a vehicle or damage to a vehicle when each damage or loss can be proved to be the fault of the company. A copy of the tow company's insurance policy must be left in the office of the Safety Service Director. If insurance is interrupted the Safety Service Director's office must be notified.

761.05 CITY AUTHORITY OF COMPANY AND LOTS

The tow company and the impound area will be under the authority of the Safety Service Director and the Police Department and the City at its discretion may from time to time alter or suspend any or all of the rules in order to cope with any emergency or situation that may be needed to provide the City with adequate towing and impound service.

761.06 INVENTORY OF VEHICLES

When a person is placed under physical arrest and removed from control of his or her vehicle or the vehicle he or she is in control of, said vehicle will be impounded and an inventory search shall be effected by the Police Department. The prescribed inventory search form, issued from the Chief of Police shall be completely filled out. The tow company will make an inventory search in the presence of the Police Officer ordering the tow of the vehicle for any other reason, using inventory search forms as prescribed by the Police Chief.

761.07 REMOVAL OF ARTICLES FROM STORED VEHICLES

The tow company will not permit anyone to remove articles not of a personal nature from any vehicle while said vehicle is under the safekeeping of the Police Department and/or tow company. An official of the City or tow company must accompany anyone while anything is removed from said vehicle. Anything removed from a vehicle shall be signed for by the person having the authority to remove articles. Any removal of anything must be with the permission of the Massillon Police Department.

761.08 IMPOUNDING AND STORAGE FEES

Before any vehicle will be released the owner must provide proof of ownership and proper registration and insurance. The registered owner shall be liable for all costs incurred including storage before the vehicle will be released. Storage charges are calculated from the first day the vehicle is towed.

Whenever any vehicle is ordered towed by the Massillon Police Department for parking violations, traffic violations, arrest, accidents or any other reason the following rates shall apply:

SCHEDULE OF RATES

LIGHT DUTY TOWING:

Passenger cars, vans, motorcycles and trucks up to and including 3/4 ton with up to 17" tires. ----- \$ 50.00

HEAVY DUTY TOWING:

Vehicles with one (1) ton or greater capacity and/or 17" tires or larger ----- \$100.00
Tractors & trailers with 10:00-20 tires or larger. ----- \$150.00

STORAGE CHARGES:

Light duty towing (per day) ----- \$ 8.00
Heavy duty towing (per day) ----- \$ 10.00
Tractor & Trailers (per day) ----- \$ 20.00

ADDITIONAL CHARGES:

The following are additional services which may be needed in conjunction with or in addition to standard towing services; all services and charges listed hereafter shall be in addition to the above standard towing charges.

Dollies-Flatbed service ----- \$ 30.00
Winching (after 25 feet) ----- \$ 1.00 per foot
Disconnect transmission linkage ----- \$ 10.00
Unlocking doors for towing ----- \$ 10.00
Extra labor and/or extra truck
(to be charged only in extraordinary circumstances) ----- \$ 40.00 per hour
light duty
per hour
heavy duty
Call out and no tow needed ----- \$ 25.00 light duty
\$ 50.00 heavy duty
After hours release ----- \$ 20.00

DATE: September 3, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 163 - 1996

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for and receive sealed bids for the purchase of six (6) full size vehicles to be used for marked cruisers and two (2) mid-sized vehicles for detective cars for use in the Police Department 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:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to prepare plans and specifications and to advertise for and receive sealed bids for the purchase of six (6) full size vehicles to be used for marked cruisers and two (2) mid-sized vehicles for detective cars for use in the Police Department of 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 for the purchase of six (6) full size vehicles to be used for marked cruisers and two (2) mid-sized vehicles for detective cars for use in the Police Department of the City of Massillon.

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 advertise for bids for vehicles that are needed in the Police Department of 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
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APPROVED:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED:

FRANCIS H. CICHINELLI, JR., MAYOR

DATE: September 3, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 164 - 1996

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from R-1 Single Family Residential to P-1 Vehicular Parking, and declaring an emergency.

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from R-1 Single Family Residential to P-1 Vehicular Parking. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on July 10, 1996 and that notice and public hearing has been given according to law.

Section 2:

The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and hereby is amended to show the following described area as P-1 Vehicular Parking.

Being known as Lot No. 1482 and part of Lot No. 1481 located at
1114 Wallace Avenue S.E.

Section 3:

That this Ordinance is declared to be an emergency measure in that the owners of the property desire to construct a parking lot on said property 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

TEST:

FRANCIS H. CICCINELLI, JR., MAYOR



DATE: September 3, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 165 - 1996

BY: SEWER AND WASTE DISPOSAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit the Lincoln Way West Storm Sewer Rehab Project for the proposed 1997 Ohio Public Works Commission Funding and to execute said contract when approved, 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 and in the public health, safety and welfare to authorize the Mayor of the City of Massillon, Ohio, to submit the Lincoln Way West Storm Sewer Rehab Project for the proposed 1997 Ohio Public Works Commission Funding and to execute said contract when approved.

Section 2:

That the Mayor of the City of Massillon, Ohio, is hereby authorized and directed to submit the Lincoln Way West Storm Sewer Rehab Project for the proposed 1997 Ohio Public Works Commission Funding and to execute said contract when approved.

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 submit the Lincoln Way West Storm Sewer Rehab Project to receive Ohio Public Works Funding. 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 3rd DAY OF September 1996

APPROVED: Sharon Howell
SHARON HOWELL, CLERK OF COUNCIL

John H. Frieg
JOHN H. FRIEG, PRESIDENT

APPROVED: September 4, 1996

Francis H. Cicchinelli, Jr.
FRANCIS H. CICCCHINELLI, JR., MAYOR

I hereby certify that the foregoing ordinance is a true copy of the original, as passed by the Council of the City of Massillon, Ohio, and approved as noted thereon:

Sharon Howell
Clerk of Council

Date 9/3/96

DATE: September 3, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 165 - 1996

BY: SEWER AND WASTE DISPOSAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit the Lincoln Way West Storm Sewer Rehab Project for the proposed 1997 Ohio Public Works Commission Funding and to execute said contract when approved, 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 and in the public health, safety and welfare to authorize the Mayor of the City of Massillon, Ohio, to submit the Lincoln Way West Storm Sewer Rehab Project for the proposed 1997 Ohio Public Works Commission Funding and to execute said contract when approved.

Section 2:

That the Mayor of the City of Massillon, Ohio, is hereby authorized and directed to submit the Lincoln Way West Storm Sewer Rehab Project for the proposed 1997 Ohio Public Works Commission Funding and to execute said contract when approved.

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 submit the Lincoln Way West Storm Sewer Rehab Project to receive Ohio Public Works Funding. 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: September 3, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 166 - 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 the design of Rehabilitation Improvements for Primary Clarifiers No. 7 & 8 and for the design of the replacement of the roof for the sludge pump building No. 2, 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 the design of Rehabilitation Improvements for Primary Clarifiers No. 7 & 8 and for the design of the replacement of the roof for the sludge pump building No. 2, 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 the design of Rehabilitation Improvements for Primary Clarifiers No. 7 & 8 and for the design of the replacement of the roof for the sludge pump building No. 2, in the City of Massillon.

Section 3:

That the cost of this professional service will not exceed the amount of Twenty Thousand Dollars (\$20,000.00)

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 the City enter into contract with CTI Environmental, Inc., in that it 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. CICCINELLI, JR., MAYOR

DATE: September 3, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 166 - 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 the design of Rehabilitation Improvements for Primary Clarifiers No. 7 & 8 and for the design of the replacement of the roof for the sludge pump building No. 2, 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 the design of Rehabilitation Improvements for Primary Clarifiers No. 7 & 8 and for the design of the replacement of the roof for the sludge pump building No. 2, 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 the design of Rehabilitation Improvements for Primary Clarifiers No. 7 & 8 and for the design of the replacement of the roof for the sludge pump building No. 2, in the City of Massillon.

Section 3:

That the cost of this professional service will not exceed the amount of Twenty Thousand Dollars (\$20,000.00)

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 the City enter into contract with CTI Environmental, Inc., in that it 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 3rd DAY OF September, 1996

ATTEST: Sharon Howell
SHARON HOWELL, CLERK OF COUNCIL

John H. Frieg
JOHN H. FRIEG, PRESIDENT

APPROVED: September 4, 1996

Francis H. Cicchinelli, Jr.
FRANCIS H. CICCCHINELLI, JR., MAYOR

I hereby certify that the foregoing ordinance is a true copy of the original, as passed by the Council of the City of Massillon, Ohio, and approved as noted thereon:

Sharon Howell
Clerk of Council

Date 9/3/96

DATE: September 3, 1996

September 3, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 167 - 1996

BY: PARKS AND RECREATION COMMITTEE and
PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to take proposals from qualified firms for the provisions of energy management services at selected facilities 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 Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to take proposals from qualified firms for the provisions of energy management services at selected facilities 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 take proposals from qualified firms for the provisions of energy management services at selected facilities in the City of Massillon.

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 efficient operation of the various departments of 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

APPROVED:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED:

FRANCIS H. CICHINELLI, JR., MAYOR

DATE: September 3, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 168- 1996

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Sewer O & M Fund, Community Development Block Grant Program Fund, Mural Fund, Municipal Golf Course Fund and Towne Plaza UDAG B-81-AB-39-0097 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 Sewer O & M Fund of the City of Massillon, Ohio, for the year ending December 31, 1996, the following:

\$ 20,000.00 to an account entitled "Imp. Clarifiers 7&8 - Roof #2 Sludge Pump Bldg." 2101.615.2512

Section 2:

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:

\$ 10,000.00 to an account entitled "Children's Art Connection" 1402.845.2838
\$ 3,200.00 to an account entitled "Summer Youth Feeding Program" 1402.845.2805
\$ 1,111.85 to an account entitled "Professional Services" 1402.845.2392

Section 3:

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

\$ 10,000.00 to an account entitled "Massillon Mural" 3112.905.2510

Section 4:

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

6,000.00 to an account entitled "Capital Projects" 1432.920.2510

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Towne Plaza UDAG B-81-AB-39-0097 Fund of the City of Massillon, Ohio, for the year ending December 31, 1996, the following:

\$ 2,800.00 to an account entitled "Begin-A-New Program" 1217.840.2809

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

TEST:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED: _____

FRANCIS H. CICHINELLI, JR., MAYOR