

A G E N D A

DATE: DECEMBER 2, 1996
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INVOCATION - COUNCILMAN DALE WALTERHOUSE
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. 217 - 1996 BY: HEALTH, WELFARE & BUILDING REGULATIONS

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Hometown Hospital Health Plan and Professional Claims management (PCM) for health insurance coverage for City employees, and declaring an emergency.

ORDINANCE NO. 218 - 1996 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

AN ORDINANCE accepting the replatting of part of Out Lot No. 84, located on the north side of Cherry Road N.W. west of the property owned by the Knights of Columbia, and accepting the dedication plat for the National Church Residences, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer and designated as File No. SD-513 and Acc No. 3339, and declaring an emergency.

ORDINANCE NO. 219 - 1996 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

AN ORDINANCE accepting the replatting of Lot No. 14383 and Part of Out Lot 182 located at 2834 Poplar Street, and accepting the dedication of that portion of Popular Street, N.W. abutting this property, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer and designated as File No. SD-512 and Acc No. 3338, and declaring an emergency.

ORDINANCE NO. 220 - 1996 BY: FINANCE COMMITTEE

AN ORDINANCE reducing the appropriated balance of the Solid Waste Fund, of the City of Massillon, Ohio, for the year ending December 31, 1996, and declaring an emergency.

ORDINANCE NO. 221 - 1996 BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 1996 appropriation from the General Fund to the Garage Fund and the Bond Retirement Fund-Shaw & Castlewast of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 222 - 1996 BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Auditor to pay various 1996 invoices for the Court Computer System which was purchased October 8, 1996 without following proper procedures in regards to purchase orders, out of the 1996 appropriations Muni Court Capital Improvement Fund and Massillon Muni Court Computer Fund, and declaring an emergency.

ORDINANCE NO. 223 - 1996 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Massillon Muni Court Capital Improvement Fund, Muni Court Computer Fund, Garage Fund, Capital Improvement Fund, Youth Center Activity Fund, Street M&R Fund and Unclaimed Money Fund, of the City of Massillon, Ohio, for the year ending December 31, 1996, and declaring an emergency.

ORDINANCE NO. 224 - 1996 BY: FINANCE COMMITTEE

AN ORDINANCE adopting an Investment Policy that shall be in effect in the City of Massillon, and declaring an emergency.

RESOLUTION NO. 20 - 1996 BY: PUBLIC UTILITIES COMMITTEE

A RESOLUTION supporting the merger of Ohio Edison and Centerior Corp. under a new holding company called FirstEnergy.

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 NOVEMBER 1996

✓B). AUDITOR SUBMITS MONTHLY REPORT FOR NOVEMBER 1996

? ✓C). APPOINTMENTS OF COUNCILMAN BILL HAMIT AND DAVE SMITH TO NEGOTIATING COMMITTEE MCH.

D). LAW DIRECTOR JOHN FERRERO TO SPEAK ON MASSILLON COMMUNITY HOSPITAL SALE
E.) *Mayer to speak regarding Mass. Comm. Hosp.*

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

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

→ THERE ARE NO PUBLIC HEARINGS THIS EVENING

F) *Council Person J. Perry to resign -
(no show)*

SHARON HOWELL - CLERK OF COUNCIL

DATE: December 2, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 217 - 1996

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Hometown Hospital Health Plan and Professional Claims Management (PCM) for health insurance coverage for City employees, 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 a contract with Hometown Hospital Health Plan and Professional Claims Management (PCM) for health insurance coverage for City employees.

Section 2:

That the Director of Public Service and Safety of the City of Massillon be and hereby is authorized to enter into a contract with Hometown Health Plan and Professional Claims Management (PCM) for health insurance coverage for City employees.

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 for the continuation of the Health Care Program for the City employees. 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: December 2, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 218 - 1996

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the replatting of part of Out Lot No. 84, located on the north side of Cherry Road N.W. west of the property owned by the Knights of Columbus, and accepting the dedication plat for the National Church Residences, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer and designated as File No. SD-513 and Acc No. 3339, and declaring an emergency.

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

Section 1:

The replatting of part of Out Lot No. 84, located on the north side of Cherry Road N.W. west of the property owned by the Knights of Columbus, and accepting the dedication plat for the National Church Residences, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer and designated as File No. SD-513 and Acc No. 3339, be and the same is approved and accepted that the replatting of part of Out Lot No. 84 thereon shown, be and the same is hereby accepted and confirmed. This replatting and dedication was approved by the Planning Commission at the meeting held September 11, 1996. That the City Engineer has requested that the dedication plat for the National Church Residences and on file with the City Engineer is approved as heretofore described:

A part of Out Lot No. 84 located on the north side of Cherry Road N.W. west of the property owned by Knights of Columbus, a 6.019 parcel. Also included in this plat is the dedication of a plat for National Church Residences so they may proceed with the acquisition of the property and construction of the senior housing project.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said dedication is urgently needed for proper community growth 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 2nd DAY OF December, 1996

ATTEST:

Sharon Howell
SHARON HOWELL, CLERK OF COUNCIL

Tim Bryan
TIM BRYAN, ACTING PRESIDENT

APPROVED:

December 3, 1996

Francis H. Cicchinelli, Jr.
FRANCIS H. CICCINELLI, 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

Page 12/2/96

REPLAT OF PART OF
OUTLOT 84

KNOWN AS BEING PART OF OUTLOT 84 IN THE CITY OF MASSILLON,

BUCKEYE SURVEYING SERVICES, INC.
2223 FULTON DR. N.W.
CANTON, OHIO 44709

PHONE: 453-8339

MASSILLON VOA INDEPENDENT HOUSING, INC.

O.R. 1394-429
PART OF OUTLOT 84

S 54°58'19" W 654.53'

LOT 1
5.881 ACRES IN LOT

OUT LOT NO. 740

CARL OSER, TRUSTEE
O.R. 200 - 952

PART OF
OUTLOT 84

CHERRY ROAD N.W. - 60'

N 38°00'00" W 300.00'
N 38°00'00" W 200.00'
R/W
R/W

1 1/2" IRON BAR W/
ROCKWELL CAP
FOUND & USED

1/4" IRON BAR W/
ROCKWELL CAP
FOUND & USED

5/8" IRON BAR W/
ROCKWELL CAP
FOUND & USED

A 200.00' N

5/4" IRON BAR W/
ROCKWELL CAP
FOUND & USED

PART OF OUTLOT 84
MASSILLON KNIGHTS CO.
O.R. 257-943

INDICATES 3/4" IRON BAR FOUND AND USED.
UNLESS NOTED OTHERWISE
DATA USED:
TAX MAPS - MASSILLON 11 & 21
SURVEY BY BUCKEYE SURVEYING SERVICES, INC. IN 12/1995



ACREAGE SUMMARY
LOTS 5.881 AC.
STREETS 0.138 AC.
TOTAL 6.019 AC.



I HEREBY DECLARE THAT THIS PLAT OF PART OF OUTLOT 84 AN ALLOTMENT LOCATED IN THE CITY OF MASSILLON, STARK COUNTY, OHIO, IS A TRUE AND CORRECT SURVEY WHICH BALANCES AND CLOSES AND THE MONUMENTS SHOWN HEREON EXIST OR SHALL BE SET AS SHOWN, AND THAT ALL DIMENSIONAL DETAILS ARE CORRECT, AS SURVEYED BY BUCKEYE SURVEYING SERVICES, INC., IN NOVEMBER OF 1996.
BRUCE D. CONERY, P.S. NO. 6499
STATE OF OHIO
NOTARIAL SEAL
6499
CONERY
STATE OF OHIO

WITNESSES:
OWNER: CARL OSER, TRUSTEE
THERESA KENNEDY
BRUCE CONERY

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY APPEARED THE ABOVE SIGNED OWNERS OF THE LAND SHOWN ON THIS PLAT, WHO ACKNOWLEDGED THAT THEY DID SIGN THE FOREGOING INSTRUMENT AND THAT IT WAS THEIR FREE ACT AND DEED ACCORDING TO LAW, IN TESTIMONY WHEREOF I HAVE HERETO SUBSCRIBED MY HAND AND AFFIXED MY OFFICIAL SEAL AT Massillon, OHIO, THIS 17th DAY OF November, 1996.
NOTARY PUBLIC
Theresa Kennedy
COMMISSION 4-9-98

CITY PLANNING COMMISSION:
APPROVED BY THE MASSILLON CITY PLANNING COMMISSION THIS 9th DAY OF SEPTEMBER, 1996.
SECRETARY
Theresa Kennedy
CHAIRMAN

I HEREBY CERTIFY THAT THE LANDS DEDICATED FOR PUBLIC PURPOSES ON THE ACCOMPANYING PLAT HAVE BEEN ACCEPTED BY THE MASSILLON CITY COUNCIL BY ORDINANCE NO. SEPTIMBER PASSED ON THE 9th DAY OF SEPTEMBER, 1996.
CITY COUNCIL:
CITY LAW DIRECTOR:
I HEREBY CERTIFY THAT THE ABSTRACT SUBMITTED WITH THIS PLAT SHOWS ALL NEWLY DEDICATED LANDS FOR PUBLIC PURPOSES TO BE FREE FROM ANY ENCUMBRANCES.
LAW DIRECTOR
CITY ENGINEER:
I HEREBY APPROVE THIS PLAT AND ASSIGN THE LOT NUMBERS SHOWN HEREON.
CITY ENGINEER
Theresa Kennedy

STARK COUNTY AUDITOR THIS 9th DAY OF SEPTEMBER, 1996.
STARK COUNTY RECORDER THIS 9th DAY OF SEPTEMBER, 1996, AND RECORDED IN PLAT BOOK PAGE 6499
STARK COUNTY RECORDER

DATE: December 2, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 219 - 1996

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the replatting of Lot No. 14383 and Part of Out Lot 182 located at 2834 Poplar Street, and accepting the dedication of that portion of Poplar Street, N.W. abutting this property, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer and designated as File No. SD-512 and Acc No. 3338, and declaring an emergency.

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

Section 1:

The replatting of part of Lot No. 14383 and Part of Out Lot 182 located at 2834 Poplar Street, and accepting the dedication of that portion of Poplar Street, N.W. abutting this property, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer and designated as File No. SD-512 and Acc No. 3338, be and the same is approved and accepted and that the replatting of part of Lot No. 14383 and Part of Out Lot 182 thereon shown, be and the same is hereby accepted and confirmed. This replatting and dedication was approved by the Planning Commission at the meeting held November 13, 1996. That the City Engineer has requested that the replatting and dedication are on file with the City Engineer and approved as heretofore described:

Lot No. 14383 and Part of Out Lot 182 located at 2834 Poplar Street N.W. be replatted from two parcels into one lot. In addition the replat includes the dedication of that portion of Poplar Street N.W. abutting this property which was never dedicated.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said dedication is urgently needed for proper community growth 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 16th DAY OF December, 1996

ATTEST: Sharon Howell
SHARON HOWELL, CLERK OF COUNCIL

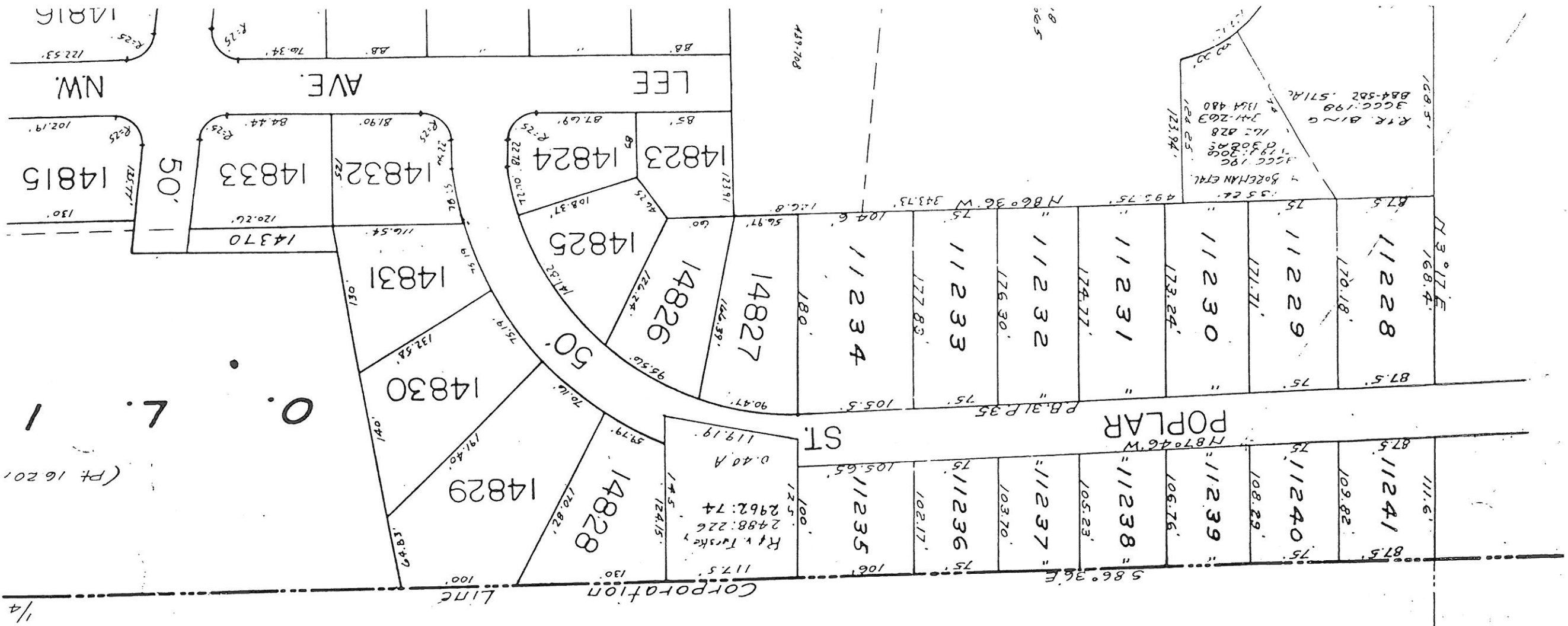
APPROVED: December 17, 1996

Francis H. Cicchinelli, Jr.
FRANCIS H. CICHINELLI, 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 12/16/96



CERTIFICATION
 I hereby certify the adjacent plot to be correct, as surveyed to this 12TH day of September, 1996.
Orville R. DeBos, Jr.
 Reg. Surveyor #5823

PLANNING COMMISSION
 Approved by the Massillon Planning Commission at a meeting held _____, 19____.

CITY COUNCIL
 Accepted by the City Council of Massillon, Ohio, by ord. no. _____, 19____.

MASSILLON CITY ENGINEER
 Lot Numbers _____ assigned by Massillon City Engineer.

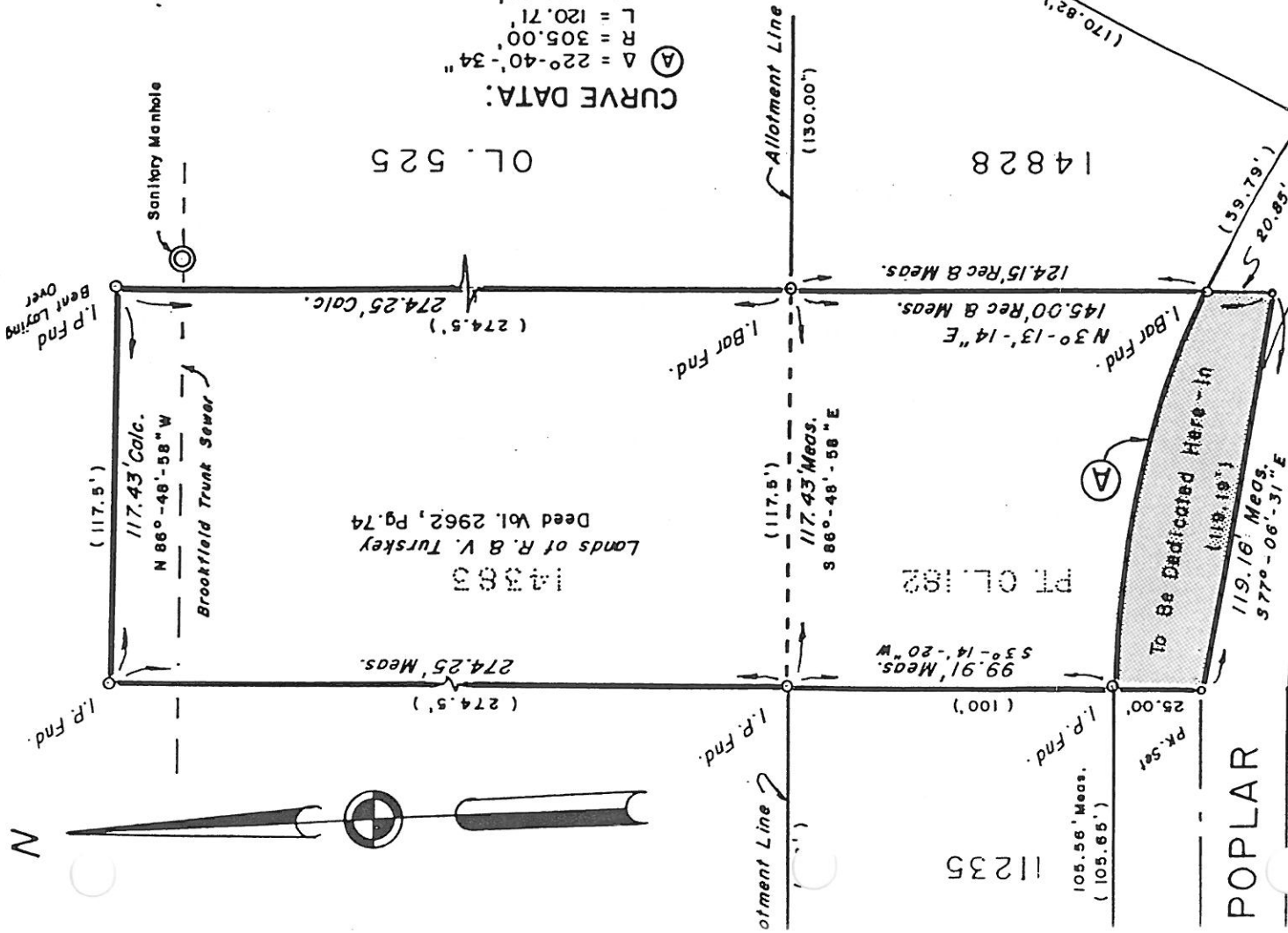
CITY ENGINEER
 Know all men by these present, that we the undersigned owners of the land delineated hereon, do hereby acknowledge the signing of the same to be our free act and deed, and do hereby replat our land.

OWNERS
David E. Shuck
Mark A. Winberg

WITNESS
Michael H. Carpenter
David E. Shuck

ACKNOWLEDGEMENT
 Before me a Notary Public, in and for said county, did personally appear, the above, who acknowledge the signing of the same to be our free act and deed according to law.
 In witness whereof, I hereunto set my hand and seal this 14 day of _____, 1996.
 My commission expires _____, 19____.
Michael H. Carpenter
 Notary Public

REPLAT OF LOT 14383 & PT. O.L. 182 & STREET DEDICATION OF POPLAR ST. N.W. IN THE CITY OF MASSILLON, COUNTY OF STARK, OHIO.
 SCALE: 1" = 50'
 DATE: OCT. 12, 1996
 FOR : TURSKY



CURVE DATA:
 A = 22°-40'-34"
 R = 305.00'
 L = 120.71'
 Ch = 119.92'
 Ch Bt N 75°-09'-13" W

STARK COUNTY RECORDER
 Received for record this _____ day of _____, 19____, Page _____, this _____ day of _____, 19____.
 STARK COUNTY RECORDER
 Enter for transfer this _____ day of _____, 19____.

AREA: STREET DEDICATION = 0.073 Ac.
 PT. O.L. 182 (Remains) = 0.291 Ac.
 Lot No. 14383 = 0.739 Ac.

DATE: December 2, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 220 - 1996

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriated balance of the Solid Waste 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:

The appropriated balance of the Solid Waste Fund of the City of Massillon, Ohio, be and hereby is reduced for the year ending December 31, 1996, as follows:

\$ 20,000.00 "Administration Fee" 2102.605.2730
\$ 14,000.00 "Salary" 2102.605.2110
\$ 9,850.00 "P.E.R.S." 2102.605.2230
\$ 1,843.00 "Life" " 2102.605.2220
\$ 500.00 "Travel/Seminar/Schooling" 2102.605.2389
\$ 500.00 "Claims" 2102.605.2393

Section 2:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are no longer needed in the Solid Waste Department 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

APPROVED:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED:

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: December 2, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 221 - 1996

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1996 appropriation from the General Fund to the Garage Fund and the Bond Retirement Fund-Shaw & Castlewest 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 the General Fund to the Garage Fund.

\$10,000.00 FROM: "Transfer to Garage" 1100.905.2710
TO: "Transfer In" 2201.440.1860

Section 2:

There be and hereby is transferred from the 1996 appropriation from the General Fund to the Bond Retirement Fund - Shaw & Castlewest.

\$ 7,400.00 FROM: "Transfer-Bond Retirement" 1100.905.2720
TO: "Transfer In" 1502.935.1860

Section 3:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary to be transferred into the Garage fund and Bond Retirement-Shaw Castlewest Fund. 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: December 2, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 222 - 1996

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor to pay various 1996 invoices for the Court Computer System which was purchased October 8, 1996 without following proper procedures in regards to purchase orders, out of the 1996 appropriations Muni Court Capital Improvement Fund and Massillon Muni Court Computer Fund, 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 it necessary to authorize the City Auditor to pay various 1996 invoices for the Court Computer System which was purchased October 8, 1996 without following proper procedures in regards to purchase orders, out of the 1996 appropriation of the Muni Court Capital Improvement Fund and Massillon Court Computer Fund. Said bills to be paid total Thirty Thousand Dollars (\$30,000.00).

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 more efficient operation of the Massillon Municipal Court, 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

DATE: December 2, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 223 - 1996

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Massillon Muni Court Capital Improvement Fund, Muni Court Computer Fund, Garage Fund, Capital Improvement Fund, Youth Center Activity Fund, Street M & R Fund and Unclaimed Money 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 General Fund of the City of Massillon, Ohio, for the year ending December 31, 1996, the following:

\$100,000.00 to an account entitled "SCOG" 1100.905.2370
\$ 10,000.00 to an account entitled "Transfer to Garage" 1100.905.2370
\$ 2,000.00 to an account entitled "City Hall Building & Maintenance"
1100.410.2332

Section 2:

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

\$ 15,000.00 to an account entitled "Equipment" 1430.125.2530
\$ 14,717.85 to an account entitled "Equipment" 1430.125.2530

Section 3:

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

\$ 15,000.00 to an account entitled "Equipment" 1233.125.2530

Section 4:

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

\$ 10,000.00 to an account entitled "Salary - Garage" 2201.440.2110

Section 5:

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:

\$ 738.00 to an account entitled "Court Alarm System" 1401.125.2520

Section 6:

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

\$ 600.00 to an account entitled "Youth Center Activity" 1224.875.2380

Section 7:

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

\$ 300.00 to an account entitled "City Share Medicare" 1201.435.2231

Section 8:

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

\$ 100.00 to an account entitled "Unclaimed Money" 3108.905.2390

Section 9:

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: December 2, 1996 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 224 - 1996

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE adopting an Investment Policy that shall be in effect in the City of Massillon, and declaring an emergency.

WHEREAS, Ohio Senate Bill 81, requires that the Treasurer of the City of Massillon have a written Investment Policy that shall be filed with the Auditor of the State;

WHEREAS, the Treasurer of the City of Massillon has prepared an Investment and Depository Policy that she requests be adopted and approved by the Council of the City of Massillon;

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 hereby adopts and approves the Investment and Depository Policy" that has been submitted by the Treasurer of the City of Massillon and attached hereto and marked as "Exhibit 1".

Section 2:

The Treasurer is hereby authorized to submit a copy of this ordinance as well as the "Investment and Depository Policy" with the Auditor of the State.

Section 3:

This Ordinance is declared to be an emergency measure for the reason that said Investment policy is required under Ohio Senate Bill 81 and is needed for the proper community growth 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

PROVED: _____

FRANCIS H. CICHINELLI, JR., MAYOR

CITY OF MASSILLON, OHIO

INVESTMENT AND DEPOSITORY POLICY

Adopted as of December 2, 1996

SCOPE The Investment Advisory Committee hereby directs that the Investing Authority of this public entity will reside with the TREASURER in accordance with this Investment policy. This policy is designed to cover all monies under the control of THE CITY OF MASSILLON and those that comprise the core investment portfolio. Notwithstanding the policies detailed below, Chapter 135 of the Ohio Revised Code will be adhered to at all times.

I. **Objective and Guidelines.** The following investment objectives will be applied in the management of this public entity's funds:

- A. The primary objective will be the preservation of capital and protection of principal while earning investment interest.
- B. In investing public funds, the Treasurer will strive to achieve a fair and safe average rate of return on the investment portfolio over the course of budgetary and economic cycles taking into account state law, safety considerations and cash flow requirements.
- C. The investment portfolio will remain sufficiently liquid to enable the Treasurer to meet reasonable anticipated operating requirements.
- D. The investments portfolio should be diversified in order to avoid incurring potential losses regarding individual securities which may not be held to maturity, whether by erosion of market value or change in market conditions.
- E. Investments will be made with the exercise of that degree of judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived.
- F. Bank account relationships will be managed in order to secure adequate services while minimizing costs. Deposits should be concentrated in single accounts except where audit control considerations dictate otherwise.

II. **Authorized Financial Institutions and Dealers.** U.S. Treasury and Agency securities purchased outright will be purchased only through financial institutions located within the State of Ohio or through "primary/regional securities dealers" as designated by the Federal Reserve Board.

Repurchase Agreements will be transacted only through banks located within the State of Ohio with which the Treasurer has signed a Master Repurchase Agreement as required in O.R.C., Chapter 135.

Certificates of Deposit will be transacted through commercial banks or savings and loans with FDIC or FSLIC coverage which are located within the State of Ohio and qualify as eligible institutions under O.R.C., Chapter 135.

A list of authorized institutions and dealers will be maintained with the investing authority. Additions and deletions to this list will be made when deemed in the best interest of the investing authority.

III. **Maturity.** To the extent possible, the Treasurer will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow requirement, the Treasurer will not directly invest in securities maturing more the 5 years from the date of purchase with the average length of investment being 1 year.

IV. **Derivatives.** Investments in derivatives and in stripped principal or interest obligations of eligible obligations are strictly prohibited. A derivative means a financial instrument or contract or obligation whose value of return is based upon or linked to another asset or index, or both, separate from the financial instrument, contract, or obligation itself. Additionally, any security, obligation, trust account or instrument that is created from an obligation of a federal agency or instrumentality or is created from both is considered a derivative instrument.

V. **Allowable Investments.** The Treasurer may invest in any instrument or security authorized in O.R.C., Chapter 135 as amended. A copy of the appropriate O.R.C. section will be kept with the policy. The types of deposits commonly used will be Certificates of Deposits, Repurchase Agreements and U.S. Treasury's.

VI. **Collateral.** All deposits will be collateralized pursuant to O.R.C., Chapter 135.

VII. **Reporting.** The investing authority will establish and maintain an inventory of all obligations and securities acquired by the investing authority. The inventory will include the description of the security, type, cost, par value, maturity date, settlement date, and coupon rate. The investing authority will produce a monthly portfolio report detailing the current inventory of all obligations and securities, and all transactions during the month, income received and investment expenses paid, and the names of any persons affecting transactions on behalf of the investment authority.

VIII. **Committee meetings.** The investment advisory committee will meet at least once every quarter to review the portfolio in terms of security, type, risk and investment return. The Treasurer will be responsible for maintaining records of all investments and deposits and preparing reports that summarize recent market conditions, economic conditions, economic developments and anticipated investments for the investment advisory committee meeting.

Pursuant to O.R.C., Chapter 135, all brokers, dealers, and financial institutions initiating transactions with the investment authority by giving advice or making investment policy, or executing transactions initiated by the investment authority, must acknowledge their agreement to abide by the investment policy's content.

The institution below by signing submits that it has read and acknowledges the investment policy, and agrees to abide by its content.

TREASURER, CITY OF MASSILLON

NAME OF INSTITUTION

DATE

AUTHORIZED OFFICER

DATE

DATE: December 2, 1996

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 20 - 1996

BY: PUBLIC UTILITIES COMMITTEE

TITLE: A RESOLUTION supporting the merger of Ohio Edison and Centerior Corp. under a new holding company called FirstEnergy.

WHEREAS, Ohio Edison is a valued corporate citizen, significant taxpayer and major employer in the Massillon area; and

WHEREAS, the merger of Ohio Edison and Centerior Energy Corp. would create a \$5 billion, Fortune 300 Company in Ohio; and

WHEREAS, FirstEnergy would become the nation's 11th largest investor-owned electric system; Ohio's largest taxpayer, with \$516 million in annual payments; and one of the State's top-20 employers; and

WHEREAS, the merger would keep jobs in Ohio where 87 percent of FirstEnergy's revenues are generated, 77 percent of its kilowatt-hours are sold, and 75 percent of its employees with advanced degrees graduated from our state's institutions of higher learning; and

WHEREAS, the merger would create a larger enterprise with more resources offering customers better electric service and a wider array of energy-related products at lower prices over the long term; and

WHEREAS, the combination of contiguous service areas will assist community and state economic development efforts in attracting jobs over a wider region of Ohio.

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

Section 1:

This Council hereby urges State and Federal regulators to quickly approve the FirstEnergy merger so that Ohio Edison customers and employees can begin to enjoy its benefits as soon as possible.

Section 2:

That copies of this resolution be forwarded to Governor George V. Voinovich, Ohio Consumers' Counsel Robert S. Tongren, members of the Federal Energy Regulatory Commission, members of the Nuclear Regulatory Commission, members of the Public Utilities Commission of Ohio, State Representative Ralph Regula and State Senator Scott Oselager.

Section 3:

That this resolution shall be immediately effective.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1996

APPROVED:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED:

FRANCIS H. CICCINELLI, JR., MAYOR