

A G E N D A

DATE: FEBRUARY 18, 1997
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

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

A). REPRESENTATIVES OF MASSILLON COMMUNITY HOSPITAL

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 31 - 1997 BY: PUBLIC UTILITIES/GOLF COURSE COMM.

AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with Ohio Edison for the installation of lighting in the parking lot at the Legends of Massillon Golf Course, and declaring an emergency.

ORDINANCE NO. 32 - 1997 BY: PUBLIC UTILITIES/GOLF COURSE COMM.

AN ORDINANCE establishing a rate schedule for fees to be charged at the Legends of Massillon Golf Course for the 1997 golf season, and declaring an emergency.

ORDINANCE NO. 33 - 1997 BY: HEALTH, WELFARE & BUILDING REGULATIONS

AN ORDINANCE approving the editing and inclusion of certain Ordinances as part of the various component codes of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 34 - 1997 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Aultman Hospital Western Stark County Medical Clinic Area Annexation, upon annexation, and declaring an emergency.

ORDINANCE NO. 35 - 1997 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 the bidding and construction services to assist in the construction of the Wastewater Treatment Plant primary treatment & disinfection improvements, and declaring an emergency.

ORDINANCE NO. 36 - 1997 BY: SEWER AND WASTE COMMITTEE and FINANCE 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 the purchase of three (3) new staff vehicles for the Wastewater Treatment Plant, and declaring an emergency.

ORDINANCE NO. 37 - 1997 BY: SEWER AND WASTE COMMITTEE and FINANCE 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 the construction of primary treatment & disinfections improvements at the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 38 - 1997 BY: FINANCE COMMITTEE streets & highways

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 various vehicles for use in the Street Department of the City of Massillon, and declaring an emergency.

ORDINANCE NO. 39 - 1997

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

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 to pave and/or resurface various streets within the City of Massillon, and declaring an emergency.

ORDINANCE NO. 40 - 1997

BY: SEWER AND WASTE 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 construction of the Kelly-Millersburg Sanitary Sewer Extension in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 41 - 1997

BY: FINANCE COMMITTEE

AN ORDINANCE establishing a fund entitled "Mandatory Drug Fine Fund", creating line items within said fund, and declaring an emergency.

ORDINANCE NO. 42 - 1997

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Wastewater Treatment Fund, Municipal Golf Course Fund, UDAG B-81-AB-39-0097 Towne Plaza Fund, and the Capital Improvement Fund, of the City of Massillon, Ohio, for the year ending December 31, 1997, and declaring an emergency.

ORDINANCE NO. 43 - 1997

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 1997 appropriation from within the General Fund to the Legends Fund, and the Bond Retirement-Legends Fund of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 44 - 1997

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund of the City of Massillon, Ohio, for the year ending December 31, 1997, and declaring an emergency.

ORDINANCE NO. 45 - 1997

BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE authorizing and directing 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 according to law, for two playground structures to be considered for South Sippo and Wampler Parks, 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 REPORT FOR JANUARY 1997
- B). FIRE CHIEF SUBMITS MONTHLY REPORT FOR JANUARY 1997
- C). POLICE CHIEF SUBMITS MONTHLY REPORT FOR JANUARY 1997
- D). HEALTH DEPARTMENT SUBMITS YEARLY REPORT FOR 1996

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

ORDINANCE NO. 30 - 1997

BY: COMMITTEE OF THE WHOLE

AN ORDINANCE authorizing the Director of Law and his co-counsel to file the necessary legal action against the Massillon Community Hospital and all necessary defendants for the purpose of preventing the sale of Massillon Community Hospital to Columbia/HCA Healthcare Corporation, and declaring an emergency.

FEBRUARY 18, 1997

16. NEW AND MISCELLANEOUS BUSINESS
17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA
18. ADJOURNMENT

REMINDER

THERE IS AN OPEN MEETING REGARDING THE WEST CENTRAL BUSINESS DISTRICT LAND USE
PLAN SET FOR 6:00 P.M.

SHARON HOWELL - CLERK OF COUNCIL

DATE: February 18, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 31 - 1997

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with Ohio Edison for the installation of lighting in the parking lot 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 a contract with Ohio Edison for the installation of lighting in the parking lot at the Legends of Massillon Golf Course.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract with Ohio Edison for the installation of lighting in the parking lot at the Legends of Massillon Golf Course.

Section 3:

That the cost of said contract shall not exceed Twenty Thousand Six Hundred Thirty-Nine Dollars (\$20,639.00).

Section 4:

That upon the completion of said services 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 such services, and the City Auditor is hereby authorized and directed to honor and pay said vouchers from the "18 Hole Municipal Golf Course Account" #1432.920.2510

Section 5:

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 for the lights to be installed prior to the start of the 1997 golf season. 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 _____ 1997

APPROVED:

SHARON HOWELL, CLERK OF COUNCIL

DAVID A. SMITH, PRESIDENT

APPROVED:

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: February 18, 1997CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 32 - 1997

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE establishing a rate schedule for fees to be charged at the Legends of Massillon Golf Course for the 1997 golf season, 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 that it is necessary to establish a rate schedule for fees to be charged at the Legends of Massillon Golf Course for the 1997 golf season.

Section 2:

It is hereby determined that the following rate schedule for fees to be charged at the Legends of Massillon Golf Course for the 1997 golf season is hereby approved and accepted by this Council.

LEGENDS OF MASSILLON 1997 RATE SCHEDULEGOLF WEEKDAY (walking)

9-Hole \$11.00
18-Hole \$22.00

GOLF WEEKDAY (with cart)

9-Hole \$16.00
18-Hole \$32.00

GOLF WEEKEND/HOLIDAY (walking)

18-Hole \$28.00

WEEKEND/HOLIDAY (with cart)

18-Hole \$38.00

SENIOR/JUNIOR DAYS
(Walking)(Monday through Thursday)(With Cart)

9-Hole ~~\$10.00~~ 8.00
18-Hole ~~\$20.00~~ 14.00

9-Hole ~~\$15.00~~ 13.00
18-Hole ~~\$25.00~~ 24.00

HOTEL PACKAGE RATESWeekday (Monday through Thursday)

18-Holes with cart \$30.00

Weekend

18-Holes with cart \$35.00

Section 3:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that it is necessary that the rate schedule be approved in that the golf season will soon begin, and that it is necessary to publish the rates, and for the additional reason 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 _____ 1997

APPROVED: _____

SHARON HOWELL, CLERK OF COUNCIL

DAVID A. SMITH, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: February 5, 1996CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 33 - 1997

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE approving the editing and inclusion of certain Ordinances as part of the various component codes of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of Massillon, Ohio; and

WHEREAS, numerous sections in the Traffic and General Offenses Codes need to be amended or enacted so as to conform to enactments of the Ohio General Assembly;

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

Section 1:

The editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of Massillon, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances to wit:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
4-1996	2-5-96	353.99
35-1996	2-5-96	121.02 Rule 19, 24.1
44-1996	2-20-96	133.02
45-1996	3-18-96	165.04
46-1996	3-18-96	165.05
249-1995	6-17-96	965.09
161-1996	9-3-96	1501.01
162-1996	9-3-96	761.01 to 761.09
209-1996	11-18-96	925.12(b)
224-1996	12-3-96	135.02

Section 2:

The following sections of the Traffic and General Offenses Codes, as amended, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly.

Traffic Code

333.03	Maximum Speed Limits. (Amended)
333.10	Operation in Violation of Immobilization Order. (Added)
333.99	Driving Under the Influence Penalty. (Amended)
335.11	Use of Illegal License Plates. (Amended)
335.99	Licensing and Accidents Penalty. (Amended)
337.99	Safety and Equipment Penalty. (Amended)

General Offenses Code

509.011	Inciting to Violence. (Added)
509.03(e), (f)	Disorderly Conduct; Intoxication. (Amended)
513.01	Drug Abuse Control Definitions. (Amended)
513.02	Gift of Marihuana. (Amended)
513.03	Controlled Substance Possession or Use. (Amended)
513.04	Possessing Drug Abuse Instruments. (Amended)
513.05	Permitting Drug Abuse. (Amended)
513.06	Illegal Cultivation of Marihuana. (Added)
513.08	Illegally Dispensing Drug Samples. (Amended)
513.13	Counterfeit Controlled Substances. (Amended)
513.99	Drug Abuse Control Penalty. (Amended)

CONTINUE GENERAL OFFENSES CODE

517.05	Cheating. (Amended)
517.06	Methods of Conducting a Bingo Game. (Amended)
525.01	Law Enforcement and Public Office Definitions. (Amended)
525.02	Falsification. (Amended)
525.05	Failure to Report a Crime. (Amended)
525.08	Obstructing Justice. (Amended)
525.09	Resisting Arrest. (Amended)
533.01	Definitions. (Amended)
533.02	Disseminating Harmful Materials; Presumption of Knowledge. (Amended)
533.04	Sexual Imposition. (Amended)
533.07	Public Indecency. (Amended)
533.091	Loitering to Engage in Solicitation. (Added)
533.12	Pandering Obscenity. (Repealed)
533.14	Pandering Material Involving a Minor. (Repealed)
537.01	Negligent Homicide. (Amended)
537.02	Vehicular Homicide. (Amended)
537.03	Assault. (Amended)
537.04	Negligent Assault. (Amended)
537.05	Aggravated Menacing. (Amended)
537.051	Stalking. (Amended)
537.06	Menacing. (Amended)
537.15	Temporary Protection Order. (Amended)
537.17	Criminal Child Enticement. (Amended)
541.02	Arson. (Amended)
545.03	Property Exceptions as Felony Offense. (Amended)
545.05	Petty Theft. (Amended)
545.06	Unauthorized Use of a Vehicle. (Amended)
545.07	Insurance Fraud. (Amended)
545.08	Unauthorized Use of Property. (Amended)
545.09	Passing Bad Checks. (Amended)
545.10	Misuse of Credit Cards. (Amended)
545.13	Criminal Simulation. (Amended)
545.14	Tampering with Records. (Amended)
545.15	Securing Writing by Deception. (Amended)
545.17	Defrauding Creditors. (Amended)
545.18	Receiving Stolen Property. (Amended)
545.19	Possession of Criminal Tools. (Amended)
549.02	Carrying Concealed Weapons. (Amended)

Section 3:

A copy of such Ordinances as edited, arranged and numbered or renumbered as parts of the Codified Ordinances is attached to this Ordinance in the form of 1997 Replacement Pages to the Codified Ordinances.

Section 4:

That this Ordinance is 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 there exists an imperative necessity for the earliest publication and distribution of the Codified Ordinances to the officials and residents of the City of Massillon, Ohio, so as to facilitate administration, daily operation and avoid practical and legal entanglements. 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 _____ 1997

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

DATE: February 18, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 34 - 1997

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Aultman Hospital Western Stark County Medical Clinic Area Annexation, upon annexation, and declaring an emergency.

WHEREAS, certain property owners have filed a petition requesting the Aultman Hospital Western Stark County Medical Clinic Area Annexation to be annexed to the City of Massillon, Ohio, pursuant to the Ohio Revised Code Section 709.02, and

WHEREAS, The Ohio Revised Code Section 709.031 (B) requires;

Upon receiving this notice, the Municipal Legislative Authority, shall by Ordinance or Resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation, and

WHEREAS, this Ordinance is intended to comply with the requirements of the Ohio Revised Code Section 709.031 (B), and

WHEREAS, the legislative authority of the City of Massillon, Ohio, is supportive of the annexation proposal, and

WHEREAS, the Stark County Commissioners have scheduled a public hearing, to be held in the Jackson Township Hall, at 5735 Wales Road N.W. on Wednesday, March 26, 1997 at 7:00 P.M.

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

Section 1:

The City of Massillon, Ohio, will extend to the proposed area, upon annexation, the availability of all municipal services extended to all of the current citizens, residents and property owners of the City of Massillon, Ohio, including, but not limited, to the services of the Municipal Police Department, services of the Municipal Fire Department, services of the Municipal Service Department, services of the Engineering Department, services of the Building Department, services of the Street Department, services of the Safety Department, services of the Planning Department, services of the Health Department, services of the Sewer Department and services of the City of Massillon Administration.

Section 2:

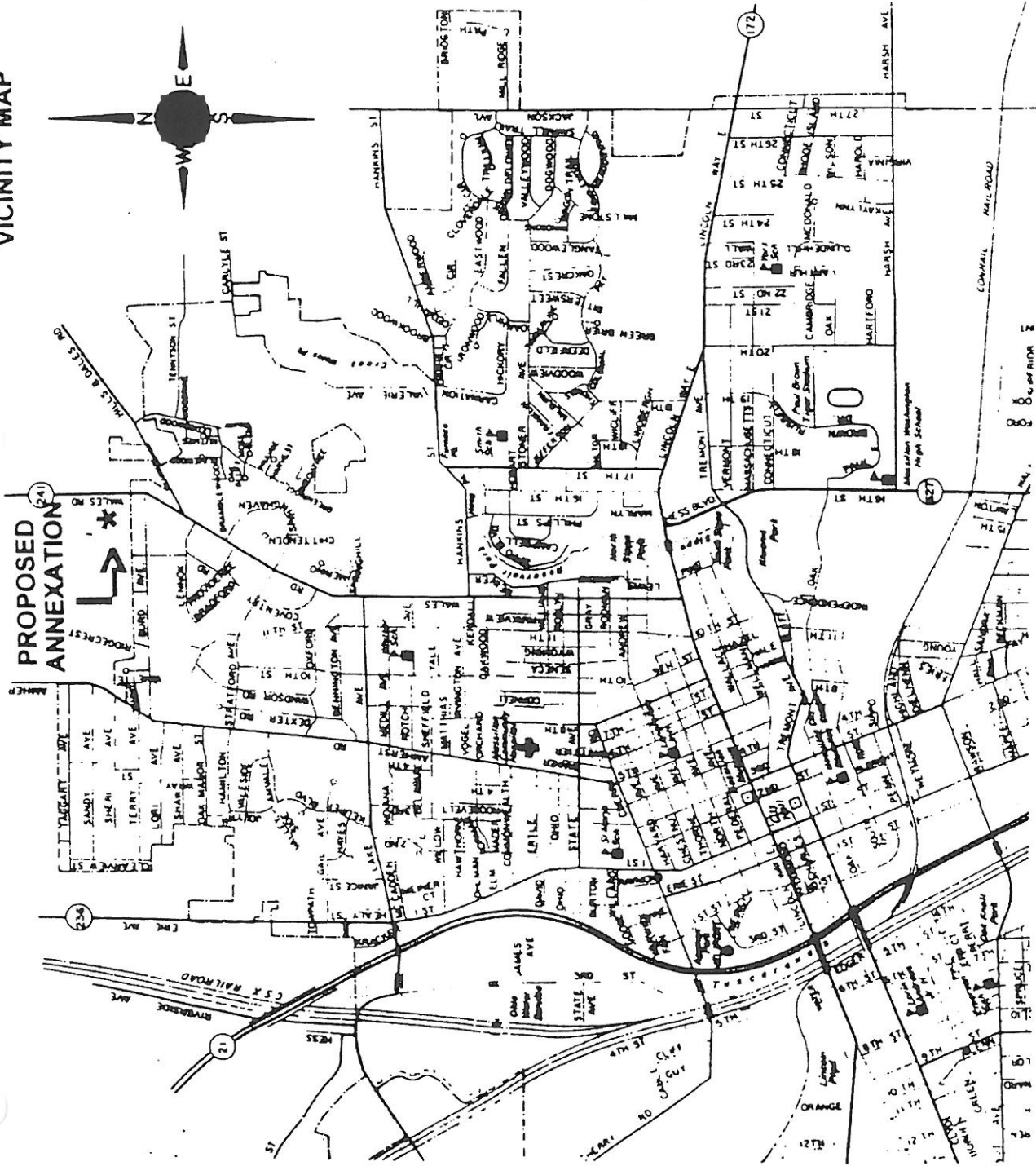
That this Ordinance is hereby adopted and shall be immediately effective. Further, this ordinance shall be considered as an official statement of the Council of the City of Massillon, Ohio.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1997

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

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DATE: February 18, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 35 - 1997

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 bidding and construction services to assist in the construction of the Wastewater Treatment Plant primary treatment & disinfection improvements, 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, without competitive bidding, with CTI Environmental, Inc., for the bidding and construction services to assist in the construction of the Wastewater Treatment Plant primary treatment & disinfection improvements.

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 bidding and construction services to assist in the construction of the Wastewater Treatment Plant primary treatment & disinfection improvements.

Section 3:

That the cost of this professional service will not exceed the amount of Thirty Five Thousand Dollars (\$35,000.00)

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. perform the professional services 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 _____ 1997

APPROVED: _____

SHARON HOWELL, CLERK OF COUNCIL

DAVID A. SMITH, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: February 18, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 36 - 1997

BY: SEWER AND WASTE COMMITTEE and
FINANCE 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 the purchase of three (3) new staff vehicles for the Wastewater Treatment Plant, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the purchase of three (3) new staff vehicles for the Wastewater Treatment Plant.

Section 2:

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

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that the City purchase these vehicles due to the poor condition of the existing ones. 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 _____ 1997

APPROVED: _____

SHARON HOWELL, CLERK OF COUNCIL

DAVID A. SMITH, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: February 18, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 37 - 1997

BY: SEWER AND WASTE COMMITTEE and
FINANCE 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 the construction of primary treatment & disinfections improvements at 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 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 the construction of primary treatment & disinfections improvements at the Wastewater Treatment Plant in the City of Massillon.

Section 2:

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

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that the primary treatment and disinfections improvements be made to comply with Federal and Ohio EPA regulations. 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 _____ 1997

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

DATE: February 18, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 38 - 1997

BY: FINANCE 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 various vehicles for use in the Street 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 various vehicles for use in the Street Department of the City of Massillon. Said vehicles are as follows:

- 1 new 1997 half-ton pick up truck
- 1 new 1997 17-ton dump truck
- 1 new 1997 one-ton dump truck
- 3 new 1997 mid-size cars
- 1 new 1997 paving machine

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 various vehicles for use in the Street Department of the City of Massillon as listed in Section 1 above.

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 these new vehicles due to the poor condition of the present ones. 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 _____ 1997

APPROVED: SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

DATE: February 18, 1997

CLERK; SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 39 - 1997

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY 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 to pave and/or resurface various streets within 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 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 to pave and/or resurface various streets within the City of Massillon.

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 and receive sealed bids according to law, and upon award and approval by the Board of Control, with the lowest and best bidder to pave and/or resurface various streets within 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 advertising for bids be made to pave and/or resurface the streets prior to the spring of 1997. 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 _____ 1997

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

DATE: February 18, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 40 - 1997

BY: SEWER AND WASTE 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 construction of the Kelly-Millersburg Sanitary Sewer Extension 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 Council of the City of Massillon, Ohio, hereby determines it to be necessary and in the public health, safety and welfare to prepare plans and specifications and to advertise for and receive sealed bids according to law, and to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the construction of the Kelly-Millersburg Sanitary Sewer Extension in the City of Massillon, Ohio.

Section 2:

That the Director of Public Safety and Service 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 to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the construction of the Kelly-Millersburg Sanitary Sewer Extension in the City of Massillon, Ohio.

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 plans and specifications be prepared so that bids may be received to construct the sewer extension. 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 _____ 1997

APPROVED: _____

SHARON HOWELL, CLERK OF COUNCIL

DAVID A. SMITH, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: February 18, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 41 - 1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE establishing a fund entitled "Mandatory Drug Fine Fund", creating line items within said fund, 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 is hereby established within the City of Massillon, Ohio, a fund entitled "Mandatory Drug Fine Fund".

Section 2:

The City Auditor be and is hereby authorized and directed to draw her warrants and make payments on vouchers duly approved by the proper departmental authority.

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 it is necessary that the fund be established to segregate drug fine funds with the restriction that expenditures from this fund shall be strictly used for drug offenses. 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 _____ 1997

APPROVED: SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 42 - 1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Wastewater Treatment Fund, Municipal Golf Course Fund, UDAG B-81-AB-39-0097 Towne Plaza Fund, and the Capital Improvement Fund, of the City of Massillon, Ohio, for the year ending December 31, 1997, 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, 1997, the following:

\$ 80,000.00 to an account entitled "Transfer to Legends Golf" 1100.905.2719
\$ 20,000.00 to an account entitled "Transfer to Bond Retirement-Legends"
1100.905.2722

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Wastewater Treatment Fund of the City of Massillon, Ohio, for the year ending December 31, 1997, the following:

\$35,000.00 to an account entitled "Primary Treatment & Disinfection Bidding"
2101.610.2393

Section 3:

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, 1997, the following:

\$ 23,600.00 to an account entitled "18 Hole Muni Golf" 1432.920.2510

Section 4:

There be and hereby is appropriated from the unappropriated balance of the UDAG B-81-AB-39-0097 Towne Plaza Fund of the City of Massillon, Ohio, for the year ending December 31, 1997, the following:

\$ 13,200.00 to an account entitled "Phillips and Hankins Road Lot" 1217.840.259

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, 1997, the following:

\$ 9,500.00 to an account entitled "New Equipment" 1401.325.2530

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 _____ 1997

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

DATE: February 18, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 43 - 1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1997 appropriation from within the General Fund to the Legends Fund and the Bond Retirement-Legends 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 1997 appropriation from within the General Fund to the Legends Fund of the City of Massillon, Ohio, the following:

\$80,000.00 from "Transfer to Legends Golf" 1100.905.2719
to "Transfer In" 2104.920.1860

Section 2:

There be and hereby is transferred from the 1997 appropriation from within the General Fund to the Bond Retirement-Legends Fund of the City of Massillon, Ohio, the following:

\$20,000.00 from "Transfer to Bond Retirement-Legends" 1100.905.2722
to "Transfer in for debt" 1302.940.1860

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 for the more efficient operation of the various departments in 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 _____ 1997

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

DATE: February 18, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 44 - 1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund of the City of Massillon, Ohio, for the year ending December 31, 1997, 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 Capital Improvement Fund of the City of Massillon, Ohio, for the year ending December 31, 1997, the following:

\$400,000.00 to an account entitled "Street Projects" 1401.435.2511

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 efficient operation of the various departments in the City of Massillon. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1997

APPROVED: _____

SHARON HOWELL, CLERK OF COUNCIL

DAVID A. SMITH, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: February 18, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 45 - 1997

BY: PARKS AND RECREATION 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 according to law, for two playground structures to be considered for South Sippo and Wampler Parks 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 according to law, for two playground structures to be considered for South Sippo and Wampler Parks.

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, for two playground structures to be considered for South Sippo and Wampler Parks.

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 playground structures are 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 _____ 1997

APPROVED: _____

SHARON HOWELL, CLERK OF COUNCIL

DAVID A. SMITH, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR