DATE: MARCH 3, 1997

TIME: 7:30 P.M. PLACE: COUNCIL CHAMBERS

- 1. ROLL CALL
- 2. INVOCATION COUNCILMAN WILLIAM POOLE
- 3. PLEDGE OF ALLEGIANCE 4. READING OF THE JOURNAL
- 5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
- INTRODUCTION OF ORDINANCES AND RESOLUTIONS

### ORDINANCE NO. 46 - 1997 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with the Massillon Chapter of habitat for Humanity to assist in the construction of new housing for low income homeowners in the City of Massillon, Ohio, and declaring an emergency.

#### ORDINANCE NO. 47 - 1997 BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to extend the length of the current contract with the F.O.P. Henderson Lodge #105 until March 31, 1997, and declaring an emergency.

#### ORDINANCE NO. 48 - 1997 BY: COMMITTEE OF THE WHOLE

AN ORDINANCE authorizing the Mayor and the director of Public Service and Safety of the City of Massillon, Ohio, to extend the length of the Collective Bargaining Agreements with the Unclassified Employees, Classified or Unclassified Supervisory & Classified Employees, Wastewater Treatment, and American Federation of State, County and Municipal Employees until May 1, 1997, and declaring an emergency.

### ORDINANCE NO. 49 - 1997 BY: HEALTH, WELFARE & BUILDING REGULATIONS

AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement, without competitive bidding, with Comse Energy Managers for Consulting Services for the Energy Conservation Program, and declaring an emergency.

### ORDINANCE NO. 50 - 1997 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

AN ORDINANCE accepting the replatting of Lot No. 10128, Out Lot 165, Out Lot 82 and part of Out Lot 166, located on the south side of Earl road N.W., west of 3rd Street N.W. and accepting the dedication of part of Earl Road N.W., 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-521 and Acc No. 3351, and declaring an emergency.

#### ORDINANCE NO. 51 - 1997 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Fund, Community Development Block Grant Program Fund, General Fund, Capital Improvement Fund, and the Mosquito Control Fund, of the City of Massillon, Ohio, for the year ending December 31, 1997, and declaring an emergency.

### ORDINANCE NO. 52 - 1997 BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 1997 appropriation from the Mosquito Control Fund to the General Fund of the City of Massillon, Ohio, and declaring an emergency.

### ORDINANCE NO. 53 - 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 Kucera International, to perform aerial photography with necessary ground control for the City of Massillon, and declaring an emergency.

- 7. UNFINISHED BUSINESS
- PETITIONS AND GENERAL COMMUNICATIONS
  - LETTER FROM LAW DIRECTOR JOHN FERRERO REGARDING POLITICAL ACTIVITY POLICY FOR THE CITY.

- 9. BILLS, ACCOUNTS AND CLAIMS
- 10. REPORTS FROM CITY OFFICIALS
  - A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR FEBRUARY 1997
  - B). AUDITOR SUBMITS MONTHLY REPORT FOR FEBRUARY 1997
  - C). 1996 ANNUAL REPORT CANTON-STARK COUNTY CRIME LABORATORY
- REPORTS OF COMMITTEES
- 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
- CALL OF THE CALENDAR 13.
- THIRD READING ORDINANCES AND RESOLUTIONS 14.
- SECOND READING ORDINANCES AND RESOLUTIONS

### BY: SEWER AND WASTE COMMITTEE ORDINANCE NO. 35 - 1997

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. 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. 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. 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.

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

THERE ARE NO PUBLIC MEETINGS PRIOR TO THE MEETING

SHARON HOWELL - CLERK OF COUNCIL

DATE:	March 3,	1997	CLERK:	SHARON	HOWELL
DAID.	LIGIT CIT OF	1001	CDD1(1(.		11011222

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 46 - 1997

## BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with the Massillon Chapter of Habitat for Humanity to assist in the construction of new housing for low income homeowners in the City of Massillon, Ohio, and declaring an emergency.

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

# Section 1:

The City Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with the Massillon Chapter of Habitat for Humanity to assist in the construction of new housing for low income homeowners in the City of Massillon, Ohio. The contract for services shall not exceed Fifty Thousand Dollars (\$ 50,000.00).

### Section 2:

The Mayor and the Director of Public Service and Safety of the City of Massillon be and are hereby authorized to enter into a contract with the Massillon Chapter of Habitat for Humanity to assist in the construction of new housing for low income homeowners in the City of Massillon, Ohio.

## Section 3:

Upon delivery of the aforesaid agreement, the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for said agreement and the City Auditor is authorized and directed to honor and pay said vouchers.

### Section 4:

That this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to implement the 1997 fiscal year Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THISDAY OF	1997
APPROVED: SHARON HOWELL, CLERK OF COUNCIL	DAVID A. SMITH, PRESIDENT
APPROVED:	FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: March 3, 1997	CLERK:	SHARON HOWELL
CITY OF M	MASSILLON, OHIO	9
COUNCIL CHAMBERS	·	LEGISLATIVE DEPARTMENT
ORDINANCE	NO. 47 - 1997	
BY: POLICE AND FIRE COMMITTEE		
TITLE: AN ORDINANCE authorizing the and Safety of the City of Massillon, contract with the F.O.P. Henderson declaring an emergency.	Ohio, to exten	d the length of the current
NOW, THEREFORE BE IT ORDAINED STATE OF OHIO, THAT:	BY THE COUNCIL	OF THE CITY OF MASSILLON,
Section 1:		
The Mayor and the Director of Massillon, Ohio, be and hereby are a the current contract with F.O.P. Hen	authorized to e	enter into an extension for
Section 2:		
That the contract agreement be expiration date of the F.O.P. Hender		
Section 3:		
That this Ordinance is declare necessary for the preservation of community and for the additional reagreement due to the ongoing negoti receives the affirmative vote of two-it shall take effect and be in force by the Mayor. Otherwise, it shall the earliest period allowed by law.	the health, season that it is ations between thirds of the cimmediately upon	safety and welfare of the is necessary to extend the the parties. Provided it elected members of Council, on its passage and approval

PASSED IN COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_ 1997

FRANCIS H. CICCHINELLI, JR., MAYOR

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

APPROVED:\_\_\_\_

DATE: March 3, 1997	CLERK:	SHARON HOWELL
CITY OF MA	SSILLON, OHIO	
COUNCIL CHAMBERS		LEGISLATIVE DEPARTMENT
ORDINANCE	NO. 48 - 1997	
BY: COMMITTEE OF THE WHOLE		
TITLE: AN ORDINANCE authorizing the and Safety of the City of Massillo Collective Bargaining Agreements with or Unclassified Supervisory & Classif American Federation of State, County and declaring an emergency.	on, Ohio, to ex n the Unclassifi ied Employees,	xtend the length of the ied Employees, Classified Wastewater Treatment, and
NOW, THEREFORE BE IT ORDAINED F	BY THE COUNCIL (	OF THE CITY OF MASSILLON,
Section 1:		
The Mayor and the Director of Pu Massillon, Ohio, be and hereby are Collective Bargaining Agreements with or Unclassified Supervisory & Classif American Federation of State, County	authorized to e the Unclassifi ied Employees,	extend the length of the ied Employees, Classified Wastewater Treatment, and
Section 2:		
That the Collective Bargaining retroactive to the expiration date of	g Agreements b the current ag	petween parties will be greement.
Section 3:		
That this Ordinance is declared necessary for the preservation of community and for the additional reagreement due to the ongoing negotiat units. Provided it receives the affinembers of Council, it shall take eff passage and approval by the Mayor. Of force from and after the earliest per	the health, satisfies that it is ions between the mative vote of ect and be in fatherwise, it sherwise,	fety and welfare of the necessary to extend the e City and the bargaining two-thirds of the elected orce immediately upon its all take effect and be in

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

FRANCIS H. CICCHINELLI, JR., MAYOR

PASSED IN COUNCIL THIS \_\_\_\_ DAY OF\_\_\_\_

APPROVED:

APPROVED:

DATE: March 3, 1997	CLERK:	SHARON HOWELL
CI	TY OF MASSILLON, OHIO	0
COUNCIL CHAMBERS		LEGISLATIVE DEPARTMENT
OR	DINANCE NO. 49 - 199'	7
BY: HEALTH, WELFARE & BUILDI	NG REGULATIONS COMMI	TTEE
TITLE: AN ORDINANCE authoriz and Safety to enter into a c with Comse Energy Managers for Program, and declaring an eme	ontract agreement, w Consulting Services	ithout competitive bidding,
NOW, THEREFORE, BE IT OR STATE OF OHIO, THAT:	DAINED BY THE COUNCI	L OF THE CITY OF MASSILLON,
Section 1:		
The Director of Public Se is hereby authorized and directompetitive bidding, with Cothe Energy Conservation Programseven Thousand Five Hundred D	cted to enter into a omse Energy Managers am The cost of sa	for Consulting Services for id contract shall not exceed
Section 2:		
That this Ordinance is necessary for the immediate pre the community, and for the add needed for the City's Energy affirmative vote of two-thirds effect and be in force immediately otherwise, it shall take effect period allowed by law.	reservation of the he- itional reason that t Conservation Program s of the elected membe ately upon its passage	he professional services are Provided it receives the ers to Council, it shall take e and approval by the Mayor.
PASSED IN COUNCIL THIS	DAY OF	1997

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

FRANCIS H. CICCHINELLI, JR., MAYOR

APPROVED:

DATE:	March 3, 1997	CLERK:	SHARON HOWELL	
DAIL:	March 5, 1997			_

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 50 - 1997

## BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE accepting the replatting of Lot No. 10128, Out Lot 165, Out Lot 82 and part of Out Lot 166, located on the south side of Earl Road N.W., west of 3rd Street N.W. and accepting the dedication of part of Earl Road, N.W., 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-521 and Acc No. 3351, 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 Lot No. 10128, Out Lot 165, Out Lot 82 and part of Out Lot 166, located on the south side of Earl Road N.W., west of 3rd Street N.W. and accepting the dedication of part of Earl Road, N.W., 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-521 and Acc No. 3351, be and the same is approved and accepted that the replatting of Lot No. 10128, Out Lot 165, Out Lot 82 and part of Out Lot 166 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 February 12, 1997. That the City Engineer has requested that the dedication of part of Earl Road, N.W., be formally dedicated by the City and now on file with the City Engineer is approved as heretofore described:

Lot No. 10128, Out Lot 165, Out Lot 82 and part of Out Lot 166 located on the south side of Earl Road N.W., west of 3rd Street N.W.562 be replatted into two new Out Lots. Also included in this plat is the dedication of part of Earl Road N.W.

# 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.

PASSE	D IN COUNCI	L THIS	DAY OF_			1997	
APPROVED:	RON HOWELL,	CLERK OF	COUNCIL	DAVID A.	SMITH,	PRESIDENT	
APPROVED:				FRANCIS I	H. CICCE	HINELLI, JR.,	MAYOR

DATE:	March 3, 1997	CLERK:	SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 51 - 1997

### BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Fund, Community Development Block Grant Program Fund, General Fund, Capital Improvement Fund, and the Mosquito Control 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 Wastewater Treatment Fund of the City of Massillon, Ohio, for the year ending December 31, 1997, the following:

\$ 65,000.00 to an account entitled "Professional Services" 2101.615.2393

# 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, 1997, the following:

\$ 50,000.00 to an account entitled "Habitat for Humanity" 1402.845.2849

# Section 3:

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:

- \$ 50,000.00 to an account entitled "Salary" 1100.435.2110
- \$ 15,000.00 to an account entitled "Arbitration Services" 1100.905.239A
- \$ 7,500.00 to an account entitled "Energy Study Consulting Services" 1100.905.239C

# Section 4:

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:

\$ 1,030.90 to an account entitled "New Equipment" 1401.305.2530

# Section 5:

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

\$ 16.74 to an account entitled "Transfer To" 1212.725.2710

## 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.

-2-

PA	SSED II	N COUNCI	L THIS		DAY OF_				1	997	
APPROVED:		HOWELL,	CLERK	OF	COUNCIL	DAVID	Α.	SMITH,	PRESIDE	NT	
APPROVED:					<del> </del>	FRANC	IS F	I. CICCH	HINELLI,	JR.,	MAYOR

DATE: March 3, 199	7	CLERK:	SHARON HOWELL
	CITY OF MASSILL	ON, OHIO	
COUNCIL CHAMBERS		LE	GISLATIVE DEPARTMENT
	ORDINANCE NO. 52	2 - 1997	
BY: FINANCE COMMITTEE			
TITLE: AN ORDINANCE making Mosquito Control Fund to declaring an emergency.	certain transfer the General Fund	s in the 199 of the City	7 appropriation from the of Massillon, Ohio, and
NOW, THEREFORE, BE I STATE OF OHIO, THAT:	T ORDAINED BY THE	E COUNCIL OF	THE CITY OF MASSILLON,
Section 1:			
There be and hereby Mosquito Control Fund to	is transferred fr the General Fund	om the 1996 the followi	appropriation from the ng:
\$ 16.74 FROM: "Transfe TO: "Transfe	er To" 1212.725.2 er From" 1100.905		
Section 2:			
That this Ordinance reason for the emergency and Mosquito Control Fund to health, safety and welfar affirmative vote of two-th effect and be in force imm Otherwise, it shall take period allowed by law.	being that said for the General and are of the communication of the elect- deciately upon its	unds are be for the pre unity. Pro ed members to passage an	servation of the public ovided it receives the o Council, it shall take d approval by the Mayor.
PASSED IN COUNCIL	THISDAY OF_		1997
	LERK OF COUNCIL		,
APPROVED:		FRANCIS H.	CICCHINELLI, JR., MAYOR

DATE: <u>March 3, 1997</u>	CLERK:	SHARON HOWELL
	CITY OF MASSILLON, OHIO	
COUNCIL CHAMBERS		LEGISLATIVE DEPARTMENT
	ORDINANCE NO. 53 - 1997	
BY: SEWER AND WASTE COMMIT	TEE	
TITLE: AN ORDINANCE authorenter into a contract, with to perform aerial photogramassillon, and declaring	nout competitive bidding, want apply with necessary ground	ith Kucera International,
NOW, THEREFORE, BE IT STATE OF OHIO, THAT:	ORDAINED BY THE COUNCIL O	F THE CITY OF MASSILLON,
Section 1:		*
necessary to enter into a	City of Massillon, Ohio, contract, without competit aerial photography with nec	tive bidding, with Kucera
Section 2:		
That the Director of Ohio, is hereby authorize competitive bidding, with with necessary ground cont	Kucera International, to p	into a contract, without
Section 3:		
That the cost of this Sixty Five Thousand Dollar	professional service will cs (\$65,000.00)	not exceed the amount of
Section 4:		
necessary for the immediate the community, and for the completed so that proper po- be conducted. Provided it elected members to Council upon its passage and appro-	e additional reason that t lanning for this growth of receives the affirmative l, it shall take effect and	th, safety, and welfare of the aerial photography be the City of Massillon can vote of two-thirds of the d be in force immediately ise, it shall take effect

PASSED IN COUNCIL THIS \_\_\_\_DAY OF \_\_\_\_\_1997

APPROVED: FRANCIS H. CICCHINELLI, JR., MAYOR

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