

# A G E N D A

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
6. 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
8. PETITIONS AND GENERAL COMMUNICATIONS

A). 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

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. 35 - 1997 BY: SEWER AND WASTE COMMITTEE

P  
8-1  
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

P  
8-1  
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

2  
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

2  
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

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 THIS \_\_\_\_\_ DAY 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 MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 47 - 1997

BY: POLICE AND FIRE COMMITTEE

TITLE: 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.

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

Section 1:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, be and hereby are authorized to enter into an extension for the current contract with F.O.P. Henderson Lodge #105 until March 31, 1997.

Section 2:

That the contract agreement between parties will be retroactive to the expiration date of the F.O.P. Henderson Lodge #105 Bargaining Unit.

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 to extend the agreement due to the ongoing negotiations between the parties. Provided it receives the affirmative vote of two-thirds of the elected members of 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: March 3, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 48 - 1997

BY: COMMITTEE OF THE WHOLE

TITLE: 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 & Municipal Employees until May 1, 1997, and declaring an emergency.

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

Section 1:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, be and hereby are authorized 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 & Municipal Employees until May 1, 1997.

Section 2:

That the Collective Bargaining Agreements between parties will be retroactive to the expiration date of the current agreement.

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 to extend the agreement due to the ongoing negotiations between the City and the bargaining units. Provided it receives the affirmative vote of two-thirds of the elected members of 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: March 3, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 49 - 1997

BY: HEALTH, WELFARE & BUILDING REGULATIONS COMMITTEE

TITLE: 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.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement, without competitive bidding, with Comse Energy Managers for Consulting Services for the Energy Conservation Program. . The cost of said contract shall not exceed Seven Thousand Five Hundred Dollars (\$ 7,500.00).

Section 2:

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 the professional services are needed for the City's Energy Conservation Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY 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 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.



PASSED IN COUNCIL THIS \_\_\_\_\_ DAY 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 MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 52 - 1997

BY: FINANCE COMMITTEE

TITLE: 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.

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 Mosquito Control Fund to the General Fund the following:

\$ 16.74 FROM: "Transfer To" 1212.725.2710  
TO: "Transfer From" 1100.905.1860

Section 2:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are being transferred from the Mosquito Control Fund to the General 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: March 3, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 53 - 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 Kucera International, to perform aerial photography with necessary ground control for 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 finds that it is necessary to enter into a contract, without competitive bidding, with Kucera International, to perform aerial photography with necessary ground control for the City of Massillon.

Section 2:

That the Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract, without competitive bidding, with Kucera International, to perform aerial photography with necessary ground control.

Section 3:

That the cost of this professional service will not exceed the amount of Sixty Five Thousand Dollars (\$65,000.00)

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 the aerial photography be completed so that proper planning for this growth of the City of Massillon can be conducted. 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