

AGENDA

DATE: JUNE 2, 1997
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INVOCATION - COUNCILMAN BILL HAMIT
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. 111 - 1997 BY: PARKS AND RECREATION COMMITTEE

Amended
P
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids according to law, and enter into contract with the lowest and best bidder, for a construction grade backhoe/loader for use in the Parks and Recreation Department of the City of Massillon, and declaring an emergency.

ORDINANCE NO. 112 - 1997 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

1st
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from B-1 Local business to B-3 General business, and declaring an emergency.

July 7 - 7:00pm - Public Hearing.
ORDINANCE NO. 113 - 1997 BY: FINANCE COMMITTEE

WWTTP Primary Clarifier
Stave
P
8-1
AN ORDINANCE making certain transfers in the 1997 appropriation from the Wastewater Treatment Fund to the City Sewer O&M Fund, of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 114 - 1997 BY: HEALTH, WELFARE & BUILDING REGULATIONS

P
AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with Building Officials & Code Administrators International, Inc. (BOCA) for a back-up Plans Examiner for the City of Massillon, and declaring an emergency.

ORDINANCE NO. 115 - 1997 BY: RULES, COURTS AND CIVIL SERVICE COMM.

P
AN ORDINANCE amending CHAPTER 165 "employees generally" of the Codified Ordinances of the City of Massillon, by repealing existing Section 165.01 "RESIDENCY REQUIRED" of said CHAPTER 165 "EMPLOYEES GENERALLY" and enacting a new Section 165.01 "Residency Required" of CHAPTER 165, and declaring an emergency.

ORDINANCE NO. 116 - 1997 BY: FINANCE COMMITTEE

file
P
AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund and the Economic Development Fund of the City of Massillon, Ohio, for the year ending December 31, 1997, and declaring an emergency.

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

A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR MAY 1997
C). AUDITOR SUBMITS MONTHLY REPORT FOR MAY 1997

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR

ORDINANCE NO. 89 - 1997 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

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

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 88 - 1997 BY: POLICE AND FIRE COMMITTEE

P
7-2
AN ORDINANCE amending CHAPTER 373 "BICYCLE AND MOTORCYCLES" of the Codified Ordinances of the City of Massillon, by repealing existing Sections 373.13 through 373.22 of CHAPTER 373 "BICYCLE AND MOTORCYCLES" and enacting new Sections 373.13 through 373.22 of CHAPTER 373 "BICYCLES AND MOTORCYCLES", and declaring an emergency.

JUNE 2, 1997

15. SECOND READING ORDINANCES AND RESOLUTIONS

*emergency
6-3
2nd*
ORDINANCE NO. 104 - 1997

BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement for the purchase of 88 acres of land known as the Young Property located on Richville Drive S.E. and known as Parcel #07-00854, Lot #707 and #708 in the City of Massillon, Ohio, and said land shall be designated as park land, and declaring an emergency.

P
RESOLUTION NO. 5 - 1997

BY: FINANCE COMMITTEE

A RESOLUTION authorizing the use of a portion of the proceeds of the proposed maximum \$3,000,000.00 parks and recreation bonds or notes in anticipation thereof, of the City, dated not earlier than June 1, 1997, to be issued for the purpose of parks and recreation, including acquiring real property and interests in real property for parks and recreation purposes; renovating, repairing and improving existing park facilities, furnishing and equipping all of the foregoing; and landscaping and improving the sites thereof; to reimburse the City's General or Capital Improvement Funds for moneys previously advanced for such purpose, and declaring an emergency.

16. NEW AND MISCELLANEOUS BUSINESS

17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA

18. ADJOURNMENT

SHARON HOWELL
COUNCIL CLERK

✓ A PUBLIC HEARING WILL BE HELD PRIOR TO THE REGULAR MEETING

7:00 P.M. ORDINANCE NO. 89 - 1997

DATE: June 2, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 111 - 1997

BY: PARKS AND RECREATION 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 according to law, ~~and enter into contract with the lowest and best bidder~~, for a construction grade backhoe/loader for use in the Parks and Recreation 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 advertise for and receive sealed bids according to law, ~~and enter into contract with the lowest and best bidder~~, for a construction grade backhoe/loader for use in the Parks and Recreation Department of the City of Massillon.

Section 2:

That the Director of Public Service and Safety and the Parks and Recreation Board of the City of Massillon, Ohio, are 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 with the lowest and best bidder~~ for a construction grade backhoe/loader for use in the Parks and Recreation Department of the City of Massillon.

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and it is necessary that the Parks and Recreation Department advertise for this so that the equipment may be purchased for the 1997 summer 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: June 2, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 112 - 1997

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from B-1 Local Business to B-3 General Business, and declaring an emergency.

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from B-1 Local Business to B-3 General Business. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on May 14th, 1997 and that notice and public hearing has been given according to law.

Section 2:

The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and hereby is amended to show the following described area as B-3 General Business.

Being known as Lot Nos. 455-459 located at 641 Lincoln Way West.

Section 3:

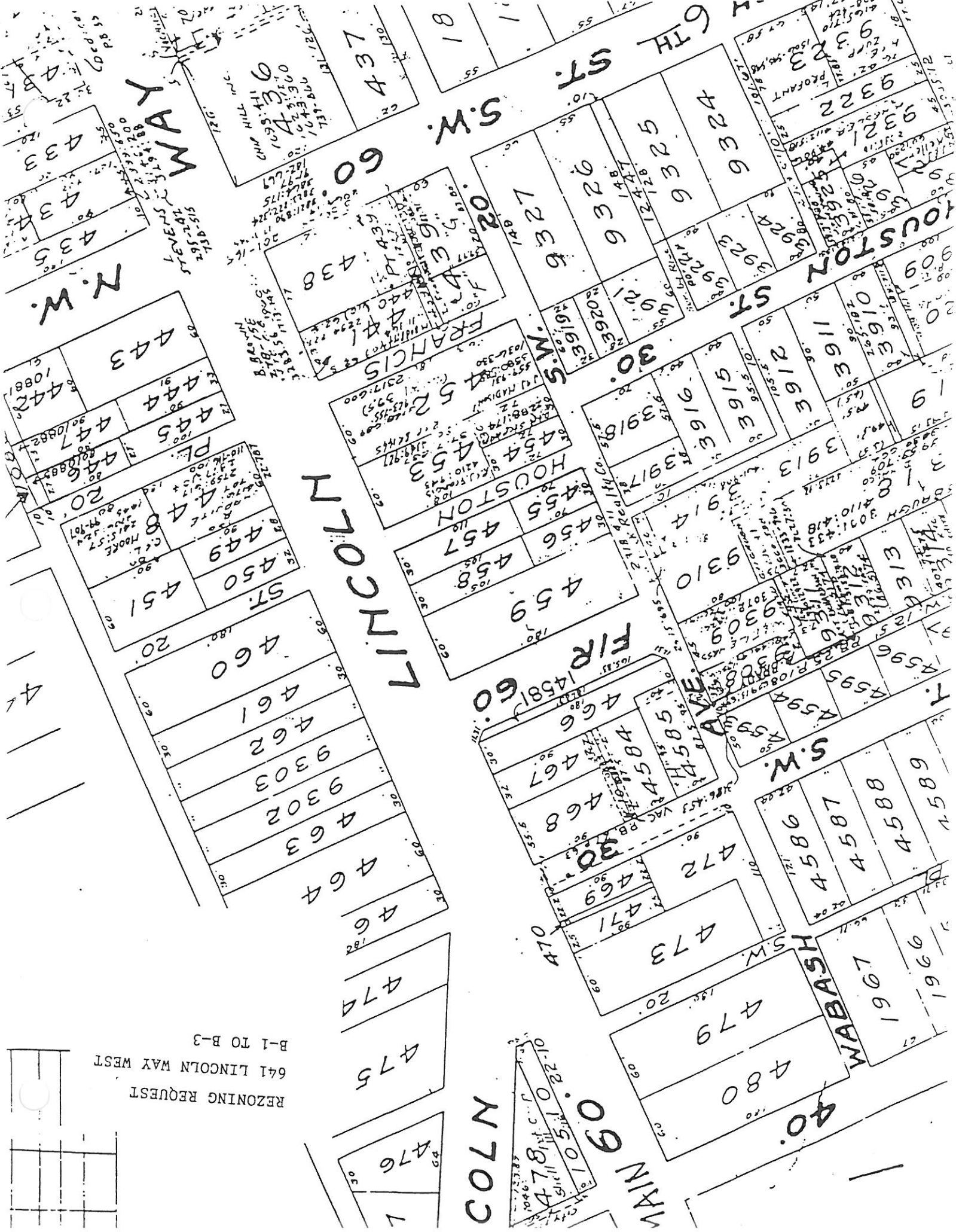
That this Ordinance is declared to be an emergency measure in that the owner desires to use a portion of the building for a billiard hall and other indoor commercial recreation and hence immediately necessary for the preservation of the health, safety and welfare of the community. Provided it receives 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

REZONING REQUEST
641 LINCOLN WAY WEST
B-1 TO B-3



DATE: June 2, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 113 - 1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1997 appropriation from the Wastewater Treatment Fund to the City Sewer O&M 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 1995 appropriation from the Wastewater Treatment Fund to the City Sewer O&M Fund the following:

\$50,000.00 FROM: "Inflow & Infiltration" 2101.615.2375
\$35,000.00 FROM: "Industrial Pretreatment" 2101.615.2360
\$30,000.00 FROM: "New Equipment" 2101.615.2530
\$25,000.00 FROM: "Customer Conveyance Fee" 2101.615.2592

TO: "Wastewater Treatment Primary Treatment & Disinfection
Improvements" 2101.610.2510

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 Wastewater Treatment Plant 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: June 2, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 114 - 1997

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with Building Officials & Code Administrators International, Inc. (BOCA) for a back-up Plans Examiner 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 City Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract, without competitive bidding, with Building Officials & Code Administrators International, Inc. (BOCA) for a back-up Plans Examiner 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 Building Officials & Code Administrators International, Inc. (BOCA) for a back-up Plans Examiner for the City of Massillon.

Section 3:

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 to provide for a back-up Plans Examiner for 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: June 2, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 115 - 1997

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 165 "EMPLOYEES GENERALLY" of the Codified Ordinances of the City of Massillon, by repealing existing Section 165.01 "Residency Required" of said CHAPTER 165 "EMPLOYEES GENERALLY" and enacting a new Section 165.01 "Residency Required" of CHAPTER 165, and declaring an emergency.

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

Section 1:

Existing Section 165.01 of CHAPTER 165 "EMPLOYEES GENERALLY" of the Codified Ordinances of the City of Massillon be and hereby is repealed.

Section 2:

That there be and hereby is enacted a new Section 165.01 of CHAPTER 165 "EMPLOYEES GENERALLY", of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

165.01 RESIDENCY REQUIRED

(a) That all persons hereinafter appointed to positions in the City service shall be residents of the Massillon Municipal Court District, at the time of their appointment or within twelve (12) months of their appointment and shall continue to maintain their primary place of residence within the Massillon Municipal Court District at all times during their continued service with the City.

(b) All persons now holding positions in the City service shall continue to maintain their primary place of residence in accordance with the requirement presently in existence, to wit: within the Massillon Municipal Court District.

(c) Any employee of the City who fails to comply with the provisions of this section, shall automatically be discharged from his or her service with the City.

Section 3:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the various departments of the City of Massillon, Ohio, 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.

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

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

DATE: June 2, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 116 - 1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund and the Economic Development 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:

\$ 6,000.00 to an account entitled "Arbitrator Service" 1100.905.239A

Section 2:

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

\$ 5,100.00 to an account entitled "RTA Transit Center Preliminary Study"
1237.405.2390

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 Auditor's 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.

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

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FRANCIS H. CICCHINELLI, JR., MAYOR