

A G E N D A

DATE: JUNE 16, 1997
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INVOCATION - COUNCILWOMAN NANCY HALTER
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. 117 - 1997 BY: RULES, COURTS & 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.

Stene ✓
ORDINANCE NO. 118 - 1997 BY: SEWER AND WASTE DISPOSAL COMMITTEE

P
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 the Nave-Richville Sanitary Sewer Extension, and declaring an emergency.

ORDINANCE NO. 119 - 1997 BY: SEWER AND WASTE DISPOSAL COMMITTEE

P
AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with American Landfill, Inc. for the disposal of municipal solid waste for the City of Massillon, and declaring an emergency.

f.l.c. ✓
ORDINANCE NO. 120 - 1997 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P
AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Massillon Development Foundation Area Annexation, and declaring an emergency.

Ford ✓
ORDINANCE NO. 121 - 1997 BY: FINANCE COMMITTEE

P
AN ORDINANCE authorizing the Mayor and the Director of Public Safety and Service of the City of Massillon, Ohio, to enter into a contract agreement with the Wastewater Treatment employees, that shall be in effect from March 17, 1997 through May 19, 2000, and declaring an emergency.

ORDINANCE NO. 122 - 1997 BY: RULES, COURTS & CIVIL SERVICE COMM.

P
AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - BUILDING DEPARTMENT of Ordinance No. 94 - 1994 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - BUILDING DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - BUILDING DEPARTMENT, in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 123 - 1997 BY: FINANCE COMMITTEE

P
AN ORDINANCE reducing the appropriated balance of the General Fund, of the City of Massillon, Ohio, for the year ending December 31, 1997, and declaring an emergency.

ORDINANCE NO. 124 - 1997 BY: FINANCE COMMITTEE

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

ORDINANCE NO. 125 - 1997 BY: FINANCE COMMITTEE

P
7-1
AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Capital Improvement Fund and Fire Damage Structure Fund, of the City of Massillon, Ohio, for the year ending December 31, 1997, and declaring an emergency.

ORDINANCE NO. 126 - 1997 BY: PARKS AND RECREATION COMMITTEE

P
AN ORDINANCE authorizing the Parks and Recreation Board of the City of Massillon, Ohio, to file an application for an Ohio Department of Natural Resources (ODNR) Grant with ODNR for funding under the Nature Works Program, and declaring an emergency.

P
RESOLUTION NO. 6 - 1997 BY: FINANCE

JUNE 16, 1997

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

- A). MAYOR SUBMITS MONTHLY REPORT FOR MAY 1997
- B). POLICE CHIEF SUBMITS MONTHLY REPORT FOR MAY 1997
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR MAY 1997

- ~~11.~~ REPORTS OF COMMITTEES
- ~~12.~~ RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
- ~~13.~~ CALL OF THE CALENDAR
- ~~14.~~ THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 104 - 1997

BY: PARKS AND RECREATION COMMITTEE

Filed 2-6
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.

- ~~15.~~ SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 112 - 1997

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

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.

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

→ Tom Brown is ex-6th Ward councilman. - Need money for Community Park

THERE ARE NO PUBLIC HEARINGS PRIOR TO THE MEETING TONIGHT

SHARON HOWELL
CLERK OF COUNCIL

DATE: June 16, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 117 - 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.

* (d) All new hires pursuant to The Collective Bargaining Agreements must be City residents within one (1) year from the date of hire.

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 that all City employees comply with the residency requirement 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 16, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 118 - 1997

BY: SEWER AND WASTE DISPOSAL 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 the Nave-Richville Sanitary Sewer Extension, 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 the Nave-Richville Sanitary Sewer Extension.

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 and receive sealed bids according to law, for the Nave-Richville Sanitary Sewer Extension.

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 for the construction of the Nave-Richville Sanitary Sewer Extension 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: June 16, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 119 - 1997

BY: SEWER AND WASTE DISPOSAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with American Landfill, Inc. for the disposal of municipal solid waste 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 American Landfill, Inc. for the disposal of municipal solid waste for 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 enter into a contract, without competitive bidding, with American Landfill, Inc. for the disposal of municipal solid waste for the City of Massillon.

Section 3:

The cost of this professional service will not exceed the amount of Eighteen Dollars (\$18.00) per ton and the contract shall be for a period of three (3) years. Copy of said contract is attached hereto as Exhibit "A".

Section 4:

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 more efficient operation of the Solid Waste Department 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

WASTE DISPOSAL AGREEMENT

THIS WASTE DISPOSAL AGREEMENT ("Agreement"), made as of this _____ day of _____, 1997, by and between the CITY OF MASSILLON, OHIO, with its principal address of One James Duncan Plaza, Massillon, Ohio 44646 ("Massillon") and AMERICAN LANDFILL, INC., with its principal offices at One American Way, Warren, Ohio 44484-5555 ("Operator").

1. Solid Waste Disposal. Operator agrees to accept for disposal at its landfill located in Waynesburg, Stark County, Ohio (the "Landfill"), any amount of Acceptable Waste (as hereinafter defined) generated in and delivered by Massillon, up to a maximum of fifty (50) tons per day. During the term of this Agreement, Massillon agrees to deliver to the Landfill an average of six hundred (600) tons of MSW (as hereinafter defined) per month.

2. Term of Agreement. The term of this Agreement shall be for a period of three (3) years commencing on June 20, 1997.

3. Consideration. Massillon shall pay for the disposal of Acceptable Waste at the applicable rate per ton which is set forth in Exhibit A attached to this Agreement (the "Disposal Rate"). In addition to the Disposal Rate, Massillon shall pay any and all new or increased taxes, fees, charges or other impositions which are required to be charged or collected by the Operator by any federal, state or local governmental entity ("Governmental Fees"). Massillon shall pay Operator within fifteen (15) days from the invoice date the full amount set forth on such invoice.

4. Acceptable Waste. "Acceptable Waste" shall mean to the extent permitted to be disposed of at the Landfill: (1) all scrap car, truck and off-highway tires (collectively, the "Tires"), and (2) all types of garbage, rubbish and other refuse which has been generated in the City of Massillon which is commonly described as household curbside rubbish and commercial garbage (collectively, the "MSW") but excluding other wastes which are in the industry not included as household curbside rubbish and commercial garbage; such exclusions including but not being limited to batteries, medical and infectious waste, hospital waste, industrial waste, industrial and municipal sludges, asbestos, hazardous materials and contaminated soils.

5. Extended Hours. In connection with Massillon's "City Cleanup Day Program", Operator shall extend its normal Saturday operating hours for an extra three (3) hours two (2) times per year during the Term of this Agreement, with such days to be mutually agreed to by the parties hereto.

6. Representations and Warranties. Massillon and Operator each represent and warrant that, in all matters each party is in compliance with and will comply with all applicable federal, State of Ohio and local laws, regulations, rules and orders. Massillon represents and warrants that it shall provide to Operator for disposal only Acceptable Waste.

7. Indemnification. Each party ("Indemnitor") will indemnify, defend and save harmless the other party, its present and future officers, directors, shareholders, employees, agents, subcontractors, parent corporation and assignees (collectively "Indemnitee") from and against and all actual or alleged liabilities, penalties, costs and expenses incidental thereto (including the cost of defense, settlement, and reasonable attorney's fees), which an Indemnitee may hereafter suffer, incur, be responsible for, or pay out as a result of bodily injuries (including death) to any person (including employees of the parties hereto), damage to any property (public or private), contamination of or adverse effects on the environment due to spills, and/or any violation or alleged violation of laws, orders, rules or regulations of any governmental entity or agency, directly or indirectly caused by, or arising out of any act or omission of the Indemnitor, its employees, subcontractors, or agents acting on behalf of Indemnitor in the performance of this Agreement, or the breach of any term, provision, covenant, representation or warranty of an Indemnitor set forth in this Agreement; provided, however, that such indemnification shall not apply to the extent of any losses, damages, liabilities or expenses resulting from or arising out of the negligent or willful acts or omissions of the Indemnitee. This indemnification and all other obligations stated in this paragraph shall survive the termination of this Agreement.

8. Failure to Perform. Neither party hereto shall be liable for its failure to perform hereunder due to circumstances beyond its reasonable control, including but not limited to strikes or other labor disputes; breakage or accidents to machinery or equipment; shortages of supplies, materials, equipment, or vehicles; riots, civil disturbance or sabotage; an order, directive, judgment or other act of any federal, state or local court, agency or governmental authority; the denial, loss, suspension, expiration or termination of any permit, license or other governmental approval; the adoption or change of any applicable law, rule or regulation adversely affecting a party's obligation hereunder; fires, floods, explosions, accidents, weather or acts of God affecting either party hereto.

9. Miscellaneous. This Agreement constitutes the entire understanding between the parties and shall be binding upon all parties hereto, their successors, heirs, representatives and permitted assigns. This Agreement may only be amended or modified in a writing signed by both parties hereto. Any waiver must be in writing. This Agreement may not be assigned by either party without the prior written consent of the other party. This Agreement shall be governed by and construed in accordance with the laws of the State of Ohio. If any term, covenant, warranty, paragraph, clause, condition, or provision of this Agreement is held by a court of competent jurisdiction to be invalid, void, or unenforceable, then such term, covenant, warranty, paragraph, clause, condition, or provision shall be deemed rewritten to allow for its maximum enforcement under the law and the remainder of the provisions of this Agreement shall remain in full force and effect and shall in no way be affected, impaired, or invalidated. The representations and warranties contained herein shall survive the termination of this Agreement for the period of the statute of limitations applicable to any claim or action brought based upon those representations and warranties. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have authorized the individuals whose signatures appear below to sign this Agreement on behalf of Operator and Massillon with full authority to bind Operator and Massillon respectively.

AMERICAN LANDFILL, INC.

CITY OF MASSILLON

By: _____
Its: _____

By: _____
Its: _____

Attest:

Attest:

EXHIBIT A
DISPOSAL RATES

MSW Disposal Rates:

During Years 1 and 2: \$18.00 per ton
During Year 3: Not to exceed 110 percent of Year 1 and Year 2 prices

Tire Disposal Rates:

During Years 1 and 2: \$62.50 per ton of car tires
\$62.50 per ton of truck tires
\$103.00 per ton of off-highway tires

During Year 3: Not to exceed 110 percent of Year 1 and Year 2 prices

The foregoing Disposal Rates include current governmental fees. Any new or increased fees are the responsibility of Massillon.

DATE: June 16, 1997

CLERK: SHARON HOWELL

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CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 120 - 1997

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Massillon Development Foundation Area Annexation, and declaring an emergency.

WHEREAS, certain property owners have filed a petition requesting the Massillon Development Foundation 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 Perry Township Hall, at 3111 Hilton Street N.W. on Wednesday, July 28, 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 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 would facilitate the growth of 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 16, 1977 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 121 - 1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Safety and Service of the City of Massillon, Ohio, to enter into a contract agreement with the Wastewater Treatment employees, that shall be in effect from March 17, 1997 through March 19, 2000, 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 are hereby authorized to enter into a contract agreement with the Wastewater Treatment Employees, that shall be in effect from March 17, 1997 until March 19, 2000.

Section 2:

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 contract with the Wastewater Treatment Employees be executed immediately. 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 K. HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

DATE: June 16, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 122 - 1997

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - BUILDING DEPARTMENT of Ordinance No. 94 - 1994 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - BUILDING DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - BUILDING DEPARTMENT, 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:

Section 2(D) OCCUPATION LIST OF CLASS TITLES - BUILDING DEPARTMENT of Ordinance No. 94 - 1994 be and is hereby repealed.

Section 2:

That a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - BUILDING DEPARTMENT of Ordinance No. 94 - 1994 be and is hereby enacted and shall read as follows:

(SEE ATTACHMENT 'A' PAGE 5; AND INSERT IN THE SALARY ORDINANCE 94 - 1994)

Section 3:

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the additional reason that the provisions hereby enacted are immediately necessary for the more efficient operation of the Building Department of the City of Massillon, Ohio. 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

CLASS	DEPARTMENT & GRADE SCHEDULE	TITLE DESCRIPTION
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* BASE RATE EFFECTIVE SCHEDULE

	BUILDING DEPT.	415		<u>March 21, 1994</u>	<u>March 20, 1995</u>	<u>March 18, 1996</u>
20S	SU UN		Chief Building Official	"		
16S	CL		Building Inspector	"	\$42.04 Per Mtg	\$43.51 Per Mtg
16S	CL		Electrical Inspector	"	\$12.24 Per Hr	\$12.67 Per Hr
16S	CL		Plumbing Inspector	"	\$12.24 Per Hr	\$12.67 Per Hr
9S	CL		Secretary	"	\$ 6.80 Per Hr	\$ 7.04 Per Hr
6S	CL		Clerk Typist II	"		\$38.00 Per Hr
			PART TIME/TEMPORARY/SEASONAL			\$25.00 Per Hr
	UN		Sec. - Zoning Board	\$40.82 Per Mtg		
	UN		Elec. Inspec. back-up	\$11.88 Per Hr		
	UN		Plumbing Inspec. "	\$11.88 Per Hr		
	UN		Clerk Typist	\$ 6.60 Per Hr		
	UN		Plans Examiner			
	*		Class III Inspector (back-up)			

21S	SU UN		<u>SAFETY/TRAFFIC - DEPT 420</u>	<u>March 21, 1994</u>
16H	A		Chief Electrician	"
14H	A		Electrician III	"
13H	A		Electrician II	"
13H	A		Electrician I	"
12H	A		Light Equipment Operator	"
11H	A		Truck Driver	"
11H	A		Electrician Helper	"
9H	A		Laborer II	"
1H	A		Laborer I	"
			Temporary Labor	"

		<u>STREET DEPARTMENT</u>	435	
22S	SU UN	Operations Superintendent		<u>January 9, 1996</u>
19S	SU UN	Street Superintendent		<u>March 21, 1995</u>
18H	SU CL	Street Department Foreman		"
16H	A	Street Group Leader		"
15H	A	Heavy Equipment Operator		"
13H	A	Light Equipment Operator		"
12H	A	Truck Driver		"
11H	A	Laborer II		"
10H	A	Storekeeper		"
9H	A	Laborer I		"
1H	A	Temporary Labor		"

DATE: July 16, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 123 - 1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriated balance of the General 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:

The appropriated balance of the General Fund of the City of Massillon, Ohio, be and hereby is reduced for the year ending December 31, 1997, as follows:

\$ 3,480.35 to an account entitled "Supplies" SUMMER FEEDING PROGRAM
1100.845.2410

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 to implement the 1997 Summer Feeding Program 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., MAYOR2

DATE: June 16, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 124 - 1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1997 appropriation from within 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 1997 appropriation from within the General Fund of the City of Massillon, Ohio, the following:

\$ 1,500.00 FROM: "Postage" 1100.125.2350
TO: "Bailiff Vehicle Maintenance" 1100.135.2331

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for the operation of the Massillon Municipal Court for 1997, 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

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 125 - 1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the, General Fund, Capital Improvement Fund, Massillon Muni Court C.I. Fund, Fire Damage Structure Fund, and of the Youth Center Activity Fund 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:

\$ 50,000.00 to an account entitled "Special Council Fees" 1100.115.2395

Section 2:

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:

\$ 25,000.00 to an account entitled "Police Computers" 1401.305.2531
\$ 10,000.00 to an account entitled "Police Protective Equip." 1401.305.2532
\$ 5,300.00 to an account entitled "Fire Department-Telephone Replacement"
1401.325.2511

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Massillon Muni Court C.I. Fund of the City of Massillon, Ohio, for the year ending December 31, 1997, the following:

\$ 25,000.00 to an account entitled "New Equipment-Muni Court" 1430.125.2530

Section 4:

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

\$ 18,195.82 to an account entitled "Fire Damage Structure" 3107.905.2390

Section 5:

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

\$12,425.00 to an account entitled "Activity" 1224.875.2380
\$ 4,000.00 to an account entitled "supplies" 1224.875.2410
\$ 1,400.00 to an account entitled "Salary" 1224.875.2110

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: June 16, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 126 - 1997

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Parks and Recreation Board of the City of Massillon, Ohio, to file an application for an Ohio Department of Natural Resources (ODNR) Grant with the ODNR for funding under the Nature Works Program, and declaring an emergency.

WHEREAS, the State of Ohio, through the Ohio Department of Natural Resources, administers financial assistance for public recreation purposes, through the federal Land and Water Conservation Fund Program and/or the State of Ohio Nature Works, and

WHEREAS, the Parks and Recreation Board of the City of Massillon, Ohio, plans to apply for an Ohio Department of Natural Resources Grant for funding.

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

Section 1:

The Parks and Recreation Board of the City of Massillon is hereby authorized to file an application with Ohio Department of Natural Resources (ODNR) for funding assistance under the Nature Works Program.

Section 2:

The Parks and Recreation Board of the City of Massillon does agree to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms and conditions of the Nature Works Program.

Section 3:

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 further reason that the application for the Nature Works Program must be submitted to the Ohio Department of Natural Resources by July 1~~0~~, 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., MAYOR2

DATE: June 16, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 6 - 1997

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION estimating the aggregate maximum amount of public funds for the City of Massillon, Ohio, to be awarded and be on deposit as of August 1, 1997 to and including July 31, 1999, inviting bids from banking institutions qualified to serve as depositories of municipal funds under the Uniform Depository Act of the State of Ohio, fixing the date for the designation of such depositories, and declaring an emergency.

WHEREAS, the present depository agreement between the local banks and the City of Massillon, Ohio, for the deposit of municipal funds expires on July 31, 1997; and

WHEREAS, it is necessary for the City to enter into a new agreement pursuant to the provisions of the Uniform Depository Act of the State of Ohio;'

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

Section 1:

The Treasurer of the City of Massillon, Ohio, be and is hereby authorized to invite banking institutions in the City of Massillon, Ohio, duly qualified to serve as depositories of municipal funds under the provisions of the Uniform Depository Act of the State of Ohio, to serve as depositories of the municipal funds of said City for two (2) year period from and including August 1, 1997 to and including July 31, 1999.

Section 2:

That the meeting for the designation of the depositories will be held at 7:00 P.M. on Monday, July 21, 1997, in the Council Chambers of the City Hall.

Section 3:

That the Clerk of this Council shall cause a copy of this Resolution together with a notice of the date on which the meeting for the designation of such depository will be held to be published once a week for two (2) consecutive weeks in two (2) newspapers of general circulation in Stark County, Ohio.

Section 4:

That all applications shall be presented to the Treasurer of the City of Massillon, Ohio, not later than 12:00 Noon Wednesday, July 2, 1997, and said applications shall contain any and all information so requested by said Treasurer.

Section 5:

That this Resolution is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that it is necessary to give this Resolution immediate effect in order that the various city officers can provide the steps necessary for the timely execution of depository contracts within the time limitation imposed by state law. Wherefore, this Resolution shall be in full force and effect immediately from and after passage and upon approval by the Mayor.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1997

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

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