

AGENDA

DATE: JULY 6, 1998
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INVOCATION - COUNCILMAN GLENN GAMBER
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

DEAN HANWICK
J. AMEN
P. LAMBERT
} ABSENT
TIM BRYAN - Acting President

ORDINANCE NO. 131 - 1998 BY: RULES, COURTS & CIVIL SERVICE COMM.

P
AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - BUILDING DEPARTMENT of Ordinance No. 127 - 1997 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. 132 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

P
AN ORDINANCE authorizing and directing the Mayor to enter into an agreement with Alfred Nickles Bakery, Inc., and Ryder Transportation Services, a subsidiary of Ryder System, Inc. providing for the adoption of a project which will expand a facility and create employment opportunities within the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 133 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

P
AN ORDINANCE authorizing and directing the Mayor to enter into an agreement with NFM/Welding Engineers, Inc., providing for the adoption of a project which will expand a facility and create employment opportunities within the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 134 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

LDH
File
P
AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 135 - 1998 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.

SDH
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 and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the construction of the Lake Street N.E. Widening Project in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 136 - 1998 BY: SEWER AND WASTE DISPOSAL COMMITTEE

CRG
P
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 1, on the Nave-Richville Sanitary Sewer Extension Project, without competitive bidding, with Bietzel Excavating Inc., and declaring an emergency.

ORDINANCE NO. 137 - 1998 BY: SEWER AND WASTE DISPOSAL COMMITTEE

SDH
P
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to file all appropriate applications and nomination forms with The Ohio Water Pollution Control Loan Fund for a 20-year Construction Loan to assist in the construction of the Fothergill-Bellmont Sanitary Sewer Project, and declaring an emergency.

ORDINANCE NO. 138 - 1998 BY: SEWER AND WASTE DISPOSAL COMMITTEE

SDH
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 and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the construction of the Fothergill-Bellmont Sanitary Sewer Project in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 139 - 1998

BY: SEWER AND WASTE DISPOSAL COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications, and to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the construction of the Springhaven/Springhill Allotment Storm Sewer in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 140 - 1998

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the issuance of not to exceed \$825,000. of notes in anticipation of the issuance of bonds for the purpose of constructing two additional ramps at the existing State Route 21 and Erie Street interchange lying within the City of Massillon; retiring notes previously issued for such purpose, and declaring an emergency.

ORDINANCE NO. 141 - 1998

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 1998 appropriation from within the General Fund of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 142 - 1998

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund, Parks and Recreation Capital Improvement Fund, Capital Improvement Fund, Municipal Court Computing Fund, ADR Fund, and Wastewater Treatment Fund, of the City of Massillon, Ohio, for the year ending December 31, 1998, and declaring an emergency.

RESOLUTION NO. 15 - 1998

BY: FINANCE COMMITTEE

A RESOLUTION for the proposed budget for the fiscal year 1999.

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 JUNE 1998
- B). AUDITOR SUBMITS MONTHLY REPORT FOR JUNE 1998
- C). TREASURER SUBMITS MONTHLY REPORT FOR MAY 1998

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

Motion to be made to reconsider ORDINANCE NO. 125 - 1998 for amendments.

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 122 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from Tuscarawas Township to Massillon Zoning, and declaring an emergency.

RESOLUTION NO. 14 - 1998

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.

A RESOLUTION changing the address of that portion of Lincoln Way West in front of One First National Plaza to One First Merit Plaza in the City of Massillon, Ohio.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 126 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

AN ORDINANCE amending the agreement between the City of Massillon and Lukens Steel Company, under the Ohio Urban Jobs and Enterprise Zone Program, by the assignment by Lukens Steel Company to Allegheny Ludlum Corporation its interest, rights and duties under the original Enterprise Zone Agreement, and declaring an emergency.

July 6, 1998

16. NEW AND MISCELLANEOUS BUSINESS
17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA
 - A). ANNA MAVRAKIS TO SPEAK ON NEIGHBORHOOD PROBLEMS
18. ADJOURNMENT

SHARON HOWELL
COUNCIL CLERK

THERE ARE TWO PUBLIC HEARINGS SCHEDULED THIS EVENING
RESOLUTION NO. 15 - 1998 (PROPOSED 1999 BUDGET) 6:45 P.M.
ORDINANCE NO. 122 - 1998 AT 7:00 P.M.

DATE: July 6, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 131 - 1998

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - BUILDING DEPARTMENT of Ordinance No. 127 - 1997 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. 127 - 1997 be and is hereby repealed.

Section 2:

That a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - BUILDING DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby enacted and shall read as follows:

(SEE ATTACHMENT 'A' PAGE 4; AND INSERT IN THE SALARY ORDINANCE 127 - 1997)

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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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

CLASS GRADE	SCHEDULE	DEPARTMENT & TITLE DESCRIPTION	
		<u>ENGINEERING DEPT CONT.</u>	
15S	CL	Contract Manager	
14S	CL	Construction Inspector III	
14S	CL	Engineering Aide III	
12S	CL	Construction Inspector II	
12S	CL	Engineering Aide II	
11S	CL	Engineering /Planning Clerk	
10S	CL	Construction Inspector I	
10S	CL	Engineering Aide I	
9S	CL	Secretary	
		<u>PART TIME/TEMPORARY/SEASONAL</u>	
	MS	Clerk/Laborer	
		<u>CITY HALL/PUBLIC BLDGS</u>	410
12H	SU UN	Chief Custodian	
10H	CL	Janitor	
		<u>BUILDING DEPT</u>	415
20S	SU UN	Chief Building Official	
16S	UN	Building/Plumbing/Electrical Inspector	
9S	UN	Code Enforcement Officer	
9S	UN	*Secretary	
6S	CL	Clerk Typist II	
		<u>PART TIME/TEMPORARY /SEASONAL</u>	
	MS	Secretary - Zoning Board	
	MS	Electrical/Plumbing Inspector Backup	
	MS	Clerk	
	MS	Plans Examiner	
	MS	Class III Inspector (Backup)	
		<u>SAFETY/TRAFFIC DEPT.</u>	420
21S	SU UN	Chief Electrician	
16H	A	Electrician III	
14H	A	Electrician II	
13H	A	Electrician I	
13H	A	Light Equipment Operator	
12H	A	Truck Driver	
11H	A	Electrician Helper	
11H	A	Laborer II	
9H	A	Laborer I	
1H	A	Temporary Labor	
		<u>STREET DEPARTMENT</u>	435
22S	SU UN	Operations Superintendent (Split 1/3)	
19S	SU UN	Street Superintendent	
18H	SU CL	Street Department Foreman	
16H	A	Street Group Leader	
		CONTINUED.....	

DATE: July 6, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 132 - 1998

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Mayor to enter into an agreement with Alfred Nickles Bakery, Inc., and Ryder Transportation Services, a subsidiary of Ryder System, Inc., providing for the adoption of a project which will expand a facility and create employment opportunities within the City of Massillon Enterprise Zone, and declaring an emergency.

Whereas, the City of Massillon has encouraged the development of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and

Whereas, Nickles is desirous of expanding a facility within the Enterprise Zone through the construction of a new eight thousand one hundred (8,100) square foot facility, at a total investment of \$450,000, that will be leased to Ryder to operate a vehicle repair garage for Nickles' transportation fleet and that will preserve employment opportunities (hereinafter referred to as the "Project"), provided that the appropriate development incentives are available to support the economic viability of said Project; and

Whereas, the Council of the City of Massillon, Ohio (hereinafter "Council") by Ordinance No. 163-1994, adopted on July 18, 1994, and as amended by Ordinance No. 57-1998, adopted on March 2, 1998, has designated an area of the City as an "Enterprise Zone" pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, effective September 12, 1994, and as amended on March 13, 1998, the Director of Development of the State of Ohio has determined that the aforementioned area designated in said Ordinance No. 163-1994, and as amended by Ordinance No. 57-1998, contains the characteristics set forth in 5709.61 (A) of the Ohio Revised Code, and has certified said area as an Enterprise Zone under Chapter 5709; and

Whereas, the City of Massillon, having the appropriate authority for the stated type of project, is desirous of providing Nickles and Ryder with the incentives available for development of the Project in the said Enterprise Zone, under Chapter 5709 of the Ohio Revised Code; and

Whereas, Nickles and Ryder have submitted a proposed agreement application, herein attached as Exhibit A, to the City of Massillon, Ohio, requesting that the incentives available for development within the Enterprise Zone be approved for the Project; and

Whereas, the Mayor of the City of Massillon, Ohio, has investigated the Application submitted by Nickles and Ryder, and has recommended approval of the same to the Council on the basis that the enterprises are qualified by financial responsibility and business experience to create and preserve employment opportunities in said Enterprise Zone and to improve the economic climate of the City of Massillon; and

Whereas, the project site as proposed by Nickles and Ryder is located in the Massillon City School District and the Board of Education of said district and any applicable Joint Vocational School District have been notified in accordance with Section 5709.83 and been given a copy of the Application; and

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, does hereby authorize and direct the Mayor to enter into an agreement, attached hereto as Exhibit "A" and with the Alfred Nickles Bakery, Inc., and Ryder Transportation Services, a subsidiary of Ryder System, Inc., providing for the adoption of a project which will expand a facility and create employment opportunities within the City of Massillon Enterprise Zone.

Section 2:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the City of Massillon, Ohio, and for the further reason that approval of said agreement is necessary so as to maximize the investment that will be made by Alfred Nickles Bakery, Inc., within 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING, PRESIDENT

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

DATE July 6, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 133 - 1998

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Mayor to enter into an agreement with NFM/Welding Engineers, Inc., providing for the adoption of a project which will expand a facility and create employment opportunities within the City of Massillon Enterprise Zone, and declaring an emergency.

Whereas, the City of Massillon has encouraged the development of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and

Whereas, National Feedscrew and Machining, Inc., is desirous of expanding an existing facility within the Enterprise Zone through the purchase and installation of first used machinery and equipment, at a total investment of \$2,329,000, and the relocation to the project site of Welding Engineers, presently located in Philadelphia, Pennsylvania, with the result that National Feedscrew will now be known as NFM/Welding Engineers, Inc., (hereinafter referred to as the "Project"), provided that the appropriate development incentives are available to support the economic viability of said Project; and

Whereas, the Council of the City of Massillon, Ohio (hereinafter "Council") by Ordinance No. 163-1994, adopted on July 18, 1994, and as amended by Ordinance No. 57-1998, adopted on March 2, 1998, has designated an area of the City as an "Enterprise Zone" pursuant to Chapter 5709 of the Ohio Revised Code; and

Whereas, effective September 12, 1994, and as amended on March 13, 1998, the Director of Development of the State of Ohio has determined that the aforementioned area designated in said Ordinance No. 163-1994, and as amended by Ordinance No. 57-1998, contains the characteristics set forth in 5709.61 (A) of the Ohio Revised Code, and has certified said area as an Enterprise Zone under Chapter 5709; and

Whereas, the City of Massillon, having the appropriate authority for the stated type of project, is desirous of providing NFM/Welding Engineers, Inc., with the incentives available for development of the Project in the said Enterprise Zone, under Chapter 5709 of the Ohio Revised Code; and

Whereas, NFM/Welding Engineers, Inc., have submitted a proposed agreement application, herein attached as Exhibit A, to the City of Massillon, Ohio, requesting that the incentives available for development within the Enterprise Zone be approved for the Project; and

Whereas, the Mayor of the City of Massillon, Ohio, has investigated the Application submitted by NFM/Welding Engineers, Inc., and has recommended approval of the same to the Council on the basis that the enterprise is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Enterprise Zone and to improve the economic climate of the City of Massillon; and

Whereas, the project site as proposed by NFM/Welding Engineers, Inc., is located in the Massillon City School District and the Board of Education of said district and any applicable Joint Vocational School District have been notified in accordance with Section 5709.83 and been given a copy of the Application; and

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, does hereby authorize and direct the Mayor to enter into an agreement, attached hereto as Exhibit "A" with the NFM/Welding Engineers, Inc., providing for the adoption of a project which will expand a facility and create employment opportunities within the City of Massillon, Ohio.

Section 2:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the City of Massillon, Ohio, and for the further reason that approval of said agreement is necessary so as to maximize the investment that will be made by NFM/Welding Engineers, Inc., within 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; herwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING, PRESIDENT

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

DATE: July 6, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 134 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, a petition for the annexation for certain territory in Jackson Township, was duly filed by Steven D. Hamit, Agent for the petitioners, and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Stark County on April 15, 1998, and

WHEREAS, the Board of County Commissioners on April 30, 1998, approved the annexation of said territory to the City of Massillon as hereinafter described, and

WHEREAS, the Board of County Commissioners certified the transcript and pertinent documents of proceedings in connection with said annexation with the map and petition required in connection therewith, to the City Auditor of the City of Massillon, who received same on May 4, 1998, and

WHEREAS, at least two-thirds of the members elected to Council of the City of Massillon, Ohio, have found, considered and determined that in order to annex said territory to the City of Massillon, this constitutes an emergency, requiring immediate action.

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

Section 1:

The application of Steven D. Hamit, Agent for the petitioners is hereby accepted for the annexation of the following described territory in the County of Stark and adjacent to the City of Massillon, to wit:

Known as and being part of the Southeast Quarter of Section 32, Township 11, (Jackson Township) R-9, Stark County, Ohio and being more particularly bounded and described as follows;

Beginning for the same at a point marked by a monument found at the southeast corner of the Southeast Quarter of said Section 32;

Thence N04°25'00"E along a portion of the east line of said Southeast Quarter Section 32, and along a portion of the centerline of Wales Avenue (S.R. 241) (Variable R/W) a distance of 536.62 feet to a point marked by a Mag nail set at the Northeast corner of a tract of land now or formerly owned by Aultman Health Foundation, as recorded in Recorders Image No. 97037042 in the Stark County Records of Deeds; Thence N85°55'24"W along a portion of the north line of said Aultman Health Foundation tract of land, a distance of 40.00 feet to a point marked by a ½ inch iron bar set at the southwest corner of a 0.0457 acre tract of land now or formerly owned by the Board of Stark County Commissioners, as recorded in Official Record Volume 821, Page 491 in the Stark County Records of Deeds and being the true place of beginning for the tract of land herein to be annexed;

Thence continuing N85°55'24"W along a portion of the north line of said Aultman Health Foundation, tract of land a distance of 261.46 feet to a point marked by an iron bar set;

Thence S04°31'53"W along a line being parallel with the east line of Devan Heights Allotment, as recorded in Plat Book 33, Page 56 in the Stark County Records of Plats a distance of 210.95 feet to a point marked by an iron bar set on the present City of Massillon Corporation line;

Thence N85°54'30"W along a portion of the present City of Massillon Corporation line and also being a portion of the north line of Outlot 749 in said City a distance of 250.00 feet to a point marked by an iron bar with Cooper & Associates Cap found on the east line of Lot 36 in said Devan Heights Allotment;

Thence N04°31'53"E along a portion of the east line of said Lot 36, and the east line of Lot 35 in said Devan Heights Allotment, a distance of 413.50 feet to a point marked by an iron bar found on the south line of a tract of land now or formerly owned by H. Krantz, as recorded in Deed Volume 4212, Page 936 in said deed records;

Thence S85°33'15"E along a portion of the south line of said H. Krantz tract of land and its easterly extension, and the south line of a tract of land now or formerly owned by T. & C. Meldrum, as recorded in Official Record Volume 5, Page 527 in said deed records a distance of 131.56 feet to a point marked by a 5/8 inch iron bar with ECM Cap found;

Thence N04°25'00"E along a portion of the east line of said T. & C. Meldrum tract of land a distance of 1.50 feet to a point marked by a 5/8 inch iron bar with ECM Cap found;

Thence S85°33'15"E along the north line of a 0.0124 acre tract of land now or formerly owned by Aultman Health Foundation, as recorded in Recorders Image No. 98003310 in the Stark County Records of Deeds, a distance of 379.49 feet to a point marked by a 1/2 inch iron bar set;

Thence S04°25'00"W along a portion of the west Right-of-Way Line of Wales Avenue (S.R. 241) (the same being the west line of previously stated 0.0457 acre Board of Stark County Commissioners tract of land and it's northerly extension) a distance of 200.82 feet to a point marked by a 1/2 inch iron bar set at the southwest corner of said 0.0457 acre tract of land and being the true place of beginning and containing 3.582 acres of land more or less.

Section 2:

The City Council Clerk be and hereby is directed to file certified copies of said annexation containing the petition, map accompanying the petition, a transcript of the proceedings of the County Commissioners, and this ordinance, with the Stark County Recorder and the Secretary of State.

Section 3:

The Clerk of this Council be and hereby is directed to file with the Clerk of the Board of Commissioners of Stark County, as well as the County Board of Elections, notice in writing of the boundary changes of the City of Massillon hereby affected together with a map of the annexed territory.

Section 4:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is necessary for the more efficient operation of the City of Massillon, Ohio, and for the additional reason that it is in the best interest of the property owners in the annexed area that their property become a part 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING, PRESIDENT

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

DATE: July 6, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 135 - 1998

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications, and to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the construction of the Lake Street N.E. Widening Project in the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary and in the public health, safety and welfare to prepare plans and specifications and to advertise for and receive sealed bids according to law, and to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the construction of the Lake Street N.E. Widening Project in the City of Massillon, Ohio.

Section 2:

That the Director of Public Safety and Service of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for and receive sealed bids according to law, and to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the construction of the Lake Street N.E. Widening Project in the City of Massillon, Ohio.

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that plans and specifications be prepared so that bids may be received to construct the widening of Lake Street N.E.. 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 _____, 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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

DATE: July 6, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 136 - 1998

BY: SEWER AND WASTE DISPOSAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 1, on the Nave-Richville Sanitary Sewer Extension Project, without competitive bidding, with Bitzel Excavating Inc., 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 for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 1, on the Nave-Richville Sanitary Sewer Extension Project, without competitive bidding, with Bitzel Excavating Inc.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve Change Order No. 1, on the Nave-Richville Sanitary Sewer Extension Project, without competitive bidding, with Bitzel Excavating Inc. The cost of said Change Order No. 1 shall not exceed Thirty Eight Thousand Six Hundred Sixty Two Dollars and Eighty-Five Cents (\$38,662.85).

Section 3:

That upon the completion of said services the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for such services and the City Auditor is hereby authorized and directed to honor and pay said vouchers.

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 further reason that said services are necessary for the completion of the Nave-Richville Sanitary Sewer Extension Project that is currently under way, and that the funds are in account. 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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

DATE: July 6, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 137 - 1998

BY: SEWER AND WASTE DISPOSAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to file all appropriate applications and nomination forms with The Ohio Water Pollution Control Loan Fund for a 20-year Construction Loan to assist in the construction of the Fothergill-Belmont Sanitary Sewer Project, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary and in the public health, safety and welfare to authorize the Director of Public Service and Safety of the City of Massillon, Ohio, to file all appropriate applications and nomination forms with The Ohio Water Pollution Control Loan Fund for a 20-year Construction Loan to assist in the construction of the Fothergill-Belmont Sanitary Sewer Project.

Section 2:

That the Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to file all appropriate applications and nomination forms with The Ohio Water Pollution Control Loan Fund for a 20-year Construction Loan to assist in the construction of the Fothergill-Belmont Sanitary Sewer Project.

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 to submit the Fothergill-Belmont Sanitary Sewer Project to receive an Ohio Water Pollution Control Loan. 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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

DATE: July 6, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 138 - 1998

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 and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the construction of the Fothergill-Belmont Sanitary Sewer Project in the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary and in the public health, safety and welfare to prepare plans and specifications and to advertise for and receive sealed bids according to law, and to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the construction of the Fothergill-Belmont Sanitary Sewer Project in the City of Massillon, Ohio.

Section 2:

That the Director of Public Safety and Service of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for and receive sealed bids according to law, and to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the construction of the Fothergill-Belmont Sanitary Sewer Project in the City of Massillon, Ohio.

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that plans and specifications be prepared so that bids may be received to construct the sanitary sewer. 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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

DATE: July 6, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 139 - 1998

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 and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the construction of the Springhaven/Springhill Allotment Storm Sewer in the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary and in the public health, safety and welfare to prepare plans and specifications and to advertise for and receive sealed bids according to law, and to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the construction of the Springhaven/Springhill Allotment Storm Sewer in the City of Massillon, Ohio.

Section 2:

That the Director of Public Safety and Service of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for and receive sealed bids according to law, and to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the construction of the Springhaven/Springhill Allotment Storm Sewer in the City of Massillon, Ohio.

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that plans and specifications be prepared so that bids may be received to construct the storm sewer. 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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

DATED: JULY 6, 1998

CLERK: SHARON K. HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 140 - 1998

BY: THE FINANCE COMMITTEE

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$825,000 OF NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF CONSTRUCTING TWO ADDITIONAL RAMPS AT THE EXISTING STATE ROUTE 21 AND ERIE STREET INTERCHANGE LYING WITHIN THE CITY OF MASSILLON; RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 71-1997, duly adopted March 17, 1997, notes in the principal amount of Two Million One Hundred Sixty Thousand Dollars (\$2,160,000) (the "Outstanding Notes") dated March 25, 1997, were issued in anticipation of the issuance of bonds for the purpose hereinafter stated, which Outstanding Notes will mature August 14, 1998, and it appears advisable in lieu of issuing bonds at this time to issue new notes in anticipation of the issuance of bonds; and

WHEREAS, the City Auditor (the "City Auditor") of the City of Massillon (the "City") has certified to this City Council (the "Council") that the estimated life of the improvement stated in the title of this ordinance (the "Project") which is to be financed with the proceeds of bonds and notes hereinafter referred to exceeds five (5) years, the maximum maturity of bonds being twenty (20) years and notes being twenty (20) years;

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

Section 1. It is hereby declared necessary to issue bonds (the "Bonds") of the City in the principal sum of not to exceed \$2,160,000 for the purpose of paying the cost of financing the Project.

Section 2. The Bonds shall be dated prior to the maturity date of the Notes (as defined hereinbelow), shall bear interest at the maximum average annual interest rate presently estimated to be six and one-half per centum (6.5%) per annum, payable semiannually until the principal sum is paid and shall mature in twenty (20) annual installments.

Section 3. It is necessary to issue and this Council hereby determines that notes shall be issued in anticipation of the issuance of the Bonds and to retire the Outstanding Notes.

Section 4. Such anticipatory notes (the "Notes") shall be in the amount of not to exceed \$825,000, which sum does not exceed the amount of the Bonds. The Notes shall be dated the same as or prior to the maturity date of the Outstanding Notes and shall mature not later than one year after their issuance. The Notes shall be issued in such form as shall be mutually acceptable to the City and the purchaser thereof and shall be executed and delivered in such number and such denominations as shall be requested by the purchaser thereof. Coupons shall not be attached to the Notes. The Notes shall be issued in denominations of \$5,000 or any integral multiple thereof.

Section 5. The Notes shall be the full general obligation of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Bonds and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity, together with interest thereon, and is hereby pledged for such purpose.

Section 6. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Notes are outstanding, in an amount which is sufficient to provide funds to pay interest upon the Notes as and when the same fall due and to provide a fund for the repayment of the principal of the Notes at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 7. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Notes and Bonds when and as the same fall due. Notwithstanding the foregoing, if the City determines that funds will be available from other sources for the payment of the Notes and Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the City shall appropriate such funds to the payment of the Notes and Bonds in accordance with law.

Section 8. The Notes shall bear interest at such rate per annum as shall be determined by the City Auditor and certified to this Council, provided that such rate shall not exceed six per centum (6%) per annum, based on a 360-day year of twelve 30-day months, payable at maturity. The Notes shall be, and hereby are, awarded and sold to such purchaser as shall be determined by the City Auditor and certified to

this Council (the "Original Purchaser") at the par value thereof, and the City Auditor of this Council is hereby authorized and directed to deliver the Notes, when executed, to said purchaser upon payment of the purchase price and accrued interest, if any, to the date of delivery.

The proceeds of such sale, except any accrued interest or premium thereon, shall be deposited in the City's Bond Retirement Fund and used for the purpose aforesaid and for no other purpose.

Any accrued interest or premium on the Notes shall be transferred to the Bond Retirement Fund to be applied to the payment of the principal and interest on the Notes in the manner provided by law.

Section 9. The Notes shall be executed by the City Auditor and the Mayor, provided that either but not both of such signatures may be a facsimile, shall be designated "City of Massillon, Stark County, Ohio S.R. 21 Improvement Notes", shall be payable as to both principal and interest at the office of FirstMerit Citizens National Bank in the City of Massillon, Ohio, or such other bank as shall be acceptable to the City and the Original Purchaser, and shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this ordinance.

Section 10. The City hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Notes is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Notes so that the Notes will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City further covenants that it will restrict the use of the proceeds of the Notes in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred, so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, or any other officer of the City, including the Mayor, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Notes as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, which action shall be in writing and signed by the City Auditor, or any other officer of the City, including the Mayor, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Notes sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Notes which limits the amount of Note proceeds which may be invested on an unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor of the City is hereby

authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Notes requires any such reports or rebates.

The Notes are hereby designated by the City to be "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code. The City Auditor, or any other officer of the City, including the Mayor, is authorized and directed to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the representations, warranties and covenants of the City designed to assure that the Notes will remain "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code.

Section 11. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Notes and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Notes and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the City Auditor and a no-litigation certificate of the Mayor and the City Auditor, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein.

Section 12. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 13. It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Notes.

Section 14. The Clerk is hereby directed to forward a certified copy of this ordinance to the Auditor of Stark County, Ohio.

Section 15. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason that notes heretofore issued are about to mature and it is necessary to make immediate provision for their repayment in order to preserve the credit of the City; wherefore this ordinance shall take effect and be in force from and immediately after its adoption.

Adopted in Council on this _____ day of July, 1998.

Attest:

Clerk

President of Council
ACTING

Approved:

Mayor

CERTIFICATE

The undersigned Clerk hereby certifies that the foregoing is a true copy of Ordinance No. ____-1998 duly adopted by the Council of the City of Massillon, Ohio on July ____, 1998, and that a true copy thereof was certified to the County Auditor of Stark County, Ohio, on _____, 1998.

Clerk
City of Massillon, Ohio

DATE: July 6, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 141 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1998 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 is hereby transferred from the 1998 appropriation from within the General Fund of the City of Massillon, Ohio, the following:

\$88,200.00 FROM: "Workers Comp" 1100.905.2270
TO:
\$24,000.00 "Hospitalization" 1100.130.2210
\$20,000.00 "Hospitalization" 1100.125.2210
\$11,000.00 "Hospitalization" 1100.705.2210
\$10,000.00 "Hospitalization" 1100.135.2210
\$ 7,000.00 "P.E.R.S." 1100.415.2230
\$ 5,000.00 "P.E.R.S." 1100.130.2230
\$ 2,000.00 "P.E.R.S." 1100.126.2230
\$ 2,000.00 "P.E.R.S." 1100.160.2230
\$ 2,000.00 "Medicare" 1100.325.2231
\$ 2,000.00 "P.E.R.S." 1100.710.2230
\$ 1,000.00 "P.E.R.S." 1100.105.2230
\$ 1,000.00 "P.E.R.S." 1100.175.2230
\$ 500.00 "Medicare" 1100.125.2231
\$ 500.00 "Medicare" 1100.410.2231
\$ 200.00 "P.E.R.S." 1100.440.2230

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 efficient operation of the various departments 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 142 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund, Parks and Recreation Capital Improvement Fund, Capital Improvement Fund, Municipal Court Computing Fund, ADR Fund, and Wastewater Treatment Fund, of the City of Massillon, Ohio, for the year ending December 31, 1998, 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 Community Development Block Grant Program Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$125,000.00 to an account entitled "Housing Rehabilitation" 1402.845.2806
\$ 12,000.00 to an account entitled "Youth Center" 1402.845.2804
\$ 5,000.00 to an account entitled "Fair Housing" 1402.845.2814
\$ 2,500.00 to an account entitled "Drug Task Force" 1402.845.2829

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Parks and Recreation Capital Improvement Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$110,000.00 to an account entitled "Capital Improvement Project" 1433.505.2510

Section 3:

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, 1998, the following:

\$ 56,234.77 to an account entitled "EMS Unit-Fire Dept." 1401.325.2531
\$ 50,000.00 to an account entitled "16th Street Professional Study" ✓
1401.435.2534
\$ 10,000.00 to an account entitled "Storm Sewer" 1401.435.2511 - 3rd Street NE ✓

Section 4:

There be and hereby is appropriated from the unappropriated balance of the Municipal Court Computing Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ 14,000.00 to an account entitled "Equipment Purchases" 1233.125.2510

Section 5:

There be and hereby is appropriated from the unappropriated balance of the ADR Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ 10,000.00 to an account entitled "Advance To" 1242.125.2750
\$ 8,500.00 to an account entitled "Salary" 1242.125.2110
\$ 1,000.00 to an account entitled "P.E.R.S." 1242.125.2230
\$ 100.00 to an account entitled "Medicare" 1242.125.2231

Section 6:

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, 1998, the following:

\$ 8,042.85 to an account entitled "Nave-Richville Sanitary Sewer Extension" ✓
2101.615.2590

Section 7:

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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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

DATE: July 6, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 15 - 1998

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION for the proposed budget for the fiscal year 1999.

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

Section 1:

(SEE ATTACHED PROPOSED BUDGET)

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

APPROVED:

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT
Tom DeWitt, Dennis Harwig

APPROVED:

FRANCIS H. CICCHINELLI, JR., MAYOR