

AGENDA

DATE: (TUES) SEPT. 8, 1998
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

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

ORDINANCE NO. 189 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement with the Neighborhood Housing Services (NHS) of Massillon, Inc., to provide Housing Rehabilitation Program designed to serve low income households in the City's southeast neighborhoods, and declaring an emergency. BC

ORDINANCE NO. 190 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

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

ORDINANCE NO. 191 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with Massillon Main Street for continuation of its Downtown Rehabilitation Program, and declaring an emergency. BC

ORDINANCE NO. 192 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with Westark Family Services, Inc., for the Senior Citizens Homemaker Program, and declaring an emergency. BC

ORDINANCE NO. 193 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with the Massillon Urban League for the Housing Counseling Program, and declaring an emergency. BC

ORDINANCE NO. 194 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with the Massillon Urban League for the Teen Pregnancy Prevention Program, and declaring an emergency. BC

ORDINANCE NO. 195 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with the Catholic Community Service League of Stark County to assist in the operation of the Family Living Center, and declaring an emergency. BC

ORDINANCE NO. 196 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with the Massillon Commission to Advance Literacy to assist in the Adult Literacy Education and Training Program, and declaring an emergency. BC

ORDINANCE NO. 197 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with the YWCA of Massillon, to assist in the operation of their Y-Tots Day Care Program, and declaring an emergency. BC

ORDINANCE NO. 198 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P AN ORDINANCE approving and authorizing the Mayor to enter into an agreement, with NFM/Welding Engineers, Inc., providing an economic development "inducement grant" to assist the company in relocating to and expanding its operations in Massillon, and declaring an emergency. BC

SEPTEMBER 8, 1998

ORDINANCE NO. 199 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

BC
P
AN ORDINANCE accepting the Final Plat for Vacation Plat and Replat for Forest Hill Allotment No. 2, in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

ORDINANCE NO. 200 - 1998 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.

BC
P
AN ORDINANCE vacating a portion of Penmont Avenue S.E., and declaring an emergency.

ORDINANCE NO. 201 - 1998 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.

SDH
P
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit the Tremont Avenue S.E. Project from 3rd. Street S.E. to West Corp. Line for the proposed 1999 Ohio Public Works Commission Funding and to execute said contract when approved, and declaring an emergency.

ORDINANCE NO. 202 - 1998 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.

SDH
P
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit the Amherst Road N.E. Project from Lake Avenue N.E. to North Corp. Limit for the proposed 1999 Ohio Public Works Commission Funding and to execute said contract when approved, and declaring an emergency.

ORDINANCE NO. 203 - 1998 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.

SDH
P
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit the Lincoln Way West Project from approximately 150' east of 6th Street N.W. to 27th Street for the proposed 1999 Ohio Public Works Commission Funding and to execute said contract when approved, and declaring an emergency.

ORDINANCE NO. 204 - 1998 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

P
8-1
AN ORDINANCE repealing ordinance No. 31 - 1998 and enacting a new ordinance authorizing the Director of Public Service and Safety to enter into an extended contract agreement with the Golf Professional for The Legends of Massillon Golf Course for an extended period, and declaring an emergency. BC
c/b

ORDINANCE NO. 205 - 1998 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

P
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Massillon Washington High School and Massillon Perry High School for golf team privileges at The Legends of Massillon Golf Course for the 1998 and 1999 season, and declaring an emergency.

ORDINANCE NO. 206 - 1998 BY: RULES, COURTS AND CIVIL SERVICE COMM.

Defrad.
2-7
AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION DEPARTMENT and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION DEPARTMENT, in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 207 - 1998 BY: RULES, COURTS AND CIVIL SERVICE COMM.

1-1
AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - LAW DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - LAW DEPARTMENT and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION DEPARTMENT, in the City of Massillon, Ohio, and declaring an emergency. LAW

ORDINANCE NO. 208 - 1998 BY: RULES, COURTS AND CIVIL SERVICE COMM. FINANCE COMMITTEE

P
AN ORDINANCE authorizing the Auditor to pay a 1995 bill, out of the 1998 appropriations within the General Fund, and declaring an emergency.

ORDINANCE NO. 209 - 1998 BY: FINANCE COMMITTEE

P
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. 210 - 1998

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the issuance of not to exceed \$2,500,000 of notes in anticipation of the issuance of bonds for the purpose of constructing phase I park and recreation facilities at the Community Park; furnishing and equipping the same; landscaping and improving the sites thereof; and acquiring land and interests in land desired in connection therewith, and declaring an emergency.

ORDINANCE NO. 211 - 1998

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the OPWC C508A LWE Phase III Fund, OPWC C509A LWW Rehab Fund, OPWC C511B Springhill/Springhaven Fund, OPWC C506B Lake Ave. Widening Fund, OPWC LWW Box Culvert Fund, Economic Development Fund, Community Development block Grant Program Fund, State Route 21 Ramp Fund, Clerk of Court Computer Fund, Wastewater Treatment Fund and General Fund, of the City of Massillon, Ohio, for the year ending December 31, 1998, and declaring an emergency.

ORDINANCE NO. 212 - 1998

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 1998 appropriation from within the State Rt 21 Ramp Fund to the Bond Retirement State Route 21 Fund, of the City of Massillon, and declaring an emergency.

- 7. UNFINISHED BUSINESS
- 8. PETITIONS AND GENERAL COMMUNICATIONS

A). LETTER OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM G. P. INC., DBA HERMS PLACE, 1008 DUNCAN STREET S.W., MASSILLON, OHIO, 44647 TO THOMAS C. STERLING, 1008 DUNCAN STREET S.W., MASSILLON, OHIO 44647.

- 9. BILLS, ACCOUNTS AND CLAIMS
- 10. REPORTS FROM CITY OFFICIALS

A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR AUGUST 1998
 B). AUDITOR SUBMITS MONTHLY REPORT FOR AUGUST 1998
 C). TREASURER SUBMITS MONTHLY REPORT FOR JULY - 1998

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

ORDINANCE NO. 148 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

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

- 14. THIRD READING ORDINANCES AND RESOLUTIONS
- 15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 164 - 1998

BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE amending CHAPTER 961 "PARKS" of the Codified ordinances of the City of Massillon, by repealing existing Section 961.17 "HOURS OF OPERATION" of said CHAPTER 962 "PARKS" and enacting a new Section 961.17 "HOURS OF OPERATION" of said CHAPTER 962 "PARKS", and declaring an emergency.

ORDINANCE NO. 171 - 1998

BY: HEALTH, WELFARE & BUILDING REGULATIONS

AN ORDINANCE amending CHAPTER 505 "ANIMALS AND FOWL" of the Codified ordinances of the City of Massillon, by repealing existing Section 505.11 "Hunting Prohibited" of CHAPTER 505 "ANIMALS AND FOWL" and enacting a new Section 505.11 "Hunting Prohibited" of CHAPTER 505 "ANIMALS AND FOWL", and declaring an emergency.

SEPTEMBER 8, 1998

ORDINANCE NO. 172 - 1998 BY: HEALTH, WELFARE & BUILDING REGULATIONS

2nd
AN ORDINANCE amending CHAPTER 549 "WEAPONS AND EXPLOSIVES" of the Codified ordinances of the City of Massillon, by repealing existing Section 549.10 "Discharging Firearms" of CHAPTER 549 "WEAPONS AND EXPLOSIVES" and enacting a new Section 549.10 "Discharging Firearms" of CHAPTER 549 "WEAPONS AND EXPLOSIVES", and declaring an emergency.

ORDINANCE NO. 173 - 1998 BY: HEALTH, WELFARE & BUILDING REGULATIONS

2nd
AN ORDINANCE amending CHAPTER 557 "WEEDS AND TREES" of the Codified ordinances of the City of Massillon, by repealing existing Section 557.08 (a) "Cutting and Destroying Weeds Required" of CHAPTER 557 "WEEDS AND TREES" and enacting a new Section 557.08(a) "Cutting and Destroying Weeds Required" of CHAPTER 557 "WEEDS AND TREES", and declaring an emergency.

ORDINANCE NO. 174 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

2nd
AN ORDINANCE amending PART ELEVEN - PLANNING AND ZONING CODE - TITLE FIVE of the Codified Ordinances of the City of Massillon, by the addition of a new CHAPTER 1174 "A-2 GENERAL AGRICULTURAL DISTRICT" of PART ELEVEN - PLANNING AND ZONING CODE - TITLE FIVE, and declaring an emergency.

ORDINANCE NO. 180 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

2nd
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from Perry Township to Massillon Zoning, and declaring an emergency.

ORDINANCE NO. 181 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

2nd
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.

ORDINANCE NO. 182 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

2nd
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.

ORDINANCE NO. 183 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

2nd
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from Perry Township to Massillon Zoning, and declaring an emergency.

ORDINANCE NO. 184 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

2nd
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from Perry Township to Massillon Zoning, and declaring an emergency.

ORDINANCE NO. 185 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

2nd
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from R-3 Single Family Residential to RM-1 Multiple Family Residential, and declaring an emergency.

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

SHARON HOWELL
COUNCIL CLERK

THERE WILL BE A PUBLIC HEARINGS THIS EVENING REGARDING
ORDINANCE NO. 148 - 1998 AT 7:00 p.m.

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 189 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement with the Neighborhood Housing Services (NHS) of Massillon, Inc., to provide Housing Rehabilitation Program designed to serve low income households in the City's southeast neighborhoods, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement with the Neighborhood Housing Services (NHS) of Massillon, Inc., to provide Housing Rehabilitation Program designed to serve low income households in the City's southeast neighborhoods. The City's share of the program development costs shall not exceed Fifty Thousand Dollars (\$ 50,000.00)

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 community, and for the further reason that these services are needed to meet the goals and objectives of the City's Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 190 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE .

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

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with the Massillon Chapter of Habitat for Humanity to assist in the construction of new housing for low income homeowners in the City of Massillon, Ohio. The cost of this contract for services shall not exceed Sixty Thousand (\$60,000.00).

Section 2:

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

Section 3:

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

Section 4:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to implement the 1998 fiscal year Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 191 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with Massillon Main Street for continuation of its Downtown Rehabilitation Program, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement with Massillon Main Street for its Downtown Rehabilitation Program, at a cost not to exceed Seventy-Five Thousand Dollars (\$75,000.00).

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 community, and for the further reason that these services are needed to meet the goals and objectives of the City's Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 192 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with Westark Family Services, Inc., for the Senior Citizens Homemaker Program, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement with the Westark Family Services, Inc., for the Senior Citizens Homemaker Program, at a cost not to exceed Twenty Thousand Dollars (\$20,000.00).

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 community, and for the further reason that these services are needed to meet the goals and objectives of the City's Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

APPROVED: SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 193 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with The Massillon Urban League for the Housing Counseling Program, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement with The Massillon Urban League for the Housing Counseling Program, at a cost not to exceed Fifteen Thousand Dollars (\$15,000.00).

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 community, and for the further reason that these services are needed to meet the goals and objectives of the City's Community Development Block Grant Program. And 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 DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 194 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with The Massillon Urban League for the Teen Pregnancy Prevention Program, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement with The Massillon Urban League for the Teen Pregnancy Prevention Program, at a cost not to exceed Five Thousand Dollars (\$5,000.00).

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 community, and for the further reason that these services are needed to meet the goals and objectives of the City's Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 195 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with the Catholic Community Service League of Stark County to assist in the operation of the Family Living Center, 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 agreement with the Catholic Community Service League of Stark County to provide funding to assist in the operation of the Family Living Center. The contract for services shall not exceed Ten Thousand Dollars (\$10,000.00).

Section 2:

The Director of Service and Safety of the City of Massillon be and is hereby authorized to enter into a contract agreement with the Catholic Community Service League of Stark County to assist in the operation of the Family Living Center.

Section 3:

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

Section 4:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to implement the 1998 Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 196 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with the Massillon Commission to Advance Literacy to assist in the Adult Literacy Education and Training Program, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement with the Massillon Commission to Advance Literacy to assist in the Adult Literacy Education and Training Program, at a cost not to exceed Five Thousand Dollars (\$ 5,000.00).

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 community, and for the further reason that these services are needed to meet the goals and objectives of the City's Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

APPROVED: SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 197 - 19986

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with the YWCA of Massillon, to assist in the operation of their Y-Tots Day Care Program, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement with the YWCA of Massillon, to assist in the operation of their Y-Tots Day Care Program at a cost not to exceed Three Thousand Dollars (\$ 3,000.00).

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 community, and for the further reason that these services are needed to meet the goals and objectives of the City's Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 198 - 1998

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE approving and authorizing the Mayor to enter into an agreement with NFM/Welding Engineers, Inc., providing an economic development "inducement grant" to assist the company in relocating to and expanding its operations in Massillon, and declaring an emergency.

WHEREAS, the City of Massillon carries out a variety of economic development programs designed to promote the creation and expansion of business and industry in the community; with a special emphasis on the revitalization of the area; and

WHEREAS, NFM/Welding Engineers, Inc., desires to relocate their operations from Philadelphia, Pennsylvania, to their present facility located at 577 Oberlin Road S.W.;

WHEREAS, NFM/Welding Engineers, Inc., through this proposed business relocation and expansion, plans to provide new jobs in Massillon; and

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

Section 1:

This Council hereby approves and authorizes the Mayor to enter into an agreement with NFM/Welding Engineers, Inc., providing an economic development "inducement grant," in a total amount not to exceed Twenty-Five Thousand Dollars (\$25,000.00) for the purpose of assisting the company in relocating to and expanding its operations in Massillon.

Section 2:

In return for this economic development grant assistance, NFM/Welding Engineers, Inc., shall provide the City with information regarding the number of jobs that it has provided as a result of the company's relocation and expansion in Massillon.

Section 3:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety, and welfare of the community and for the additional reason that it is necessary to improve the economic climate of the community through the expansion of business and employment opportunities. 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

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 199 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting the Final Plat for Vacation Plat and Replat for Forest Hill Allotment No. 2, in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

Section 1:

The Final Plat for Vacation Plat and Replat for Forest Hill Allotment No. 2, in the City of Massillon, Stark County, Ohio, presently on file in the Office of the City Engineer and designated as SD-538 and ACC. 3384 be, and the same is approved and accepted and that the dedication to public use of the streets and alleys thereon shown, be, and the same is hereby accepted and confirmed. This plat was approved by the Planning Commission at a meeting held August 12, 1998. The undertaking given by the owners for improvement of streets and now on file with the City Engineer is approved. The description of Forest Hill Allotment No. 2 is as follows:

Replat of all of Lots No. 7199 through 7202 and Lots No. 15329 through 15350 in the Forest Hill Allotment located on the south side of Forest Avenue, S.E., between Erie Street South and 16th Street, S.E. Also is the vacation of a portion of Marie Street, S.E., and the dedication of Greentree Place, S.E. This replat will combine 26 existing lots into 16 new single family residential lots as part of the Forest Hill Allotment housing project. The owner/developer is Seville Developers, Inc., and the project engineer is Civil Design Associates, Inc.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said plat is urgently needed for the development of this area and for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

APPROVED: _____

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

298

10756

10757

10758

FC ST

1/2" = 100'

14th. ST

10759

AVENUE

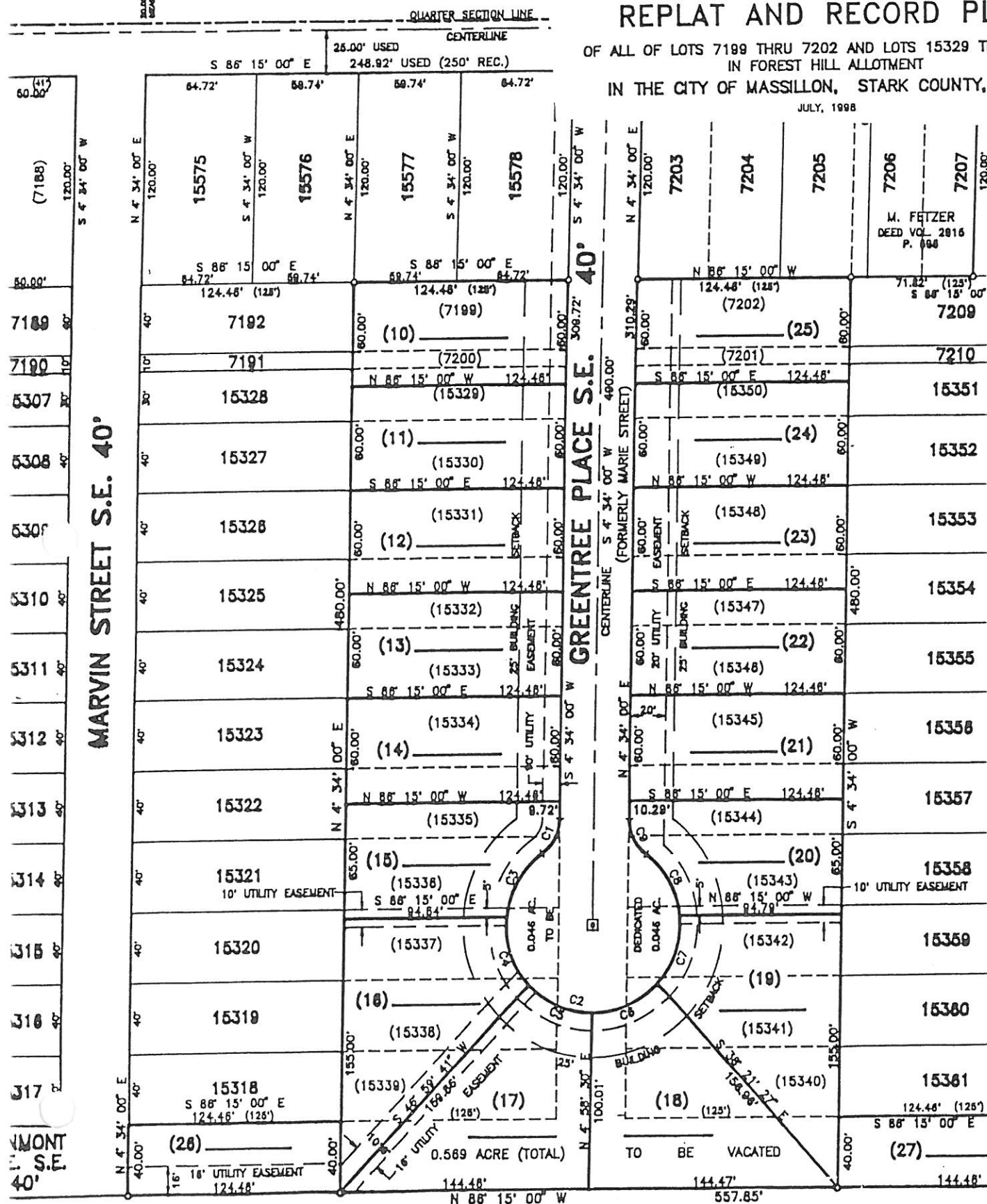
FOREST HILL ALLOTMENT REPLAT NO. 2
VACATION PLAT

PARTS OF PENMONT AVENUE S.E.
AND GREENTREE PLACE S.E. (FORMERLY MARIE STREET S.E.)
AND A

REPLAT AND RECORD PLAT

OF ALL OF LOTS 7199 THRU 7202 AND LOTS 15329 THRU 15350
IN FOREST HILL ALLOTMENT
IN THE CITY OF MASSILLON, STARK COUNTY, OHIO

JULY, 1998



DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 200 - 1998

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of Penmont Avenue S. E., and declaring an emergency.

WHEREAS, there has been filed with this Council by the City of Massillon, the owner of the lot and land abutting upon the street hereinafter described, a petition requesting that a portion thereafter described be vacated, and

WHEREAS, upon hearing, the Council hereby find that there is good cause for such vacation and that it will not be detrimental to the general interest of this community and that such vacation should be made.

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

Section 1:

There has been a request to vacate a portion of Penmont Avenue S.E., a 40 foot right-of-way located south of Forest Avenue S.E. and running in an east-west direction between Erie Street South and 15th Street S.E.. This request is to vacate a portion of Penmont Avenue S.E., from the west property line of Lot No. 15339 to the east property line of Lot No. 15340, a distance of 290 feet. Approval of the vacation was recommended by the City Planning Commission on August 12th, 1998. Said vacation is hereby approved, adopted and confirmed.

Section 2:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the additional reason that the vacation of the street is necessary in that it will not be detrimental to the general interest 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 DENNIS D. HARWIG, PRESIDENT

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

(65)				FOREST AVE S.E.			
307	7181	7190	7191	7200	7201	7210	
85	15306	15307	15328	15329	15350	15351	
86	15305	15308	15327	15330	15349	15352	
87	15304	15309	15326	15331	15348	15353	
38	15303	15310	15325	15332	15347	15354	
89	15302	15311	15324	15333	15346	15355	
90	15301	15312	15323	15334	15345	15356	
91	15300	15313	15322	15335	15344	15357	
92	15299	15314	15321	15336	15343	15358	
93	15298	15315	15320	15337	15342	15359	
94	15297	15316	15319	15338	15341	15360	
95	15296	15317	15318	15339	15340	15361	
13 TH ST. S.E. 40'				MARVIN ST. S.E. 40'			
				MARIE ST. S.E. 40'			
				15 TH ST. S.E. 20'			
PENNYMONT AVE S.E. 40'							

1605.81'

1284.36'

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 201 - 1998

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit the Tremont Avenue S.E. Project from 3rd Street S.E. to West Corp. Line for the proposed 1999 Ohio Public Works Commission Funding and to execute said contract when approved, 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 Mayor of the City of Massillon, Ohio, to submit the Tremont Avenue S.E. Project from the 3rd Street S.E. to West Corp. Line for the proposed 1999 Ohio Public Works Commission Funding and to execute said contract when approved.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to submit the Tremont Avenue S.E. Project from 3rd Street S.E. to West Corp. Line for the proposed 1999 Ohio Public Works Commission Funding and to execute said contract when approved.

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 additional reason that it is necessary to submit the Tremont Avenue S.E. Project from 3rd Street S.E. to West Corp. Line to receive Ohio Public Works Funding. 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 DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 202 - 1998

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit the Amherst Road N.E. Project from Lake Avenue N.E. to North corp. Limit for the proposed 1999 Ohio Public Works Commission Funding and to execute said contract when approved, 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 Mayor of the City of Massillon, Ohio, to submit the Amherst Road N.E. Project from Lake Avenue N.E. to the North Corp. Limit for the proposed 1999 Ohio Public Works Commission Funding and to execute said contract when approved.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to submit the Amherst Road N.E. Project from Lake Avenue N.E. to the North Corp. Limit for the proposed 1999 Ohio Public Works Commission Funding and to execute said contract when approved.

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 additional reason that it is necessary to submit the Amherst Road N.E. Project from Lake Avenue N.E. to the North Corp. Limit to receive Ohio Public Works Funding. 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 DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 203 - 1998

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit the Lincoln Way West from approximately 150' east of 6th Street N.W. to 27th Street Project for the proposed 1999 Ohio Public Works Commission Funding and to execute said contract when approved, 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 Mayor of the City of Massillon, Ohio, to submit the Lincoln Way West from approximately 150' east of 6th Street N.W. to 27th Street Project for the proposed 1999 Ohio Public Works Commission Funding and to execute said contract when approved.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to submit the Lincoln Way West approximately 150' east of 6th Street N.W. to 27th Street Project for the proposed 1999 Ohio Public Works Commission Funding and to execute said contract when approved.

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 additional reason that it is necessary to submit the Lincoln Way West approximately 150' east of 6th Street N.W. to 27th Street Project to receive Ohio Public Works Funding. 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 DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 204 - 1998

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE repealing Ordinance No. 31 - 1998 and enacting a new ordinance authorizing the Director of Public Service and Safety to enter into an extended contract agreement with the Golf Professional for The Legends of Massillon Golf Course for an extended period, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into an extended contract agreement with the Golf Professional for The Legends of Massillon Golf Course for an extended period.

Section 2:

That the Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into an extended contract agreement with the Golf Professional for The Legends of Massillon Golf Course for an extended period.

Section 3:

That the cost of said contract will not exceed Thirty Two Thousand Dollars (\$32,000.00).

Section 4:

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 5:

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 that the Golf Professional be hired for an extended period. 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 DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 205 - 1998

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Massillon Washington High School and Massillon Perry High School for golf team privileges at The Legends of Massillon Golf Course for the 1998 and 1999 season, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Massillon Washington High School and Massillon Perry High School for golf team privileges at The Legends of Massillon Golf Course for the 1998 and 1999 season.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to enter into contract with Massillon Washington High School and Massillon Perry High School for golf team privileges at The Legends of Massillon Golf Course for the 1998 and 1999 season.

Section 3:

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 contracts with the schools must be entered into prior to the start of the school year. 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

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 206 - 1998

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION 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 - RECREATION DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby repealed.

Section 2:

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

(SEE ATTACHMENT 'A' PAGE 5; 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 Recreation 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

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

CLASS GRADE	SCHEDULE	DEPARTMENT & TITLE DESCRIPTION	
		<u>STREET DEPT. CONT.</u>	
15H	A	Heavy Equipment Operator	
13H	A	Light Equipment Operator	
12H	A	Truck Driver	
11H	A	Laborer II	
10H	A	Storekeeper (Split 1/2)	
9H	A	Laborer I	
1H	A	Temporary Labor	
		<u>GARAGE</u>	440
22S	SU UN	Operations Superintendent (Split 1/3)	
18H	SU CL	Service Superintendent	
16H	A	Chief Automotive Mechanic	
14H	A	Automotive Mechanic	
11H	A	Assistant Automotive Mechanic	
		<u>PARKS AND RECREATIONS DEPT</u>	510
26S-30S	SU-UN	Parks and Recreation Director	
26S	SU UN	Acting Parks and Recreation Director	
12S	UN	Office Manager	
7S	UN	Data Entry Clerk	
		<u>SENIOR CITIZENS CENTER</u>	450
15S	SU UN	Senior Citizens Superintendent	
	MS	<u>PART TIME/TEMPORARY/SEASONAL</u> Cooperative Business Aid	
		<u>PARK DEPARTMENT</u>	505
24S	SU UN	Park Superintendent	
14H	A	Park Lead Worker	
13H	A	Park Group Leader	
13H	A	Tree Trimmer	
12H	A	Truck Driver	
11H	A	Gardener	
10H	A	Assistant Gardener	
9H	A	Laborer I	
1H	A	Temp Laborer	
		<u>RECREATION DEPT</u>	510
20S - 24S	SU UN	*Recreation Superintendent	
		<u>PART TIME/TEMPORARY/SEASONAL</u>	
	MS	Clerk	
	MS	Clerk/Typist	
	MS	Office Worker	
	MS	Recreation Coordinator III	
	MS	Recreation Coordinator II	
	MS	Recreation Coordinator I	
	MS	Program Coordinator III	
	MS	Program Coordinator II	
	MS	Program Coordinator I	
	SE	Laborer-1	

OCCUPATION LIST OF CLASS TITLES

SCHEDULE CODE:

SU	SUPERVISORY	A	AFSCME	CL	CLASSIFIED
F	FIRE	UN	UNCLASSIFIED	P	POLICE
WW	WASTEWATER	MS	MISCELLANEOUS	SE	SEASONAL
EL	ELECTED				

CLASS GRADE	SCHEDULE	DEPARTMENT & TITLE DESCRIPTION	
		<u>CITY COUNCIL</u>	105
	EL	Council Members	
12S	UN	Administrative Assistant/Council Clerk	
9S	UN	Council Clerk	
	MS	Steno Clerk - Part Time	
		<u>MAYOR</u>	110
	EL	Mayor	
12S	UN	Administrative Assistant	
		<u>LAW DIRECTOR</u>	115
	EL	Law Director	
24S	UN	* Police Prosecutor/Asst Law Director	
12S	UN	Administrative Assistant	
9S	UN	Secretary	
		<u>PART TIME/TEMPORARY/SEASONAL</u>	
	MS	Chief Pol. Pros/Asst Law Director	
	MS	*Assist. Pol. Prosecutors	
	MS	Legal Clerk	
	MS	Office Worker	
		<u>MUNICIPAL COURT</u>	125
	EL	Judges	
	EL	Magistrate	
15S	SU UN	Court Administrator	
12S	UN	Administrative Assistant I	
9S	UN	Administrative Assistant II	
6S	UN	Secretary	
	MS	Security Supervisor	
	MS	Security Officer	
	MS	Mediator	
	MS	Cooperative Business Education Student	
		<u>CLERK OF COURTS</u>	130
	EL	Clerk of Courts	
	EL	Deputy Clerks	

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

*AMENDED
ORDINANCE NO. 208 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor to pay a 1995 bill, out of the 1998 appropriations within the *Golf Course Fund, 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 it necessary to authorize the City Auditor to pay a 1995 bill out of the 1998 appropriation within the *Golf Course Fund. Said bill to be paid is as follows:

\$700.00 To Ohio Edison

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary to pay a 1995 bill that has recently come to the City Auditor, 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

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 208 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor to pay a 1995 bill, out of the 1998 appropriations within the General Fund, 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 it necessary to authorize the City Auditor to pay a 1995 bill out of the 1998 appropriation within the General Fund. Said bill to be paid is as follows:

\$700.00 To Ohio Edison

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary to pay a 1995 bill that has recently come to the City Auditor, 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 DENNIS D. HARWIG, PRESIDENT

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

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 209 - 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:

\$ 600.00 FROM: "VD Control" 1100.715.2390
TO: "Travel/Seminar/Schooling" 1100.705.2389

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 Health Department 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 DENNIS D. HARWIG, PRESIDENT

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

DATED: SEPTEMBER 8, 1998

CLERK: SHARON K. HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO 210 - 1998

BY: THE FINANCE COMMITTEE

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,500,000 OF NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF CONSTRUCTING PHASE I PARK AND RECREATION FACILITIES AT THE COMMUNITY PARK; FURNISHING AND EQUIPPING THE SAME; LANDSCAPING AND IMPROVING THE SITES THEREOF; AND ACQUIRING LAND AND INTERESTS IN LAND DESIRED IN CONNECTION THEREWITH AND DECLARING AN EMERGENCY.

WHEREAS, the City Auditor has certified to this Council (the "Council") that the estimated life of the improvement stated in the title of this ordinance (the "Project") which is to be financed from the proceeds of bonds and notes hereinafter referred to exceeds five (5) years, the maximum maturity of bonds being thirty (30) 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 \$2,500,000 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, shall bear interest at the maximum average annual interest rate presently estimated to be six per centum (6.00%) per annum, payable semiannually until the principal sum is paid and shall mature in thirty (30) 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.

Section 4. Such anticipatory notes (the "Notes") shall be in the amount of not to exceed \$2,500,000, which sum does not exceed the amount of the Bonds. The Notes shall be dated the date established by the City Auditor and certified to this Council and shall mature on such date as shall be determined by the City Auditor and certified to this Council, provided that such maturity date shall not be later than nine months after the date of issuance of the Notes. The Notes shall be issued as one (1) fully registered note in book-entry form only. Coupons shall not be attached to the Notes. The Notes shall be reoffered in minimum denominations of \$100,000.

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 (6.0%) 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 Fifth Third/The Ohio Company, Columbus, Ohio (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 Treasury of the City 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. The Notes shall be designated "City of Massillon, Stark

County, Ohio Park and Recreation Facilities Notes (Community Park – Phase I)" 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, pursuant to Section 133.05(B)(7), Ohio Revised Code, to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges of the Notes and the Bonds in each year until full payment is made.

Section 11. FirstMerit Citizens National Bank in the City of Massillon, Ohio, is hereby appointed to act as the authenticating agent, note registrar, transfer agent and paying agent (collectively, the "Note Registrar") for the Notes. So long as any of the Notes remain outstanding, the City will cause to be maintained and kept by the Note Registrar, at the office of the Note Registrar, all books and records necessary for the registration, exchange and transfer of Notes as provided in this section (the "Note Register"). The person in whose name any Note shall be registered on the Note Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Note shall be made only to or upon the order of that person. Neither the City nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Notes, including the interest thereon, to the extent of the amount or amounts so paid.

Any Note, upon presentation and surrender at the office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar, may be exchanged for Notes of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

A Note may be transferred only on the Note Register upon presentation and surrender thereof at the office of the Note Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar. Upon that transfer, the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

In all cases in which Notes are exchanged or transferred hereunder, the City shall cause to be executed and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of the Note Ordinance. The exchange or transfer shall be without charge to the owner; except that the City and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Note Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Notes. All Notes issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under the Note Ordinance, as the Notes surrendered upon that transfer or exchange.

Section 12. For purposes of the Note Ordinance, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Notes may be transferred only through a book entry

and (ii) physical Notes in fully registered form are issued only to a depository or its nominee as registered owner, with the Notes "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Notes.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Notes and to effect transfers of Notes, in book entry form.

The Notes will be initially issued to a Depository for use in a book entry system, and the provisions of this section shall apply, notwithstanding any other provision of the Note Ordinance; (i) there shall be a single Note of each maturity, (ii) those Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Notes in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City. Note service charges on Notes in book entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative upon presentation and surrender of Notes as provided in the Note Ordinance.

The Note Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Note in the custody of a Depository providing for making all payments to that owner of principal and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in the Note Ordinance, without prior presentation or surrender of the Note, upon any conditions which shall be satisfactory to the Note Registrar and to the City. That payment in any event shall be made to the person who is the registered owner of that Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Note Registrar will furnish a copy of each of those agreements, certified to be correct by the Note Registrar, to other paying agents for Notes and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, the Note Ordinance.

The Clerk of the City is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, if requested, a letter agreement among the City, the Note Registrar and The Depository Trust Company, to be delivered in connection with the issuance of the Notes to the Depository for use in a book entry system in substantially the form submitted to the City.

If any Depository determines not to continue to act as a depository for the Notes for use in a book entry system, the City and the Note Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under the Note Ordinance. If the City and the Note Registrar do not or are unable to do so, the City and the Note Registrar, after the Note Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Notes from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Notes), if the event is not the result of action or inaction by the City or the Note Registrar, of those persons requesting such issuance.

Section 13. 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 14. 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 15. 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 16. The Clerk is hereby directed to forward a certified copy of this ordinance to the Auditor of Stark County, Ohio.

Section 17. 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 this ordinance must be immediately effective so that the City can begin work on the Project during favorable weather conditions; wherefore this ordinance shall take effect and be in force from and immediately after its adoption.

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

Attest:

Clerk

President of Council

Approved:

Mayor

CERTIFICATE

The undersigned Clerk hereby certifies that the foregoing is a true copy of Ordinance No. 98-_____, duly adopted by the Council of the City of Massillon, Ohio on September ____, 1998, and that a true copy thereof was certified to the County Auditor of Stark County, Ohio, on September ____, 1998.

Clerk
City of Massillon, Ohio

RECEIPT OF COUNTY AUDITOR FOR
LEGISLATION PROVIDING
FOR THE ISSUANCE OF
GENERAL OBLIGATION NOTES

I, Janet Weir Creighton, the duly elected, qualified, and acting County Auditor in and for Stark County, Ohio hereby certify that a certified copy of an ordinance duly adopted by the City Council of the City of Massillon, Stark County, Ohio on _____, 1998, providing for the issuance of general obligation notes designated City of Massillon, Stark County, Ohio Park and Recreation Facilities Notes (Community Park – Phase I) Notes, in the amount of \$2,500,000 was filed in this office on _____, 1998.

WITNESS my hand and official seal at Canton, Ohio this _____ day of _____, 1998.

[SEAL]

County Auditor
Stark County, Ohio

DATE: September 8, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 212 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1998 appropriation from within the State Rt 21 Ramp Fund and the Bond Retirement State Route 21 Fund, of the City of Massillon, to the Bond Retirement Fund 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 1998 appropriation from within the State Rt 21 Ramp Fund of the City of Massillon to the Bond Retirement St Route 21 Fund, the following:

\$ 59,470.65 "Transfer To" 1435.905.2710
"Transfer From" 1307.905.1860

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 more efficient operation of the various 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 DENNIS D. HARWIG, PRESIDENT

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

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 211 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the OPWC C508A LWE Phase III Fund, OPWC C509A LWW Rehab Fund, OPWC C511B Springhill/Springhaven Fund, OPWC C506B Lake Ave Widening Fund, OPWC LWW Box Culvert Fund, Economic Development Fund, Community Development Block Grant Program Fund, State Route 21 Ramp Fund, Clerk of Court Computer Fund, Wastewater Treatment Fund and General 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 OPWC C508A LWE Phase III Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$417,600.00 to an account entitled "LWE Phase III" 1483.435.2510
\$ 22,000.00 to an account entitled "Salary" 1483.435.2110

Section 2:

There be and hereby is appropriated from the unappropriated balance of the OPWC C509A LWW Rehab Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$392,800.00 to an account entitled "LWW Rehab" 1482.435.2510
\$ 15,000.00 to an account entitled "Salary" 1482.435.2110

Section 3:

There be and hereby is appropriated from the unappropriated balance of the OPWC C511B Springhill/Springhaven Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$330,640.00 to an account entitled "Springhill/Springhaven" 1484.435.2510
\$ 30,000.00 to an account entitled "Salary" 1484.435.2110

Section 4:

There be and hereby is appropriated from the unappropriated balance of the OPWC C506B Lake Ave. Widening Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$255,120.00 to an account entitled "Lake Ave Project" 1481.435.2510
\$ 38,000.00 to an account entitled "Salary" 1481.435.2110

Section 5:

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

\$129,200.00 to an account entitled "LWW Box Culvert" 1485.435.2510
\$ 15,500.00 to an account entitled "Salary" 1485.435.2110
- 8820.41

Section 6:

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

\$ 80,000.00 to an account entitled "Economic Development Grants" 1237.845.2390

Section 7:

That 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:

\$ 75,000.00 to an account entitled "Main Street Revitalization" 1402.845.2828
\$ 60,000.00 to an account entitled "Habitat for Humanity" 1402.845.2849
\$ 50,000.00 to an account entitled "Neighborhood Housing Services" 1402.845.2835
\$ 20,000.00 to an account entitled "Elderly Homemaker Program" 1402.845.2803
\$ 15,000.00 to an account entitled "Housing Counseling Program" 1402.845.2802
\$ 10,000.00 to an account entitled "Family Living Center" 1402.845.2841
\$ 5,000.00 to an account entitled "Commission to Advance Literacy" 1402.845.2819
\$ 5,000.00 to an account entitled "Teen Pregnancy Prevention Program" 1402.845.2815
\$ 3,000.00 to an account entitled "YWCA Tots Day Care Program" 1402.845.2854

Section 8:

There be and hereby is appropriated from the unappropriated balance of the State Route 21 Ramp Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ 59,470.65 to an account entitled "Transfer To" 1435.905.2710

Section 9:

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

\$ 20,000.00 to an account entitled "Equipment Purchases" 1232.130.2510
\$ 10,000.00 to an account entitled "Computer Supplies" 1232.130.2420

Section 10:

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:

\$ 23,211.99 to an account entitled "Refunds" 2101.610.2720

Section 11:

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, 1998, the following:

\$ 287.82 to an account entitled "Unemployment Compensation" 1100.845.2290

Section 12:

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 DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR