

AGENDA

DATE: NOVEMBER 1, 1999
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

1. ROLL CALL
2. INVOCATION - COUNCILMAN JIM ROHR
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. 207 - 1999 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.

ORDINANCE NO. 208 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

1st
AN ORDINANCE amending the agreement between the City of Massillon and Elastochem, Inc., under the Ohio Urban Jobs and Enterprise Zone Program, by assigning to Rhein Chemi Corporation, the interest, rights and duties under the original Enterprise Zone Agreement, and declaring an emergency.

file
ORDINANCE NO. 209 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

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

ORDINANCE NO. 210 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

1st
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from A-1 Agricultural to RM-1 Multiple Family Residential, and declaring an emergency.

ORDINANCE NO. 211 - 1999 BY: PARKS AND RECREATION COMMITTEE

P
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Baker Vehicle Systems to purchase a Jacobsen HR-5111 Rotary Mower, without competitive bidding, through pricing based on State Contract #OT920698-E and approved by the Board of Control, and declaring an emergency.

ORDINANCE NO. 212 - 1999 BY: PARKS AND RECREATION COMMITTEE

JSS
AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement, without competitive bidding, with **MS-Consultants, Inc.** for professional services to develop engineering plans and specifications for the **Massillon Bikeway** (Ohio & Erie Canal Towpath Trail) per proposal, and declaring an emergency.

ORDINANCE NO. 213 - 1999 BY: FINANCE COMMITTEE

AN ORDINANCE repealing Ordinance No. 85 - 1987 and establishing a new fee for administrative costs in regards to bad checks issued to the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 214 - 1999 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the P&R Recreation Center Fund, P&R Community Park Project Fund, Community Development Block Grant Program Fund, General Fund, Massillon Museum Fund, **Economic Development Fund** and the Parks and Recreation Fund of the City of Massillon, for the year ending December 31, 1999, and declaring an emergency.

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

*\$10,000 for Services
Contracts.
encumber for
Alan Blau - \$9,200*

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR OCTOBER - 1999
- B). AUDITOR SUBMITS MONTHLY REPORT FOR OCTOBER - 1999

other \$200 on P.O. for Hinton Surveying

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

ORDINANCE NO. 191- 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from B-1 Neighborhood Business to O-1 Office, and declaring an emergency.

Trickett

ORDINANCE NO. 192 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

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.

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 201 - 1999 BY: HEALTH, WELFARE & BUILDING REGULATIONS

AN ORDINANCE amending CHAPTER 147 "BOARD OF CONTROL" of the Codified Ordinances of the City of Massillon, by enacting a new Section 147.01 "Procedures for Determining the Lowest and Best Bids for the construction of Public Improvements", and declaring an emergency.

Tabbed

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 203 - 1999 BY: HEALTH, WELFARE & BUILDING REGULATIONS COMM

2nd

AN ORDINANCE amending CHAPTER 1137 "CHANGES AND AMENDMENTS" of the Codified Ordinances of the City of Massillon, by repealing existing Section 1137.02 "Details of Procedure", Section 1137.03 "Application Fees" and Section 1137.04 "Reference and Hearing" and enacting a new Section 1137.02 "Details of Procedure", Section 1137.03 "Application Fees" and Section 1137.04 "Reference and Hearing" of CHAPTER 1137 "CHANGES AND AMENDMENTS", and declaring an emergency.

→ Public Hearing 11/15/99

ORDINANCE NO. 204 - 1999 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-1 Single Family Residential to R-T Two 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

THERE ARE TWO PUBLIC HEARINGS THIS EVENING

7:00 P.M. ORDINANCE NO. 191 - 1999

7:15 P.M. ORDINANCE NO. 192 - 1999

DATE: November 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 207 - 1999

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 City Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract agreement with Massillon Main Street for continuation in its Downtown Rehabilitation Program. The contract for services shall not exceed Seventy-Five Thousand Dollars (\$75,000.00)

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 continuation of its Downtown Rehabilitation Program.

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 _____ 1999

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

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

DATE November 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 208 - 1999

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE amending the agreement between the City of Massillon and Elastochem, Inc., under the Ohio Urban Jobs and Enterprise Zone Program, by assigning to Rhein Chemie Corporation the interest, rights and duties under the original Enterprise Zone Agreement, and declaring an emergency.

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

Section 1:

The agreement between the City of Massillon and Elastochem, Inc., under the Ohio Urban Jobs and Enterprise Zone Program is hereby amended by assigning to Rhein Chemie Corporation the interest, rights and duties under the original Enterprise Zone Agreement.

Section 2:

A copy of said amendment is attached hereto and made part of this Ordinance.

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is necessary for the Enterprise Zone agreement to reflect the assignment of Elastochem, Inc., to Rhein Chemie Corporation of all the interests, rights and duties under said agreement. 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 _____, 1999

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

ATTEST: _____
FRANCIS H. CICCHINELLI, JR. MAYOR

CONSENT TO ASSIGNMENT

This Consent to Assignment is made as of October __, 1999 by and among City of Massillon, Ohio ("Consenting Party"), and Rhein Chemie Corporation, a New Jersey corporation ("Assignee").

RECITALS

Elastochem, Inc., a Delaware corporation ("Elastochem") and Consenting Party are parties to the agreements listed on Schedule A hereto (the "Agreements"). Assignee and Elastochem entered into an asset purchase agreement (the "Asset Purchase Agreement") on September 17, 1999 pursuant to which Elastochem will transfer to Assignee substantially all of Elastochem's assets and Assignee will assume certain of Elastochem's liabilities (the "Transfer"), such Transfer being scheduled to occur on or before October 29, 1999. In connection with the Transfer, Assignee will purchase all of Elastochem's right, title and interest in, to and under the Agreements.

AGREEMENTS

NOW THEREFORE, the parties hereby agree as follows:

1. Consenting Party acknowledges that (i) no default or event of default now exists under the terms and provisions of any of the Agreements, (ii) no fact or condition now exists which, with notice or lapse of time or both, would become such a default and (iii) immediately after assignment no such default will exist.
2. Assignee hereby agrees that, in connection with the consummation of the Transfer, it will assume Elastochem's payment and performance obligations under the Agreements arising from and after the date of the Transfer.
3. Consenting Party approves of and consents to the assignment to Assignee of the Agreements, including the transfer to Assignee of all rights of Elastochem contemplated by the Agreements and the assumption by Assignee of all of Elastochem's payment and performance obligations arising from the Agreements from and after the date of the Transfer, it being understood that such rights and obligations shall be limited to those explicitly set forth in or contemplated by the Agreements.

4. The effective date of the Transfer shall be the date upon which completion of the transactions contemplated by the Asset Purchase Agreement is scheduled. If, for any reason, completion under the Asset Purchase Agreement shall not be consummated, this Consent to Assignment and the assignment contemplated hereby shall be of no further force and effect.

5. Consenting Party hereby undertakes to execute and deliver on its behalf such further instruments and documents as may be reasonably requested by Assignee to evidence the assignment of rights and assumption of obligations.

6. This Consent to Assignment shall be binding upon the parties hereto and their respective successors and assigns.

7. This Consent to Assignment shall be construed and enforced in accordance with the laws of the State of Ohio.

8. This Consent to Assignment may be executed by the parties hereto in one or more counterparts, each of which shall be deemed to be an original and all of which shall constitute together but one and the same agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Consent to Assignment to be duly executed as of the date first above written.

ASSIGNEE: RHEIN CHEMIE CORPORATION

By: _____

Name:

Title:

CONSENTING PARTY: _____

By: _____

Name:

Title:

SCHEDULE A

Ohio Enterprise Zone Agreement dated February 10, 1998 by
and between the City of Massillon, Ohio and Elastochem, Inc.

DATE: November 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 209 - 1999

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 Perry Township, was duly filed by Aane Aaby, Agent for the petitioners, and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Stark County, Ohio, on August 11th, 1999, and

WHEREAS, the Board of County Commissioners on August 11th, 1999, 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 Auditor of the City of Massillon, who received same on August 24th, 1999, 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 I:

The application of Aane Aaby, 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 and being part of the Northwest Quarter Section 10 of Perry Township, Stark County, State of Ohio and being further described as follows:

Beginning at the Northwest corner of said Northwest quarter Section 10, said point also being on the corporation line of the City of Massillon; Thence S 03°24'45"W along the west line of said quarter section and corporation line a distance of 768.90' to a point, and the true place of beginning;

Thence S 86°51'28"E a distance of 344.20 to a point;

Thence S 03°25'53"W a distance of 197.82' to a point;

Thence N 03°50'52"W a distance of 344.13' to a point;

Thence N 03°24'45"E, along the west line of the Northwest quarter Section 10 a distance of 197.70' to a point, said point being the true place of beginning, containing 1.562 acres in the Northwest Quarter Section 10, Perry Township. Total acreage in annexation is 1.562 acres, more or less.

Section 2:

The City Council Clerk is hereby 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 is hereby 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 _____ 1999

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

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

DATE: November 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 210 - 1999

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from A-1 Agricultural to RM-1 Multiple Family Residential, and declaring an emergency.

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from A-1 Agricultural to RM-1 Multiple Family Residential. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on October 13th, 1999 and that notice and public hearing has been given according to law.

Section 2:

The City of Massillon, Ohio Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and is hereby amended to show the following described area as RM-1 Multiple Family Residential.

Being known as Lot No. 785, a 12.4 acre parcel located between Southway Street and Richville Drive, east of 16th Street S.E.

Section 3:

That this Ordinance is declared to be an emergency measure in that the use herein provided for is essential to the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community and that this property would best be served to be designated RM-1 Multiple Family Residential. 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 _____ 1999

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

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

DATE: November 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 211 -1999

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Baker Vehicle Systems to purchase a Jacobsen HR-5111 Rotary Mower, without competitive bidding, through pricing based on State Contract #0T920698-E and approved by the Board of Control, 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 Baker Vehicle Systems to purchase a Jacobsen HR-5111 Rotary Mower, without competitive bidding, through pricing based on State Contract #0T920698-E and approved by the Board of Control, The cost of said contract shall not exceed Thirty Eight Thousand Three Hundred One Dollars. (\$38,301.00)

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with Baker Vehicle Systems to purchase a Jacobsen HR-5111 Rotary Mower, without competitive bidding, through pricing based on State Contract #0T920698-E and approved by the Board of Control.

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 the City of Massillon enter into a contract with Baker Vehicle Systems so that the rotary mower may be purchased for use by the Parks and Recreation Department. 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 _____ 1999

APPROVED

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED:

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: November 1, 1999 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 212 - 1999

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement, without competitive bidding, with MS Consultants, Inc. for professional services to develop engineering plans and specifications for the Massillon Bikeway (Ohio & Erie Canal Towpath Trail) per proposal, 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 agreement without competitive bidding, with MS Consultants, Inc. for professional services to develop engineering plans and specifications for the Massillon Bikeway (Ohio & Erie Canal Towpath Trail) per proposal, The cost of said contract shall not exceed Fifteen Thousand Dollars (\$ 15,000.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement without competitive bidding, with MS consultants, Inc. for professional services to develop engineering plans and specifications for the Massillon Bikeway (Ohio & Erie Canal Towpath Trail) per proposal,

Section 3:

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 reason that it is necessary to conduct a survey to develop engineering plans and specifications for the Massillon Bikeway (Ohio & Erie Canal Towpath Trail) per proposal. 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 _____ 1999

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

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

DATE: May 3, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 213 - 1999

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE repealing Ordinance No. 85 - 1987 and establishing a new fee for administrative costs in regards to bad checks issued to 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:

Ordinance No. 85 - 1987 be and is hereby repealed.

Section 2:

There be and is hereby established a fee of Thirty Dollars (\$30.00) for administrative costs in regard to bad checks issued to the City of Massillon, Ohio.

Section 3:

This Ordinance is hereby declared to be an emergency measure by reason of said fee being necessary for the orderly administration of all departments with in the City of Massillon, Ohio, and for the preservation of the public health, safety and welfare. 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 _____ 1999

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

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

DATE: November 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 214 - 1999

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the P&R Recreation Center Fund, P&R Community Park Project Fund, Community Development Block Grant Program Fund, General Fund, Massillon Museum Fund, Economic Development Fund, and the Parks and Recreation Fund of the City of Massillon, for the year ending December 31, 1999, 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 P&R Recreation Center Fund for the year ending December 31, 1999, the following:

\$1,200,000.00 to an account entitled "Recreation Center Project " 1435.505.2510

Section 2:

There be and hereby is appropriated from the unappropriated balance of P&R Community Park Project Fund for the year ending December 31, 1999, the following:

\$ 475,127.50 to an account entitled "Capital Projects" 1434.505.2510

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Community Development Block Grant Program Fund for the year ending December 31, 1999, the following:

\$ 75,000.00 to an account entitled "Main Street Program" 1402.845.2828

\$ 8,000.00 to an account entitled "Salary - Community Development" 1402.845.2110

^ 5,000.00 to an account entitled "Services/Contracts" 1402.845.2392

900.00 to an account entitled "P.E.R.S. - Community Development" 1402.845.2815

Section 4:

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, 1999, the following:

- \$14,500.00 to an account entitled "Street Lighting" 1100.905.2392
- \$ 5,700.00 to an account entitled "City Hall & Public Bldgs. Utilities" 1100.410.2340

Section 5:

There be and hereby is appropriated from the unappropriated balance of Massillon Museum Fund for the year ending December 31, 1999, the following:

- \$ 10,500.00 to an account entitled "Massillon Museum Holding" 3110.905.2379

Section 6:

There be and hereby is appropriated from the unappropriated balance of the Economic Development Fund for the year ending December 31, 1999, the following:

- \$ 10,000.00 to an account entitled "Services & Contracts" 1237.845.2392

Section 7:

There be and hereby is appropriated from the unappropriated balance of the Parks and Recreation Fund of the City of Massillon, Ohio, for the year ending December 31, 1999, the following:

- \$ 3,000.00 to an account entitled "Refunds" 1234.505.2720

Section 8:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon 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 _____ 1999

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR