

REPLACEMENT
ORD # CHANGED

AGENDA

DATE: JUNE 19 2000
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

1. ROLL CALL
2. INVOCATION - COUNCILWOMAN GLORIA AUTREY
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. 128 - 2000 BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into an agreement with Jackson Township and other members of LOGIC to look for another site for the Regional Emergency Dispatch (RED) Center, and declaring an emergency.

ORDINANCE NO. 129 - 2000 BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter an agreement with Republic Technologies International, L.L.C. for an easement to be used as part of the Towpath Trail, and declaring an emergency.

ORDINANCE NO. 130 - 2000 BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

AN ORDINANCE authorizing and directing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with the AFSCME, Ohio Council 8, Local 3602 that shall be in effect from April 1, 2000 through April 1, 2003.

ORDINANCE NO. 131 - 2000 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for, and receive sealed bids according to law, for the sale of certain tracts of City owned land for the purpose of developing affordable housing for low and moderate income homeowners. The tract of land owned by the City, and not needed for any municipal purpose, is known as Lot No. 2934 in the City of Massillon, Stark County, Ohio, and declaring an emergency.

ORDINANCE NO. 132 - 2000 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE repealing Ordinance No. 39 - 2000 and enacting a new ordinance authorizing and directing the Mayor of the City of Massillon to enter into agreement with Rayco Manufacturing, Inc., providing for the adoption of a project which will establish a new facility and create employment opportunities within the City of Massillon Enterprise Zone, and declaring an emergency.

ORDINANCE NO. 133 - 2000 BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2000 appropriation from within the General Fund and Parks and Recreation Operations & Maintenance Fund, of the City of Massillon, Ohio, and declaring an emergency.

JUNE 19, 2000

ORDINANCE NO. 134 - 2000 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Park & Recreation Capital improvement Fund, Municipal Golf Fund, Legends Bond Retirement Fund, Youth Center Activities Fund, Park and Recreation Reservoir Project Fund and the Park and Reservoir Recreation Center Fund, of the City of Massillon, for the year ending December 31, 2000, and declaring an emergency.

ORDINANCE NO. 135 - 2000 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement for the purchase of a .71 acres of property located at 308 Third Street N.W. and known as City Lot No. 11, which is currently owned by Green Tire, and declaring an emergency.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS
9. BILLS, ACCOUNTS AND CLAIMS
10. REPORTS FROM CITY OFFICIALS
 - A). MAYOR SUBMITS MONTHLY REPORT FOR MAY - 2000
 - B). POLICE CHIEF SUBMITS MONTHLY REPORT FOR MAY - 2000
 - C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR MAY - 2000
 - D). TREASURER SUBMITS MONTHLY REPORT FOR MAY - 2000
11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR
14. THIRD READING ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 12 - 2000 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

A RESOLUTION declaring the intention of the City of Massillon, Ohio to appropriate property within the corporate limits pursuant to the authority in CHAPTER 719 of the Ohio Revised Code, and declaring the necessity to acquire property for the purpose of rehabilitation and subsequent sale.

RESOLUTION NO. 13 - 2000 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

A RESOLUTION declaring the intention of the City of Massillon, Ohio to appropriate property within the corporate limits pursuant to the authority in CHAPTER 719 of the Ohio Revised Code, and declaring the necessity to acquire property for the purpose of rehabilitation and subsequent sale.

RESOLUTION NO. 14 - 2000 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

A RESOLUTION declaring the intention of the City of Massillon, Ohio to appropriate property within the corporate limits pursuant to the authority in CHAPTER 719 of the Ohio Revised Code, and declaring the necessity to acquire property for the purpose of rehabilitation and subsequent sale.

15. SECOND READING ORDINANCES AND RESOLUTIONS
16. NEW AND MISCELLANEOUS BUSINESS
17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA
18. ADJOURNMENT

SHARON HOWELL
COUNCIL CLERK

THERE ARE NO PUBLIC HEARINGS THIS EVENING

DATE: June 19, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 128 - 2000

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into an agreement with Jackson Township and other members of LOGIC to look for another site for the Regional Emergency Dispatch (RED) 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 Council of the City of Massillon, Ohio, hereby determines it to be necessary and in the public health, safety and welfare to enter into contract with Jackson Township and other members of LOGIC to look for another site for the Regional Emergency Dispatch (RED) Center,

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into an agreement with Jackson Township and other members of LOGIC to look for another site for the Regional Emergency Dispatch (RED) Center.

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 additional reason to allow Jackson township to act on behalf of the LOGIC to look for another site for the Regional Emergency Dispatch (RED) Center. 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 _____ 2000

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: June 19, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 129 - 2000

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into an agreement with Republic Technologies International, L.L.C. for an easement to be used as part of the towpath trail, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to enter into contract with Republic Technologies International, L.L.C. for an easement to be used as part of the towpath trail.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into an agreement with Republic Technologies international, L.L.C. for an easement to be used as part of the towpath trail.

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 additional reason to allow Republic Technologies International. L.L.C. an easement to be used as part of the towpath trail. 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 _____ 2000

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: June 19, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 130 - 2000

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with the AFSCME, Ohio Council 8, Local 3602 that shall be in effect from April 1, 2000 through April 1, 2003.

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

Section 1:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, be and hereby are authorized to enter into a contract agreement with the AFSCME, Ohio Council 8, Local 3602 that shall be in effect from April 1, 2000 through April 1, 2003.

Section 2:

That this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary for the more efficient operation of the various departments in the City of Massillon. Provided it receives the affirmative vote of two-thirds of the elected members of Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2000

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

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

DATE: June 19, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 131 - 2000

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for, and receive sealed bids according to law, for the sale of a certain tract of City owned land for the purpose of developing affordable housing for low and moderate income homeowners, The tract of land owned by the City, and not needed for any municipal purpose, is known as Lot No. 2934 in the City of Massillon, Stark County, Ohio, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to prepare plans and specifications and to advertise for, and receive sealed bids according to law, for the sale of a certain tract of City owned land for the purpose of developing affordable housing for low and moderate income homeowners, The tract of land owned by the City, and not needed for any municipal purpose, is known as Lot No. 2934 in the City of Massillon, Stark County, Ohio,

Section 2:

The following described real estate belonging to the City of Massillon, Ohio, and not needed for any municipal purpose, to-wit:

- 1 Lot No. 2934, located on the south side of Oak Avenue S.E. between Third Street and Eight Street S.E.

Section 3:

The Director of Public Safety and Service is hereby authorized to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the sale of a certain tract of City owned land for the purpose of developing affordable housing for low and moderate income homeowners, The tract of land owned by said City, and not needed for any municipal purpose, is known as Lot No. 2934 in the City of Massillon, Stark County, Ohio,

Section 4:

The advertisement for the bidding of said real estate shall contain the following instructions:

- 1). Each bidder shall be prepared to review with the administration of the City of Massillon and City Council their intended use for the real estate.
- 2). The successful bidder shall be responsible to pay all fees and costs associated with the sale and transfer of said property.
- 3). The City reserves the right to reject any and all bids.
- 4). The minimum bid set by Stark County shall be disclosed in the advertisement

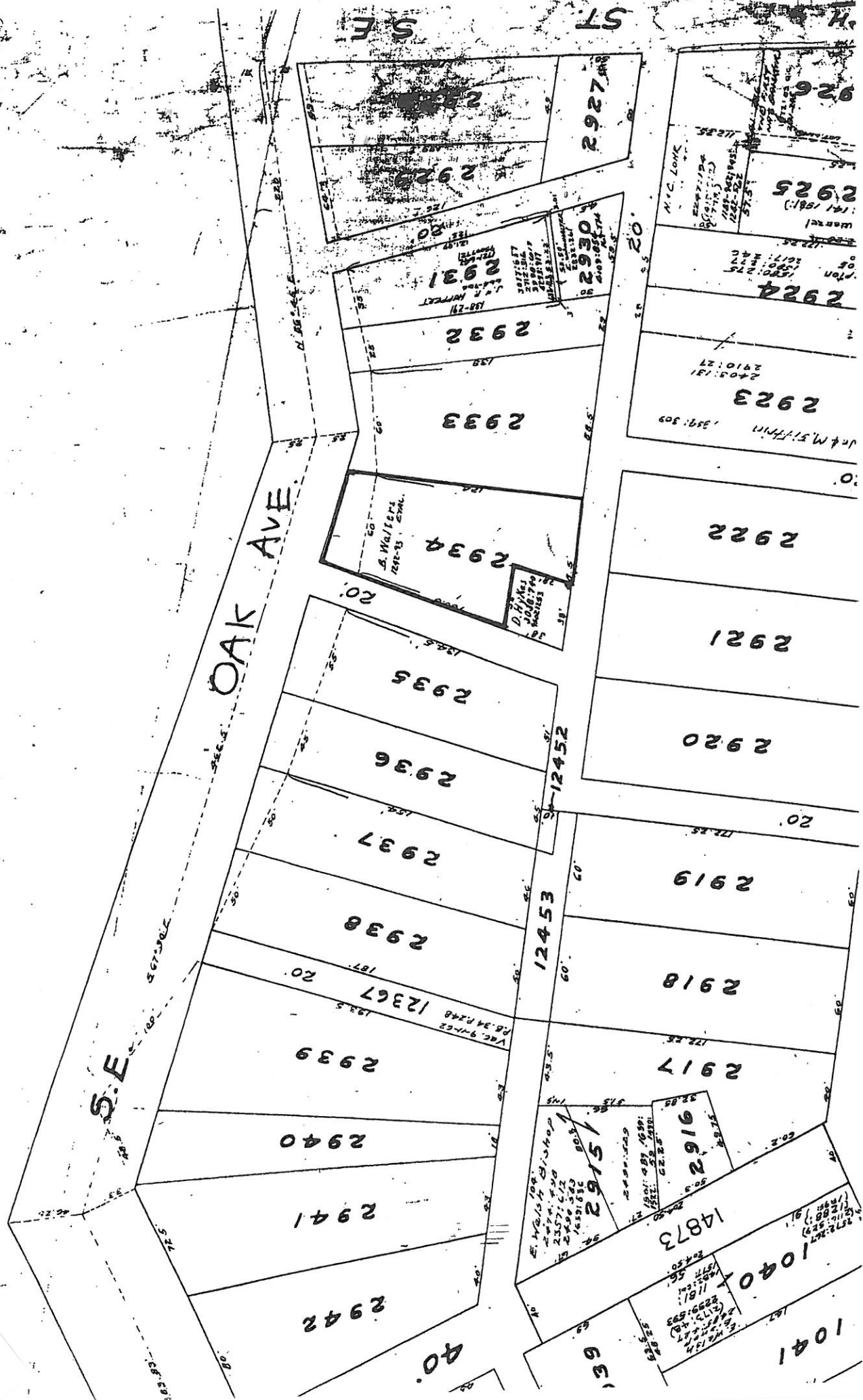
Section 5:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the community and for the further reason of such emergency arising out of the necessity to dispose of real estate no longer needed for any municipal purpose for the best price obtainable for the purpose of developing affordable housing for low and moderate income homeowners. 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 _____ 2000

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

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



DATE: June 19, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 132 - 2000

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE repealing Ordinance No. 39 - 2000 and enacting a new ordinance authorizing and directing the Mayor of the City of Massillon to enter into an agreement with Rayco Manufacturing, Inc., providing for the adoption of a project which will establish a new facility and create employment opportunities within the City of Massillon Enterprise Zone, and declaring an emergency.

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

WHEREAS, Rayco Manufacturing, Inc., LLC., is proposing to establish a new facility on a site in Neocom Park I within the City's Enterprise Zone, said Project to be developed in two phases. Phase I being the construction of a new 84,350 square foot industrial building at a total cost of \$2.35 million, creating 20 new jobs and relocating 5 existing jobs from Rayco's present facility in Wayne County; and Phase 2 being the construction of a 115,500 square foot addition at a total cost of \$2.36 million, including the creation of 20 additional new jobs (hereinafter the "Project" provided that the appropriate development incentives are available to support the economic viability of said Project; and

WHEREAS, the Council of the City of Massillon, Ohio, (hereinafter "Council") by Ordinance No. 163-1994, adopted on July 18, 1994, and as amended by Ordinance No. 57-1998, adopted March 2, 1998 and as amended by Ordinance No. 43 - 1999, adopted March 1, 1999, has designated an area of the City as an "Enterprise Zone" pursuant to Chapter 5709 of the Ohio Revised Code; and

WHEREAS, effective September 12, 1994, and as amended on March 13, 1998, and as amended on March 9, 1999, the Director of Development of the State of Ohio has determined that the aforementioned area designated in said Ordinance No. 163 - 1994 contains the characteristics set forth in 5709.61(A) of the Ohio Revised Code, and has certified said area as an Enterprise Zone under Chapter 5709; and

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

WHEREAS, Rayco Manufacturing, Inc., have submitted a proposed agreement application, herein attached as Exhibit "A", to the City of Massillon, Ohio, requesting that the incentives available for development within the Enterprise Zone be approved for the Project; and

WHEREAS, the Mayor of the City of Massillon, Ohio, has investigated the application submitted by the Rayco Manufacturing, Inc., and have recommended approval of the same to the Council on the basis that the company is qualified by financial responsibility and business experience to create employment opportunities in said Enterprise Zone and to improve the economic climate of the City of Massillon; and

WHEREAS, the project site is located in the Massillon City School District and the Massillon Board of Education has been notified in accordance with Section 5709.83 and have been given a copy of the application.

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

Section 1:

Ordinance No. 39 - 2000 is hereby repealed.

Section 2:

The Council of the City of Massillon, Ohio does hereby authorize and direct the Mayor to enter into an agreement, attached hereto as Exhibit "A" and incorporated herein by reference, with Rayco Manufacturing Inc., providing for the adoption of a project which will establish a facility and preserve employment opportunities within the City of Massillon Enterprise Zone.

Section 3:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the City of Massillon, Ohio and for the further reason that approval of said agreement is necessary so as to maximize the investment that will be made by the Rayco Manufacturing Inc., within the City of Massillon, Ohio. Provided it receives the affirmative vote of two-thirds of the elected members to Council it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2000

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

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

DATE: June 19, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 133 - 2000

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2000 appropriation from within the General Fund and Parks and Recreation Operations & Maintenance Fund, of the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

There be and hereby is transferred from the 2000 appropriation from within the General Fund of the City of Massillon, Ohio, the following:

\$ 15,000.00 FROM: "Law Directors Clerks Salary" 1100.115.2111

\$ 15,000.00 FROM: "Engineering Salary" 1100.405.2110

\$ 30,000.00 TO: "Income Tax Refunds" 1100.210.2710

Section 2:

There be and hereby is transferred from the 2000 appropriation from within the Parks and Recreation Operations & Maintenance Fund of the City of Massillon, Ohio, the following:

\$ 28,000.00 FROM: "Transfer To" 1234.505.2710

\$ 28,000.00 TO: "Transfer In" 1433.505.1860

Section 3:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for the more efficient operation of the various departments in the City of Massillon, Ohio, and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2000

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: June 19, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 134 - 2000

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Park & Recreation Capital Improvement Fund, Municipal Golf Fund, Legends Bond Retirement Fund & Youth Center Activities Fund, Park and Recreation Reservoir Project Fund and the Park and Reservoir Recreation Center Fund, of the City of Massillon, for the year ending December 31, 2000, 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 Parks & Recreation Capital Improvement Fund for the year ending December 31, 2000, the following:

\$ 28,000.00 to an account entitled "Service/Contracts" 1433.505.2392

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Municipal Golf Fund for the year ending December 31, 2000, the following:

\$ 4,226.48 to an account entitled "Services/Contracts" 1432.920.2392

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Legends Bond Retirement Fund for the year ending December 31, 2000, the following:

\$ 2,382.20 to an account entitled "Services/Contracts" 1302.920.2392

Section 4:

There be and hereby is appropriated from the unappropriated balance of the Youth Center Activity Fund for the year ending December 31, 2000, the following:

\$ 1,000.00 to an account entitled "Supplies" 1224.875.2410
\$ 500.00 to an account entitled "Services" 1224.875.2392
\$ 500.00 to an account entitled "Travel" 1224.875.2389

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Park and Recreation Reservoir Project Fund for the year ending December 31, 2000, the following:

\$ 537.90 to an account entitled "Services/Contracts" 1436.505.2392

Section 6:

There be and hereby is appropriated from the unappropriated balance of the Park and Recreation Rec Center Fund for the year ending December 31, 2000, the following:

\$ 537.92 to an account entitled "Services/Contracts" 1436.505.2392

Section 7:

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 _____ 2000

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: June 19, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 135 - 2000

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement for the purchase of a .71 acres of property located at 308 Third Street N.W and known as City Lot No.11, which is currently owned by Green Tire, and declaring and emergency.

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

Section 1:

The real property owned by Green Tire, located at 308 Third Street N.W. and known as City Lot No. 11 in the City of Massillon is needed for the Lincoln Centre Phase III Project.

Section 2:

The Director of Public Service and Safety is authorized to enter into an agreement to purchase the above described real estate for Three Hundred Fifty Thousand Dollars (\$350,000.00) and upon the execution and approval the said Director of Public Service and Safety is further authorized to execute and approve all necessary documents to expedite the purchase of said real estate.

Section 3:

That the City Auditor is hereby authorized to pay the purchase price of Three Hundred Fifty Thousand Dollars (\$350,000.00). These funds will be provided through a note issuance.

Section 4:

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 deliberations of this Council and any of its committees that resulted in such formal action, were open to the public in compliance with all legal requirements including Section 121.22 Revised Code.

Section 5:

That this Ordinance is hereby 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 the acquisition of the real estate is necessary for further development within the downtown area 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 _____ 2000

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

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