

AGENDA

DATE: JUNE 18, 2001
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

- 1. ROLL CALL**
- 2. INVOCATION - COUNCILMAN BILL AMAN**
- 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. 136 - 2001 BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a grant from the Community Health Foundation, for the implementation of cultural and fine arts programs for the 2001 Summer Recreation program at the Youth Center, and declaring an emergency.

ORDINANCE NO. 137- 2001 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Moral Obligation Agreement with Ohio Edison for work completed on SR 21/Erie Street Interchange Improvements Project, and declaring an emergency.

ORDINANCE NO. 138- 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Raynell Heights Area Annexation, upon annexation, and declaring an emergency.

ORDINANCE NO. 139- 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Woodland Creek Area Annexation, upon annexation, and declaring an emergency.

ORDINANCE NO. 140- 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE repealing Ordinance No. 114 - 2001, and declaring an emergency.

ORDINANCE NO. 141 - 2001 BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to approve a change order No. 2, to upgrade the sanitary and storm sewer pipes at the Recreation Center site, with Stanley Miller Construction Company, Inc., without competitive bidding, and declaring an emergency.

JUNE 18, 2001

ORDINANCE NO. 142 - 2001 BY: FINANCE COMMITTEE

503P 9-0 P9-0
AN ORDINANCE reducing the appropriation in the General Fund of the City of Massillon, for the year ending December 31, 2001 and declaring an emergency.

ORDINANCE NO. 143 - 2001 BY: FINANCE COMMITTEE

Amended - Reduce Sec. 3 to \$5,000 9-0
503P 9-0 P9-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Market Place Infrastructure Fund, Park and Rec Fund, Economic Development Fund, Muni Road Fund, Youth Center Activity Fund, State Housing Trust Fund, UDAG Oak Park B-85-AA-39-0248 Fund for the year ending December 31, 2001, and declaring an emergency.

ORDINANCE NO. 144 - 2001 BY: FINANCE COMMITTEE

503P 9-0 P9-0
AN ORDINANCE making certain transfers in the 2001 appropriation from within the State Housing Trust Fund to the Community Development Fund, the Youth Center Activity Fund to the Park and Rec Fund, and the UDAG Oak Park B-85-AA-39-0248 Fund to the Economic Development Fund, of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 145 - 2001 BY: FINANCE COMMITTEE

503P 9-0 P9-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Park and Rec Fund of the City of Massillon, Ohio, for the year ending December 31, 2001, and declaring an emergency.

ORDINANCE NO. 146 - 2001 BY: FINANCE COMMITTEE

503P 9-0 P9-0
AN ORDINANCE authorizing the Mayor to accept a 2001 Federal Grant from the Bulletproof Vest Partnership Program administered by the Department of Justice for use by the Massillon Police Department and declaring an emergency.

ORD 147-2001 503P 9-0 P9-0
7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

A). LETTER OHIO DIVISION OF LIQUOR CONTROL REGARDING A NEW LIQUOR LICENSE TO K-MART CORP, DBA K-MART 4169, 2600 LINCOLN WAY EAST, MASSILLON, OHIO.

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

A). MAYOR SUBMITS MONTHLY REPORT FOR MAY - 2001

B). POLICE CHIEF SUBMITS MONTHLY REPORT FOR MAY- 2001

C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR MAY - 2001

D). TREASURER SUBMITS MONTHLY REPORT FOR MAY - 2001

JUNE 18, 2001

*June 25 - committee -
- PWD presentation
- financial update.*

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

ORDINANCE NO. 126 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

P.H. July 2 @ 7:00pm

AN ORDINANCE amending Section 1151.02 of the Massillon code rezoning a certain tract of land from A-1 Agricultural to R-2 One Family Residential

*Tabled
July 2
9-0*

ORDINANCE NO. 127 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

P.H. July 2 @ 7:15pm

AN ORDINANCE amending Section 1151.02 of the Massillon code rezoning a certain tract of land from A-1 Agricultural to R-1 One Family Residential

*Tabled
July 2
9-0*

15. SECOND READING ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 14 - 2001 BY COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE 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 redevelopment.

*Tabled
July 2
9-0*

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

SHARON HOWELL COUNCIL CLERK

DATE: June 18, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Revised
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 136 - 2001

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a grant from the Community Health Foundation, for the implementation of cultural and fine arts programs for the 2001 Summer Recreation Program at the Youth Center, and declaring an emergency.

NOW, THEREFORE, BE 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 accept a grant from the Community Health Foundation, for the implementation of cultural and fine arts programs for the 2001 Summer Recreation Program at the Youth Center.

Section 2:

That the Director of Public Service and Safety of the City of Massillon, Ohio, be and is hereby authorized to accept a grant from the Community Health Foundation, for the implementation of cultural and fine arts programs for the 2001 Summer Recreation Program at the Youth Center. Said Grant shall be in the amount of Twelve Thousand Five Hundred Dollars (\$12,500.00).

Section 3:

That this Ordinance is declared to be an emergency measure immediately necessary for the additional reason that the City of Massillon needs to accept a grant from the Community Health Foundation, for the Youth Center for the implementation of cultural and fine arts programs for the 2001 Summer Recreation 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 _____ 2001

APPROVED: _____

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

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: June 18, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 137 - 2001

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Moral Obligation Agreement with Ohio Edison for work completed on SR 21/Erie Street Interchange Improvements Project, and declaring an emergency.

WHEREAS, Ohio Edison, A First Energy Company (Ohio Edison), had performed work on a City of Massillon (Massillon) Roadway Project, without an executed contract or written authorization;

WHEREAS, Ohio Edison and the City of Massillon, after said work was completed, discovered the mutual oversight of said contract or authorization;

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 a Moral Obligation Agreement with Ohio Edison for work completed on SR 21/Erie Street Interchange Improvements Project,

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a Moral Obligation Agreement with Ohio Edison for work completed on SR 21/Erie Street Interchange Improvements Project,

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 said agreement and the City Auditor is authorized and directed to honor and pay said vouchers.

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that the Ohio Edison Company has completed work on the SR 21/Erie Street interchange Improvements Project and the City of Massillon is morally obligated to pay for the cost of said improvements. 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 _____ 2001

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: June 18, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st reading
passed 9/16/01
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 138 - 2001

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Raynell Heights Area Annexation, upon annexation, and declaring an emergency.

WHEREAS, certain property owners have filed a petition requesting the Raynell Heights Area Annexation to be annexed to the City of Massillon, Ohio, pursuant to the Ohio Revised Code Section 709.02, and

WHEREAS, The Ohio Revised Code Section 709.031 (B) requires;

Upon receiving this notice, the Municipal Legislative Authority, shall by Ordinance or Resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation, and

WHEREAS, this Ordinance is intended to comply with the requirements of the Ohio Revised Code Section 709.031 (B), and

WHEREAS, the legislative authority of the City of Massillon, Ohio, is supportive of the annexation proposal, and

WHEREAS, the Stark County Commissioners have scheduled a public hearing, to be held at the Massillon City Council Chambers on August 2nd, 2001 at 7:00 P.M..

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

Section I:

The City of Massillon, Ohio, will extend to the proposed area, upon annexation, the availability of all municipal services extended to all of the current citizens, residents and property owners of the City of Massillon, Ohio, including, but not limited, to the services of the Municipal Police Department, services of the Municipal Fire Department, services of the Municipal Service Department, services of the Engineering Department, services of the Building Department, services of the Street Department, services of the Safety Department, services of the Planning Department, services of the Health Department, services of the Sewer Department and services of the City of Massillon Administration.

Section 2:

That the City of Massillon, Ohio, agrees to pay seventy-five percent (75%) of the total cost of installing water mains in the Raynell Heights Allotment.

Section 3

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to indicate what services the City of Massillon will provide to the area upon annexation prior to the Stark County Commissioners hearing on August 2nd, 2001 at 7:00 P.M. in Massillon City Council Chambers. 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 _____ 2001

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

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

PETITION
BY CITIZENS FOR THE RAYNELL HEIGHTS ANNEXATION
TO CITY OF MASSILLON, OHIO

COPY

TO THE COMMISSIONERS OF STARK COUNTY, STATE OF OHIO:

We, the undersigned, being a majority of the adult owners of real estate in the territory hereinafter described, hereby petition for annexation of the following described territory to the City of Massillon, Massillon Township, Stark County, Ohio.

Known and being part of the Northeast and Southeast Quarter Section 14 of Tuscarawas Township, Stark County, State of Ohio and being further described as follows:

Beginning at the Southeast corner of said Northeast quarter Section 14, and the true place of beginning; Thence S 05°00'00" W, along the section line between the Southeast Quarter Section 14 and the Southwest Quarter Section 13, said line also being the centerline of Greendale Avenue Southwest, a distance of 570.20' to a point, said point being on the south right-of-way line of Raynell Street Southwest and the southerly line of Raynell Heights Allotment No. 1 as recorded in Plat Book 37, Page 64 in Stark County;

Thence N 85°00'00" W, continuing along said Raynell Heights Plat and said right-of-way line, a distance of 380.00' to a point, said point being on the existing City of Massillon Corporation Line;

Thence continuing along said Corporation line the following courses:

N 05°00'00" E, a distance of 40.20' to a point;

Thence N 85°00'00" W, a distance of 1050.00' to a point;

Thence N 05°00'00" E, a distance of 455.00' to a point;

Thence N 85°00'00" W, a distance of 300.00' to a point;

Thence N 05°00'00" E, a distance of 455.40' to a point;

Thence S 84°48'40" E, a distance of 1728.54' to a point, said point also being on the centerline of Greendale Avenue S.W.;

Thence S 04°46'30" W, along said centerline and corporation line, a distance of 374.71' to a point, said point being the true place of beginning, containing 14.842 acres in the Northeast Quarter Section 14 and 18.413 acres in the Southeast Quarter Section 14, Tuscarawas Township. Total acreage in annexation is 33.255 acres, more or less.

The Bearings are based on S 05° 00' 00" W for the Section Line between the Southeast Quarter Section 14 and the Southwest Quarter Section 13 of Tuscarawas Township as described in Plat Book 37, Page 64.

RECEIVED

MAY 04 2001

Stark County
Commissioners

Petitioners have attached hereto and made a part of this petition a map showing the accurate boundaries of the territory sought to be annexed marked "Map of Territory to be Annexed to the City of Massillon".

Robert A. Sanderson, 13277 Fern Avenue NW, Hartville, Ohio, is hereby appointed agent for the undersigned petitioners as required by RC 709.02 with full power and authority hereby granted to said agent to amend, alter, change, withdraw, refile, substitute, and to take any action necessary for obtaining the granting of this petition. Said amendment, compromise, increase or deletion, or other things for granting this petition shall be made in the petition, description, and/or plat by said agent without further expressed consent of the petitioners.

DATE: June 18, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 139 - 2001

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Woodland Creek Area Annexation, upon annexation, and declaring an emergency.

WHEREAS, certain property owners have filed a petition requesting the Woodland Creek Area Annexation to be annexed to the City of Massillon, Ohio, pursuant to the Ohio Revised Code Section 709.02, and

WHEREAS, The Ohio Revised Code Section 709.031 (B) requires that upon receiving notice, the Municipal Legislative Authority, shall by Ordinance or Resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation, and

WHEREAS, this Ordinance is intended to comply with the requirements of the Ohio Revised Code Section 709.031 (B), and

WHEREAS, the legislative authority of the City of Massillon, Ohio, is supportive of the annexation proposal, and

WHEREAS, the Stark County Commissioners have scheduled a public hearing, to be held at at the Commissioners Office at 11:00 A.M. on July 5th, 2001.

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

Section I:

The City of Massillon, Ohio, will extend to the proposed area, upon annexation, the availability of all municipal services extended to all of the current citizens, residents and property owners of the City of Massillon, Ohio, including, but not limited, to the services of the Municipal Police Department, services of the Municipal Fire Department, services of the Municipal Service Department, services of the Engineering Department, services of the Building Department, services of the Street Department, services of the Safety Department, services of the Planning Department, services of the Health Department, services of the Sewer Department and services of the City of Massillon Administration.

Section 2:

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to indicate what services the City of Massillon will provide to the area upon annexation prior to the Stark County Commissioners hearing on July 5th, 2001 at 11:00 A.M. in the Commissioners Office. 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 _____ 2001

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

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

PETITION
BY CITIZENS FOR THE WOODLAND CREEK ANNEXATION
TO THE CITY OF MASSILLON, OHIO

TO THE COMMISSIONERS OF STARK COUNTY, STATE OF OHIO:

We, the undersigned, being a majority of the adult owners of real estate in the territory hereinafter described, hereby petition for the annexation of the following described territory to the City of Massillon, Massillon Township, Stark County, Ohio.

Situated in the township of Tuscarawas, County of Stark, and State of Ohio, and known as and being part of the Northwest Quarter of Section 14, Township 12, (Tuscarawas), Range 10, and more fully bounded and described as follows:

Beginning at the Northeast corner of said Northwest quarter section and being the true place of beginning;

Thence S 04°26'00" W, following the East line of said Northwest quarter section, a distance of 449.98 feet to a point; said point marking the southeast corner of a tract of land currently or formerly owned by Tridoc Development Inc. as recorded in Imaging Record Number 2001004284 of the Stark County Official Records;

Thence along the south line of said tract of land, on a bearing of N 85°45'00" W a distance of 604.65 feet to a point;

Thence along the east line of a platted Lot Number 79 of the Bonnie Brae allotment, as recorded in Plat Book 25, Page 66 of the Stark County records, on a bearing of S04°15'00" W a distance of 456.97 feet to a point; said point lying on the north right-of-way line of Bonnie Brae Drive SW;

Thence along said right-of-way, on a bearing of N 85°45'00" W a distance of 409.60 feet to a point; said point being on the westerly line of a platted Lot Number 82 of the Bonnie Brae allotment;

Thence along said westerly lot line, on a bearing of N 04°15'00" E a distance of 300.00 feet to a point; said point being the south line of a platted Lot Number 1 of the Bonnie Brae allotment;

Thence along said south lot line, on a bearing of N 85°45'00" W a distance of 609.71 feet to a point, said point being on the east right-of-way of Highlander Ave. SW;

Thence along said east right-of-way line, on a bearing of N 33°25'44" E a distance of 180.89 feet to a point, said point lying on the south line of said Tridoc parcel;

Thence along said line, on a bearing of N 85°45'00" W a distance of 34.47 feet to a point, said point being on the centerline of Highlander Ave. SW;

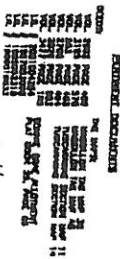
Thence along said centerline, on a bearing of N 33°45'00" E a distance of 517.00 feet to a point; said point being on the North line of the Northwest Quarter of Section 14, Tuscarawas Township;

Thence along said quarter section line, on a bearing of N 85°45'00" E a distance of 1317.38 feet to a point, said point being the Northeast corner of the Northwest Quarter of Section 14, and being the true place of beginning.

The parcel herein described contains 21.259 acres, more or less, of which all 21.259 acres lies in the Northwest Quarter of Section 14, Tuscarawas Township, Stark County, Ohio.

Robert Sanderson, 13277 Fern Ave. N.W., Hartville, Ohio, is hereby appointed agent for the undersigned petitioners as required RC 709.02 with full power and authority hereby granted to said agent to amend, alter, change, withdraw, refile, substitute, and to take any action necessary for obtaining the granting of this petition. Said amendment, compromise, increase or deletion, or other things for granting this petition shall be made in the petition, description, and/or plat by said agent without further expressed consent of the petitioners.

K:\Amendments\09-ANDR\PETITION.dwg



BASES OF HEARING.
The hearing is based on the report of the Medical Director of Seattle, Wash., Bureau of Health, as set out in the attached copy of the report, dated January 1, 1931, and received in the San Francisco office thereof. Privately or formerly served by Robert Davidson.

[illegible]

NOTE:

This report is prepared, tabulated, and drawn from available records of reports, major jobs, and other information which are obtained from the official records maintained by the various offices of the State County Clerk.

The final report to be returned includes copies of all documents filed in the Department of the State County Clerk as reported in Official Record Number 200-1098684 of the State County Clerk Records.

MARTINSON CITY COUNCIL,

Assisted by the City Council of Madison, Wis., by Deputies

Present the _____ day of _____, 200_____

CITY ENGINEER
City list numbers assigned this _____ day of _____, 2009.

COUNTY AUDITOR
Elected this _____ Day of _____, 2001

COUNTY RECORDER

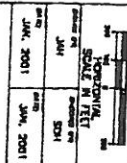
[illegible]

STARK COUNTY COMMISSIONERS

COUNTY RECORDER

Approved for execution by the Stark County Commissioners,
Attest this _____ day of _____, 1900.

Part of the NW Quarter Section 14, Townships Youngs
Annexation Map
City of Hamilton
Clark County, Ohio



DATE: June 18, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 140 - 2001

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE repealing Ordinance No. 114 - 2001, 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. 114 - 2001 be and is hereby repealed.

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 additional reason that it is no necessary to accept the dedication of a 20-foot wide sewer easement to assist CVS Pharmacy in the construction of its new building. 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 _____ 2001

APPROVED _____

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: June 18, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 141-2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 2, to upgrade the sanitary and storm sewer pipes at the Recreation Center site, with Stanley Miller Construction Company, Inc., without competitive bidding, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 2, to upgrade the sanitary and storm sewer pipes at the Recreation Center site, with Stanley Miller Construction Company, Inc., without competitive bidding.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve a Change Order No. 2, to upgrade the sanitary and storm sewer pipes at the Recreation Center site, with Stanley Miller Construction Company, Inc., without competitive bidding. The cost of said Change Order No. 2 shall not exceed Fifty One Thousand Four Hundred Fifty Five Dollars and Sixty Cents (\$51,455.60)

Section 3:

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

Section 4:

This ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that said services are necessary for the upgrade of the sanitary and storm sewer pipes at the Recreation Center site. 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 _____ 2001

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

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

DATE: June 18, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 142 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriation in the General Fund of the City of Massillon, for the year ending December 31, 2001, 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 a reduced appropriation in the General Fund for the year ending December 31, 2001, the following:

26,000.00 from an account entitled "Supplies/Materials/Postage" 1100.845.2410
\$ 12,000.00 from an account entitled "Salary-Summer Feeding" 1100.845.2110
\$ 2,800.00 from an account entitled "Services/Contracts" 1100.845.2392
\$ 1,626.00 from an account entitled "P.E.R.S." 1100.845.2230
\$ 300.00 from an account entitled "Travel/Seminar/Schooling" 1100.845.2389
\$ 200.00 from an account entitled "Medicare" 1100.845.2231

Section 2:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the Park and Recreation Department of the City of Massillon and for the preservation of the public health, safety and welfare of the community and for the additional reason that the appropriation needs to be reduced because of an audit finding. 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 _____ 2001

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: June 18, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Sharon Howell
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 143 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Market Place Infrastructure Fund, Park and Rec Fund, Economic Development Fund, Muni Road Fund, Youth Center Activity Fund, State Housing Trust Fund, UDAG Oak Park B-85-AA-39-0248 Fund for the year ending December 31, 2001, 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 Market Place Infrastructure Fund for the year ending December 31, 2001, the following:

\$ 60,000.00 to an account entitled "Services/Contracts" 1419.435.2392

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Park and Rec Fund for the year ending December 31, 2001, the following:

\$ 26,000.00 to an account entitled "Supplies/Materials/Postage" 1234.515.2410
\$ 12,000.00 to an account entitled "Salary-Summer Feeding" 1234.515.2110
\$ 2,800.00 to an account entitled "Services/Contracts" 1234.515.2392
\$ 1,626.00 to an account entitled "P.E.R.S" 1234.515.2230
\$ 300.00 to an account entitled "Travel/Seminar/Schooling" 1234.515.2389
\$ 200.00 to an account entitled "Medicare" 1234.515.2231

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Economic Development Fund for the year ending December 31, 2001, the following:

\$ 10,000.00 to an account entitled "Stark County Labor Management Council" 1237.845.2391

\$5,000

Section 4:

There be and hereby is appropriated from the unappropriated balance of the Muni Road Fund for the year ending December 31, 2001, the following:

\$ 9,724.85 to an account entitled "Lincoln Way West Rehab Project" 1409.435.2510

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Youth Center Activity Fund for the year ending December 31, 2001, the following:

\$ 2,338.95 to an account entitled "Transfer to Park and Rec" 1224.875.2710

Section 6:

There be and hereby is appropriated from the unappropriated balance of the State Housing Trust Fund for the year ending December 31, 2001, the following:

\$ 1,722.58 to an account entitled "Transfer To" 1228.845.2710

Section 7:

There be and hereby is appropriated from the unappropriated balance of the UDAG Oak Park B-85-AA-39-0248 Fund for the year ending December 31, 2001, the following:

\$ 795.09 to an account entitled "Transfer To" 1221.845.2710

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 _____ 2001

ATTEST: _____

SHARON HOWELL, CLERK OF COUNCIL

DENNIS HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: June 18, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 144 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2001 appropriation from within the State Housing Trust Fund to the Community Development Fund, the Youth Center Activity Fund to the Park and Rec Fund and from within the UDAG Oak Park B-85-AA-39-0248 Fund to the Economic Development 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 2001 appropriation from within the State Housing Trust Fund to the Community Development Fund, of the City of Massillon, Ohio, the following:

\$ 6,097.58 FROM: "Transfer To" 1228.845.2710
TO: "Transfer In" 1203.845.1860

Section 2:

There be and hereby is transferred from the 2001 appropriation from within the Youth Center Activity Fund to the Park and Rec Fund, of the City of Massillon, Ohio, the following:

\$ 3,759.00 FROM: "Transfer to Park and Rec" 1224.875.2710
TO: "Transfer In" 1234.505.1860

Section 3:

There be and hereby is transferred from the 2001 appropriation from within the UDAG Oak Park B-85-AA-39-0248 Fund to the Economic Development Fund, of the City of Massillon, Ohio, the following:

\$ 795.09 FROM: "Transfer to Park and Rec" 1221.845.2710
TO: "Transfer In" 1237.845.1860

DATE: June 18., 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 145 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Park and Rec Fund of the City of Massillon, Ohio, for the year ending December 31, 2001, 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 Park and Rec Fund of the City of Massillon, Ohio, for the year ending December 31, 2001, the following:

\$ 1,879.50 to an account entitled "Supplies/Contracts Youth Center" 1234.505.2394
\$ 1,879.50 to an account entitled "Supplies/Materials/Postage Youth Center" 1234.505.2413

Section 2:

This Ordinance is hereby declared to be an emergency measure, for the reason that said fund is needed to assist the Park and Rec Department with the Youth Center activities 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 THIS _____ DAY OF _____ 2001

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL

_____ DENNIS D. HARWIG, PRESIDENT

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

DATE: June 18, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 146 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor to accept a 2001 Federal Grant from the Bulletproof Vest Partnership Program administered by the Department of Justice for use by the Massillon Police Department, 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 accept a 2001 Federal Grant from the Bulletproof Vest Partnership Program administered by the Department of Justice for use by the Massillon Police Department,

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to accept a 2001 Federal Grant from the Bulletproof Vest Partnership Program administered by the Department of Justice for use by the Massillon Police Department.

Section 3:

The said amount of the Federal Grant shall be Five Thousand Seven Hundred Fifty-Seven Dollars and Thirty-Seven Cents (\$5,757.37)

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the reason that the grant is necessary to provide the Massillon Police Department with bulletproof vest. 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 _____ 2001

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

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

DATE: June 18, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 147 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 1, for the Lincoln Way West Rehab Project, without competitive bidding, with Bitzel Excavating, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 1, for the Lincoln Way West Rehab Project, without competitive bidding, with Bitzel Excavating.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve a Change Order No. 1, for the Lincoln Way West Rehab Project, without competitive bidding, with Bitzel Excavating. The cost of said Change Order No. 1 shall not exceed Nine Thousand Seven Hundred Twenty-Four Dollars and Eighty-Five Cents (\$9,724.85).

Section 3:

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

Section 4:

That this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that said services are necessary for the completion of the Lincoln Way West Rehab Project that is currently under way, in that the funds are available in account. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES HERETO, THAT THE FOLLOWING UNITS OF WORK ON LINCOLN WAY WEST EMERGENCY STORM SEWER IMPROVEMENTS IN ADDITION TO DELETION TO THE NUMBER OF UNITS SPECIFIED IN THE ORIGINAL CONTRACT, BE SUPPLEMENTED BY THE ADDITION OF THE FOLLOWING NEW ITEMS, EXTENSIONS, DELETIONS/REDUCTIONS OF ORIGINAL ITEMS TO COMPLETE THE PROJECT.

STATE ITEM #	DESCRIPTION	QUANTITY			UNIT COST			TOTAL	TOTAL COST
		NEW	ITEMS	UNIT	MATERIAL	LABOR			
254	Pavement Planning	6000.00	S.Y.	1.00	1.00				
404	Asphalt Surface Coarse 1 1/2"	780.00	C.Y.	32.00	31.00		\$	2.00	\$ 12,000.00
407	Tack Coat (0.10 GAL./SQ YD)	475.00	GAL.	1.00	0.50		\$	63.00	\$ 49,140.00
603	12" Concrete Conduit - DBL. WALL PVC	120.00	L.F.	10.00	18.00		\$	1.50	\$ 712.50
603	24" Concrete Conduit - DBL. WALL PVC	1594.00	L.F.	23.00	17.00		\$	28.00	\$ 3,360.00
								40.00	\$ 63,760.00
								TOTAL	\$ 128,972.50

ORIGINAL ITEMS EXTENDED BY

ORIGINAL ITEMS DELETED BY				TOTAL	\$		
254	Pavement Planning	500.00	S.Y.	0.00	7.00	\$	3,500.00
402	Asphalt Concrete 1 1/2"	78.00	C.Y.	32.00	32.00	\$	4,992.00
404	Asphalt Surface Coarse 1 1/2"	94.00	C.Y.	34.00	34.00	\$	6,392.00
407	Tack Coat (0.10 GAL./SQ YD)	140.00	GAL.	1.00	0.50	\$	210.00
603	12" Concrete Conduit - Type B (RCP)	120.00	L.F.	10.00	20.00	\$	3,600.00
603	24" Concrete Conduit - Type B (RCP)	1594.00	L.F.	23.00	20.00	\$	68,542.00
623	Construction Layout Stakes	0.50	UMP SU	100.00	800.00	\$	450.00
				TOTAL		\$	87,686.00

CONTRACT
TOTAL ADDITIONS
TOTAL DELETIONS
REVISED CONTRACT

June 19, 2001

Passed by the Board of Control at a meeting held on

Secretary

Chairman

City of Massillon, Ohio

Safety-Service Director

Witness

Contractor

Name & Title

By:

Witness