

AGENDA

DATE: OCTOBER 1, 2001
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS THIS EVENING

(Lambert - Excused 8:10)

1. ROLL CALL
2. INVOCATION - COUNCILMAN LAMBERT (OR GUEST)
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. 209 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

1st P. H. @ 10-5 @ 7:00am

AN ORDINANCE amending Section 1151.02 of the Massillon Code rezoning a certain tract of land from R-1 Single Family Residential to B-1 Business, and declaring an emergency.

ORDINANCE NO. 210 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

Susp 8-0 Pass 0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into a contract agreement with the Hospice of Tuscarawas County, Inc. to assist in their caregiver support program, in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 211 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

Susp 8-0 Pass 8-0
AN ORDINANCE Authorizing and directing and the Director of Public Services and Safety of the City of Massillon, Ohio, to enter into a contract agreement with the Family Living Center, for the homeless shelter located at 876 Amherst Road N.E., and declaring an emergency.

ORDINANCE NO. 212 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

Susp 8-0 Pass 8-0
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into a contract agreement with the Westark Family Services, Inc., for the Elderly Homemaker Program, and declaring an emergency.

ORDINANCE NO. 213 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

Susp 8-0 Pass 8-0
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into a contract agreement with the Western Stark Medical Clinic, to assist in the provision of free medical care to low income, uninsured households, and declaring an emergency.

OCTOBER 1, 2001

ORDINANCE NO. 214 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

*5-25P
8-10
PMS
8-10*
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into a contract agreement with the Interfaith Caregivers Corporation to assist in their caregiver support program in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 215 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

*5-25P
8-10
PMS
8-10*
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into a contract agreement with the Domestic Violence Project, Inc. to assist in their caregiver support program in the City of Massillon and declaring an emergency.

ORDINANCE NO. 216 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

*5-25P
8-10
PMS
8-10*
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into a contract agreement with the Massillon Urban League for the Housing Counseling Program, and declaring an emergency.

ORDINANCE NO. 217 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

*5-25P
8-10
PMS
8-10*
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into a contract agreement with the YWCA of Massillon, to assist in the operation of its Child Development Center, and declaring an emergency.

ORDINANCE NO. 218 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

*5-25P
8-10
PMS
8-10*
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into a contract agreement with the Massillon Commission to Advance Literacy to assist in the Adult Literacy Education and Training Program, and declaring an emergency.

ORDINANCE NO. 219 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

*5-25P
8-10
PMS
8-10*
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into a contract agreement with the Massillon Urban League for the Teen Pregnancy Prevention Program, and declaring an emergency.

ORDINANCE NO. 220 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

*5-25P
8-10
PMS
8-10*
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio to enter into a contract agreement with the Massillon Main Street for continuation of its Downtown Rehabilitation Program, and declaring an emergency.

ORDINANCE NO. 221 - 2001 BY: PARKS AND RECREATION COMMITTEE

500P
8-0
P
8-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 2, for the relocation of a manhole for the Massillon Recreation Center, without competitive bidding, with Stanley Miller Construction Company, and declaring an emergency.

ORDINANCE NO. 222 - 2001 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

1st
Ready

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

ORDINANCE NO. 223 - 2001 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

500P
8-0
P
8-0

AN ORDINANCE whereby the City of Massillon, Stark County, Ohio, hereinafter referred to as the Local Public Agency, (LPA) gives consent to the Director of Transportation to complete the re-deck and painting of the structure on Erie Street over State Route 21, and declaring an emergency.

ORDINANCE NO. 224- 2001 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

500P
8-0
P
8-0

AN ORDINANCE whereby the City of Massillon, Stark County, Ohio, hereinafter referred to as the Local Public Agency, (LPA) gives consent to the Director of Transportation to mill and resurface SR 172 (Lincoln Way West) from 27th Street to Water Street, and declaring an emergency.

ORDINANCE NO. 225 - 2001 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

500P
8-0
P
8-0

AN ORDINANCE whereby the City of Massillon, Stark County, Ohio, hereinafter referred to as the Local Public Agency, (LPA) gives consent to the Director of Transportation to re-deck and paint four structures along US 30, specifically the structure over the Tuscarawas River and the structures over the B&O and N&W Railroad, and declaring an emergency.

ORDINANCE NO. 226 - 2001 BY: SEWER AND WASTE COMMITTEE

500P
8-0
P
8-0

AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a Cooperative Agreement with Grief Brother Corporation for the design of a sanitary sewer pumping station for the West Warmington Area Region, and declaring an emergency.

ORDINANCE NO. 227 - 2001 BY: SEWER AND WASTE COMMITTEE

500P
8-1
P
8-0

AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with Burgess & Niple, Limited, for the design and construction of the West Warmington Road Pump Station, and declaring an emergency.

• Alter
• Alter

ORDINANCE NO. 228 - 2001 BY: SEWER AND WASTE COMMITTEE

Susp 8-0
Pass 8-0
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, receive sealed bids according to law and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the ~~design and~~ construction of the Wetmore Sanitary Sewer Project Phase I in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 229 - 2001 BY: FINANCE COMMITTEE

Susp 8-0
Pass 8-0
AN ORDINANCE establishing a fund entitled "OPWC Hills & Dales Road Rehab", and creating line items within said fund, and declaring an emergency.

ORDINANCE NO. 230 - 2001 BY: FINANCE COMMITTEE

Susp 8-0
Pass 8-0
AN ORDINANCE making certain transfers in the 2001 appropriation from within the General Fund of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 231 - 2001 BY: FINANCE COMMITTEE

Susp 8-0
Pass 8-0
AN ORDINANCE reducing the appropriation in the Muni Motor Vehicle License Fund of the City of Massillon, for the year ending December 31, 2001, and declaring an emergency.

ORDINANCE NO. 232 - 2001 BY: FINANCE COMMITTEE

Susp 8-0
Pass 8-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the OPWC Hills & Dales Road Rehab Fund, Community Development Block Grant Program Fund, Parks and Recreation Fund, Municipal Golf Course Fund, Wastewater Treatment Plant and General Fund for the year ending December 31, 2001, and declaring an emergency.

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

Approved TO ADD. 40, 9XX. FROM WCTD
Reconsider 8-0
AMEND / Susp. 8-0 / Pass 8-0
APD 3/2 8-0
A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR SEPTEMBER - 2001

B). AUDITOR SUBMITS MONTHLY REPORT FOR SEPTEMBER - 2001

NEXT MEETING 10-8 @ 5:00

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

OCTOBER 1, 2001

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 206 -2001 BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

2nd
AN ORDINANCE Amending Section 2(D) OCCUPATION LIST OF CLASS TILES - WASTEWATER TREATMENT DEPARTMENT of Ordinance No.127 - 1997 by repealing Section 2(D) OCCUPATION LISTS OF CLASS TILES- WASTEWATER TREATMENT DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TILES - WASTEWATER TREATMENT DEPARTMENT in the City of Massillon, Ohio. and declaring and emergency

ORDINANCE NO. 207- 2001 BY: FINANCE COMMITTEE

Amend - Delete Sec 2 8-0
Susp 8-0
Pass 8-0
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit applications for Ohio Public Works Commission Funding for various projects for the year 2002 and to execute said contracts when approved, and declaring an emergency.

RESOLUTION NO. 23 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

NT
A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on September 13th, 2001 wherein the Zoning Board of Appeals denied a variance to reduce the front and rear yard setbacks on the property located at 932 14th Street S.E. and known as Lot No. 16118 in the City of Massillon, Ohio, and declaring an emergency.

RESOLUTION NO. 24 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

2nd
A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on September 13th, 2001 wherein the Zoning Board of Appeals denied a variance to reduce the front yard setbacks on the property located at 924 14th Street S.E. and known as Lot No. 16117 in the City of Massillon, Ohio, and declaring an emergency.

RESOLUTION NO. 25 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

2nd
A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on September 13th, 2001 wherein the Zoning Board of Appeals denied a variance to reduce the front and rear yard setbacks on the property located at 928 14th Street S.E. and known as Lot No. 16119 in the City of Massillon, Ohio, 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
CLERK OF COUNCIL**

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 209-2001

10/1 - 1st Reading
10/15 - 2nd Reading
11/5 - Tabled 11/19
11/19 - Tabled 1/7

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code rezoning a certain tract of land from R-1 Single Family Residential to B-1 Local Business, 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 R-1 Single Family Residential to B-1 Local Business. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on September 12, 2001 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 B-1 Local Business .

Being known as Lot No. 857 and Part of Lot No. 858, an approximate 0.46 acre parcel , located at 514 Cherry Road N.E., in Massillon, Ohio.. This request has been submitted by Durwood and Linda Allshouse, to permit construction of an addition to the building on the property.

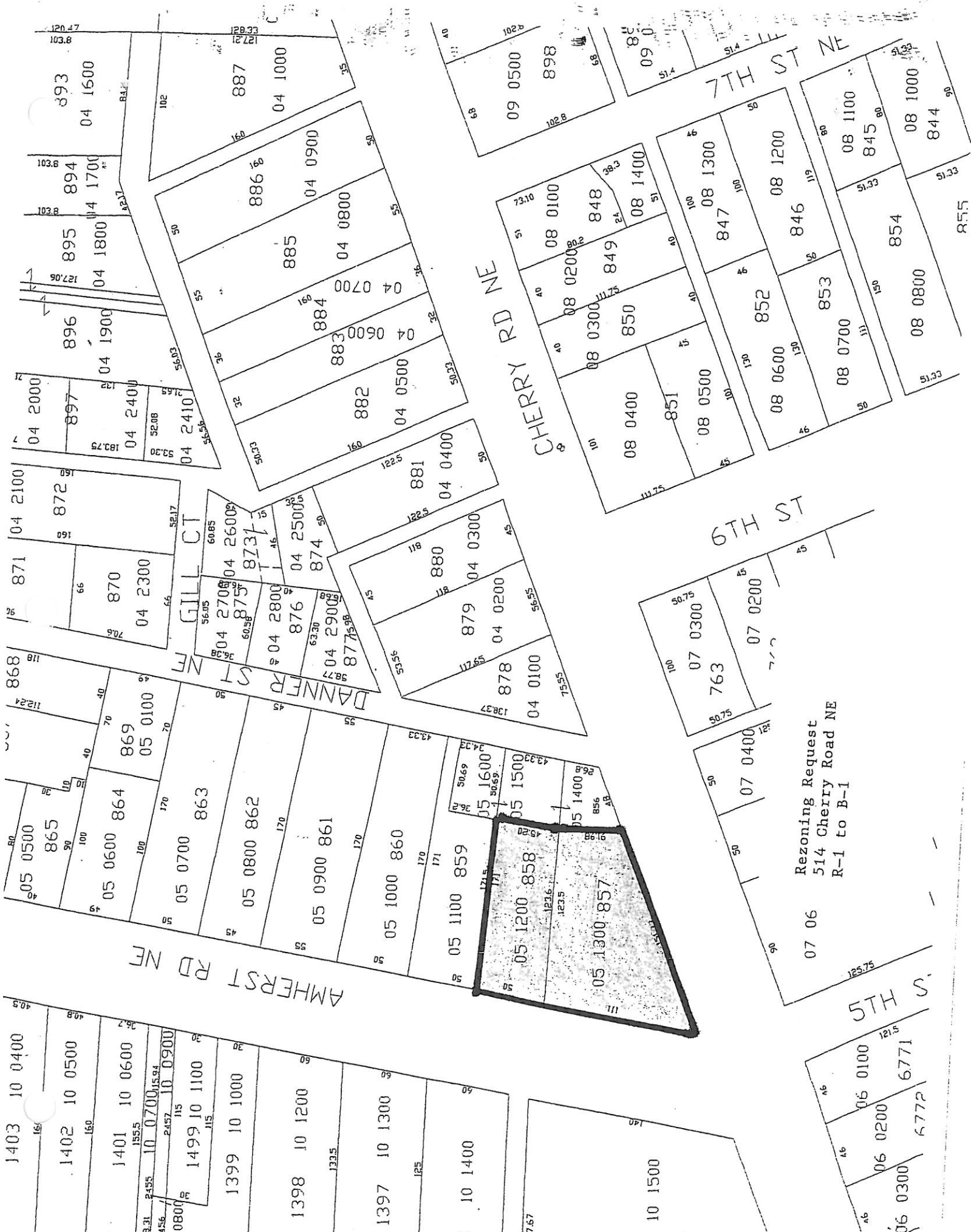
Section 3:

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 B-1 Local Business. 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



Rezoning Request
514 Cherry Road NE
R-1 to B-1



COMMONWEALTH AVE N.E.

STATE ST N.E.

AMHERST

CITY HOSPITAL

STATE ST

R-1

Existing Zoning Map
514 Cherry Road NE
R-1 to B-1

DANFORTH

ST. MARY'S
SCHOOL

CHERRY ST

CHESTNUT ST

ANDOVER

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 210 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with the Hospice of Tuscarawas County, Inc. to assist in their caregiver support program in the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with the Hospice of Tuscarawas County, Inc. to assist in their caregiver support program in the City of Massillon, Ohio. The cost of this contract for services shall not exceed One Thousand Dollars (\$1,000.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with the Hospice of Tuscarawas County, Inc. to assist in their caregiver support program in the City of Massillon, Ohio.

Section 3:

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

Section 4:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to implement the 2001 fiscal year Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELE

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 211 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with the Family Living Center, for the homeless shelter located at 876 Amherst Road N.E., 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 with the Family Living Center, for the homeless shelter located at 876 Amherst Road N.E. The contract for services 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 with the Family Living Center, for the homeless shelter located at 876 Amherst Road N.E.

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 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 2001 fiscal year Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 212 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

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

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract agreement with the Westark Family Services, Inc., for the Elderly Homemaker Program to provide funding to assist in the operation of the Family Living Center. The contract for services shall not exceed Twenty Thousand Dollars (\$20,000.00).

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 with the Westark Family Services, Inc., for the Elderly Homemaker Program.

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 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 2001 fiscal year Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 213 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with the Western Stark Medical Clinic, to assist in the provision of free medical care to low income, uninsured households, 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 with the Western Stark Medical Clinic, to assist in the provision of free medical care to low income, uninsured households. The contract for services shall not exceed Twelve Thousand Dollars (\$12,000.00).

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 with the Western Stark Medical Clinic, to assist in the provision of free medical care to low income, uninsured households.

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 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 2001 fiscal year Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

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

DATE: October 1, 2001

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CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 214 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with the Interfaith Caregivers Corporation to assist in their caregiver support program, in the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with the Interfaith Caregivers Corporation to assist in their program providing support services to elderly and handicapped persons in the City of Massillon, Ohio. The cost of this contract for services shall not exceed Five Thousand Dollars (\$5,000.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with the Interfaith Caregivers Corporation to assist in their program providing support services to elderly and handicapped persons in the City of Massillon, Ohio.

Section 3:

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

Section 4:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to implement the 2001 fiscal year Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 215 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with the Domestic Violence Project, Inc. to assist in their caregiver support program, in the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with the Domestic Violence Project, Inc. to assist in the operation of the domestic violence shelter in the City of Massillon, Ohio. The cost of this contract for services shall not exceed Nine Thousand Dollars (\$9,000.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with the Domestic Violence Project, Inc. to assist in the operation of the domestic violence shelter in the City of Massillon, Ohio.

Section 3:

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

Section 4:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to implement the 2001 fiscal year Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

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LEGISLATIVE DEPARTMENT

ORDINANCE NO. 216 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

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

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract agreement with the Massillon Urban League to provide funding to assist in the Housing Counseling Program. The contract for services 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 with the Massillon Urban League for the Housing Counseling Program.

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 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 2001 fiscal year Community Development Block Grant Program. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 217 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, enter into a contract agreement with the YWCA of Massillon, to assist in the operation of its Child Development 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 finds that it is necessary to enter into a contract agreement with the YWCA of Massillon, to assist in the operation of their Child Development Center. The contract for services shall not exceed Five Thousand Dollars (\$ 5,000.00)

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 with the YWCA of Massillon, to assist in the operation of its Child Development Center.

Section 3:

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

Section 4:

This Ordinance is 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 2001 fiscal year Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 218 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

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

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract agreement with the Massillon Commission to Advance Literacy to provide funding to assist in the Adult Literacy Education and Training Program. The contract for services shall not exceed Five Thousand Dollars (\$5,000.00).

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 with the Massillon Commission to Advance Literacy to assist in the Adult Literacy Education and Training Program.

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 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 2001 fiscal year Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 219 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

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

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract agreement with the Massillon Urban League to provide funding to assist in the operation of the Teen Pregnancy Prevention Program. The contract for services shall not exceed Four Thousand Dollars (\$ 4,000.00).

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 with The Massillon Urban League for the Teen Pregnancy Prevention Program.

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 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 2001 fiscal year Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 220 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, 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 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)

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 with Massillon Main Street for continuation of its Downtown Rehabilitation Program.

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 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 2001 fiscal year Community Development Block Grant Program. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 221 - 2001

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 2, for the relocation of a manhole for the Massillon Recreation Center, without competitive bidding, with Stanley Miller Construction Company, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 2, for the relocation of a manhole for the Massillon Recreation Center, without competitive bidding, with Stanley Miller Construction Company.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve Change Order No. 2, for the relocation of a manhole for the Massillon Recreation Center, without competitive bidding, with Stanley Miller Construction Company. The cost of said Change Order No. 2 shall not exceed Six Hundred Fifty Dollars (\$650.00)

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 relocation of a manhole at the Massillon Recreation Center and 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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 222 - 2001

10/1 - 1st reading
10/15 - 2nd reading
Passed 11/5/01

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

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

WHEREAS, there has been filed with this Council by the owners of all of the lots and lands bounding and abutting upon the street hereinafter described, a petition requesting that a portion thereafter described be vacated, and

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

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

Section 1:

There has been a request to vacate a portion of Penmont Avenue S.E., lying between Forest Avenue S.E. and Massillon Cemetery and running in an east/west direction between Wayne Street S.E. and 13th Street S.E. This vacation plat is filed in the City Engineer's Office. Approval of the vacation was recommended by the City Planning Commission on September 12, 2001. Said vacation is hereby approved, adopted and confirmed.

Section 2:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the continued efficient operation of the City of Massillon, Ohio, and that the portion of the street to be vacated is no longer needed for municipal purposes. 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

3 1000	4	06 2300	4	06 0900	4
8		125 15260	15265	125	
3 0900	4	06 2400	4	06 0800	4
5		125 15259	15266	125	
3 0800	4	06 2500	4	06 0700	4
2		125 15258	15267	125	
13 0700	4	06 2600	4	06 0600	4
		125 15257	15268	125	
3 0600	4	06 2700	4	06 0500	4
16		125 15256	15269	125	
13 0500	4	06 2800	4	06 0400	4
73		125 15255	15270	125	
13 0400	4	06 2900	4	06 0300	4
7		125 15254	15271	125	
13 0300	4	06 3000	4	06 0200	4
327		125 15253	15272	125	
13 0200	4	06 3100	4	06 0100	4
954		125 15252	15273	125	
13 0100	4				
581					

WADSWORTH ST

06 2300	4	06 0900	4
125 15260	15265	125	
06 2400	4	06 0800	4
125 15259	15266	125	
06 2500	4	06 0700	4
125 15258	15267	125	
06 2600	4	06 0600	4
125 15257	15268	125	
06 2700	4	06 0500	4
125 15256	15269	125	
06 2800	4	06 0400	4
125 15255	15270	125	
06 2900	4	06 0300	4
125 15254	15271	125	
06 3000	4	06 0200	4
125 15253	15272	125	
06 3100	4	06 0100	4
125 15252	15273	125	

05 2300	4	05 0900	4
125 15282	15287	125	
05 2400	4	05 0800	4
125 15281	15288	125	
05 2500	4	05 0700	4
125 15280	15289	125	
05 2600	4	05 0600	4
125 15279	15290	125	
05 2700	4	05 0500	4
125 15278	15291	125	
05 2800	4	05 0400	4
125 15277	15292	125	
05 2900	4	05 0300	4
125 15276	15293	125	
05 3000	4	05 0200	4
125 15275	15294	125	
05 3100	4	05 0100	4
125 15274	15295	125	

WADSWORTH ST

04 000	40	04 2200	40
125 15304	125	15302	125
04 2100	40	04 2300	40
125 15303	125	15301	125
04 2400	40	04 2500	40
125 15300	125	15299	125
04 2600	40	04 2700	40
125 15298	125	15297	125
04 2800	40	04 2900	40
125 15296	125	15295	125

WADSWORTH ST

PENNINGTON AVE

NE 40

Street Vacation Request

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 223 - 2001

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE whereby the City of Massillon, Stark County, Ohio, hereinafter referred to as the Local Public Agency, (LPA), gives consent to the Director of Transportation to complete the re-deck and painting of the structure on Erie Street over State Route 21, 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 in the best public interest to give consent to the Director of Transportation to complete the re-deck and painting of the structure on Erie Street over State Route 21, known as STA 21-8.98, PID #237653.

Section 2:

The LPA shall cooperate with the Director of Transportation in the above described project as follows :

1. The LPA shall assume and bear 100% of the cost of those features and appurtenances the LPA requests but are determined by the State, not to be necessary for the project.
2. The LPA agrees that all right-of-way required for the described project will be acquired and/or make available in accordance with current State and Federal regulations.
3. The LPA also understands that right-of-way costs include eligible utility costs.
4. The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.
5. The LPA agrees to maintain to right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

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 enter into an agreement with Director of Transportation to re-deck and paint this structure on Erie Street over State Route 21 with in 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 _____ 2001

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 224 - 2001

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE whereby the City of Massillon, Stark County, Ohio, hereinafter referred to as the Local Public Agency, (LPA), gives consent to the Director of Transportation to mill and resurface SR 172 (Lincoln Way West) from 27th Street to Water Street, 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 give consent to the Director of Transportation to mill and resurface SR 172 (Lincoln Way West) from 27th Street to Water Street, known as Project STA-172-4.85, PID #23687.

Section 2:

The LPA shall cooperate with the Director of Transportation in the above described project as follows :

1. The LPA agrees to participate in the cost of construction at twenty percent (20%) total cost.
2. The State will administer the Federal Aid Funds on behalf of the Federal Highway Administration.
3. The LPA agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

4. The LPA shall assume and bear One Hundred Percent (100%) of the of those features and appurtenances the LPA requests but are determined by the State and Federal Highway Administration not be necessary for the project.

5. The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

6. The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provision of 23 CFR 645 and ODOT Utilities Manual.

7. The LPA will maintain the right-of-way and keep it free of obstructions and hold said right-of-way inviolate for public highway purposes.

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 enter into an agreement with Director of Transportation to mill and resurface SR 172 (Lincoln Way West) from 27th Street to Water Street in 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 _____ 2001

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 225 - 2001

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE whereby the City of Massillon, Stark County, Ohio, hereinafter referred to as the Local Public Agency, (LPA), gives consent to the Director of Transportation to re-deck and paint four structures along US 30, specifically the structure over the Tuscarawas River and the structures over the B&O and N&W Railroad, 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 give consent to the Director of Transportation to re-deck and paint the four structures along U.S. 30, specifically the structure over the Tuscarawas River and the structures over the B&O and N&W Railroad, known as Project STA30-0.00, PID #23754.

Section 2:

The LPA shall cooperate with the Director of Transportation in the above described project as follows :

1. The LPA shall assume and bear 100% of the cost of those features and appurtenances the LPA requests but are determined by the State, not to be necessary for the project.

2. The LPA agrees that all right-of-way required for the described project will be acquired and/or make available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

3. The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

4. The LPA agrees to maintain to right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

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 enter into an agreement with Director of Transportation to re-deck and paint the four structures along US 30 which include the Tuscarawas River and the structure over B&O And N&W Railroads in 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 _____ 2001

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 226 - 2001

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a Cooperative Agreement with Grief Brother Corporation for the design of a sanitary sewer pumping station for the West Warmington Area Region, 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 Cooperative Agreement with Grief Brother Corporation for the design of a sanitary sewer pumping station for the West Warmington Area Region. Each party shall be responsible for one-half (1/2) of the cost for the design.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a 50/50 Cooperative Agreement with Grief Brother Corporation for the design of a sanitary sewer pumping station for the West Warmington Area Region.

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 that it is necessary to enter into a contract with Grief Brothers Corporation for the design of a sanitary sewer pumping station for the West Warmington Area. 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

COOPERATIVE AGREEMENT
by and between
GREIF BROS. CORPORATION and
CITY OF MASSILLON, OHIO
for
THE DESIGN OF A SANITARY SEWER PUMPING STATION
FOR THE WEST WARMINGTON AREA REGION

WHEREAS, the City of Massillon, Ohio ("CITY") is willing to act as the lead agency for the proposed project.

WHEREAS, the Greif Bros. Corporation, Ohio ("GREIF") is willing to share in the cost of the proposed project in an amount not to exceed fifty-percent (50%).

WHEREAS, the proposed project, ("project") consists of the design and construction of the West Warmington Area sanitary sewer pump station.

WHEREAS, the CITY will contract with Burgess and Nipple engineering to design said project.

WHEREAS, The CITY will publicly bid the project once the CITY and GREIF have agreed that the bidding documents are acceptable.

WHEREAS, the project will be a publicly owned after it's acceptance by the CITY.

I. GENERAL PROVISIONS

Pursuant to the intent of the project, CITY and GREIF agree to carry out their respective responsibilities for the completion of the design and construction:

In order to protect the interests of all parties, it is specifically agreed, the CITY and GREIF will split the costs of the project equally. The CITY will front the payment and GREIF will reimburse said payment within fourteen (14) calendar days.

II. SUBMISSION OF PAYMENT REQUESTS AND DISBURSEMENTS OF FUNDS

The CITY shall invoice GREIF by cover letter with the attached approved invoice. at which time GREIF will promptly within fourteen (14) day disburse funds to the CITY.

III. IMPLEMENTATION TIME FRAME

Following the approval of the Permit to Install (PTI) by the OEPA, and any other required Federal, State or Local approvals, the CITY will contract through a public bidding process. After which the CITY will notify GREIF of the proposed time frame of construction. Once said improvements are made the CITY will retain the ownership of said project.

IV. INDEPENDENCE OF PARTIES

GREIF shall not be considered an agent of CITY for any purpose, nor shall CITY be considered an agent of GREIF.

V. TERMINATION

A. GREIF and the CITY will work together under this Agreement to further the goal of the project and thus protecting a valuable water resource in Stark County. However, GREIF and CITY specifically retain the right to terminate this Agreement with written notice to the other party not less than fifteen (15) days prior to the date CITY enters into any contract whether for the design or construction of the project.

B. If any party hereto breaches or fails to carry out any obligation contained herein or in any collateral agreements, the non-defaulting party shall have the right to terminate this Agreement.

VI. DEFAULT

In the event of default by any party under this Agreement or any collateral Agreements, the non-defaulting party will have all remedies available to them at law or in equity, including right of termination, injunctive relief and the right to specific performance.

VII. COMPLIANCE WITH LAWS

In performing their obligations hereunder, the parties hereto will comply with all applicable federal, state and municipal laws.

GREIF BROS. CORPORATION

Date: _____

By: _____
William M. Shew
Plant Manager

CITY OF MASSILLON, OHIO

Date: _____

By: _____
Alan W. Climer
Safety and Service Director

APPROVAL OF BOARD OF CONTROL

I hereby certify that pursuant to the authority conferred the Board of Control on the _____ day of _____, 20____, duly approved the foregoing contract and authorized the Director of Public Service and Safety to enter into said contract on behalf of the City of Massillon.

Secretary of the Board of Control

8

AUDITOR'S CERTIFICATE

I hereby certify that the amount of money required to meet the obligations of the City of Massillon which will accrue during the year 20____ according to the written estimate made to me by the Director of Public Service and Safety to wit: \$_____ has been lawfully appropriated for such purpose and is in the Treasury or in the process of collection to the credit of an appropriate fund, free from previous encumbrance.

Date: _____

City Auditor

LAW DIRECTOR'S CERTIFICATE

I, the undersigned, the duly elected and qualified Law Director of the City of Massillon, Ohio, do hereby certify that I have personally examined the foregoing contract and have found the same to be regular with respect to form and correctness, and binding upon all parties signatory thereto.

Date: _____

City Law Director

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 227 - 2001

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a Contract, without competitive bidding, with Burgess & Niple Limited for the design and construction of the West Warmington Road Pump Station, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a contract, without competitive bidding, with Burgess & Niple Limited for the design and construction of the West Warmington Road Pump Station. The cost of said contract shall not exceed Forty -Five Thousand Nine Hundred Fifty Dollars (\$45,950.00)

Section 2:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that the design and construction of the West Warmington Road Pump Station is vital to the future development within 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 _____ 2001

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 228 - 2001

BY: SEWER AND WASTE 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, receive sealed bids according to law and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the design and construction of the Wetmore Sanitary Sewer Project Phase I in the City of Massillon, and declaring an emergency.

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

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, receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the design and construction of the Wetmore Sanitary Sewer Project Phase I in the City of Massillon.

Section 2:

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

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that bids be received so that work may be completed on the Wetmore Sanitary Sewer Project Phase I. 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

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DATE: October 1, 2001 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 229 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE establishing a fund entitled "OPWC Hills & Dales Road Rehab", and creating line items within said fund, and declaring an emergency.

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

Section 1:

There be and is hereby established within the City of Massillon, Ohio, a fund entitled "OPWC Hills & Dales Road Rehab", and and creating line items within said fund.

Section 2:

The City Auditor is hereby authorized and directed to draw her warrants and make payments on vouchers duly approved by the proper departmental authority.

Section 3:

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 to establish said fund for accounting procedures within the Auditor's 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 _____ 2001

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 230 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2001 appropriation from within the General Fund of the City of Massillon, Ohio, and declaring an emergency.

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

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Section 1:

There be and is hereby transferred from the 2001 appropriation from within the General Fund of the City of Massillon, Ohio, the following:

\$16,000.00 FROM: "Street Lighting" 1100.905.2392
TO: "Services/Contract (City Hall)" 1100.410.2392

\$3,000.00 FROM: "Annexation Fees" 1100.905.2721
TO: "Utilities" 1100.410.2340

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for the efficient operation of the various departments for the end of the year 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

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

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

DATE: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 231 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriation in the Muni Motor Vehicle License 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:

The appropriation of \$10,500.00 in the "Supplies/Material/Postage" 1206.435.2410 of the Muni Motor Vehicle License Fund of the City of Massillon, for the year ending December 31, 2001, is hereby reduced by the same amount in that the project is completed.

Section 2:

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 and for the additional reason that the appropriation needs to be reduced because of an audit procedure. 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: October 1, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

***AMENDED**
ORDINANCE NO. 232 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the OPWC Hills & Dales Road Rehab Fund, Community Development Block Grant Program Fund, Parks & Recreation Fund, Municipal Golf Course Fund, Wastewater Treatment Plant Fund and General 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 OPWC Hills & Dales Road Rehab Fund for the year ending December 31, 2001, the following:

\$559,810.00 to an account entitled "OPWC Hills & Dales Road Rehab" 1482.435.2510

Section 2:

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

\$75,000.00 to an account entitled "Main Street Revitalization Grants" 1203.845.2828
\$20,000.00 to an account entitled "Senior Citizens Homemaker Program" 1203.845.2803
\$15,000.00 to an account entitled "Housing Counseling Program" 1203.845.2802
\$15,000.00 to an account entitled "Family Living Center" 1203.845.2841
\$12,000.00 to an account entitled "Western Stark Medical Clinic" 1203.845.2857
\$ 9,000.00 to an account entitled "Domestic Violence Shelter" 1203.845.2858
\$ 5,000.00 to an account entitled "YWCA Day Care Program" 1203.845.2854
\$ 5,000.00 to an account entitled "Massillon Literacy Commission" 1203.845.2819
\$ 5,000.00 to an account entitled "Interfaith Caregivers Program" 1203.845.2859
\$ 4,000.00 to an account entitled "Teen Pregnancy Prevention Program" 1203.845.2815
\$ 1,000.00 to an account entitled "Community Hospice Program" 1203.845.2860

Section 3:

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

\$59,475.00 to an account entitled "Capital Improvement Project" 1433.505.2510

\$15,000.00 to an account entitled "Services/Contracts" 1433.505.2392

Section 4:

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

\$46,369.88 to an account entitled "Capital Project" 1432.920.2510

Section 5:

* There be and hereby is appropriated from the unappropriated balance of the Wastewater Treatment Plant Fund for the year ending December 31, 2001, the following:

\$ 45,950.00 to an account entitled "West Warmington Pump Station" 2101.610.2511

Section 6:

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

\$ 2,684.38. to an account entitled "Concert Fund " 1100.905.239B

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 1st DAY OF October 2001

ATTEST: Sharon Howell
SHARON HOWELL, CLERK OF COUNCIL

Dennis H. Harwig
DENNIS HARWIG, PRESIDENT

APPROVED: October 2, 2001

Francis H. Cicchinelli, Jr.
FRANCIS H. CICCHINELLI, JR, MAYOR

I hereby certify that the foregoing ordinance
is a true copy of the original, as passed by
the Council of the City of Massillon, Ohio,
and approved as noted thereon:

Sharon Howell
Clerk of Council

Date Oct 1, 2001