

AGENDA

DATE: (TUES) JANUARY 22, 2002
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS THIS EVENING

1. ROLL CALL
2. INVOCATION BY COUNCILWOMAN GLORIA AUTREY (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

Amend Agenda ADD 22-2002 + 278-2002 + move RES 3, 4+5 to top of agenda.

ORDINANCE NO. 7 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

BOC

SOSP
MON
BRIAN
FINCH
6-3
1-1
1-1
1-1
AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement for the purchase Out Lot No. 12, Part of Out Lot No. 13 and Out Lot 14, (approximately 2.08 acres), which is currently owned by Ohio Drilling Company, and declaring an emergency. *[T.B.] wonders if Realty Shop on S. J. would like to purchase Parcel Prior to closing.*

ORDINANCE NO. 8 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

BOC

SOSP
6-0
1-0
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a contract with Stark County Regional Planning Commission for Housing Rehabilitation Services in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 9 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

BOC

SOSP
9-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with Neighborhood Housing Services (NHS) of Massillon for land acquisition needed for the development of affordable housing in the Walnut Hills area in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 10 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

BOC

SOSP
9-0
9-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with Habitat for Humanity of Massillon, Ohio, Inc., for the agency's Housing Program in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 11 - 2002 BY: ENVIRONMENTAL COMMITTEE

SOSP
9-0
9-0
AN ORDINANCE authorizing the Director of public Service and Safety of the City of Massillon, Ohio, to accept sanitary sewer easements from Fresh Mark and Cloverleaf for the installation and maintenance of the Wetmore Sanitary Sewer Trunk, and declaring an emergency.

JANUARY 22, 2002

ORDINANCE NO. 12 - 2002 BY: ENVIRONMENTAL COMMITTEE

1st
AN ORDINANCE amending CHAPTER 925 "SEWERS GENERALLY" of the Codified Ordinances of the City of Massillon, by enacting an additional Sections 925.63 to 925.68 of said CHAPTER 925, and declaring an emergency.

ORDINANCE NO. 13 - 2002 BY: PARKS AND RECREATION COMMITTEE

SOSP 9-0
Pass 8-0
BOC
AN ORDINANCE authorizing the Mayor to enter into contract agreements with Variety Attractions, Inc., L & B Entertainment Inc., and other companies for various engagements for the summer concert series, and declaring an emergency.

BYAH - Employees could be

ORDINANCE NO. 14 - 2002 BY: PARKS AND RECREATION COMMITTEE

SOSP 9-0
Pass 9-0
AN ORDINANCE authorizing and directing the Director of public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids, and to enter into contract upon award of the Board of Control, with the lowest and best bidder for various items as the said City may require for the completion of the Massillon Recreation Center, and declaring an emergency.

ORDINANCE NO. 15 - 2002 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

SOSP 9-0
Pass 9-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to grant an easement to Ohio Edison for a transmission pole to be located on Hills & Dales Road N.E., and declaring an emergency.

ORDINANCE NO. 16 - 2002 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

SOSP 9-0
Pass 9-0
AN ORDINANCE authorizing and directing the Mayor to enter into an agreement with the Ohio Department of Transportation for the Freeway Incident Management Program, and declaring an emergency.

ORDINANCE NO. 17 - 2002 BY: FINANCE COMMITTEE

SOSP 9-0
Pass 9-0
BOC
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 4 for lighting fixture substitutions for the Massillon Recreation Center, without competitive bidding, with Wood electric, and declaring an emergency.

ORDINANCE NO. 18 - 2002 BY: FINANCE COMMITTEE

SOSP 9-0
Pass 8-0
Follow 8-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Recreation Center Project, Wastewater Treatment Plant Fund, Parks and Rec Capital Fund, Community Development Block Grant Fund, General Fund, BR Lincoln Center Fund, Restaurant License Fund, Home Health Fund, BR Golf Fund, BR Park and Rec Fund of the City of Massillon, Ohio, for the year ending December 31, 2002, and declaring an emergency.

ORDINANCE NO. 19 - 2002 BY: FINANCE COMMITTEE

Susp 9-0
Poss 9-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund of the City of Massillon, Ohio, for the year ending December 31, 2002, and declaring an emergency.

ORDINANCE NO. 20 - 2002 BY: FINANCE COMMITTEE

Amend Section 2 9-0
Amend Sec 1
Susp 9-0
Poss 9-0
AN ORDINANCE making certain transfers in the 2002 appropriation from within the General Fund and the Park and Rec Fund to the Summer Concert Fund of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 21 - 2002 BY: FINANCE COMMITTEE

Susp 9-0
Poss 9-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Summer Concert Fund for the year ending December 31, 2002, and declaring an emergency.

T.B.
RESOLUTION NO. 3 - 2002 BY: COMMITTEE OF THE WHOLE

Susp 9-0
Poss 9-0
A RESOLUTION commending the Co-Chairpersons and Members of the 2002 Massillon's 175th Birthday Celebration Committee for the City of Massillon, Ohio.

RESOLUTION NO. 4 - 2002 BY: PARKS AND RECREATION COMMITTEE

Susp 9-0
Poss 9-0
A RESOLUTION commending Foster R. Romans as an employee of the City of Massillon for 25 years of service in the Park Department.

RESOLUTION NO. 5 - 2002 BY: PARKS AND RECREATION COMMITTEE

Susp 9-0
Poss 9-0
A RESOLUTION commending Constance Ledwell as an employee of the City of Massillon for 24 years of service with the Youth Center.

** ORD- 22-2002- Hire Black Musk School Diet Lounge*

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

1. **LETTER OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LICENSE FROM RITE AID OF OHIO INC., DBA RITE AID DISC PHARM. #3095, 266 FEDERAL AVENUE 1ST FLOOR, MASSILLON, OHIO, 44647, TO RITE AID OF OHIO, INC., DBA RITE AID DISC. PHARM #3095, 242 LINCOLN WAY WEST, MASSILLON, OHIO, 44647.**

2. **LETTER OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM WAL MART STORES EAST INC., DBA WAL MART SUPERCENTER #2914, 1 MASSILLON MARKET PLACE DRIVE S.W. & PATIO, MASSILLON, OHIO, 44646**

To Wal Mart Store East LP

9. BILLS, ACCOUNTS AND CLAIMS

JANUARY 22, 2002

10. REPORTS FROM CITY OFFICIALS

- ~~A). MAYOR SUBMITS MONTHLY REPORT FOR DECEMBER 2001~~
- ~~B). FIRE CHIEF SUBMITS MONTHLY REPORT FOR DECEMBER 2001~~
- ~~C). POLICE CHIEF SUBMITS MONTHLY REPORT FOR DECEMBER 2001~~
- ~~D). TREASURER SUBMITS MONTHLY REPORT FOR DECEMBER 2001~~
- ~~E). INCOME TAX ADMINISTRATOR SUBMITS MONTHLY REPORT FOR DEC. 2001~~

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTIONS

Jan 28, 2002 @ 5:30

Post 9-0

*ORD 273-2001
to Remove Parity of
2001 from Counciling
to Parity 1st Entire.*

ORDINANCE NO. 251 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

2-11-02

AN ORDINANCE adding a new CHAPTER 1180 "HOME OCCUPATIONS AND INCIDENTAL RESIDENTIAL USES" to PART ELEVEN - PLANNING AND ZONING CODE under TITLE SEVEN - Zoning Regulations of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 2 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

P.H. Feb 19 @ 7:00pm

2-17-02

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

ORDINANCE NO. 5 - 2002 BY: ENVIRONMENTAL COMMITTEE

Boc

*3-20-02
9-0*

Post

AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with First Energy Solutions for meter equipment for the Wastewater Treatment Plant Upgrade 2000 Project, 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: January 22, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

1st Reading
2nd Reading 2/4
LEGISLATIVE DEPARTMENT
passed 2/19/02

COUNCIL CHAMBERS

1st Reading

ORDINANCE NO. 7 - 2002

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement for the purchase Out Lot No. 12, Part of Out Lot No.13 and Out Lot 14, (approximately 2.08) acres, which is currently owned by Ohio Drilling Company, and declaring and emergency.

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

Section 1:

The real property owned by Ohio Drilling Company, Out Lot No. 12, Part of Out Lot No.13 and Out Lot 14, (approximately 2.08 acres) in the City of Massillon is needed for the Lincoln Centre Phase III Project.

Section 2:

The Director of Public Service and Safety is authorized to enter into an agreement to purchase the above described real estate for One Million Three Hundred Thousand Dollars (\$1,300,000.00) and upon the execution and approval the said Director of Public Service and Safety is further authorized to execute and approve all necessary documents to expedite the purchase of said real estate.

Section 3:

The City Auditor is hereby authorized to pay the purchase price of One Million Three Hundred Thousand Dollars (\$1,300,000.00)

Section 4:

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5:

This Ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that the acquisition of the real estate is necessary for further development within the downtown area of the City of Massillon for the completion of the Lincoln Centre Phase III . 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 _____ 2002

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

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

DATE: January 22, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

*5080
pass
9.0*
ORDINANCE NO. 8 - 2002

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a contract with Stark County Regional Planning Commission for Housing Rehabilitation Services 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 Stark County Regional Planning Commission for Housing Rehabilitation Services in the City of Massillon. The contract for services shall not exceed Thirteen Thousand Dollars (\$13,000.00).

Section 2:

The Mayor of the City of Massillon is hereby authorized to enter into a contract with Stark County Regional Planning Commission for Housing Rehabilitation Services in the City of Massillon, Ohio.

Section 3:

Upon delivery of the aforesaid agreement, the Mayor 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 needed to assist the City of Massillon in its Housing Rehabilitation 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.

DATE: January 22, 2002

CLERK: SHARON HOWELL

*50
9-0
9-0*
COUNCIL CHAMBERS

CITY OF MASSILLON, OHIO

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 9 - 2002

BY: COMMUNITY DEVELOPMENT 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 Neighborhood Housing Services (NHS) of Massillon for land acquisition needed for the development of affordable housing in the Walnut Hills area 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, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract agreement with Neighborhood Housing Services (NHS) of Massillon for land acquisition needed for the development of affordable housing in the Walnut Hills area in the City of Massillon. 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 Neighborhood Housing Services (NHS) of Massillon for land acquisition needed for the development of affordable housing in the Walnut Hills area in the City of Massillon.

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 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 _____ 2002

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

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

DATE: January 22, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

*5-20
9-0
P. 10
9-0*

ORDINANCE NO. 10 - 2002

BY: COMMUNITY DEVELOPMENT 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 Habitat for Humanity of Massillon, Ohio, Inc., for the agency's Housing 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 Habitat for Humanity of the City of Massillon, Ohio, Inc., for the agency's Housing Program in the City of Massillon, Ohio. The cost of this contract for services shall not exceed Twenty Five Thousand Dollars (\$25,000.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with the Habitat for Humanity of the City of Massillon, Ohio, Inc., for the agency's Housing 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.

DATE: January 22, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

*505P
9-0
passed
9-0*

ORDINANCE NO. 11 - 2002

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept sanitary sewer easements from Fresh Mark, Superior Brand Meats Inc., and CCS Realty for the installation and maintenance of the Wetmore Sanitary Sewer Trunk, 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, hereby finds that it is necessary to accept sanitary sewer easements from Fresh Mark, Superior Brand Meats Inc., and CCS Realty for the installation and maintenance of the Wetmore Sanitary Sewer Trunk.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to accept sanitary sewer easements from Fresh Mark, Superior Brand Meats Inc., and CCS Realty for the installation and maintenance of the Wetmore Sanitary Sewer Trunk.

Section 3:

That this Ordinance is hereby declared to be an emergency measure for the reason that these easements are needed for the installation and maintenance of the Wetmore Sanitary Sewer Line. 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 _____ 2002

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DEDICATION PLAT

SANITARY SEWER EASEMENT
PART OF LOT 895 IN THE CITY OF MASSILLON
STATE OF OHIO

JANUARY 7, 2002

THE BEARING SYSTEM FOR THIS PLAT HAS BEEN ESTABLISHED USING 1104.25'00" FOR THE SOUTH LINE OF THE N.E. 1/4 OF SEC. 16 IN PERRY TOWNSHIP, ALSO THE CENTERLINE OF SOUTHWAY ST. S.W., AS RECORDED IN DEED VOLUME 4215, PAGE 86 OF THE STARK COUNTY DEED RECORDS.

—STONE FD. & USED

UNE TABLE		
UNIT	BEARING	LINE
L1	N04°02.22'E	80.31'
L2	N04°04.10'E	80.31'
L3	N03°30.18'E	60.49'
L4	S03°03.33'W	110.80'

PL. OUTLOT 481
SUPERIOR'S BRAND MEATS, INC.
D.V. 4215, PGS. 64
(PT. 40.013 AC.)

FRESH MARK INC.
OUTLOT 895
21.510 AC.
P.B. 69, PG. 4
(DEED OF RECORD: D.V. 4215, PGS. 6

ROAD RECORD C, PG. 235

S.W. COH.
N.E. OIR. SEC. 16
W.N.A. PERRY TWP.

QTR. SEC. LINE

OUT OF LINE

JUNE

PART OF OUTLOT 228 IN THE CITY OF MARSELLON,
STARK COUNTY, OHIO
FOR: W.A. KLINGER, INC.



1122 MARKET
AVENUE, NORTH
CANTON, OHIO
44716

ENGINEERS AND SURVEYORS


PHONE (202) 452-4721
FAX (202) 452-4716

BRYAN, ASHLEY

JEROLD E. COTTE

[illegible]

HORIZONTAL SCALE

A horizontal scale bar with markings at 0, 50, and 100. The bar is divided into segments, with the first segment from 0 to 50 being shaded.

SHARK COUNTY, OHIO
JANUARY 7, 2002

N.E. COR.
N.E. QTR. SEC. 16
(F.M.A. PERRY TWP.)

GEORGE L. GEIB
 REGISTERED SURVEYOR NO. 6725
 DATE

(PREVIOUSLY KNOWN AS SUPERIOR BROS.
MEATS, INCORPORATED)

REAL GROSSING

MINI-SUMS

20

MY COMMISSION EXPIRES _____

DEDICATE THE LANDS SHOWN AS A SANITARY SEWER AND EASEMENT TO PUBLIC USE FOREVER.

CCS REALTY

WITNESS

DANIEL F. KAPLAN

10

STATE OF
CONNECTICUT

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED THE ABOVE, WHO ACKNOWLEDGED THAT HE, SHE, THEY DO SIGN THE FOREGOING INSTRUMENT AND THAT THE SAME IS (HIS,HER,THEIR) FREE ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL ON _____ DAY OF _____ 20__.

— 03 —

INDIARY PUBLIC

AT COMMISSION EXPIRE:

APPROVED BY ORDINANCE NO. _____ PASSED THIS _____ DAY OF _____

3

RESIDEN

CI 5704

RECEIVED
RECORDEDDAY
—Pier

TARIK COUNTY RECORDER

PART OF OUTLOT 468 IN THE CITY OF MASSILLON,
STARK COUNTY, OHIO
FOR: W.A. KLINGER, INC.

ENGINEERS AND SURVEYORS

BYRON J. ASHMAN
JEROLD E. GETO

REVISIONS



DATE: January 22, 2002

CLERK: SHARON HOWELL

SI 1/22/02

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 12 - 2002

2nd reading 2/4
passed 2/19/02

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 925 "SEWERS GENERALLY" of the Codified Ordinances of the City of Massillon, by enacting additional Section 925.63 to 925.68 of said CHAPTER 925, 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 enacted an additional Section 925.63 to 925.68 of CHAPTER 925 "SEWERS GENERALLY" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

(SEE ATTACHED)

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the Satellite Sewer Discharge Control Program (SSDCP), and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2002

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED:

FRANCIS H. CICCHINELLI, JR., MAYOR

SATELLITE SEWER DISCHARGE CONTROL PROGRAM (SSDCP)

SECTION 925.63 PROGRAM REQUIREMENTS

- (A) The SSDCP shall be administered by the City Engineer or an authorized representative as appointed by the Safety & Service Director. The City Engineer shall assist the Wastewater Department Manager or his designated appointee with this program.
- (B) The SSDCP shall be implemented through the issuance of Satellite Community Discharge Permits. The Permits shall delineate, among other things, the elimination, up to the specified storm event design, of sanitary sewer overflows (SSOs), installation of flow meters, implementation of Sanitary Sewer Evaluation Survey (SSES) and Best Management Practices (BMP).
- (C) Each community shall, as a condition of its Permit, be required to undertake appropriate Best Management Practices (BMP) for control/operation of their sanitary sewer system.
- (D) Each community shall identify and disclose to the City as soon as it becomes known all sanitary sewer or combined sewer overflow points known or which become known to the community that are not included in the community's Permit.
- (E) The community shall be solely responsible for projects set forth in its Community Compliance Schedule identified in its Satellite Community Discharge Permit.
- (F) NO NEW SANITARY SEWER OVERFLOWS. No community overflows shall exist except those that are controlled in accordance with the Satellite Community Discharge Permit.
- (G) Each community shall maintain a current map of all sanitary sewers tributary to the City of Massillon.

SECTION 925.64 SATELLITE COMMUNITY DISCHARGE PERMIT

(A) The City shall issue permits to Satellite Communities with requirements, conditions and schedules as necessary to achieve the purpose of this chapter.

(B) The City shall notify a Satellite Community by certified mail of actions the community shall be required to undertake under the authority of this chapter and the applicable sewer agreement. The Permit shall contain or require the following information at a minimum:

- (1) General conditions.
- (2) Satellite Community Compliance Schedule.

(C) The City shall notify a Satellite Community by certified mail of the schedule for preparation and submittal of the community Fact Sheet with revisions, if required, and Community Compliance Plan identifying the means by which the community intends to achieve its Community Compliance Schedule.

(D) Upon approval by the City of a Community Compliance Plan, such plan shall be deemed incorporated into the respective Satellite Community Discharge Permit for all purposes of the Sewer Use Code. Failure of a Satellite Community to obtain City approval of a plan within ninety (90) days of the required submittal date shall be deemed a circumstance for initiation of enforcement action pursuant to Sections 925.45, 925.46, 925.47, and 925.51.

(E) PERMIT MODIFICATIONS, SUSPENSION, OR REVOCATION. After notice and opportunity for a hearing, the Permit may be modified, suspended or revoked by the Director in whole or in part during its term. The City shall retain the right of revision to amend the Code or the granted Permit. In the event of said modification or amendment, the City shall notify the Satellite Community not less than thirty (30) days prior to the effective date of such modification or amendment to this Permit.

The Satellite Community may at any time request a modification of any part of this Permit. The request for modification should be received by the City at least ninety (90) days before the date on which it is desired that the modification become effective.

SECTION 925.65 SATELLITE COMMUNITY COMPLIANCE SCHEDULE

The City shall develop general guidance and evaluation procedures regarding the Community Compliance Schedule. The Safety & Service Director shall develop the guidance and evaluation procedures and revise as required.

SECTION 925.66 SATELLITE COMMUNITY DISCHARGE MONITORING PROGRAM

(A) The Satellite Community, in response to the Permit issued under this program and subject to City approval, shall develop a maintenance and monitoring program. The monitoring program shall be designed to determine the contributing flow to the City of Massillon sanitary sewer system.

(B) The City shall have the authority to conduct monitoring for verification and other purposes within the Satellite Community sanitary sewer system.

(C) The Satellite Community shall provide an Annual Report as detailed in their Permit and shall be submitted by May 1 of each calendar year. Monthly monitoring and reporting requirements may be required by the City.

SECTION 925.67 SATELLITE COMMUNITY DISCHARGE PROGRAM MISCELLANEOUS PROVISIONS

(A) All communities subject to this code shall retain and preserve any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof relating to planning, design, maintenance, monitoring, sampling, financing and legislative action on the part of a community in connection with its compliance or noncompliance with its Permit and related Community Compliance Schedule in accordance with all local, state and federal law and regulations.

(B) The provisions of this portion of this Sewer Use Code consisting of Sections 925.63 through 925.68 inclusive are intended to be read in conjunction with and to complement and supplement other provisions of the Sewer Use Code and applicable sewer agreement, all of which remain fully applicable to the Satellite Communities covered hereunder.

(C) By discharging to the sanitary sewer system of the City, the Satellite Community agrees to

comply with all terms and regulations of the City and to be bounded by said terms, conditions and regulations.

SECTION 925.68 SATELLITE COMMUNITY DISCHARGE PROGRAM ENFORCEMENT

(A) The City may initiate enforcement action against a Satellite Community for violation of any provision of this chapter including, but not limited to, the Satellite Communities' failure to:

- (1) Implement projects on a permit-required Community Compliance Schedule.
- (2) Follow Best Management Practices as specified in their Permit.
- (3) Properly respond to a request for evidence of progress or explanation for delay on projects identified in their Community Compliance Plan.
- (4) Produce a sanitary sewer map as required by the Permit.
- (5) Submit an approvable Community Compliance Plan or Fact Sheet in a timely manner.
- (6) Install flow meters.
- (7) Prevent the creation of new sanitary sewer overflows.

(B) The City may take any enforcement action available in this chapter, including but not limited to, notice of violation (925.45), show cause hearing (925.46), judicial proceedings (925.47), enforcement (925.48), and administrative penalty (925.51). By definition and for use of these enforcement sections, a "discharger" is defined as a person or governmental entity as defined in this chapter, including a "Satellite Community". The enforcement action may be taken alone or in combination as necessary to effectuate the achievement of the Community Compliance Schedule.

DATE: January 22, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 13 - 2002

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor to enter into contract agreements with Variety Attractions, Inc., L & B Entertainment Inc., and other companies for various engagements of the summer concert series, and declaring an emergency.

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

Section 1:

The Mayor of the City of Massillon, Ohio, is hereby authorized to enter into contract agreements with Variety Attractions, Inc., L & B Entertainment Inc., and other companies for various engagements for the summer concert series. The cost of said contracts shall not exceed One Hundred Thousand Dollars (\$100,000.00).

Section 2:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason to provide summer concert entertainment series for the citizens 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 _____ 2002

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: January 22, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

SUP 9-0
Poso 9-0
ORDINANCE NO. 14 - 2002

BY: PARK AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids, and to enter into contract upon award of the Board of Control, with the lowest and best bidder for various items as the City may require for THE COMPLETION OF THE Massillon Recreation Center, and declaring an emergency.

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

Section I:

The Director of Public Safety and Service is hereby authorized and directed to prepare the necessary specifications and to advertise for and receive sealed bids and to enter into contract upon award of the Board of Control, with the lowest bidder for various items as the City may require for the completion of the Massillon Recreation Center. The items to be included in the specifications for bid are as follows:

1. Exterior signage at the Recreation Center
2. Landscaping at the Recreation Center
3. Networking/Cabling at the Recreation Center
4. Recreation Center fitness equipment
5. Recreation Center furniture
6. Recreation Center telephone system
7. Rock climbing wall for the Recreation Center

Section 2:

Each bidder may bid for the furnishing of all, or any portion of the items in Section I. Contracts may be made for each separate item as the same shall be awarded for the furnishing of a portion of the aforesaid materials, subject to the approval of the Board of Control.

Section 3:

Upon acceptance of the aforesaid bids and their approval by the Board of Control and upon the execution of a contract therefore, 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 materials, supplies and equipment as the same shall be furnished in accordance with the requirements of the City of Massillon, Ohio, and the 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 reason being that the materials, supplies and equipment to be purchased are needed for immediate use and for the preservation of the health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2000

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

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

DATE: January 22, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

*Supp
9-0*

ORDINANCE NO. 15 - 2002

*Pass
9-0*

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to grant an easement to Ohio Edison Company for a transmission pole located on Hills & Dales 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, hereby finds that it is necessary to grant an easement to Ohio Edison Company for a transmission pole to be located on Hills & Dales Road N.E.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to grant an easement to Ohio Edison Company for a transmission pole to be located on Hills & Dales Road N.E.

Section 3:

That this Ordinance is hereby declared to be an emergency measure for the reason that this easement is needed so that Ohio Edison Company may erect a transmission pole to better the services for the citizens 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 _____ 2002

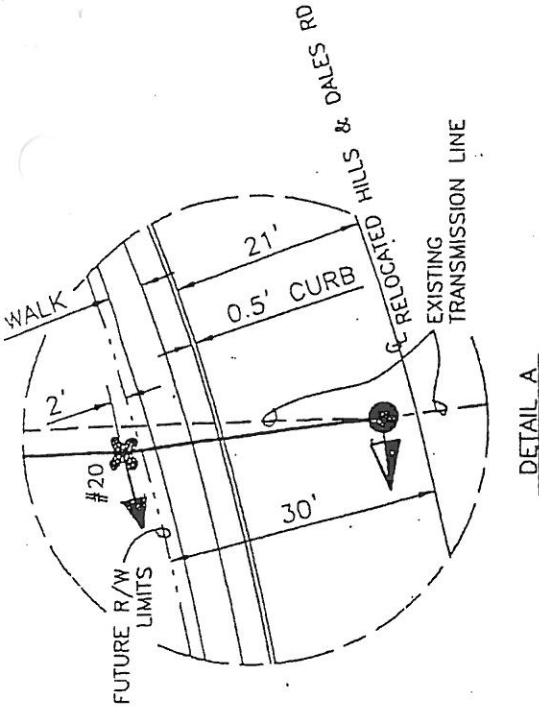
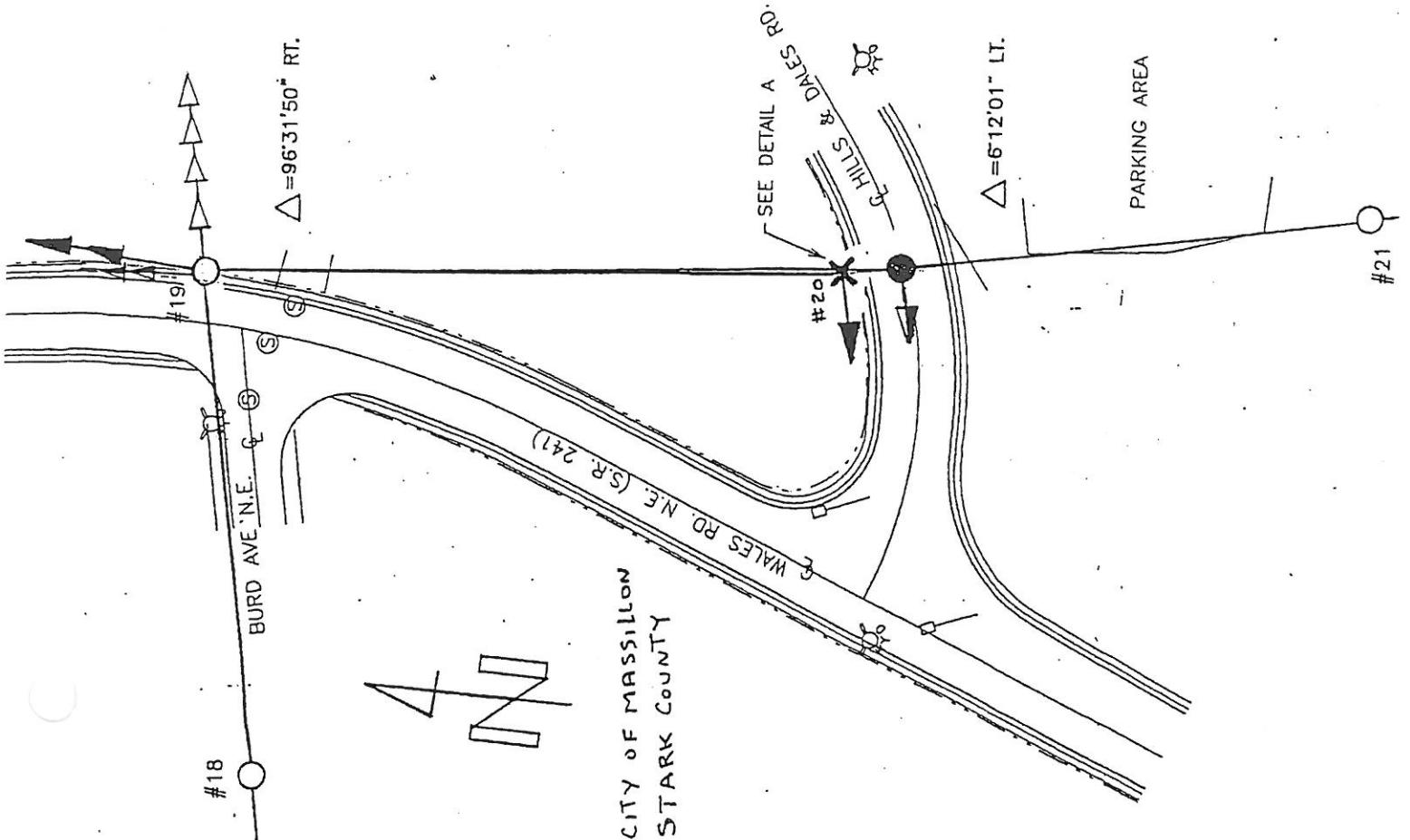
APPROVED: _____

SHARON K. HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED _____

FRANCIS H. CICCHINELLI, JR., MAYOR



Date	1/14/01	# of pages	1
From	A. MUSKO	Co.	
Post-it-It Fax Note	7671	Phone #	
To	STEVE HAMIT	Fax #	
Co./Dept.		Phone #	
Fax #	330-830-1786		

CONSTRUCTION NOTES

1. Remove one 75' wood pole (Pole #20) and guy.
2. Install one 85' 1/2 wood pole (Pole #20) and guy to the north of the existing pole. Pole to be per Construction Standard 18-420. Attach guy one foot below middle phase.
3. Transfer existing ground wire and conductors to new Pole #21.
4. Relocate existing north anchors on Pole #19 five to the East.
NOTE: These anchor relocations to Pole #19 may not have to be done if the new sidewalk is not installed. Please contact the contractor at the time of construction.

1/16/02

Parcel 1

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, That CITY OF MASSILLON, the GRANTOR, claiming title by virtue of instrument recorded in Volume 3539, Page 484, of the Stark County Records, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations received to its full satisfaction of OHIO EDISON COMPANY, an Ohio corporation, the GRANTEE, does hereby grant unto Grantee, its successors and assigns, an easement and right of way, together with the rights and privileges hereinafter set forth, for lines for the transmission and distribution of electric current, including communication facilities, upon, over, under and across the following described premises:

Situated in the City of Massillon, County of Stark, State of Ohio, and being a part of the Northeast Quarter of Section 5.

The right of way above referred to is described as follows:

A strip of land 50 feet wide, 25 feet on each side of a center line, which center line of right of way is described as follows:

The center line of right of way and Grantee's existing transmission line, extending across Grantor's premises by virtue of an existing easement recorded in Volume 2655, Page 479, of the Stark County Records, enters Grantor's premises from the lands of The Massillon Auto Club, Inc., at a point on the easterly property line of Grantor's premises, said property line being the easterly line of Section 5, approximately 137 feet southerly

from the northeast corner of Section 5; thence from this point in a general southerly direction across Grantor's premises, approximately 227 feet to an angle point, where said center line angles to the left approximately 6 degrees; thence from this point in a general southerly direction across Grantor's premises, approximately 14 feet (passing at 2 feet the proposed northerly limits of the relocated Hills and Dales Road) to a point on Grantor's southeasterly property line, said property line being on the northwesterly limits of Hills and Dales Road, approximately 30 feet southwesterly as measured along said northwesterly limits from its intersection with the easterly line of Section 5, where said center line of right of way crosses to the limits of said Hills and Dales Road.

Together with the right to install guy wires and anchors within or adjacent to the right of way herein granted wherever necessary.

The easement and rights herein granted shall include the right to erect, inspect, operate, replace, relocate, repair, patrol and permanently maintain upon, over, under and along the above-described right of way across said premises all necessary structures, wires, cables and other usual fixtures and appurtenances used for or in connection with the transmission and distribution of electric current, including communication facilities, and the right of reasonable ingress and egress upon, over and across said premises for access to and from said right of way, and the right to trim, cut, remove or control by any other means at any and all times such trees, limbs and underbrush as may interfere with or endanger said structures, wires or appurtenances or their operation.

The Grantor reserves the right to use the ground between said structures and beneath said wires, provided that such use does not interfere with or obstruct the rights herein granted; and the Grantor agrees that no building, obstruction or impediment of any kind shall be placed within said right of way or between said structures or beneath said wires without prior written approval of the Grantee.

The Grantee will repair or replace all fences, gates, lanes, driveways, drains and ditches damaged or destroyed by it on said premises or pay Grantor for all damages to fences, gates, lanes, driveways, drains and ditches, on said premises caused by the construction or maintenance of said lines.

TO HAVE AND TO HOLD the said easement, rights and right of way and its appurtenances to said Grantee, and to its successors and assigns, forever, and the Grantor represents that it is the owner of the above-mentioned premises herein described.

IN WITNESS WHEREOF, City of Massillon has executed this easement by its duly authorized officers as of the _____ day of _____ 2002.

WITNESSES:

CITY OF MASSILLON

_____ By _____

(Printed Name)

_____ And _____

(Printed Name)

)

)

)

The foregoing instrument was acknowledged before me

day of

2002, by

of City of Massillon, on behalf of the

corporation.

SEAL

L:\winword\ease\Clity of Massillon 02 ease

DATE: January 22, 2002 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

503P 9-0
Dodd 9-0
ORDINANCE NO. 16 - 2002

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Mayor to enter into an agreement with the Ohio Department of Transportation for the Freeway Incident Management 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 an agreement with the Ohio Department of Transportation for the Freeway Incident Management Program.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to enter into an agreement with the Ohio Department of Transportation for the Freeway Incident Management Program.

(SEE ATTACHED)

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 Ohio Department of Transportation for the Freeway Incident Management 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.

Section 4:

This Ordinance is declared to be an emergency measure immediately necessary for the reason being that the materials, supplies and equipment to be purchased are needed for immediate use and for the preservation of the health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2000

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

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

DATE: January 22, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

SOSP 9-2
POSD 9-2

ORDINANCE NO. 17 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 4, for lighting fixture substitutions for the Massillon Recreation Center, without competitive bidding, with Wood Electric, 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. 4, for lighting fixture substitutions for the Massillon Recreation Center, without competitive bidding, with Wood Electric.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve Change Order No. 4 for lighting fixture substitutions for the Massillon Recreation Center, without competitive bidding, with Wood Electric. The Change Order No. 4 shall not exceed Seven Hundred Seventy-One Dollars (\$771.00)

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 addition of substitution of lighting fixtures 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 _____ 2002

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

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

DATE: January 22, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 18 - 2002

*Supp'd
Rec'd
8-1
Fillmore*

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Recreation Center Project Fund, Wastewater Treatment Plant Fund, Parks and Rec Capital Fund, Community Development Block Grant Fund, General Fund, BR Lincoln Center Fund, Restaurant License Fund, Home Health Fund, BR Golf Fund, and the BR Park and Rec Fund, of the City of Massillon for the year ending December 31, 2002, 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 Recreation Center Project Fund for the year ending December 31, 2002, the following:

Shopping list
\$1,236,401.00 to an account entitled "Recreation Center Project" 1435.505.2510
\$ 20,000.00 to an account entitled "Rec Center Supplies" 1435.505.2410
\$ 10,000.00 to an account entitled "Rec Center Service/Contracts" 1435.505.2392

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Wastewater Treatment Plant Fund for the year ending December 31, 2002, the following:

\$300,000.00 to an account entitled "Augusta Lake Pump Station" 2101.610.2394
\$125,273.84 to an account entitled "Raynell Heights Conveyance" 2101.610.2512
\$ 16,000.00 to an account entitled "Railroad Crossing Fees" 2101.610.2395

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Parks & Rec Capital Fund for the year ending December 31, 2002, the following:

\$78,870.00 to an account entitled "Capital Improvement Projects" 1433.505.2510
\$108,267.00 to an account entitled "Equipment" 1433.505.2530
\$ 12,000.00 to an account entitled "Supplies/Materials/Postage" 1433.505.2410
\$ 12,000.00 to an account entitled "Refunds" 1433.505.2720
\$ 10,000.00 to an account entitled "Services/Contracts" 1433.505.2392

Section 4

There be and hereby is appropriated from the unappropriated balance of the Community Development Block Grant Fund for the year ending December 31, 2002, the following:

\$ 85,448.10 to an account entitled "Sec. 108 Loan Program" 1203.845.2811
\$ 30,000.00 to an account entitled "Walnut Hills Improvements" 1203.845.2856
\$ 25,000.00 to an account entitled "Habitat for Humanity" 1203.845.2849

Section 5:

There be and hereby is appropriated from the unappropriated balance of the General Fund for the year ending December 31, 2002, the following:

\$ 36,366.00 to an account entitled "^{Buildout}~~Rent~~ Grand Mill" 1100.705.2395
\$ 10,000.00 to an account entitled "Outside Council" 1100.115.2392
\$ 5,000.00 to an account entitled "Picnic In the Park" 1100.905.239C
\$ 1,250.00 to an account entitled "Workers Comp Defense" 1100.905.2399
\$ 990.79 to an account entitled "Health Dept. Services/Contracts" 1100.705.2392

Section 6:

There be and hereby is appropriated from the unappropriated balance of the BR Lincoln Center Fund for the year ending December 31, 2002, the following:

\$ 21,761.82 to an account entitled "Services/Contracts" 1306.505.2392

Section 7:

There be and hereby is appropriated from the unappropriated balance of the Restaurant License Fund for the year ending December 31, 2002, the following:

\$ 12,000.00 to an account entitled "^{Buildout}~~Rent~~ Grand Mill" 1211.705.2395

Section 8:

There be and hereby is appropriated from the unappropriated balance of the Home Health Fund for the year ending December 31, 2002, the following:

\$ 12,000.00 to an account entitled "^{Buildout}~~Rent~~ Grand Mill" 1235.705.2395

Section 9:

There be and hereby is appropriated from the unappropriated balance of the BR Golf Fund for the year ending December 31, 2002, the following:

\$ 7,486.26 to an account entitled "Service/Contracts" 1302.940.2392

Section 10:

There be and hereby is appropriated from the unappropriated balance of the BR Park and Rec Fund for the year ending December 31, 2002, the following:

\$ 5,463.64 to an account entitled "Services/Contracts" 1303.940.2392

Section 11:

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 _____ 2002

WITNESSED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS HARWIG, PRESIDENT

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: January 22, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

5000 9-0
1000 9-0

ORDINANCE NO. 19 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund of the City of Massillon, Ohio, for the year ending December 31, 2002, 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 General Fund of the City of Massillon, Ohio, for the year ending December 31, 2002, the following:

\$65,000.00 to an account entitled "Summer Concerts" 1100.905.2714

Section 2:

This Ordinance is hereby declared to be an emergency measure, for the reason that said appropriation is needed for the summer concerts in downtown 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 _____ 2002

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNY HARWIG, PRESIDENT

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

DATE: January 22, 2002

CLERK: SHARON HOWELL

*Amend No. 1
9-0
Amend No. 2
9-0*

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

*5-0
9-0
9-0*

ORDINANCE NO. 20 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2002 appropriation from within the General Fund and the ~~Park and Rec Fund~~ to the Summer Concert 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 2002 appropriation from within the General Fund to the Summer Concert Fund, of the City of Massillon, Ohio, the following:

45,000 - Amend #2
~~\$65,000.00~~ FROM: "Transfer to Summer Concerts" 1100.905.2714
TO "Transfer In" 1212.505.1860

Section 1:

*Amend #1
Moved By T.B. to delete.*

There be and hereby is transferred from the 2002 appropriation from within the Park and Rec Fund to the Summer Concert Fund, of the City of Massillon, Ohio, the following:

~~\$35,000.00~~ FROM: "Transfer To" 1234.505.2740
TO "Transfer In" 1212.505.1860

Section 2:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are necessary for the summer concerts to continue, 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 _____ 2002

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

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

DATE: January 22, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 21 - 2002

SUP 9-0
POSE B-1 T.B.
BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Summer Concert Fund for the year ending December 31, 2002, 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 Summer Concert Fund for the year ending December 31, 2002, the following:

\$100,000.00 to an account entitled "Services/Contracts" 1212.505.2392

Section 3:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the Summer Concerts 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 _____ 2002

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR