

AGENDA

DATE: FEBRUARY 4, 2002
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS THIS EVENING

1. ROLL CALL
2. INVOCATION BY COUNCILMAN BRYAN (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. 23 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

155
AN ORDINANCE amending Section 1151.02 of the Massillon Code by rezoning a certain tract of land from B-1 Local Business District to B-2 Central Business District, and declaring an emergency.

ORDINANCE NO. 24 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

155 *Supp. July Phase II* *March 18 @ 7:00am*
AN ORDINANCE amending Section 1151.02 of the Massillon Code by rezoning a certain tract of land from Tuscarawas Township to Massillon Zoning, and declaring an emergency.

ORDINANCE NO. 25 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

155 *Raynell Htz* *March 18 @ 7:15pm*
AN ORDINANCE amending Section 1151.02 of the Massillon Code by rezoning a certain tract of land from Tuscarawas Township to Massillon Zoning, and declaring an emergency.

ORDINANCE NO. 26 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

158 *March 18 @ 6:45am*
AN ORDINANCE amending TITLE FIVE of PART ELEVEN - "PLANNING AND ZONING CODE" of the Codified Ordinances of the City of Massillon, by the addition of a new Chapter 1154 "R-U One Family Residential District" under TITLE FIVE of PART ELEVEN - "PLANNING AND ZONING CODE", and declaring an emergency.

ORDINANCE NO. 27 - 2002 BY: ENVIRONMENTAL COMMITTEE

155
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into a contract, without competitive bidding, with CTI Environmental, Inc. for the design of the Federal Avenue Pump Station, and declaring an emergency.

ORDINANCE NO. 28 - 2002 BY: FINANCE COMMITTEE

503P *9-0*
AN ORDINANCE authorizing the Law Director of the City of Massillon to enter into a five year renewal contract with The Walter H. Drane Company for the codification of the City Ordinances, and declaring an emergency.

ORDINANCE NO. 29 - 2002 BY: FINANCE COMMITTEE

5-20 P 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 City may require for use in several departments, and declaring an emergency.

ORDINANCE NO. 30 - 2002 BY: FINANCE COMMITTEE

1 35
AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement with the State of Ohio Department of Transportation for a zero percent interest loan for a twenty (20) year period, and declaring an emergency.

ORDINANCE NO. 31 - 2002 BY: FINANCE COMMITTEE

5-20 P 9-0
AN ORDINANCE approving the editing and inclusion of certain Ordinances as parts of the various component Codes of the Codified Ordinances of Massillon, Ohio, and declaring an emergency.

5-20 P 9-0
ORDINANCE NO. 32 - 2002 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Local Law Block Grant Fund, General Fund, 16th Street Project Fund and Park and Recreation Fund, of the City of Massillon for the year ending December 31, 2002, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

A). LETTER OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM JL DL P COMPANY, INC., DBA ALPINE PARTY FOODS & BEVERAGE, 2048 WALES N.W., MASSILLON, OHIO, 44646, TODD SCHUMACHER TO ELUM MUSIC CO., DBA ELUM WHOLESALE DIVISION, 280 FEDERAL AVE. N.W., MASSILLON, OHIO, 44646.

B). LETTER OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM DONALD L. DENENZIO, DBA SNEAKERS, 7936 HILLS & DALES ROAD, MASSILLON, OHIO, 44646, TO J. C. BOUORBON STREET, INC., DBA LA MACCHIAS RESTAURANT, 7936 HILLS & DALES ROAD, MASSILLON, OHIO, 44646.

C). LETTER OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM BRIAN BRIAN K. ENTERPRISES INC., 1008 9TH STREET S.W. FIRST FLOOR, MASSILLON, OHIO, 44647 TO WEBB STREET CO., LLC, DBA ABBEY ROAD, 1008 9TH STREET S.W. FIRST FLOOR, MASSILLON, OHIO 44647

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR JANUARY - 2002
- B). AUDITOR SUBMITS MONTHLY REPORT FOR JANUARY - 2002
- C). LAW DIRECTOR SUBMITS YEARLY REPORT FOR 2001
- D). FIRE CHIEF SUBMITS YEARLY REPORT FOR 2001

E) BDS + Appointees

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

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

POW 9-0
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

3-0 PM Feb 19 @ 7:00 AM
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.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 7 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

3-0 6-3 B.F.M. 2-ND
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.

ORDINANCE NO. 12 - 2002 BY: ENVIRONMENTAL COMMITTEE

2-ND
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.

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: February 4, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 23 - 2002

1st Reading
2nd Reading 2/19
LEGISLATIVE DEPARTMENT
w/d by owner 3/4/02

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code rezoning a certain tract of land from B-1 Local Business District to B-2 Central Business District, 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 B-1 Local Business District to B-2 Central Business District. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, at a special meeting on January 30th, 2002 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 be and is hereby amended to show the following described area as B-2 Central Business District:

Lot Nos. 321, 322 and 323, a vacant parcel of land located on the east side of Erie Street South, between Tremont Avenue S.E. and Oak Avenue S.E. This property will be used for the construction of a multi-story elderly apartment building by the Neighborhood Housing Services of Massillon, Inc.

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-2 Central Business District. 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

1ST ST SE

OK/4

Title: G:\1 Current Maps\Cities\Massillon\033b.dwg

REZONING REQUEST - LOTS No. 321, 322, 323
From B-1 to B-2

ERIE ST. SOL

0.68 AC
21 0100

DATE: February 4, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading
2nd Reading 2/19
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 24 - 2002

Filed PH 3/18
passed 3/18

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code rezoning a certain tract of land from Tuscarawas Township to Massillon Zoning, 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 from Tuscarawas Township to Massillon Zoning classification, as approved by the Planning Commission of the City of Massillon, Ohio, on January 16th, 2002 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, be and is hereby amended to show the following described area as R-1 Single Family Residential:

Being known as Out Lots. 904 through 912. A total of 38.2692 acres located between Lincoln Way West and Wooster Road and running in an east-west direction between Manchester Road and Deerfield Avenue. Section "B" of the Sippo Valley Trail is now annexed to the City of Massillon, and is being given Massillon City zoning classification.

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 for the additional reason that the property was annexed into the City of Massillon and it is now necessary to give the property the City zoning classification. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED THIS _____ DAY OF _____, 2002

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

SIPPO VALLEY TRAIL SECTION B ANNEXATION



DATE: February 4, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading
2nd Reading 3/19
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 25 - 2002

Filed PH 3/18
passed 3/18

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code rezoning a certain tract of land from Tuscarawas Township to Massillon Zoning, 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 from Tuscarawas Township to Massillon Zoning classification, as approved by the Planning Commission of the City of Massillon, Ohio, on January 16th, 2002 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, be and is hereby amended to show the following described area as R-3 Single Family Residential:

Being known as Lot Nos. 16374 through 16410 and Out Lots 925 through 927, a total of 33.255 acres located on the west side of 29th Street N.W., recently annexed to the City from Tuscarawas Township. This rezoning is being requested by the City of Massillon.

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 for the additional reason that the property was annexed into the City of Massillon and it is now necessary to give the property the City zoning classification. 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 The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code be and is hereby amended to show the following described area as B-2 Central Business.

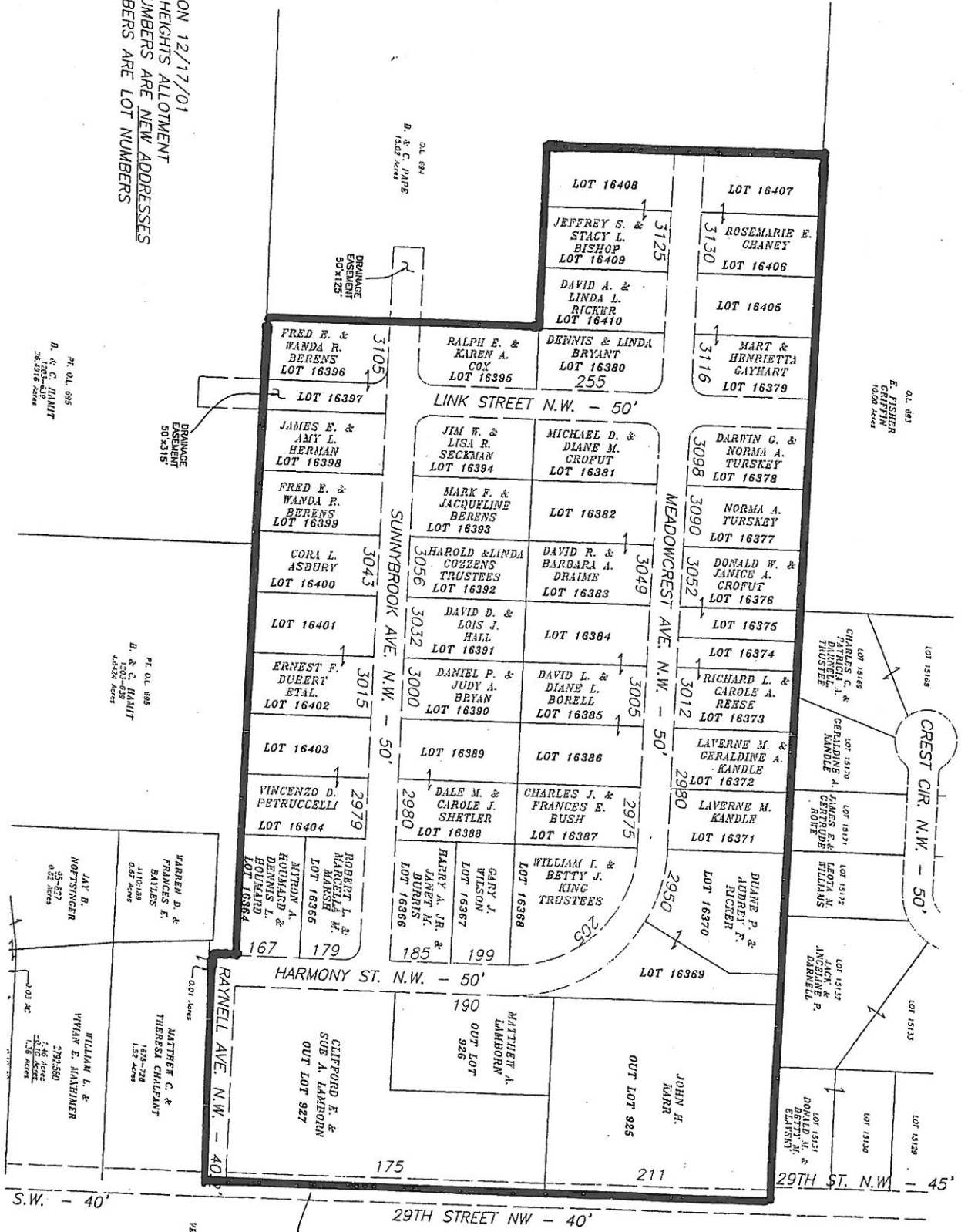
PASSED THIS _____ DAY OF _____, 2002

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

ANNEXATION 12/17/01
 RAYNELL HEIGHTS ALLOTMENT
 GREEN NUMBERS ARE NEW ADDRESSES
 RED NUMBERS ARE LOT NUMBERS

RAYNELL HEIGHTS AREA ANNEXATION



DATE: February 4, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 26 - 2002

1st Reading
2nd Reading 3/19
LEGISLATIVE DEPARTMENT

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending TITLE FIVE of PART ELEVEN - "PLANNING AND ZONING CODE" of the Codified Ordinances of the City of Massillon, by the addition of a new Chapter 1154 "R-U One Family Residential District" under TITLE FIVE of PART ELEVEN - "PLANNING AND ZONING CODE", 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 a new Chapter 1154 "R-U One Family Residential District" under TITLE FIVE of PART ELEVEN - "PLANNING AND ZONING CODE" of the Codified Ordinances of the City of Massillon. Said addition to Chapter 1154 "R-U One Family Residential District" under TITLE FIVE of PART ELEVEN - "PLANNING AND ZONING CODE" shall read as follows:

(SEE ATTACHED)

Section 2:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Building Department of the City of Massillon, Ohio, 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

DATE: February 4, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 27 - 2002

1st Reading
2nd Reading 2/19
LEGISLATIVE DEPARTMENT
Tabled Indef.

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with CTI Environmental, Inc. for the design of the Federal Avenue 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 Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract, without competitive bidding, with CTI Environmental, Inc. for the design of the Federal Avenue Pump Station.

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, without competitive bidding, with CTI Environmental, Inc. for the design of the Federal Avenue Pump Station.

Section 3:

That the amount of the contract with CTI Environmental, Inc. for the design of the Federal Avenue Pump Station, shall not exceed the amount of One Hundred Twenty Thousand Dollars (\$120,000.00).

Section 4:

That 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 contract with CTI Environmental, Inc. for the design of the Tremont Avenue Pumping Station that is needed for future development within that 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 _____ 2002

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

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

DATE: February 4, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 28 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Law Director of the City of Massillon to enter into a five year renewal contract with The Walter H. Drane Company for the codification of the City Ordinances, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary and in the public health, safety and welfare to enter into a five year renewal contract with The Walter H. Drane Company for the codification of the City Ordinances

Section 2:

The Law Director of the City of Massillon is hereby authorized to enter into a five year renewal contract with The Walter H. Drane Company for the codification of the City Ordinances.

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 five year contract with The Walter H. Drane Company for the codification of the City of Massillon Ordinances as the previous contract has expired. 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: February 4, 2002 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 29 - 2002

BY: FINANCE 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 use in several departments, 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 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 use in several departments. The items to be included in the specifications for bid are as follows:

(SEE ATTACHED)

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 _____ 2002

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

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

ATTACHMENT "A"

City Garage
401 Walnut Road SW
Massillon, Ohio 44647
330-833-5746

STREET DEPARTMENT

1. Asphalt of H.P.M. cold mix (loaded on City trucks) \$ _____ ton
2. 402, 404 fine top asphalt hot mix under 200 tons daily 402 \$ _____ ton
(loaded on City trucks) 404 \$ _____ ton
3. 402, 404 fine top asphalt hot mix over 200 tons daily 402 \$ _____ ton
(loaded on City trucks) 404 \$ _____ ton
4. 412 sand and fine top asphalt hot mix (loaded on City trucks) \$ _____ ton
5. 301 base asphalt hot mix (loaded on City trucks) \$ _____ ton
6. 10,000 pounds, more or less, as the City may require of crack sealant for City streets:
 - a) RS-221, sealant meets ODOT 705.04 specifications \$ _____ lb.
 - b) RS-201 sealant \$ _____ lb.
 - c) Polyfiber sealant \$ _____ lb.
7. SS-921 cold mix asphalt (loaded on City trucks) \$ _____ ton
8. 702.04 MS-2 (tack coat No. 407) furnished and applied at one tenth (1/10th) gallon per sq. yard \$ _____ gal.

Most contracts will be effective for a one (1) year period.

MISCELLANEOUS

9. 200 tons, more or less, No. 4 gravel and limestone gravel \$ _____ ton
(Loaded on City trucks) limestone \$ _____ ton

10. 500 tons, more or less, No. 57 gravel
(Loaded on City trucks) gravel \$ _____ ton
500 tons, more or less, No. 57 limestone
(Loaded on City trucks) limestone \$ _____ ton
11. 2,000 tons, more or less, as the City may require, of Grit (hailed by
City trucks) for a period of October 1, 2001 to March 31, 2002. \$ _____ ton
12. Bids for the purpose of purchasing fuel at an off-site location for all City owned vehicles.
Specifications available at the Safety-Service Director's office.

WASTEWATER TREATMENT PLANT

13. 36 - 150 pound cylinders, more or less, as the City may require of liquid chlorine gas delivered
six (6) at a time.
14. 15,000 gallons, more or less, of sodium bisulfite \$ _____ gal.
- 15.. 30,000 gallons, more or less, of sodium hypochlorite \$ _____ gal.

GOLF COURSE DEPARTMENT

16. Chemicals - specifications available at the Safety-Service Director's office
17. Fertilizers - specifications available at the Safety-Service Director's office

Chemical and fertilizers are to be delivered to The Legends Golf Course at 2100 Nave Road SE
Massillon, Ohio 44646

Sand

DATE: February 4, 2002 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 30 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement with the State of Ohio Public Works Commission for a zero percent interest loan for a twenty (20) year period, 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 State of Ohio Public Works Commission for a zero percent interest loan for a twenty (20) year period.

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 State of Ohio Public Works Commission for a zero percent interest loan for a twenty (20) year period.

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 that the City of Massillon enter into this loan agreement so that the funds may be used for the Arena Area Rehab Project. 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 19th DAY OF February 2002

APPROVED: Sharon Howell Dennis D. Harwig
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

APPROVED: February 20, 2002 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 2/19/02

DATE: February 4, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

not reading
passed 2/19/02
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 30 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement with the State of Ohio Department of Transportation for a zero percent interest loan for a twenty (20) year period, 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 State of Ohio Department of Transportation for a zero percent interest loan for a twenty (20) year period.

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 State of Ohio Department of Transportation for a zero percent interest loan for a twenty (20) year period.

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 that the City of Massillon enter into this loan agreement so that the funds may be used for the Arena Area Rehab Project. 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: February 4, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 31 - 2002

BY: FINANCE COMMITTEE

Title: AN ORDINANCE approving the editing and inclusion of certain Ordinances as parts of the various component Codes of the Codified Ordinances of Massillon, Ohio, and declaring an emergency.

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of Massillon, Ohio; and

WHEREAS, numerous sections in the Traffic, General Offenses and Fire Prevention Codes need to be amended or enacted so as to conform to enactments of the Ohio General Assembly;

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, OHIO, IN REGULAR SESSION SITTING: TWO-THIRDS OF THE MEMBERS CONCURRING:

SECTION 1: That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of Massillon, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances to wit:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
19-2001	3-5-01	1109.06(a)(1), (b)(5)
86-2001	4-2-01	1129.04
87-2001	5-7-01	1313.01 to 1313.23, 1313.99
96-2001	5-21-01	937.08 to 937.10
109-2001	5-7-01	969.03
169-2001	8-6-01	1301.11
241-2001	12-3-01	1313.01
250-2001	12-17-01	105.02

SECTION 2: The following sections of the Traffic, General Offenses and Fire Prevention Codes, as amended, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly.

Traffic Code

- 301.20 Motor Vehicle Defined. (Amended)
- 335.08 Operation or Sale Without Certificate of Title. (Amended)
- 337.27 Seat Belt Requirements. (Amended)
- 375.08 Snowmobile Certificate of Title. (Amended)

General Offenses Code

- 501.06 Limitation of Criminal Prosecution. (Amended)
- 509.03 Disorderly Conduct. (Amended)
- 509.05 Misconduct at an Emergency. (Amended)
- 513.01 Definitions. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 525.01 Definitions. (Amended)
- 525.02 Falsification. (Amended)
- 525.08 Obstructing Justice. (Amended)
- 525.16 Assaulting a Police Dog, Horse or Handicapped Assistance Dog. (Amended)
- 525.17 False Allegation of Peace Officer Misconduct. (Added)
- 529.07 Open Container Prohibited. (Amended)
- 533.05 Importuning. (Amended)
- 537.03 Assault. (Amended)
- 537.05 Aggravated Menacing. (Amended)
- 537.051 Menacing by Stalking. (Amended)
- 537.06 Menacing. (Amended)
- 537.16 Illegal Distribution of Cigarettes or Other Tobacco Products. (Amended)
- 537.17 Criminal Child Enticement. (Amended)
- 537.18 Contributing to Unruliness or Delinquency of a Child. (Amended)
- 549.07 Underage Purchase of Firearm. (Amended)

Fire Prevention Code

- 1519.02 Fireworks Public Exhibition Permit Required. (Amended)
- 1519.03 Unlawful Conduct by Exhibitor. (Amended)

SECTION 3: A copy of such Ordinances as edited, arranged and numbered or renumbered as parts of the Codified Ordinances is attached to this Ordinance in the form of 2002 Replacement Pages to the Codified Ordinances.

DATE: February 4, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 32 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Local Law Block Grant Fund, General Fund, 16th Street Project Fund and Park and Recreation 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 Local Law Block Grant Fund for the year ending December 31, 2002, the following:

0,000.00 to an account entitled "2000LBVX2470" 1321.305.2512

Section 2:

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

\$ 30,000.00 to an account entitled "Court Treatment Grant Service" 1100.127.2392

\$ 22,000.00 to an account entitled "Real Estate Taxes" 1100.905.2391

\$ 3,000.00 to an account entitled "3% Assessment Tax" 1100.415.2420

\$ 2,270.33 to an account entitled "Travel/Schooling/Seminars" 1100.305.2389

\$ 618.00 to an account entitled "Travel/Schooling/Seminars" 1100.325.2389

Section 3:

There be and hereby is appropriated from the unappropriated balance of the 16th Street Project Fund the year ending December 31, 2002, the following:

\$ 18,705.60 to an account entitled "16th Street Project" 1410.435.2510

Section 4

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

\$ 8,000.00 To an account entitled "Real Estate Taxes" 1234.505.2391

Section 5:

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

TEST: _____

SHARON HOWELL, CLERK OF COUNCIL

DENNIS HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR