

Mike Sigard
John
AGENDA

DATE: August 5, 2002
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS THIS EVENING

1. ROLL CALL
2. INVOCATION BY COUNCILMAN PAUL 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. 141 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE ✓

Shelmo Annex
P.S.O.
9-0
AN ORDINANCE petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon and Tuscarawas Townships, and declaring an emergency.

ORDINANCE NO. 142 - 2002 BY: PARKS AND RECREATION COMMITTEE ✓

P.S.O.
9-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve change order No. 19, with Schumacher Construction, without competitive bidding, so as to provide additional interior signage at the Massillon Recreation Center, and declaring an emergency.

ORDINANCE NO. 143 - 2002 BY: PARKS AND RECREATION COMMITTEE ✓

Filtcor had several calls.
P.S.O.
8-1
AN ORDINANCE amending CHAPTER 961 "PARKS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 961.22 "PROHIBIT GOLFING IN PARKS", and declaring an emergency.

ORDINANCE NO. 144 - 2002 BY: FINANCE COMMITTEE ✓

P.H.
P.S.
AN ORDINANCE authorizing the Mayor to accept a Federal Law Enforcement Block Grant that will allow the City of Massillon to update the technology for the Massillon Police Department, and declaring an emergency.

ORDINANCE NO. 145 - 2002 BY: FINANCE COMMITTEE ✓

9-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Park and Rec Bond Retirement Fund, Home Fund and SA 23rd/Springhill Bond Retirement Fund, for the year ending December 31, 2002, and declaring an emergency.

ORDINANCE NO. 146 - 2002 BY: FINANCE COMMITTEE ✓

AN ORDINANCE making certain transfers in the 2002 appropriation from within the General Fund of the City of Massillon, Ohio, and declaring an emergency.

AUGUST 5, 2002

7. UNFINISHED BUSINESS

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

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR JULY - 2002
B). AUDITOR SUBMITS MONTHLY REPORT FOR JULY - 2002

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR — 5:00 P.M.

14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 131 - 2002 BY: HEALTH, WELFARE & BUILDING REGULATIONS

9-0 AN ORDINANCE amending CHAPTER 505 "ANIMALS AND FOWL" of the Codified Ordinances of the City of Massillon, by deleting Section 505.10 "ANIMAL BITES; REPORTS AND QUARANTINE", and enacting a new Section 505.10 "ANIMAL BITES, REPORTS, QUARANTINE AND MANDATORY RABIES VACCINATION" of CHAPTER 505 "ANIMALS AND FOWL", and declaring an emergency.

ORDINANCE NO. 140 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

Prd 7-15 @ 7:15

2-NO AN ORDINANCE amending Section 1151.02 of the Massillon Code by rezoning a certain tract of land from RM-1 Multiple Family Residential to R-1 Single Family Residential, 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

Recruiter 80-2002 - 7-2 Mary Bryan
Self last to finish

Amend - Sec 2 - Agreement Proposed By Law Dept - 7-2

Supp - 6-3 - MARY, BRYAN, willow

MARY BRYAN

DATE: August 5, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 141- 2002

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon and Tuscarawas Townships, and declaring an emergency.

WHEREAS, Massillon Township was established to conform with the corporation limits of the City of Massillon, Stark County, Ohio by the Board of County Commissioners on August 3, 1963, and

WHEREAS, the corporation limits of the City of Massillon, Ohio, have been enlarged since the establishment of said Massillon Township, through the annexation of one tract of land comprising a part of Tuscarawas Township, and

WHEREAS, these annexed lands are still shown as a part of Tuscarawas Township and the County Commissioners must amend the boundaries.

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 the corporation limits of the City of Massillon includes one tract of land which is part of Tuscarawas Township, Stark County, Ohio, and that it will be in the public interest of the City to have the boundaries of said Tuscarawas Township changed by excluding this tract of land from said Tuscarawas Township and adding this one tract of land to Massillon Township within the corporation limits of the City.

Section 2:

The Board of County Commissioners of Stark County, Ohio, are hereby petitioned under the authority of Section 503.07 Ohio Revised Code, to change the Township boundaries of Tuscarawas Township and Massillon Township, all in Stark County, Ohio, by excluding from said Tuscarawas Township and by adding to said Massillon Township the respective areas thereof which are presently located within the corporation limits of the City of Massillon, Ohio, which areas are described as follows:

Known as and being located in part of the Northwest Quarter of Section 10, Township of Tuscarawas, County of Stark, State of Ohio, and being part of a 3.666 acre tract (Tract 7) as conveyed to Samuel E. Campian as recorded in Deed Vol. 3956, page 848, and being part of a 0.333 acre tract of land conveyed to Earnest A. and Theresa M. Gardner as recorded in Deed Vol. 3598, page 438, and being further bounded and described as follows:

Beginning at a railroad spike found, being the northwest corner of said Northwest Quarter of Section 10, also being the southwest corner of Out Lot 783 in the City of Massillon;

Thence south $87^{\circ}37'50''$ east and with the north line of said Northwest Quarter of Section 10 and the south line of said Out Lot 783, and passing through a $5/8''$ solid iron pin set at 30.00 feet, a distance of 1599.38 feet to a $5/8''$ solid iron pin set and being **THE TRUE PLACE OF BEGINNING** for the tract of land herein to be described;

Thence continuing south $87^{\circ}37'50''$ east and with the north line of said Northwest Quarter of Section 10 and the south line of said Out Lot 783 and the south line of Out Lot 782, a distance of 386.00 feet to a $5/8''$ solid iron pin set;

Thence south $02^{\circ}16'49''$ west and with a west line of Out Lot 636 in said City of Massillon, a distance of 240.00 feet to a $5/8''$ solid iron pin set;

Thence north $87^{\circ}37'50''$ west and with a north line of Out Lot 636, a distance of 386.00 feet to a $5/8''$ solid iron pin set;

Thence north $02^{\circ}16'49''$ east, a distance of 240.00 feet to **THE TRUE PLACE OF BEGINNING** and containing 2.127 acres of land, based on a field survey by Civil Design Associates, Inc. in July of 2001.

Bearings are referenced to the Ohio North State Plane Coordinate System.

Section 3:

Attached hereto and made a part of this Ordinance is a map covering the tract of land described in Section 2 of this Ordinance.

Section 4:

The Board of County Commissioners of Stark County, Ohio, are hereby petitioned under the authority of Section 503.07, Ohio Revised Code, to add the one tract of land described in Section of this Ordinance to Massillon Township, Stark County, Ohio.

Section 5:

Upon passage of this Ordinance the Clerk of Council is directed to forward a certified copy thereof and the attached map, together with an authenticated copy of the proceedings relating thereto, to the Board of County Commissioners of Stark County, Ohio.

Section 6:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of this community and for the further reason that the timely resolution of its subject matter is essential for making the boundary lines of Massillon Township conform with the corporation lines of the City of Massillon, Ohio. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2002

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

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

DATE: August 5, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 142 - 2002

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. 19, with Schumacher Construction, without competitive bidding, so as to provide additional interior sinage at 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 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. 19, with Schumacher Construction, without competitive bidding, so as to provide additional interior sinage at the Massillon Recreation Center.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve Change order No. 19, with Schumacher Construction, without competitive bidding, so as to provide additional interior sinage at the Massillon Recreation Center. This change order No. 19 shall not exceed One Thousand Thirty Five Dollars and Sixty-Five Cents (\$1,035.65).

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 with, to perform work mandated by the Ohio Department of Health, so as to provide additional interior sinage at the Massillon Recreation Center. Provided it ,receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2002

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

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

DATE: August 5, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 143 - 2002

BY: COMMITTEE OF THE WHOLE

TITLE: AN ORDINANCE amending CHAPTER 961 "PARKS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 961.22 "PROHIBIT GOLFING IN PARKS", 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 enacted a new Section 961.22 "PROHIBIT GOLFING IN PARKS"
Said newly enacted Section shall read as follows:

961.22 PROHIBIT GOLFING IN PARKS

No person shall practice golf with any type of golf equipment on city park property.

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 parks 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: August 5, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 144 - 2002

passed 8/19

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor to accept a Federal Law Enforcement Block Grant that will allow the City of Massillon to update the technology for the Massillon Police Department, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to accept a Federal Law Enforcement Block Grant that will allow the City of Massillon to update the technology for the Massillon Police Department.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to accept a Federal Law Enforcement Block Grant that will allow the City of Massillon to update the technology for the Massillon Police Department.

Section 3:

The said amount of the Federal Law Enforcement Grant shall be Twenty Five Thousand One Hundred Ten Dollars (\$25,110.00)

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the reason that the grant is necessary to provide the Massillon Police Department to allow the City of Massillon to update the technology for the 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 _____ 2002

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

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

DATE: August 5, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 145 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Park and Rec Bond Retirement Fund, Home Fund and SA 23rd/Springhill Bond Retirement 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 Park and Rec Bond Retirement Fund for the year ending December 31, 2002, the following:

\$363,600.00 to an account entitled "Interest" 1306.505.2620

Section 2:

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

\$150,000.00 to an account entitled "HOME Housing Program" 1229.845.2814

Section 3:

There be and hereby is appropriated from the unappropriated balance of the SA 23rd/Springhill Bond Retirement Fund for the year ending December 31, 2002, the following:

\$ 900.00 to an account entitled "Services/Contracts" 1350.935.2392

Section 4:

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

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

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: August 5, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 146 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2002 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:

Section 1:

There be and is hereby transferred from the 2002 appropriation from within the General Fund of the City of Massillon, Ohio, the following:

\$ 10,000.00 FROM: "Accumulated Sick Leave" 1100.905.2150
TO: "Income Tax Refunds" 1100.210.2720

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 _____ 2002

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

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