

*Dec 7
Rozz*
AGENDA

DATE: November 18, 2002
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN JIM FILHOUR**
- 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. 222 - 2002 BY: ENVIRONMENTAL COMMITTEE

1st
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a design contract, without competitive bidding, with CTI Environmental for the Federal Avenue Storm Water Pumping Station, and declaring an emergency.

ORDINANCE NO. 223 - 2002 BY: POLICE AND FIRE COMMITTEE

*POD
9-0*
AN ORDINANCE authorizing the Mayor to accept a Traffic Enforcement Program (STEP) Grant that will allow the city of Massillon to cover overtime expenses for officers targeting specific areas and times for enforcement of traffic laws, and declaring an emergency.

ORDINANCE NO. 224 - 2002 BY: FINANCE COMMITTEE

*POD
9-0*
AN ORDINANCE reducing the appropriation in the General Fund and the State Patrol Transfer Fund for the year ending December 31, 2002, and declaring an emergency.

ORDINANCE NO. 225 - 2002 BY: FINANCE COMMITTEE

*POD
9-0*
AN ORDINANCE making certain appropriations from the unappropriated balance of the Fire Pension Fund, Wastewater Treatment Fund, Muni Court Computer Fund, Police Pension Fund, Park and Recreation Fund, Waste Management Grant Fund, Home Health Fund and Unclaimed Money Fund, for the year ending December 31, 2002, and declaring an emergency.

ORDINANCE NO. 226 - 2002 BY: FINANCE COMMITTEE

*POD
9-0*
AN ORDINANCE making certain transfers in the 2002 appropriation from within the General Fund of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 227 - 2002 BY: FINANCE COMMITTEE

*POD
9-0*
AN ORDINANCE making certain appropriations from the unappropriated balance of the Federal Avenue Pump Station Fund of Massillon, Ohio, for the year ending December 31, 2002, and declaring an emergency.

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 OCT. 2002
- B). AUDITOR SUBMITS MONTHLY REPORT FOR OCT. 2002
- C). POLICE CHIEF SUBMITS MONTHLY REPORT FOR OCT. 2002
- D). FIRE CHIEF SUBMITS MONTHLY REPORT FOR OCT. 2002
- E). INCOME TAX ADMINISTRATOR SUBMITS MONTHLY REPORT FOR OCT. 2002
- F). TREASURER SUBMITS MONTHLY REPORT FOR OCT. 2002

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR *ORD. 181-2002 P0208-1 Fikoor*
14. THIRD READING ORDINANCES AND RESOLUTIONS
15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 208 - 2002 BY: ENVIRONMENTAL COMMITTEE

JP
AN ORDINANCE repealing Section 965.09 "Collection Rates" of CHAPTER 965 "GARBAGE AND REFUSE COLLECTION" of the Codified Ordinances of the City of Massillon, and enacting a new Section 965.09 "Collection Rates" of CHAPTER 965 "GARBAGE AND REFUSE COLLECTION", and declaring an emergency.

ORDINANCE NO. 209 - 2002 BY: HEALTH, WELFARE & BUILDING REGULATIONS

P0209-0
AN ORDINANCE repealing CHAPTER 753 "PEDDLERS AND SOLICITORS" of the Massillon Codified Ordinances and enacting a new CHAPTER 753 "ITINERANT RETAILERS, CHARITABLE SOLICITORS AND SOLICITORS" of the Codified Ordinances of the City of Massillon, and declaring an emergency.

ORDINANCE NO. 210 - 2002 BY: HEALTH, WELFARE & BUILDING REGULATIONS

P0210-0
AN ORDINANCE amending CHAPTER 505 "ANIMALS AND FOWL" OF THE Codified Ordinances of the City of Massillon, by deleting Section 505.16 "Vicious Dogs", and enacting a new Section 505.16 "Vicious Dogs" of CHAPTER 505 "ANIMALS AND FOWL" and declaring an emergency.

P0214-1 Fikoor
ORDINANCE NO. 214 - 2002 BY: FINANCE COMMITTEE

P0214-1
AN ORDINANCE authorizing the extension of the \$75,000.00 advance to The Legends Golf Course by the City of Massillon and due by December 31, 2002, and declaring an emergency.

ORDINANCE NO. 215 - 2002 BY: FINANCE COMMITTEE

*pro
8th
Filler* **AN ORDINANCE** amending Ordinance No. 143 - 1976 by repealing Section 13 - "ALLOCATION OF FUNDS - INCOME TAX" and enacting a new Section 13 "ALLOCATION OF FUNDS - INCOME TAX" and repealing Ordinance No. 235 - 2001, 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: November 18, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO.222 - 2002

1st reading
LEGISLATIVE DEPARTMENT

2nd reading 12/12
Filed Jan 12/16

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a design contract, without competitive bidding, with CTI Environmental for the Federal Avenue Storm Water Pumping 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 design contract, without competitive bidding, with CTI Environmental for the Federal Avenue Storm Water Pumping 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 design contract, without competitive bidding, with CTI Environmental for the Federal Avenue Storm Water Pumping Station.

Section 3:

The amount of the design contract with CTI Environmental for the Federal Avenue Storm Water Pumping Station shall not exceed the amount of Ninety Eight Thousand Three Hundred Dollars (\$98,300.00)

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 for the design of the Federal Avenue Storm Water Pumping Station. 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: November 18, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 223 - 2002

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor to accept a Traffic Enforcement Program (STEP) Grant that will allow the City of Massillon to cover overtime expenses for officers targeting specific areas and times for enforcement of traffic laws, 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 Traffic Enforcement Program (STEP) Grant that will allow the City of Massillon to cover overtime expenses for officers targeting specific areas and times for enforcement of traffic laws.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to accept a Traffic Enforcement Program (STEP) Grant that will allow the City of Massillon to cover overtime expenses for officers targeting specific areas and times for enforcement of traffic laws.

Section 3:

The said amount of the Traffic Enforcement Program (STEP) Grant shall be Forty One Thousand One Hundred Eight Dollars (\$41,108.00)

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 overtime expenses for officers targeting specific areas and times for enforcement of traffic laws. 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: November 18, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 224 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriation in the General Fund and the State Patrol Transfer 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 a reduced appropriation in the General Fund for the year ending December 31, 2002, the following:

† 26,699.04 from an account entitled "Domestic Violence Salary" 1100.116.2111
\$ 4,000.00 from an account entitled "Insurance" 1100.116.2210
\$ 2,849.22 from an account entitled "P.E.R.S." 1100.116.2230
\$ 2,575.36 from an account entitled "Workers Comp" 1100.116.2270
\$ 750.00 from an account entitled "Travel/Seminar/Schooling" 1100.116.2389
\$ 750.00 from an account entitled "Supplies" 1100.116.2410
\$ 438.27 from an account entitled "Medicare" 1100.116.2231

\$ 1,600.00 from an account entitled "Supplies/Contracts" 1100.110.2392
\$ 525.00 from an account entitled "Mayor Salary" 1100.110.2110
\$ 201.00 from an account entitled "P.E.R.S." 1100.110.2230
\$ 161.00 from an account entitled "Supplies" 1100.110.2410
\$ 156.00 from an account entitled "Mayor's Staff Salary" 1100.110.2111
\$ 90.00 from an account entitled "Medicare" 1100.110.2231

\$ 500.00 from an account entitled "Supplies" 1100.160.2410
\$ 269.00 from an account entitled "Service Salary" 1100.160.2392

¢ 375.00 from an account entitled "Supplies" 1100.175.2410

\$ 3,900.00 from an account entitled "Auditor's P.E.R.S." 1100.205.2230

\$ 2,400.00 from an account entitled "Engineering Supplies" 1100.405.2410

\$ 20,000.00 from an account entitled "Utilities" 1100.410.2340
\$ 13,000.00 from an account entitled "City Hall Services" 1100.410.2392
\$ 2,460.00 from an account entitled "Supplies" 1100.410.2410

\$ 2,500.00 from an account entitled "P.E.R.S." 1100.2230
\$ 1,000.00 from an account entitled "Building Services" 1100.415.2392
\$ 500.00 from an account entitled "Travel/Seminar/Schooling" 1100.415.2389

\$ 25,900.00 from an account entitled "Transfer to Debt Retirement" 1100.905.2712
\$ 21,200.00 from an account entitled "Accumulated Sick" 1100.905.2150
\$ 20,000.00 from an account entitled "Transfer to Summer Concerts" 1100.905.2714
\$ 5,393.00 from an account entitled "Real Property Tax" 1100.905.2391
\$ 5,000.00 from an account entitled "Stark County Labor Mgmt." 1100.905.2380
\$ 280.00 from an account entitled "Workers Comp" 1100.905.2270
\$ 183.00 from an account entitled "State Exam" 1100.905.2395

Section 2:

There be and hereby is a reduced appropriation in the State Patrol Transfer Fund for the year ending December 31, 2002, the following:

\$ 6,000.00 from an account entitled "State Patrol Transfer" 3105.930.2390
\$ 6,000.00 from an account entitled "Transfer to General" 3105.930.2720

Section 3:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community and for the additional reason that the appropriation needs to be reduced because of an audit finding. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: November 18, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 225 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Fire Pension Fund, Wastewater Treatment Fund, Muni Court Computer Fund, Police Pension Fund, Park and Recreation Fund, Waste Management Grant Fund, Home Health Fund and Unclaimed Money Fund, 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 Fire Pension Fund for the year ending December 31, 2002, the following:

\$ 81,500.00 to an account entitled "Fire Pension" 1210.325.2240

Section 2:

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

\$ 33,000.00 to an account entitled "GPS Equipment" 2101.610.2534

Section 3:

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

\$ 28,000.00 to an account entitled "Services" 1233.125.2392

\$ 10,000.00 to an account entitled "Equipment" 1233.125.2510

Section 4:

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

\$ 27,000.00 to an account entitled "Police Pension" 1209.305.2240

Section 5:

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

\$ 10,000.00 to an account entitled "Parks & Recreation Refunds" 1234.505.2720

Section 6:

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

\$ 3,125.85 to an account entitled "Recycling Services/Contracts" 1222.605.2392

Section 7:

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

\$ 1,000.00 to an account entitled "Home Health Supplies" 1235.705.2410

Section 8:

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

\$ 30.00 to an account entitled "Unclaimed Funds" 3108.905.2390

Section 9:

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: November 18, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 226 - 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:

FROM:

\$25,000.00 "Muni Court Staff Salary" 1100.125.2111
\$24,000.00 "Engineer Salary" 1100.405.2110
\$ 9,919.00 "Clerk of Court Staff Salary" 1100.130.2111
\$ 2,051.00 "Auditor P.E.R.S." 1100.205.2230
\$ 1,665.00 "Engineer P.E.R.S." 1100.405.2230
\$ 55.00 "Engineer Medicare" 1100.405.2231

TO:

\$31,700.00 "Law Director Staff Salary" 1100.115.2111
\$ 6,600.00 "Fire Department Pension Tr" 1100.325.2710
\$ 6,500.00 "Police Salary" 1100.305.2110
\$ 5,000.00 "Fire Department Medicare" 1100.325.2231
\$ 3,050.00 "Law Director P.E.R.S." 1100.115.2230
\$ 2,688.00 "School District Refund" 1100.440.2231
\$ 2,400.00 "Law Director Insurance" 1100.115.2210
\$ 2,400.00 "Fire Department Insurance" 1100.325.2210
\$ 1,720.00 "Police Medicare" 1100.305.2230
\$ 300.00 "Garage P.E.R.S." 1100.440.2231
\$ 300.00 "Garage Salary" 1100.440.2110
\$ 32.00 "Garage Medicare" 1100.440.2231

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

DATE: November 18, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 227 - 2002

1st reading
LEGISLATIVE DEPARTMENT
2nd reading 12/2
Tabled 12/18

BY: FINANCE COMMITTEE

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

\$ 98,300.00 to an account entitled "Design Federal Avenue Pump Station" 1411.405.2510

Section 2:

This Ordinance is hereby declared to be an emergency measure, for the reason that said appropriation is for the design of the new Federal Avenue Pump Station, and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED THIS _____ DAY OF _____ 2002

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

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