

AGENDA

DATE: DECEMBER 2, 2002
PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M.

1) Bryan Murry.
663 young

THERE ARE NO PUBLIC HEARINGS THIS EVENING

moving 2 legends under
Golf Course.

Why - Ward 4 has
come along way. Why
let Golf Course take

\$ to Park.
Needs more investigation

1. ROLL CALL
2. INVOCATION BY COUNCILMAN GLENN GAMBER (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. 228 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

SUSP 7-0
Pass 7-0
BOC
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 to assist lower income households in becoming homeowners in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 229 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

121
Boundary & make up of Board.
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with the Community Health Foundation to provide funding for the Neighborhood Partnership Program in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 230 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

121
P.H. Joubert @ 7:00pm
AN ORDINANCE amending Section 1151.02 of the Massillon Code by rezoning a certain tract of land from R-1 One Family Residential to RM-1 Multiple Family Residential, and declaring an emergency.

ORDINANCE NO. 231 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

SUSP 7-0
Pass 7-0
AN ORDINANCE accepting the Final Plat and dedication of various streets for Westbrook Estates West No. 1 in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

ORDINANCE NO. 232 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

SUSP 7-0
Pass 7-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a dedication of a 20 foot wide sanitary sewer easement along the northeast corner of Lot No. 16533 located on the south side of Lake Avenue N.W. between State Route 21 and the Tuscarawas River, and declaring an emergency.

ORDINANCE NO. 233 - 2002 BY: ENVIRONMENTAL COMMITTEE

5-2
PASS
5-2
BRYAN, FILLMORE
AN ORDINANCE authorizing the Director of Service and Safety of the City of Massillon to complete nomination forms through WRRSP for the arena infrastructure sanitary sewer portion, and declaring an emergency.

ORDINANCE NO. 234 - 2002 BY: PARKS AND RECREATION COMMITTEE

EST. - 100,000
5-2
PASS
1-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the city of Massillon, Ohio, to advertise for, receive sealed bids and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the renovation of the Genshaft Softball Facility, and declaring an emergency.

ORDINANCE NO. 235 - 2002 BY: PARKS AND RECREATION COMMITTEE

1-5
AN ORDINANCE placing The Legends of Massillon Golf Course under the direction and control of the Parks and Recreation Department, and declaring an emergency.

ORDINANCE NO. 236 - 2002 BY: FINANCE COMMITTEE

Amended Sec 4 - 7-0
5-2
PASS
7-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Lincoln Center Bond Retirement Fund, Golf Bond Retirement Fund, Wastewater Treatment Bond Retirement Fund and the Community Development Block Grant Program Fund, 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 NOVEMBER 2002

B). AUDITOR SUBMITS MONTHLY REPORT FOR NOVEMBER - 2002

PROPOSITION TO ACCEPT RPT. - 7-0

11. REPORTS OF COMMITTEES - com - DEC 9 @ 5:30

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 208 - 2002 BY: ENVIRONMENTAL COMMITTEE

PASS
7-0
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

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 222 - 2002 BY: ENVIRONMENTAL COMMITTEE

2nd **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.

2nd **ORDINANCE NO. 227 - 2002 BY: FINANCE COMMITTEE**

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

~~16. NEW AND MISCELLANEOUS BUSINESS~~

~~17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA~~

~~18. ADJOURNMENT~~

**SHARON HOWELL
CLERK OF COUNCIL**

*10) Virginia Rohr 560 Carver NW,
• off ST. PARKY on 19th NW
Paved a gravel.*

DATE: December 2, 2002

CLERK: SHARON HOWELL

SOSP 7-0

Post 7-0

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 228 - 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 to assist lower income households in becoming homeowners 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 to assist lower income households in becoming homeowners in the City of Massillon. The contract for services shall not exceed Fifty Thousand Dollars (\$50,000.00).

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 to assist lower income households in becoming homeowners 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 of the 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: December 2, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 229 - 2002

passed 12/16

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 the Community Health Foundation to provide funding for the Neighborhood Partnership Program 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 the Community Health Foundation to provide funding for the Neighborhood Partnership Program in the City of Massillon. The contract for services shall not exceed Five Thousand Dollars (\$5,000.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement with the Community Health Foundation to provide funding for the Neighborhood Partnership Program 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 of 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: December 2, 2002

CLERK: SHARON HOWELL

135

H. Jan. 6 @ 7:00 pm

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 230 - 2002

2nd Reading 12/16
passed 1/6/03

BY: COMMUNITY DEVELOPMENT COMMITTEE

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

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from R-1One Family Residential to RM-1Multiple Family Residential. Said rezoning request was approved by the Planning Commission of the City of Massillon, Ohio, on November 20th, 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 RM-1Multiple Family Residential.

Lot No. 15510, a vacant lot located on the north side of Lake Avenue N.E. between Keuper Blvd. N.E. and Amherst Road N.E. The owner proposed to utilize this property to provide ingress and egress to Amherst Ridge, a proposed 24unit family development to be located on Gail Avenue N.E. This rezoning is being requested by the Contrel Corp.

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 RM-1 Multiple Family Residential. 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: December 2, 2002

CLERK:

SHARON HOWELL

SUSP. 7-0

POSS 7-0

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 231 - 2002

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE accepting the Final Plat and dedication of various streets for Westbrook Estates West No.1 in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

Section 1:

The Final Plat for Westbrook Estates West No. 1 in the City of Massillon, Stark County, Ohio, presently on file in the Office of the City Engineer, is hereby approved and accepted and that the dedication to public use of Woodstone Avenue N.W., Utopia Circle N.W. and a portion of Manchester Road N.E. be, and the same is hereby accepted and confirmed. This plat was approved by the Planning Commission at a meeting held November 20, 2002. The description of Westbrook Estates West No. 1 is as follows:

Being Known as Part of Out Lot 772, a 6.6671 acre parcel located on the east side of Manchester Road N.W., north of Lincoln Way N.W. This plat creates a total of 16 lots zoned R-2 One Family Residential, as well as the dedication of public use to Woodstone Avenue N.W., Utopia Circle N.W. and a portion of Manchester Road N.W.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said plat is urgently needed for the development of this area and for the proper community growth and hence immediately necessary 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 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: December 2, 2002

CLERK: SHARON HOWELL

SUSP 7-0

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 232 - 2002

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a dedication of a 20 foot wide sanitary sewer easement along the northeast corner of Lot No. 16533 located on the south side of Lake Avenue N.W. between State Route 21 and the Tuscarawas River, 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 accept a dedication of 20 foot wide sanitary sewer easement along the northeast corner of Lot No. 16533 located on the south side of Lake Avenue N.W. between State Route 21 and the Tuscarawas River.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to accept a dedication of a 20 foot wide sanitary sewer easement along the northeast corner of Lot No. 16533 located on the south side of Lake Avenue N.W. between State Route 21 and the Tuscarawas River.

Section 3:

That this Ordinance is hereby declared to be an emergency measure for the reason that this easement is needed to provide a 20 foot wide sanitary sewer easement along the northeast corner of Lot No. 16533 located on the south side of Lake Avenue N.W. between State Route 21 and the Tuscarawas River. 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

v.

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: December 2, 2002

CLERK: SHARON HOWELL

Susp 7-0

7-0 5-2

Bryan, Elkhorn

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed 5-2
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 233 - 2002

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Service and Safety of the City of Massillon to complete nomination forms through WRRSP for the arena infrastructure sanitary sewer portion, 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 authorize the Director of Service and Safety of the City of Massillon to complete nomination forms through WRRSP for the arena infrastructure sanitary sewer portion.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized complete nomination forms through WRRSP for the arena infrastructure sanitary sewer portion,.

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 the nomination forms are necessary for the competition decision on the Federal Avenue Pump Station infrastructure 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

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: December 2, 2002

CLERK: SHARON HOWELL

Susp 7-0

Pass 7-0

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 234 - 2002

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive sealed bids and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the renovation of the Genshaft Softball Facility, 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 advertise for, receive sealed bids according to law and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the renovation of the Genshaft Softball Facility,

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for, receive sealed bids according to law, and enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the renovation of the Genshaft Softball Facility,

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to enter into contract with the lowest and best bidder for the renovation of the Genshaft Softball Facility. 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: December 2, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 235 - 2002

passed 12/16

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE placing The Legends of Massillon Golf Course under the direction and control of the Parks and Recreation 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 finds it necessary and in the best interest of the citizens to place The Legends of Massillon Golf Course under the direction and control of the Parks and Recreation Department.

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 better services to the members of the community who use The Legends of Massillon Golf course. 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: December 2, 2002

CLERK: SHARON HOWELL

Motion To Amend - 7-0

Susp 7-0

Pass 7-0

COUNCIL CHAMBERS

CITY OF MASSILLON, OHIO

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 236 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Lincoln Center Bond Retirement Fund, Golf Bond Retirement Fund, Wastewater Treatment Bond Retirement Fund and the Community Development Block Grant Program Fund, for 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 Lincoln Center Bond Retirement Fund for the year ending December 31, 2002, the following:

\$3,007,782.37 to an account entitled "Escrow Refinancing" 1303.940.2630

\$ 37,802.00 to an account entitled "Services/Contracts" 1303.940.2392

Section 2:

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

\$2,820,747.81 to an account entitled "Escrow Refinancing" 1302.940.2630

\$ 154,921.00 to an account entitled "Services/Contracts" 1302.940.2392

Section 3:

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

\$ 910,000.00 to an account entitled "Bond Recall" 1305.940.2630

\$ 10,016.44 to an account entitled "Services/Contracts" 1305.940.2392

Section 4:

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

\$ 50,000.00 to an account entitled "Neighborhood Housing Services" 1203.845.2835

~~\$ 5,000.00 to an account entitled "Neighborhood Partnership Program" 1203.845.2862~~

MOTION TO Amend by Delety Line Item. 7-0

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 D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR