

AGENDA

DATE: MONDAY, MAY 5, 2003
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE IS NO PUBLIC HEARING TONIGHT

1. ROLL CALL *- 9 present*
2. INVOCATION BY COUNCILWOMAN CLAUDETTE ISTNICK
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. 76 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

*5050
9-0*
9-0
AN ORDINANCE amending the agreement between the City of Massillon, the Robert J. Matthews Company, and Filters, Inc., under the Ohio Enterprise Zone Program, and declaring an emergency.

ORDINANCE NO. 77 - 2003

BY: FINANCE COMMITTEE

*5050
9-0*
9-0
Revised Prior to meeting
AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Plant Upgrade Fund, TIF Service Payment Fund, Capital Improvement Fund, General Fund and the TIF Debt Retirement Fund for the year ending December 31, 2003, and declaring an emergency.

ORDINANCE NO. 78 - 2003

BY: FINANCE COMMITTEE

5050 9-0
9-0
AN ORDINANCE making an appropriation in the 2003 unappropriated from General Fund of the City of Massillon, Ohio, and declaring an emergency.

RESOLUTION NO. 13 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

5050 9-0
9-0
A RESOLUTION reversing the decision of the Tax Incentive Review Committee made on March 26, 2003 wherein they recommended that the Enterprise Zone Agreement with HydroThrift Corporation be terminated and the tax exemption rescinded in the City of Massillon, Ohio, and declaring an emergency

Tim questioned Ryco's numbers They are same as Hydro Thrift why no action from Ryco?
AANE - so new go perfect The Board felt it should be left alone.

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

MAY 5, 2003

- ~~A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR APRIL 2003~~
- ~~B). MAYOR SUBMITS MONTHLY REPORT FOR APRIL 2003~~
- ~~C). AUDITOR SUBMITS MONTHLY REPORT FOR 2002~~
- ~~D). }~~
- ~~E). } x~~

- 11. **REPORTS OF COMMITTEES** — *mg 12 @ 5:30 pm*
- 12. **RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER**
- 13. **CALL OF THE CALENDAR**
- 14. **THIRD READING ORDINANCES AND RESOLUTIONS**

ORDINANCE NO. 60 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

*Pass
3rd Reading
9-0*
AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidation Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications, and declaring an emergency.

ORDINANCE NO. 61 - 2003

BY: POLICE AND FIRE COMMITTEE

*To be
on
June 2
mg
9-0*
AN ORDINANCE authorizing the Mayor, the Safety Service Director and the Police Chief to implement a new contract concerning housing of prisoners from other political subdivisions in the Massillon City Jail, and declaring an emergency.

ORDINANCE NO. 62 - 2003

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

*Pass
9-0*
AN ORDINANCE accepting the Dedication Plat for Hills & Dales and Wales, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE 55 - 2003 BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

*was
passed
Nov 2
2002*
AN ORDINANCE AMENDING Section 2(D) OCCUPATION LIST OF CLASS TITLES - GOLF COURSE DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - GOLF COURSE DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - GOLF COURSE DEPARTMENT in the City of Massillon, Ohio, and declaring an emergency.

MAY 5, 2003

ORDINANCE NO. 72 - 2003

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

2ND
AN ORDINANCE vacating various streets in the City of Massillon, Ohio and accepting the dedication of right-of-way for 3rd Street NW and part of Agathon Avenue NW, and declaring an emergency.

ORDINANCE NO. 74 - 2003

BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

2ND
AN ORDINANCE authorizing the Mayor and the Director of Public Service & Safety to accept the CLASSIFIED AND UNCLASSIFIED EMPLOYEES AND SUPERVISORS (ACUE) contract effective April 1, 2003 through April 1, 2006, and declaring an emergency.

RESOLUTION NO. 12 - 2003

BY: COMMUNITY DEVELOPMENT

*5000
9-0
PRD
9-0*
A RESOLUTION reversing the decision of the Tax Incentive Review Committee made on March 26, 2003 wherein they recommended that his Enterprise Zone Agreement be terminated and the tax exemption rescinded in the City of Massillon, Ohio, and declaring an emergency

16. NEW AND MISCELLANEOUS BUSINESS

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

18. ADJOURNMENT

MARY BETH BAILEY - CLERK OF COUNCIL

DATE: MAY 5, 2003

CLERK: MARY BETH BAILEY

SUSP 9-0

POSD 9-0

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 76 - 2003

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE amending the agreement between the City of Massillon, the Robert J. Matthews Company, and Filters, Inc., under the Ohio Enterprise Zone Program, and declaring an emergency.

WHEREAS, when the City of Massillon, the Robert J. Matthews Company and Filters, Inc., entered into an enterprise zone tax abatement agreement in February 2001; it was the parties' understanding that the Robert J. Matthews Company would receive a 100% tax abatement for a period of 10 years on all newly acquired inventory, as well as all inventory which was moved from the company's previous facility in Canton to the project site at 2850 Nave Road SE, in the City of Massillon; and

WHEREAS, the parties have recently become aware that the enterprise zone agreement did not accurately reflect the parties' intent with regard to the tax abatement which the Robert J. Matthews Company was to receive on its inventory.

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

Section 1:

That the agreement between the City of Massillon, the Robert J. Matthews Co., and Filters, Inc., under the Ohio Enterprise Zone Program, is hereby amended to correct certain inadvertent inaccuracies regarding the abatement of inventory under this agreement.

Section 2:

That a copy of said amendment is attached hereto and made part of this Ordinance.

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is necessary for the enterprise zone agreement to accurately reflect the intent of the parties thereto, as part of the undertaking of the project set forth in enterprise zone agreement. 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 _____, 2003.

ATTEST: _____
MARY BETH BAILEY, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: MAY 5, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 77 - 2003

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Plant Upgrade Fund, TIF Service Payment Fund, Capital improvement Fund, General Fund and the TIF Debt Retirement Fund for the year ending December 31, 2003, 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 Wastewater Treatment Plant Upgrade Fund for the year ending December 31, 2003, the following:

\$3,469,640.85 to an account entitled "Wastewater Treatment Plant Upgrade Project" 1421.610.2510
\$1,000,000.00 to an account entitled "Wastewater Treatment Plant Upgrade Project" 1421.610.2510

Section 2:

TIF 95,000 - 15,000 - School Payment

SEC 3 There be and hereby is appropriated from the unappropriated balance of the Capital Improvement Fund for the year ending December 31, 2003, the following:

\$45,000.00 to an account entitled "Leases" 1401.905.2530

Section 3:

There be and hereby is appropriated from the unappropriated balance of the General Fund for the year ending December 31, 2003, the following:

\$8,000.00 to an account entitled "Health Department Services/contracts" 1100.705.2392

PASSED IN COUNCIL THIS _____ DAY OF _____ 2003

ATTEST: _____
MARY BETH BAILEY, CLERK OF COUNCIL DENNIS HARWIG, PRESIDENT

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: MAY 5, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 78 - 2003

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making an appropriation in the 2003 unappropriation from 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 hereby is a appropriated from the 2003 unappropriated balance of the General Fund of the City of Massillon, Ohio, the following:

\$3,500.00 to an account entitled "Supplies/Materials" 1100.440.5.2410

Police Car Repairs

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are necessary for the purpose of paying the invoice for repairing the 2000 Ford Crown Victoria. 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 _____ 2003

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: MAY 5, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 13 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: A RESOLUTION reversing the decision of the Tax Incentive Review Committee made on March 26, 2003 wherein they recommended that the Enterprise Zone Agreement with HydroThrift Corporation be terminated and the tax exemption rescinded in the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, the Tax Incentive Review Committee recommended on March 26, 2003 that the Enterprise Zone Agreement with HydroThrift Corporation be terminated and the tax exemptions rescinded

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

Section 1:

The Council of the City of Massillon, Ohio, deems it is in the best interest for proper community growth to reverse the decision of the Tax Incentive Review Committee made on March 26, 2003

Section 2:

This Resolution is declared to be an emergency measure in that the reversal of the decision of the Tax Incentive Review Committee is essential for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Wherefore, this Resolution shall be in full force and effect immediately from and after passage and approval by the Mayor.