

## AGENDA

DATE: MONDAY, JUNE 16, 2003  
PLACE: COUNCIL CHAMBERS  
TIME: 7:30 P.M.

THERE IS NO PUBLIC HEARING TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILMAN BILL AMAN
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA

MR. TRACY MILLS, MS. DIANNE SUREGA, AND MRS. DEBBIE HOUDSHELL FROM THE OHIO WATER ENVIRONMENTAL ASSOCIATION WILL BE PRESENTING THE PRETREATMENT SECTION AWARD TO MR. DAN ACKERMAN.

### 6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

#### ORDINANCE NO. 93 - 2003

#### BY: HEALTH, WELFARE & BLDG REGULATIONS

135 AN ORDINANCE amending CHAPTER 1307 "BUILDING MAINTENANCE CODE" of the Codified Ordinances of the City of Massillon, by repealing existing Section 1307.06 "PLACARDS ORDERING VACATION OF PREMISES," of CHAPTER 1307 "BUILDING MAINTENANCE CODE," and declaring an emergency.

#### ORDINANCE NO. 94 - 2003

#### BY: HEALTH, WELFARE & BLDG REGULATIONS

138 AN ORDINANCE amending CHAPTER 1309 "HOUSING CODE" of the Codified Ordinances of the City of Massillon, by repealing existing Section 1309.05(g) "ROOFS, GUTTERS AND DOWNSPOUTS," of CHAPTER 1309 "HOUSING CODE," and declaring an emergency.

#### ORDINANCE NO. 95 - 2003

#### BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

P-20 AN ORDINANCE vacating a portion of a certain public alley, and declaring an emergency.

#### ORDINANCE NO. 96 - 2003

#### BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

P-20 AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids for the 2003 Street Resurfacing Project in the City of Massillon, and declaring an emergency

**ORDINANCE NO. 97 - 2003**

**BY: POLICE AND FIRE COMMITTEE**

P 80  
**AN ORDINANCE** authorizing the Director of Public Service and Safety to accept a reimbursement grant from the Ohio Department of Public Safety-Division of Emergency Medical Services for the purchase of seven Personal Protective Apparel kits for the Massillon Fire Department, and declaring an emergency.

**ORDINANCE NO. 98 - 2003**

**BY: POLICE AND FIRE COMMITTEE**

P 80  
**WHEREAS**, the General Membership of the Stark Council of Governments (SCOG) has adopted an alternative method for apportioning the 2000-2009 funds (the "Alternative Method") in lieu of the method of apportioning the Stark County Undivided Local Government Fund and the Stark County Undivided Local Government Revenue Assistance Fund (collectively, the "Funds") as provided in Chapter 5747 of the Ohio Revised Code; and

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**ORDINANCE NO. 99 - 2003**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the Capital Improvement Fund, Parks & Recreation Capital Fund, Parking Enforcement Fund and General Fund, for the year ending December 31, 2003, and declaring an emergency.

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

- A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR MAY 2003**
- B). TREASURER SUBMITS MONTHLY REPORT FOR MAY 2003**
- P 80  
**C). ACCEPT'S APPOINTMENT OF MARGY VOGT**
- D). INCOME TAX DEPARTMENT MONTHLY REPORT MAY 2003**

- 11. REPORTS OF COMMITTEES**
- 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS**

**RECONSIDER ORDINANCE NO. 83 - 2003**

**ORDINANCE NO. 83 - 2003**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** authorizing the Zoning Inspector of the City of Massillon, Ohio, to issue a conditional zoning certificate to Great Lakes Energy Partners, L.L.C., for a permit to drill a gas and oil well, which shall be known as the R.T.I. No. 2, located on the Republic Technologies International property on the west side of 16<sup>th</sup> Street S.E., south of Oak Avenue S.E., and declaring an emergency

- 13. CALL OF THE CALENDAR**



14. THIRD READING ORDINANCES AND RESOLUTIONS
15. SECOND READING ORDINANCES AND RESOLUTIONS

**ORDINANCE NO. 81 - 2003**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from RM-1 Multiple Family Residential to O-1 Office, and declaring an emergency.

**ORDINANCE NO. 82 - 2003**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

**AN ORDINANCE** amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from RM-1 Multiple Family Residential to O-1 Office, 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: JUNE 16, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 93 - 2003

*1st Reading*  
LEGISLATIVE DEPARTMENT  
*2nd Reading 7/7*  
*Passed 7/21*

BY: HEALTH, WELFARE & BUILDING REGULATIONS COMMITTEE:

TITLE: AN ORDINANCE amending CHAPTER 1307 "BUILDING MAINTENANCE CODE" of the Codified Ordinances of the City of Massillon, by repealing existing Section 1307.06(c) "PLACARDS ORDERING VACATION OF PREMISES," of CHAPTER 1307 "BUILDING MAINTENANCE CODE," and declaring an emergency.

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

Section 1:

The existing Section 1307.06(c) "PLACARDS ORDERING VACATION OF PREMISES" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

That there hereby is enacted new Section 1307.06(c) "PLACARDS ORDERING VACATION OF PREMISES" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1307.06(C) Placards Ordering Vacation of Premises. Whenever the Superintendent orders a structure or premises or part thereof to be vacated or demolished, he shall cause to be posted at each entrance to such structure or premises or part thereof, a placard ordering such vacation or demolition. No person shall deface or remove such placard until the demolition is completed without the written permission of the Building Inspection Superintendent. No person shall enter or use any structure or premises so placarded except for the purpose of demolishing the structure or premises

Section 3:

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.

-2-

ORDINANCE 93 - 2003

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003

ATTEST: \_\_\_\_\_

MARY BETH BAILEY, CLERK OF COUNCIL      GLENN GAMBER, ACTING PRESIDENT

APPROVED: \_\_\_\_\_

FRANCIS H. CICCHINELLI, JR., MAYOR

(b) Notice by Certified Mail; Posting. If the person to whom a notice of violation is addressed cannot be found within Stark County after a reasonable and diligent search, then notice shall be sent by certified mail to the last known address of such person, and a copy of such notice shall be posted in a conspicuous place on the structure or premises to which it relates. Such mailing and posting shall be deemed legal service of notice.

(c) Placards Ordering Vacation of Premises. Whenever the Superintendent orders a structure or premises or part thereof to be vacated or demolished, he shall cause to be posted at each entrance to such structure or premises or part thereof, a placard ordering such vacation or demolition. No person shall deface or remove such placard until the demolition is completed without the written permission of the Building Inspection Superintendent. No person shall enter or use any structure or premises so placarded except for the purpose of demolishing the structure or premises.

(d) Noncompliance of Notice; Final Notice. Whenever the owner, agent, occupant, or operator of a structure or premises or part thereof, fails, neglects or refuses to comply with any notice of the Building Inspection Superintendent, the Superintendent shall issue a final notice to such owner, agent, occupant or operator, ordering the structure of premises or part thereof, to be vacated, repaired or demolished within such additional time as shall be stated in such final notice; but which shall not be less than ten days, except in cases of emergency. Such notice shall be delivered, mailed or posted in the same manner as provided.

(e) Final Notice Deposition; Building Board of Appeals. Whenever the owner, agent, occupant or operator of a structure or premises or part thereof, has failed, neglected, or refused to comply with the Building Inspection Superintendent's final notice, the Superintendent shall refer such final notice and all relevant information as he deems necessary to the Building Board of Appeals for final deposition.

- (1) The Building Board of Appeals upon a motion of the Building Inspection Superintendent will meet within a reasonable amount of time, not to exceed thirty days, to hear such motion. The date, time, and place of the hearing on the motion shall be published in the local newspaper and will be declared legal notice to all affected parties.
  - A. The Board shall keep a written record of the hearing, including a summary of the evidence, the finding, the order, and all notices issued or received. The record shall constitute a public record available for inspection at all reasonable times.
  - B. The Board will solicit testimony in the matter of the motion of the Superintendent to determine noncompliance with the Code.
  - C. Any person affected by the motion before the Board may be heard and give testimony why such motion should be declared invalid, modified, or withdrawn for cause.
- (2) The Building Board of Appeals after a hearing on the Superintendent's motion shall sustain, modify or withdraw such motion depending upon its findings as to whether the provisions of this Code or of the rules and regulations adopted pursuant thereto have been complied with. If the Board sustains or modifies such motion, such action shall be deemed a final order.



DATE: JUNE 16, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 94 - 2003

*1st Reading*  
LEGISLATIVE DEPARTMENT

*2nd Reading 7/7*  
*Passed 7/21*

BY: HEALTH, WELFARE & BUILDING REGULATIONS COMMITTEE:

TITLE: AN ORDINANCE amending CHAPTER 1309 "HOUSING CODE" of the Codified Ordinances of the City of Massillon, by repealing existing Section 1309.05(g) "ROOF" of CHAPTER 1309 "HOUSING CODE," and declaring an emergency.

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

Section 1:

The existing Section 1309.05(g) "ROOF" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

That there hereby is enacted new Section 1309.05(g) "ROOFS, GUTTERS AND DOWNSPOUTS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1309.05(g) Roofs, Gutters and Downspouts. All roofs of every structure shall be maintained weather-tight and shall be equipped with gutters and downspouts maintained in good repair and connected to a public storm sewer or to an approved retention system where practical.

Section 3:

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 \_\_\_\_\_, 2003

ATTEST: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL    GLENN GAMBER, ACTING PRESIDENT

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR



(f) Plaster and Paint. Plaster, paint, and all other surface materials used on the interior walls and ceilings shall be of such character as to be easily cleanable, and reasonably smooth, clean and tight. All exterior walls, siding, and surfaces shall be free of scaled, cracked, blistered, and loose paint; and shall be adequately covered, painted or preserved to prevent deterioration or rotting.

(g) Roofs, Gutters and Downspouts. All roofs of every structure shall be maintained weather-tight and shall be equipped with gutters and downspouts maintained in good repair and connected to a public sewer or to an approved retention system where practical.

(h) Chimney. All chimneys shall be adequately flashed, or sealed at the point of junction with the roof to prevent leakage; and shall be free from loose brick and open mortar joints, plumb with the vertical and structurally safe.

(i) Door Regulations. Every exterior door, door hinge, and door latch shall be in good condition; and every exterior door, when closed, shall fit reasonably well within its frame.

(j) Windows and Doors Constructed to Exclude Wind or Rain. All windows and doors and their frames shall be constructed and maintained in such relationship to wall construction so as to completely exclude rain and snow and substantially exclude wind from entering the structure; and shall be kept in sound working condition and safe repair.

(k) Stair Treads. The treads of every flight of stairs shall be uniform, sound and securely fastened in position, and shall be strong enough to bear a concentrated load of at least 400 pounds without danger of breaking through.

(l) Porches and Outside Stairs. Every outside stair, every porch and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting a concentrated load of at least 400 pounds without danger of breaking through; and shall be kept in sound condition and safe repair.

(m) Plumbing. Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition free from defects, leaks and obstructions.

(n) Water Closet Compartment, Bathroom Floor Surfaces. Every water closet compartment floor surface and bathroom floor surface shall be constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.

(o) Facilities, Equipment and Utilities. Every supplied facility, piece of equipment or utility which is required under this Housing Code shall be so constructed or installed that it will function safely and effectively and shall be maintained in satisfactory working condition.

(p) Removing or Shutting Off Utilities of Facilities. No owner, operator or occupant shall cause any service facility equipment or utility which is required under this Housing Code to be removed, cut off, or discontinued for any occupied dwelling let or occupied by him, except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies.

DATE: JUNE 16, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 95 - 2003

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of a certain public alley, and declaring an emergency.

WHEREAS, there has been filed with this Council by the owners of all of the lots and lands bounding and abutting upon the alley hereinafter described, a petition requesting that a portion thereafter described be vacated, and

WHEREAS, upon hearing, this Council hereby finds that there is good cause for such vacation and that it will not be detrimental to the general interest of this community and that such vacation should be made.

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

Section 1:

A request to vacate an unnamed 20 foot wide alley lying between Shriver Avenue SE and Pearl Avenue SE and running in a east/west direction between Erie Street South and Glenwood SE, being approximately 455 feet in length. This vacation plat is filed in the City Engineer's Office and was approved by the City Planning Commission on May 14, 2003. The said vacation is hereby approved, adopted and confirmed.

Section 2:

That this Ordinance is 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 alley is no longer needed for a municipal purpose. 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 GLENN GAMBER , ACTING PRESIDENT

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR



DATE: JUNE 16, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 96 - 2003

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids for the 2003 Street Resurfacing Project 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 determines it to be necessary in the public health, safety and welfare to advertise for and receive sealed bids for the 2003 Street Resurfacing Project in the City of Massillon.

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 and receive sealed bids according to law, for the 2003 Street Resurfacing Project in the City of Massillon.

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 that bids be received so that work may be completed on the 2003 Street Resurfacing 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 \_\_\_\_\_, 2003

ATTEST: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL    GLENN GAMBER, ACTING PRESIDENT

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: JUNE 16, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 97 - 2003

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to accept a reimbursement grant from the Ohio Department of Public Safety-Division of Emergency Medical Services for the purchase of seven Personal Protective Apparel kits for the Massillon Fire 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 the reimbursement grant from the Ohio Department of Public Safety-Division of Emergency Medical Services for the amount of One Thousand Nine Hundred Sixty Dollars and 42 cents (\$1,960.42) for purchasing seven Personal Protective Apparel kits for the Massillon Fire Department.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to accept the grant from the Ohio Department of Public Safety-Division of Emergency Medical Services for the purchase of seven Personal Protective Apparel kits for the Massillon Fire Department.

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 the grant is necessary for the purchase of seven Personal Protective Apparel kits for the Massillon Fire 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 \_\_\_\_\_ 2003

APPROVED: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL GLENN GAMBER, ACTING PRESIDENT

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: JUNE 16, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 98 - 2003

BY: POLICE AND FIRE COMMITTEE

WHEREAS, the General Membership of the Stark Council of Governments (SCOG) has adopted an alternative method for apportioning the 2000-2009 funds (the "Alternative Method") in lieu of the method of apportioning the Stark County Undivided Local Government Fund and the Stark County Undivided Local Government Revenue Assistance Fund (collectively, the "Funds") as provided in Chapter 5747 of the Ohio Revised Code; and

WHEREAS, SCOG agreed that the County, Massillon and remaining political subdivisions would allocate sixty-six and one-half percent (66 ½%) to the County and City of Massillon with a maximum of ten percent (10%) of the funds then allocated to fully fund the operation of SCOG; and

WHEREAS, Section 6 (B) of said Alternative Method provided that:

If, during any time within the term of this Agreement, there is not in full force and effect a sales and use tax for the benefit of Stark County,....County reserves the right during such time to reduce the SCOG contribution of both County and Massillon to five percent (5%) of the funds...In such event, the difference between the maximum SCOG allocation (10%) and the minimum SCOG allocation (5%) shall be allocated to County, Massillon, and the remaining political subdivisions by the Budget Commission in the manner set forth in paragraph 2...; and

WHEREAS, Stark County did exercise the right to reduce the contribution to five percent (5%) effective for all of Calendar Year 2002 and thus far in 2003; and

WHEREAS, a sales and use tax of 1/4 of one-percent (1%) for eight (8) years has been authorized by the electorate as of May 6, 2003, for collection beginning July 1, 2003, and distribution estimated to take place in October, 2003, thereby reinstituting the ten percent (10%) maximum SCOG allocation effective July 1, 2003, and

WHEREAS, Section 9 of said Alternative Method mandates a review before June 1, 2004, by a committee of representatives from the County, Massillon, the remaining political subdivisions and the Budget Commission which shall review the allocations under the Alternative Method and "if necessary, recommend modifications..." with said modifications becoming effective only if approved by the Board of Commissioners of Stark County, Massillon City Council and the majority of the legislative authorities of the remaining political subdivisions; and

WHEREAS, an Allocation Committee was appointed by the SCOG Chairperson pursuant to Section 9; and

WHEREAS, said Allocation Committee has met and is recommending that Section 6 of the Alternative Method be modified so that the political subdivisions will continue to contribute the minimum SCOG allocation of five percent (5%) for the balance of Calendar Year 2003; and

WHEREAS, the Allocation Committee intends to meet in July or August of 2003 following the State of Ohio's decision on any changes to the Undivided Local Government Revenue Assistance Fund and make recommendations to the SCOG General Membership as to the SCOG allocation for calendar/Fiscal Year 2004 to be enacted in the Fourth Quarter of 2003; and

WHEREAS, the Allocation Committee and Executive Committee have determined that a five percent (5%) contribution, combined with the accumulated surplus shall be sufficient to fully fund SCOG operations through the end of 2003;

NOW, THEREFORE, BE IT RESOLVED THAT;

Section 1. Pursuant to the authority provided to in Section 9 of the

"Alternative Method for Apportioning the Stark County Undivided Local Government Fund and the Stark County Undivided Local Government Revenue Assistance Fund pursuant to Sections 5747.53 and 5747.63 of the Ohio Revised Code;"

Section 6 of said Agreement is hereby temporarily modified in order to continue the existing payment of the minimum SCOG allocation of five percent (5%) for the balance of Calendar/Fiscal Year 2003 by the member political subdivisions of SCOG.

Section 2. The continuing reduced contribution of five percent (5%) is contingent upon the passage of this resolution by the Stark County Commissioners, Massillon City Council and a majority of the boards of trustees and councils of the remaining political subdivisions, and said ordinance or resolution shall be retroactive to and effective from July 1, 2003 through December 31, 2003.

Section 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of Massillon, Ohio; the emergence being the continued efficient operation of SCOG and the necessity to conduct an ongoing fiscal analysis of SCOG's needs and the State of Ohio's final position on the Local Governments Revenue Assistance Fund. And provided it receives the affirmative vote of two-thirds of the elected and/or appointed 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      GLENN GAMBER, ACTING PRESIDENT

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: JUNE 16, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 99 - 2003

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund, Parks & Recreation Capital Fund, Parking Enforcement Fund and General 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 Capital Improvement Fund for the year ending December 31, 2003, the following:

\$190,000.00 to an account entitled "Parking Deck Sublease Agreement" 1401.410.2510

Section 2:

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

\$12,000.00 to an account entitled "Pedestrian Bridge" 1433.505.2511

Section 3:

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

\$ 3,500.00 to an account entitled "Supplies/Materials/Postage" 1208.445.2410

Section 4:

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

\$1960.42 to an account entitled "Supplies/Materials/Postage" 1100.325.2410

(2)

ORDINANCE NO. 99 - 2003

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 \_\_\_\_\_ 2003

ATTEST: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL GLENN GAMBER, ACTING PRESIDENT

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR, MAYOR