

Box Award. Taylor 5/10/03

AGENDA

DATE: MONDAY, JULY 21, 2003
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE TWO PUBLIC HEARINGS TONIGHT
ORDINANCE NO. 81 - 2003 AT 6:45 P.M.
ORDINANCE NO. 82 - 2003 AT 7:00 P.M.

1. ROLL CALL
2. INVOCATION BY COUNCILMAN TIM BRYAN
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. 107 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

P 9-0
AN ORDINANCE accepting the Final Plat for St. Luke Lutheran Community Development, in the City of Massillon, Stark County, Ohio presently on file in the office of the City Engineer, and declaring an emergency.

ORDINANCE NO. 108 - 2003

BY: HEALTH, WELFARE AND BLDG REGULATIONS

125
AN ORDINANCE amending Chapter 1181 "ACCESSORY BUILDINGS" of the codified Ordinance of the City of Massillon, by repealing existing Section 1181.01 'REGULATIONS' and enacting a new Section 1181.01 "Regulations." and declaring an emergency.

ORDINANCE NO. 109 - 2003

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

125
AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - SOLID WASTE DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - SOLID WASTE DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES-SOLID WASTE DEPARTMENT in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 110 - 2003

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY

P 9-0
AN ORDINANCE accepting the dedication of the additional right-of-way along Lincoln Way West in front of the State Highway Patrol Office in the City of Massillon, Ohio and declaring an emergency.

ORDINANCE NO. 111 - 2003

BY: PARKS AND RECREATION COMMITTEE

125
AN ORDINANCE authorizing the Mayor and Safety Service Director of the City of Massillon, Ohio to enter into a Lease Agreement, for the old Massillon K of C Building, with the Board of Directors of the Massillon Make-A-Way Inc., and declaring an emergency.

ORDINANCE NO. 112 - 2003

BY: FINANCE COMMITTEE

152
AN ORDINANCE authorizing the Auditor to pay 2002 bills out of the 2003 appropriations within the Legends Golf Course and declaring an emergency.

ORDINANCE NO. 113 - 2003

BY: FINANCE COMMITTEE

920
AN ORDINANCE making certain appropriations from the unappropriated balance of the Parks & Recreation Fund, Home health Fund and the Concert Fund, for the year ending December 31, 2003, and declaring an emergency.

ORD 114- 2003 - DODD. Rec Center Addition Antioch to Bldg B.D.

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 JUNE 2003
- B). TREASURER SUBMITS MONTHLY REPORT FOR JUNE 2003
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR JUNE 2003.
- D). INCOME TAX DEPARTMENT MONTHLY REPORT JUNE 2003
- E). MAYOR'S SUBMITS MONTHLY REPORT FOR JUNE 2003

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR

ORDINANCE NO. 81 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

United States - Old Lib.

Took Indel
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

LOE 2X

Def 90
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

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 93 - 2003

BY: HEALTH, WELFARE & BLDG REGULATIONS

Def 90
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.

ORDINANCE NO. 94 - 2003

BY: HEALTH, WELFARE & BLDG REGULATIONS

*Pi
8-1
Camber*
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.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 100 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

2-12
AN ORDINANCE amending Chapter 1156 of the Massillon Code of 1985 rezoning a certain tract of land from R-3 Single Family Residential to R-CRD Condominium Residential District, and declaring an emergency

ORDINANCE NO. 105 - 2003

BY: HEALTH, WELFARE & BUILDING COMMITTEE

*2-12
Bryant
Camber*
AN ORDINANCE amending CHAPTER 1309 "HOUSING CODE" of the Codified Ordinances of the City of Massillon, by repealing Section 1309.99 "PENALTY" of CHAPTER 1309 "HOUSING CODE" and enacting a new Section 1309.99 "PENALTY" of CHAPTER 1309 "HOUSING CODE", 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: JULY 21, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 107 - 2003

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting the Final Plat for St. Luke Lutheran Community Development, 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 St. Luke Lutheran Community Development 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 the streets and alleys thereon shown, be, and the same is hereby accepted and confirmed. This plat was approved by the Planning Commission at a meeting held June 18th, 2003. The description of St. Luke Lutheran Community Development is as follows:

Being Known as Out Lots 902 and 903 and Lot Nos. 16314 through 16318 located on the south side of Lincoln Way NW between Kenyon and Manchester Avenues. This property will be re-platted into 5 new lots. The plat also includes the dedication of St. Luke Street NW. The property is zoned RM-1 Multiple Family Residential.

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 _____ 2003

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

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

DATE: JULY 21, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed 10/6
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 108 - 2003

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1181 "ACCESSORY BUILDINGS" of the Codified Ordinances of the City of Massillon, by repealing existing Section 1181.01 "REGULATIONS" and enacting a new Section 1181.01 Regulations," and declaring an emergency.

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

Section I:

That existing Section 1181.01 "REGULATIONS" is hereby repealed and there be and is hereby enacted a new Section 1181.01 "Regulations" of CHAPTER 1181 "ACCESSORY BUILDINGS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1181.01 REGULATIONS

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 6 DAY OF October, 2003

ATTEST: Mary Beth Bailey
MARY BETH BAILEY, CLERK OF COUNCIL

Dennis D. Harwig
DENNIS D. HARWIG, PRESIDENT

APPROVED: October 7, 2003

Francis H. Cicchinelli, Jr.
FRANCIS H. CICCHINELLI, JR., MAYOR

I hereby certify that the foregoing ordinance is a true copy of the original, as passed by the Council of the City of Massillon, Ohio, and approved as noted thereon:

Mary Beth Bailey
Clerk of Council

Date 10/6/03

DATE: JULY 21, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 108 - 2003

2nd reading 8/4
Filed 8/18

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1181 "ACCESSORY BUILDINGS" of the Codified Ordinances of the City of Massillon, by repealing existing Section 1181.01 "REGULATIONS" and enacting a new Section 1181.01 Regulations," and declaring an emergency.

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

Section I:

That existing Section 1181.01 "REGULATIONS" is hereby repealed and there be and is hereby enacted a new Section 1181.01 "Regulations" of CHAPTER 1181 "ACCESSORY BUILDINGS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1181.01 REGULATIONS

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

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

- (g) When an accessory building in any Business or Office District is intended for other than the storage of private motor vehicles, the accessory building shall be subject to the approval of the Board of Zoning Appeals.
- (h) An accessory building in any Residential District for other than the storage of private motor vehicles is permitted subject to the following specifications:

<u>LOT SIZE</u> <u>SQ. FT.</u>	<u>MAX. SHED</u> <u>SIZE SQ. FT</u>	<u>MAX. DIM.</u> <u>ANY SIDE</u>	<u>APPROX. MAX.</u> <u>SHED SIZE</u>
Up to 4000	120	12	10'x12'
4001 - 7800	192	16	12'x16'
7801 - 9600	252	18	14'x18'
9601 - 12000	280	20	14'x20'

Lots over 12,001 sq. ft. an additional 10% increase (100 sq. ft.) For every 1,000 sq. ft. of lot area in excess of 12,000 not to exceed ground floor square footage of primary structure including porches. This shall not include up to 1' - 0" overhang and porches. An accessory building used exclusively for the storage of motor vehicles shall not contain more ground floor area than the main structure and shall be as defined under 1121.02 (30) "Garage, private" of the Massillon City Ordinance. Not more than one accessory building for other than the storage of private motor vehicles is permitted per residential lot. (Ord. 108-77. Passed 12-5-77.)

- (i) The parking of a mobile home for periods exceeding twenty-four hours on lands not approved for mobile home parks shall be expressly prohibited, except that the Building Inspector may extend temporary permits allowing the parking of a mobile home in a rear yard on private property, not to exceed a period of two weeks. All mobile homes parked or stored, shall not be connected to sanitary facilities and shall not be occupied.
- (j) All mobile home or camping trailers owned by residents of the City and stored on their individual lots shall be stored only within the confines of the rear yard and shall further respect the requirements of this chapter applicable to Accessory Buildings, insofar as distances from principal structures, lot lines, and easements are concerned. All mobile homes parked or stored, shall not be connected to sanitary facilities and shall not be occupied.
(Ord. 82-1970. Passed 11-2-70.)
- (k) There shall be an existing primary structure on the property before the placement of any accessory structure.

DATE: JULY 21, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading
LEGISLATIVE DEPARTMENT

passed 8/4

ORDINANCE NO. 109 - 2003

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - SOLID WASTE DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - SOLID WASTE DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - SOLID WASTE DEPARTMENT in 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:

Section 2(D) OCCUPATION LIST OF CLASS TITLES - SOLID WASTE DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby repealed.

Section 2:

That a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - SOLID WASTE DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby enacted and shall read as follows:

(SEE ATTACHMENT 'A' PAGE 9; AND INSERT IN THE SALARY ORDINANCE 127 - 1997)

Section 3:

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the additional reason that the provisions hereby enacted are immediately necessary in that revised classifications are required pursuant to the collective bargaining agreement accepted by Ordinance No. 86 - 2003. 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: JULY 21, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 110 - 2003

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the dedication of the additional right-of-way along Lincoln Way West in front of the State Highway Patrol Office in the City of Massillon, Ohio and declaring an emergency.

WHEREAS, upon hearing, the Council hereby finds that there is good cause to accept the dedication of such a right-of-way and that it will be beneficial to the general interest of this community and that such right-of-way should be accepted.

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

Section 1:

Council hereby accepts the dedication of the additional right-of-way along Lincoln Way West in front of the State Highway Patrol Office, as the same is further described by the dedication plat attached hereto as Exhibit "A"..

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. 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: JULY 21, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 111 - 2003

BY: PARK AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and Safety Service Director of the City of Massillon, Ohio, to enter into a Lease Agreement, for the old Massillon K of C Building, with the Board of Directors of the Massillon Make-A-Way Inc., and declaring an emergency.

WHEREAS, the old Massillon K of C Building, owned by the City of Massillon was leased to Make-A-Way, Inc. pursuant to Ordinance No. 49 - 1983 for a 20 year term and said lease is due to expiration.

Whereas, THE Make-A-Way Inc., has expressed an interest in renewing the lease of said property upon the same terms and conditions.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, OHIO, IN REGULAR SESSION SITTING, TWO-THIRDS OF THE MEMBERS CONCURRING:

Section 1:

That the Mayor and Safety Service Director of the City of Massillon, Ohio, are hereby authorized to enter into a new twenty (20) year Lease Agreement for the real estate and building thereon located on Lot No. 1014 in the City of Massillon, upon the same terms and conditions as the previous lease, with the Board of Directors of the Massillon Make-A-Way Inc.

Section 2:

That the Mayor and Safety Service Director shall lease the old Massillon K of C Building to the Board of Directors of the Make-A-Way Inc. for \$1.00 per year.

Section 3:

That the Board of Directors of the Make-A-Way Inc. shall be responsible for all costs of maintaining and repairing said building including but not limited to all upkeep, repairs, taxes, insurance and utilities.

Section 4:

That this ordinance is declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the community and for the additional reason that the Lease Agreement hereby authorized is immediately necessary for the efficient operation of properties owned by the City of Massillon, Ohio. 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 4th DAY OF August 2003

APPROVED: Mary Beth Bailey
MARY BETH BAILEY, CLERK OF COUNCIL

Dennis D. Harwig
DENNIS D. HARWIG, PRESIDENT

APPROVED: August 5, 2003

Francis H. Cicchinelli, Jr.
FRANCIS H. CICCHINELLI, JR., MAYOR

I hereby certify that the foregoing ordinance
is a true copy of the original, as passed by
the Council of the City of Massillon, Ohio,
and approved as noted thereon:

Mary Beth Bailey
Clerk of Council

Date 8/4/03

DATE: JULY 21, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 112 - 2003

passed 8/4

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor to pay 2002 bills out of the 2003 appropriations for the Legends Golf Course, 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 to authorize the City Auditor to pay 2002 bills out of the 2003 appropriation for the Legends Golf Course. Said bills are to be paid as follows:

\$218.40 to the State of Ohio for past due sales taxes for the period of 4/1/02 - 4/30/02.

\$ 14.96 to the State of Ohio for past due sales taxes for the period of 3/1/02 - 3/31/02.

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary to pay 2002 bills that have recently been submitted to the City Auditor, 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 form 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: JULY 21, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 113 - 2003

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Parks & Recreation Fund, Home Health Fund, and the Concert 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 Park & Recreation Fund for the year ending December 31, 2003, the following:

\$18,000.00 to an account entitled "Supplies/Materials/Postage"	1234.515.2410
\$12,000.00 to an account entitled "Salaries-Meals Program"	1234.515.2110
\$ 1,626.00 to an account entitled "PERS-Meals Program"	1234.515.2230
\$ 174.00 to an account entitled "Medicare-Meals Program"	1234.515.2231

Section 2:

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

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

Section 3:

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

\$250.00 to an account entitled "Services/Contracts 1212.505.2392

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 _____ 2003

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

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR