

## AGENDA

DATE: MONDAY, NOVEMBER 17, 2003

PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL *excuse Ron Mang.*
2. INVOCATION BY COUNCILMAN GLENN GAMBER *- By Mary Rose Bantz*
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. 171 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

*Supp 8-0  
Prop 8-0*  
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with Habitat for Humanity of Massillon, Ohio, Inc., for the agency's Housing Program in the City of Massillon, Ohio, and declaring an emergency.

### ORDINANCE NO. 172 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

*Supp 8-0  
Prop 8-0*  
AN ORDINANCE petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon and Tuscarawas Township, and declaring an emergency. *Rdr Annexation*

### ORDINANCE NO. 173 - 2003

BY: PARKS AND RECREATION COMMITTEE

*Supp 8-0  
Prop 8-0*  
AN ORDINANCE authorizing the name change for Oak Knoll Park to Oak Knoll Medal of Honor Park, located at 618 6<sup>th</sup> Street SW., and declaring an emergency.

### ORDINANCE NO. 174 - 2003

BY: POLICE AND FIRE COMMITTEE

*Supp 8-0  
Prop 8-0*  
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to execute a letter of intent for the lease of six (6) Police Cruisers for the use in the Police Department of the City of Massillon for three years, and declaring an emergency.

### ORDINANCE NO. 175 - 2003

BY: POLICE AND FIRE COMMITTEE

*Supp 8-0  
Prop 8-0*  
AN ORDINANCE authorizing the Director of Service and Safety of the City of Massillon to sell used fire alarm boxes and related equipment for the Fire Department, and declaring an emergency.

ORDINANCE NO: 176 - 2003

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

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

ORDINANCE NO. 177 - 2003

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with the Board of Stark County Commissioners, upon approval of the Board of Control, for the salt for ice control on the city streets, and declaring an emergency.

ORDINANCE NO. 178 - 2003

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 2003 appropriation from within the Wastewater Treatment Fund and the Capital Improvement Fund, of the City of Massillon, Ohio, and declaring an emergency

ORDINANCE NO. 179 - 2003

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Plant Upgrade Fund, Insurance Fund and the Community Development Block Grant Program Fund for the year ending December 31, 2003, and declaring an emergency

ORDINANCE NO. 180 - 2003

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing a scheduled payment plan for the payment back to the General Fund of funds previously advanced to the Legends Golf Fund by the General Fund and the Parks and Recreation Operating Fund for the year ending December 31, 2003 and December 31, 2002, and declaring an emergency.

ORDINANCE NO. 181 - 2003

BY: FINANCE COMMITTEE

AN ORDINANCE reducing the appropriation in the Golf Course Fund and the Park and Rec. Operating Fund of the City of Massillon, Ohio, for the year ending December 31, 2003, and declaring an emergency.

RESOLUTION NO. 22 - 2003

BY: FINANCE COMMITTEE

A RESOLUTION accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

UNFINISHED BUSINESS

**8. PETITIONS AND GENERAL COMMUNICATIONS**

(A) LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A LIQUOR LICENSE FOR KALAS SUPERMARKET INC., DBA M & K SUPERMARKET 1619 WALNUT RD. SE, MASSILLON, OHIO 44646.

(B) LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM EDWARD P. STARCHER 1220 1<sup>ST</sup> STREET NE, 1<sup>ST</sup> FL., MASSILLON, OHIO 44646 TO TAMMY S BIEHL DBA AMERICAN PATRIOTS CLUB 1316 TREMONT AVENUE SW, MASSILLON, OHIO 44647.

**9. BILLS, ACCOUNTS AND CLAIMS**

**10. REPORTS FROM CITY OFFICIALS**

- A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR OCTOBER 2003
- B). TREASURER SUBMITS MONTHLY REPORT FOR OCTOBER 2003
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR OCTOBER 2003.
- D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT OCTOBER 2003
- E). MAYOR'S SUBMITS MONTHLY REPORT FOR OCTOBER 2003
- F). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR OCTOBER 2003

**11. REPORTS OF COMMITTEES**

**12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS**

**13. CALL OF THE CALENDAR**

**14. THIRD READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 162 - 2003**

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

*P. H. 3-0*  
AN ORDINANCE designating Tommy Henrich Drive NW the name for a certain street located in the City of Massillon, Ohio, and described as a street between Lincoln Way West and First Street NW., formerly known as Third Street NW and Agathon Avenue NW., and ~~declaring an~~ emergency.

**15. SECOND READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 166 - 2003**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

*P. H. DEC 1 @ 7:00 PM*  
AN ORDINANCE amending Section 1151.02 of the Massillon Code rezoning a 3.45 acre tract of land and establishing zoning for a certain tract of land from Tuscarawas Township to Massillon Zoning, 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: November 17, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

500P 8-0  
700 8-0  
COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 171 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with Habitat for Humanity of Massillon, Ohio, Inc., for the agency's Housing Program 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:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Habitat for Humanity of the City of Massillon, Ohio, Inc., for the agency's Housing Program in the City of Massillon, Ohio. The cost of this contract for services shall not exceed Twenty thousand Dollars (\$20,000.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with the Habitat for Humanity of the City of Massillon, Ohio, Inc., for the agency's Housing Program in the City of Massillon, Ohio.

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 declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to implement the 2003 fiscal year Community Development Block Grant Program. 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: NOVEMBER 17, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 172 - 2003

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon and Tuscarawas Township, and declaring an emergency.

WHEREAS, a petition to annex certain land in Tuscarawas Township to the corporation limits of the City of Massillon, Stark County, Ohio, was approved by the Board of County Commissioners on September 23, 2003, and

WHEREAS, the corporation limits of the City of Massillon, Ohio, have been enlarged since the approval of the Board of County Commissioners through the annexation of one (1) tract of land comprising a part of Tuscarawas Township, and

WHEREAS, these annexed lands are still shown as a part of Tuscarawas Township, and the County Commissioners must amend the boundaries.

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 the corporation limits of the City of Massillon includes one (1) tract of land which is part of Tuscarawas Township, Stark County, Ohio, and that it will be in the public interest of the City to have the boundaries of said Tuscarawas Township changed by excluding this one (1) tract of land from said Tuscarawas Township and adding this one (1) tract of land to the City of Massillon within the corporation limits of the City.

Section 2:

The Board of County Commissioners of Stark County, Ohio, are hereby petitioned under authority of Section 503.07 Ohio Revised Code, to change the Township boundaries of Tuscarawas Township and the City of Massillon, all in Stark County, Ohio, by excluding from said Tuscarawas Township by adding to said City of Massillon the respective areas thereof which are presently located within the corporation limits of the City of Massillon, Ohio, which areas are described as follows:

SEE EXHIBIT "A" ATTACHED HERETO

Section 3:

That attached hereto and made a part of this ordinance is one (1) map covering the tract of land described in Section 2 of this ordinance.

Section 4:

That the Board of County Commissioners of Stark County, Ohio, are hereby petitioned under the authority of Section 503.07, Ohio Revised Code, to add the one (1) tract of land described in Section 2 of this ordinance to the City of Massillon, Ohio, Stark County, Ohio.

Section 5:

That upon passage of this ordinance the Clerk of Council is directed to forward a certified copy thereof and the attached map, together with an authenticated copy of the proceedings relating hereto, to the Board of County Commissioners of Stark County, Ohio.

Section 6:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of this community and for the further reason that the timely resolution of its subject matter is essential for making the boundary lines of Tuscarawas Township conform with the corporation lines of the City of Massillon, Ohio. 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

Exhibit "A"

We, the undersigned, being a majority of the adult owners of real estate in the territory hereinafter described, hereby petition for the annexation of the following described territory to the City of Massillon, Massillon Township, Stark County, Ohio.

Beginning at an iron bar known as the Southeast corner of the Southeast Quarter of Section 10, said bar also being on the centerline of Kenyon Avenue (Township Road 340) a 30.00 foot public right of way,

Thence N 81°37'00"W along the centerline of Lincoln Highway a distance of 625.00 feet to a point and the TRUE PLACE OF BEGINNING;

Thence N 82°17'20"W, a distance of 395.77 feet to a point on the grantors west line,

Thence S81°37'00"E along the centerline of Lincoln Highway a distance of 389.41 feet to a point and the TRUE PLACE OF BEGINNING containing 6.00 acres, more or less, but subject to all legal highways, easements or restrictions, if any, of record.

EXCEPTING THEREFROM the following:

Page 1 of 2 - 100%

Page 1 of 2

Beginning at a 1" iron bar found at the Southeast corner of said Southeast Quarter; thence N 05°00'00"E along the centerline of Kenyon Avenue, Township Road 340, and the easterly line of said Southeast Quarter, 1228.70 feet; thence N 81°37'00"W along the centerline of Lincoln Street, State Route 172 (a variable public right-of-way), 625.00 feet to the true place of beginning; thence S 05°00'40"W along the westerly line of a tract of land now or formerly owned by D. & R. Patel, 40.07 feet to a point; thence N 81°37'00"W parallel to and offset 40 feet south of the centerline of said Lincoln Street, 389.74 feet to a point; thence N 05°34'30"E along the easterly line of a 25 foot unnamed street, 40.05 feet; thence S 81°37'00"E, along the centerline of said Lincoln Street, 389.35 feet to the true place of beginning.

The above described tract encloses and comprises part of a tract that was conveyed to K. Rohr by a deed recorded in Volume 4295, Page 473 of the Stark County Deed Records and contains 0.358 acres as surveyed by Ronald P. Dohy, P.S. #6175 of Hammontree and Associates, Ltd., Engineers and Surveyors of North Canton, Ohio, in August of 1993.

The basis of bearings is S 81°37'00"E, the centerline of Lincoln Street as recorded in Volume 4295, Page 473, of the Stark County Deed Records.

Total area to be annexed is 5.64 acres.

Robert Sanderson, 13277 Fern Ave. N.W., Hartville, Ohio, is hereby appointed agent for the undersigned petitioners as required RC 709.02 with full power and authority hereby granted to said agent to amend, alter, change, withdraw, refile, substitute, and to take any action necessary for obtaining the granting of this petition. Said amendment, compromise, increase or deletion, or other things for granting this petition shall be made in the petition, description, and/or plat by said agent without further expressed consent of the petitioners.

DATE: NOVEMBER 17, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 173 - 2003

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE changing the name of Oak Knoll Park to Oak Knoll Medal of Honor Park, located at 618 6<sup>th</sup> Street SW., and declaring an emergency.

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

Section 1:

Oak Knoll Medal of Honor Park be and is hereby designated as the name for a certain park located in the City of Massillon, Ohio, and formerly known as Oak Knoll Park.

Section 2:

That the Director of Public Service and Safety is authorized and directed to post appropriate signs on said park. The Safety Service Director shall remove any signs presently existing to the on the park which indicate that said parks may have a name other than Oak Knoll Medal of Honor Park.

Section 3:

That any prior ordinance or part of any ordinance that may be in conflict with this ordinance, be and is hereby repealed.

Section 4:

That this ordinance 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: NOVEMBER 17, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

*5:50 P 8-0*  
*8:00 P 8-0*  
COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 174 - 2003

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to execute a letter of intent for the lease of six (6) Police Cruisers for the use in the Police Department of the City of Massillon for a three years, 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 authorize the Director of Public Service and Safety to execute a letter of intent, according to law, for the lease of six (6) Police Cruisers for the use in the Police Department of the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized and directed to execute a letter of intent to enable Ewing Chevrolet to order six (6) Police Cruisers for use in the Police Department of the City of Massillon. The cost is Fifty Thousand One Hundred Twenty Four Dollars and Fifty Six Cents (\$50,124.56) annually for a three (3) year period totaling at the end of the third year One Hundred Fifty Thousand Three Hundred Seventy Three Dollars and Sixty Eight Cents (150,373.68), and the payment of the lease will commence in 2004.

Section 3:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that the cruisers must be ordered immediately so that they can be put in use for the Police Department and are needed for the more efficient operation of the Police Department in the City of Massillon. 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: NOVEMBER 17, 2003

CLERK: MARY BETH BAILEY

500P 8-0  
MS 8-0  
CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO.175 - 2003

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Service and Safety of the City of Massillon to sell used fire alarm boxes and related equipment for the 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 that certain personal property no longer needed for municipal purposes and necessary to authorize the Director of Service and Safety of the City of Massillon to sell used fire alarm boxes and related equipment for the Fire Department.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to sell used fire alarm boxes and related equipment for the Fire Department for the sum of Fifty Dollars (\$50.00) per unit.

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 these used fire alarm boxes are no longer needed for municipal purposes and no longer used in the 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

\_\_\_\_\_ DENNIS D. HARWIG, PRESIDENT

APPROVED \_\_\_\_\_

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

DATE: NOVEMBER 17, 2003

CLERK: MARY BETH BAILEY

11-17-03

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 176 - 2003

1st Reading  
2nd Reading 12/1  
Repeated 12/15

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 thereinafter described be vacated, and

WHEREAS, upon hearing, the Council hereby find 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 a 15 foot wide alley lying between Green Avenue S.W. and Pike Avenue S.W. and running in an east/west direction between 6<sup>th</sup> Street S.W. and 7<sup>th</sup> Street S.W. The request is to vacate that portion from the west right-of-way line of 6<sup>th</sup> Street SW, approximately 180 feet west to the west property lines of Lots No. 1855 and 1856. The request was approved by the City Planning Commission on October 8<sup>th</sup>, 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    DENNIS D. HARWIG, PRESIDENT

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

DATE: NOVEMBER 17, 2003

CLERK: MARY BETH BAILEY

*507 8-0*  
*1 80 8-0*  
CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 177 - 2003

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with the Board of Stark County Commissioners, upon approval of the Board of Control, for the purchase of salt for ice control on the city streets, 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 enter into an agreement with the Board of Stark County Commissioners, upon approval of the Board of Control, for the purchase of salt for ice control on city streets.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into an agreement with the Board of Stark County Commissioners, upon approval of the Board of Control, for the purchase salt for ice control on city streets.

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, participating in the cooperative purchase program saves the city money in its salt purchases and for the additional reason for the more efficient operation of the Street Department in the City of Massillon during the winter months. 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: NOVEMBER 17, 2003

CLERK: MARY BETH BAILEY

*5000 B-0  
pro B-0*  
COUNCIL CHAMBERS

CITY OF MASSILLON, OHIO

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 178 - 2003

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2003 appropriation from within the Wastewater Treatment Fund and the Capital Improvement 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 transferred from within the 2003 appropriation for the Wastewater Treatment Fund of the City of Massillon, Ohio, the following:

\$ 35,000.00 FROM: "Hospital/Eye/Dental/Pres/Life" 2101.615.5.2210 (sewer operations and maintenance department).

\$ TO: "Hospital/Eye/Dental/Pres/Life" 2101.610.5.2210 (wastewater treatment department Fund).

Section 2:

There be and hereby is transferred from the 2003 appropriation from within the Capital Improvement Fund of the City of Massillon, Ohio, the following:

\$ 5,000.00 FROM: "Leases" 1401.905.2530

\$ TO: "Street Resurfacing" 1401.435.2510

Section 3:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for the more efficient operation of the various departments in the City of Massillon, Ohio, to continue with the street resurfacing and for a 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

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

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

DATE: NOVEMBER 17, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 179 - 2003

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Plant Upgrade Fund, Insurance Fund and the Community Development Block Grant Program 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:

30,000.00 for the Wastewater Treatment Plant Upgrade Project 1421.610.5.2510

Section 2:

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

\$350,000.00 for the Employee Insurance 2202.905.5.2310

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Community Development Block Grant Program Fund for the year ending December 31, 2003, the following:

\$20,000.00 to an account entitled "Habitat for Humanity" 1203.845.2849.

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, and for the additional reason that the funds are needed in the accounts immediately. 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: NOVEMBER 17, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*1st Reading*  
LEGISLATIVE DEPARTMENT  
*Passed 12/1*

ORDINANCE NO. 180 - 2003

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing a scheduled payment plan for the payment back to the General Fund of funds previously advanced funds to the Legends Golf Fund by the General Fund and the Parks and Recreation Operating Fund for the years ending December 31, 2003 and 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:

The following payment schedule for the repayment of advanced funds by the Legends Golf Fund is hereby approved:

2004:

General Fund       \$20,000.00  
Parks & Rec. Fund \$10,000.00

2005:

General Fund       \$20,000.00  
Parks & Rec. Fund \$10,000.00

2006:

General Fund       \$35,000.00  
Parks & Rec. Fund \$ 5,000.00

Section 2:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation the Legends Golf Course 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

APPROVED \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: NOVEMBER 17, 2003

CLERK: MARY BETH BAILEY

*230 8-0*  
*240 8-0*  
COUNCIL CHAMBERS

CITY OF MASSILLON, OHIO

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 181 - 2003

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriation in the Golf Course Fund and the Park and Rec. Operating Fund of the City of Massillon, Ohio, 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:

The appropriation in the Golf Course Fund for the year ending December 31, 2003, is hereby reduced by the following amounts in the following accounts:

\$ 75,000.00 from an account entitled "Transfer to General"	2104.920.2710
\$ 13,232.69 from an account entitled "Capital Equipment"	2104.920.2532
\$ 12,146.36 from an account entitled "Services/Contracts"	2104.920.2392
\$ 8,283.43 from an account entitled "Supplies/Material"	2104.920.2410
\$ 6,030.00 from an account entitled "Sales Tax"	2104.920.2390
\$ 5,908.79 from an account entitled "Utilities"	2104.920.2340
\$ 1,400.00 from an account entitled "Gas & Oil"	2104.920.2430
\$ 632.51 from an account entitled "Travel Seminar Schooling"	2104.920.2389
\$ 350.00 from an account entitled "Refunds"	2104.920.2720
\$ 300.00 from an account entitled "Hospital/Eye/Dental"	2104.920.2210
\$ 17.62 from an account entitled "Workers Compensation"	2104.920.2270

Section 2:

The appropriation in the Park and Recreation Operating Fund for the year ending December 31, 2003, is hereby reduced by the following amounts in the following accounts:

12,000.00 from an account entitled "Park Salary"	1234.505.2111
\$29,000.00 from an account entitled "Rec Salary"	1234.505.2112
\$11,000.00 from an account entitled "PERS"	1234.505.2230
\$ 5,984.00 from an account entitled "Workers Comp"	1234.505.2270

\$4,400.00 from an account entitled "Summer Feeding Services & Contracts"	1234.515.2392
\$4,300.00 from an account entitled "Senior Center Salary"	1234.505.2113
\$3,975.79 from an account entitled "Utilities"	1234.505.2340
\$3,400.00 from an account entitled "Travel Sem Schooling"	1234.505.2389
\$3,200.00 from an account entitled "Unemployment Comp"	1234.505.2290
\$3,000.00 from an account entitled "Summer Feeding Salary"	1234.515.2110
\$2,000.00 from an account entitled "Rec Center Serv & Cont"	1234.505.2393
\$1,288.25 from an account entitled "Services Youth Center"	1234.505.2394
\$1,288.00 from an account entitled "Youth Center Serv & Cont"	1234.505.2394
\$1,200.00 from an account entitled "Union Health & Welfare"	1234.505.2281
\$1,000.00 from an account entitled "Admin Salary"	1234.505.2110
\$ 960.00 from an account entitled "Hospital/Eye/Dental"	1234.505.2210
\$ 866.51 from an account entitled "Uniform Allow"	1234.505.2280
\$ 822.35 from an account entitled "Rec Center Utilities"	1234.505.2341
\$ 594.72 from an account entitled "Supplies Youth Center"	1234.505.2413
\$ 300.00 from an account entitled "Summer Feeding Travel"	1234.515.2389
\$ 222.91 from an account entitled "SD Revenue Sharing"	1234.505.2721

Section 3:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary before the end of the calendar year for the more efficient operation of other departments in the City of Massillon, Ohio, 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

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

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

DATE: NOVEMBER 17, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

*SEP 8-0*  
*POSS 8-0*  
COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

RESOLUTION NO.22 - 2003

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

(SEE ATTACHED PAGES)

*No change  
from previous  
years  
per Tim Bryant*

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

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

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