

DATE: MARCH 1, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

**\*AMENDED\***

ORDINANCE NO. 50 - 2004

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND" of the Codified Ordinances of the City of Massillon, by repealing existing Section 937.08 "ADMINISTRATION AND DISBURSEMENT OF FUNDS", and Section 937.09 "ANNUAL RATES FOR SEWER SERVICE" and enacting a new Section 937.08 "ADMINISTRATION AND DISBURSEMENT OF FUNDS", Section 937.09 "ANNUAL RATES FOR SEWER SERVICE".

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

Section 1:

The existing Section 937.08 "ADMINISTRATION AND DISBURSEMENT OF FUNDS", Section 937.09 "ANNUAL RATES FOR SEWER SERVICE" of CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND" of the Codified Ordinances of the City of Massillon are hereby repealed.

Section 2:

That there hereby is enacted new Section 937.08 "ADMINISTRATION AND DISBURSEMENT OF FUNDS" Section 937.09 "ANNUAL RATES FOR SEWER SERVICE" of CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

(SEE ATTACHED EXHIBIT "A")

Section 3:

This ordinance 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 5<sup>th</sup> DAY OF April, 2004

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

Dennis D. Harwig  
DENNIS D. HARWIG, PRESIDENT

APPROVED April 6, 2004

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 4/5/04

Church	\$30.60
Toilet/Urinal	\$130.00
Showers	\$83.00
Food Prep/Bar Sink (Per Bowl)	\$55.60
Hair Rinse Sink	\$30.60
Hand Sink	\$23.00
Slop Sink	\$31.60
Hotel/Motel	\$223.40
Each Bedroom	\$31.60
Rooming House	\$190.00
Each Bedroom	\$31.60
Laundromat or Coin Operated Machine	\$115.00
Commercial Laundries (By Pound)	\$12.60

Car Washes	
Each Single Stall Manual	\$233.00
Each Single Stall Automatic	\$775.00
Each Drive-Through Automatic	\$4,910.00

Hospitals/Nursing Homes (Per Employee/Patient)	\$26.80
Sports Facility/Arena (Per Seat)	\$2.60
Schools, Public – Private – Day Care	
Per Student and Employee	\$6.20

### **INDUSTRIAL**

Industrial Flow for each Million Gallons	\$560.00
Industrial Employee (Per Employee)	\$31.60

- (b) The following rates are effective October 1, 2005, with respect to any such premises situated within the corporate limits of the City. All Sewer Charges will be billed on a Quarterly basis, with billing in the months of January, April, July and October.

### **RESIDENTIAL**

### **ANNUAL RATE**

Single Family Unit	\$206.00
Duplex Residential	\$412.00
Each Additional Residential Unit	\$206.00
Mobile Homes and House Trailers	\$206.00

### **COMMERCIAL**

(Stores, Restaurants, Bars, Garages, Gas Stations, Professional Offices, Barber/Beauty Shops, Bowling alleys, Theaters, Lodges, Clubs, Business Offices and any other public building)

Church	\$32.00
Toilet/Urinal	\$137.00
Showers	\$87.00
Food Prep/Bar Sink (Per Bowl)	\$58.60
Hair Rinse Sink	\$32.00
Hand Sink	\$24.00
Slop Sink	\$33.00
Hotel/Motel	\$234.00
Each Bedroom	\$33.00
Rooming House	\$199.00
Each Bedroom	\$33.00
Laundromat or Coin Operated Machine	\$120.00
Commercial Laundries (By Pound)	\$13.20

Car Washes	
Each Single Stall Manual	\$244.00
Each Single Stall Automatic	\$814.00
Each Drive-Through Automatic	\$5,155.00

Hospitals/Nursing Homes (Per Employee/Patient)	\$28.00
Sports Facility/Arena (Per Seat)	\$3.00
Schools, Public – Private – Day Care	

**INDUSTRIAL**

Industrial Flow for each Million Gallons	\$560.00
Industrial Employee (Per Employee)	\$33.00

- (c) The following rates are effective October 1, 2006, with respect to any such premises situated within the corporate limits of the City. All Sewer Charges will be billed on a Quarterly basis, with billing in the months of January, April, July and October.

**RESIDENTIAL****ANNUAL RATE**

Single Family Unit	\$216.00
Duplex Residential	\$432.00
Each Additional Residential Unit	\$216.00
Mobile Homes and House Trailers	\$216.00

**COMMERCIAL**

(Stores, Restaurants, Bars, Garages, Gas Stations, Professional Offices, Barber/Beauty Shops, Bowling alleys, Theaters, Lodges, Clubs, Business Offices and any other public building)

Church	\$33.80
Toilet/Urinal	\$144.00
Showers	\$91.60
Food Prep/Bar Sink (Per Bowl)	\$61.40
Hair Rinse Sink	\$33.80
Hand Sink	\$25.20
Slop Sink	\$35.00
Hotel/Motel	\$246.00
Each Bedroom	\$35.00
Rooming House	\$209.00
Each Bedroom	\$35.00
Laundromat or Coin Operated Machine	\$126.00
Commercial Laundries (By Pound)	\$13.80
Car Washes	
Each Single Stall Manual	\$256.00
Each Single Stall Automatic	\$855.00
Each Drive-Through Automatic	\$5,400.00
Hospitals/Nursing Homes (Per Employee/Patient)	\$29.40
Sports Facility/Arena (Per Seat)	\$3.20
Schools, Public – Private – Day Care	
Per Student and Employee	\$7.00

**INDUSTRIAL**

Industrial Flow for each Million Gallons	\$560.00
Industrial Employee (Per Employee)	\$35.00

DATE: MARCH 1, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 50 - 2004

BY: ENVIRONMENTAL COMMITTEE

*1st reading*  
LEGISLATIVE DEPARTMENT

*2nd reading 3/15*  
*passed 4/5*

TITLE: AN ORDINANCE amending CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND" of the Codified Ordinances of the City of Massillon, by repealing existing Section 937.08 "ADMINISTRATION AND DISBURSEMENT OF FUNDS", Section 937.09 "ANNUAL RATES FOR SEWER SERVICE" and Section 937.10 "ADDITIONAL SURCHARGE FOR INDUSTRIAL WASTE" and enacting a new Section 937.08 "ADMINISTRATION AND DISBURSEMENT OF FUNDS", Section 937.09 "ANNUAL RATES FOR SEWER SERVICE" and Section 937.10 "ADDITIONAL SURCHARGE FOR INDUSTRIAL WASTES" of CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND", 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 937.08 "ADMINISTRATIN AND DISBURSEMENT OF FUNDS", Section 937.09 "ANNUAL RATES FOR SEWER SERVICE" and Section 937.10 "ADDITIONAL SURCHARGE FOR INDUSTRIAL WASTES" of CHAPTER 937 "WASTEWATER TRATMENT REVENUE FUND" of the Codified Ordinances of the City of Massillon are hereby repealed.

Section 2:

That there hereby is enacted new Section 937.08 "ADMINISTRATION AND DISBURSEMENT OF FUNDS" Section 937.09 "ANNUAL RATES FOR SEWER SERVICE" and Section 937.10 "ADDITIONAL SURCHARGE FOR INDUSTRIAL WASTES: of CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND' of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

(SEE ATTACHED)



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 Sewer and Waste Departments of the City of Massillon, Ohio, and for the additional reason 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 \_\_\_\_\_, 2004

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

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

DESCRIPTION	CURRENT		REQUESTED INCREASE					
	(2004) QUARTERLY RATE	(2004) ANNUAL RATES	(2005) QUARTERLY RATE	(2005) ANNUAL RATE	(2006) QUARTERLY RATE	(2006) ANNUAL RATE	(2007) QUARTERLY RATE	(2007) ANNUAL RATE
SINGLE FAMILY	46.50	186.00	49.00	196.00	51.50	206.00	54.00	216.00
DUPLEX	93.00	372.00	98.00	392.00	103.00	412.00	108.00	432.00
ADDITIONAL APARTMENTS	46.50	186.00	49.00	196.00	51.50	206.00	54.00	216.00
MOBILE HOMES	46.50	186.00	49.00	196.00	51.50	206.00	54.00	216.00
CHURCH	7.25	29.00	7.65	30.60	8.00	32.00	8.45	33.80
TOILET	31.00	124.00	32.50	130.00	34.25	137.00	36.00	144.00
RESTAURANTS/BAR SINK	13.20	52.80	13.90	55.60	14.65	58.60	15.35	61.40
HAIR RINSE SINK	7.25	29.00	7.65	30.60	8.00	32.00	8.45	33.80
SLOP SINK	7.50	30.00	7.90	31.60	8.25	33.00	8.75	35.00
HOTEL BEDROOMS	7.50	30.00	7.90	31.60	8.25	33.00	8.75	35.00
ROOMING HOUSE	45.00	180.00	47.50	190.00	49.75	199.00	52.25	209.00
ROOM HOUSE BEDROOM	7.50	30.00	7.90	31.60	8.25	33.00	8.75	35.00
HOSPITAL/NURSING	6.35	25.40	6.70	26.80	7.00	28.00	7.35	29.40
SPORTS FACILITY	0.62	2.48	0.65	2.60	0.75	3.00	0.80	3.20
LAUNDROMAT MACHINE	27.20	108.80	28.75	115.00	30.00	120.00	31.50	126.00
LAUNDRY BY POUND	3.00	12.00	3.15	12.60	3.30	13.20	3.45	13.80
CAR WASH/MANUAL	55.25	221.00	58.25	233.00	61.00	244.00	64.00	256.00
CAR WASH/AUTO	184.00	736.00	193.75	775.00	203.50	814.00	213.75	855.00
CARWASH/DRIVE THRU	1,165.00	4,660.00	1,227.50	4,910.00	1,288.75	5,155.00	1,350.00	5,400.00
SCHOOL STUDENT/EMPLOYEE	1.48	5.90	1.55	6.20	1.65	6.60	1.75	7.00
INDUSTRIAL EMPLOYEE	7.50	30.00	7.90	31.60	8.25	33.00	8.75	35.00
HOTEL/MOTEL	53.00	212.00	55.85	223.40	58.50	234.00	61.50	246.00
DAY CARES	1.48	5.90	1.55	6.20	1.65	6.60	1.75	7.00
HAND SINK	5.45	21.80	5.75	23.00	6.00	24.00	6.30	25.20
SHOWER	19.70	78.80	20.75	83.00	21.75	87.00	22.90	91.60



DATE: MARCH 1, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

~~Issued~~  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 51 - 2004

*2nd reading 3/15  
passed 4/5*

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract, without competitive bidding, with Republic Services of Ohio, LLC, dba Countywide Recycling & Disposal Facility for the disposal of municipal solid waste for the City of Massillon, Ohio.

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, without competitive bidding, with Republic Services of Ohio, LLC, dba Countywide Recycling & Disposal Facility for the disposal of municipal solid waste for the City of Massillon, Ohio.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract, without competitive bidding, with Republic Services of Ohio, LLC, dba Countywide Recycling & Disposal Facility for the disposal of municipal solid waste for the City of Massillon, Ohio.

Section 3:

The said agreement is an extension of the original agreement for a two-year period. The cost remains the same at a total of Fourteen Dollars and Thirty-Four cents (\$14.34) plus Three Dollars (\$3.00) for host fees.

(SEE ATTACHMENT)

Section 4:

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 \_\_\_\_\_ 2004

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

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

FIRST AMENDMENT TO  
DISPOSAL AGREEMENT

This First Amendment dated this \_\_\_\_ day of February, 2004, hereby amends the Disposal Agreement dated July 26, 2001 (the "Agreement"), by and between Republic Services of Ohio, LLC, d/b/a/ Countywide RDF, a limited liability company organized and existing under the laws of the State of Ohio ("Republic") and the City of Massillon, a corporation organized and existing under the laws of the State of Ohio ("Customer").

RECITALS

It is hereby ascertained, determined and declared by the parties that:

A. In consideration of the mutual covenants contained herein, the Customer desires to extend the term of the Agreement as set forth herein;

B. In consideration of the Customer's agreement to extend the term, Republic desires to offer the economic incentives set forth herein.

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by each of the parties to this Amendment, the parties agree as follows:

1. The term of the Agreement is hereby extended for an additional two (2) years through midnight Ohio Time, on July 23, 2006.

2. The Customer is currently paying the Republic the disposal rate of \$14.34 per ton for the disposal of Solid Waste (as defined in the Agreement).

3. Republic agrees to forego its annual Consumer Price Index disposal rate adjustment rights pursuant to paragraph 6. (d) of the Agreement through the remainder of the term, or through July 23, 2006.

4. Except as expressly set forth herein, the remaining terms and conditions of the Agreement shall remain in full force and effect and unaffected by this Amendment.

IN WITNESS THEREOF, the parties executed this Amendment to the Agreement as of the day and year first above written.

Republic

Customer

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

RECEIVED

FEB 12 2004

**APPROVAL OF BOARD OF CONTROL**

I hereby certify that pursuant to the authority conferred the Board of Control on the \_\_\_\_ day of \_\_\_\_\_, 2004, duly approved the foregoing Amendment to the Agreement and authorized the Director of Public Service and Safety to enter into said contract on behalf of the City of Massillon.

Date: \_\_\_\_\_

\_\_\_\_\_  
Secretary of the Board of Control

**AUDITOR'S CERTIFICATE**

I hereby certify that the amount of money required to meet the obligations of the City of Massillon which will accrue during the year(s) \_\_\_\_\_ according to a written estimate made to me by the Director of Public Service and Safety to wit: \$ \_\_\_\_\_, has been lawfully appropriated for such purpose and is in the Treasury or in the process of collection to the credit of an appropriate fund, free from previous encumbrance.

DATE: \_\_\_\_\_

\_\_\_\_\_  
City Auditor

**LAW DIRECTOR'S CERTIFICATE**

I, the undersigned, the duly elected and qualified Law Director of the City of Massillon, Ohio, do hereby certify that I have personally examined the foregoing Amendment to the Agreement and have found the same to be regular with respect to form and correctness, and binding upon all parties signatory thereto.

Date: \_\_\_\_\_

\_\_\_\_\_  
City Law Director

RECEIVED

FEB 12 2004

DATE: MARCH 1, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 52 - 2004

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare specifications and to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for sewer sludge removal and disposal at the Wastewater Treatment Plant in the City of Massillon.

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 and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for sewage sludge removal and disposal at the Wastewater Treatment Plant 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, and upon award and approval by the Board of Control, with the lowest and best bidder, according to law, as authorized in Section 1 of this Ordinance.

Section 3:

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 \_\_\_\_\_, 2004

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

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



DATE: MARCH 5, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 53 - 2004

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into a Mutual Aid Agreement for the City of Massillon safety forces with other political subdivisions safety forces of Stark County, 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 safety and interest to enter into a Mutual Aid Agreement for the safety forces of the City of Massillon with the other subdivisions safety forces of Stark County.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a Mutual Aid Agreement for the City of Massillon safety forces with other political subdivisions safety forces.

(SEE ATTACHMENT)  
EXHIBIT A

Section 3:

This Mutual Aid Agreement shall be in effect for a period of three (3) years from the date of the agreement.

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary to enter into a Mutual Aid Agreement for the City of Massillon safety forces with other political subdivision. 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 \_\_\_\_\_ 2004

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

MARY BETH BAILEY, CLERK OF COUNCIL

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

APPROVED \_\_\_\_\_

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

Exhibit A

**MUTUAL AID AGREEMENT  
BETWEEN THE CITY OF MASSILLON, OHIO  
AND  
TOWNSHIP OF JACKSON**

WHEREAS, Ohio Revised Code Section 737.04 authorizes the legislative authority of a municipal corporation, in order to obtain additional police protection, to enter into contracts upon such terms as may be agreed upon with other political subdivisions for the services of their police departments or the use of their police equipment or for the interchange of said services or equipment within the territories of the contracting subdivisions.

WHEREAS, Ohio Revised Code Sections 505.43 and 505.50 authorizes the board of trustees of a township police district to enter into a contract with a municipal corporation, upon such terms as are mutually agreed upon, for the provision of additional police protection services for the township police district either on a regular basis or for additional protection in times of emergency.

WHEREAS, it is the desire of the parties herein to provide for mutual assistance in the use of police personnel and equipment in case of emergency within the various territories, without respect to the particular territory in which the same may be used.

NOW, THEREFORE, BE IT AGREED among the parties hereto as follows:

(1) In the event of an emergency or the need for additional police protection, and upon the request of another police department by the highest ranking officer of that department on duty at the time of the emergency or need for additional police protection, each political subdivision which is a party to this agreement will furnish police manpower and equipment if the highest ranking officer on duty, of the requested police department, is of the opinion that such police manpower and equipment is available. Such police manpower and equipment may be recalled at the sole discretion of the highest ranking officer on duty of the police department furnishing such police manpower and equipment.

(2) Notwithstanding the provisions of Paragraph #1 above, any police officer of a political subdivision which is a party of this agreement who sees a felony being committed within the territory

of another political subdivision which is a party to this agreement, or who sees a police officer of another political subdivision which is a party to this agreement who is in distress, shall have the authority to apprehend or attempt to apprehend the person or persons committing said felony and shall have the authority to go to the assistance of such other police officer in distress, as long as he shall use sound discretion and reasonable judgment.

(3) When an officer calls for assistance, he shall state the specific emergency or need for additional police protection and an estimate of the personnel and equipment needed, along with directions as to the location where such assistance is needed and shall, where possible, dispatch someone to a specific meeting place to escort the responding personnel to their destination.

(4) When invoking any provision of this agreement, the senior officer who is present and in charge of the department of the calling party shall have full charge and authority over personnel and equipment of the responding party.

(5) The responding party shall not be responsible or liable in damages to the other party hereto, or any of its inhabitants or contractual obliges for failure to respond to any request for assistance, for lack of speed, for any inadequacy of equipment, for operation of equipment or for any other cause whatsoever arising from services required or rendered under this agreement. This agreement shall not be construed as or deemed to be an agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action whatsoever hereunder for any cause whatsoever.

(6) No charge shall be made to any contracting political subdivision entering into this agreement for services rendered by the other contracting political subdivision under the provisions of this agreement.

(7) There shall be no reimbursement for loss or damage to equipment while engaged in activity, in accordance with the agreement, outside of the limits of the political subdivision owning

**MUTUAL AID AGREEMENT**

**Page 3**

and furnishing the equipment, nor shall there be any reimbursement for any policeman's pension or indemnity fund award or premium contribution or reimbursement charge assessed against the employing political subdivision for workers' compensation benefits arising by reason of injury or death of its police department members occurring while engaged in rendering services under this agreement.

(8) This agreement shall remain in force until revoked by either party. Each party to this agreement shall have the right to terminate this agreement upon giving sixty (60) days advance written notice to the other party.

In witness whereof, the City of Massillon, Ohio and Board of Trustees of Jackson Township duly authorized by ordinance and resolution of the respective legislative authorities.

The City of Massillon, Ohio

By \_\_\_\_\_  
Mayor

By \_\_\_\_\_  
Director of Public Service & Safety

Date \_\_\_\_\_

Board of Trustees of Jackson Township  
Stark County, Ohio

By Steven M. Meeks  
Steven M. Meeks, President

By William M. Burger  
William M. Burger, Trustee

By John E. Pizzino  
John E. Pizzino, Trustee

Date 2/23/04



DATE: MARCH 1, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 54 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 16<sup>th</sup> Street Project Fund, Local Law Block Grant Fund, Capital Improvement Fund and the General Fund for the year ending December 31, 2004, 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 16<sup>th</sup> Street Project Fund for the year ending December 31, 2004, the following:

\$300,000.00 to an account entitled "16<sup>th</sup> Street Project" .1410.435.2510

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Local Law Block Grant Fund, for the year ending December 31, 2004, the following:

\$25,104.00 to an account entitled "2003-LBBX-0306" 1231.305.2515

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Capital Improvement Fund for the year ending December 31, 2004, the following:

\$2,789.00 to an account entitled "2003-LBBX-0306" 1401.305.2515

Section 4:

There be and hereby is appropriated from the unappropriated balance of the General Fund for the year ending December 31, 2004, the following:

\$7,700.00 to an account entitled "Bailiff Unemployment Comp" 1100.135.2290



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 \_\_\_\_\_ 2004

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

MARY BETH BAILEY, CLERK OF COUNCIL

\_\_\_\_\_ DENNIS HARWIG, PRESIDENT

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

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

DATE: MARCH 1, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 8 - 2004

BY COMMUNITY DEVELOPMENT COMMITTEE

TITLE: A RESOLUTION extending support from the City of Massillon to the proposed Massillon Homes Housing Tax Credit Development.

WHEREAS, the project will be comprised of up to fifty (50) single family homes to be located on scattered sites in the City of Massillon, and

WHEREAS, none of the project's units will be market rate units, and

WHEREAS, all of the units will be leased to households whose annual incomes are 60 percent or less of the Area Median Gross Income, and

WHEREAS, 20 percent of the total units will be set aside for households with a member(s) who has a mobility or a sensory impairment, and

WHEREAS, two (2) of the total units will be set aside for households with a member(s) who has been supported through the Continuum of Care system that is designed to address the critical problem of homelessness, and

WHEREAS, the project will utilize Housing Tax Credits, therefore,

BE IT RESOLVED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_ IN THE YEAR 2004 BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO:

Section 1:

That the Massillon City Council extends its full support to Massillon Homes, an affordable development of single family homes in the City of Massillon.

Section 2:

That the Clerk of Council be and she is hereby authorized and directed to forward a certified copy of this Resolution to the project owner care of The NRP Group LLC at 5309 Transportation Blvd, Cleveland, Ohio 44125 and that a copy of the Resolution be recorded in the minutes of this meeting.

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2004

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

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