

AGENDA

DATE: MONDAY, JULY 19, 2004
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE IS ONE PUBLIC HEARING TONIGHT
ORDINANCE NO. 103 – 2004 AT 7:15PM - REZONING

— No 2004

1. ROLL CALL
2. INVOCATION BY COUNCILMAN MIKE LOUDIANA
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. 121 – 2004

BY: POLICE AND FIRE COMMITTEE

P **AN ORDINANCE** authorizing the Director of Public Service and Safety to accept the 2003 Assistance to Firefighters Grant – Fire Prevention and Safety Grant from the U.S. Department of Homeland Security, and declaring an emergency.

ORDINANCE NO. 122 – 2004

BY: FINANCE COMMITTEE

P **AN ORDINANCE** making certain appropriations from the unappropriated balance of the Municipal Court Computer Fund, for the year ending December 31, 2004, and declaring an emergency.

ORDINANCE NO. 123 – 2004

BY: FINANCE COMMITTEE

P **AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Love Insurance Agency for boiler & machinery insurance and crime insurance coverage, and declaring an emergency.

ORDINANCE NO. 124 – 2004

BY: FINANCE COMMITTEE

P **AN ORDINANCE** making certain transfers in the 2004 appropriations of the General Fund from within the Deputy Clerks Salary, Street Salary, EEO Salary and the EEO PERS, of the City of Massillon, Ohio, and declaring an emergency.

RESOLUTION NO. 21 – 2004

BY: HEALTH, WELFARE & BLDG REGULATIONS

105 **A RESOLUTION** designating Babette Ct. SE as the name for a certain alley located in the City of Massillon, Ohio, and described as an alley 15 feet wide running from Wallace Avenue SE to Wellman Avenue SE., and declaring an emergency.

7. UNFINISHED BUSINESS**8. PETITIONS AND GENERAL COMMUNICATIONS**

(A). LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM BARRONS MAIN STREET SALOON, INC DBA BARRONS MAIN STREET SALOON 2233 MAIN AVE W 1ST FLOOR, MASSILLON, OHIO 44646 TO RAE LORRAINE BOROWSKY DBA THIRD BASE 2233 W MAIN MASSILLON, OHIO 44646.

9. BILLS, ACCOUNTS AND CLAIMS**10. REPORTS FROM CITY OFFICIALS**

- A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR JUNE 2004
- B). TREASURER SUBMITS MONTHLY REPORT FOR JUNE 2004
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR JUNE 2004.
- D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR JUNE 2004
- E). MAYOR SUBMITS MONTHLY REPORT FOR JUNE 2004
- F). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR JUNE 2004

11. REPORTS OF COMMITTEES**12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS****13. CALL OF THE CALENDAR** - 7/24 5:50 - Hampton Inn**14. THIRD READING ORDINANCES AND RESOLUTIONS****ORDINANCE NO. 103 - 2004****BY: COMMUNITY DEVELOPMENT COMMITTEE**

passed
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from I-1 Light Industrial to B-1 Local Business.

15. SECOND READING ORDINANCES AND RESOLUTIONS**ORDINANCE NO. 115 - 2004****BY: COMMUNITY DEVELOPMENT COMMITTEE**

2nd
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement amending the promissory note previously entered into between the City of Massillon and DOWNTOWN MASSILLON HOTEL, LTD.

ORDINANCE NO. 116 - 2004**BY: PUBLIC UTILITIES COMMITTEE**

2nd
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the dedication of the sanitary, storm and electric utility easement for the 2.3 acre parcel of land in front of the Wastewater Treatment Plant, and declaring an emergency.

ORDINANCE NO. 117 - 2004

BY: PUBLIC UTILITIES COMMITTEE

AN emergency ordinance authorizing all actions necessary to effect Governmental natural gas aggregation program with opt-out Provisions pursuant to Section 4929.26 of the Ohio Revised Code, directing the Stark County Board of Elections to submit a ballot question to the electors of the City of Massillon.

16. NEW AND MISCELLANEOUS BUSINESS

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

18. ADJOURNMENT

ORD 120-2004 - 108600m

MARY BETH BAILEY - CLERK OF COUNCIL

DATE: JULY 19, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed 7/19
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 121 - 2004

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to accept the 2003 Assistance to Firefighters Grant – Fire Prevention and Safety Grant from the U.S. Department of Homeland Security, 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 2003 Assistance to Firefighters Grant – Fire Prevention and Safety Grant from the U.S. Department of Homeland Security in the amount of Six Thousand Nine Hundred Forty-Three Dollars (\$6,943.00) for the materials and training of the department members in the field of fire prevention and safety regarding children and senior citizens of 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 accept the 2003 Assistance to Firefighters Grant – Fire Prevention and Safety Grant from the U.S. Department of Homeland Security in 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 materials and training in the field of fire prevention and safety focusing on children and the senior citizens of the City of Massillon 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 _____ 2004

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

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

DATE: JULY 19, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed 7/19
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 122 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Municipal Court Computer 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 Municipal Court Computer Fund, for the year ending December 31, 2004, the following:

\$30,000.00 to an account entitled "New Equipment" 1233.125.2510

Section 2:

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

\$30,000.00 to an account entitled "Services & Contracts" 1233.125.2392

Section 3:

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: JULY 19, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed 7/19
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 123 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into a contract with Love Insurance Agency for boiler & machinery insurance and crime insurance coverage, 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 and in the public health, safety and welfare to enter into contract with Love Insurance Agency for boiler & machinery insurance and crime insurance coverage.

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into contract with Love Insurance Agency for boiler & machinery insurance and crime insurance coverage.

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 that it is necessary to enter into a contract with Love Insurance Agency as the previous policies are about to expire. 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

DATE: JULY 19, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed 7/19
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 124 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making a certain transfers in the 2004 appropriations of the General Fund from within the Deputy Clerks Salary, Street Salary, EEO Salary and the EEO PERS, 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 the 2004 appropriation from within the Deputy Clerks Salary Fund of the City of Massillon, Ohio, the following:

30,000.00 FROM: "Deputy Clerks of Court Salary" 1100.130.2111
\$ TO: "Police Salary" 1100.305.2110

Section 2:

There be and hereby is transferred from the 2004 appropriation from within the Street Salary Fund, EEO Salary Fund and EEO PERS Fund of the City of Massillon, Ohio, the following:

\$ 16,600.00 FROM: "Street Salary" 1100.435.2110
\$ 9,800.00 FROM "EEO Salary" 1100.175.2110
\$ 6,000.00 FROM "EEO PERS" 1100.175.2230
\$ TO: "Accumulated Sick Leave" 1100.905.2150

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 police department 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

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

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

DATE: JULY 19, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 21 - 2004

2nd Reading 8/2
passed 8/16/04

BY: HEALTH, WELFARE & BUILDING REGULATIONS COMMITTEE

TITLE: A RESOLUTION designating Babette Ct. SE as the name for a certain alley located in the City of Massillon, Ohio, and described as an alley 15 feet wide running from Wallace Avenue SE to Wellman Avenue SE, and declaring an emergency.

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

Section 1:

Babette Ct. SE be and is hereby designated as the name for a certain alley located in the City of Massillon, Ohio, and running from Wallace Avenue SE to Wellman Avenue SE.

Section 2:

Upon payment of the cost of the signage by David Macmillan in the amount of \$655.83 to the City of Massillon, the Director of Public Service and Safety is authorized and directed to order and post appropriate signs on said street giving notice of said name designation.

Section 3:

That the Traffic Control Map is hereby amended to show said name designation.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2004

APPROVED: _____

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

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR