

## AGENDA

DATE: MONDAY, AUGUST 2, 2004

PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILMAN CHUCK MAIER
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. 125 - 2004

BY: COMMUNITY DEVELOPMENT COMMITTEE

*1st*  
**AN ORDINANCE** accepting the Final Plat and dedication of various streets for Orchard Hill Estates, in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

### ORDINANCE NO. 126 - 2004

BY: COMMUNITY DEVELOPMENT COMMITTEE

*Passed*  
**AN ORDINANCE** accepting the replatting of Out Lots 330 and 420, located north of Lincoln Way East and east of 19<sup>th</sup> Street NE, and including the dedication of approximately 30 feet of roadway for street purposes, in the City of Massillon, County of Star, State of Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

### ORDINANCE NO. 127 - 2004

BY: COMMUNITY DEVELOPMENT COMMITTEE

*Passed*  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, 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 the 2004 Target Neighborhood Street Program Improvements in the City of Massillon, and declaring an emergency.

### ORDINANCE NO. 128 - 2004

BY: COMMUNITY DEVELOPMENT COMMITTEE

*Passed*  
**AN ORDINANCE** accepting a conveyance of property from the owner or a perspective developer and approving a reconveyance to the owner or the developer as required by Section 5709.41(B) of the Ohio Revised Code, and declaring an emergency.

### ORDINANCE NO. 129 - 2004

BY: ENVIRONMENTAL COMMITTEE

*Passed*  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to vacate approximately 2 feet of a 10 foot wide storm sewer easement located on Lot 16709 in Kenyon Creek Estates Allotment, from the existing roadway northerly approximately 122 feet, and declaring an emergency.

MONDAY, AUGUST 2, 2004

ORDINANCE NO. 130 – 2004

BY: ENVIRONMENTAL COMMITTEE

*Passed 9-0*  
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the dedication of a 20 foot wide sanitary sewer easement on Out Lot 815 from the existing roadway easterly approximately 218 feet for West Point Condominiums, and declaring an emergency.

*1st*  
ORDINANCE NO. 131 – 2004

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

AN ORDINANCE vacating a portion of a certain public alley.

*Passed 9-0*  
ORDINANCE NO. 132 – 2004

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Health Fund, Parking Enforcement Fund and the SA 23<sup>rd</sup>/Springhill Debt Fund, for the year ending December 31, 2004, and declaring an emergency.

*Passed 9-0*  
ORDINANCE NO. 133 – 2004

BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety to accept a Federal Law Enforcement Block Grant, and declaring an emergency.

7. UNFINISHED BUSINESS *None*  
8. PETITIONS AND GENERAL COMMUNICATIONS *None*  
9. BILLS, ACCOUNTS AND CLAIMS *\$770.46 July \$32.50 GAP*  
10. REPORTS FROM CITY OFFICIALS

A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR JULY 2004

B). AUDITOR SUBMITS MONTHLY REPORT FOR JULY 2004

11. REPORTS OF COMMITTEES *Comm 4:30 5:00 Special Meeting Friday*

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER *Aug 9*

13. CALL OF THE CALENDAR *Aug 9 5:30 Comm Mts*

14. THIRD READING ORDINANCES AND RESOLUTIONS *Call Levey & Matt to attend*

ORDINANCE NO. 115 – 2004

BY: COMMUNITY DEVELOPMENT COMMITTEE

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.

*Tabled to Sept. 7*

*Passed*  
*9-0*  
**ORDINANCE NO. 116 - 2004**

**BY: PUBLIC UTILITIES COMMITTEE**

**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.

*Tabled*  
*Indefinitely*  
*9-0*  
**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.

*Tabled*  
*Indefinitely*  
*9-0*  
**ORDINANCE NO. 120 - 2004**

**BY: FINANCE COMMITTEE**

**AN ORDINANCE** making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund, for the year ending December 31, 2004, and declaring an emergency.

**15. SECOND READING ORDINANCES AND RESOLUTIONS**

*2nd*  
**RESOLUTION NO. 21 - 2004**

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

**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.

**16. NEW AND MISCELLANEOUS BUSINESS**

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

**18. ADJOURNMENT**

*8:30 PM*

**MARY BETH BAILEY - CLERK OF COUNCIL**

DATE: AUGUST 2, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*1st Reading*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 125 - 2004

*passed 8/16/04*

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE accepting the Final Plat and dedication of various streets for Orchard Hill Estates, 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 Orchard Hill Estates, 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 is hereby accepted and confirmed. This plat was approved by the Planning Commission at a meeting held July 14<sup>th</sup> 2004. The undertaking given by the owners for improvement of streets and now on file with the City Engineer is approved. The description of Orchard Hill Estates is as follows:

Being Known as Out Lot 426, south of Hankins Road NE and east of Carnation Street NE. This plat creates a total of 12 lots zoned R-3 Single Family Residential and the dedication of a 50 foot wide right-of-way.

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 \_\_\_\_\_ 2004

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

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

DATE: AUGUST 2, 2004 CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 126- 2004

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE accepting the replatting of Out Lots 330 and 420, located north of Lincoln Way East and east of 19<sup>th</sup> Street NE, and including the dedication of approximately 30 feet of roadway for street purposes, in the City of Massillon, County of Stark, State of 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 replatting of Out Lots 330 and 420, located north of Lincoln Way East and east of 19<sup>th</sup> Street NE, and including the dedication of approximately 30 feet of roadway for street purposes, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer, is hereby accepted and confirmed. This replatting and dedication was approved by the Planning Commission at the meeting held July 14, 2004. The property being replatted is described as follows:

Being known as Out Lots 330 and 420, located north of Lincoln Way East and east of 19<sup>th</sup> Street NE, and including the dedication of approximately 30 feet of roadway for street purposes. This property is the site of the Meadows Plaza and is zoned B-3 Commercial.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said replatting is needed for the redevelopment of the Meadows Plaza property. The replatting must be approved as an emergency as the closing is scheduled for August 10, 2004 and this must be done before the closing and for 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 \_\_\_\_\_ 2004

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

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

DATE: AUGUST 2, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 127 - 2004

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the 2004 Target Neighborhood Street Program Improvements in the City of Massillon, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of control, with the lowest and best bidder for the 2004 Target Neighborhood Street Program 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 to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the 2004 Target Neighborhood Street Program in the City of Massillon.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that bids be received so that work may be completed on the 2004 Target Neighborhood street 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 \_\_\_\_\_, 2004

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

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

DATED: AUGUST 2, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 128 - 2004

BY: COMMUNITY DEVELOPMENT COMMITTEE

AN ORDINANCE ACCEPTING A CONVEYANCE OF PROPERTY FROM THE OWNER OR A PERSPECTIVE DEVELOPER AND APPROVING A RECONVEYANCE TO THE OWNER OR THE DEVELOPER AS REQUIRED BY SECTION 5709.41(B) OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 5709.40, 5709.41, 5709.42 and 5709.43 (the "TIF Statutes") provide that the City Council (the "Council") of the City of Massillon (the "City") may (i) describe certain improvements to be made which benefit or serve parcels of real property (the "Parcels") related to Meadows Plaza Development (the "Development"), and described on Exhibit A attached hereto, (ii) declare certain improvements as defined in Revised Code Section 5709.41 with respect to such Parcels to be a public purpose, thereby authorizing the exemption of those improvements from real property taxation for a period of time, (iii) provide for the making of service payments in lieu of taxes by the owners of such Parcels, and (iv) establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, in order to take the actions described in the first clause of this Ordinance, the City must hold title to the Parcels prior to the adoption of the tax increment financing ("TIF") Ordinance, pursuant to Ohio Revised Code Section 5709.41(B); and

WHEREAS, Council wishes to accept conveyance of the Parcels, from the owner or developer (collectively, the "Owner"), and to reconvey such Parcels to said Owner;

WHEREAS, the City has determined that it is necessary and appropriate and in the best interest of the City to accept such conveyance and to reconvey the Parcels as described above; and

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

Section 1. Pursuant to and in accordance with the provisions of the TIF Statutes including Ohio Revised Code Section 5709.41(B), this Council hereby accepts the conveyance of the Parcels to the City and approves the reconveyance of these Parcels to the Owner.

Section 2. The Mayor is hereby authorized and directed to accept the conveyance of the Parcels and to execute and deliver the quit claim deed reconveying the Parcels to the Owner.

Section 3. The Mayor, City Auditor, Law Director, or any other officials of the City, as appropriate, are authorized and directed to sign any other documents, instruments or certificates and take such actions as are necessary or appropriate to consummate or implement the actions described in or contemplated by this Ordinance.

Section 4. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason that this ordinance must be immediately effective so that the work can begin on the Development and bonds can be sold as soon as possible to complete such work, wherefore this Ordinance shall take effect and be in force from and immediately after its adoption.

Adopted in Council on this 2nd day of August, 2004.

Effective this 2nd day of August, 2004.

Attest:

\_\_\_\_\_  
Mary Beth Bailey, Clerk of Council

\_\_\_\_\_  
Dennis D. Harwig, President of Council

Approved:

\_\_\_\_\_  
Francis H. Cicchinelli, Jr., Mayor

CERTIFICATE

The undersigned Clerk hereby certifies that the foregoing is a true copy of Ordinance No. 128 - 2004 duly adopted by the Council of the City of Massillon, Ohio on August 2, 2004.

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Mary Beth Bailey, Clerk of Council  
City of Massillon, Ohio

DATE: AUGUST 2, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 129 - 2004

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to vacate approximately 2 feet of a 10 foot wide storm sewer easement located on Lot 16709 in Kenyon Creek Estates Allotment, from the existing roadway northerly approximately 122 feet, 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, hereby finds that it is necessary to vacate approximately 2 feet of a 10 foot wide storm sewer easement from the existing roadway northerly approximately 122 feet. Located on Lot 16709, in the Kenyon Creek Estates Allotment. Said lot is east of Kenyon Avenue, north of Kenyon Creek Avenue.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to vacate approximately 2 feet of a 10 foot wide storm sewer easement from the existing roadway northerly approximately 122 feet. Located on Lot 16709, in the Kenyon Creek Estates Allotment. Said lot is east of Kenyon Avenue, north of Kenyon Creek Avenue. The property is zoned R-1 Single Family Residential.

Section 3:

That this Ordinance is hereby declared to be an emergency measure for the reason that this easement is needed because the house built is encroaching on a portion of this easement that extends onto the adjacent property . 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: AUGUST 2, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 130 - 2004

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the dedication of a 20 foot wide sanitary sewer easement on Out Lot 815 from the existing roadway easterly approximately 218 feet for West Point Condominiums, 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, hereby finds that it is necessary to accept the dedication of a 20 foot wide sanitary sewer easement on Out Lot 815 from the existing roadway easterly approximately 218 feet for West Point Condominiums.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to accept the dedication of a 20 foot wide sanitary sewer easement on Out Lot 815 from the existing roadway easterly approximately 218 feet for West Point Condominiums.

Being known as Out Lot 815 located on the east side of Lanedale Street NW, just north of Lincoln Way West. The property is zoned RM-1 Multiple Family with the dedication of a 20 foot wide sanitary sewer easement from the existing roadway easterly approximately 218 feet. This request has been submitted by Cooper and Associates, LLP / AKC Partnership.

Section 3:

That this Ordinance is hereby declared to be an emergency measure for the reason that this 20 foot wide sanitary sewer easement must be dedicated to enable timely completion of the development. 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: AUGUST 2, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 131 - 2004

*pt reading*  
*passed 8/16/04*

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of a certain public alley.

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

WHEREAS, upon hearing, 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 10 foot wide public alley lying between Connecticut Avenue SE and Rhode Island Avenue SE, and running in an east/west direction between Russell Boulevard SE and 20<sup>th</sup> Street SE. The request is to vacate that portion of this alley from the southwest corner of Lot 6467 easterly approximately 347 feet to the southeast corner of Lot 6460. This vacation plat is on file in the City Engineer's Office and was approved by the City Planning Commission on July 14<sup>th</sup>, 2004. The said vacation is hereby approved, adopted and confirmed.

Section 2:

This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the health, safety, and welfare and for the continued efficient operation of the City of Massillon, Ohio, the portion of the street to be vacated is no longer needed for municipal purposes. 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: AUGUST 2, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 132 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Health Fund, Parking Enforcement Fund and the SA 23<sup>rd</sup>/Springhill Debt 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 Community Health Fund, for the year ending December 31, 2004, the following:

\$4,000.00 to an account entitled "New Equipment" 1235.705.2410

Section 2:

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

\$2,200.00 to an account entitled "Supplies & Materials" 1208.445.2410

\$2,000.00 to an account entitled "Services & Contracts" 1208.445.2392

Section 3:

There be and hereby is appropriated from the unappropriated balance of the SA 23<sup>rd</sup>/Springhill Debt Fund, for the year ending December 31, 2004, the following:

\$850.00 to an account entitled "Services & Contracts" 1350.935.2392

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 \_\_\_\_\_ 2004

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

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

DATE: AUGUST 2, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 133 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to accept a Federal Law Enforcement Block Grant, 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 a Federal Law Enforcement Block Grant in the amount of Eleven Thousand Three Hundred and Sixty-Two Dollars (\$11,362.00) for the update of technology in the Police Department.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to accept a Federal Law Enforcement Block Grant in the Massillon Police Department. This grant will require a match of local funds in the amount of One Thousand Two Hundred and Sixty-Two Dollars (\$1,262.00)

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 this grant is necessary to continue updating the technology needed to operate the Police 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