

AGENDA

DATE: MONDAY, AUGUST 15, 2005

PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILWOMAN DORIS LEWIS
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. 87 – 2005

BY: COMMUNITY DEVELOPMENT COMMITTEE

Passed **AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract, upon award and approval of the Board of Control, with the apparent low bidder Northstar Asphalt, Inc. for the 2005 Target Neighborhood Street Program in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 88 – 2005

BY: FINANCE COMMITTEE

Passed **AN ORDINANCE** making certain appropriations from the unappropriated balance of the Community Development block Grant Program Fund, Summer Concert Fund, General Fund and the SA 23rd Springhill Debt Fund, for the year ending December 31, 2005, and declaring an emergency.

RESOLUTION NO. 15 – 2005

BY: COMMUNITY DEVELOPMENT COMMITTEE

152 **A RESOLUTION** adopting the decision of the Tax Incentive Review Committee made on August 3, 2005 wherein they recommended that the Enterprise Zone Agreement with Hydrothrift Corporation be terminated and the tax exemption rescinded in the City of Massillon, Ohio, and declaring an emergency.

RESOLUTION NO. 16 – 2005

BY: COMMUNITY DEVELOPMENT COMMITTEE

Passed **A RESOLUTION** adopting the decision of the Tax Incentive Review Committee made on August 3, 2005 wherein they recommended that the Enterprise Zone Agreement with Republic Engineering Products be terminated and the tax exemption rescinded in the City of Massillon, Ohio, and declaring an emergency.

RESOLUTION NO. 17 – 2005

BY: COMMUNITY DEVELOPMENT COMMITTEE

18 **A RESOLUTION** adopting the decision of the Tax Incentive Review Committee made on August 3, 2005 wherein they recommended that those certain Enterprise Zone Agreements listed on the attached exhibit "A" be continued, 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 ERIK W WOLFE DBA TUCKERS 221 11TH ST NE AND BSMT MASSILLON, OHIO 44646 TO ARISTIDE ENTERPRISES INC DBA TUCKERS 221 11TH ST NE AND BSMT MASSILLON, OHIO 44646.

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

- A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR JULY 2005
- B). TREASURER SUBMITS MONTHLY REPORT FOR JULY 2005
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR JULY 2005.
- D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR JULY 2005
- E). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR JULY 2005
- F). COUNCIL'S REVISED LIST OF COMMITTEES FOR 2005

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 84 – 2005

BY: ENVIRONMENTAL COMMITTEE

2ND **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 purchase of two waste packer trucks with snow plows for the City of Massillon Solid Waste Department, and declaring an emergency.

ORDINANCE NO. 86 – 2005

BY: FINANCE COMMITTEE

2ND **AN ORDINANCE** making certain appropriations from the unappropriated balance of the General Fund of the City of Massillon, Ohio, for the year ending December 31, 2005, 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: AUGUST 15, 2005

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 87 - 2005

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, upon award and approval of the Board of Control, with the apparent low bidder Northstar Asphalt, Inc. for the 2005 Target Neighborhood Street Program 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 enter into a contract, upon award and approval of the Board of Control, with the apparent low bidder Northstar Asphalt, Inc. for the 2005 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 enter into a contract with the approval by the Board of Control, with the apparent low bidder Northstar Asphalt, Inc. for the 2005 Target Neighborhood Street Program in the City of Massillon. The cost of said project is not to exceed One Hundred and Three Thousand Two Hundred Ninety-Two Dollars and Twenty-Three Cents (\$103,292.23).

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 further reason that said services are necessary for the 2005 Target Neighborhood Street Program 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.

2005 TARGET STREET RESURFACING PROGRAM ESTIMATE

STATE ITEM #	DESCRIPTION	QUANTITY	UNIT	TOTAL COST	Northstar Total Bid	Northstar Percentage Above Estimate	Shelly Company Total Bid	Shelly Company Percentage Above Estimate
254	SPECIAL PLANING	5,568.00	S.Y.	\$ 6,960.00	\$ 12,249.60	176.00%	\$ 14,755.20	212.00%
448	ASPHALT CONC.	663.99	C.Y.	\$ 46,479.59	\$ 45,816.00	98.57%	\$ 56,440.00	121.43%
407	TACK COAT (0.10 GAL./SQYD.)	1,422.84	GAL.	\$ 1,565.13	\$ 1,423.00	90.92%	\$ 853.80	54.55%
604	CATCH BASIN ADJUSTMENT	10.00	EACH	\$ 1,250.00	\$ 300.00	24.00%	\$ 4,000.00	320.00%
604	CATCH BASIN REHAB.	10.00	EACH	\$ 2,500.00	\$ 600.00	20.00%	\$ 10,000.00	400.00%
604	ADJUST M.H. SOLID RISER	15.00	EACH	\$ 1,875.00	\$ 600.00	32.00%	\$ 2,625.00	140.00%
608	CURB RAMPS ADA SPEC	15.00	EACH	\$ 5,625.00	\$ 12,750.00	226.67%	\$ 11,250.00	200.00%
608	CONCRETE WALK	750.00	S.F.	\$ 4,500.00	\$ 2,250.00	50.00%	\$ 7,687.50	170.83%
609	CAST IN PLACE CONC.							
609	CURB/GUTTER	150.00	L.F.	\$ 3,300.00	\$ 1,500.00	45.45%	\$ 4,650.00	140.91%
614	MAINTAINING TRAFFIC	1.00	LUMP	\$ 7,500.00	\$ 17,500.00	233.33%	\$ 8,000.00	106.67%
624	MOBILIZATION	1.00	LUMP	\$ 5,000.00	\$ 1,000.00	20.00%	\$ 3,000.00	60.00%
705	JOINT SEALER	6.27	GAL.	\$ 62.70	\$ 60.00	95.69%	\$ 60.00	95.69%
SPEC.	LOW STRENGTH MORTAR	25.00	C.Y.	\$ 1,500.00	\$ 1,250.00	83.33%	\$ 1,625.00	108.33%
				\$ 88,117.41	\$ 97,198.60	110.31%	\$ 124,946.50	141.80%
VARIOUS STREET Repairs								
203	ROADWAY EXC. 6"	111.11	C.Y.	\$ 2,444.44	\$ 4,440.00	181.64%	\$ 8,880.00	363.27%
301	BIT. AGG. BASE 4"	74.07	C.Y.	\$ 5,777.77	\$ 8,880.00	153.69%	\$ 11,840.00	204.92%
448	ASPHALT CONC. 2"	37.04	C.Y.	\$ 3,592.60	\$ 5,920.00	164.78%	\$ 5,920.00	164.78%
407	TACK COAT (0.10 GAL./SQYD.)	66.67	GAL.	\$ 200.00	\$ 335.00	167.50%	\$ 40.20	20.10%
705	JOINT SEALER	2.00	GAL.	\$ 1,160.00	\$ 20.00	1.72%	\$ 20.00	1.72%
614	MAINTAINING TRAFFIC	1.00	LUMP	\$ 2,000.00	\$ 4,000.00	200.00%	\$ 1,500.00	75.00%
				\$ 15,174.82	\$ 23,595.00	155.49%	\$ 28,200.20	185.84%
				\$ 103,292.23	\$ 120,793.60	116.94%	\$ 153,146.70	148.27%

DATE: AUGUST 15, 2005

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 88 - 2005

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund, Summer Concert Fund, General Fund and the SA 23rd Springhill Debt Fund, for the year ending December 31, 2005, 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 Development Block Grant Program Fund, for the year ending December 31, 2005, the following:

\$125,000.00 to an account entitled "Target Area Street Improvements" 1203.845.2812

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Summer Concert Fund, for the year ending December 31, 2005, the following:

\$17,719.57 to an account entitled "Summer Concert Series" 1212.505.2392

Section 3:

There be and hereby is appropriated from the unappropriated balance of the General Fund, for the year ending December 31, 2005, the following:

\$1,500.00 to an account entitled "Gas & Oil" 1100.415.2430

Section 4:

There be and hereby is appropriated from the unappropriated balance of the SA 23rd Springhill Debt Fund, for the year ending December 31, 2005, the following:

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

\$100.00 to an account entitled "County Collection Fees" 1350.935.2382

DATE: AUGUST 15, 2005

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

standing
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 15 -- 2005

Defeated 9/6

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: A RESOLUTION adopting the decision of the Tax Incentive Review Committee made on August 3, 2005 wherein they recommended that the Enterprise Zone Agreement with HydroThrift Corporation be terminated and the tax exemption rescinded in the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, the Tax Incentive Review Committee recommended on August 3, 2005 that the Enterprise Zone Agreement with HydroThrift Corporation be terminated and the tax exemptions rescinded

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

Section 1:

The Council of the City of Massillon, Ohio, deems it is in the best interest for proper community growth to adopt the decision of the Tax Incentive Review Committee made on August 3, 2005

Section 2:

This Resolution is declared to be an emergency measure in that the adoption of the decision of the Tax Incentive Review Committee is essential for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Wherefore, this Resolution shall be in full force and effect immediately from and after passage and approval by the Mayor.

DATE: AUGUST 15, 2005

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 16 - 2005

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: A RESOLUTION adopting the decision of the Tax Incentive Review Committee made on August 3, 2005 wherein they recommended that the Enterprise Zone Agreement with Republic Engineering Products be terminated and the tax exemption rescinded in the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, the Tax Incentive Review Committee recommended on August 3, 2005 that the Enterprise Zone Agreement with Republic Engineering Products be terminated and the tax exemptions rescinded

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

Section 1:

The Council of the City of Massillon, Ohio, deems it is in the best interest for proper community growth to adopt the decision of the Tax Incentive Review Committee made on August 3, 2005

Section 2:

This Resolution is declared to be an emergency measure in that the adoption of the decision of the Tax Incentive Review Committee is essential for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Wherefore, this Resolution shall be in full force and effect immediately from and after passage and approval by the Mayor.

DATE: AUGUST 15, 2005

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

pt reading
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 17 - 2005

passed 9/6

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: A RESOLUTION adopting the decision of the Tax Incentive Review Committee made on August 3, 2005 wherein they recommended that those certain Enterprise Zone Agreements listed on the attached exhibit "A" be continued, and declaring an emergency.

WHEREAS, the Tax Incentive Review Committee recommended on August 3, 2005 that those certain Enterprise Zone Agreements listed on the attached exhibit "A" be continued.

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

Section 1:

The Council of the City of Massillon, Ohio, deems it proper to adopt the decision of the Tax Incentive Review Committee made on August 3, 2005 continuing the Enterprise Zone Agreements listed on exhibit "A" which the Committee has recommended to be continued.

Section 2:

This Resolution is declared to be an emergency measure in that the adoption of the decision of the Tax Incentive Review Committee is essential for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Wherefore, this Resolution shall be in full force and effect immediately from and after passage and approval by the Mayor.

MASSILLON ENTERPRISE ZONE PROGRAM - TAX INCENTIVE REVIEW COMMITTEE MEETING

COMPANY	SCHOOL DISTRICT	DATE OF AGREEMENT	INVESTMENT LEVELS	EMPLOYMENT LEVELS	COMMITTEE RECOMMENDATION
E-B ADVERTISING DISPLAY COMPANY, INC.	Tuslaw	5/1/1996	105%	100%	Continue Abatement
CANTON FABRICATORS, INC. DBA R.J. BREINING	Tuslaw	2/7/1997	137%	48%	Continue Abatement, contingent on company being current with personal property taxes
OHIO DRILLING COMPANY	Tuslaw	9/11/2002	101%	76%	Continue Abatement
SEIFERT TECHNOLOGIES, INC.	Perry	4/12/1994	140%	88%	Continue Abatement
HARWICK CHEMICAL MFG. CORP. (POLYONE CORP.)	Perry	5/15/1998	88%	60%	Continue Abatement
STERILITE CORPORATION	Perry	9/30/1998	91%	200%	Continue Abatement
ZIEGLER TIRE AND SUPPLY CO.	Perry	5/10/1999	132%	124%	Continue Abatement
M.A. HANNA RESIN DISTRIBUTION (POLYONE)	Perry	11/4/1993	100%	92%	Continue Abatement
STERILITE CORPORATION	Perry	4/10/2000	105%	143%	Continue Abatement
INTERNATIONAL ENTERPRISES, INC.	Perry	5/9/2000	104%	95%	Continue Abatement
RAYCO MANUFACTURING, INC.	Perry	9/25/2000	86%	244%	Continue Abatement
ROBERT J. MATTHEWS CO.	Perry	2/21/2001	107%	102%	Continue Abatement
CROWN CORK & SEAL COMPANY	Perry	7/20/2001	115%	100%	Continue Abatement
CLOVERLEAF COLD STORAGE COMPANY	Perry	8/9/2001	72%	107%	Continue Abatement, contingent on company being current with personal property taxes
INTERNATIONAL ENTERPRISES, INC.	Perry	8/20/2001	74%	77%	Continue Abatement
VASCO ASPHALT COMPANY	Perry	5/15/2002	109%	118%	Continue Abatement, contingent on company being current with personal property taxes

MASSILLON ENTERPRISE ZONE PROGRAM - TAX INCENTIVE REVIEW COMMITTEE MEETING					
COMPANY	SCHOOL DISTRICT	DATE OF AGREEMENT	INVESTMENT LEVELS	EMPLOYMENT LEVELS	COMMITTEE RECOMMENDATION
KENDEL WELDING & FABRICATION	Perry	4/29/2003	0%	0%	Continue Abatement
CLOVERLEAF COLD STORAGE COMPANY	Perry	5/29/2003	138%	110%	Continue Abatement, contingent on company being current with personal property taxes
UDSA FIELD SERVICE OFFICE	Perry	8/29/2003	100%	100%	Continue Abatement
E-TANK LTD	Perry	9/15/2004	69%	NA	Continue Abatement
U.S. CHEMICAL & PLASTICS, INC.	Massillon	11/23/1993	128%	128%	Continue Abatement
A.R.E., INC.	Massillon	6/28/1994	125%	147%	Continue Abatement
WEIGHT WATCHERS FOOD CO.	Massillon	10/23/1995	111%	3%	Continue Abatement, with Company placed on one year's probation due to low employment levels.
BRINK'S INCORPORATED	Massillon	10/25/1995	126%	188%	Continue Abatement
ALFRED NICKLES BAKERY, INC.	Massillon	2/7/1997	98%	82%	Continue Abatement
HYDROTHRIFT CORP.	Massillon	4/18/1997	80%	17%	Terminate Abatement Due to Low Employment Levels
MIDWEST FLOORING & LINING, INC.	Massillon	4/18/1997	123%	222%	Continue Abatement
REPUBLIC ENGINEERED STEEL, INC.	Massillon	8/6/1997	110%	86%	Terminate Abatement at Request of Company
ALFRED NICKLES BAKERY & RYDER TRUCK RENTAL	Massillon	8/11/1998	118%	71%	Continue Abatement
NFMWELDING ENGINEERS, INC.	Massillon	8/17/1998	103%	73%	Continue Abatement
HEINZ FROZEN FOOD CO.	Massillon	5/19/1999	109%	58%	Continue Abatement
R AND D INCORPORATED	Massillon	8/17/1999	104%	81%	Continue Abatement

MASSILLON ENTERPRISE ZONE PROGRAM - TAX INCENTIVE REVIEW COMMITTEE MEETING					
COMPANY	SCHOOL DISTRICT	DATE OF AGREEMENT	INVESTMENT LEVELS	EMPLOYMENT LEVELS	COMMITTEE RECOMMENDATION
HERCULES ENGINE COMPONENTS LLC	Massillon	2/11/2000	180%	115%	Continue Abatement
CONTROLLED POWER CORPORATION OF OHIO	Massillon	8/9/2000	92%	68%	Continue Abatement
FAME BEVERAGE COMPANY	Massillon	5/9/2002	104%	132%	Continue Abatement
RING MASTERS	Massillon	10/20/2003	125%	112%	Continue Abatement
OHIO PACKAGING CORPORATION	Massillon	4/22/2004	91%	100%	Continue Abatement