

AGENDA

DATE: MONDAY, AUGUST 7, 2006

PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M. - 9:15

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL *TOWNSEND ABSENT
2. INVOCATION BY COUNCILWOMAN JAYNE FERRERO
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. 112 - 2006

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS 8-0

AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Cottrill Annexation, upon annexation, and declaring an emergency.

ORDINANCE NO. 113 - 2006

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

PASS 8-0

AN ORDINANCE amending CHAPTER 165 of the Codified Ordinances of the City of Massillon, Ohio, by enacting Section 165.01 to require that employees of the City reside within Stark County or any adjacent county, and declaring an emergency.

ORDINANCE NO. 114 - 2006

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

PASS - 8-0

AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to enter into a one year contract with the Stark County Public Defender's Office, for the purpose of providing representation for indigent defendants, and declaring an emergency.

ORDINANCE NO. 115 - 2006

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS - 8-0

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.

ORDINANCE NO. 116 - 2006

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS - 8-0

AN ORDINANCE accepting the lot split and replatting of Parts of Out Lot 560, located on the north side of Nave Road SE, west of the Legends Golf Course, and including the dedication of Nave Road right-of-way, 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.

ORDINANCE NO. 117 – 2006

BY: FINANCE COMMITTEE

PASS B-O

AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund, Solid Waste Fund, Muni Motor Vehicle License Fund and the General Fund, for the year ending December 31, 2006, and declaring an emergency.

ORDINANCE NO. 118 – 2006

BY: FINANCE COMMITTEE

PASS B-O

AN ORDINANCE making certain transfers in the 2006 appropriations from within the General Fund for the year ending December 31, 2006, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR JULY 2006

B). AUDITOR SUBMITS MONTHLY REPORT FOR JULY 2006

C). MAYOR SUBMITS MONTHLY REPORT FOR JUNE 2006

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

ORDINANCE NO. 73 – 2006

BY: COMMUNITY DEVELOPMENT COMMITTEE

TABLED TO 8/21/06 B-O

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Polymer Packaging, Inc. to provide an economic development "inducement grant" to assist the company in relocating and expanding its operations in Massillon, and declaring an emergency.

ORDINANCE NO. 86 – 2006

BY: ENVIRONMENTAL COMMITTEE

TABLED INDEFINITELY B-O

AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Tetra Tech Inc., for engineering services to prepare plans and specifications for the design of the Federal Avenue Pump Station, and declaring an emergency.

ORDINANCE NO. 91 – 2006

BY: COMMUNITY DEVELOPMENT COMMITTEE

TABLED TO 9/5/06 B-O

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety to enter into a lease agreement relating to certain lands that are presently owned by the City of Massillon to the Community Improvement Corporation in accordance with Section 1724.10 of the Ohio Revised Code, and declaring an emergency.

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 105 - 2006

BY: PARKS AND RECREATION COMMITTEE

TABLE TO 915106 B-O

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with GE Capital to enter into a purchase agreement for the purchase of two (2) Toro Groundmaster 4000-D mowers, without competitive bidding, through pricing based on State Purchasing #777555C and approved by the Board of Control, and declaring an emergency.

ORDINANCE NO. 106 - 2006

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS B-O

AN ORDINANCE vacating a portion of a certain public alley.

15. SECOND READING ORDINANCES AND RESOLUTIONS

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 7, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 112 - 2006

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Cottrill Annexation, upon annexation, and declaring an emergency.

WHEREAS, certain property owners have filed a petition requesting the Cottrill be annexed to the City of Massillon, Ohio, pursuant to the Ohio Revised Code Section 709.02, and

WHEREAS, Ohio Revised Code Section 709.03(D) requires that upon receiving notice, the Municipal Legislative Authority, shall by Ordinance or Resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation, and

WHEREAS, this Ordinance is intended to comply with the requirements of the Ohio Revised Code section 709.03(D), and

WHEREAS, it is required by Section 709.033 (A) (6) of the Ohio Revised Code, that no street or highway will be segmented by municipal/township boundary line as to create a maintenance problem; and if a street or highway is divided, the municipality agrees to assume all maintenance of such street or highway as part of the annexation.

WHEREAS, the legislative authority of the City of Massillon, Ohio, is supportive of the annexation proposal, and

WHEREAS, the Stark County Commissioners have scheduled a public hearing to be held at the Stark County Commissioners on Thursday, September 7, 2006 at 11:00a.m.

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

Section 1:

Sanitary sewer is already available to the proposed area and the City of Massillon, Ohio, will extend to the proposed area, upon annexation, the availability of all municipal services extended to all of the current citizens, residents and property owners of the City of Massillon, Ohio, including, but not limited, to the services of the Municipal Police Department, services of the Engineering Department, services of the Building Department, services of the Street Department, services of the Safety Department, services of the Planning Department, services of the Health Department, services of the Sewer Department, and the services of the City of Massillon Administration within approximately one year of the annexation. The City of Massillon will also maintain the full width of the pavement along the frontage of the subject area to be annexed.

Section 2:

This Ordinance is hereby declared to be an emergency measure for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to indicate what services the City of Massillon will provide to the area upon annexation prior to the Stark County Commissioners hearing September 7, 2006 in the Stark County Commissioners Office. 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 _____ 2006

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL GLENN E. GAMBER, PRESIDENT

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

DATE: AUGUST 7, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 113 - 2006

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 165 of the Codified Ordinances of the City of Massillon, Ohio, by enacting Section 165.01 to require that employees of the City reside within Stark County or any adjacent county, and declaring an emergency.

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

Section 1:

That Section 165.01 of the Codified Ordinances of the City of Massillon is hereby enacted, as stated in the attached Exhibit "A".

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said amendment to the City's ordinance is necessary to prohibit employees from moving outside of any adjacent counties. 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 forced from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2006

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL GLENN E. GAMBER, PRESIDENT

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

EXHIBIT "A"

165.01 RESIDENCY REQUIRED:

(a) All persons hereinafter appointed to positions in the City service shall be residents of Stark County or any adjacent county at the time of their appointment or within twelve months of their appointment and shall continue to maintain their primary place of residence within Stark County or any adjacent county at all times during their continued service with the City.

(b) All persons now holding positions in the City service shall continue to maintain their primary place of residence in accordance with the requirement presently in existence, to wit: within Stark County or any adjacent county.

(c) Any employee of the City who fails to comply with the provisions of this section, shall automatically be discharged from his or her service with the City.

(d) All new hires pursuant to the Collective Bargaining Agreements must be City residents within one year from the date of hire.

(e) This section shall not be applicable to members of Local 251 of the International Association of Firefighters, also known as the Massillon Professional Firefighters Association, local 251, AFL-CIO who were hired before November 25, 1996.

DATE: AUGUST 7, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 114 - 2006

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to enter into a one year contract with the Stark County Public Defender's Office, for the purpose of providing representation for indigent defendants, 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 for the Director of Law of the City of Massillon, Ohio, to enter into a one year contract with the Stark County Public Defender's Office for the purpose of providing representation for indigent defendants.

Section 2:

The Director of Law of the City of Massillon, Ohio, is hereby authorized to enter into a one year contract with the Stark County Public Defender's Office for the purpose of providing representation for indigent defendants. The City of Massillon shall pay the sum of One Hundred Ninety-Five Dollars (\$195.00) per case under the terms of the contract.

Section 2:

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 the Stark County Public Defender's Office will provide representation to the City of Massillon's indigent defendants that come before the Massillon Municipal Court and it is necessary to be effective 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 _____ 2006

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL GLENN E. GAMBER, PRESIDENT

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

CONTRACT FOR MUNICIPAL ORDINANCE REPRESENTATION

This Agreement is entered into by the Stark County Public Defender Commission (the "**COMMISSION**"), and the City of Massillon, Ohio (the "**CITY**").

WHEREAS, **CITY** recognizes its responsibilities under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with loss of liberty offenses in Municipal Court; and

WHEREAS, **CITY** in furtherance of the execution of its legal responsibilities desires that the legal services of the Public Defender Office be delivered to **CITY'S** indigent citizens and others so situated;

NOW, THEREFORE, the parties do mutually agree to bind themselves as follows:

1. Scope of Work

COMMISSION shall, in a satisfactory and proper manner, under the terms and conditions contained herein, perform the services set out in the "Work Plan" as follows:

Work Plan

COMMISSION shall provide Public Defenders to be available in the Massillon Municipal Court to represent indigents charged under City Ordinances, thus allowing **CITY** continuing representation in conformance with Chapter 120 of the Ohio Revised Code. It is understood by both parties that the representation presently provided to indigents charged under the Ohio Revised Code will be continued by **COMMISSION** and is in no way affected by this Agreement.

2. Compensation

CITY shall pay to **COMMISSION** compensation for representation by **COMMISSION** on City ordinance jailable offenses as follows:

A. For purposes of this Agreement, a "case" is defined as follows:

- (i) one or a series of related traffic or criminal charges which are assigned the same case number; or
- (ii) one or a series of related traffic or criminal charges which are assigned separate case numbers; or
- (iii) one or a series of unrelated traffic or criminal charges which are assigned separate case numbers which are administratively processed together for ease of disposition (However, a current arrest where there are outstanding warrants on separate unresolved and unrelated charges constitute separate cases if the offense is tried to a verdict to the court or to a jury.)

- B. In any case where the principal offense or count one constitutes a City ordinance jailable offense, CITY shall pay COMMISSION a fee of \$195.00 for representation in the case, regardless of the manner of disposition of the case.
- C. In any case where the principal offense or count one is charged under State statute with additional or secondary offenses charged as a City ordinance jailable offense or offenses, CITY shall pay COMMISSION a fee of \$195.00 for representation, provided that the City ordinance jailable offense(s) are tried to a verdict to the Court or to a jury. (In other words, no compensation shall be paid for such cases which are disposed of by pleas.)
- D. In any case where the principal offense is charged as a felony or felonies, with additional lesser included or associated or unassociated City ordinance jailable offenses, CITY shall pay COMMISSION a fee of \$195.00 for representation on the City ordinance jailable offense(s), provided that one of the following applies:
- (i) The case(s) are bound over to the Stark County Grand Jury and the City ordinance offense(s) are returned to the Massillon Municipal Court; or
 - (ii) The Massillon Municipal Court retains jurisdiction of the City ordinance offense(s) apart from the felony case or cases which are bound over to the Stark County Grand Jury and a further appearance is required by the COMMISSION on behalf of Defendant.
- E. The Stark County Public Defender shall be entitled to a single fee for any one case, regardless of the number of separate offenses contained therein. No additional fee shall be paid if the Defendant fails to appear and is arrested requiring subsequent Court appearances. The fee of **\$195.00** encompasses all work required to provide representation, including pre-trial and post-trial work in the Municipal Court.

COMMISSION will bill CITY four (4) times per year (March 31, June 30, September 30, and December 31) for the amount of City ordinance cases assigned to COMMISSION. In the event that CITY fails to make full payment within thirty (30) days after receipt of invoice, then interest shall accrue at the rate of ten percent (10%) (per annum). The interest shall accrue beginning with the first day after the thirty (30) day period and be calculated on any unpaid balance until full payment is received. The formula for computation of any interest shall be as follows:

Total amount due X 10% : 365 = N x number of late days.

3. Term of Service

The duration of this contract shall be for the period commencing *August 1, 2006* and shall terminate December 31, 2006 with an option to renew this contract for a period of one (1) year, commencing January 1, 2007 and terminating December 31, 2007.

4. Assignment

COMMISSION shall not assign all or any part of this Agreement without the prior written consent of **CITY**, which consent shall not be unreasonably withheld.

5. Termination of Agreement

If either party shall fail to fulfill in reasonable, timely or proper manner, its obligations under this Agreement, or if either party should substantially violate any of the covenants, agreements or stipulations of this Agreement, the other party shall thereupon have the right to terminate this Agreement by giving written notice to the party violating this Agreement of such termination and specifying an effective date thereof of at least sixty (60) days before the effective date of said termination. However, notwithstanding the above clause, **COMMISSION** shall have the separate and additional right to discontinue the service provided by **COMMISSION** under this contract, without notice, if payment of a quarterly invoice is not received within thirty (30) days of invoice. The decision to suspend or continue service under the contract upon non-payment of an invoice with thirty (30) days is discretionary with **COMMISSION**. The suspension or continuation of services by **COMMISSION** shall have no effect upon the obligation of payment of an invoice or the calculation of interest as set forth elsewhere in this contract. (If service is suspended, it shall be provided again when payment plus interest is received.)

6. Amendments

Any amendments to this Agreement agreed upon by the parties shall be in writing and made a part of this Agreement.

7. Anti-Discrimination Provision

There shall be no discrimination against any employee who is employed in the work covered by this Agreement or against any application for such employment because of race, color, religion, sex or national origin. This provision shall apply to, but not be limited to, employment, promotion or transfer, recruitment or recruitment advertising, layoffs or termination, raises of pay or other forms of compensations, and selections of training. **COMMISSION** shall insert a similar provision in any sub-contract for services covered by this Agreement.

8. Conflict of Interest

COMMISSION covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner with the performance of services required under this Agreement. No resident commissioner shall share in any part of this contract or any benefits to arise here from.

9. Re-Negotiation of Agreement

Upon a thirty (30) day written notice either party may re-negotiate this agreement for good cause.

10. Determination of Indigency

The Standards of Indigency and other rules and standards as established by the Ohio Public Defender Commission and the State Public Defender shall be used in determining an individual's indigent status and the appointment of the services of the Public Defender shall be in conformity with those standards.

IN WITNESS WHEREOF, the parties have hereunto set their hands at Massillon, Ohio, this ____ day of _____, 2006.

WITNESSES

STARK COUNTY PUBLIC DEFENDER
COMMISSION

BY: _____

CITY OF MASSILLON, OHIO

BY: _____

OHIO PUBLIC DEFENDER
COMMISSION

BY: _____

APPROVED AS TO FORM:

DATE: AUGUST 7, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 115 - 2006

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 _____ 2006

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL GLENN E. GAMBER, PRESIDENT

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

DATE: AUGUST 7, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 116 - 2006

BY: STREETS, HIGHWAYS, SAFETY AND TRAFFIC COMMITTEE

TITLE: AN ORDINANCE accepting the lot split and replatting of Parts of Out Lot 560, located on the north side of Nave Road SE, west of the Legends Golf Course, and including the dedication of Nave Road right-of-way, 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 lot split and replatting of Parts of Out Lot 560, located on the north side of Nave Road SE, west of the Legends Golf Course, and including the dedication of Nave Road right-of-way, 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 lot split, replatting and dedication was approved by the Planning Commission at the meeting held June 14, 2006. The property being split and replatted is described as follows:

Being known as Parts of Out Lot 560, located on the north side of Nave Road SE, west of the Legends Golf Course. The proposal is to split a .98 acre tract of land for transfer to First Energy which proposes to construct a new electric substation on this property. This plat will also include the dedication of Nave Road right-of-way. The parcels are zoned I-1 Industrial. The applicant is First Energy and the City of Massillon.

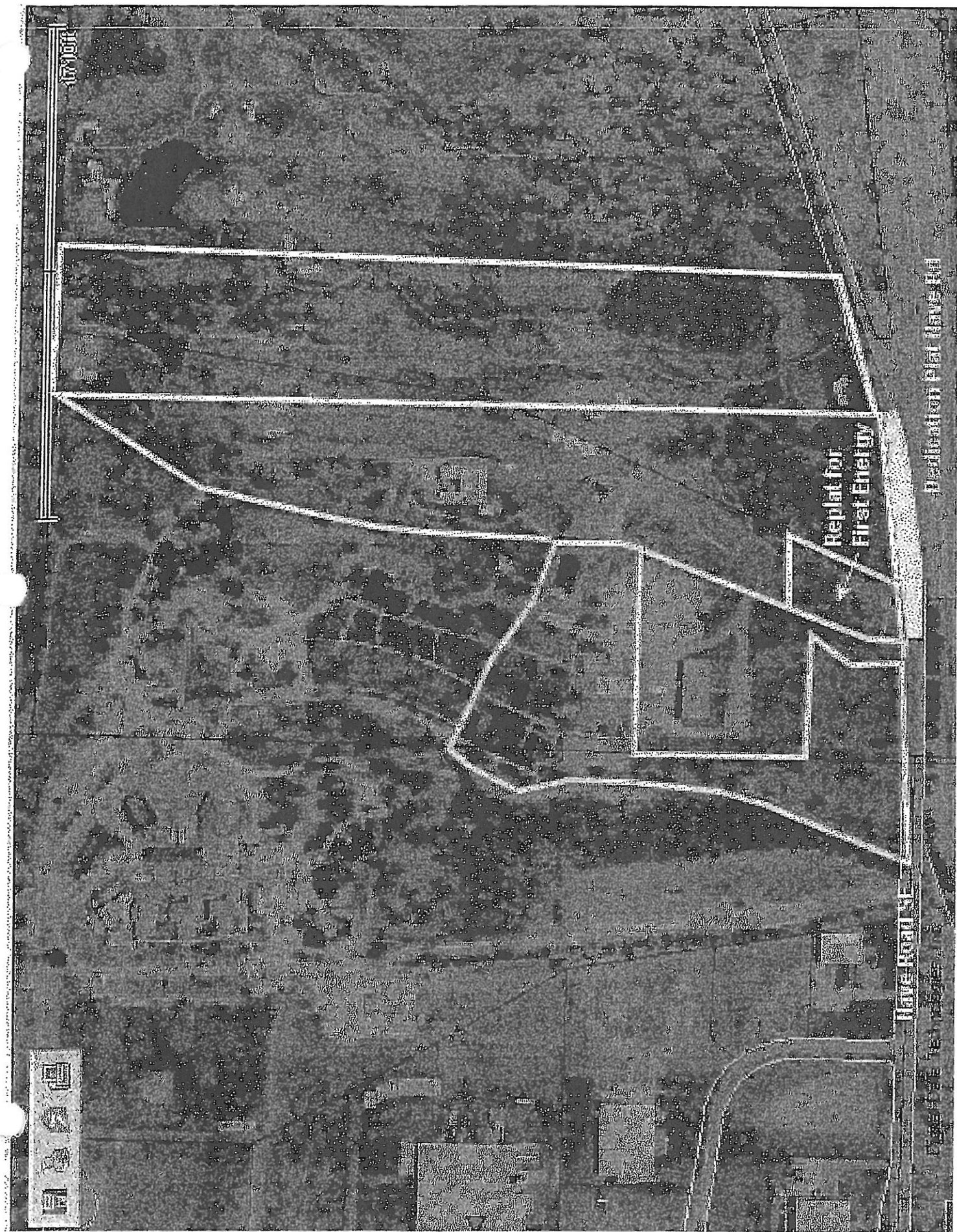
Section 2:

This Ordinance is declared to be an emergency measure for the reason that said lot splitting and replatting is needed for the construction of the First Energy electric substation. The lot splitting and replatting must be approved 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 _____ 2006

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL GLENN E. GAMBER, PRESIDENT

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



1000

Replat for
First Energy

1000

1000

DATE: AUGUST 7, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 117 - 2006

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund, Solid Waste Fund, Muni Motor Vehicle License Fund and the General Fund, for the year ending December 31, 2006, 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 Capital Improvement Fund, for the year ending December 31, 2006, the following:

\$38,000.00 to an account entitled "Bldg Dept - New Computers" 1401.415.2530

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Solid Waste Fund, for the year ending December 31, 2006, the following:

\$25,000.00 to an account entitled "Services/Contracts" 2102.605.2392

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Muni Motor Vehicle License Fund, for the year ending December 31, 2006, the following:

\$5,400.00 to an account entitled "Storm Sewer Repairs" 1206.425.2510

Section 4:

There be and hereby is appropriated from the unappropriated balance of the General Fund, for the year ending December 31, 2006, the following:

\$500.00 to an account entitled "Gas and Oil" 1100.160.2430

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 _____ 2006

ATTEST: _____
MARY BETH BAILEY, CLERK OF COUNCIL GLENN E. GAMBER, PRESIDENT

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: AUGUST 7, 2006

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 118 - 2006

passed
LEGISLATIVE DEPARTMENT

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2006 appropriations from within the General Fund for the year ending December 31, 2006, 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 2006 appropriation from within the General Fund, of the City of Massillon, Ohio, the following:

FROM:	Auditor – Supplies/Materials	1100.205.2410	400.00
TO	Service Director Supplies/Materials	1100.160.2410	400.00

Section 2

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are necessary for the preservation of the public health, safety and welfare of the community and for the additional reason that the funds are required in the specific accounts to pay city obligations by the end of 2006. 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 _____ 2006

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR