

AGENDA

DATE: MONDAY, MARCH 5, 2007
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE IS ONE PUBLIC HEARING TONIGHT
ORDINANCE NO. 16 – 2007 – REZONING P. H. AT 7:00PM - 9:00

1. ROLL CALL
2. INVOCATION BY COUNCILMAN DONNIE PETERS
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. 29 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a purchase agreement for the sale of the Armory property located at 1974 Harsh Avenue SE, to the Massillon City Board of Education, and declaring an emergency.

ORDINANCE NO. 30 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with the Massillon City Board of Education, and declaring an emergency.

ORDINANCE NO. 31 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

1ST READING

AN ORDINANCE accepting the Final Plat and dedication of various streets for Ballinger Estates Phase II, in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

ORDINANCE NO. 32 – 2007

BY: ENVIRONMENTAL COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the dedication of a storm sewer easement on Out Lot 596 for EMSCO on Nova Drive SE, and declaring an emergency.

ORDINANCE NO. 33 – 2007

BY: PUBLIC UTILITIES COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to consent to the assignment of an easement for wire, pipe and cable transverse crossing upon real estate owned by the City from Northern Industrial Energy Development, Inc. to the East Ohio Gas Company, and declaring an emergency.

ORDINANCE NO. 34 – 2007

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Solid Waste Fund, Waste Management Grant Fund, ADR Fund and the Probation Service Fund, for the year December 31, 2007, and declaring an emergency.

ORDINANCE NO. 35 – 2007

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1201 Street Fund, 1206 Muni Motor Vehicle License Fund, Home Health Fund and the General Fund, for the year ending December 31, 2007, 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 DECEMBER 2007
- B). AUDITOR SUBMITS MONTHLY REPORT FOR DECEMBER 2007

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER
13. CALL OF THE CALENDAR

ORDINANCE NO. 169 – 2006

BY: POLICE AND FIRE COMMITTEE

PASS 8-0

AN ORDINANCE amending CHAPTER 761 "TOWING COMPANIES" of the Codified Ordinances of the City of Massillon, by repealing existing SubSection 761.01(d) "IMPOUNDING LOTS AND MAIN TOWING CO. AND DISPATCH FACILITY" and enacting a new Subsection 761.01(d) "IMPOUNDING LOTS AND MAIN TOWING CO. AND DISPATCH FACILITY", and declaring an emergency.

ORDINANCE NO. 11 – 2007

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS 9-0

AN ORDINANCE vacating a portion of a certain public alley.

14. THIRD READING ORDINANCES AND RESOLUTIONS

NO (FORCED, BAYAN, MANSON, McCUNE)

ORDINANCE NO. 16 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

15-4th FAILED

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from RM-1 Multiple Family Residential to B-1 Local Business.

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: MARCH 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 29 - 2007

1st reading
LEGISLATIVE DEPARTMENT
2nd reading 3/20
passed 4/2

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 purchase agreement for the sale of the Armory property located at 1974 Harsh Avenue SE, to the Massillon City Board of Education, and declaring an emergency.

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

Section 1:

The real estate belonging to the City of Massillon, Ohio, as the same is further described on Exhibit "A" attached hereto, is no longer needed for municipal purposes.

(SEE ATTACHED EXHIBIT "A" HERETO)

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is authorized to enter into a purchase agreement for the same of Armory property located at 1974 Harsh Avenue SE, to the Massillon City Board of Education for the negotiated price of One Hundred Thousand Dollars (\$100,000.00). As further consideration for the sale the Massillon City Board of Education will also agree to waive the following payments from the City:

2006 Enterprise Zone Law Suit Settlement	\$41,200.00
2007 Enterprise Zone Law Suit Settlement	\$59,936.10
2006 Enterprise Zone Revenue Sharing Payment	\$46,730.30
<hr/>	
Total City Payments Waived	\$147,866.40

Section 3:

The terms of the purchase agreement shall be subject to the final approval of the City Law Director.

Section 4:

The Auditor is hereby directed to deposit the net proceeds from sale of said parcel into the Economic Development Fund 1237.905.1830.

Section 5:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the community and for the further reason of such sale of property will release the city of financial responsibility to the prior lawsuit that had been settled. And 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 _____ 2007

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

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

hereby remise, release and forever quitclaim unto the City of Massillon, Ohio and its successors and assigns all right, title and interest of the State of Ohio in the following described real estate:

Situated in the City of Massillon, County of Stark and State of Ohio and further described as follows:

Tract 1

Lot number ten thousand four hundred five (10405) according to the present numbering of lots in said City, containing 0.24 acre more or less.

Excepting Forty (40) feet from the west end of said Lot pursuant to Volume 1231, Page 41 of the Stark County Records.

Tract 2

Part of lot number six thousand seven hundred fifty-nine (6759) according to the present numbering of lots in said City, and being more fully described as follows: Beginning at the point of intersection of the south line of South Avenue, S. E. and the west line of 20th Street, S. E., which point is the TRUE PLACE OF BEGINNING of the part of lot number 6759 herein described; thence south 5° 40' west along the west line of 20th Street, S.E. 510.2 feet to the point of intersection with the section line between sections 9 and 16 of Perry Township; thence north 84°32' west along said section line 530 feet to a point; thence north 5°40' east along the line parallel with the west line of 20th Street, S. E. 512.05 feet to the point of intersection with the south line of South Avenue, S. E.; thence south 84°20' east to the PLACE OF BEGINNING, containing 6.22 acres, more or less.

RESERVING AND EXCEPTING, however, to the grantor, its successors and assigns, an easement ten (10) feet in width off the entire west side of the premises herein conveyed for the construction, maintenance and removal of sanitary sewer and utility lines, together with the right of entry upon the conveyed premises for such purposes.

PRIOR DEED REFERENCE: Vol

207 Deed Records, Stark County Recorder's Office

16
A
11

TO HAVE AND TO HOLD

as and appurtenances thereunto belonging

to the City of Massillon, Ohio and its successors and

ver.

DATE: MARCH 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT
2nd reading 3/6
Passed

ORDINANCE NO. 30 - 2007

BY: COMMUNITY DEVELOPMENT 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 Massillon City Board of Education, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into an agreement with the Massillon City Board of Education essentially providing that in conjunction with the sale of the Armory to the Board of Education for the price of \$100,000.00 that the City and the Board of Education will agree as follows:

- a). The Board will forgive the payment owed to it by the City for revenue sharing from the 2005 tax year in the amount of \$46,730.30.
- b). The Board will forgive the payment of \$41,200.00 owed to it in 2006 by reason of the prior litigation between the Board and the City concerning revenue sharing.
- c). The Board will forgive the payment of \$59,936.10 owed to it by the City in 2007 as settlement of the above referenced litigation.
- d). The total amount of payments owed by the City to the Board to be forgiven is \$147,866.40, as shown on the attached exhibit.
- e). The board will still receive future revenue sharing payments from the City. However, no future payments will be owed by the City to the Board with regard to the lawsuit.

Section 2:

The final terms of the agreement between the City and the Board shall be subject to final approval of the Law Director.

Section 3:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the community and for the further reason of such sale of property will release the city of financial responsibility to the prior lawsuit that had been settled. And 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 _____ 2007

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

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

ENTERPRISE ZONE REVENUE SHARING PAYMENTS - 2006

MASSILLON CITY SCHOOL DISTRICT	2005 Tax Year	From Company Employees	From New Construction
WEIGHT WATCHERS FOOD CO.	\$0.00	\$0.00	\$0.00
BRINK'S INCORPORATED	\$0.00	\$0.00	\$0.00
ALFRED NICKLES BAKERY, INC.	\$9,159.72	\$9,159.72	\$0.00
HYDROTHRIFT CORP.(TERMINATED)	\$0.00	\$0.00	\$0.00
MIDWEST FLOORING & LINING, INC.	\$0.00	\$0.00	\$0.00
REPUBLIC TECHNOLOGIES INTERNATIONAL(TERMINATED)	\$0.00	\$0.00	\$0.00
ELASTOCHEM, INC. (TERMINATED)	\$0.00	\$0.00	\$0.00
ALFRED NICKLES BAKERY & RYDER TRUCK RENTAL	\$0.00	\$0.00	\$0.00
NFM/WELDING ENGINEERS, INC.	\$0.00	\$0.00	\$0.00
HEINZ FROZEN FOOD/AMERICOLD	\$12,787.68	\$12,787.68	\$0.00
R AND D INCORPORATED	\$0.00	\$0.00	\$0.00
FAME BEVERAGE	\$24,782.90	\$24,782.90	\$0.00
RING MASTERS	\$0.00	\$0.00	\$0.00
OHIO PACKAGING	\$0.00	\$0.00	\$0.00
TOTAL REVENUE SHARING PAYMENT	\$46,730.30	\$46,730.30	\$0.00

LAW SUIT SETTLEMENT PAYMENT DUE	\$41,200.00
TOTAL PAYMENT DUE MASSILLON CITY SCHOOL DISTRICT 2006	\$87,930.30

-2006 pymt

NOTE: FINAL LAW SUIT SETTLEMENT
PAYMENT DUE IN 2007

\$59,936.10

TOTALS

\$147,866.40

RECEIVED

FEB 23 2007

MB Bailey

DATE: MARCH 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 31 - 2007

passed 3/20

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE accepting the Final Plat and dedication of various streets for Ballinger Estates Phase II, 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 Ballinger Estates Phase II, 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 February 21st 2007.. The undertaking given by the owners for improvement of streets and now on file with the City Engineer is approved. The description of Ballinger Estates Phase II is as follows:

Being Known as Out Lot 303, located on the west side of 16th Street SE, south of Gibson Avenue. The request is to plat 14 new residential lots and includes the extension of 15th Street SE, Ballinger Avenue SE and additional right of way for 16th Street. The property is zoned R-1 Single Family Residential. The applicant is Massillon Homes LLC.

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.

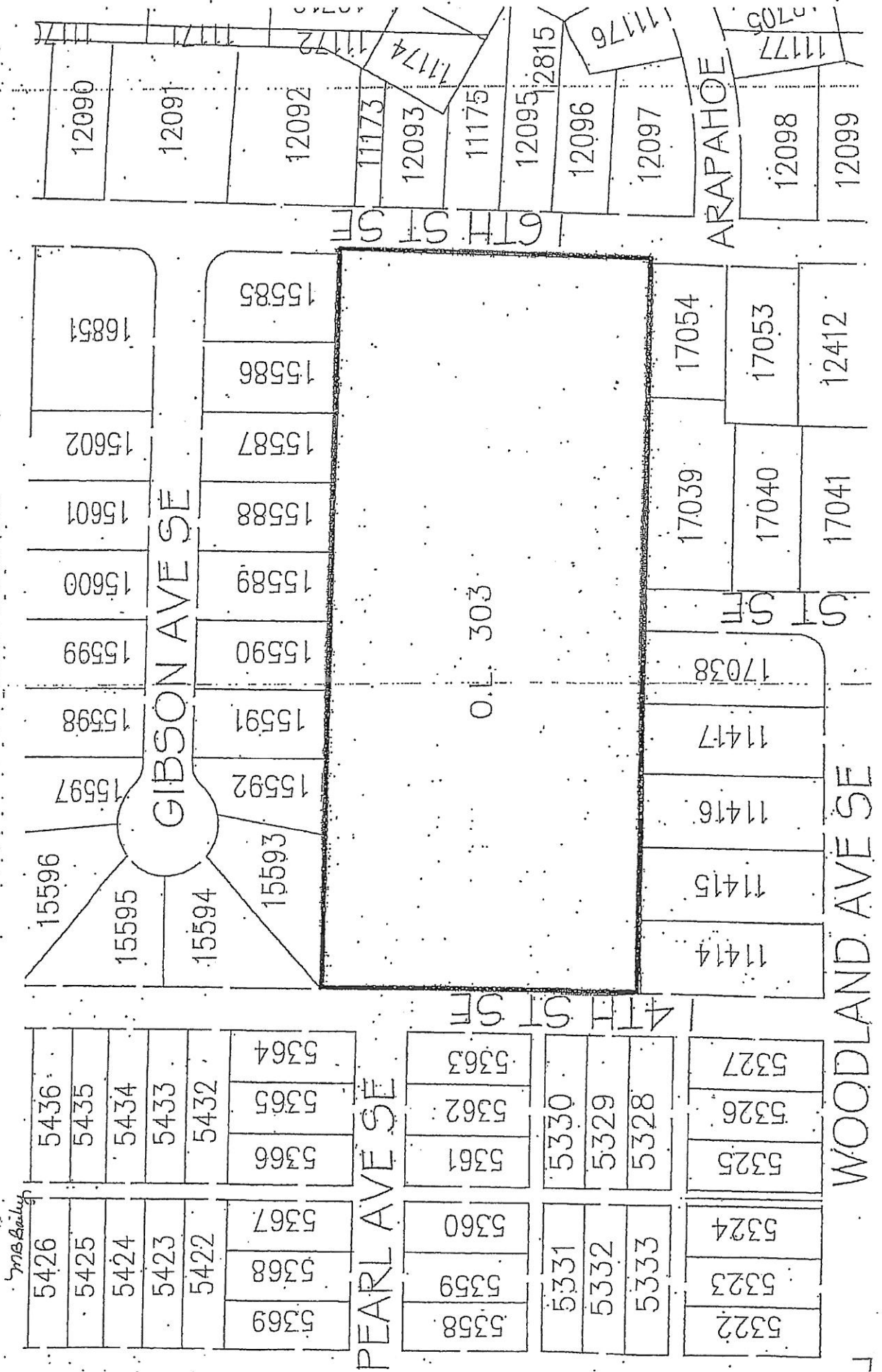
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Final Plat - Ballinger Estates Phase 2

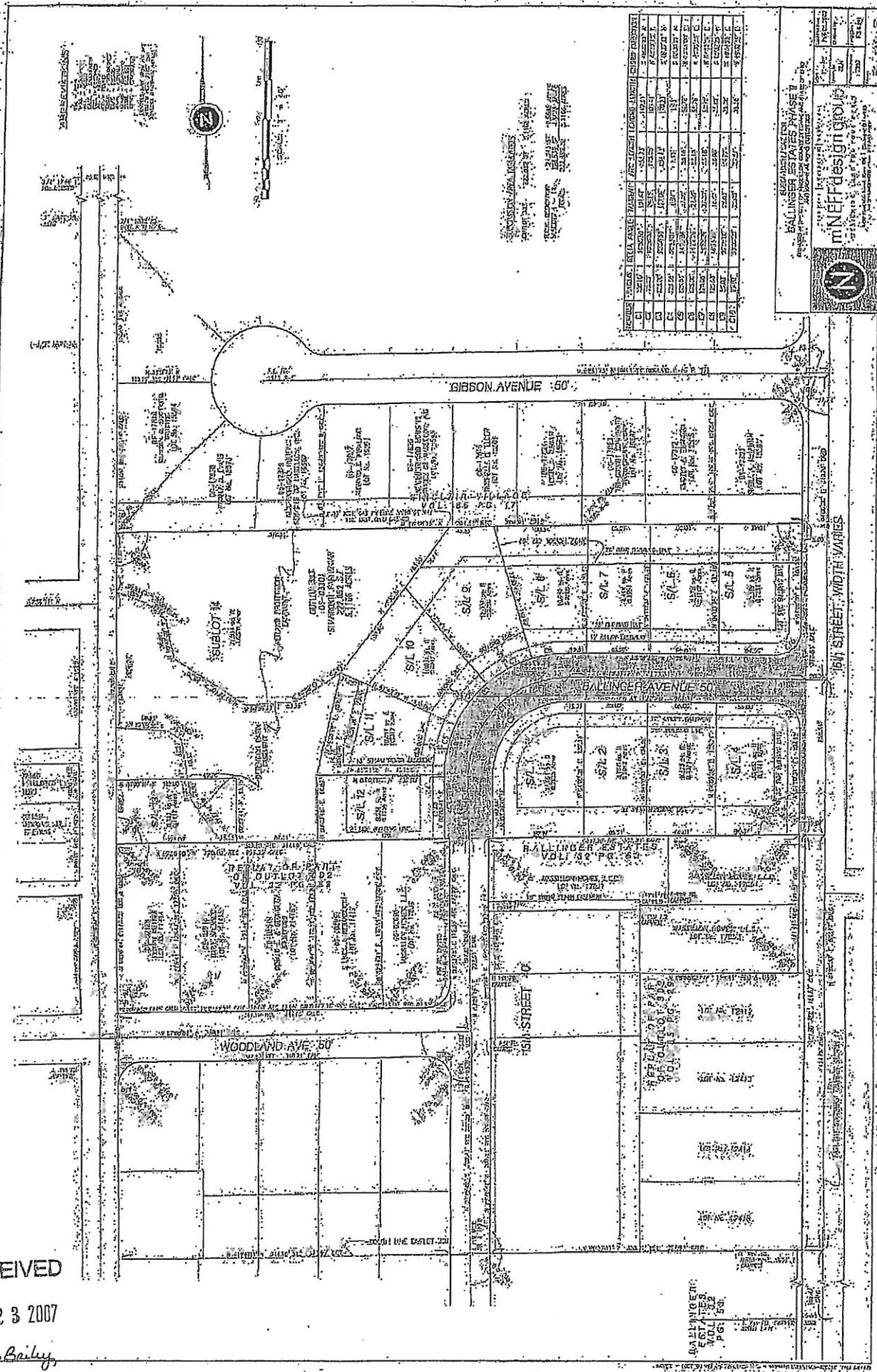
Location: Out Lot 303, located on the west side of 16th Street SE, south of Gibson Avenue. The request is to plat 14 new residential lots and includes the extension of 15th Street SE, Ballinger Avenue SE, and additional right of way for 16th Street.. The property is zoned RM-1 Multi-Family Residential.

FEB 23 2007

Applicant: Massillon Homes LLC



RECEIVED
 FEB 23 2007
 MB Bailey



DATE: MARCH 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 32 - 2007

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 storm sewer easement on Out Lot 596 for EMSCO on Nova Drive SE, 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 to accept the dedication of a storm sewer easement on Out Lot 596 for EMSCO on Nova Drive SE.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to accept the dedication of a storm sewer easement on Out Lot 596 for EMSCO on Nova Drive SE, as further described on exhibit "A" attached hereto and as set forth below:

Being known as Out Lot 596, located on the west side of Nova Drive SE, north of Nave Road. EMSCO, located at 1000 Nave Road SE, is requesting a storm sewer easement to run drainage pipe for their new warehouse building to the adjacent retention pond owned by the City. The applicant is EMSCO/City of Massillon.

Section 3:

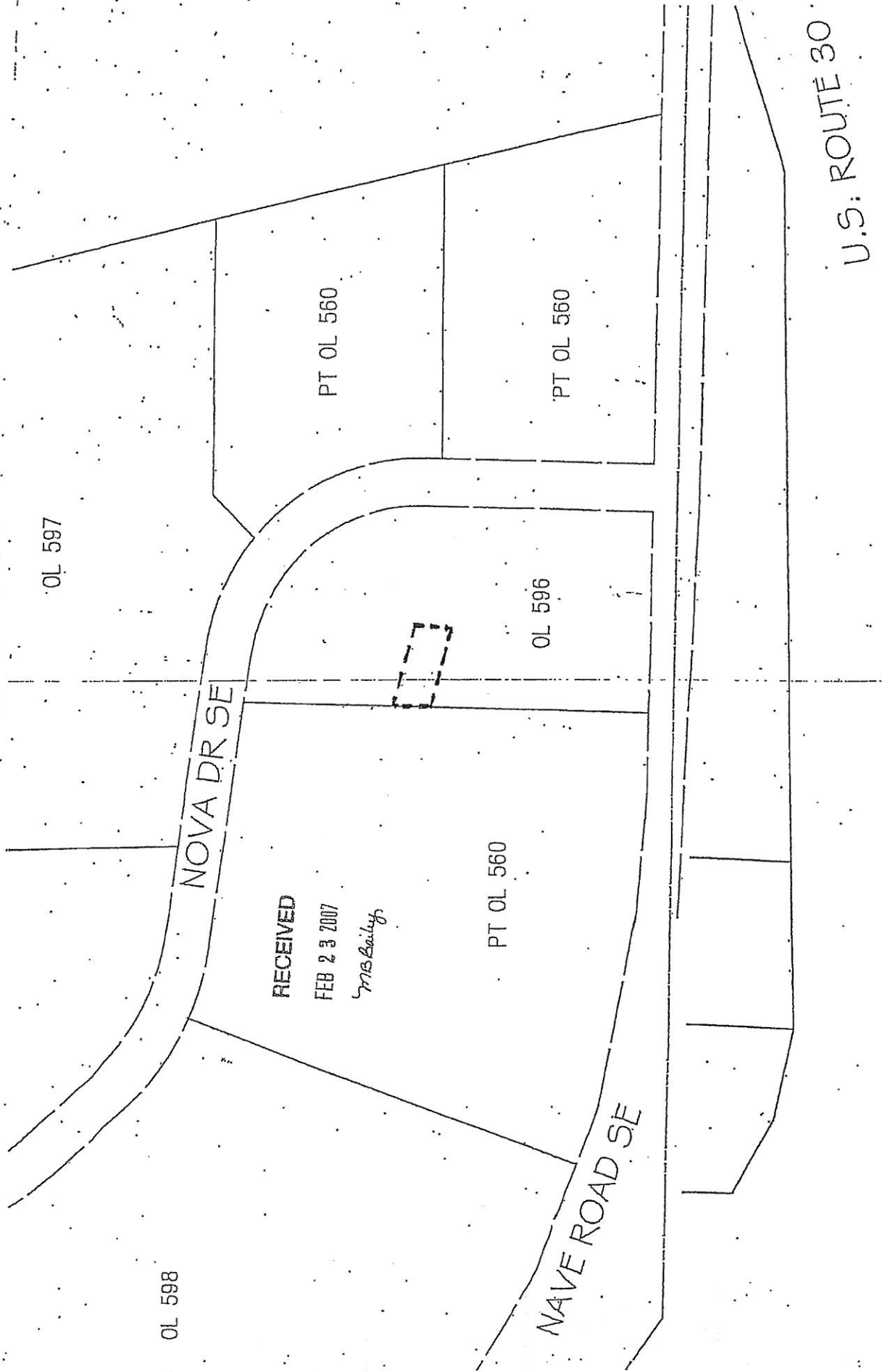
That this Ordinance is hereby declared to be an emergency measure for the reason that this storm sewer easement must be dedicated to enable timely completion of the development. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force 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.

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Easement Plat - Nova Drive SE

Location: Out Lot 596, located on the west side of Nova Drive SE, north of Nave Road. Electric Melting Services is requesting storm sewer easement to run drainage pipe for their new building. The property is owned by the City of Massillon and is zoned I-1 Light Industrial.

Applicant: EMSCO / City of Massillon



STORM SEWER EASEMENT

CITY OF MASSACHUSETTS
SAYBROOK, MASSACHUSETTS



WHEREAS, the City of Saybrook, Massachusetts, is desirous of acquiring an easement in the land of the said [Name] for the purpose of constructing and maintaining a storm sewer system, and

ACCEPTANCE

the undersigned, the Mayor of the City of Saybrook, Massachusetts, do hereby accept of the said easement for the purpose aforesaid, and

do hereby certify that the said easement is a public use, and

do hereby certify that the said easement is a public use, and

do hereby certify that the said easement is a public use, and

do hereby certify that the said easement is a public use, and

APPROVAL

do hereby approve of the said easement for the purpose aforesaid, and

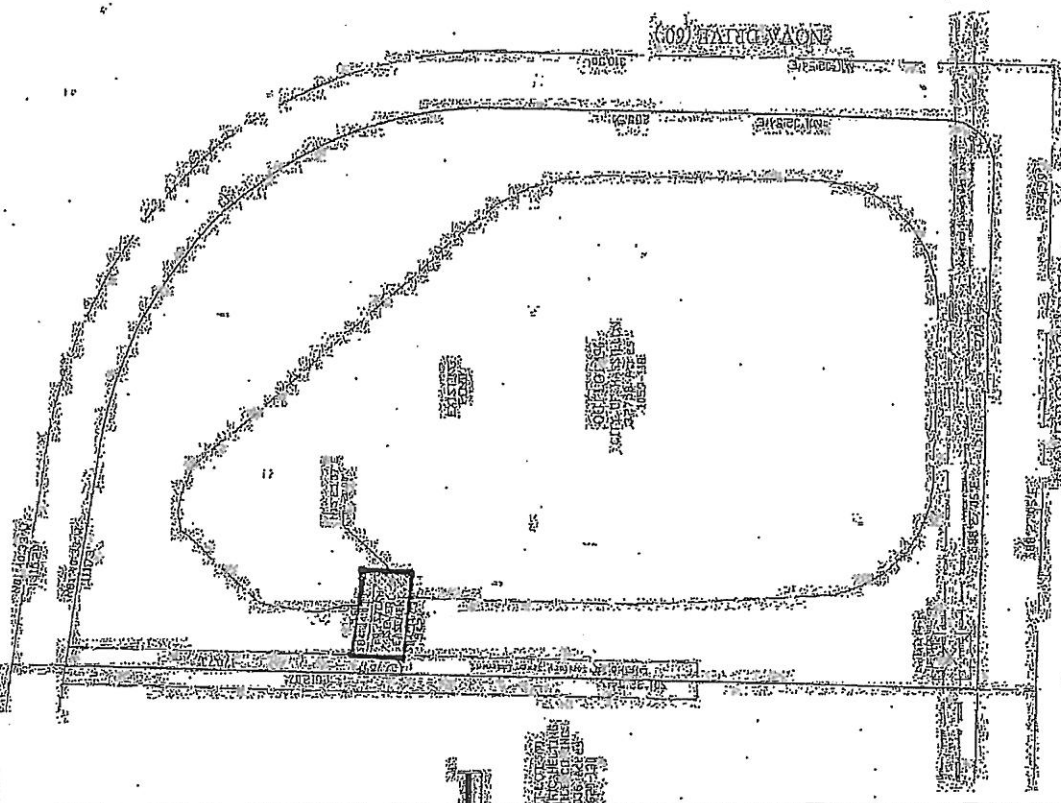
do hereby approve of the said easement for the purpose aforesaid, and

do hereby approve of the said easement for the purpose aforesaid, and

do hereby approve of the said easement for the purpose aforesaid, and

do hereby approve of the said easement for the purpose aforesaid, and

do hereby approve of the said easement for the purpose aforesaid, and



PROPERTY	OWNER	ADDRESS	DATE
STORM SEWER EASEMENT	SAYBROOK, MASSACHUSETTS	1000 MAIN STREET	10/10/2007
STORM SEWER EASEMENT	SAYBROOK, MASSACHUSETTS	1000 MAIN STREET	10/10/2007
STORM SEWER EASEMENT	SAYBROOK, MASSACHUSETTS	1000 MAIN STREET	10/10/2007
STORM SEWER EASEMENT	SAYBROOK, MASSACHUSETTS	1000 MAIN STREET	10/10/2007
STORM SEWER EASEMENT	SAYBROOK, MASSACHUSETTS	1000 MAIN STREET	10/10/2007
STORM SEWER EASEMENT	SAYBROOK, MASSACHUSETTS	1000 MAIN STREET	10/10/2007
STORM SEWER EASEMENT	SAYBROOK, MASSACHUSETTS	1000 MAIN STREET	10/10/2007
STORM SEWER EASEMENT	SAYBROOK, MASSACHUSETTS	1000 MAIN STREET	10/10/2007
STORM SEWER EASEMENT	SAYBROOK, MASSACHUSETTS	1000 MAIN STREET	10/10/2007
STORM SEWER EASEMENT	SAYBROOK, MASSACHUSETTS	1000 MAIN STREET	10/10/2007

STORM SEWER EASEMENT
SAYBROOK, MASSACHUSETTS
1000 MAIN STREET
10/10/2007

DATE: MARCH 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 33 - 2007

BY: PUBLIC UTILITIES COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to consent to the assignment of an easement for wire, pipe and cable transverse crossing upon real estate owned by the City from Northern Industrial Energy Development, Inc., to the East Ohio Gas Company, 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 to consent to the assignment of an easement for wire, pipe and cable transverse crossing upon real estate owned by the City from Northern Industrial Energy Development, Inc., to the East Ohio Gas Company.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to consent to the assignment of an easement for wire, pipe and cable transverse crossing upon real estate owned by the City from Northern Industrial Energy Development, Inc., to the East Ohio Gas Company. The Consent to the assignment of the easement is attached hereto.

Section 3:

That this Ordinance is hereby declared to be an emergency measure for the reason that the consent to the assignment of an easement for wire, pipe and cable transverse crossing will enable the licensee to complete its transaction with the assignee. 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.

2nd page is the signature page

CONSENT TO ASSIGNMENT OF
EASEMENT AGREEMENT FOR WIRE, PIPE AND CABLE
TRANSVERSE CROSSING AND LONGITUDINAL OCCUPATIONS

THIS CONSENT TO ASSIGNMENT OF EASEMENT AGREEMENT FOR WIRE, PIPE AND CABLE TRANSVERSE CROSSING AND LONGITUDINAL OCCUPATIONS is granted by CITY OF MASSILLON, OHIO ("Licensor") in favor and for the benefit of NORTHERN INDUSTRIAL ENERGY DEVELOPMENT, INC., whose mailing address is 5900 Mayfair Road, North Canton, Ohio 44720 (hereinafter referred to as "Licensee") and THE EAST OHIO GAS COMPANY dba DOMINION EAST OHIO. ("Assignee") whose address is 1201 E 55th Street, Cleveland, Ohio 44103.

Background:

Wheeling & Lake Erie Railway Company and Licensee entered into an Easement Agreement for Wire, Pipe and Cable Transverse Crossing and Longitudinal Occupations on May 1, 1995 (the "Agreement") which Agreement granted Licensee certain rights with respect to the construction and maintenance of a pipeline on, under or across land now owned or occupied by Licensor. The Agreement (in paragraph 23.7) requires Licensor's written consent to an assignment of Licensee's interest in the same. Licensee now desires to assign its rights and responsibilities under the Agreement to Assignee and Licensor consents to said assignment.

NOW THEREFORE, in consideration of the premises set forth hereinabove and consideration hereinafter provided, the parties hereto agree as follows:

Consent to Assignment. Licensor hereby consents to the Licensee's assignment of all of its interest, rights or responsibilities under the Agreement to Assignee.

IN WITNESS WHEREOF, the parties hereto have executed this consent to Assignment which is to be effective _____ day of _____ 2007.

CITY OF MASSILLON, OHIO

By: _____
Its: _____

Date: _____

NORTHERN INDUSTRIAL ENERGY DEVELOPMENT, INC.

By: _____
Its: _____

Date: _____

RECEIVED

FEB 23 2007

ms Bailey

DATE: MARCH 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 34 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Solid Waste Fund, Waste Management Grant Fund, ADR Fund and the Probation Service Fund, for the year ending December 31, 2007, 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 General Fund, for the year ending December 31, 2007, the following:

\$44,705.00 to an account entitled "Workers Comp" 1100.905.2270

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Solid Waste Fund, for the year ending December 31, 2007, the following:

\$5,549.00 to an account entitled "Workers Comp" 2102.605.2270

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Waste Management Grant Fund, for the year ending December 31, 2007, the following:

\$2,203.00 to an account entitled "Workers Comp" 1222.605.2270

Section 4:

There be and hereby is appropriated from the unappropriated balance of the ADR Fund, for the year ending December 31, 2007, the following:

\$2,093.00 to an account entitled "Workers Comp" 1242.125.2270

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Probation Service Fund, for the year ending December 31, 2007, the following:

\$371.00 to an account entitled "Workers Comp" 1238.125.2270

Section 6:

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 _____ 2007

ATTEST: _____

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: MARCH 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 35 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the 1201 Street Fund, 1206 Muni Motor Vehicle License Fund, Home Health Fund and the General Fund, for the year ending December 31, 2007, 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 1201 Street Fund, for the year ending December 31, 2007, the following:

\$41,316.00 to an account entitled "Supplies/Materials" 1201.435.2410

Section 2:

There be and hereby is appropriated from the unappropriated balance of the 1206 Muni Motor Vehicle License Fund, for the year ending December 31, 2007, the following:

\$2,015.00 to an account entitled "Services/Contracts" 1206.405.2392

\$2,000.00 to an account entitled "Storm Sewer Repair" 1206.425.2510

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Home Health Fund, for the year ending December 31, 2007, the following:

\$1,000.00 to an account entitled "Smoking Ban Supplies" 1235.705.2412

\$ 424.00 to an account entitled "Smoking Ban Services" 1235.705.2391

Section 4:

There be and hereby is appropriated from the unappropriated balance of the General Fund, for the year ending December 31, 2007, the following:

\$1,200.00 to an account entitled "City Hall Services/Contracts" 1100.410.2392

2nd page is the signature page