

AGENDA

DATE: MONDAY, NOVEMBER 19, 2007
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILMAN DAVE MCCUNE
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. 127 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

1st. reading

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 contract with the highest bidder, for the sale of approximately 51 acres located at the Legends Golf Course, in the City of Massillon, Stark County, Ohio and owned by said City, which are not needed for any municipal purpose, and declaring an emergency.

ORDINANCE NO. 128 – 2007

BY: RULES, COURTS & CIVIL SERVICE

Passed.

9/0

AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to renew 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. 129 – 2007

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

1st. reading

AN ORDINANCE vacating a portion of 1st Street SE, and declaring an emergency.

ORDINANCE NO. 130 – 2007

BY: FINANCE COMMITTEE

Passed.

9/0

AN ORDINANCE making certain appropriations from the unappropriated balance of the Lincoln Center Debt Fund, 1423 South Massillon Trunk Sewer Fund, Wastewater Treatment Fund, 1201 Street Fund, Massillon Museum Fund, Capital Improvement Fund and the General Fund, for the year ending December 31, 2007, and declaring an emergency.

ORDINANCE NO. 131 - 2007

BY: FINANCE COMMITTEE

Passed

9/0

AN ORDINANCE making certain transfers in the 2007 appropriation from within the 1409 Municipal Road Fund to the 1201 Street Fund, for the year ending December 31, 2007, and declaring an emergency.

ORDINANCE NO. 132 - 2007

BY: FINANCE COMMITTEE

Passed
1/0

AN ORDINANCE making certain appropriations from the unappropriated balance of the Municipal Road Fund, for the year ending December 31, 2007, and declaring an emergency.

ORDINANCE NO. 133 - 2007

BY: FINANCE COMMITTEE

Passed
9/0

AN ORDINANCE repealing Ordinance No. 166 – 2006, and declaring an emergency.

ORDINANCE NO. 134 - 2007

BY: FINANCE COMMITTEE

Passed
9/0

AN ORDINANCE authorizing the Auditor of the City of Massillon, Ohio, commencing January 1, 2008, to deposit revenue from the Inheritance Tax to the Capital Improvement Fund in a special account, and declaring an emergency.

ORDINANCE NO. 135 - 2007

BY: FINANCE COMMITTEE

Passed
9/0

AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, for the year ending December 31, 2007, and declaring an emergency.

ORDINANCE NO. 136 - 2007

BY: FINANCE COMMITTEE

Passed
9/0

AN ORDINANCE making certain transfers in the 2007 appropriation from within the General Fund, for the year ending December 31, 2007, and declaring an emergency.

RESOLUTION NO. 16 – 2007

BY: FINANCE COMMITTEE

Passed
9/0

A RESOLUTION requesting the Stark County Auditor to certify to the City of Massillon the total current tax valuation of the city and the number of mills required to generate a specified amount of revenue or the dollar amount of revenue that would be generated by a specified number of mills, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR OCTOBER 2007

B). TREASURER SUBMITS MONTHLY REPORT FOR OCTOBER 2007

C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR OCTOBER 2007.

D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR OCTOBER 2007

E). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR OCTOBER 2007

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

(HAD BEEN TABLED FROM SEPTEMBER 17, 2007)

ORDINANCE NO. 101 – 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

Defeated 8/1

AN ORDINANCE enacting of the Codified Ordinances of the City of Massillon, entitled "Construction Contracts", to authorize the Mayor to execute a Project Labor Agreement ("PLA") with the East Central Ohio Building and Construction Trades Council ("ECOB & CTC" or "Council"), its successor, for any individual union that is a member of the Council or the Council's successor, for any Construction Project undertaken by City of Massillon, and declaring an emergency.

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: NOVEMBER 19, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 127 - 2007

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 contract with the highest bidder, for the sale of approximately 51 acres located at the Legends Golf Course, in the City of Massillon, Stark County, Ohio and owned by said City, which are not needed for any municipal purpose, 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 contract with the highest bidder, for the sale of approximately 51 acres located at the Legends Golf Course, in the City of Massillon, Stark County, Ohio and owned by said City, which are not needed for any municipal purpose.

Section 2:

The following described real estate belonging to the City of Massillon, Ohio, is not needed for any municipal purpose, to-wit:

Known as being part of Out Lot 1031, part of Out Lot 559, part of Out Lot 560, part of Out Lot 561 and Out Lot 704, in the City of Massillon, Ohio, County of Stark and State of Ohio.

Section 3:

The Director of Public Safety and Service be and is hereby authorized to advertise for and receive sealed bids, and enter into contract with the highest bidder, for the sale of approximately 51 acres located at the Legends Golf Course, in the City of Massillon, Stark County, Ohio and owned by said City, which are not needed for any municipal purpose.

1st Reading
2nd Reading 12/13
Amended
1st Reading 12/17
2nd Reading 1/7/08
Passed 1/22/08

Section 4:

The advertisement for the bidding of said real estate shall contain the following instructions:

- 1). Each bidder shall be prepared to review with the administration of the City of Massillon and City Council their intended use for the real estate.
- 2). The successful bidder shall be responsible to pay all fees and costs associated with the sale and transfer of said property.
- 3). The City and or Council reserves the right to reject any and all bids.

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 that it is necessary to dispose of real estate no longer needed for any municipal purpose for the best price obtainable. In addition the emergency passage of this Ordinance will enable the City to sell the land faster and potentially generate revenue. 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





DATE: NOVEMBER 19, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 128 - 2007

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Law of the City of Massillon, Ohio, to renew 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 renew the one year contract with the Stark County Public Defender's Office for the purpose of providing representation for indigent defendants. The original contract was approved by Ordinance No. 114 - 2006.

Section 2:

The Director of Law of the City of Massillon, Ohio, is hereby authorized to renew the 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 said payment to be made from municipal court funds which were previously used to pay private counsel appointed for indigent defendants. The contract will commence January 1, 2008 through the end of 2008 calendar year with an option to renew for an additional year.

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.

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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 January 1, 2008 and shall terminate December 31, 2008 with an option to renew this contract for a period of one (1) year, commencing January 1, 2009 and terminating December 31, 2009.

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.

DATE: NOVEMBER 19, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 129 - 2007

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of 1st Street NE, and declaring an emergency.

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

WHEREAS, upon hearing, this Council hereby finds 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:

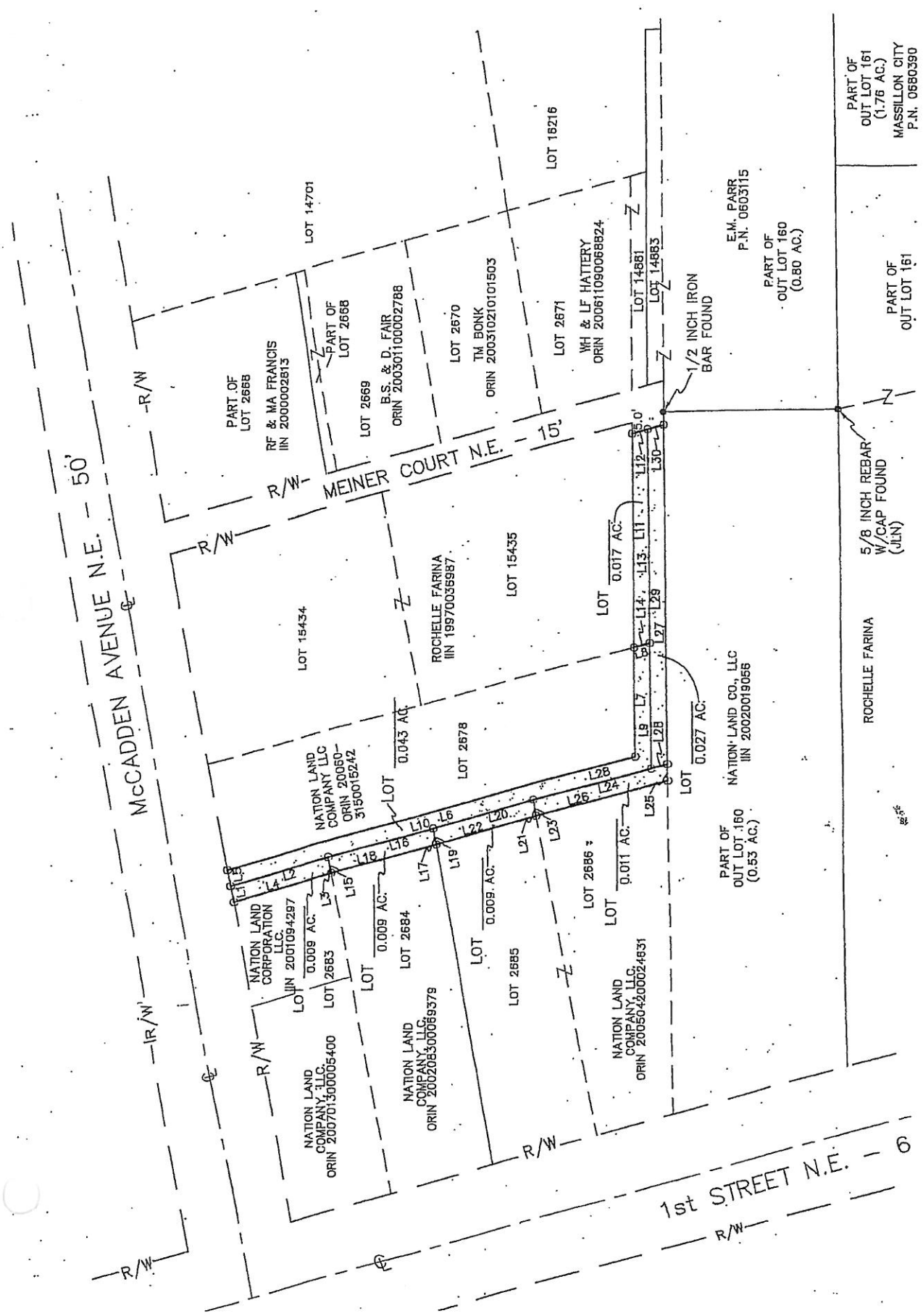
Section 1:

That First St NE, a 15 foot wide alley, lying between First St NE and Second St NE, running in a north/south direction between McCadden Avenue NE and Willow Avenue NE, extending approximately 208 feet south of McCadden Avenue. A 15 foot wide alley lying between McCadden Avenue NE and Willow Avenue NE, and running in an east/west direction between First St NE and Meiner Court NE. That part to be vacated begins approximately 5 feet west of Meiner Court and extends westerly approximately 153 feet. A 15 foot wide utility easement will remain on the property planned for vacation. The applicant is National Land Company LLC (Michael & Rochelle Farina). Approval of the vacation was recommended by the Planning Commission on October 10th, 2007. Said vacation is hereby approved, adopted and confirmed.

Section 2:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the continued efficient operation of the City of Massillon, Ohio, and that the portion of the street to be vacated is necessary to permit immediate commencement of infrastructure work required for the area. 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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APPROVED BY

CHAIRMAN

APPROVED BY

MASSILLON CIT

PART OF
OUT LOT 161
(1.76 AC.)
MASSILLON CITY
P.N. 0680390

PART OF
OUT LOT 160
(0.80 AC.)

E.M. PARR
P.N. 0603115

5/8 INCH REBAR
W/CAP FOUND
(JLN)

ROCHELLE FARINA

NATION LAND CO., LLC
IN 20020019056

PART OF
OUT LOT 160
(0.53 AC.)

1st STREET N.E. - 6

DATE: NOVEMBER 19, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO.

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 130 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Lincoln Center Debt Fund, 1423 South Massillon Trunk Sewer Fund, Wastewater Treatment Fund, 1201 Street Fund, Massillon Museum Fund, Capital Improvement 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 Lincoln Center Debt Fund, for the year ending December 31, 2007, the following:

\$79,000.00 to an account entitled "Services/Contracts" 1303.940.2392

Section 2:

There be and hereby is appropriated from the unappropriated balance of the 1423 South Massillon Trunk Sewer Fund, for the year ending December 31, 2007, the following:

\$76,391.74 to an account entitled South Massillon Sanitary Trunk Sewer Project 1423.905.2510

Section 3:

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

\$25,000.00 to an account entitled South Massillon Sanitary Trunk Sewer Project 1423.905.2510

Section 4:

There be and hereby is appropriated from the unappropriated balance of the 1201 Street Fund, for the year ending December 31, 2007, the following:

\$24,000.00 to an account entitled "OPWC - 27th Street NE/Jackson Ave Project" 1201.435.2513
\$19,500.00 to an account entitled "Street Resurfacing" 1201.435.2511

Section 5:

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

\$10,001.76 to an account entitled "Massillon Museum Holding Acct" 3110.905.2379

Section 6:

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

\$3,000.00 to an account entitled "Services/Contracts" 1100.410.2392

Section 7:

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

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

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: NOVEMBER 19, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 131 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2007 appropriation from within the 1409 Municipal Road Fund to the 1201 Street 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 transferred from the 2007 appropriation from within the 1409 Municipal Road Fund to the 1201 Street Fund, for the year ending December 31, 2007, the following:

\$125,000.00 FROM: "Advance To" 1409.435.2750
TO: "Advance In" 1201.435.1865

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 operation of the various departments for 2007, 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.

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DATE: NOVEMBER 19, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 132 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Municipal Road 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 Municipal Road Fund, for the year ending December 31, 2007, the following:

\$125,000.00 to an account entitled "Advance To" 1409.435.2750

Section 2:

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

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

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: NOVEMBER 19, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 133 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE repealing Ordinance No. 166 - 2006, and declaring an emergency.

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

Section 1:

Ordinance No. 166 - 2006 be and is hereby repealed.

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 that these funds are necessary to meet expenses that will be incurred through the end of the year 2007.

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

DATE: NOVEMBER 19, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 134 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor of the City of Massillon, Ohio, commencing January 1, 2008, to deposit revenue from the Inheritance Tax to the Capital Improvement Fund in a special account, and declaring an emergency.

Section 1:

It is hereby determined that it is necessary for the Auditor of the City of Massillon, Ohio, commencing January 1, 2008, to deposit the revenue from the Inheritance Tax to the Capital Improvement Fund to be held in a special account and these funds will not be included in the Capital Improvement Budget. These funds are presently being deposited into the General Fund and becoming part of the operating budget.

Section 2:

That 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 further reason that said funds are necessary to put into a special account for the Capital Improvement Fund. 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

DATE: NOVEMBER 19, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 135 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of 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 General Fund, for the year ending December 31, 2007, the following:

\$242,000.00 to an account entitled "Police Comp Paid" 1100.305.2118

\$202,943.18 to an account entitled "Police Overtime Paid" 1100.305.2119

Section 2:

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

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

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: NOVEMBER 19, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 136 - 2007

passed
LEGISLATIVE DEPARTMENT

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2007 appropriations from within 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 transferred from the 2007 appropriation from within the General Fund, of the City of Massillon, Ohio, the following:

FROM:	Fire Hosp/Eye/Dental	1100.325.2210	\$21,056.82
TO	Police Overtime Paid	1100.305.2119	\$21,056.82

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 2007. 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

DATE: NOVEMBER 19, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 16 - 2007

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION requesting the Stark County Auditor to certify to the City of Massillon the total current tax valuation of the city and the number of mills required to generate a specified amount of revenue or the dollar amount of revenue that would be generated by a specified number of mills and declaring an emergency.

WHEREAS, the City of Massillon has determined that it is necessary to levy a tax outside the ten-mill limitation for the Massillon Museum;

WHEREAS, the levy is a replacement of a tax in the amount of one (1) mill for each One Dollar (\$1.00) of evaluation, which amounts to Ten Cents per One Hundred Dollars (\$100.00) of valuation for a period of five (5) years for the purpose of providing for a free Museum of art, science and history that is maintained and operated by a private, non-profit organization as authorized by Section 5705.19(AA) of the Ohio Revised Code;

WHEREAS, the levy will be submitted to the electors of the City of Massillon at the Primary Election to be held on Tuesday, March 4, 2008;

WHEREAS, this Resolution is being submitted to the Stark County Auditor pursuant to the report of Section 5705.03(B) of the Ohio Revised Code.

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

Section 1:

This Council determines that it would be in the best interest of the public to request the Stark County Auditor to certify to the City of Massillon the total current tax valuation of the City and the number of mills required to generate a specified amount of revenue or the dollar amount of revenue that would be generated by a specified number of mills.