

**MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT
AGENDA**

**DATE: MONDAY, DECEMBER 6, 2010
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.**

**THERE IS ONE PUBLIC HEARING TONIGHT
ORDINANCE NO. 122 – 2010 AT 7:00PM**

- 1. ROLL CALL**
- 2. INVOCATION BY COUNCILMAN PAUL MANSON**
- 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. 137 – 2010

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with The Tots Spot to provide an economic development "inducement grant" to assist the company in locating its business to Massillon, and declaring an emergency.

ORDINANCE NO. 138 – 2010

BY: POLICE AND FIRE COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a two year contract with the Board of Trustees of Local Organized Governments in Cooperation (LOGIC) for police and fire dispatching services with the Regional Emergency Dispatch for the Massillon Police and Fire Departments, and declaring an emergency.

ORDINANCE NO. 139 – 2010

BY: POLICE AND FIRE COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into Transportation Agreements between the City of Massillon safety forces and other political subdivisions safety forces of Stark County, and declaring an emergency.

ORDINANCE NO. 140 – 2010

BY: RULES, COURTS AND CIVIL SERVICE

1ST READING

AN ORDINANCE amending Chapter 121 "COUNCIL" of the Codified Ordinances of the City of Massillon, by enacting a new Section 121.02(b) Rule 8.1 "Powers and Duties", and declaring an emergency.

ORDINANCE NO. 141 – 2010

BY: RULES, COURTS AND CIVIL SERVICE

1ST READING

AN ORDINANCE accepting the appointment of Mary Ann Coyne as the City Records Custodian as voted by the Massillon Records Commission, and declaring an emergency.

ORDINANCE NO. 142 – 2010

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Consent Legislation with the Ohio Department of Transportation for the SR 172 Paving Project, and declaring an emergency.

ORDINANCE NO. 143 – 2010

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with Dalene M. Pride to perform the Motor Vehicle License Audits for the City of Massillon, and declaring an emergency.

ORDINANCE NO. 144 – 2010

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

PASS 9-0

AN ORDINANCE accepting the dedication plat and right-of-way for O'Reilly Automotive, Inc., on Lot 17343, located on the north side of Lincoln Way East, just west of 27th Street NE and formally part of Outlot 330 which is also known as the Kmart Property, 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. 145 – 2010

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Massillon Museum Fund, Parks & Rec. Fund, State Highway Fund, Economic Development Fund and the Street Fund, for the year ending December 31, 2010, and declaring an emergency.

ORDINANCE NO. 146 – 2010

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE reducing the appropriations in the Police Pension Fund and the Fire Pension Fund, for the year ending December 31, 2010, and declaring an emergency.

ORDINANCE NO. 147 – 2010

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE making certain transfers in the 2010 appropriations from within the General Fund, for the year ending December 31, 2010, and declaring an emergency.

ORDINANCE NO. 148 – 2010

BY: FINANCE COMMITTEE

1ST READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into contract with The Health Plan for health insurance coverage for the City employees, and declaring an emergency.

ORDINANCE NO. 149 – 2010

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE establishing a fund entitled "Stormwater Utility Fund", and creating line items within said fund, and declaring an emergency.

ORDINANCE NO. 150 – 2010

BY: FINANCE COMMITTEE

PASS 9-0

AN ORDINANCE to approve current replacement pages to the Massillon Codified Ordinances, 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 NOVEMBER 2010

B). AUDITOR SUBMITS MONTHLY REPORT FOR NOVEMBER 2010

- ✓ 11. REPORTS OF COMMITTEES
- ✓ 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER
- ✓ 13. CALL OF THE CALENDAR – TABLED FROM OCTOBER 18, 2010

RESOLUTION NO. 12 – 2010

BY: PARKS AND RECREATION COMMITTEE

DEFEATED 5-4 (MANG, PETERS, McCUNE, MANSON, HERSHER)

A RESOLUTION renaming Shriver Park to T. Roberson Memorial Park at Old Massillon Field in honor of his service and dedication as the 4th Ward Councilman during 1981 until 1992.

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 122 – 2010

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS 9-0

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Perry Township, R-2 Single and Two Family Residential to R-2 Single Family Residential.

ORDINANCE NO. 123 – 2010

BY: HEALTH, WELFARE & BLDG REGULATION

PASS 6-3 (PETERS, TOWNSEND, CATAZARO - PERRY)

AN ORDINANCE amending CHAPTER 1301 "OHIO BUILDING CODE" of the Codified Ordinances of the City of Massillon, by repealing existing Section 1301.01 "Adoption", Subsections 1301.03 "Scope" (e) and (g), 1301.09 "Enforcement" (a)(3) Section 1301.10 "Permit Fees" 1,2,3,4,5,6,7 and (b)(c)(d)(e), 1301.11 "Plan Examination Fees" (a)(b)(c)(e), 1301.12 "Qualifications Required From An Application For Fire Suppression Contractor's Registration" 1,2, 1301.13 "Application For Fire Suppression Registration; Bond and Fee" (a)(b)(c)(d)(e)(f), 1301.14 "Application For Registration As Journeyman Fire Suppression Installer; Fee" (a)(b)(c)(d)(e)(f)(g), 1301.15 "Application For Registration As Fire Suppression Installers Apprentice" (a)(b)(c) and 1301.99 "Penalty" (a)(b) and enacting new Section 1301.01 "Adoption", Subsections 1301.03 "Scope" (e) and (g), 1301.09 "Enforcement" (a)(3) Section 1301.10 "Permit Fees" 1,2,3,4,5,6,7 and (b)(c)(d)(e), 1301.11 "Plan Examination Fees" (a)(b)(c)(e), 1301.12 "Qualifications Required From An Application For Fire Suppression Contractor's Registration" 1,2, 1301.13 "Application For Fire Suppression Registration; Bond and Fee" (a)(b)(c)(d)(e)(f), 1301.14 "Application For Registration As Journeyman Fire Suppression Installer; Fee" (a)(b)(c)(d)(e)(f)(g), 1301.15 "Application For Registration As Fire Suppression Installers Apprentice" (a)(b)(c) and 1301.99 "Penalty" (a)(b)

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 128 – 2010

BY: ENVIRONMENTAL COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications, advertise for and receive sealed bids and enter into a three year contract, upon award and approval of the Board of Control, with the lowest and best bidder for laboratory services at the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 129 – 2010

BY: HEALTH, WELFARE, BLDG REGULATIONS

2ND READING

AN ORDINANCE amending CHAPTER 1305 "RESIDENTIAL BUILDING CODE OF OHIO FOR ONE, TWO AND THREE FAMILY DWELLINGS" of the Codified Ordinances of the City of Massillon, and enacting new Subsections 1305.02 "COPIES", 1305.03 "DWELLING PLANS EXAMINATION" 1305.04 "SCHEDULE OF FEES FOR BUILDING PERMITS, 1305.06 "RESIDENTIAL CONTRACTORS REGISTRATION" 1305.07 "CONTRACTOR REGISTRATION AND BOND FEES, 1305.08 "JOURNEYMEN AND APPRENTICE REGISTRATION" and 1305.99 "PENALTY".

ORDINANCE NO. 136 – 2010

BY: FINANCE COMMITTEE

2ND READING

AN ORDINANCE appropriating money for current expenses and other expenses of the City of Massillon, Ohio, for the fiscal period ending December 31, 2011, 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 DECEMBER 6, 2010

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 137 - 2010

passed

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with The Tots Spot to provide an economic development "inducement grant" to assist the company in locating its business to Massillon, and declaring an emergency.

WHEREAS, the City of Massillon carries out a variety of economic development programs designed to promote the creation and expansion of business and industry in the community; and

WHEREAS, The Tots Spot desires to locate its business to 109 Lincoln Way W, and

WHEREAS, the City of Massillon proposed to assist The Tots Spot in the location of its retail store by providing an economic development "inducement grant", the purpose of which is to help offset the company's costs in locating its business to Massillon.

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

Section 1:

This Council hereby authorizes the Mayor to enter into an agreement with The Tots Spot by providing an economic development "inducement grant", in a total amount not to exceed Two Thousand Five Hundred Dollars (\$2,500.00) for the purpose of assisting the resale store in locating to Massillon.

Section 2:

In return for this economic development grant assistance, The Tots Spot shall provide the City with information regarding the number of jobs that it has provided as a result of the resale store's location to Massillon.

Section 3:

This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the health, safety, and welfare of the community and for the additional reason that it is necessary to improve the economic climate of the community through the expansion of business and employment opportunities. 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 _____, 2010

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

ATTEST: _____
FRANCIS H. CICCHINELLI, JR. MAYOR

CITY OF MASSILLON
ECONOMIC DEVELOPMENT INCENTIVE GRANT
APPLICATION FORM

Name of Applicant: Rebecca Woods & Ann Paris

Home Address: 3053 Bayer Cir. NW, Massillon, Ohio 44646

Home Telephone number: (330) 312-0030

Business Name: The Tots Spot

Business Address: 3053 Bayer Cir. NW, Massillon, Ohio 44646

Business Telephone Number: (330) 312-0030 - Rebecca's Cell; (330) 685-5147 - Ann's Cell

Form of Business: (Check One) ☐ Corporation ☒ Partnership
☐ Limited Liability Corporation ☐ Limited Liability Partnership
☐ Sole Proprietorship

Company Principals / Shareholders: Rebecca Woods & Ann Paris

Existing or New Business: ☐ Existing ☒ New

Own or Lease Business Location: ☐ Own ☒ Lease

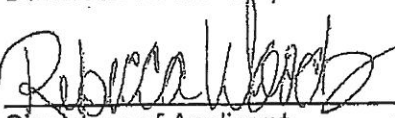
Description of Business & Start-Up Costs: (Please also indicate which of these start-up costs you are seeking funding assistance for, either in whole or in part, from the City of Massillon. Attach a sources and uses statement to indicate financing available for project costs to help the City identify the need for any "gap" funding assistance): The Tots Spot is a resale store specializing in children's clothing, care items & furniture. The items offered are in new or gently used state. The company also wishes to get involved in social and community events that benefit local area families and children.
Startup costs are estimated at \$10,960 which would cover our lease and operating costs for two months.
That amount would also include decorating, advertising costs and a cash reserve for keeping our inventory current.

As no other sourcing is available, we are seeking the full amount of startup costs; however, if the full amount is not available, a portion would still be appreciated as backing from the city and the supplement of grant funds would make us more appealing to possible investors.

Thank you for your consideration!

No. of Jobs to be created: 1 Full-Time ☐ Part-Time

Business Hours of Operation: Mon.: Closed; Tues.-Fri.: 10am-6pm; Sat.: 10am-7pm; Sun.: 10am-4pm


Signature of Applicant

Sources and Uses Statement

Sources of Financing

| | |
|---|------|
| Investment of cash by owner #1 | \$ 0 |
| Investment of cash by owner #2 | \$ 0 |
| Investment of non-cash assets by owner #1 | \$ 0 |
| Investment of non-cash assets by owner #2 | \$ 0 |
| Bank loans to business (short term) | \$ 0 |
| Bank loans to business (long term) | \$ 0 |
| Bank loans (personal) | \$ 0 |
| Small Business Administration loans | \$ 0 |
| Other: _____ | \$ 0 |

| | |
|----------------------------|------|
| Total Sources of Financing | \$ 0 |
|----------------------------|------|

Uses of Financing

| | |
|--|------------|
| Land | \$ 0 |
| Buildings | \$ 300.00 |
| Equipment | \$ 2075.00 |
| Remodeling | \$ 600.00 |
| Initial Inventory | \$ 1750.00 |
| Working capital to pay operating expenses | \$ 4535.00 |
| Non-cash assets contributed by owners (Use same amount as in Sources) | \$ 0 |
| Other: <u>Cash on Hand; Res. Acct & Legal Fees</u> | \$ 1700.00 |

| | |
|-------------------------|-------------|
| Total Uses of Financing | \$ 10960.00 |
|-------------------------|-------------|

Business Plan

OWNERS

Ann M. Paris, GP
Rebecca E. Woods, GP
3053 Bayer Cir NW
Massillon, OH 44646
330-312-0030
www.totsspot.com

I. Table of Contents

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II. Executive Summary

The Tots Spot is a new company created by Rebecca Woods and Ann Paris. The company will provide new and gently used children's apparel, nursery items, furniture, toys and the like. Additionally, the store will pair with local area arts in creating child—related personalized items and décor.

Our target market is middle to lower-class families in the Stark County, Ohio area with concentration in Massillon, Ohio. We feel that by providing cost savings to the community, our name will grow to be recognized, trusted and reliable. In addition to word-of-mouth marketing, The Tots Spot will be heavily involved in social and community development in the Massillon area, taking part in events based around benefiting local area families and children.

The resale business is in higher demand now than ever, considering the current state of the economy, and the Massillon and Canton area families are heavily affected by this. It is difficult for families to feed their children, let alone keep up with clothing costs or provide them with toys. Our presence will help area families provide the basic necessities for their children. Our involvement in the community will help enrich their lives.

Being a new company, we are based online while seeking the startup costs needed to take up a physical store. A conservative budget analysis shows that The Tots Spot will need approximately \$10,960 to take up a lease and operate fully for the first two months.

We are seeking a grant opportunity with the City of Massillon to try and accumulate the funds. The startup costs would cover a month of salary and two months of operating costs, along with decorating and advertising costs.

We feel confident that our store will rapidly gain popularity. The Tots Spot has several niche areas in this industry that will draw new customers and create loyal ones. Our competitors lack in several areas that we can accommodate. There are already potential customers calling us asking where we are located, because they want to come and shop!

III. General Company Description

The Tots Spot is a new company that will provide new and gently used children's apparel, nursery items, furniture, toys and more to its clients. The Tots Spot began operations in September of 2010, and is a partnership, owned and operated by Rebecca Woods and Ann Paris.

Mrs. Woods and Mrs. Paris both work full-time to help accommodate the growth of the business' inventory, its presence on the internet and in various marketing advertisements are currently underway. Both owners have a combined 20 years in the small business setting, and have their own respective degrees in business and accounting fields.

The Tots Spot will target mid to lower-class families in the Stark County, Ohio, including Massillon and surrounding areas. In efforts to build inventory and supply a vast array of product, the consignment option will be made available and will be beneficial to all parties involved. This option will help The Tots Spot grow, while keeping down the costs of purchasing inventory outright. This option will put money back into the consumer's pocket, too, in a goal of stimulating the local market.

Being able to save money through the consignment process, more will be available to put into efforts that involve community support, such as involvement in child-related functions that the city hosts annually. The Tots Spot seeks to be heavily involved in creating and being a part of a family-oriented atmosphere that will best help their growth, and the growth of the surrounding area.

The Tots Spot seeks to create and commandeer new events that will help child-related foundations in the area. Working in conjunction with the city, The Tots Spot seeks to organize small festivals, family movie nights, arts/crafts classes for children, et cetera.

The company will remain mindful of keeping a competitive nature as there are a few stores that specialize in similar merchandise. The Tots Spot offers all off the name brands that their competitors do, but they also offer brands for the economical parent (such as Garanimals).

Being that the demand for children's goods should remain strong into the foreseeable future, dedication will be spent more so on remaining competitive through marketing strategy and a growing online and local presence.

One such effort to remain competitive has already been taken, as in the first two months of operation The Tots Spot has capitalized on its internet-store, an option not offered by competitors in the area. Showing local clients that the company is dedicated to the community will also help gain trust and portray reliability in all the business stands for.

The Tots Spot has initially set the stage as a possible "go-to" company for local families that wish to save money, by turning their investment in child-products into monetary income, while supporting the store's efforts in community involvement.

The primary objectives of The Tots Spot over the next year are to:

- Obtain financing, whether by loan or grant of \$10,000 to cover start up costs and initial operating expenses;
- Locate a physical store in the downtown Massillon area (preferably on Lincoln Way, itself).
- Generate a net profit of \$35,000 in the first year of operations by developing a strong client base and keeping overhead costs to a minimum;
- Create, conduct or take part in two to three events that aid in the development and bettering of the surrounding community.

The Tots Spot seeks to be located in downtown Massillon, Ohio, but is currently operated from 3053 Bayer Cir. NW, Massillon, Ohio. The internet store can be found at <http://www.totsspot.com>.

The office space sought is a lease that accommodates necessary office equipment such as a computer, fax machine, printer. Ample storage space is also required. Two to three rooms would be ideal to allow for the floor area, counter area, storage and possible play/classroom area. Leasing opportunities are being looked into currently.

The Tots Spot's mission statement is to:

To become a leader in the supply of children's needs by providing our community with not only savings, but also a chance to take part in their community through creative and inclusive events.

IV. Products and Services

The Tots Spot will carry all major brands of baby, toddler and children's clothing (see list below). Our selection will include new and "like new" (or gently used) apparel, some of which is purchased outright, and some of which is in our store on consignment. To help build up our inventory, we will be seeking to evenly allocate available funds in keeping a variety of sizes, colors and styles to fit our target market base. The greatest percentage of our merchandise will be apparel; however, we will also offer furniture, nursery items, baby gear, bathing items and more.

Management will rely on customer feedback, suggestions, and sales reports to introduce or eliminate certain brands, styles and sizes.

In respects to refurbished items, The Tots Spot seeks to pair with local artists in the restoration of furniture or nursery décor for one-of-a-kind pieces for purchase by clientele.

The Tots Spot offers brands that are considered low-end and high-end grade, which will allow clients of any income bracket to find product that is priced within their means. The company will only accept and sell merchandise that has been inspected, properly cleaned and (in cases of furniture or toys) assured safe for use and free from manufacturer recalls.

Product Description

The Tots Spot will provide a selection of brands, some of which are listed below:

- Carter's
- Sesame Street
- Janie & Jack
- Hannah Anderson
- Gymboree
- US Angels
- Ralph Lauren
- Chicco
- Baby Lulu
- Hartstrings
- Disney
- Petit Ami
- Jaffa
- Sonoma
- Baby Nordstrom
- Garanimals

Competitive Comparison

The Tots Spot has a number of advantages that will allow us to build our presence and identity, adding worth to our name and building a loyal customer base while standing apart from our competitors.

- We will be the only child clothing store in downtown Massillon.
- We will offer a mailing list for frequent customers to offer monthly savings via e-mail.
- We will offer a variety of clothing that caters to all levels of income.
- We will offer items on consignment
- We will create a sense of bonding with the community by pairing with local artists to offer décor furniture and personalized items dedicated to children.
- Our location is central to our target customer base.
- We will maintain a detailed record on each customer, logging addresses, their purchases, size and brand for customer follow-up and in-house promotion purposes.

Sales Literature

The Tots Spot will use a targeted advertising and sales program to generate publicity and build a customer base.

- 1,000+ full-color postcard flyers with a 10% coupon will be distributed throughout the Massillon area: local daycare centers, the Massillon Recreational Center, the Massillon Library, Thirteenth Floor Gallery, Variety's Restaurant, et cetera.
- 100 grand opening invites will be mailed to potential new customers two weeks before the grand opening. The invitation will also include a promotional 10% coupon off a customer's first purchase. The customer mailing list has been compiled from contacts the owners have made while in the community.
- 1,000 business cards will be created with a coupon code, reverse side entitling the customer to a 15% discount on the eleventh purchase after ten purchases.

Sourcing

The Tots Spot will shop for merchandise as outlined below:

- With local people who have child-related clothing and goods that they wish to place on our floor under Consignment.
- From local garage sales and people who wish to sell their merchandise.
- From stock of larger businesses offering substantial sales across the internet, giving The Tots Spot the ability to purchase at low costs and extend savings to our clients.
- As the company grows, The Tots Spot will seek wholesale distribution from name brand manufacturers to increase new items for sale.

~~Massillon, Ohio is a proud city with residents that are dedicated to its upkeep and growth.~~ Any location found in the city would give us a strong base of clients, to whom we can offer our services. In the same dedication that the city's residents offer their community, The Tots Spot seeks to help with special events, local shows, classes, education programs and the like.

With Massillon being only a short drive from Canton, Navarre and Akron, Ohio, this makes Massillon a prime location for The Tots Spot in servicing its retail needs.

The Tots Spot will also work to solidify our relationships with clientele and potential vendors so that we may achieve decreased cost of goods. Our competitors (both direct and indirect) purchase from some of the same sources and we believe that through marketing programs and strategic alliances we will begin to gain a competitive advantage.

Technology

Retail stores have a tendency to have a high number of SKU's because of the level of inventory. It is imperative that an advanced inventory and point of sale program be used to maintain stock levels and track sales. The Tots Spot will use Quickbooks Accounting software for all financial and accounting purposes. For inventory management and point of sale transactions we will use Yahoo! Business Solutions online software. This product allows a small retailer to manage their inventory and point of sale functions all in one, whether merchandise is purchased online or at the physical store.

Future Products

As we achieve and exceed our sales and profitability goals, The Tots Spot will add name brand distributors to our product line and possibly choose one brand as our in-house label of clothing for new merchandise. We will expand our line of brands with those that have been repeatedly requested by our customers. An e-commerce website has already been created to increase our distribution channels and expand our customer base to a national level.

V. Marketing Plan

The target customers of The Tots Spot will be low and middle-class families located in Massillon, Ohio and the surrounding areas. Location in downtown Massillon, the epicenter of the residential community, will give us a chance to reach what we believe will make up the largest percentage of our customer base.

As popularity about the store increases we expect to see an assortment of curiosity seekers, and local residents from the community as well as seasonal purchasers.

Market Segmentation

The low and middle-class population, considering current economic standing, is more abundant than ever. The Tots Spot seeks to find loyal customers in this population by offering sales that cannot be found elsewhere. The downtown location will make the store easily accessible for such customers, as well.

Proper marketing and word of mouth will help with expansion of our customer base. Good deals, a pleasant setting and excellent customer service will bring repeat customers.

Target Market Segment Strategy

The goal of The Tots Spot is to serve the Massillon area families that need the savings of reduced-price children's clothes and goods. We will also serve the surrounding areas.

The needs of the population in respects to children's resale items are not being met in the area. The Tots Spot plans to meet and service those needs.

- The Tots Spot will provide a large assortment of brands, styles, sizes and seasonal clothing to compliment the demand of local area families seeking to save by purchasing resale items.
- Focus and attention will be made to customer's personal preferences and customer retention will be given high priority.
- Consignment offered through the store is made available on items that are in store-ready condition, freshly laundered and without defect. The prices listed on all consignments are agreed upon by the store and the consignee. Sale of a consignment item is assessed a 55% fee on clothing and toys and a 40% fee on furniture.
- The Tots Spot will offer lowest price guarantee.

Market Trends

Any low and middle-class family can recognize and identify with the need to make their money stretch—the need for savings. This is synonymous with making ends meet, which all too often is how the majority of America's families have to get by.

Children's clothing and care items will always be in demand. Many times, a child will wear an outfit once or twice before outgrowing the item and requiring larger clothing. It can be costly for families to keep up with the costs of such quick change, and The Tots Spot intends to use its resale abilities to help lessen the strain.

With the economy taking a turn for the worse, parents are buying resale and consignment more than before, and they are becoming aware of the savings that can be found in a store like The Tots Spot.

Market Growth

Market growth is in an upward motion, despite some of the latest economic downturns. There is vast area for improvement, and by offering savings to the local consumer, the community's market will see an upturn in the time to come. By offering unique, cost-efficient sales and services to the local community, the store can capitalize on the local population's standing while at the same time promote community growth.

The area is in need of new businesses, too. Massillon is in a position to grow, exponentially, and The Tots Spot seeks to be an active part in that growth.

Main Competitors

The Tots Spot has two main competitors within a 15 mile radius of its intended location.

Once Upon a Child, which is located approximately 7.08 miles from downtown Massillon, is our closest competitor. Once Upon a Child is the largest children resale store in the area. The Once Upon a Child store is a franchised business and operates many stores nationwide to sell to a general mass market. Since they are a franchised business, the web-site does an over view of the company and does not offer an in-store list of items for purchase or on-line purchasing. Because of Once Upon a Child's size, they have a large percentage of market share but still only cater to name brand and seasonal items. Locating out of season items or cheaper brand items at their store can be difficult. They do not offer consignment, either. It is known from being parents ourselves that several customers of this store have said, the service is not personable, they tend to offend customers that have non-name brand clothing or budget-grade merchandise, and do not offer the proper monetary price for items purchased.

Babyland, located approximately 15.37 miles from our intended location, is the second competitor. It is a local business with much the same guidelines for business as Once Upon A Child. They do not take consignment, do not offer discounts (even though the web-site says they do), you cannot purchase items on-line, they only purchase name brand items, and in-season items. Much like Once Upon a Child, they do not take part in advertising or promotions of their retail outlet. Babyland has been around since 1978 and have a loyal customer base. They focus on customer service, unlike Once Upon A Child, and also offer extended sizes up to youth 16 and maternity clothing. This has given them the advantage over Once Upon A Child.

DATE: DECEMBER 6, 2010

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 138 - 2010

passed

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a two year contract with the Board of Trustees of Local Organized Governments in Cooperation (LOGIC) for police and fire dispatching services with the Regional Emergency Dispatch for the Massillon Police and Fire Departments, 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 two year contract with the Board of Trustees of Local Organized Governments in Cooperation (LOGIC) for police and fire dispatching services with the Regional Emergency Dispatch for the Massillon Police and Fire Departments. The terms of the contract are detailed in the attached Exhibit "A".

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to enter into a two year contract with the Board of Trustees of Local Organized Governments in Cooperation (LOGIC) for police and fire dispatching services with the Regional Emergency Dispatch for the Massillon Police and Fire Departments.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to enter into the two year contract with the Board of Trustees of Local Organized Governments in Cooperation (LOGIC) for the efficient operation of the Massillon Police and Fire Departments. 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.

L.O.G.I.C.
Local Organized Governments in Cooperation
RED Center
Regional Emergency Dispatch Center
5735 Wales Ave. NW
Massillon, Ohio 44646

November 4, 2010

Dear Board Member:

I write to you as the R.E.D. Center embarks on its annual budget process. The approved 2011 budget for operational needs has a gross expenditure requirement of \$1,447,877, which is a 1.8% increase from the adopted 2010 budget. Projected revenues and existing fund balances (reserves) will be adequate to cover the proposed expenditures. With this in mind the L.O.G.I.C. Board has decided to freeze the rate which agencies contribute for the next 2 years (2011 & 2012). Police agencies will continue to be charged at the 2010 rate of \$9.42 per person and Fire agencies will be charged at the 2010 rate of \$42.52. The actual cost to each agency may vary based on population fluctuations or the total number of fire calls dispatched.

Please sign, date and return the enclosed contract by December 2nd, 2010. If you have any questions please feel free to contact the Director of the R.E.D. Center.

We thank you for your continued support and look forward to serving you in the future.

Sincerely,

John E. Pizzino
L.O.G.I.C Board President

L.O.G.I.C.
Local Organized Governments in Cooperation
RED Center
REGIONAL EMERGENCY DISPATCH CENTER
5735 Wales Ave NW
Massillon, Ohio 44646

Contract

This contract entered into this _____ day of _____, 2010, pursuant to ORC Sections 167.08, between the **City of Massillon, Stark County, Ohio** (hereafter **Massillon**) who has entered into the attached Agreement with the Board of Trustees of Local Organized Governments in Cooperation, a council of Governments (hereafter LOGIC).

It is hereby agreed that in exchange for the Regional Emergency Dispatch Center performing dispatching services described in attached Exhibit A for the **Massillon Fire Department**, **Massillon** agrees to pay LOGIC the maximum sum of \$ 42.52 per call in 2011, for the sum total of \$ 170,165.00, the maximum sum of \$ 42.52 per call in 2012, for the sum total of \$ TBD.


This contract expires December 31st, 2012. **Massillon** can request termination of this Contract prior to December 31st, 2012 upon proof of financial hardship if said termination is approved by LOGIC.

This Agreement will be modified should there be a change in the population due to a change in LOGIC membership.

This Agreement also terminates if any Stark County Regional Dispatch operation occurs that replaces the dispatching operations described in this agreement.

BOARD OF TRUSTEES OF
LOCAL ORGANIZED GOVERNMENTS
IN COOPERATION

CITY OF MASSILLON
STARK COUNTY, OHIO



John E. Pizzino, L.O.G.I.C President

Francis H. Cicchinelli Jr, Mayor

Date: _____

Date: _____

L.O.G.I.C.
Local Organized Governments in Cooperation
R.E.D. Center
Regional Emergency Dispatch Center
5735 Wales Ave. NW
Massillon, Ohio 44646

Fire Dispatching

The Regional Emergency Dispatch Center (R.E.D Center) provides the following dispatch services for fire departments:

1. Receive emergency, non-emergency, and TDD phone calls; Determine nature of call and type of assistance needed; Dispatch Fire/EMS services as necessary. This includes 911 and other emergency calls.
2. Tone and dispatch appropriate agency via radio console according to established procedures, priority and availability of the units.
3. Record all phone and radio traffic (VHF, UHF & 800 MHz) utilizing a logging / recorder system. This information is stored for a two year period of time. The R.E.D Center provides tape/CD or email recordings as requested.
4. CAD (Computer Aided Dispatch). All calls are entered into a CAD System and maintained for an indefinite period of time. Streets, intersections and businesses are also maintained and updated in the CAD System for all agencies as provided by the contracting agency. The System also records and stores all 911 calls. A report numbering system is also part of the CAD program and assigns run numbers for each fire department. The CAD System has the ability to formulate reports for the fire agencies in regards to total calls, type of calls, etc.
5. ZetaFAX – Rip/Run or Fax call sheets to station(s) on initial dispatch, fax times to all hospitals and final Rip/Run or fax to station(s) with all times of the call.
6. SMS/Text Paging System – A SMS/Text paging system is available to page off duty personnel if needed.
7. Activate Emergency Weather Warning System if available.
8. Locate and plot cellular 911 calls via x-y coordinates through a countywide mapping platform.
9. Emergency Calls – The RED Center is an emergency dispatch center and responds to emergency calls. The agencies we service are encouraged to maintain a phone number to handle non-emergency administrative calls.

L.O.G.I.C.
Local Organized Governments in Cooperation
RED Center
REGIONAL EMERGENCY DISPATCH CENTER
5735 Wales Ave NW
Massillon, Ohio 44646

Contract

This contract entered into this _____ day of _____, 2010, pursuant to ORC Sections 167.08, between the **City of Massillon, Stark County, Ohio** (hereafter **Massillon**) who has entered into the attached Agreement with the Board of Trustees of Local Organized Governments in Cooperation, a council of Governments (hereafter LOGIC).

It is hereby agreed that in exchange for the Regional Emergency Dispatch Center performing dispatching services described in attached Exhibit A for the **Massillon Police Department**, **Massillon** agrees to pay LOGIC
the maximum sum of \$ 9.42 per person in 2011, for the sum total of \$ 308,354.00,
the maximum sum of \$ 9.42 per person in 2012, for the sum total of \$ TBD.

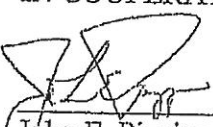
This contract expires December 31st, 2012. **Massillon** can request termination of this Contract prior to December 31st, 2012 upon proof of financial hardship if said termination is approved by LOGIC.

This Agreement will be modified should there be a change in the population due to a change in LOGIC membership.

This Agreement also terminates if any Stark County Regional Dispatch operation occurs that replaces the dispatching operations described in this agreement.

BOARD OF TRUSTEES OF
LOCAL ORGANIZED GOVERNMENTS
IN COOPERATION

CITY OF MASSILLON
STARK COUNTY, OHIO



John E. Pizzino, L.O.G.I.C President

Francis H. Cicchinelli Jr, Mayor

Date: _____

Date: _____

L.O.G.I.C.
Local Organized Governments in Cooperation
RED CENTER
Regional Emergency Dispatch Center
5735 Wales Ave. NW
Massillon, Ohio 44646

Police Dispatching

The Regional Emergency Dispatch Center (RED Center) provides the following dispatch services for police departments.

1. Receive emergency phone calls and dispatch police services as necessary. This includes 911 and other emergency calls.
2. Dispatch and receive calls via radio transmissions.
3. Record all phone and radio traffic utilizing a logging / recorder computer. This information will be stored for a 2 year period in accordance with the Ohio Public Records law. The RED Center provides tapes, CD's or email for recordings as requested.
4. L.E.A.D.S. (Law Enforcement Automated Data System)
 - a) The Department can request LEADS information for all police agencies subject to their Lead Administrative Regulations.
 - b) Enter warrants, stolen vehicles, criminal protective orders, etc. for each department.
 - c) Validate all entered warrants. The contracting agency is responsible for validating entered items on a monthly basis.
 - d) Run Criminal History (CCH) inquires as requested.
 - e) All entered persons and items are processed, filed and maintained by the RED Center in accordance with LEADS regulations.
5. Criminal Justice Information System (CJIS), Ohio Law Enforcement Gateway (OHLEG), Active Warrants – Check for information in the CJIS & OHLEG system as requested.
6. CAD (Computer Aided Dispatch). All calls are entered into the CAD System and maintained for an indefinite period of time. Streets, intersections and businesses are also maintained and updated in the CAD System for all agencies as provided by the contracting agency. The System also records and stores all 911 calls. A report numbering system is also part of the CAD program. The CAD System has the ability to formulate reports for the police agencies in regards to total calls, type of calls, etc.

7. Mobile CAD/Data - INTERMOBILE provides emergency response personnel with vital information before they arrive on the scene. Full "silent" dispatching, including unit status updates, Transmission of warrant alerts, Dispatcher comments to the field, Review of Hazards and Premises information, Full access to Master Name Files, Responders can also access previous location history, local alerts and search state and local criminal databases for the most up-to-date information. Integration with mobile mapping and AVL also provides users with the quickest route to a call.
8. Officer Safety - Radio communications are maintained when officers are on traffic stops or other type calls to insure officer safety. Back-up officers are dispatched as requested or by the department's procedure.
9. Emergency Calls - The RED Center is an emergency dispatch center and responds to emergency calls. The agencies we service are encouraged to maintain a phone number to handle non emergency administrative calls. Answering system of the contracting department will be responsible for answering and responding to non emergency calls. Such calls will then be referred to the RED Center.

DATE: DECEMBER 6, 2010

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 139 - 2010

passed

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into Transportation Agreements between the City of Massillon safety forces and other political subdivisions safety forces of Stark County, 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 and in the public safety and interest to enter into Transportation Agreements between the safety forces of the City of Massillon and the safety forces of Jackson Township, Perry Township, City of Canal Fulton, Village of Beach City, Village of Navarre, Village of Brewster, Village of Wilmot, Village of Hills & Dales and Lawrence Township for the transport of defendants to and from court proceedings and the Stark County Jail.

Section 2:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into Transportation Agreements between the City of Massillon safety forces and the above referenced political subdivisions safety forces. Said agreements are attached hereto.

(SEE ATTACHMENT EXHIBIT A)

Section 3:

These Transportation Agreements shall be in effect for a period of one (1) year from January 1, 2011 through December 31, 2011.

Section 4:

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 it is necessary to enter into Transportation Agreements between the City of Massillon safety forces and other political subdivision. 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

MASSILLON CITY AND LAWRENCE TOWNSHIP TRANSPORTATION AGREEMENT

This Agreement entered into this ____ day of _____, _____, by and between the Board of Trustees of _____, Stark County, Ohio, a political subdivision, hereafter "Agency", and the City of Massillon, Ohio, a municipal corporation, hereafter "Massillon".

WHEREAS Massillon will continue to operate a holding facility for the holding of incarcerated prisoners for Massillon Municipal Court appearances; and

WHEREAS, Massillon has agreed to be responsible for the transportation of said prisoners to and from the Stark County Jail with regard to appearances required in the Massillon Municipal Court; and

WHEREAS, Massillon and Agency wish to set forth the terms of their agreement with regard to the fees to be paid by Agency to Massillon for the transportation of such prisoners to and from the Stark County Jail and the Massillon Municipal Court.

THEREFORE, it is agreed by and between Massillon and Agency as follows:

1. Massillon shall be responsible for transportation of Agency's prisoners booked at the Stark County Jail to and/or from the Stark County Jail to the Massillon Municipal Court for court appearances.

- A. In consideration of Massillon bearing the cost and expense for the transportation of such prisoners Agency shall pay to Massillon, for the period of January 1st, 2011, through December 31st, 2011, the amount set forth opposite Agency's name below.

| Jurisdiction | Fees |
|---------------|-----------|
| Beach City | 400.00 |
| Brewster | 1400.00 |
| Canal Fulton | 7260.00 |
| Hills & Dales | 400.00 |
| Jackson Twp. | 57000.00 |
| Lawrence Twp. | 5000.00 |
| Navarre | 2300.00 |
| Perry | 42,000.00 |
| Wilmot | 100.00 |
| Total | 115860 |

The annual amounts owed by Agency for the 2011 calendar year shall be paid in four quarterly installments by the Agency. Massillon will bill Agency for one-fourth (1/4) of the annual amount due under this Agreement in the months of January, April, July and October. Agency will pay the quarterly amount due within thirty (30) days after the receipt of such Invoice.

2. Warrant Service:

In the event an Agency makes an arrest upon a Warrant, and the Warrant is not a Warrant issued by the Massillon Police Department, the arresting Agency shall be responsible for transportation of said prisoner to the Stark County Jail for booking. In the event the Agency makes an arrest upon a Massillon Police Department Warrant, the arresting Agency may drop the prisoner off at the Massillon Police Department or make arrangements to meet at a mutually acceptable location to turn the arrestee over to the Massillon Police Department for transportation and booking.

3. Reportable Offenses:

When an Arresting Agency chooses to summons, rather than book a person charged with a reportable offense, and the person is sent to MPD for processing, the Agency will be charged a fee of \$20.00 per processing.

4. The annual amounts to be paid by each Agency in 2012 shall be computed by allocating the actual costs incurred and number of prisoners actually transported in 2011 for each Agency, said calculation to be provided to each Agency on or before January 30, 2012.

5. Additional Provisions:

Massillon further agrees to provide the following:

- A. Routine medical attention that may be required and can be provided at the Massillon City Jail;
- B. Transportation to a hospital emergency room or other local clinic in cases where medical attention other than routine is required and such transportation can be safely and properly provided in a police department vehicle;
- C. A guard for the prisoner while at the hospital for a period not to exceed three (3) hours, provided that no overtime costs are incurred to supply the guard;

6. In consideration of the foregoing, Agency covenants and agrees to pay Massillon the following:

- A. The total cost of using a Massillon police officer to serve as a guard while the Agency prisoner is confined to a hospital, except as provided in section (2) above. A minimum of two (2) hours will be charged in the event that a hospital guard is required. Such costs shall include any

overtime costs or other payroll costs associated with supplying a guard officer. Agency shall be given notice and an opportunity to supply personnel of its own law enforcement agency to serve as a guard while the prisoner is confined in a hospital. Massillon police officer shall serve only as a guard after Agency has been given notice and failed to supply a guard pursuant to this section.

- B. It is understood that individual prisoners are primarily responsible for all costs of medical treatment or special medicines required in their treatment. Agency agrees to assume responsibility for any medical costs for which an Agency prisoner cannot be held responsible. In the event that Massillon is adjudicated liable for costs incurred by a Agency prisoner, Agency shall reimburse Massillon for said amount. However, Agency shall not be responsible for payment of the above costs of special medicines, medical attention or burial costs where the cause of death of the cause of illness or injury requiring medical attention or the administration of special medicines was the result of malfeasance, nonfeasance, neglect of duty or any other action of an employee and/or police officer of Massillon.

This Agreement shall take effect in January 1, 2011, and remain in effect until December 31, 2011, unless superseded or rescinded, however, either party may terminate this agreement upon thirty (30) days written notice to the other party.

This Agreement constitutes the entire agreement between Massillon and _____ . All other agreements concerning the booking and handling of prisoners, whether written or verbal, are hereby rescinded. Nothing in the Agreement shall be construed to provide any agreement, benefit or cause of action to any third party.

IN WITNESS WHEREOF, the parties have affixed their signatures below:

WITNESS:

CITY OF MASSILLON

Michael Loudiana, Safety Service Director

WITNESSES:

BOARD OF TRUSTEES FOR _____
_____, STARK COUNTY, OHIO

DATE: DECEMBER 6, 2010

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 140 - 2010

*1st Reading
2nd Reading 12/20*

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

Passed 11/3

TITLE: AN ORDINANCE amending Chapter 121 "COUNCIL" of the Codified Ordinances of the City of Massillon, by enacting a new Section 121.02(b) Rule 8.1 "Powers and Duties" 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, desires to amend Section 121.02(b) Rule 8.1 "Powers and Duties" of Chapter 121 "COUNCIL" of the Codified Ordinances of the City of Massillon to change the starting time of Committee Meetings of Council.

Section 2:

There be and is hereby enacted a new Section 121.02(b) Rule 8.1 "Powers and Duties: of the Chapter 121 "COUNCIL" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

Rule 8.1: Committee meetings of Council shall be held on the second and last Monday of each month in the Council Chambers in the Municipal Government Center, at 6:00p.m., except on a Monday when the building is closed for a holiday, the Council shall meet on the following day, (Tuesday). Committee meetings will begin with the Community Development, then other committees alphabetically, with Finance last.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the efficient operation of the Massillon City Council and for the additional reason that it is necessary to make the change on the record to reflect the time change of the committee meetings. 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.

DATE: DECEMBER 6, 2010

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 141 - 2010

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE accepting the appointment of Mary Ann Coyne as the City Records Custodian as voted by the Massillon Records Commission, and declaring an emergency.

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

Section 1:

As part of the annual audit of the City by the State Auditor, the State Auditor has recommended that the City designate a person as records custodian.

Section 2:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary to accept the appointment of Mary Ann Coyne as the City Records Custodian as voted by the Massillon Records Commission during their meeting held on October 22, 2010.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary to have a City Records Custodian appointed to keep in compliance with the Ohio Revised Code 149.43 which the Massillon Records Commission recommended Mary Ann Coyne for the appointment. 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

*1st reading
2nd reading 7/20
Passed 11/3*

Noncompliance Findings (Continued)

3. Ohio Rev. Code Section 149.43 (continued)

Any application or schedule for the destruction of records must be sent to the Ohio Historical Society for review to determine whether any of the records are of historical value [Ohio Rev. Code §149.39]. Once reviewed by the Ohio Historical Society, the applications are then forwarded to the Ohio Auditor of State's Office for final approval [Ohio Rev. Code §149.39].

By September 29, 2007, all public offices were required to create a poster describing its public records policy. In addition, the public office is required to display the poster in a conspicuous place in the public office and in all locations where the public office has branch offices. Finally, if the public office has an employee policies and procedures manual or handbook, it is required the public records policy be included in such manual or handbook. [Ohio Rev. Code §149.43(E)(2)]

The City's Records Retention Policy follows ORC 149 and addresses transferring records to the Ohio Historical Society with final notification for destruction requiring AOS approval. However, it was noted the City's Public Records Policy was not included in the Employee Handbook, nor was a Records Custodian/Manager designated. It was also noted, while several employees of the City attended Public Records Training there was no evidence delegating those employees to attend the training on behalf of elected officials. The Public Records Policy should be added to the employee handbook and required elected officials should attend, or designate someone to attend, Public Records Training. The City should also assign a Records Custodian.

4. 24CFR Sections 85.21 states when entities are funded on a reimbursement basis, program costs must be paid for by entity funds before reimbursement is requested from the Federal Government. When funds are advanced, recipient must follow procedures to minimize the time elapsing between the transfer of funds from the U.S. Treasury and their disbursement. When advance payment procedures are used, recipients must establish similar procedures for subrecipients.

One of the thirteen Community Development Block Grant (CDBG) advance drawdowns was not completely disbursed within the three day requirement specified by the U.S. Housing and Urban Development (HUD) Dept. in 24CFR Sections 85.21 and/or 570.570(b)(3)(i). The portion of this CDBG advance drawdown requested for non-payroll related expenditures did not get disbursed until five business days after the direct deposit to the City of this advance drawdown. The Community Development Director should monitor the timing of advance drawdowns with their related expenditures to minimize the time elapsed between them and therefore, ensuring the City's compliance with HUD's three day disbursement requirement.

Recommendations

1. Community Development Loans

The City has loaned money to two developers within the City for the purpose of community development. The developers have not been repaying the debt in accordance with the approved amortization schedules. As such, the City and the developers are not in agreement with the amounts of principal and interest still outstanding on the loans.

We recommend the City resolve these discrepancies with the developers and, if necessary, adjust the amortization schedules to properly reflect the current principal and interest due to the City.

A similar comment was made in the City's 2008 audit.

A discussion was held concerning the 2009 City Audit stating that the City should assign a Records Custodian. The question was asked as to what exactly a Record's Custodian's job would be? Law Director Stergios states that the Record's Custodian would actually just direct a public request to the proper Departments, etc. where that particular public records request could be found. Auditor Ferrero questioned whether City Council should pass an Ordinance referring to a Records Custodian. Law Director Stergios says most likely should.

A motion was made by Law Director Stergios to assign Mary Ann Coyne as the City's Records Custodian, seconded by Auditor Ferrero. This motion was approved.

A discussion began about the Retention Schedules and how they need to be updated and newly designed for each individual Department. Each Department should have their own Retention Schedule for disposal of that individual Department's documents and that schedule should be updated yearly. Law Director Stergios already has its own designed new RC-2.

A motion was made by Camille Leslie for a new RC-2 Retention Schedule for Disposal to be designed by Attorney Cyperski and distributed to all the City Departments, seconded by Law Director Stergios. The motion was approved.

Attorney Cyperski will attend a Staff Meeting in November to show the Department Heads the new Retention Schedules and explain how they should be filled out. He may have to go from Department to Department to accomplish this or have someone come in from the state for assistance. Massillon Municipal Court and Clerk of Court are separated from us and have their own rules of destruction. When all of this is completed a Departmental City wide destruction day will be held.

At this point the Clerk shows Law Director Stergios and other members the two (2) requests she received from Tuscarawas Township Trustees for public records. One was received on September 1, 2010 from Diana Warren, Secretary of the Tuscarawas Township Trustees, for the municipal statement concerning the annexation of 138.54 acres in Perry Township (U.S. 30-Richville Drive Area Annexation). Gerald Hollinger, a Tuscarawas Township Trustee picked up the public records request information on September 1, 2010 and paid \$.30 for the copies. The second request came on September 13, 2010 via an email to the Mayor from Diana Warren, Secretary of the Tuscarawas Township Trustees requesting a copy of the annexation application from the Bit of Eden Trailer Park located at 1700 Manchester Avenue N.W. The public request was faxed to Ms. Warren on September 14th, 2010 at no charge because of faxing and no copies were made.

DATE: DECEMBER 6, 2010

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 142 - 2010

*1st reading
passed 12/20*

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign the Consent Legislation with the Ohio Department of Transportation for the SR 172 Paving Project, 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 sign the Consent Legislation with the Ohio Department of Transportation for the SR 172 Paving Project.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to sign the Consent Legislation with the Ohio Department of Transportation for the SR 172 Paving Project. There will be no City dollars used for this project the monies needed for the project will be 100% by ODOT, unless the City specifically requests items be completed that are determined by the State and Federal Highway Administration to be unnecessary for the project then those would be 100% funded by the City.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the reason that it is necessary to sign the Consent Legislation with Ohio Department of Transportation so as to proceed with the SR 172 Paving Project. 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.

PRELIMINARY LEGISLATION
RC 5521.01

Ordinance/Resolution# _____
PID No. 76341
County/Route/Section STA-SR172-0.00
ODOT Agreement No. _____

The following is _____ enacted by the City of Massillon of
(An Ordinance/a Resolution) (Local Public Agency)
Stark County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in
the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the STATE has identified the need for the described project:

Paving of SR172 from the SLM 2.96 to SLM 3.03

NOW THEREFORE, be it ordained by the City of Massillon of Stark County
(LPA)

Ohio.

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA grants permission to the Director of the Ohio Department of Transportation to acquire in the name of the LPA all necessary right-of-way required for the described Project. The LPA agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION VI - Consultants and Authority to Sign

The _____ of said _____ is hereby empowered on behalf of
(Contractual Agent) (LPA)
the _____ to enter into contracts with ODOT pre-qualified consultants
(LPA)
for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation necessary to complete the above described project.

Upon the request of ODOT, the _____ is also empowered to assign
(Contractual Agent)
all rights, title, and interests of the _____ to ODOT arising from
(LPA)
any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Passed: _____, 20____
(Date)

Attested: _____
(Clerk) (Officer of LPA - title)

Attested: _____
(Title) (President of Council)

This _____ is hereby declared to be an emergency measure to
(Ordinance/Resolution)
expedite the highway project(s) and to promote highway safety. Following appropriate
legislative action, it shall take effect and be in force immediately upon its passage and
approval, otherwise it shall take effect and be in force from and after the earliest period
allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

City of Massillon _____ of Stark _____ County, Ohio
(LPA)

I, _____, as Clerk of the City of Massillon _____
(LPA)
of Stark County _____, Ohio, do hereby certify that the forgoing is a true and
correct copy of _____ adopted by the legislative Authority of the said
(Ordinance/Resolution)
City _____ on the _____ day of _____, 20____
(LPA)
that the publication of such _____ has been made and certified of
(Ordinance/Resolution)
record according to law; that no proceedings looking to a referendum upon such
_____ have been taken; and that such
(Ordinance/Resolution) _____
and certificate of publication thereof are of record in _____ Page _____
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my
official seal, if applicable, this _____ day of _____, 20____

Clerk

(SEAL); _____ of _____, Ohio
(If Applicable) (LPA)

The foregoing is accepted as a basis for proceeding with the project herein
described.
For the _____ of _____, Ohio
(LPA)

Attest: _____, Date _____

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation

DATE: DECEMBER 6, 2010

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 143- 2010

*1st reading
passed 12/20*

BY: STREETS, HIGHWAYS AND TRAFFIC COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with Dalene M. Pride to perform the Motor Vehicle License Audits for 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 an agreement with Dalene M. Pride to perform the Motor Vehicle License Audits for 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 an agreement with Dalene M. Pride to perform the Motor Vehicle License Audits. The cost for each incorrect motor vehicle license registration forward to the Bureau of Motor Vehicles for correction and adjustment is not to exceed Three Dollars and Fifteen Cents (\$3.15) for each correction.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that the agreement with Dalene M. Pride be signed so these audits can continue. 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.

AGREEMENT
BUREAU OF MOTOR VEHICLES TAXING DISTRICT AUDIT

This agreement authorizes Dalene M. Pride, an independent governmental affairs consultant, to conduct an audit of certain Ohio Bureau of Motor Vehicles records for, and on behalf of, the City of Massillon, Stark County, Ohio. The audit will include the following:

The Bureau of Motor Vehicles records of Tuscarawas Township, Perry Township, and Jackson Township, Stark County, Ohio, will be audited and all registrations of Massillon residents and business establishments that have been incorrectly allocated to the audited taxing districts will be recorded on the prescribed forms.

A copy of all registrations that have been incorrectly allocated will be transmitted to said political subdivisions for review and challenge within the thirty-day period, as required.

After the thirty-day challenge period has expired, a copy of all incorrect registrations will be forwarded to the Bureau of Motor Vehicles where the appropriate corrections and adjustments will be made.

Dalene M. Pride will assume the expense of purchasing the necessary registration records from the Bureau of Motor Vehicles, will conduct the audits, and will deliver the copy of the "Taxing District/Township Audit Findings Report" forms to the Bureau of Motor Vehicles.

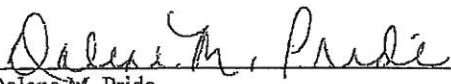
Massillon, Ohio, will provide a current street map, a current and complete listing of all public and private streets (in alphabetical order), beginning and ending numbers and odd/even house numbers on all streets that border or continue into another political subdivision, and a listing of all applicable zip codes.

Massillon, Ohio, will pay Dalene M. Pride the sum of Three Dollars and Fifteen Cents (\$3.15) for each incorrect motor vehicle license registration forwarded to the Bureau of Motor Vehicles for correction and adjustment.

Massillon, Ohio, will pay Dalene M. Pride the sum of Three Dollars and Fifteen Cents (\$3.15) for each challenged registration that has to be withdrawn because of faulty, incorrect, or incomplete street listings and house numbers as supplied by the political subdivision to Dalene M. Pride.

Massillon, Ohio, wishes to have the months of January through December, 2009 and 2010 audited pursuant to this agreement.

This agreement is entered into this _____ day of _____, 2010.



Dalene M. Pride

The City of Massillon, Ohio

by _____

DATE: DECEMBER 6, 2010

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO.145 – 2010

passed

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Massillon Museum Fund, Parks & Rec. Fund, State Highway Fund, Economic Development Fund and the Street Fund, for the year ending December 31, 2010, 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, 2010, the following:

\$300,000.00 to an account entitled "Phase II Environmental Assessment Services" 1100.405.2393

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Massillon Museum Fund, for the year ending December 31, 2010, the following:

\$53,307.58 to an account entitled "Massillon Museum Holding Account" 3110.905.2379
\$ 2,292.83 to an account entitled "Fees" 3110.905.2393

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Parks & Rec. Fund, for the year ending December 31, 2010, the following:

\$8,632.75 to an account entitled "Services & Contracts" 1234.505.2392

Section 4:

There be and hereby is appropriated from the unappropriated balance of the State Highway Fund, for the year ending December 31, 2010, the following:

\$5,360.60 to an account entitled "Services & Contracts" 1202.435.2392

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Economic Development Fund, for the year ending December 31, 2010, the following:

\$2,500.00 to an account entitled "Services/Contracts" 1237.845.2392

Section 6:

There be and hereby is appropriated from the unappropriated balance of the Street Fund, for the year ending December 31, 2010, the following:

\$2,424.28 to an account entitled "Services & Contracts" 1201.435.2392

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 _____ 2010

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

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: DECEMBER 6, 2010

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 146 - 2010

passed

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE reducing the appropriations in the Police Pension Fund and the Fire Pension Fund, for the year ending December 31, 2010, and declaring an emergency.

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

Section 1:

The appropriations are hereby reduced in the Police Pension Fund, for the year ending December 31, 2010, as follows:

\$94,660.53 from an account entitled "Police Pension" 1209.305.2240

Section 2:

The appropriations are hereby reduced in the Fire Pension Fund, for the year ending December 31, 2010, as follows:

\$75,336.16 from an account entitled "Fire Pension" 1210.325.2240

Section 3:

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 and for the additional reason that the appropriation needs to be reduced because of an audit procedure. 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: DECEMBER 6, 2010

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN GAMBER, PRESIDENT

COUNCIL CHAMBERS

ORDINANCE NO. 147 - 2010

LEGISLATIVE DEPARTMENT

Passed

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2010 appropriations from within the General Fund, for the year ending December 31, 2010, 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 2010 appropriation from within the General Fund, for the year ending December 31, 2010, the following:

| | | | |
|-------|------------------------------|---------------|-------------|
| FROM: | Fire Accrued Liability | 1100.325.2260 | \$19,550.00 |
| | Police Accrued Liability | 1100.305.2260 | \$18,825.00 |
| | Engineer – Salary | 1100.405.2110 | \$ 9,911.00 |
| | Policy – Supplies | 1100.305.2410 | \$ 9,442.99 |
| | Contracted Services w/Tax | 1100.210.2392 | \$ 9,129.00 |
| | Police – Services | 1100.305.2392 | \$ 8,033.72 |
| | Utilities | 1100.410.2340 | \$ 5,207.95 |
| | Building – Services | 1100.415.2392 | \$ 4,861.34 |
| | Domestic Violence – Services | 1100.116.2392 | \$ 4,857.41 |
| | Auditor – Services | 1100.205.2392 | \$ 2,000.00 |
| | Engineer – Supplies | 1100.405.2410 | \$ 3,543.61 |
| | Annexation Fees | 1100.905.2721 | \$ 3,600.00 |
| | Energy Savings Lease | 1100.410.2333 | \$ 3,332.20 |
| | Auditor – PERS | 1100.205.2230 | \$ 2,938.00 |
| | Health – PERS | 1100.705.2230 | \$ 2,397.00 |
| | Mayor – PERS | 1100.110.2230 | \$ 1,642.00 |
| | Domestic Violence – Supplies | 1100.116.2410 | \$ 1,635.93 |
| | Income Tax – PERS | 1100.210.2230 | \$ 1,422.00 |
| | Janitor – Hospital | 1100.410.2210 | \$ 1,377.43 |
| | Police – PERS | 1100.305.2230 | \$ 1,328.00 |
| | Income Tax – Supplies | 1100.210.2410 | \$ 1,307.45 |
| | Council – PERS | 1100.105.2230 | \$ 1,239.00 |
| | Law Director – PERS | 1100.115.2230 | \$ 959.00 |
| | Building – PERS | 1100.415.2230 | \$ 754.00 |
| | Domestic Violence – PERS | 1100.116.2230 | \$ 655.00 |
| | Service Director - PERS | 1100.160.2230 | \$ 647.00 |

| | | | |
|----|----------------------------|---------------|-------------|
| | City Hall – PERS | 1100.410.2230 | \$ 609.00 |
| | Police – Eye/Dental | 1100.305.2210 | \$ 585.00 |
| | Engineer – Travel | 1100.405.2389 | \$ 520.60 |
| | Engineer – Services | 1100.405.2392 | \$ 421.10 |
| | Auditor – Supplies | 1100.205.2410 | \$ 253.85 |
| | Law Director – Supplies | 1100.115.2410 | \$ 212.13 |
| | Treasurer – PERS | 1100.215.2230 | \$ 148.00 |
| | Law Director – Travel | 1100.115.2389 | \$ 141.50 |
| | Civil Service – PERS | 1100.150.2230 | \$ 112.00 |
| | Workers Comp | 1100.905.2270 | \$ 100.25 |
| | Domestic Violence – Travel | 1100.116.2389 | \$ 68.75 |
| | Income Tax – Hosp/Eye | 1100.210.2210 | \$ 63.26 |
| | Planning – PERS | 1100.140.2230 | \$ 37.00 |
| TO | Law Dept – Salary | 1100.115.2111 | \$12,000.00 |
| | Police Clerks – Salary | 1100.305.2111 | \$ 1,400.00 |
| | Animal Control – Salary | 1100.305.2114 | \$ 400.00 |
| | Police – Comp | 1100.305.2118 | \$26,000.00 |
| | Fire – Comp | 1100.325.2118 | \$35,000.00 |
| | Fire - Gas & Oil | 1100.325.2430 | \$ 850.00 |
| | Engineer – PERS | 1100.405.2230 | \$ 811.00 |
| | Accumulated Sick | 1100.905.2150 | \$.27 |
| | Cty/State Fees | 1100.905.2393 | \$ 471.00 |
| | Bank Charges | 1100.905.2396 | \$ 74.28 |

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 2010. 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 _____ 2010

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: DECEMBER 6, 2010

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 148 - 2010

*1st Reading
passed 12/6*

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into contract with The Health Plan for health insurance coverage for City employees, 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 and in the public health, safety and welfare to enter into contract with The Health Plan for health insurance coverage for City employees.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into contract with The Health Plan for health insurance coverage for City employees for the 2011 calendar year.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary to enter into contract with The Health Plan for health insurance coverage for City employees. 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

DATE: DECEMBER 6, 2010

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 149 - 2010

passed

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE establishing a fund entitled "Stormwater Utility Fund", and creating line items within said fund, 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 is hereby established within the City of Massillon, Ohio, a fund entitled "Stormwater Utility Fund", and creating line items within said fund.

Section 2:

The City Auditor is hereby authorized and directed to draw her warrants and make payments on vouchers duly approved by the proper departmental authority.

Section 3:

That this Ordinance is declared to be an emergency measure immediately necessary in order to keep federal grant dollars in one specific fund as recommended by the State Auditor for accounting procedures within the Auditor's Department. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

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General Offenses Code

| | |
|--------|--|
| 501.99 | Penalties for Misdemeanors. (Amended) |
| 517.01 | Gambling Definitions. (Amended) |
| 517.02 | Gambling. (Amended) |
| 517.06 | Methods of Conducting a Bingo Game. (Amended) |
| 517.07 | Instant Bingo Conduct. (Amended) |
| 529.07 | Open Container Prohibited. (Amended) |
| 537.10 | Telecommunication Harassment. (Amended) |
| 537.11 | Threatening or Harassing Telephone Calls. (Repealed) |
| 537.14 | Domestic Violence. (Amended) |
| 537.15 | Temporary Protection Order. (Amended) |

Fire Prevention Code

1519.04 Possession, Sale or Discharge Prohibited. (Amended)

SECTION 3: That the complete text of the sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. The listing above of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

SECTION 4: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the Municipality and its inhabitants for the reason that there exists an imperative necessity for the earliest publication and distribution of current Replacement Pages to the officials and residents of the Municipality, so as to facilitate administration, daily operation and avoid practical and legal entanglements, including conflict with general State law, and shall go into effect immediately.

PASSED IN COUNCIL THIS _____ DAY OF _____, _____.

APPROVED: _____
Clerk of Council

President

Mayor