

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

DATE: MONDAY, AUGUST 15, 2011

PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

YANQ; McCUNE ABSENT

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. 98 – 2011

BY: COMMUNITY DEVELOPMENT COMMITTEE

1ST READING

AN ORDINANCE indicating what services and zoning conditions the City of Massillon, Ohio, will provide to the Bit of Eden Area Annexation; upon annexation.

ORDINANCE NO. 99 – 2011

BY: COMMUNITY DEVELOPMENT COMMITTEE

~~AN ORDINANCE~~ PASS 7-0

AN ORDINANCE authorizing and directing the Director of Public Service and Safety of Massillon, Ohio, to enter into a contract agreement with various programs through the Community Development Block Grant Programs for the fiscal year 2011 which the City has provided through the CDBG Program funding, and declaring an emergency.

ORDINANCE NO. 100 – 2011

BY: ENVIRONMENTAL COMMITTEE

1ST READING

AN ORDINANCE authorizing the Director of public Service and Safety of the City of Massillon, Ohio, to enter into an agreement wit A J Diana Sons for the disposal of leaves for 2011, and declaring an emergency.

ORDINANCE NO. 101 – 2011

BY: HEALTH, WELFARE & BLDG REGULATIONS

★ PASS 7-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Love Insurance Agency for boiler and machinery insurance and crime insurance coverage, and declaring an emergency.

ORDINANCE NO. 102 – 2011

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

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 a contract, upon award and approval of the Board of Control, with the lowest and best bidder for various street improvements in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 103 – 2011

BY: FINANCE COMMITTEE

Pass 7-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund, 1409 Municipal Road Fund, Home Program Fund, 2105 Stormwater Utility Fund and the Summer Concert Fund, for the year ending December 31, 2011, and declaring an emergency.

ORDINANCE NO. 104 – 2011

BY: FINANCE COMMITTEE

1st Reading
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to submit an application for financial assistance to the Muskingum Watershed Conservancy District for the Levee Infrastructure Improvement Project and to execute all necessary document needed to secure the funding for the project, and declaring an emergency.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS
9. BILLS, ACCOUNTS AND CLAIMS
10. REPORTS FROM CITY OFFICIALS

ORDINANCE NO. 105 – 2011

1st Reading

- A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR JULY 2011
B). TREASURER SUBMITS MONTHLY REPORT FOR JULY 2011
C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR JULY 2011
D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR JULY 2011
E). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR JULY 2011
F). MAYOR SUBMITS MONTHLY REPORT FOR JULY 2011

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR
14. THIRD READING ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 9 – 2011

BY: PUBLIC UTILITIES COMMITTEE

Pass 7-0
A RESOLUTION authorizing all actions necessary to effect a governmental natural gas aggregation program with opt-in provisions pursuant to Article 18.04, Ohio Constitution and authorizing and directing the Director of Public Service and Safety to enter into an agreement with IGS Energy Consultants, Inc. for consulting services and any other required services related to natural gas aggregation.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 91 – 2011

BY: ENVIRONMENTAL COMMITTEE

2nd Reading
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with CTI Environmental, Inc., for professional services for Roughing Filter Odor Control Analysis, Phosphorous Removal, and a Facility Plan Update at the Wastewater Treatment Plant, and declaring an emergency.

ORDINANCE NO. 93 – 2011

BY: HEALTH, WELFARE & BLDG REGULATIONS

2ND READING

AN ORDINANCE amending CHAPTER 517 "GAMBLING" of the Codified Ordinances of the City of Massillon, and enacting new Sections 517.17 "Definitions", 517.18 "Operation; License Required", 517.19 "Application Information", 517.20 "Affidavit Required", 517.21 "License Issuance; Effective Period; Fee", 517.22 "Operation of Arcade" and 517.23 "License Revocation", and declaring an emergency.

ORDINANCE NO. 94 – 2011

BY: HEALTH, WELFARE & BLDG REGULATIONS

2ND READING

AN ORDINANCE enacting a new CHAPTER 519 "SWEEPSTAKES TERMINAL CAFÉ", of the Codified Ordinances of the City of Massillon, and declaring an emergency.

16. NEW AND MISCELLANEOUS BUSINESS

17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA

18. ADJOURNMENT

MARY BETH BAILEY - CLERK OF COUNCIL

DATE: AUGUST 15, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 98 - 2011

BY: COMMUNITY DEVELOPMENT COMMITTEE

*1st reading
2nd reading 9/6*

TITLE: AN ORDINANCE indicating what services and zoning conditions the City of Massillon, Ohio, will provide to the Bit of Eden Area Annexation, upon annexation.

WHEREAS, certain property owners have filed a petition requesting that their property, Bit Of Eden Area Annexation be annexed to the City of Massillon, Ohio, pursuant to the applicable provisions of Ohio Revised Code Chapter 709.023 and

WHEREAS, Ohio Revised Code Section 709.023(C) requires that upon receiving notice, the Municipal Legislative Authority, shall by Ordinance or Resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation, and

WHEREAS, the Ohio Revised Code requires that before said meeting the Municipal Legislative Authority to adopt an ordinance stating zoning buffering conditions, and

WHEREAS, this Ordinance is intended to comply with the requirements of the Ohio Revised Code section 709.023(C), and

WHEREAS, it is required by Section 709.023 (E) (7) of the Ohio Revised Code, that no street or highway will be segmented by municipal/township boundary line as to create a maintenance problem; and if a street or highway is divided, the municipality agrees to assume all maintenance of such street or highway as part of the annexation.

WHEREAS, the legislative authority of the City of Massillon, Ohio, is supportive of the annexation, consents to the same, consents to the zoning proposal contained herein, and

WHEREAS, the Stark County Commissioners will schedule a date and time for consideration of the petition.

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

Section 1:

The City will maintain the following roadways for the proposed area to be annexed: the full width sections of Manchester Avenue NW (SR 93) as required by the State of Ohio and as shown on the Bit of Eden Area Annexation map.

Section 2:

The City of Massillon will contribute 50% of the construction cost to extend the sanitary sewer to the Bit of Eden property. The project will consist of the construction of 265 feet of 2 inch sanitary sewer force main and the installation of a pump station with an estimated project cost of Thirty-Two Thousand Dollars (\$32,000.00). The operation and maintenance costs of the pump station will become the responsibility of the property owner once construction is complete. As part of this project Aqua Ohio will install 240 feet of 8 inch Ductile Iron Pipe, a hydrant, and 2 inch service line, for an estimated cost of Eighteen Thousand Nine Hundred Dollars (\$18,900.00) which is to be paid from funds set aside by Aqua Ohio for the City of Massillon. The City will provide to the proposed area, upon annexation, the availability of all municipal services extended to all of the current citizens, residents and property owners of the City of Massillon, Ohio, including, but not limited, to the services of the Municipal Police Department, the Municipal Fire Department, Municipal Service Department, Engineering Department, Building Department, Street Department, Safety Department, Planning Department, Health Department, Sewer Department, and the services of the City of Massillon Administration within approximately one year of the annexation.

Section 3:

If this territory is annexed and if the City of Massillon permits uses in the annexed territory that the City of Massillon determines are clearly incompatible with the uses permitted under current county or township zoning regulations in the adjacent land remaining within Tuscarawas Township, the Massillon City Council will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within Tuscarawas Township. For the purpose of this section, "buffer" includes open space, landscaping, fences, walls, and other structured elements: streets and street right-of-way; and bicycle and pedestrian paths and sidewalks.

Section 4:

The Council of the City of Massillon consents to this proposed annexation and further consents to the zoning proposal contained in Section 3 herein.

Section 5:

This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2011

APPROVED: _____

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

MAP OF TERRITORY TO BE ANNEXED TO THE CITY OF MASSILLON, OHIO

LINES OF STATE HIGHWAYS _____ MILES
 LINES OF COUNTY ROADS _____ MILES
 LINES OF TOWNSHIP ROADS _____ MILES

A.K.A. CTR. SECTION 10 TUSCARAWAS TWP. _____ ACRES
 TOTAL ACRES IN ANNEXATION _____ ACRES

NOTE:

THIS MAP HAS BEEN COMPILED, CALCULATED, AND DRAWN FROM AVAILABLE RECORDS, RECORD PLATS, AND OTHER DOCUMENTS OBTAINED FROM THE OFFICIAL RECORDS MAINTAINED BY THE VARIOUS OFFICES/AGENCIES OF STARK COUNTY, OHIO. A BOUNDARY SURVEY HAS NOT BEEN CONDUCTED ON ANY PROPERTIES.

MASSILLON CITY COUNCIL

ACCEPTED BY THE CITY COUNCIL OF MASSILLON, OHIO, BY ORDINANCE NO. _____
 PASSED THIS _____ DAY OF _____ 20____

CLERK _____ COUNCIL PRESIDENT _____
 CITY ENGINEER _____ CITY ENGINEER _____
 CITY LOT NUMBERS ASSIGNED THIS _____ DAY OF _____ 20____

CITY ENGINEER

BASIS OF BEARING

THE BEARINGS ARE BASED ON THE MONUMENTARY LINE OF THE NORTHWEST QUARTER SECTION 10, TOWNSHIP 10 NORTH, RANGE 3 EAST, AS DESCRIBED IN L&P 20110100000000 OF THE STARK COUNTY OFFICIAL RECORDS.

STARK COUNTY COMMISSIONERS

STARK COUNTY COMMISSIONERS

APPROVED FOR ANNEXATION BY THE STARK COUNTY COMMISSIONERS
 ADOPTED THIS _____ DAY OF _____ 20____

COUNTY RECORDER

COUNTY RECORDER

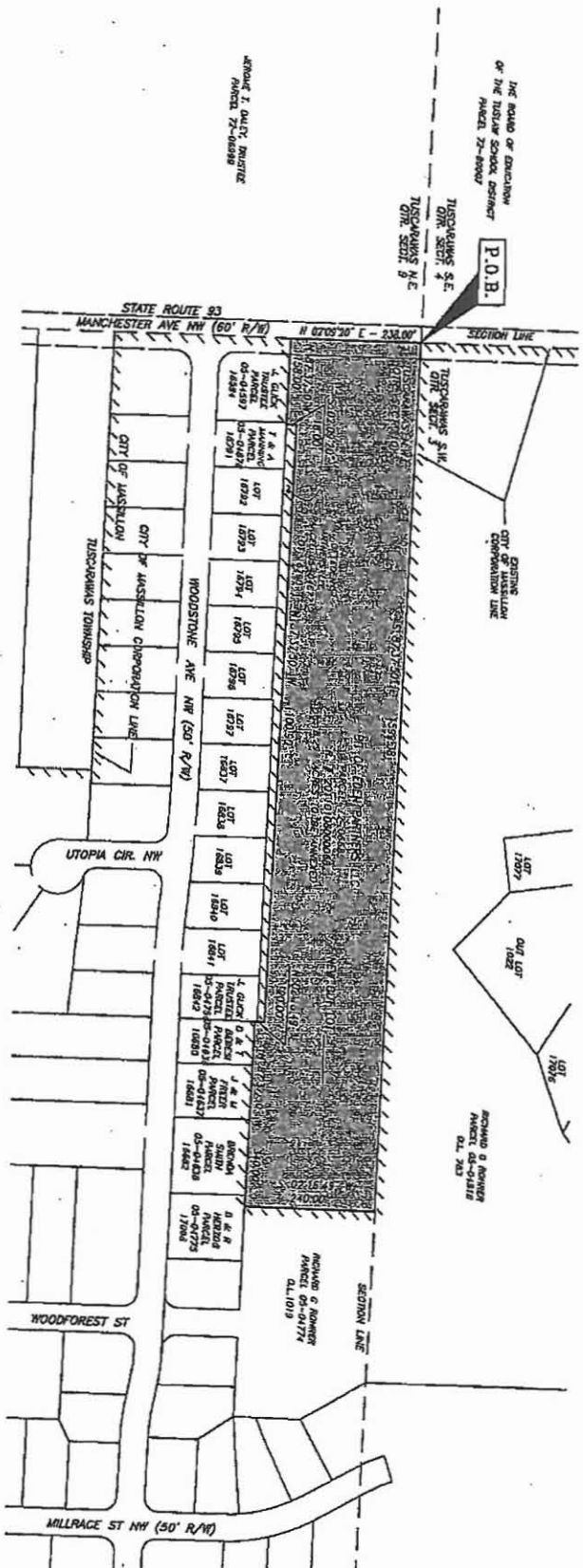
RECEIVED FOR RECORD THIS _____ DAY OF _____ 20____
 RECORDED IN INSTRUMENT _____ THIS _____ DAY OF _____ 20____

COUNTY AUDITOR

COUNTY AUDITOR
 ENTERED THIS _____ DAY OF _____ 20____

LOCATION MAP

NOT TO SCALE



BIT OF EDEN ANNEXATION

PART OF THE NW1/4 SECTION 10, TUSCARAWAS TOWNSHIP
 ANNEXATION MAP
 CITY OF MASSILLON
 STARK COUNTY, OHIO



DATE	SCALE	BY	DATE
FEB 2011	1" = 100'	MAO	FEB 2011



DATE	DESCRIPTION
11/03/10	11/03/10

DATE: AUGUST 15, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 99 - 2011

passed

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with various programs through the Community Development Block Grant Programs for the fiscal year 2011 which the City has provided through the CDBG Program funding, 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 enter into a contract agreement with various programs through the Community Development Block Grant Programs for the fiscal year 2011 which the City has provided through the CDBG Program funding.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into separate contract agreements with the programs listed below for the amounts specified through the Community Development Block Grant Programs for the fiscal year 2011 which the City has provided through the CDBG Program funding.

Massillon Main Street	\$20,000.00
Western Stark Medical Clinic	\$10,000.00
Westark Family Services, Inc. - Elderly Homemaker Program	\$ 8,000.00
Health Foundation of Greater Massillon - Neighborhood Partnership Program	\$ 8,000.00
Salvation Army Housing Outreach Specialist	\$ 8,000.00
Community Services of Stark County - Family Living Center Homeless Shelter	\$ 8,000.00
Domestic Violence Project - Massillon Safe House Shelter	\$ 8,000.00
Lighthouse Visions, Inc. - Life Skills Education Program	\$ 8,000.00
Community Legal Aid - Foreclosure Prevention Services	\$ 8,000.00
Massillon Boys & Girls Club - Project Learn Program	\$ 8,000.00
Faith in Action of Western Stark County	\$ 6,000.00
Massillon Commission to Advance Literacy - Adult Literacy Program	\$ 3,000.00
Family Economic Success Program - Massillon VITA Program	\$ 3,000.00

Section 3:

Upon delivery of the aforesaid agreements, the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for each agreement and the City Auditor is authorized and directed to honor and pay said vouchers.

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 further reason that these services are needed to benefit the community as a whole and to meet the goals and objectives of the City's Community Development Block Grant Program for the fiscal year 2011. 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 _____ 2011

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: AUGUST 15, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 100 - 2011

*1st reading 9/6
2nd reading*

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with A J Diana Sons for the disposal of leaves for 2011, 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 A J Diana Sons for the disposal of leaves for 2011, collected by the city from residents.

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 A J Diana Sons for the disposal of leaves for 2011. The cost for the disposal of the leaves is not to exceed Fifteen Thousand Dollars (\$15,000.00).

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 is signed so the disposal of the leaves can begin in a timely manner. 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: AUGUST 15, 2011

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 101 - 2011

passed

BY: HEALTH, WELFARE & BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with Love Insurance Agency for boiler and machinery insurance and crime insurance coverage, 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 contract with Love Insurance Agency for boiler and machinery insurance and crime insurance coverage for 2011 – 2012 year.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into contract with Love Insurance Agency for boiler and machinery insurance and crime insurance coverage for 2011 – 2012 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 a contract with Love Insurance Agency as the previous policies are about to expire. 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: AUGUST 15, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 102 - 2011

*1st reading
2nd reading 9/6*

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY 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 a contract, upon award and approval of the Board of Control, with the lowest and best bidder for various street improvements in the City of Massillon, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for various street improvements in the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for and receive sealed bids according to law, and to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for various street improvements in the City of Massillon. Estimated project cost is One Hundred Nine Thousand Dollars (\$109,000.00) which will be funded by the 1401 Capital Improvement Fund, 1401.435.2510 Fifty-Eight Thousand Dollars (\$58,000.00) Street Resurfacing and 1206 Municipal Motor Vehicle License Tax Fund 1206.435.2510 Street Repair Fifty-One Thousand Dollars (\$51,000.00). Full depth pavement replacement will be completed on deteriorated roadways located on the following streets:

- A). Andrew Avenue NE
- B). 17th Street NE
- C). Augusta Drive SE
- D). Veterans Boulevard SE
- E). Cyprus Drive SE

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 bids be received so that work may be completed on these various street improvements projects. 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 _____, 2011

ATTEST: _____

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: AUGUST 15, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO.103 – 2011

passed

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund, 1409 Municipal Road Fund, HOME Program Fund, 2105 Stormwater Utility Fund and the Summer Concert Fund, for the year ending December 31, 2011, and declaring an emergency.

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

Section 1:

There be and hereby is appropriated from the unappropriated balance of the Community Development Block Grant Program Fund, for the year ending December 31, 2011, the following:

\$100,000.00 to an account entitled "Target Area Street Improvements" 1203.845.2812
\$ 90,000.00 to an account entitled "Housing Rehabilitation" 1203.845.2806
\$ 20,000.00 to an account entitled "CDBG Sidewalk Replacement Program 1203.845.2875
\$ 20,000.00 to an account entitled "Main Street Revitalization" 1203.845.2828
\$ 10,000.00 to an account entitled "Western Stark Medical Clinic" 1203.845.2857
\$ 8,000.00 to an account entitled "Elderly Homemaker Program" 1203.845.2803
\$ 8,000.00 to an account entitled "Neighborhood Partnership Program" 1203.845.2862
\$ 8,000.00 to an account entitled "Salvation Army Housing Outreach" 1203.845.2869
\$ 8,000.00 to an account entitled "Family Living Center" 1203.845.2841
\$ 8,000.00 to an account entitled "Domestic Violence Shelter" 1203.845.2858
\$ 8,000.00 to an account entitled "Lighthouse Visions Program" 1203.845.2863
\$ 8,000.00 to an account entitled "Foreclosure Prevention Legal Aid" 1203.845.2873
\$ 8,000.00 to an account entitled "Boys & Girls Club of Massillon 1203.845.2824
\$ 6,000.00 to an account entitled "Faith in Action Caregiver Program" 1203.845.2859
\$ 5,000.00 to an account entitled "Youth Summer Recreation" 1203.845.2874
\$ 3,000.00 to an account entitled "Massillon Literacy Commission" 1203.845.2819
\$ 3,000.00 to an account entitled "Family Economic Success Program" 1203.845.2867

Section 2:

There be and hereby is appropriated from the unappropriated balance of the 1409 Municipal Road Fund, for the year ending December 31, 2011, the following:

\$110,000.00 to an account entitled "Carmont Ave/17th Street Resurfacing" 1409.435.2513

Section 3:

There be and hereby is appropriated from the unappropriated balance of the HOME Program Fund, for the year ending December 31, 2011, the following:

\$100,000.00 to an account entitled "HOME Housing Program" 1229.845.2814

Section 4:

There be and hereby is appropriated from the unappropriated balance of the 2105 Stormwater Utility Fund, for the year ending December 31, 2011, the following:

\$30,000.00 to an account entitled "Storm Sewer Repairs" 2105.425.2510

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Summer Concert Fund, for the year ending December 31, 2011, the following:

\$4,000.00 to an account entitled "Summer Concert Services/Contracts" 1212.505.2392

Section 6:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2011

ATTEST: _____

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: AUGUST 15, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 104 - 2011

*1st Reading
2nd Reading 9/6
Passed 9/12*

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to submit an application for financial assistance to the Muskingum Watershed Conservancy District for the Levee Infrastructure Improvement Project and to execute all necessary documentation needed to secure the funding for the project, and declaring an emergency.

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

ction 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to submit an application for financial assistance to the Muskingum Watershed Conservancy District for the Levee Infrastructure Improvement Project and to execute all necessary documentation needed to secure the funding for the project.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to submit an application for financial assistance to the Muskingum Watershed Conservancy District for the Levee Infrastructure Improvement Project and to execute all necessary documentation needed to secure the funding for the project. Ordinance No. 149 – 2008 authorized the Mayor to sign a Letter of Agreement to comply with the Code of Federal Regulations, Title 44, Section 65.10 (44 CFR 65.10) and request for Provisionally Accredited Levee (PAL) Designation. FEMA is requiring the owners and communities to ensure the levees providing flood protection meet the requirements stated in said Code of Federal Regulations. The project design is currently being completed by the City of Massillon Engineering Department with preliminary construction estimates being approximately \$2,000,000.00. A combination of funding sources including grants and or loans are being sought to complete said project.

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 submit the application to the Muskingum Watershed Conservancy District and execute all necessary documentation so funding can be secured for this 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.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2011

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

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