

SPECIAL MEETING OF CITY COUNCIL

Present: The Honorable President and Member of Massillon City Council.
Ladies and Gentlemen:

A Special meeting of the City Council of the City of Massillon, Ohio, is hereby called. This meeting shall be held in Massillon City Council Chambers at City Hall on Thursday, October 10, 1996, at 8:00 A.M. for the purpose of:

1. ROLL CALL

2. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 187 - 1996 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.
AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency.

3. ADJOURNMENT

On this 8th day of OCTOBER, 1996

CC's: MAYOR
SAFETY SERVICE DIRECTOR
LAW DIRECTOR
AUDITOR
CITY ENGINEER
AANE AABY

James H. Hinchey

Section 731.46 Revised Code

"The Council of a municipal corporation shall not be required to hold more than one regular meeting in each week; and 526Xtmeetings may be held at such time and place as may be prescribed by ordinance, and shall at all times be open to the public; and the Mayor or any three members may call special meetings upon at least twelve hours notice to each member, served personally or left at his usual place of residence."

DATE: October 10, 1996

CLERK: SHARON HOWELL

COUNCIL CHAMBERS

CITY OF MASSILLON, OHIO

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 187 - 1996

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, a petition for the annexation for certain territory in Perry Township, was duly filed by Steve D. Hamit, Agent for the petitioners, and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Stark County on January 3, 1996, and

WHEREAS, the Stark County Court of Common Pleas on October 9, 1996, approved the annexation of said territory to the City of Massillon as hereinafter described, a copy of said judgment entry being on file with the Clerk of Massillon City Council, and

WHEREAS, the Board of County Commissioners certified the transcript and pertinent documents of proceedings in connection with said annexation with the map and petition required in connection therewith, and the City Auditor of the City of Massillon, received same on October 9, 1996, and

WHEREAS, at least two-thirds of the members elected to Council of the City of Massillon, Ohio, have found, considered and determined that in order to annex said territory to the City of Massillon, this constitutes an emergency, requiring immediate action.

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

Section 1:

The application of Steven D. Hamit, Agent for the petitioners is hereby accepted for the annexation of the following described territory in the County of Stark and adjacent to the City of Massillon, to wit:

Known as and being Part of the Northwest Quarter Section 33 of Perry Township, Stark County, Ohio and being further described as follows:

Beginning at the Southwest corner of the Northwest Quarter Section 33, Perry Township; Thence N 01°38'30" W along the west line of said Quarter Section, a distance of 1452.40' to a point;

Thence N 87°28'26" E along a north line of a parcel currently or previously owned by L. Miller as recorded in Volume 3835 Page 847 a distance of 39.60' to a point;

thence following said west line of the Wheeling and Lake Erie Rail Road tract the following courses:

N 02°11'00" E a distance of 100.00' to a point;

Thence, N 07°05'00" E a distance of 70.26' to a point;

Thence, N 13°30'00" E a distance of 10.20' to a point;

Thence, N 02°11'00" E a distance of 224.30' to a point;

along a curve to the left through a central angle of 09°09'49" an arc distance of 179.33' a chord bearing of N 02°24'54" W a distance of 179.14' to a point;

Thence N 06°48'53" W a distance of 660.28' to a point said point being in the centerline of Navarre Road;

Thence N 87°28'13" E along the centerline of Navarre Road a distance of 1304.26' to a point;

Thence S 02°14'36" E along the west line of a tract of land currently of presently owned by R. & B. Lillo as recorded in Volume 1143 Page 531 in Stark County, Ohio a distance of 213.75' to a point;

Thence N 87°28'28" E along the south line of said Lillo Tract a distance of 251.05' to a point;

Thence N 02°31'32" W along the east line of said Lilly Tract a distance of 213.74' to a point, said point being in the centerline of Navarre Road;

Thence N 87°28'28" E along the centerline of Navarre Road a distance of 476.69' to a point;

Thence S 02°14'44" E along a tract of land previously or presently owned by M. Pertican Trust as recorded in Volume 174 Page 194 in Stark County, Ohio a distance of 465.60' to a point;

Thence N 87°14'59" E along the south side of said Pertican tract a distance of 200.01' to a point;

Thence N 02°11'29" W continuing along the east side of said Pertican tract a distance of 412.10' to a point;

Thence following around a curve to the left through a central angle of 68°32'40" an arc distance of 35.89' a chord bearing of N 49°11'50" W a distance of 33.79' to a point

Thence N 01°19'48" W a distance of 28.75' to a point, said point being in the centerline of Navarre Road;

Thence N 87°45'47" E along the centerline of Navarre Road a distance of 502.30' to a point, said point also being the northeast corner of a parcel of land owned currently or previously by G. & V. Stahl as recorded in Volume 854 Page 631 in Stark County, Ohio;

Thence S 02°14'44" E along the east line of said Stahl Parcel distance of 330.28' to a point;

Thence N 87°28'28" E a distance of 68.27' to a point, said point being on the quarter section line between the Northwest and Northeast Quarter Sections 33 Perry Township, Stark County, Ohio;

Thence S 00°06'31" W along said quarter section line a distance of 332.81' to a point;

Thence S 87°28'28" W a distance of 733.07' to a point;

Thence S 02°14'44" E a distance of 2039.16' to a point, said point being on the south quarter section line of the Northwest Quarter Section 33 Perry Township, Stark County, Ohio;

Thence S 87°50'03" W along said quarter section line a distance of 2071.91' to a point, said point also being the true place of beginning containing 133.4672 acres, more or less, in the Northwest Quarter Section 33 Perry Township.

Section 2:

That the City Council Clerk be and hereby is directed to file certified copies of said annexation containing the petition, map accompanying the petition, a transcript of the proceedings of the County Commissioners, and this ordinance, with the Stark County Recorder and the Secretary of State.

Section 3:

That the Clerk of this Council be and hereby is directed to file with the Clerk of the Board of Commissioners of Stark County, as well as the County Board of Elections, notice in writing of the boundary changes of the City of Massillon hereby affected together with a map of the annexed territory.

Section 4:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is necessary for the more efficient operation of the City of Massillon, Ohio, and for the additional reason that it is in the best interest of the property owners in the annexed area that their property become a part of the City of Massillon. 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 _____, 1996

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

JOHN H. FRIEG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCINELLI, JR., MAYOR