

AGENDA

DATE: MAY 5, 1997
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INVOCATION - COUNCILMAN TIM BRYAN
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. 95 - 1997 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.

file *P*
AN ORDINANCE accepting the Plat for Lincoln Hills Allotment No. 5 in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

ORDINANCE NO. 96 - 1997 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.

P
AN ORDINANCE accepting the replat of Out Lot No. 688 and Part of Out Lot 686 located south of Hills & Dales Road, N.W. and east of Brighton Circle N.W., and accepting the dedication and replatting of part of Hills & Dales Road N.W., in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer and designated as File No. SD-524 and Acc No. 3356, and declaring an emergency.

ORDINANCE NO. 97 - 1997 BY: PARKS & RECREATION COMMITTEE

1st
AN ORDINANCE amending CHAPTER 961 "PARKS" of the Codified Ordinances of the City of Massillon, by repealing existing Section 961.01 "PERMIT TO USE PARK BUILDINGS" and enacting a new Section 961.01 "PERMIT TO USE PARK BUILDINGS" of said CHAPTER 961 "PARKS", and declaring an emergency.

ORDINANCE NO. 98 - 1997 BY: FINANCE COMMITTEE

P
AN ORDINANCE making certain transfers in the 1997 appropriation from within the General Fund of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 99 - 1997 BY: FINANCE COMMITTEE

P
AN ORDINANCE making certain appropriations from the unappropriated balance of the Parks and Recreation Fund and the Solid Waste Capital Improvement Fund of the City of Massillon, Ohio, for the year ending December 31, 1997, 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 APRIL 1997

Q). AUDITOR SUBMITS MONTHLY REPORT FOR APRIL 1997

- 5:00 Community Development*
5:30 Finance
6:00 Parks & Rec.
11. REPORTS OF COMMITTEES
 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
 13. CALL OF THE CALENDAR
 14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 75 - 1997 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

Tabled
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from I-1 Light Industrial to A-1 Agricultural, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 88 - 1997 BY: POLICE AND FIRE COMMITTEE

1st Amended
AN ORDINANCE amending CHAPTER 373 "BICYCLE AND MOTORCYCLES" of the Codified Ordinances of the City of Massillon, by repealing existing Sections 373.13 through 373.22 of CHAPTER 373 "BICYCLE AND MOTORCYCLES" and enacting new Sections 373.13 through 373.22 of CHAPTER 373 "BICYCLES AND MOTORCYCLES", and declaring an emergency.

ORDINANCE NO. 89 - 1997 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

2nd
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from R-1 Single Family Residential to I-1 Light Industrial, and declaring an emergency.

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MAY 5, 1997

Amended
ORDINANCE NO. 92 - 1997

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Richville Drive-Nave Street Area Annexation, upon Annexation, and declaring an emergency.

- 16. NEW AND MISCELLANEOUS BUSINESS
- 17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA
- 18. ADJOURNMENT

SHARON HOWELL
COUNCIL CLERK

THE FOLLOWING PUBLIC HEARINGS WILL BE HELD PRIOR TO THE REGULAR MEETING

5:30 P.M. LAW ENFORCEMENT FEDERAL GRANT
6:00 P.M. WEST CENTRAL BUSINESS DISTRICT LAND USE PLAN

DATE: May 5, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 95 - 1997

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the Plat for Lincoln Hills Allotment No. 5 in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

Section 1:

The Plat for Lincoln Hills Allotment No. 5 in the City of Massillon, Stark County, Ohio, presently on file in the Office of the City Engineer and designated as File No. SD-525, Acc. No. 3357 be, and the same is approved and accepted and that the dedication to public use of the streets and alleys thereon shown, be, and the same is hereby accepted and confirmed. This plat was approved by the Planning Commission at a meeting held April 9, 1997. The undertaking given by the owners for improvement of streets and now on file with the City Engineer is approved as heretofore:

Lincoln Hills Allotment No. 5, a proposed 14 lot addition to the Lincoln Hills subdivision, located on the north side of Lincoln Way N.W., between 27th Street, N.W., and Hemlock Street, N.W. Included in this plat is the dedication of extension to the following streets: 28th Street, N.W. This parcel of land is 5.416 acres in size, with 4.575 acres to be subdivided into 14 lots zoned R-2 Single Family Residential, and 0.841 acres to be dedicated for roads. The developer is Earl Glick and the plat was prepared by Dennis Fulk.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said plat is urgently needed for proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1997

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

DATE: May 5, 1997CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 96 - 1997

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the replat of Out Lot No. 688 and Part of Out Lot 686 located south of Hills & Dales Road, N.W. and east of Brighton Circle N.W., and accepting the dedication and replatting of part of Hills & Dales Road N.W., in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer and designated as File No. SD-524 and Acc No. 3356, and declaring an emergency.

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

Section 1:

The replatting of part of Out Lot No. 688 and Part of Out Lot 686 located south of Hills & Dales Road, N.W. and east of Brighton Circle N.W., and accepting the dedication and replatting of part of Hills & Dales Road N.W., in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer and designated as File No. SD-524 and Acc No. 3356, be and the same is approved and accepted and that the replatting of Out Lot No. 688 and Part of Out Lot 686 thereon shown, be and the same is hereby accepted and confirmed. This replatting and dedication was approved by the Planning Commission at the meeting held April 9, 1997. That the City Engineer has requested that the replatting and dedication are on file with the City Engineer and approved as heretofore described:

Out Lot No. 688 and Part of Out Lot 686 located at 2000 Sherman Circle N.E. be replatted from two parcels into three out lots. In addition the replat includes the dedication of that portion of Hills & Dales N.W. abutting this property which was never dedicated.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said dedication is urgently needed for proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise it shall take effect and be in force from and after the earliest period allowed by Law.

PASSED IN COUNCIL THIS 5th DAY OF May 1997APPROVED: Sharon Howell
SHARON HOWELL, CLERK OF COUNCILDavid A. Smith
DAVID A. SMITH, PRESIDENTAPPROVED: May 6, 1997Francis H. Cicchinelli, Jr.
FRANCIS H. CICCHINELLI, JR., MAYOR

I hereby certify that the foregoing Ordinance
are a true copy of the original, as passed by
the Council of the City of Massillon, Ohio,
and approved as noted thereon:

Sharon Howell
Clerk of CouncilDate 5/5/97

DATE: May 5, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 96 - 1997

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the replat of Out Lot No. 688 and Part of Out Lot 686 located south of Hills & Dales Road, N.W. and east of Brighton Circle N.W., and accepting the dedication and replatting of part of Hills & Dales Road N.W., in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer and designated as File No. SD-524 and Acc No. 3356, and declaring an emergency.

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

Section 1:

The replatting of part of Out Lot No. 688 and Part of Out Lot 686 located south of Hills & Dales Road, N.W. and east of Brighton Circle N.W., and accepting the dedication and replatting of part of Hills & Dales Road N.W., in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer and designated as File No. SD-524 and Acc No. 3356, be and the same is approved and accepted and that the replatting of Out Lot No. 688 and Part of Out Lot 686 thereon shown, be and the same is hereby accepted and confirmed. This replatting and dedication was approved by the Planning Commission at the meeting held April 9, 1997. That the City Engineer has requested that the replatting and dedication are on file with the City Engineer and approved as heretofore described:

Out Lot No. 688 and Part of Out Lot 686 located at 2000 Sherman Circle N.E. be replatted from two parcels into three out lots. In addition the replat includes the dedication of that portion of Hills & Dales N.W. abutting this property which was never dedicated.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said dedication is urgently needed for proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise it shall take effect and be in force from and after the earliest period allowed by Law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1997

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 97 - 1997

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 961 "PARKS" of the Codified Ordinances of the City of Massillon, by repealing existing Section 961.01 "PERMIT TO USE PARK BUILDINGS" of said CHAPTER 961 "PARKS" and enacting a new Section 961.01 "PERMIT TO USE PARK BUILDINGS" of said CHAPTER 961 "PARKS", and declaring an emergency.

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

Section 1:

The existing Section 961.01 "PERMIT TO USE PARK BUILDINGS" of CHAPTER 961 "PARKS" of the Codified Ordinances of the City of Massillon be and hereby is repealed.

Section 2:

That there be and hereby is enacted a new Section 961.01 "PERMIT TO USE PARK BUILDINGS" of CHAPTER 961 "PARKS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

961.01 PERMIT TO USE PARK BUILDINGS

Permits are required for use of parks system buildings for reunions, gatherings and all other groups, and shall be issued by the Recreation Board. The fees for these buildings shall be established by the Recreation Board, which shall be approved by City Council and collected by the Parks and Recreation Department prior to the issuance of such permit.

- (a) The Kiwanis Club of Massillon, Ohio, shall be permitted to use the enclosed shelter buildings at Kiwanis Park once a year without charge.
- (b) Thirty-five Dollars (\$35.00) for the use of the enclosed shelter building at Kiwanis Park and Oak Knoll Park between April 1 - October 31
- (c) Fifty Dollars (\$50.00) for the use of the enclosed shelter building at Kiwanis Park between November 1 - March 31
- (d) Fifteen Dollars (\$15.00) for the use of any other park, pavilion or buildings between April 1 - March 31.
- (e) Fifteen Dollars (\$15.00) in addition to the above charges shall be paid by non residents of the City in order to obtain such permits.

Section 3:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary to establish rates for use of City Park Buildings, and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1997

APPROVED: _____
SHARON K. HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

DATE: May 5, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 98 - 1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1997 appropriation from within the General Fund of the City of Massillon, Ohio, 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 1997 appropriation from within the General Fund of the City of Massillon, Ohio, the following:

\$62,100.00 FROM: "Workmens Comp" 1100.905.2270

\$60,000.00 TO: "Street Salary" 1100.435.2110

2,100.00 TO: "Union Health & Welfare" 1100.435.2281

Section 2:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for the operation of the Street Department for 1997, 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 _____ 1997

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

DATE: May 5, 1997

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 99 - 1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Parks and Recreation Fund and the Solid Waste Capital Improvement Fund of the City of Massillon, Ohio, for the year ending December 31, 1997, 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 Parks and Recreation Fund of the City of Massillon, Ohio, for the year ending December 31, 1997, the following:

\$ 35,000.00 to an account entitled "Operating Supplies" 1234.510.2420
\$ 17,500.00 to an account entitled "Concessions" 1234.510.2421

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Solid Waste Capital Improvement Fund of the City of Massillon, Ohio, for the year ending December 31, 1997, the following:

\$ 12,900.00 to an account entitled "New Equipment" 1413.605.2530

Section 3:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for the efficient operation of the various departments in 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 _____ 1997

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

APPROVED: _____
FRANCIS H. CICCHINELLI, JR., MAYOR2