

A G E N D A

DATE: FEBRUARY 17, 1998 (TUES)
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. 37 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

P AN ORDINANCE approving and authorizing the Mayor to enter into an agreement with Raedel College, providing an economic development "inducement grant" to assist the College in purchasing additional computers for their business classes, and declaring an emergency.

ORDINANCE NO. 38 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

P AN ORDINANCE authorizing and directing the Mayor and Director of Public Service and Safety to enter into a contract agreement with the Joe Sparma Community Center to assist in renovation of the agency's facility, and declaring an emergency.

ORDINANCE NO. 39 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

P AN ORDINANCE authorizing and directing the Mayor to petition the Director of the Ohio Department of Development to amend the boundaries of the City of Massillon's Enterprise Zone, and declaring an emergency.

ORDINANCE NO. 40 - 1998 BY: POLICE AND FIRE COMMITTEE

P AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Mutual Aid Agreement for the City of Massillon safety forces with the other political subdivisions safety forces of Stark County, and declaring an emergency.

6097 ORDINANCE NO. 41 - 1998 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

P AN ORDINANCE vacating a certain public alley, and declaring an emergency.

ORDINANCE NO. 42 - 1998 BY: PARKS AND RECREATION COMMITTEE

P AN ORDINANCE repealing Section 961.06 "PARKING WITHIN PARK BOUNDARIES" of CHAPTER 961 "PARKS" and enacting a new Section 961.06 "PARKING WITHIN PARK BOUNDARIES" of CHAPTER 961 "PARKS", and declaring an emergency.

ORDINANCE NO. 43 - 1998 BY: PARKS AND RECREATION COMMITTEE

P AN ORDINANCE authorizing and directing the Parks and Recreation Department to enter into a contract agreement with the Massillon Umpires Association for umpiring services for the upcoming 1998 softball season, and declaring an emergency.

ORDINANCE NO. 44 - 1998 BY: PARKS AND RECREATION COMMITTEE

P AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with the Massillon City School District for the purchase of recreation equipment and materials to be placed at the recreation areas of Bowers and Smith Elementary Schools, and declaring an emergency.

ORDINANCE NO. 45 - 1998 BY: HEALTH, WELFARE & BUILDING REGULATIONS

P AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the purchase of one (1) new mid-size car for the City of Massillon Health Department, and declaring an emergency.

ORDINANCE NO. 46 - 1998 BY: FINANCE COMMITTEE

P AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement, without competitive bidding, with Consolidated Communications, Inc. (CCI), for the purchase of a new telephone system and equipment for The Massillon Municipal Government Center, and declaring an emergency.

FEBRUARY 17, 1998

ORDINANCE NO. 47 - 1998

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Parks and Recreation Capital Improvement Fund, Capital Improvement Fund, Muni Golf Course Fund, Solid Waste Fund, Meter Maid Fund, Sewer Fund, Muni Motor Vehicle License Tax Fund, Community Development Block Grant Program Fund, General Fund, and the UDAG B-85-AA-39-0248 Oak Park Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, and declaring an emergency.

Kucera
etc.
Bridges.

ORDINANCE NO. 48 - 1998

BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 1998 appropriation from the Municipal Golf Course Fund to The Legends Golf Course Fund, of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 49 - 1998

BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE designating the West Sippo Valley Corridor as park land, and declaring an emergency.

ORDINANCE NO. 50 - 1998

BY: FINANCE COMMITTEE

AN ORDINANCE directing the City Engineer and the Director of Public Service and Safety to prepare cost estimates, plans, profiles and specifications for replacement of sidewalks at 22 Shriver S.E. in the City of Massillon, 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 REPORT FOR JANUARY 1998
B). FIRE CHIEF SUBMITS MONTHLY REPORT FOR JANUARY 1998
C). POLICE CHIEF SUBMITS MONTHLY REPORT FOR JANUARY 1998
D). CANTON ST. CTY. CRIME LAB SUBMITS YEARLY REPORT FOR 1997
E). CLERK OF COURT SUBMITS YEARLY REPORT FOR 1997
F). GOLF COURSE DEPARTMENT SUBMITS YEARLY REPORT FOR 1997

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

ORDINANCE NO. 8 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from Perry Township to Massillon Zoning, and declaring an emergency.

ORDINANCE NO. 9 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from P-1 Parking to B-2 Central Business District, and declaring an emergency.

ORDINANCE NO. 10 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-1 Single Family to B-1 Local Business District, and declaring an emergency.

ORDINANCE NO. 11 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from RM-1 Multiple Family Residential to R-1 Single Family Residential, and declaring an emergency.

ORDINANCE NO. 24 - 1998

BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the sale of a certain tract of land known as and being Lot No. 3541 in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose, and declaring an emergency.

3rd
Passed

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 28 - 1998 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

AN ORDINANCE vacating a portion of Stanton Avenue N.W., and declaring an emergency.

ORDINANCE NO. 30 - 1998 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

2nd
AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract agreement with Motter and Meadows Architects for the design development, construction documents and bidding phase of Phase II of the clubhouse at The Legends of Massillon Golf Course, and declaring an emergency.

ORDINANCE NO. 36 - 1998 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Municipal Golf Course Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, and declaring an emergency.

16. NEW AND MISCELLANEOUS BUSINESS

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

18. ADJOURNMENT

THERE ARE NO PUBLIC HEARING SCHEDULED FOR THIS EVENING

SHARON HOWELL
CLERK OF COUNCIL

Linda,

Ad plat signed & recorded.

Did he (Spec) pay for recording?

check with John F. if we should

A G E N D A

Special Session.

DATE: WEDNESDAY, FEBRUARY 25, 1998
TIME: 5:00 P.M.
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 53 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

1st AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from I-1 Light Industrial to I-2 General Industrial, and declaring an emergency.

ORDINANCE NO. 54 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

1st AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Perry Township to Massillon Zoning, and declaring an emergency.

6. ADJOURNMENT

file
Miller I Industrial Sub.
1
Ralston Annex.

SHARON HOWELL
CLERK OF COUNCIL

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 38 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Mayor and Director of Public Service and Safety to enter into a contract agreement with the Joe Sparma Community Center to assist in renovation of the agency's facility, and declaring an emergency.

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

Section 1:

The Mayor and Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement with the Joe Sparma Community Center to assist in renovation of the agency's facility. Total cost of said renovation shall not exceed Fifteen Thousand Dollars (\$15,000.00).

Section 2:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the further reason that these services are needed to meet the goals and objectives of the City's Community Development Block Grant Program. 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 39 - 1998

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Mayor to petition the Director of the Ohio Department of Development to amend the boundaries of the City of Massillon's Enterprise Zone, and declaring an emergency.

WHEREAS, the Council of the City of Massillon, Ohio, (hereinafter "Council") by Ordinance No. 163-1994, adopted on July 18, 1994, has designated an area of the City as an "Enterprise Zone" pursuant to Chapter 5709 of the Ohio Revised Code; and

WHEREAS, effective September 12, 1994, the Director of Development of the State of Ohio has determined that the aforementioned area designated in said Ordinance No. 163-1994 contains the characteristics set forth in Section 5709.61(A) of the Ohio Revised Code, and has certified said area as an Enterprise Zone under Chapter 5709; and

WHEREAS, the City of Massillon, Ohio, proposes to amend the boundaries of its Urban Jobs and Enterprise Zone to include additional industrial and vacant land areas recently annexed to the City and located in the southeast section of Massillon and having a single continuous boundary as depicted and described in Exhibits "A" and "B" attached hereto and incorporated herein by reference; and

WHEREAS, the Council finds and determines that approval of this amendment to the City's Enterprise Zone pursuant to the Ohio Revised Code Section 5709.62 will promote the economic welfare of the residents of the City of Massillon by creating new jobs and retaining and preserving existing jobs and employment opportunities within such areas and is in the best interest of the City.

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

Section 1:

This Council hereby authorizes and directs the Mayor to petition the Director of the Ohio Department of Development to amend the boundaries of the City's Enterprise Zone to include recently annexed industrial and vacant land areas within the southeast section of the City as shown in Exhibit "A" and described in Exhibit "B" attached hereto and incorporated by reference as if fully rewritten herein.

Section 2:

That based upon the factual data, reports and conditions of the additional areas added to the boundaries of the City's Enterprise Zone, this Council hereby finds and determines that the City's Enterprise Zone, as amended, continues to meet the State requirements for designation as an Enterprise Zone, as originally certified by the Director of the Ohio Department of Development on September 12, 1994, pursuant to Ohio Revised Code Section 5709.61(A)(1)(a) and (e).

Section 3:

This Ordinance is 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 creation of new jobs and the preservation of existing jobs 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 _____, 1998

ATTEST: _____
Sharon Howell, Clerk of Council Dennis D. Harwig, President of Council

APPROVED: _____
Francis H. Cicchinelli, Jr., Mayor

EXHIBIT "A"

City of Massillon Enterprise Zone
Amended Boundary Map

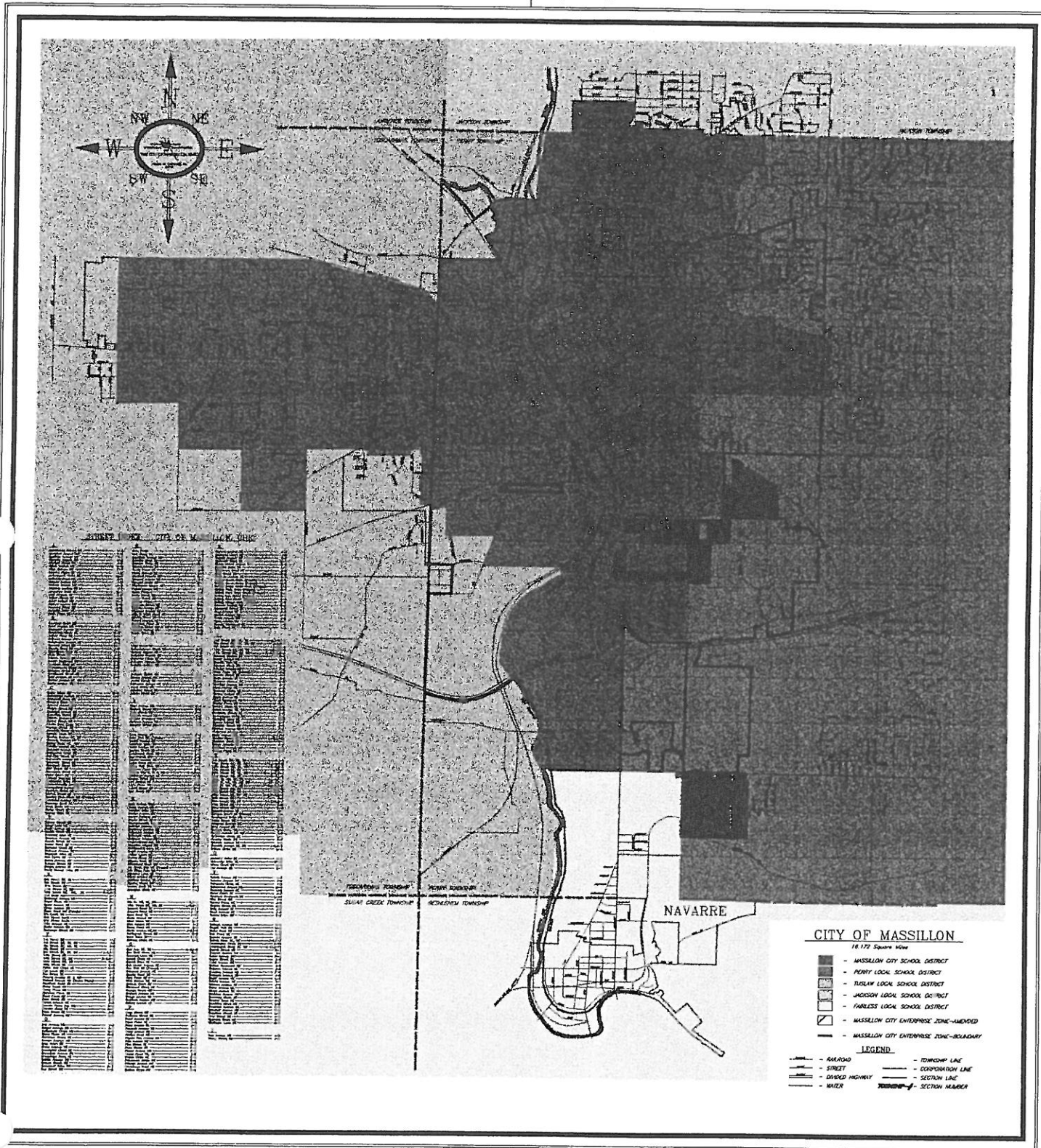


EXHIBIT "B"
City of Massillon Enterprise Zone
Boundary Description

The City of Massillon has proposed the establishment of an Enterprise Zone, including all of those portions of Census Tracts 7137, 7138, 7139, 7141, 7142, 7143.01, 7143.02, 7144, and 7146 located within its corporate limits, as well as certain designated parts of Census Tracts 7114 (Block 503) and 7135 (Block 421). The proposed Enterprise Zone will constitute a continuous boundary within the City of Massillon.

More particularly, the boundaries of the Massillon Enterprise Zone are as follows:

Beginning at the intersection of the centerline of 17th Street, N.W., and the centerline of Cherry Road, N.W., which is also the north corporation line of the City;

Thence east, north, and east along the north corporation line of the City to the Tuscarawas River;

Thence south along the Tuscarawas River to the centerline of Lake Avenue, N.W.;

Thence east along the centerline of Lake Avenue, N.W., and N.E., to the centerline of Amherst Road, N.E.;

Thence south along the centerline of Amherst Road, N.E., to the centerline of State Avenue, N.E.;

Thence east along the centerline of State Avenue, N.E., to Sippo Creek;

Thence north and east along Sippo Creek to the centerline of Hankins Road, N.E.;

Thence east along the centerline of Hankins Road, N.E., to the east corporation line of the City;

Thence south and east along the east corporation line of the City to the centerline of 27th Street, N.E.;

Thence south along the centerline of 27th Street, N.E., to the east corporation line of the City;

Thence west, south, and east along the east corporation line of the City to the centerline of 27th Street, S.E.;

Thence south along the centerline of 27th Street, S.E., to the centerline of Southway Street, S.E.;

Thence west along the centerline of Southway Street, S.E., to the east corporation line of the City;

Thence generally south and west along the east and south corporation lines of the City to the Tuscarawas River;

Thence north along the Tuscarawas River to the centerline of U.S. 30;

Thence west along the centerline of U.S. 30 to the centerline of 17th Street, S.W. (Carmont Avenue, S.W.);

Thence north along the centerline of 17th Street, S.W. (Carmont Avenue, S.W.) to the west corporation line of the City;

Thence east, north, and west along the west corporation line of the City to the centerline of 17th Street, S.W.;

Thence north along the centerline of 17th Street, S.W., and N.W., to the place of beginning.

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 40 - 1998

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 a Mutual Aid Agreement for the City of Massillon safety forces with the 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 in the public safety and interest to enter into a Mutual Aid Agreement for the safety forces of the City of Massillon with the other subdivisions safety forces of Stark County.

Section 2:

The Director of Public Safety and Service of the City of Massillon, Ohio, is hereby authorized to enter into a Mutual Aid Agreement for the City of Massillon safety forces with the other political subdivisions safety forces. (Said Agreement is marked Exhibit "A" and attached.)

Section 3:

This Mutual Aid Agreement shall be in effect for a period of three (3) years from the date of the agreement.

Section 4:

That this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that it is necessary for the efficient operation of the safety forces of the City of Massillon, Ohio. 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

EXHIBIT "A"

MUTUAL AID AGREEMENT

WHEREAS, Ohio Revised Code Section 737.04 authorizes the legislative authority of a municipal corporation, in order to obtain additional police protection, to enter into contracts upon such terms as may be agreed upon with other political subdivisions for the services of their police departments or the use of their police equipment or for the interchange of said services or equipment within the territories of the contracting subdivisions.

WHEREAS, Ohio Revised Code Section 505.50 authorizes the board of trustees of a township police district to enter into a contract with a municipal corporation, upon such terms as are mutually agreed upon, for the provision of additional police protection services for the township police district either on a regular basis or for additional protection in times of emergency.

WHEREAS, it is the desire of the parties herein to provide for mutual assistance in the use of police personnel and equipment in case of emergency within the various territories, without respect to the particular territory in which the same may be used.

NOW, THEREFORE, BE IT AGREED among the parties hereto as follows:

(1) In the event of an emergency and upon the request of another police department by the highest ranking officer of that department on duty at the time of the emergency, each political subdivision which is a party to this agreement will furnish police manpower and equipment if the highest ranking officer on duty, of the requested police department, is of the opinion that such police manpower and equipment is available. Such police manpower and equipment may be recalled at the sole discretion of the highest ranking officer on duty of the police department furnishing such police manpower and equipment.

(2) Notwithstanding the provisions of Paragraph #1 above, any police officer of a political subdivision which is a party of this agreement who sees a felony being committed within the territory of another political subdivision

MUTUAL AID AGREEMENT

who is a party to this agreement, or who sees a police officer of another political subdivision which is a party to this agreement who is in distress, shall have the authority to apprehend or attempt to apprehend the person or persons committing said felony and shall have the authority to go to the assistance of such other police officer in distress, as long as he shall use sound discretion and reasonable judgment.

(3) When an officer calls for assistance, he shall state the specific emergency and an estimate of the personnel and equipment needed, along with directions as to the location where such assistance is needed and shall, where possible, dispatch someone to a specific meeting place to escort the responding personnel to their destination.

(4) When invoking any provision of this agreement, the senior officer who is present and in charge of the department of the calling party shall have full charge and authority over personnel and equipment of the responding party.

(5) The responding party shall not be responsible or liable in damages to the other party hereto, or any of its inhabitants or contractual obligees for failure to respond to any request for assistance, for lack of speed, for any inadequacy of equipment, for operation of equipment or for any other cause whatsoever arising from services required or rendered under this agreement. This agreement shall not be construed as or deemed to be an agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action whatsoever hereunder for any cause whatsoever.

(6) No charge shall be made to any contracting political subdivision entering into this agreement for services rendered by the other contracting political subdivision under the provisions of this agreement.

(7) There shall be no reimbursement for loss or damage to equipment while engaged in activity, in accordance with the agreement, outside of the

MUTUAL AID AGREEMENT

limits of the political subdivision owning and furnishing the equipment, nor shall there be any reimbursement for any policeman's pension or indemnity fund award or premium contribution or reimbursement charge assessed against the employing political subdivision for workers' compensation benefits arising by reason of injury or death of its police department members occurring while engaged in rendering services under this agreement.

(8) This agreement shall be operative for a term of (3) years commencing _____, 19____, and ending _____, 19____

In witness whereof, the City of Massillon, Ohio and _____
_____ duly authorized by ordinance and resolution of the
respective legislative authorities.

The City of Massillon, Ohio

By _____
Mayor

By _____

By _____

By _____

By _____

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 41 - 1998

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a certain public alley, and declaring an emergency.

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

WHEREAS, upon hearing, the Council hereby find that there is good cause for such vacation and that it will not be detrimental to the general interest of this community and that such vacation should be made.

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

Section 1:

A request to vacate a 10 foot wide alley lying between 19th S.E. and 20th Street S.E. and running in a north/south direction between Connecticut Avenue S.E. and Rhode Island Avenue S.E.; specifically to vacate that portion of the alley from the south right-of-way line of Connecticut Avenue S.E., southerly to the south right-of-way line of Rhode Island Avenue S.E., a distance of approximately 240 feet. This vacation plat is filed in the City Engineer's Office and was approved by the City Planning Commission on September 10, 1997. The said vacation is hereby approved, adopted and confirmed.

Section 2:

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the reason that the alley is no longer needed for a municipal purpose. 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 _____ 1998

APPROVED: _____

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

A hand-drawn map of a triangular plot of land. The vertices are labeled with bearings and distances: top-left is N 41.1° W 13.51', top-right is N 71.33° E 26.42', and bottom-right is S 14° E 149.59'. The bottom-left vertex is labeled 'ALLE'. The left boundary is marked with '149.62' and '120'. The right boundary is marked with '149.61' and '149.1'. The interior of the triangle contains a small sketch of a building and the number '6'. Other markings include '13.51', '40.3', '17.54', '26.42', '149.62', '149.61', '149.1', and '120'.

VACATION REQUEST

10	64
64	64
64	64
64	64

6404	Q 344
6403	Q 344
6402	Q 344
6401	Q 344

100	6398	100	6399	100	6400
-----	------	-----	------	-----	------

60°

6397	6396	6395
------	------	------

50

Diagram illustrating the division of a field into four strips, with dimensions and areas:

Strip	Width (ft)	Area (sq. ft)
1	65	6528
2	6471	6526
3	6526	6527
4	6472	6528

40	120	6468	40
40	120	6469	40
40	120	6470	40
40	120	6525	40
40	120	6524	40
40	120	6523	40

43.33	115	6522	43.33	43.33	115	6467	43.33
"	"	6521	"	"	"	6466	"
"	"	6520	"	"	"	6465	"
"	"	6519	"	"	"	6464	"
"	"	6518	"	"	"	6463	"
"	"	6517	10	"	"	6462	"
"	"	6516	"	"	"	6461	"
"	"	6515	"	"	"	6460	"
43.33	115	6514	43.33	43.33	115	6459	43.33

40	6458	120
14612		
14613	6457	
14614	6456	
	6511	
	6512	
40	6513	120
14615		

6453	6454	6455	6510	6509	6508
------	------	------	------	------	------

120°	6558
120°	6559
120°	6560
120°	6597
120°	6596
120°	6595

115	43.33	115	43.33
6594		6557	
6593		6556	
6592		6555	
6591		6554	
6590	10	6553	
6589		6552	
6588		6551	
6587		6550	
6586	43.33	6549	43.33
115	10	115	

120	6548	40
120	6547	40
120	6546	40
120	6583	40
120	6584	40
120	6585	40

6
m

40°	120°	6543	40°
40°	120°	6544	40°
40°	120°	6545	40°
40°	120°	6582	40°
40°	120°	6581	40°
40°	120°	6580	40°

10.
113 6579 118 6542

ח.ח.

20TH S.E.

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 42 - 1998

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE repealing Section 961.06 "PARKING WITHIN PARK BOUNDARIES" of CHAPTER 961 "PARKS", and enacting a new Section 961.06 "MOTORIZED VEHICLES" of 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:

Section 961.06 "PARKING WITHIN PARK BOUNDARIES" of CHAPTER 961 "PARKS" be and is hereby repealed.

Section 2:

That a new Section 961.06 "MOTORIZED VEHICLES" of CHAPTER 961 "PARKS" be and is hereby enacted. Said new Section shall read as follows:

961.06 MOTORIZED VEHICLES

No person shall operate any motorized vehicle within City park boundaries (including multiple-use trails), except within areas designated as park roadways and parking areas or for emergency or maintenance accessibility.

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that a new Section 961.06 be enacted to include the probation of motorized vehicles on the multiple-use trail 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 43 - ¹⁹⁹⁸~~1997~~

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Parks and Recreation Department to enter into a contract agreement with the Massillon Umpires Association for umpiring services for the upcoming 1998 softball season, and declaring an emergency.

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

Section 1:

That the Parks and Recreation Department of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement with the Massillon Umpires Association for umpiring services for the upcoming 1998 softball season. The cost of said contract shall not exceed Twenty-Two Thousand Dollars (\$22,000.00)

Section 2:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary that the contract be entered into prior to the 1998 softball season. 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 _____ 1998

APPROVED: SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 44 - 1998

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with the Massillon City School District for the purchase of recreation equipment and materials to be placed at the recreation areas of Bowers and Smith Elementary Schools, 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 agreement with the Massillon City School District for the purchase of recreation equipment and materials to be placed at the recreation areas of Bowers and Smith Elementary Schools.

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 the Massillon City School District for the purchase of recreation equipment and materials to be placed at the recreation areas of Bowers and Smith Elementary Schools.

Section 3:

That 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 playground structures be purchased and installed for the use and enjoyment of the citizens 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 45 - 1998

BY: HEALTH, WELFARE AND BUILDING REGULATIONS 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, according to law, and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder, for the purchase of one (1) new mid-size car for the City of Massillon Health Department, 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 to advertise for and receive sealed bids, according to law, and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder, for the purchase of one (1) new mid-size car for the City of Massillon Health Department.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to advertise for and receive sealed bids, according to law, and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder, for the purchase of one (1) new mid-size car for the City of Massillon Health Department.

Section 3:

That 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 City of Massillon advertise for bids for the purchase of a new mid-size car for the City of Massillon Health 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.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 46 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement, without competitive bidding, with Consolidated Communications, Inc. (CCI), for the purchase of a new telephone system and equipment for The Massillon Municipal Government Center, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement, without competitive bidding, with Consolidated Communications, Inc. (CCI), for the purchase of a new telephone system and equipment for The Massillon Municipal Government Center. The cost of said contract shall not exceed Seventy-One Thousand Dollars (\$71,000.00).

Section 2:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that the present phone system has become inadequate. 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 _____ 1998

APPROVED: SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 47 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Parks and Recreation Capital Improvement Fund, Capital Improvement Fund, Muni Golf Course Fund, Solid Waste Fund, Meter Maid Fund, Sewer Fund, Muni Motor VH License Tax Fund, Community Development Block Grant Program Fund, General Fund, and the UDAG B-85-AA-39-0248 Oak Park Fund, of the City of Massillon, Ohio, for the year ending December 31, 1998, 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 Capital Improvement Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$450,000.00 to an account entitled "Capital Improvement Project" 1433.505.2510

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Capital Improvement Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$71,000.00 to an account entitled "Telephone System-The Massillon Municipal Government Center" 1401.410.2530
\$28,500.00 to an account entitled "Kucera International, Inc." 1401.405.2393
\$ 8,000.00 to an account entitled "Copier Law Director" 1401.115.2530
\$ 5,000.00 to an account entitled "Computer Update Law Director" 1401.115.2531
\$ 4,000.00 to an account entitled "Administrative Offices-Lazer Jet Printer" 1401.110.2530

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Muni Golf Course Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ 35,000.00 to an account entitled "Transfer To" 1432.920.2710

Section 4:

There be and hereby is appropriated from the unappropriated balance of the Solid Waste Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ 17,000.00 to an account entitled "New Equipment" 1413.605.2530

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Meter Maid Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ 17,000.00 to an account entitled "New Equipment" 1208.445.2530

Section 6:

There be and hereby is appropriated from the unappropriated balance of the Sewer Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ 17,000.00 to an account entitled "New Equipment" 2101.615.2530

Section 7:

There be and hereby is appropriated from the unappropriated balance of the Muni Motor VH License Tax Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ 15,000.00 to an account entitled "Bridge Repair" 1206.435.2512

Section 8:

There be and hereby is appropriated from the unappropriated balance of the Community Development Block Grant Program Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ 15,000.00 to an account entitled "Jones School Renovation" 1402.845.2832

Section 9:

There be and hereby is appropriated from the unappropriated balance of the General Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ 10,000.00 to an account entitled "Fire Dept. New Equipment" 1100.325.2530

Section 10:

There be and hereby is appropriated from the unappropriated balance of the UDAG B-85-AA-39-0248 Oak Park Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ 5,000.00 to an account entitled "Raedel College Computers" 1221.840.2391

\$ 3,000.00 to an account entitled "Greens-Lillian Gish Triangle" 1221.840.2513

Section 11:

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 more efficient operation of the aforesaid departments of the City of Massillon, Ohio, 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 48 - ¹⁹⁹⁸1997

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1998 appropriation from the Municipal Golf Course Fund to The Legends Golf Course 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 the Municipal Golf Course Fund to The Legends Golf Course Fund the following:

\$35,000.00 FROM: "Transfer To" 1432.920.2710
TO: "Transfer In" 2104.920.1860

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 more efficient operation of the Legends Golf Course in the City of Massillon, Ohio, 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 _____, 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 49 - 1998

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE designating the West Sippo Valley Corridor as park land, and declaring an emergency.

WHEREAS, the City of Massillon has purchased approximately 72.99 acres of abandon railroad spur to be used as the West Sippo Valley Corridor, and

WHEREAS, the City of Massillon desires to designate this property as park land so that it will be under the supervision and control of the parks and Recreation Board,

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

Section 1:

The Council determines that the property known as the West Sippo Valley Corridor should be designated as park land.

Section 2:

That the following City owned real estate is hereby determined to be park land:

Stark County Out Lots: 06-17319, 06-17320, 72-06187, 72-06188, 72-06189,
72-06190, 72-06191, 72-06192, 72-06193, 72-06194
74-01605, 74-01605

Wayne County Parcels: 47-02262.001, 47-02606.000, 47-02607.000,
50-01059.000

Section 3:

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the reason that the City needs to designate the West Sippo Valley Corridor property as park land so that the Park and Recreation Board shall assume the supervision and control of the property. 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 50 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE directing the City Engineer and the Director of Public Service and Safety to prepare cost estimates, plans, profiles and specifications for replacement of sidewalks at 22 Shriver S.E. 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:

Plans, specifications, cost estimates and profiles of the proposed improvement heretofore shall be prepared by the City Engineer and the Director of Public Service and Safety and on filed with the Clerk of Council for the replacement of the sidewalks at 22 Shriver S.E. in the City of Massillon.

Section 2:

When the cost estimates, plans, profiles and specifications of the proposed replacement are completed, the City Engineer and the Director of Public Service and Safety shall file them with the Clerk of Council.

Section 3:

That this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that it is necessary that the cost estimates, plans, profiles and specifications be completed pursuant to O.R.C. 729.02 prior to the Council determining whether the repairs are necessary. 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 _____ 1998

APPROVED: _____

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: February 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 51 1998

BY: THE COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE approving the purchase of certain real property for the purpose of promoting the industrial and economic development of the City of Massillon and the State of Ohio as authorized by Ohio Revised Code Section 761.01 et seq.; authorizing the Mayor and Director of Public Service and Safety to enter into a contractual agreement with Massillon Development Foundation Inc. for the sale of said property subject to all the terms and conditions of this Ordinance and authorizing the conveyance of said property without competitive bidding to Massillon Development Foundation Inc., the Community Improvement Corporation of the City, in accordance with Section 1724.10 of the Ohio Revised Code, and declaring the same to be an emergency.

WHEREAS, the City of Massillon, Ohio, for the purpose of promoting the industrial and economic development of this City and the State of Ohio, desires to acquire and sell to the Massillon Development Foundation Inc. certain real property described herein; and

WHEREAS, under Ohio Revised Code Sections 761.01 et seq., the Council of the City of Massillon, State of Ohio, as the legislative body of said City, may determine that (a) such property is a site which will be useful for a Project and (b) the utilization of such property in the creation and location of a manufacturing facility is economically sound and will benefit the people of the municipal corporation by increasing opportunities for employment and strengthening the economic welfare of such municipal corporation. Upon such determinations, the City may purchase the property and enter into negotiations with the Massillon Development Foundation Inc., the Community Improvement Corporation designated by the City of Massillon pursuant to Ohio Revised Code Section 1724.10, and may lease or sell such property to such Community Improvement Corporation without competitive bidding; and

WHEREAS, pursuant to the aforementioned Ohio Revised Code Section 1724.10, the political subdivision may enter into an agreement with the Community Improvement Corporation to sell any lands owned by the political subdivision determined by the legislative authority not to be required by such political subdivision for its purposes if the legislative authority determines such sale will promote the welfare of the people of the political subdivision, stabilize the economy, provide employment and assist in the development of industrial, commercial, distribution and research

activities to the benefit of the people of the political subdivision and will provide additional opportunities for their gainful employment.

NOW, THEREFORE, be it ordained by the Council of the City of Massillon, State of Ohio that:

Section 1:

This Council, the duly elected legislative authority of the City of Massillon, finds that it is necessary to acquire by purchase certain properties intended to be used for the development of a mini steel mill and this Council further determines that the property which is described on Exhibit A attached hereto and incorporated herein by reference, hereinafter the "Property," is useful for development of such mini mill which is a "Project" as defined in Ohio Revised Code Sections 761.01 et seq. and Council further finds that the utilization of the Property and the creation and location of such facilities is economically sound and will benefit the people of the municipal corporation by increasing the opportunities for employment and strengthening the economic welfare of such municipal corporation.

Section 2:

The Mayor and Safety Director are hereby authorized and directed to purchase the Property, without competitive bidding, for the sum of \$_____; and they are authorized and directed in lieu of cash payment to execute and deliver to the sellers on behalf of and in the name of the City a mortgage note in the amount of the total purchase price, and as security therefor, a mortgage deed upon the premises in the amount of the purchase price; provided, however, such note shall be without recourse upon the City. The Mayor and Service and Safety Director are further authorized and directed to incorporate into the mortgage note and the mortgage undertakings which cause the same to mature and be payable in full upon the conveyance of the Property by the Massillon Development Foundation to any third party.

Section 3:

Council hereby finds the Property is not required by the City of Massillon for its purposes and further finds the uses intended for the Property will promote the welfare of the people of Massillon, stabilize the economy, provide employment, and assist in the development of industrial and other activities to the benefit of the people of Massillon, and will provide additional opportunities for their gainful employment and a Sale Agreement with the Massillon Development Foundation Incorporated will promote the industrial and economic development of the community.

Section 4:

The Mayor and Director of Public Service and Safety are hereby authorized and directed to contract with the Massillon Development Foundation Incorporated pursuant to Ohio Revised Code Section 1724.10 of the Ohio Revised Code concerning the sale terms of the Property; and upon obtaining such agreement to convey the Property to Massillon Development Foundation Incorporated.

Section 5:

This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the community and for the more efficient operation of the City of Massillon, Ohio, and necessary for the reason that an expedited annexation is required to enable said territory to be economically developed. This Ordinance, having received the affirmative vote of at least two-thirds of the elected members of Council, shall take effect and be in force immediately upon its journalization and approval by the Mayor.

PASSED IN COUNCIL THIS _____ DAY OF FEBRUARY, 1998, BY TWO-THIRDS OF THE ELECTED MEMBERS OF COUNCIL.

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL

ATTEST: _____
PRESIDENT OF COUNCIL

APPROVED THIS _____ DAY OF FEBRUARY, 1998

FRANCIS H. CICCHINELLI, JR., MAYOR

CITY OF MASSILLON, OHIO

DATE: February 17, 1998

CLERK: Sharon Howell

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 52 -1998

COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the annexation of certain contiguous territory owned by the City of Massillon; appointing the Economic Development Director as an Agent for the City as Petitioner; defining those City services to be provided to the Territory and directing the City Director of Law and the City Community/Economic Development Director to prosecute the proceedings necessary to effectuate such annexation and declaring the same to be an emergency.

WHEREAS, heretofore, for the purpose of promoting the industrial and economic development of the City of Massillon and the State of Ohio, the City of Massillon purchased certain territory situated in Stark County and contiguous to the boundaries of the City of Massillon; and

WHEREAS, the development of the territory for economic and industrial purposes can be accomplished only upon the annexation of said territory to the City of Massillon; and

WHEREAS, the exigencies of the intended development require that the annexation be completed at a date not later than April 1, 1998; and

WHEREAS, Ohio Revised Code Sections 709.14, 709.15 and 709.16(B) provide for an expedited annexation proceeding in those instances where the territory sought to be annexed is contiguous to the City boundaries and is located entirely within the same county as the municipal corporation; and

WHEREAS, Ohio Revised Code Section 709.16 (B) provides:

"(B) If the only territory to be annexed is contiguous territory owned by the municipal corporation seeking annexation and if such territory is located entirely within the same county as the municipal corporation seeking annexation, upon receipt of the petition required by section 709.15 of the Revised Code, the board of county commissioners shall, by resolution, approve the annexation and make such adjustments of funds, unpaid taxes, claims, indebtedness, and other fiscal matters as the board determines to be proper. The annexation shall be complete upon the

entry, pursuant to the board's resolution, of an order upon the journal of the board authorizing such annexation.”;

and,

WHEREAS, Ohio Revised Code Section 709.14 requires as a condition to such annexation that the legislative authority adopt an ordinance authorizing the annexation to be made and directing the Director of Law or someone to be named in the ordinance to prosecute the proceedings necessary to effectuate the annexation; and

WHEREAS, at least two-thirds of the members elected to Council of the City of Massillon have found, considered and determined that the need to annex said territory to the City of Massillon in sufficient time for said territory to be economically developed constitutes an emergency requiring immediate action;

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

Section 1:

Aane Aaby, Community/Economic Development Director, hereby is appointed Agent for the City as Petitioner and is directed to forthwith submit to the Stark County Board of County Commissioners a petition, on behalf of the City of Massillon, for the annexation of the contiguous territory hereinafter described, together with an accurate description of the territory (the "Territory") and an accurate map or plat thereof. Aane Aaby, with the assistance of John D. Ferrero, Jr., Director of Law, or such attorney-at-law as Mr. Ferrero shall designate, shall also prosecute the proceedings necessary to effectuate the annexation. The Territory to be annexed is described on Exhibit A which is made a part hereof and incorporated herein by reference.

Section 2:

The City of Massillon will extend to the Territory, upon annexation, the availability of all municipal services extended to all of the current citizens, residents and property owners of the City of Massillon, including, but not limited to, the services of the Municipal Fire Department, services of the Municipal Service Department, services of the Engineering Department, services of the Building Department, services of the Safety Department, services of the Street Department, services of the Planning Department, services of the Health Department, services of the Sewer Department and services of the City of Massillon Administration.

Section 3:

This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the community

and for the more efficient operation of the City of Massillon, Ohio, and necessary for the reason that an expedited annexation is required to enable said territory to be economically developed. This Ordinance, having received the affirmative vote of at least two-thirds of the elected members of Council, shall take effect and be in force immediately upon its journalization and approval by the Mayor.

PASSED IN COUNCIL THIS _____ DAY OF FEBRUARY, 1998, BY TWO-THIRDS OF THE ELECTED MEMBERS OF COUNCIL.

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

ATTEST:

PRESIDENT OF COUNCIL

APPROVED THIS _____ DAY OF FEBRUARY, 1998

FRANCIS H. CICCHINELLI, JR., MAYOR

PETITION
BY CITY OF MASSILLON, OHIO
FOR ANNEXATION OF CONTIGUOUS CITY-OWNED TERRITORY
TO CITY OF MASSILLON, OHIO
PURSUANT TO 709.14, 709.15 AND 709.16(B) O.R.C.

TO THE COMMISSIONERS OF STARK COUNTY, OHIO:

1. I, Aane Aaby, Community/Economic Development Director of the City of Massillon, Stark County, Ohio pursuant to the authority vested in me by Massillon Ordinance _____-1998, hereby petition for the annexation to the City of Massillon, of the contiguous territory an accurate description of which is as follows:

(hereinafter the "Territory").

2. The Territory is the only territory sought to be annexed, is contiguous to the current boundaries of the City of Massillon and is owned in its entirety by the City of Massillon,

3. All of the Territory is located within Stark County.

4. By Ordinance _____-1998, the Council of the City of Massillon has authorized the annexation of the Territory and has stated those services which will be provided to the Territory upon annexation.

5. I have attached hereto and made a part of this petition a map, showing the accurate boundaries of the territory sought to be annexed, marked "Map of Territory to be Annexed to the City of Massillon," together with a true copy of Ordinance _____-1998.

6. These proceedings comply with special statutory provisions relating to the annexation of contiguous territory owned by the municipal corporation seeking annexation as set out in Ohio Revised Code Sections 709.14, 709.15 and 709.16 (B).

7. Ohio Revised Code Section 709.16(B) provides:

"(B) If the only territory to be annexed is contiguous territory owned by the municipal corporation seeking annexation and if such territory is located entirely within the same county as the municipal corporation

seeking annexation, upon receipt of the petition required by section 709.15 of the Revised Code, the board of county commissioners shall, by resolution, approve the annexation and make such adjustments of funds, unpaid taxes, claims, indebtedness, and other fiscal matters as the board determines to be proper. The annexation shall be complete upon the entry, pursuant to the board's resolution, of an order upon the journal of the board authorizing such annexation."

Respectfully submitted,

Date

Aane Aaby, Community/Economic
Development Director of Massillon
Massillon Municipal Government Center
One James Duncan Plaza
Massillon, Ohio 44646
(330) 830-1721

Approved as to form:

John D. Fererro, Jr.
Director of Law, Massillon
2nd Floor
Two James Duncan Plaza
Massillon, Ohio 44646
(330) 830-1718

DATE: February 25, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 53 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from I-1 Light Industrial to I-2 General Industrial, and declaring an emergency.

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from I-1 Light Industrial to I-2 General Industrial. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on February 18, 1997 and that notice and public hearing has been given according to law.

Section 2:

The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and is hereby amended to show the following described area as I-2 General Industrial.

Being known as Out Lot 569, a 259.129 acre parcel located on the north side of Navarre Road, S.E., east of State Route 21.

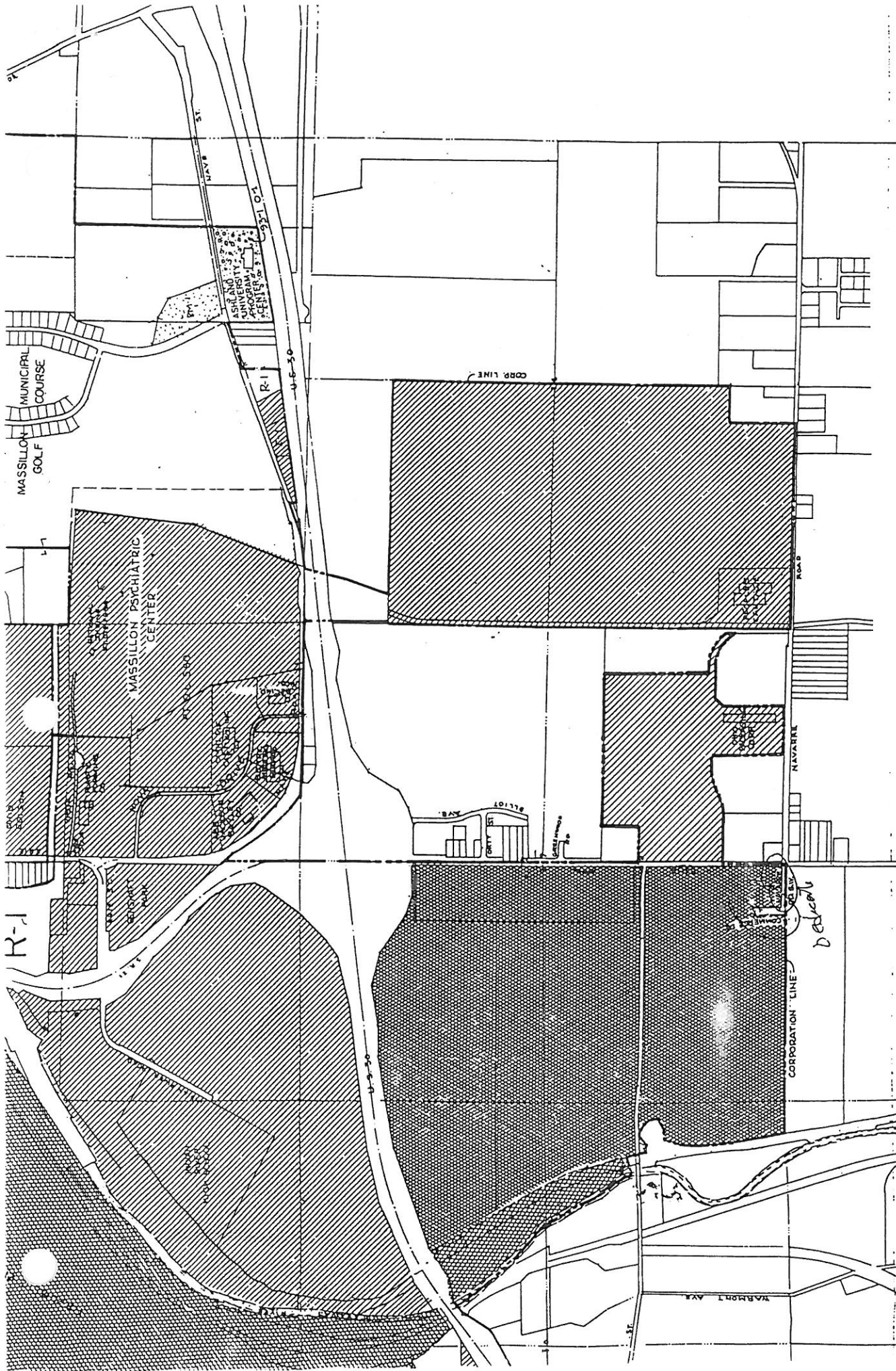
Section 3:

That this ordinance is declared to be an emergency measure in that the use herein provided for is essential to the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community and that this property would best be served to be designated I-2 General Industrial. 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 _____ 1998

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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



Rezoning Request I-1 to I-2

DATE: February 25, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 54 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from Perry Township to Massillon Zoning, and declaring an emergency.

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 from Perry Township to Massillon Zoning classifications. This rezoning will be reviewed by the City Planning Commission at its upcoming March 11th meeting, and that notice and public hearing has been given according to law.

Section 2:

That the City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and is hereby amended to show the following described area as I-2 General Industrial:

Being known as Out Lot 765, a 122.206 acre parcel, located on the north side of Navarre Road S.E., east of State Route 21.

Section 3:

That this ordinance is declared to be an emergency measure in that the use herein provided for is essential to the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community and that this property would best be served to be designated I-2 General Industrial. 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 _____ 1998

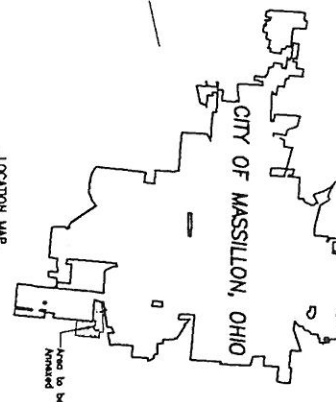
APPROVED: _____

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR



THE CITY OF MASSILLON, OHIO

City of Massillon, Ohio

DRAWN BY F. Werner
DATE Feb. 18, 1998

