

A G E N D A

DATE: MARCH 16, 1998  
TIME: 7:30 P.M.  
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INVOCATION - COUNCILMAN PAUL LAMBERT
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. 66 - 1998 BY: SEWER AND WASTE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 5, for the West Massillon Sewer Trunk Project, with W.G. Lockhart Construction, Inc., and declaring an emergency.

ORDINANCE NO. 67 - 1998 BY: SEWER AND WASTE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare specifications and 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 sewage sludge removal and disposal at the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 68 - 1998 BY: SEWER AND WASTE COMMITTEE

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 a sludge cake conveyor at the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 69 - 1998 BY: SEWER AND WASTE COMMITTEE

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 the purchase of one (1) new mini van for the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 70 - 1998 BY: SEWER AND WASTE COMMITTEE

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 sodium hypochlorite & sodium bisulfite for the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 71 - 1998 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

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 to pave and/or resurface various streets within the City of Massillon, and declaring an emergency.

ORDINANCE NO. 72 - 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 Wampler park Rink and Lot Improvement Project, and declaring an emergency.

ORDINANCE NO. 73 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon, and Perry Township, and declaring an emergency.

ORDINANCE NO. 74 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon, and Perry Township, and declaring an emergency.

NOTE: Not "enter into contract"

GM P

SDH P

SDH P

SDH P

GM P

Annexation  
Richville  
-Have file

Relston  
Area Annex.

ORDINANCE NO. 75 - 1998

BY: FINANCE COMMITTEE

SDH  
1st  
AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with Johnson Controls for a Planned Service Agreement for ten (10) years with the City of Massillon, and declaring an emergency. BOC

ORDINANCE NO. 76 - 1998

BY: FINANCE COMMITTEE

?  
AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with the Stark County Labor Management Council, and declaring an emergency. BOC.

ORDINANCE NO. 77 - 1998

BY: FINANCE COMMITTEE

SDH  
P 8-1  
Amended  
AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Fund, Capital Improvement Fund and the General Fund, of the City of Massillon, Ohio, for the year ending December 31, 1998, and declaring an emergency. BOC  
- Johnson Controls  
Emergency Service  
Maintenance Contract

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 FEBRUARY 1998
- B). FIRE CHIEF SUBMITS MONTHLY REPORT FOR FEBRUARY 1998
- C). POLICE CHIEF SUBMITS MONTHLY REPORT FOR FEBRUARY 1998

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR

ORDINANCE NO. 28 - 1998

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

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

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 53 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

Told  
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.

Told  
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.

15. SECOND READING ORDINANCES AND RESOLUTIONS
16. NEW AND MISCELLANEOUS BUSINESS
17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA
18. ADJOURNMENT

THERE IS A PUBLIC HEARING SCHEDULED FOR THIS EVENING  
REGARDING ORDINANCE NO. 28 - 1998  
(VACATION OF A PORTION OF STANTON AVENUE N.W.)  
AT 7:00 P.M.

SHARON HOWELL  
CLERK OF COUNCIL

DATE: March 16, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 66 - 1998

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 5, for the West Massillon Sewer Trunk Project, with W.G. Lockhart Construction, Inc., 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 for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 5, for the West Massillon Sewer Trunk Project, with W.G. Lockhart Construction, Inc.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve a Change Order No. 5, for the West Massillon Sewer Trunk Project, with W.G. Lockhart Construction Inc.

Section 3:

Upon the completion of said services 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 such services and the City Auditor is hereby authorized and directed to honor and pay said vouchers.

Section 4:

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 said services are necessary for the completion of the West Massillon Sewer Trunk Project that is currently under way. 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. 67 - 1998

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare specifications and 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 sewage sludge removal and disposal at the Wastewater Treatment Plant 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 sewage sludge removal and disposal at the Wastewater Treatment Plant 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 upon award and approval by the Board of Control, with the lowest and best bidder, according to law, as authorized in Section 1 of this Ordinance.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to enter advertise for bids and enter into contract in that the present contract expires on April 30, 1998. 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: March 16, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 68 - 1998

BY: SEWER AND WASTE 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 a sludge cake conveyor at the Wastewater Treatment Plant 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 a sludge cake conveyor at the Wastewater Treatment Plant 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, and enter into contract, upon award and approval by the Board of Control, with the lowest and best bidder, for a sludge cake conveyor at the Wastewater Treatment Plant in the City of Massillon.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to advertise for bids and enter into contract in that the installation of the sludge cake conveyor will allow the existing belt filter press to be utilized for bio solids dewatering and disposal which is required by the Ohio E.P.A. 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: March 16, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 69 - 1998

BY: SEWER AND WASTE 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 the purchase of one (1) new mini van for the Wastewater Treatment Plant, 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 the purchase of one (1) new mini van for the Wastewater Treatment Plant 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, and enter into contract, upon award and approval by the Board of Control, with the lowest and best bidder, for the purchase of one new mini van for the Wastewater Treatment Plant in the City of Massillon.

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 City purchase a new mini van due to the poor condition of the existing one. 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: March 16, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 70 - 1998

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare specifications and 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 sodium hypochlorite & sodium bisulfite for the Wastewater Treatment Plant 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 sodium hypochlorite & sodium bisulfite for the Wastewater Treatment Plant 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, and enter into contract, upon award and approval by the Board of Control, with the lowest and best bidder, for sodium hypochlorite & sodium bisulfite for the Wastewater Treatment Plant of the City of Massillon.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to enter advertise for bids and enter into contract in that these chemical are needed for chlorination and dechlorination of the plant effluent that is discharged to the Tuscarawas River. 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: March 16, 1998

CLERK; SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 71 - 1998

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 to pave and/or resurface various streets within 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 to pave and/or resurface various streets within 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 and receive sealed bids and enter into contract, upon award and approval by the Board of Control, with the lowest and best bidder to pave and/or resurface various streets within the City of Massillon.

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 advertising for bids be made to pave and/or resurface the streets prior to the Spring of 1998. 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: March 16, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 72 - 1998

BY: PARKS AND RECREATION COMMITTEE

TITLE: 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 Wampler Park Rink and Lot Improvement Project, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to prepare plans and specifications, and to advertise for and receive sealed bids according to law, for the Wampler Park Rink and Lot Improvement Project.

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, for the Wampler Park Rink and Lot Improvement Project.

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 specifications be prepared and advertisement for bids be completed so as to enhance Wampler Park for 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 \_\_\_\_\_ 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. 73 - 1998

BY: COMMUNITY DEVELOPMENT &amp; ANNEXATION COMMITTEE

TITLE: AN ORDINANCE petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon, and Perry Township, and declaring an emergency.

WHEREAS, Massillon Township was erected to conform with the corporation limits of the City of Massillon, Stark County, Ohio by the Board of County Commissioners on August 19, 1963, and

WHEREAS, the corporation limits of the City of Massillon, Ohio, have been enlarged since the erection of said Massillon Township, through the annexation of one (1) tract of land comprising a part of Perry Township, and

WHEREAS, these annexed lands are still shown as a part of Perry Township, and the County Commissioners must amend the boundaries.

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 the corporation limits of the City of Massillon includes one (1) tract of land which is part of Perry Township, Stark County, Ohio, and that it will be in the public interest of the City to have the boundaries of said Perry Township changed by excluding this one (1) tract of land from said Perry Township and adding this one (1) tract of land to Massillon Township within the corporation limits of the City.

Section 2:

The Board of County Commissioners of Stark County, Ohio, are hereby petitioned under the authority of Section 503.07 Ohio Revised Code, to change the Township boundaries of Perry Township and Massillon Township, all in Stark County, Ohio, by excluding from said Perry Township by adding to said Massillon Township the respective areas thereof which are presently located within the corporation limits of the City of Massillon, Ohio, which areas are described as follows:

Known and being part of the Northwest quarter Section 22, part of the Northeast quarter Section 22 of Perry Township, Stark County, Ohio, and being further described as follows:

Beginning at the Southwest corner of the Northwest quarter Section 22, Perry Township; Thence N03° 23' 56" E along the west line of the Northwest quarter Section 22, Perry Township, also being the west line of a parcel of land currently or previously owned by M. B. Operating Co., Inc. (IM. No. 96000910), a distance of 1476.92' to a point being the northwesterly corner of said parcel;

Thence S 86° 36' 04" E along the northerly line of said parcel a distance of 295.25' to a point said point being on the center line of Richville Drive and also being the northeasterly corner of said parcel;

Thence along the westerly line of a parcel currently or previously owned by D. Wayne and Deborah L. Whipkey (3929:239) the following courses:

N 03° 29' 42" E a distance of 627.55' to a point, thence  
N 03° 23' 56" E a distance of 574.06' to a point being the northwesterly corner of said parcel

Thence S 87° 13' 45" E along the northerly line of said parcel also being the north line of said quarter section a distance of 2412.12' to a point being the northeast corner of said parcel and said quarter section;

Thence S 02° 59' 20" W along the east line of said parcel and said quarter section a distance of 590.00' to a point;

Thence along the easterly boundary of said parcel the following courses:

S 87° 13' 45" E a distance of 330.00' to a point; thence  
S 02° 59' 20" W a distance of 723.00' to a point; thence  
N 87° 13' 45" W a distance of 330.00' to a point, said  
point also being on the east line of said quarter section;

Thence S 02° 59' 20" W along the east line of said quarter section a distance of 1361.15' to a point being the southeast corner of said quarter section, and also being on the centerline of Nave Street, said point also being the southeasterly corner of a parcel currently or previously owned by M. B. Operating Co., Inc. (IM No. 97006236);

Thence following the south line of said quarter section line N 87° 15' 00" W a distance of 2727.59' to a point; said point being the true place of beginning and containing a total of 164.210 acres, more or less, with 158.733 acres being in the Northwest quarter Section 22, Perry Township, and 5.477 acres being in the Northeast quarter Section 22, Perry Township.

### Section 3:

Attached hereto and made a part of this Ordinance is one (1) map covering the tract of land described in Section 2 of this Ordinance.

### Section 4:

The Board of County Commissioners of Stark County, Ohio, are hereby petitioned under the authority of Section 503.07, Ohio Revised Code, to add the one (1) tract of land described in Section 2 of this Ordinance to Massillon Township, Stark County, Ohio.

### Section 5:

Upon passage of this Ordinance the Clerk of Council is directed to forward a certified copy thereof and the attached map, together with an authenticated copy of the proceedings relating thereto, to the Board of County Commissioners of Stark County, Ohio.

### Section 6:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of this community and for the further reason that the timely resolution of its subject matter is essential for making the boundary lines of Massillon Township conform with the corporation lines 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

## CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

## ORDINANCE NO. 74 - 1998

BY: COMMUNITY DEVELOPMENT &amp; ANNEXATION COMMITTEE

TITLE: AN ORDINANCE petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon, and Perry Township, and declaring an emergency.

WHEREAS, Massillon Township was erected to conform with the corporation limits of the City of Massillon, Stark County, Ohio by the Board of County Commissioners on August 19, 1963, and

WHEREAS, the corporation limits of the City of Massillon, Ohio, have been enlarged since the erection of said Massillon Township, through the annexation of one (1) tract of land comprising a part of Perry Township, and

WHEREAS, these annexed lands are still shown as a part of Perry Township, and the County Commissioners must amend the boundaries.

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 the corporation limits of the City of Massillon includes one (1) tract of land which is part of Perry Township, Stark County, Ohio, and that it will be in the public interest of the City to have the boundaries of said Perry Township changed by excluding this one (1) tract of land from said Perry Township and adding this one (1) tract of land to Massillon Township within the corporation limits of the City.

Section 2:

The Board of County Commissioners of Stark County, Ohio, are hereby petitioned under the authority of Section 503.07 Ohio Revised Code, to change the Township boundaries of Perry Township and Massillon Township, all in Stark County, Ohio, by excluding from said Perry Township by adding to said Massillon Township the respective areas thereof which are presently located within the corporation limits of the City of Massillon, Ohio, which areas are described as follows:

Known as, and being parts of Sections 28 and 21 in the Township of Perry (T.10, R.9), County of Stark, State of Ohio and further bounded and described as follows:

Beginning at, and being the true place of beginning for the tract of land herein to be described, a stone found at the southwest corner of the Northeast Quarter of said Section 28; thence N 1°40'17" E and with the west line of said Northeast Quarter a distance of 1783.67 feet to a point at the northeast corner of the property now, or formerly owned by N. Himmel (Deed Vol. 137: Page 725); thence N 88°07'58" W and with the north line of said Himmel property a distance of 2395.99 feet to a point at the southeast corner of the property now, or formerly owned by W. and L.E. Railroad (Deed Vol 3481: Page 721); thence N 17°35'00" E and with the east line of said Railroad property a distance of 521.40 feet to a point; thence N 13°07'40" E and continuing with said east line of said Railroad property a distance of 243.23 feet to a point on the south line of U.S. Route 30; thence N 84°43'38" E and with said south line of U.S. Route 30 a distance of 2548.65 feet to a point at an angle point in said U.S. Route 30, said point being 110.00 feet right of Sta. 637+73.00 of the centerline of said U.S. Route 30 as recorded in Plat Book 38, Page 63 of the Stark County Records of Plats; thence N 82°55'55" E and continuing with said south line of U.S. Route 30 a distance of 348.46 feet to a point; thence S 0°52'40" W a distance of 156.38 feet to a point on the north line of said Northeast Quarter; thence S 88°07'58" E and with said north line of said Northeast Quarter a distance of 529.00 feet to a point at



the northwest corner of the property now, or formerly owned by M. Steiner (Deed Vol 2254: Page 494); thence S 2°17'04" W and with the west line of said Steiner property a distance of 2739.96 feet to a point on the south line of said Northeast Quarter; thence N 88°04'24" W and with said south line of said Northeast Quarter a distance of 1171.50 feet to said true place of beginning and containing 122.206 acres of land, more or less, all being in Perry Township, of which 74.592 acres is in the Northeast Quarter of Section 28, 45.629 acres is in the Northwest Quarter of Section 28, 1.638 acres is the Southeast Quarter of Section 21 and 0.346 acres is in the Southwest Quarter of Section 21.

Section 3:

Attached hereto and made a part of this Ordinance is one (1) map covering the tract of land described in Section 2 of this Ordinance.

Section 4:

The Board of County Commissioners of Stark County, Ohio, are hereby petitioned under the authority of Section 503.07, Ohio Revised Code, to add the one (1) tract of land described in Section 2 of this Ordinance to Massillon Township, Stark County, Ohio.

Section 5:

Upon passage of this Ordinance the Clerk of Council is directed to forward a certified copy thereof and the attached map, together with an authenticated copy of the proceedings relating thereto, to the Board of County Commissioners of Stark County, Ohio.

Section 6:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of this community and for the further reason that the timely resolution of its subject matter is essential for making the boundary lines of Massillon Township conform with the corporation lines 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

DATE: March 16, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 75 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with Johnson Controls for a Planned Service Agreement for ten (10) years with 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 Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement with Johnson Controls for a Planned Service Agreement for ten years with the City of Massillon.

Section 2:

The cost of said contract shall not exceed Thirty-Eight Thousand Four Hundred Seventeen Dollars (\$38,417.00) per 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 the plant service agreement with Johnson Controls will benefit the City of Massillon by reducing its energy costs. 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: March 16, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 76 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with the Stark County Labor Management Council, 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 with the Stark County Labor Management Council.

Section 2:

The cost of said contract shall not exceed Fifteen Thousand Dollars (\$15,000.00).

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 the City of Massillon needs to enter into this agreement so that the Stark County labor Management Council can provide labor/management training and follow-up facilitations to the City of Massillon and all of its unions. 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: March 16, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 77 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Fund, Capital Improvement Fund, and the General 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 Wastewater Treatment Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$110,000.00 to an account entitled "Sludge Cake Conveyor" 2101.610.2532

\$ 30,000.00 to an account entitled "Energy Savings Lease" 2101.610.2333

~~Removed~~ \$ 28,812.75 to an account entitled ~~"Maintenance of Equipment"~~ 2101.610.2332

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:

\$ 75,000.00 to an account entitled "Quint Fire Truck" 1401.325.2530

\$ 35,000.00 to an account entitled "Auditor Office Computer Update"

1401.205.2530

\$ 32,000.00 to an account entitled "Income Tax Computer Upgrades"

1401.210.2530

\$ 2,500.00 to an account entitled "Building Dept. Computers" 1401.415.2530

Section 3:

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 "Energy Savings Lease" 1100.410.2530

~~Removed~~ \$ 9,604.25 to an account entitled ~~"Maintenance of Equipment"~~ 1100.410.2332

Section 4:

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