DATE: MARCH 16, 1998

TIME: 7:30 P.M. PLACE: COUNCIL CHAMBERS

BOC

1. ROLL CALL

SUFF

- INVOCATION COUNCILMAN PAUL LAMBERT
- 2. 3. PLEDGE OF ALLEGIANCE
- 4. READING OF THE JOURNAL
- REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
- 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.

<u>ORDINANCE NO. 70 - 1998</u> 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. - NOTE: Net "enter

<u>ORDINANCE</u> 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.

BY: FINANCE COMMITTEE ORDINANCE NO. 75 - 1998

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.

300

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.

BY: FINANCE COMMITTEE ORDINANCE NO. 77 - 1998

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.

Amended

7. UNFINISHED BUSINESS

- PETITIONS AND GENERAL COMMUNICATIONS 8.
- BILLS, ACCOUNTS AND CLAIMS 9.
- 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

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

AN ORDINANCE vacating a portion of Stanton Avenue N.W., and declaring an 1.1.0 emergency.

14. THIRD READING ORDINANCES AND RESOLUTIONS

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

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.

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

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.

- 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 MA	SSILLON, OHIO	
COUNCIL CHAMBERS		LEGISLATIVE DEPARTMENT
ORDINANCE	NO. 66 - 1998	
BY: SEWER AND WASTE COMMITTEE		
TITLE: AN ORDINANCE authorizing the the City of Massillon, Ohio, to appropriate Massillon Sewer Trunk Project, with declaring an emergency.	ove a Change On	rder No. 5, for the West
NOW, THEREFORE, BE IT ORDAINED ISTATE OF OHIO, THAT:	BY THE COUNCIL C	OF THE CITY OF MASSILLON,
Section 1:		
The Council of the City of Massillon, Ohio, to approve a Change (Trunk Project, with W.G. Lockhart Con	ic Service and Order No. 5, for	Safety of the City of the West Massillon Sewer
Section 2:		
The Director of Public Service a approve a Change Order No. 5, for the W.G. Lockhart Construction Inc.	nd Safety be and West Massillon	d is hereby authorized to Sewer Trunk Project, with
Section 3:		
Upon the completion of said serve Safety is hereby authorized to issue Massillon, Ohio, directing prompt particle Auditor is hereby authorized and directions.	vouchers to the	e Auditor of the City of h services and the City
Section 4:	8	
This Ordinance is declared to necessary for the preservation of community and for the further reason completion of the West Massillon Sewway. Provided it receives the affirmembers to Council, it shall take eff passage and approval by the Mayor. Of force from and after the earliest per	the health, sat that said servi- er Trunk Project mative vote of t ect and be in fo therwise, it sh	fety and welfare of the ces are necessary for the that is currently under two-thirds of the elected orce immediately upon its all take effect and be in
PASSED IN COUNCIL THISDA	Y 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 I	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 STATE OF OHIO, THAT:	BY THE COUNCIL	OF THE CITY OF MASSILLON,					
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 is hereby authorized and directed to advertise for and receive sealed be approval by the Board of Control, who law, as authorized in Section 1	o prepare plans ids according to with the lowest a	and specifications and to o law, and upon award and and best bidder, according					
Section 3:							
This Ordinance is hereby declar the preservation of the health, safe additional reason that it is necess into contract in that the present contract in the affirmative vote council, it shall take effect and be approval by the Mayor. Otherwise, and after the earliest period allow	ty and welfare of eary to enter adventract expires of of two-thirds of e in force immediate shall take es	f the community and for the vertise for bids and enter n April 30, 1998. Provided of the elected members to ately upon its passage and					

PASSED IN COUNCIL THIS DAY OF 1998

FRANCIS H. CICCHINELLI, JR., MAYOR

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

APPROVED:

DATE: March 16, 1998	CLERK:	SHARON HOWELL
CITY	OF MASSILLON, OHIO	
COUNCIL CHAMBERS		LEGISLATIVE DEPARTMENT
ORDII	NANCE NO. 68 - 1998	
BY: SEWER AND WASTE COMMITTEE		
TITLE: AN ORDINANCE authorizing the City of Massillon, Ohio, to into a contract, upon award and lowest and best bidder for a sleplant in the City of Massillon,	advertise for and rec nd approval of the Bo udge cake conveyor at	eive sealed bids and enter eard of Control, with the the Wastewater Treatment
NOW, THEREFORE, BE IT ORDA	AINED BY THE COUNCIL	OF THE CITY OF MASSILLON,
Section 1:		
The Council of the City on necessary in the public health, sealed bids and enter into a concontrol, with the lowest and by Wastewater Treatment Plant in the council of the Council of the City of the Council of the City of	safety and welfare to ntract, upon award and best bidder for a slu	advertise for and receive d approval of the Board of adge cake conveyor at the
Section 2:		
The Director of Public Ser is hereby authorized and direct advertise for and receive seale approval by the Board of Control cake conveyor at the Wastewater	ted to prepare plans d bids, and enter into l, with the lowest and	and specifications and to contract, upon award and best bidder, for a sludge
Section 3:		
This Ordinance is hereby de the preservation of the health, additional reason that it is n contract in that the installative existing belt filter press to disposal which is required by affirmative vote of two-thirds of effect and be in force immediate Otherwise, it shall take effect period allowed by law.	safety and welfare of ecessary to advertise ion of the sludge cak be utilized for by the Ohio E.P.A. of the elected members ely upon its passage a	the community and for the e for bids and enter into e conveyor will allow the io solids dewatering and Provided it receives the to Council, it shall take and approval by the Mayor.

PASSED IN COUNCIL THIS ____DAY OF _____1998

APPROVED: FRANCIS H. CICCHINELLI, JR., MAYOR

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

DATE: <u>March 16, 1998</u>	CLERK:	SHARON HOWELL							
CITY OF M	CITY OF MASSILLON, OHIO								
COUNCIL CHAMBERS		LEGISLATIVE DEPARTMENT							
OPDINANCE	NO. 69 - 1998								
OKBINANCE									
BY: SEWER AND WASTE COMMITTEE									
TITLE: AN ORDINANCE authorizing the the City of Massillon, Ohio, to adversint a contract, upon award and applowest and best bidder for the pu Wastewater Treatment Plant, and decided	rtise for and reproval of the create of one	Board of Control, with the (1) new mini van for the							
NOW, THEREFORE, BE IT ORDAINED STATE OF OHIO, THAT:	BY THE COUNCI	L OF THE CITY OF MASSILLON,							
Section 1:									
The Council of the City of Mas necessary in the public health, safe sealed bids and enter into a contrac Control, with the lowest and best by van for the Wastewater Treatment Pl	ty and welfare ct, upon award a idder for the r	to advertise for and receive and approval of the Board of ourchase of one (1) new mini							
Section 2:									
The Director of Public Service is hereby authorized and directed to advertise for and receive sealed bid approval by the Board of Control, purchase of one new mini van for the Massillon.	o prepare plands, and enter in with the lowes	nto contract, upon award and standard and standard best bidder, for the							
Section 3:									
This Ordinance is hereby declar the preservation of the health, safe additional reason that it is necess due to the poor condition of the affirmative vote of two-thirds of the effect and be in force immediately to Otherwise, it shall take effect and period allowed by law.	ety and welfare sary that the Constitution one. The elected members on the passage of the elected members of the e	of the community and for the city purchase a new mini van Provided it receives the ers to Council, it shall take e and approval by the Mayor.							

PASSED IN COUNCIL THIS ____DAY OF _____1998

FRANCIS H. CICCHINELLI, JR., MAYOR

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

DATE:	March	16.	1998	CLERK:	SHARON	HOWELL
Diri B.	1102 511			200-200-45 200-20 CENTON 9-20-201		

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.

P.F	ASSED II	N COUNCI	L THIS_		DAY OF_				1998	
APPROVED:		HOWELL,	CLERK	OF	COUNCIL	DENNIS	D.	HARWIG,	PRESIDENT	
APPROVED:						FRANCIS	5 Н.	CICCHIN	VELLI, JR.,	MAYOR

DATE: March 16, 1998	CLERK;	SHARON HOWELL
CITY OF MASS	SILLON, OHIO	
COUNCIL CHAMBERS		LEGISLATIVE DEPARTMENT
ORDINANCE NO	. 71 - 1998	
BY: STREETS, HIGHWAYS, TRAFFIC & SAFE	TY COMMITTEE	
TITLE: AN ORDINANCE authorizing the Di the City of Massillon, Ohio, to advertise into a contract, upon award and appro- lowest and best bidder to pave and/or re- of Massillon, and declaring an emergence	se for and rece val of the Boa surface variou	ard of Control, with the
NOW, THEREFORE, BE IT ORDAINED BY STATE OF OHIO, THAT:	THE COUNCIL C	OF THE CITY OF MASSILLON,
Section 1:		
The Council of the City of Massi necessary in the public health, safety sealed bids and enter into a contract, Control, with the lowest and best bis streets within the City of Massillon.	and welfare to upon award and	advertise for and receive approval of the Board of
Section 2:		
The Director of Public Service and is hereby authorized and directed to padvertise and receive sealed bids and approval by the Board of Control, with and/or resurface various streets within	repare plans a d enter into o th the lowest	and specifications and to contract, upon award and and best bidder to pave
Section 3:		
That this Ordinance is hereby necessary for the preservation of the community and for the additional readvertising for bids be made to pave an Spring of 1998. Provided it receives the elected members to Council, it shall the upon its passage and approval by the Mand be in force from and after the ear	ne health, said asson that it ind/or resurface the affirmative take effect and fayor. Otherwise	fety and welfare of the is necessary that the the streets prior to the vote of two-thirds of the d be in force immediately ise, it shall take effect

PASSED IN COUNCIL THIS ____DAY OF _____1998

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

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: March 16, 1998	CLERK:	SHARON HOWELL
C	CITY OF MASSILLON, OHIO	
COUNCIL CHAMBERS		LEGISLATIVE DEPARTMENT
OR	DINANCE NO. 72 - 1998	
BY: PARKS AND RECREATION COM	MITTEE	
TITLE: AN ORDINANCE authori the City of Massillon, Ohi advertise for and receive se Rink and Lot Improvement Pro	o, to prepare plans an ealed bids according to	d specifications, and to law, for the Wampler Park
NOW, THEREFORE, BE IT O	ORDAINED BY THE COUNCIL	OF THE CITY OF MASSILLON,
Section 1:		
The Council of the City necessary in the public he specifications, and to adver for the Wampler Park Rink an	ealth, safety and welfa tise for and receive sea	led bids according to law.
Section 2:		
The Director of Public S is hereby authorized and directive for and receive se Rink and Lot Improvement Pro	rected to prepare plans caled bids according to	e City of Massillon, Ohio, and specifications and to law, for the Wampler Park
Section 3:		
	th, safety and welfare of s necessary that speciful mpleted so as to enhance eceives the affirmative	ications be prepared and Wampler Park for the City vote of two-thirds of the

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.

PAS	SED IN	COUNCII	THIS_		DAY OF				1	998	
APPROVED:	HARON	HOWELL,	CLERK	OF	COUNCIL	DENNIS	D.	HARWIG,	PRESI	DENT	12
APPROVED:_								CICCHIN			MAYOR

DATE:	March	16.	1998	CLERK:	SHARON	HOWELL
DATE.	TIGLOTT					

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 73 - 1998

BY: COMMUNITY DEVELOPMENT & 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 No3° 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.

-3-

PASSED IN COUNCIL THISDAY 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
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CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 74 - 1998

BY: COMMUNITY DEVELOPMENT & 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 THISDAY	OF1998
APPROVED: SHARON HOWELL, CLERK OF COUNCIL	L 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 THISDAY OF1998					
APPROVED: SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT					

FRANCIS H. CICCHINELLI, JR., MAYOR

APPROVED:

DATE: March 16, 19	998	CLERK:	SHARON HOWELL				
CITY OF MASSILLON, OHIO							
COUNCIL CHAMBERS	4	÷	LEGISLATIVE DEPARTMENT				
	ORDINANCE N	IO. 76 - 1998					
BY: FINANCE COMMITTEE	; NO.5						
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 STATE OF OHIO, THAT:	ORDAINED BY	Y THE COUNCIL OF	THE CITY OF MASSILLON,				
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 co (\$15,000.00).	ntract shall	l not exceed F	ifteen Thousand Dollars				
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 T	HISDAY	OF	1998				

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

FRANCIS H. CICCHINELLI, JR., MAYOR

APPROVED:

	DATE: March 16, 1998 CL	ERK: S	SHARON HOWELL						
	CITY OF MASSILLON, OHIO								
	COUNCIL CHAMBERS	LEGIS	LATIVE DEPARTMENT						
	ORDINANCE NO. 77 - 1998								
	BY: FINANCE COMMITTEE								
tes,	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 C STATE OF OHIO, THAT:	OUNCIL OF THE	CITY OF MASSILLON,						
1)	Section 1:								
	There be and hereby is appropriated from Wastewater Treatment Fund of the City of Mass December 31, 1998, the following:	illon, Ohio, f	for the year ending						
Remissed	\$110,000.00 to an account entitled "Sludge C \$ 30,000.00 to an account entitled "Energy So \$ 28,812.75 to an account entitled "Maintenant	ake Conveyor" avings Lease" ace of Equipme	2101.610.2532 3 c1 2101.610.2333 nt" 2101.610.2332	energy lease					
	Section 2:								
	There be and hereby is appropriated from Capital Improvement Fund of the City of Mass December 31, 1998, the following:								
	\$ 75,000.00 to an account entitled "Quint Fi: \$ 35,000.00 to an account entitled "Auditor (re Truck" 140 Office Compute 205.2530	1.325.2530 r Update"						
	\$ 32,000.00 to an account entitled "Income Ta		grades"						
	\$ 2,500.00 to an account entitled "Building		rs" 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 \$ 9,604.25 to an account entitled "Maintenance of Equipment" 1100.410.2332								
Removed	\$ 10,000.00 to an account entitled "Energy Sa \$ 9,604.25 to an account entitled "Maintenar Section 4:	vings Lease" : ce of Equipmen	1100.410.2530 nt" 1100.410.2332	101 march					
	Section 4:			ARRECT .					
	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 THISDAY OF		1998						
	APPROVED:								
	SHARON HOWELL, CLERK OF COUNCIL DE	NNIS D. HARWIG	G, PRESIDENT						
	APPROVED: FR	ANCIS H. CICCH	INELLI, JR., MAYOR						