DATE: APRIL 6, 1998

TIME: 7:30 P.M.

PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INVOCATION - COUNCILMAN MIKE LOUDIANA

3. PLEDGE OF ALLEGIANCE

4. READING OF THE JOURNAL

5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM. ORDINANCE NO. 78 - 1998

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 1, for the Lincoln Way West Rehab Project, without competitive bidding, with Northern Ohio Paving, and declaring an emergency.

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM. ORDINANCE NO. 79 - 1998

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

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM ORDINANCE NO. 80 - 1998

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.

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM. ORDINANCE NO. 81 - 1998

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoningcertain tracts of land from A-1 Agricultural to R-2 Single Family Residential, R-T Two Family Residential, RM-1 Multi Family Residential and B-1 Local Business, and declaring an emergency.

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM. ORDINANCE NO. 82 - 1998

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land to R-2 Single Family Residential, R-1 Single Family, R-T Two Family Residential, RM-1 Multi Family Residential and B-1 Local Business, and declaring an emergency.

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM. ORDINANCE NO. 83 - 1998

AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Oberlin-Bonks Area Annexation, upon annexation, and declaring an emergency.

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM. ORDINANCE NO. 84 - 1998

AN ORDINANCE indicating what services the City of Massillon, Ohio, will AN UNDINANCE indicating what services the City of Massillon, Ohio, will provide to the Wheaton Place Annexation, upon annexation, and declaring an emergency.

BY: HEALTH, WELFARE & BUILDING REGULATIONS ORDINANCE NO. 85 - 1998

AN ORDINANCE repealing Section 1129.03 (a) and (b) "APPEALS" of CHAPTER 1129 "BOARD OF ZONING APPEALS", and enacting a new Section 1129.03 (a) and (b) "APPEALS" of CHAPTER 1129 "BOARD OF ZONING APPEALS", and declaring an emergency.

ORDINANCE NO. 86 - 1998 BY: FINANCE COMMITTEE

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 lease or purchase of one (1) new dump truck for the City of Massillon Street Department, and declaring an emergency.

BY: SEWER AND WASTE COMMITTEE ORDINANCE NO. 87 - 1998

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to pursue a five year planning/design loan from the Ohio EPA Water Pollution Control Loan Fund and to execute said loan when approved, and declaring an

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BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM ORDINANCE NO. 88 - 1998

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

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM. ORDINANCE NO. 89 - 1998

AN ORDINANCE, approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the consolidation Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications, and declaring an emergency.

BY: FINANCE COMMITTEE ORDINANCE NO. 90 - 1998

AN ORDINANCE authorizing the mayor to accept a federal grant under the Federal COPS MORE Program for use by the Massillon Police Department, and declaring an emergency.

Idecentina ORDINANCE NO. 91 - 1998 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Federal Grant COPS Fund, Municipal Golf Course Fund, Restaurant License Fund, Home Health Service Fund, General Fund and the Capital Improvement Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, and declaring an emergency.

BY: FINANCE COMMITTEE ORDINANCE NO. 92 - 1998

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.

BY: HEALTH, WELFARE & BUILDING REGULATIONS ORDINANCE NO. 93 - 1998

AN ORDINANCE repealing CHAPTER 1305 "ONE, TWO AND THREE FAMILY DWELLING CODE" of the Codified Ordinances of the City of Massillon, Ohio, and enacting a new CHAPTER 1305 "OBOA ONE, TWO AND THREE FAMILY DWELLING CODE" of the Codified Ordinances of the City of Massillon, and declaring an emergency.

BY: PARKS AND RECREATION COMMITTEE ORDINANCE NO. 94 - 1998

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

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM. ORDINANCE NO. 95 - 1998

AN ORDINANCE authorizing and directing the mayor of the City of Massillon, to enter into a loan agreement with G & F Industries, Inc., under the City of Massillon's Economic Development Revolving Loan Fund, to assist the company in acquiring a new facility located at 1929 9th Street S.W., Massillon, Ohio, and declaring an emergency.

BY: FINANCE COMMITTEE RESOLUTION NO. 11 - 1998

A RESOLUTION declaring the necessity for the construction of sidewalks at 22 Shriver S.E. in the City of Massillon, Ohio, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

BILLS, ACCOUNTS AND CLAIMS

9. BILLS, ACCOUNTS AND 10. REPORTS FROM CITY OFFICIALS

A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR MARCH 1998

B). AUDITOR SUBMITS MONTHLY REPORT FOR MARCH 1998

11. REPORTS OF COMMITTEES

RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS 12.

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 emergency.

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14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 75 - 1998

BY: FINANCE COMMITTEE

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.

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

SHARON HOWELL COUNCIL CLERK

THERE ARE NO PUBLIC HEARINGS THIS EVENING

DATE: April 6, 1998	CLERK:	SHARON HOWELL
Dille. Indiana of asso	O.D	

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 78 - 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 approve a Change Order No. 1, for the Lincoln Way West Rehab Project, without competitive bidding, with Northern Ohio Paving, 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. 1, for the Lincoln Way West Rehab Project, without competitive bidding, with Northern Ohio Paving.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve a Change Order No. 1, for the Lincoln Way West Rehab Project, without competitive bidding, with Northern Ohio Paving. The cost of said Change Order No. 1 shall not exceed Forty-Four Thousand Nine Hundred Eighty-Four dollars and Fifty Cents.

Section 3:

That 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:

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 said services are necessary for the completion of the Lincoln Way West Rehab 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 THISDAY OF_	1998
APPROVED: SHARON HOWELL, CLERK OF COUNCIL	DENNIS D. HARWIG, PRESIDENT
APPROVED:	FRANCIS H. CICCHINELLI, JR., MAYOR

1 ~
DATE:April 6, 1998 CLERK:SHARON HOWELL
CITY OF MASSILLON, OHIO
COUNCIL CHAMBERS LEGISLATIVE DEPARTMENT
ORDINANCE NO. 79 - 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 I-1 Light Industrial to A-1 Agricultural, 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 hereofrom I-1 Light Industrial to A-1 Agricultural. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on March 11, 1998 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 o the Massillon Code of 1985, be and is hereby amended to show the following described area as A-1 Agricultural:
Located at 650 Kaymont S.E. and being known as Out Lots 456 and 459, and Part of Out Lot 311 a total 7.793 acre parcel on the south side of Harsh Avenue, S.E. and 20th Street S.E.
Section 3:
That this ordinance is declared to be an emergency measure in that the us herein provided for is essential to the proper community growth and henc immediately necessary for the preservation of the health, safety and welfar of the community and that this property would best be served to be designate A-1 Agricultural. 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:

01.455 1.423 ACRES 650 KAYMONT STREET S.E. 40' 102.38 EXC. No. 3 to TEAC! I. 01.458 (2.085AC) PT. O.L. 311 S 78. 88 6 70.1 70.1 - 69.73 54.47 OUT OF THE 1: 2: 44 PROPOSED REZONING (650 Kaymont SE) NATION INDICATED AND INDICATED 62.56 5- P. 12

			OT TOTAL	OLLY DON'T	TIOLITIT T
DATE:	April 6,	1998	CLERK:	SHARON	HOMETIT
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COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 80 - 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. Said rezoning was approved by the City Planning Commission at its March 11th meeting, and that notice and public hearing has been given according to law.

Section 2:

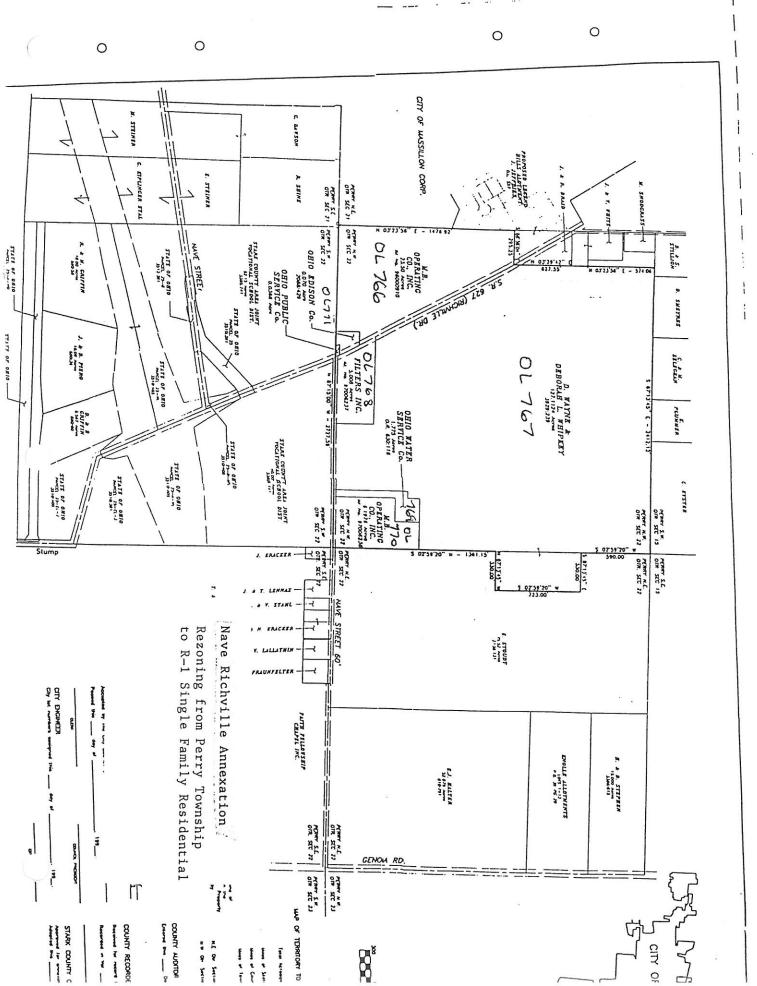
That the City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and is hereby amended to show the following described area as R-1 Single Family Residential:

Being known as Out Lots 767, 768, 769, 770 and 771, an approximate 140 acre area located on the east side of Richville Drive S.E., north of Drage Vocational School.

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 R-1 Single Family Residential. 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 C	COUNCIL DENNIS D. H.	ARWIG, PRESIDENT
APPROVED:	FRANCIS H. (CICCHINELLI, JR., MAYOR



DATE:April 6, 1998	CLERK:	SHARON HOWELL
CIT	Y OF MASSILLON, OHIO	
COUNCIL CHAMBERS		LEGISLATIVE DEPARTMENT
ORD	INANCE NO. 81 - 1998	
BY: COMMUNITY DEVELOPMENT & A	ANNEXATION COMMITTEE	
TITLE: AN ORDINANCE amending rezoning certain tracts of la Residential, R-T Two Family ResLocal Business, and declaring	and from A-1 Agriculti sidential, RM-1 Multi	iral to K-Z Single Family
NOW, THEREFORE, BE IT ORD	DAINED BY THE COUNCIL	OF THE CITY OF MASSILLON,
Section 1:		
It is hereby determined to general health, safety and concommunity to change the design from A-1 Agricultural to variezoning was approved by the Ohio, on March 11, 1998 and according to law.	venience, comfort, pronation of the area set rious residential and	forth in Section 2 hereof d business zoning. Said of the City of Massillon,
Section 2:		
Oh	is Zone Man ag identi	fied by Section 1151.02 of

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 zoning: SEE ATTACHED MAP

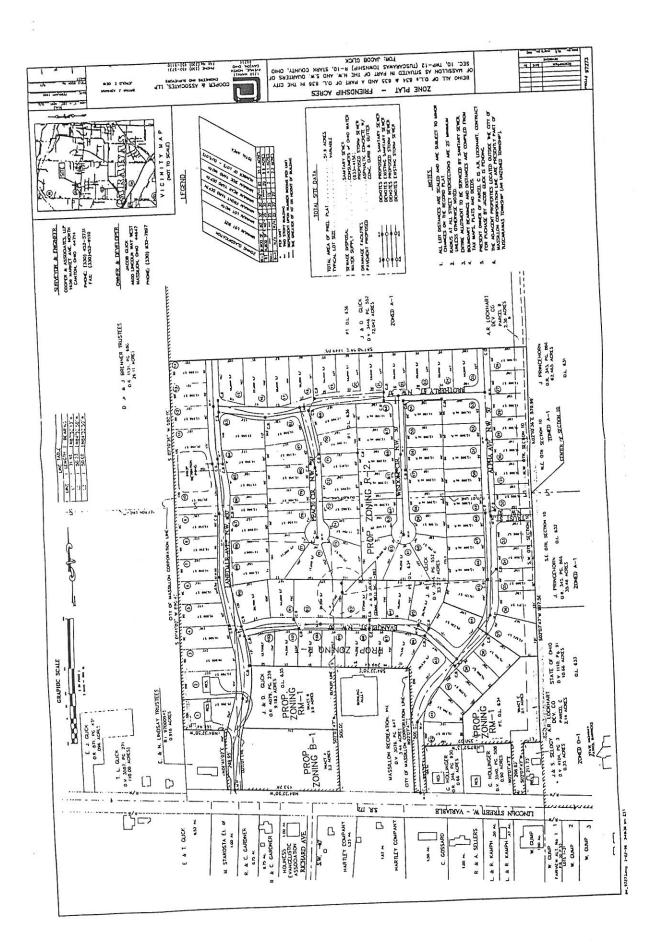
A 51.9 acre parcel consisting of Out Lots 634 and 635 and Part of Out Lot 636, located on the north side of Lincoln Way, N.W., west of the State Highway Patrol Barracks.

ZONING	NO. PROPOSED LOTS	TOTAL AREA
R-2 Single Family Residential R-T Two Family Residential RM-1 Multi Family Residential B-1 Local Business	20	35.7 Acres 9.8 Acres 4.1 Acres 2.2 Acres

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 as described in Section 2 above. 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	DENNIS D. HARWIG, PRESIDENT
APPROVED:	FRANCIS H. CICCHINELLI, JR., MAYOR



,

DATE:	April 6, 1998	CLERK:	SHARON HOWELL

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 82 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land to R-2 Single Family Residential, R-1 Single Family Residential, R-1 Two Family Residential, RM-1 Multi Family Residential and B-1 Local Business, 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 to various residential and business zoning. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on March 11, 1998 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 zoning: SEE ATTACHED MAP

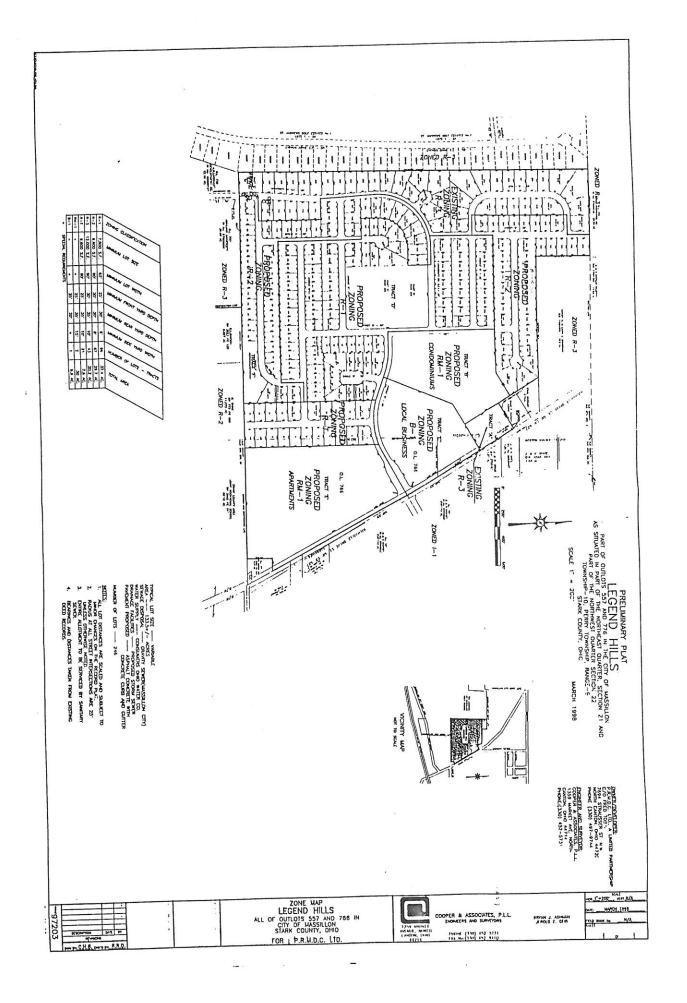
A 133.5 acre parcel consisting of Out Lots 557 and 766 and Part of Out Lot 636, located on the north side of Nave Road, S.E. north of the proposed Ashland University Graduate Center and between St. Andrews Estates and Richville Drive S.E.

ZONING	NO. PROPOSED LOTS	TOTAL AREA
R-2 Single Family Residential R-1 Single Family Residential R-T Two Family Residential RM-1 Multi Family Residential B-1 Local Business	87 96 21 2	29.7 Acres 37.4 Acres 7.6 Acres 30.0 Acres 9.8 Acres

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 as described in Section 2 above. 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_		2 22 15	1998	
APPROVED:		HOWELL,	CLERK OF	COUNCIL	DENNIS D.	HARWIG,	PRESIDENT	
APPROVED:					FRANCIS H	. CICCHIN	WELLI, JR.,	MAYOR



DATE:	April 6	. 1998	CLERK:	SHARON	HOWELL	
DAIL:	White o	1 1 2 2 0				

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 83 - 1998

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Oberlin-Bonks Area Annexation, upon annexation, and declaring an emergency.

WHEREAS, certain property owners have filed a petition requesting the Oberlin-Bonks Area Annexation to be annexed to the City of Massillon, Ohio, pursuant to the Ohio Revised Code Section 709.02, and

WHEREAS, The Ohio Revised Code Section 709.031 (B) requires;

Upon receiving this notice, the Municipal Legislative Authority, shall by Ordinance or Resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation, and

WHEREAS, this Ordinance is intended to comply with the requirements of the Ohio Revised Code Section 709.031 (B), and

WHEREAS, the legislative authority of the City of Massillon, Ohio, is supportive of the annexation proposal, and

WHEREAS, the Stark County Commissioners have scheduled a public hearing, to be held at the Perry Township Hall on Wednesday, June 3, 1998 at 7:00 P.M.

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

Section 1:

The City of Massillon, Ohio, will extend to the proposed area, upon annexation, the availability of all municipal services extended to all of the current citizens, residents and property owners of the City of Massillon, Ohio, including, but not limited, to the services of the Municipal Police Department, 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 Street Department, services of the Safety 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 2:

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 to indicate what services the City of Massillon will provide to the area upon annexation prior to the Stark County Commissioners hearing on June 3, 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.

PASS	SED IN	COUNCIL	THIS	DAY	OF_			1998
APPROVED:	HARON I	HOWELL,	CLERK O	COUNCI	_L —	DENNIS D.	HARWIG,	PRESIDENT
APPROVED:						FRANCIS H.	CICCHINE	ELLI, JR., MAYOR

OBERLIN AVE S.H. SURVEYOR'S CERTIFICATION I hereby certify that this is a true description of that tract to be annexed as compiled from deeds of record and record plots City lot numbers assigned this CITY ENGINEER Passed this Accepted by The City Council of Massillon, Ohio ELATSAY CENSAMER ANTIBOA ASTIBOA * day of 9TH ST. S.W. 9TH ST. S.W. ... day RECOSTERED SURVEYOR NO 9 5 05'08'01' Ordinance No COUNCIL PRESIDENT CITY ENGINEER 199 CHE CALL OF ME BONKS PROPERTIES INC.
499 76J
PARCEL NO J
J 46 Ac. 199 OBERLIN RD. WE DELLUFERS COUNTY AUDITOR
Entered this _____ Day of Approved for annexation by the stark county commissioners.

Adopted this day of 199_... STARK COUNTY COMMISSIONERS Recorded in Vol. Received for record this COUNTY RECORDER 8TH ST. S.W. ST. 14535 MIDWESTERN INDUSTRIES INC. S.W. 199 5805 1285.79 5804 Page 5803 day of GRIFFITH AVE. -S.W. 5802 5801 JOHN TSOCHEP CEORCE TSOCHEP CAHELLA MAYPILLD J677,770 0.60 & < 5800 PENMOCK AVE. S.W. 5799 COUNTY RECORDER this COUNTY MUDITOR 5798 199 199:76; PARCEL NO 4 1:67 Ac -FINEFROCK-RD.-S.W. 5797 5796 191 , day of 5795 The Bearings are beased on S 89'41'09" E. Horm the centerfine survey place of S.R. 241. Stork County, Otho, SIX-241 and Z.2. survey made by William J. Mean, Respitered Surveyor No. 502, State of Otho, The center line survey, pol is recorded in Book 56, Page 101, of the necords of Stork County. BASIS OF BEARING 5794 3677,770 1RACT 10 0.42 Ac. NATIONAL FEEDSCHEN AND MACHINING INDUSTRIES INC. PARCEL NO. 5 10 5793 5792 5791 5790 MAP OF TERRITORY TO BE ANNEXED TO THE CITY OF MASSILLON, OHIO. 6TH ST. 5.W. 5789 S.W. Qtr. Section 17 Perry Twp. 0.634 S.E. Qtr Section 18 Perry Twp. 12.534 14713 Miles of Township Roads Hall Width 0.387 Miles Miles of County Roads Miles of State Highways Total Acreage in Annexation (S.R. 241) 5786 CORP LINE 5785 BONKS PROPERTIES INC.
499:763

PAGCES NO.1 & NO.2
548 Ac.
5.41 5784 N 89'37'43" W - 775.12" \$ 89.40,28" E - 721.80 5783 5782 35/3 4:01 5781 13.16B 5780 5779 Miles 5778 Acres Acres 5777 PERRY S.E. PERRY S.W. | OIR SEC 18 OTR. SEC 17 5776 AREA TO BE AMMEXED OTR. SEC 18 OTR. SEC 17 5775 5774 5773 279 233 0 43 Kres CITY OF MASSILLON 5772 10366 10366 5771 5770 W.S. IS NYONDO LOCATION MAP - NO DUNCAN ST. S.W. OBERLIN AVE BONKS + O.L. 2: Ϋ́ , κ **μ**νε

DATE:April 6, 1998	CLERK:	SHARON HOWELL
	CITY OF MASSILLON, OHIO	
COUNCIL CHAMBERS		LEGISLATIVE DEPARTMENT
	ORDINANCE NO. 84 - 1998	
	T AND ANNEXATION COMMITT	
will provide to the Wheat an emergency.	on Place Annexacton, upor	e City of Massillon, Ohio, n annexation, and declaring
WHEREAS, certain pro Wheaton Place Annexation pursuant to the Ohio Rev	to be annexed to the	a petition requesting the City of Massillon, Ohio, and
WHEREAS, The Ohio Re	evised Code Section 709.0	31 (B) requires;
shall by Ordina	and or Regolution adopt	orporation will provide to
the Ohio Revised Code Se	ction 709.031 (B), and	ly with the requirements of
supportive of the annexa	tion proposal, and	City of Massillon, Ohio, is
to be held at the Perry T	ownship Hall on Wednesday	scheduled a public hearing, y, June 3, 1998 at 7:00 P.M.
NOW, THEREFORE, BE STATE OF OHIO, THAT:	IT ORDAINED BY THE COUNCI	L OF THE CITY OF MASSILLON,
Section 1:		
annexation, the availabil current citizens, reside Ohio, including, but not Department, services of Municipal Service Department of the Building Services of the Safety Services of the Health	lity of all municipal servents and property owners limited, to the service the Municipal Fire Dertment, services of the Department, services of the Department services of th	to the proposed area, upon vices extended to all of the of the City of Massillon, ses of the Municipal Police partment, services of the Engineering Department, of the Street Department, the Planning Department, the Sewer Department and
Section 2:		
necessary for the prese community and for the add services the City of Mass to the Stark County Co receives the affirmatic Council, it shall take	ervation of the health, ditional reason that it is sillon will provide to the mmissioners hearing on years and he in force is	o be an emergency measure safety and welfare of the s necessary to indicate what e area upon annexation prior June 3, 1998. Provided it of the elected members to mmediately upon its passage take effect and be in force tw.

PASSED IN COUNCIL THIS ____DAY OF ______1998

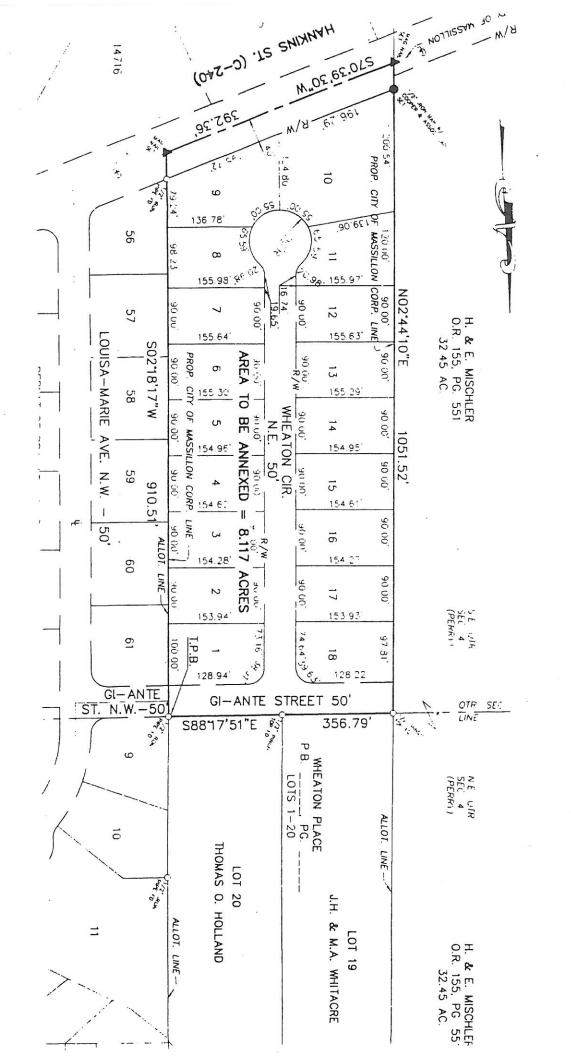
FRANCIS H. CICCHINELLI, JR., MAYOR

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

APPROVED:

ANNEXATION PLAT OF PART OF WHEATON PLACE

PART OF THE SOUTHEAST QUARTER OF SECTION 4
TOWNSHIP-10 (PERRY TOWNSHIP), RANGE 9
STARK COUNTY, OHIO



T TIDIT	CITADON	TTCTTTT T	
LERK:	SHARUN	HOWELL	

DATE: April 6, 1998

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 85 - 1998

BY: HEALTH, WELFARE AND BUILDING REGULATIONS

TITLE: AN ORDINANCE repealing Section 1129.03 (a) and (b) "APPEALS" of CHAPTER 1129 "BOARD OF ZONING APPEALS", and enacting a new Section 1129.03 (a) and (b) "APPEALS" of CHAPTER 1129 "BOARD OF ZONING APPEALS", and declaring an emergency.

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

Section 1:

Section 1129.03 (a) and (b) "APPEALS" of CHAPTER 1129 "BOARD OF ZONING APPEALS" be and is hereby repealed.

Section 2:

That a new Section 1129.03 (a) and (b) "APPEALS" of CHAPTER 1129 "BOARD OF ZONING APPEALS" be and is hereby enacted. Said new Section shall read as follows:

Section 1129.03 APPEALS

- An appeal may be taken to the Board of Zoning appeals by any person, firm or corporation, or by any officer, Department, Board or Bureau affected by a decision of the Building Inspector. Such appeal, including all required information requested in the application by the Building Official, shall be filed no later than the fourth Tuesday of each month, to be heard on the second Thursday of the following month. Insufficient information submitted shall be a cause for delay of inclusion at the hearing. Appeals shall be taken by filing with the Building Inspector and with the Board of Appeals, specifying the grounds thereof. The Building Inspector shall forthwith transmit to the Board all of the papers constituting the record upon which the action appealed from was taken. An appeal shall stay all proceedings in furtherance of the action appealed from unless the Building Inspector certifies to the Board of Appeals after notice of appeal has been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property, in which case the proceedings shall not be stayed, otherwise than by a restraining order, which may be granted by a court of record.
- (b) The Board shall meet on the second Thursday of each month to hear all appeals submitted in accordance with Section 1129.03 (a) above; a decision shall be rendered the evening of the meeting, with a ten working (10) day appeal period to grant the variance as requested, deny the variance as refused, or a combination of both with conditions as imposed by the Board. Any person may appear and testify at the hearing, either in person or by duly authorized agent or attorney.

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said provisions of existing Section 1129.03 (a) and (b) need to be amended to better clarify the appeal process in front of the Zoning Board of Appeals and for the additional reason 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.

-2-

PASSED IN COUNCIL T	HISDAY OF	1998
APPROVED: SHARON HOWELL, CL	ERK OF COUNCIL DENNIS	D. HARWIG, PRESIDENT
APPROVED:	FRANCT	S H. CICCHINELLI, JR., MAYOF

DATE:	April	6,	1998	CLERK:	SHARON	HOWELL	
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COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 86 - 1998

BY: FINANCE 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 lease or purchase of one (1) new dump truck for the City of Massillon Street 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 welfare 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 lease or purchase of one (1) new dump truck for the City of Massillon Street 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 lease or purchase of one (1) new dump truck the City of Massillon Street 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 lease or purchase of a new dump truck for the City of Massillon Street 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 THISDAY	OF1998
APPROVED: SHARON HOWELL, CLERK OF COUNC	CIL DENNIS D. HARWIG, PRESIDENT
APPROVED:	FRANCIS H. CICCHINELLI, JR., MAYOR

DATE:April 6, 1998	CLERK:	SHARON HOWELL
CITY OF M	ASSILLON, OHIO	
COUNCIL CHAMBERS		LEGISLATIVE DEPARTMENT
ORDINANCE	NO. 87 - 1998	
BY: SEWER AND WASTE COMMITTEE		
TITLE: AN ORDINANCE authorizing the pursue a five year planning/design Control Loan Fund, and to execute seemergency.	aid loan when a	pproved, and declaring an
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 Mass necessary and in the public health, of the City of Massillon, Ohio, to put the Ohio EPA Water Pollution Contra monitoring within the City's sanitadocument when approved.	rsue a five year	planning/design loan from perform additional flow
Section 2:		
The Mayor of the City of Ma directed to pursue a five year plan Pollution Control Loan Fund to perf City's sanitary sewer system, and to	nning/design loa Form additional	flow monitoring within the
Section 3:		
That this ordinance is here! necessary for the preservation of community and for the additional re year planning/design loan the Ohio additional flow monitoring within t it receives the affirmative vote Council, it shall take effect and be approval by the Mayor. Otherwise, and after the earliest period allow	the health, so ason that it is the EPA Water Polyne he City's sanitate of two-thirds of inforce immed it shall take e	necessary to pursue a five lution Control to perform ary sewer system. Provided of the elected members to iately upon its passage and

PASSED IN COUNCIL THIS ____DAY OF____

APPROVED:

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

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE:	April 6, 1998	CLERK:	SHARON HOWELL	
		9		

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 88 - 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 thereinafter 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 15 foot wide unnamed alley lying between Cherry Road, N.W. and Warwick Avenue, N.W. and running in an east-west direction between First Street, N.W. and State Route 21, that portion of alley from the east property line of Lot No. 3598, easterly a distance of 55 feet. This vacation plat is filed in the City Engineer's Office and was approved by the City Planning Commission on December 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.

APPROVED:	.									
	SHARON	HOWELL,	CLERK	OF	COUNCIL	DENNIS	D.	HARWIG,	PRESIDENT	
APPROVED:						FRANCIS	ВН	CICCHIN	ELLI, JR.,	MAYOR

PASSED IN COUNCIL THIS DAY OF

STARK COUNTY RECORDER Received for record this day of Recorded in Volume, Page STARK COUNTY AUDITOR Enter for transfer this day of	CHERRY	143 Page 14339 Page 143	12285
J. 19	ROAD	3597 3596	3592 140' 3593 140' 3594 15' PUE
STARK COUNTY RECORDER STARK COUNTY AUDITOR	N 8 8 1 S	35 95 143' STREET	N. W. 50'
F ON SC SA SC	60'	3 5 3 5	ORMILE R OF THE SECOND OF THE
In witness whereof, I hereunto set my hand and seal thisdoy of	COUNTY OF STARK STATE OF OHIO 1s. Before me a Notary Public, in and for said county, did personally appear, the above, who acknowledge the signing of the same to be our free act and deed occording to bow.	CLERK MASSILLON CITY ENGINEER Let Numbers,	CERTIFICATION I harpby carrify the odjecent map to be correct, as drewn by me this 2 day of 2 defectuated

CLERK:	SHARON	HOWELL	

DATE: April 6, 1998

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 89 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications, and declaring an emergency.

WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974 (which title is hereunder referred to as the "Act") and the regulations promulgated thereunder (24 CFR Parts 58 and 570, hereunder referred to as the "Regulations"). is authorized to make block grants to units of general local government to help finance housing and community development programs (which grants are hereinafter to as "CDBG" grants); and

WHEREAS, the City of Massillon proposes to apply for such a grant for Fiscal year 1998 and has, in that connection and as required by and pursuant to the Act and Regulations, prepared a Consolidated Plan for community development, including a strategic plan for meeting its housing and community development needs, and an annual action plan describing the activities that the City proposes to undertake with CDBG funds; and

WHEREAS, the City of Massillon has developed and implemented a citizen participation plan to make information available to citizens, public agencies, and others on the various elements of CDBG program; to encourage participation of citizens and organizations representing citizens, particularly low and moderate income citizens, in the development of the Consolidated Plan; to hold public meetings on the Plan and proposed CDBG Budget and to provide timely and adequate notice of such meetings; and to provide technical assistance to citizens and citizen groups requesting assistance to adequately participate in the planning, implementation, and evaluation of the Consolidated Plan and CDBG Program; and

WHEREAS, the Council has duly reviewed and considered the Consolidated Plan and Annual Action Plan, along with the views and proposals of citizens, and the comments and recommendations of the City's administrative and planning officials.

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

Section 1:

This Council hereby finds and determines that the Consolidated Plan and Annual Action Plan properly and adequately identify the City's housing and community development needs and objectives; and that the programs and activities to be undertaken by the City with CDBG funds as provided for under the Act for the 1998 Program Year have been designed so as to give maximum feasible priority to activities which will benefit low and moderate income households or aid in the prevention or elimination of slums and blight, so as to achieve the national objectives of the CDBG program which are to develop viable urban communities by providing decent housing and suitable living environment and expanding economic opportunities, principally for low and moderate income persons; and for these reasons, this Council approves said Plan.

Section 2:

That the Mayor, being the chief executive officer of the City of Massillon, is hereby designated as the authorized representative of the City, to act in connection with the City's application for CDBG funds;, and to provide such additional information, as well as to execute and file such additional documentation or certifications as may be required by the Secretary or by other responsible agencies in connection with the application.

Section 3:

That this Council hereby finds and determines that the City in preparing its application for CDBG funds, has complied with the applicable requirements of the Act and Regulations, and that this Council hereby approves the Annual Action Plan and authorizes the Mayor to execute and file the application, together with all related documentation, with the Secretary.

Section 4:

That this Council hereby directs that the City of Massillon is carrying out its CDBG funded activities, continue to comply with applicable requirements of the Act and Regulations and with other applicable laws including civil rights, equal opportunity and fair housing, citizens participation, real property acquisition and relocation, environmental protection, fair labor standards, and the requirement of giving maximum feasible priority to activities which will benefit low and moderate income households or aid in the prevention or elimination of slums and blight, and this Council authorizes the Mayor to execute and file with the Secretary certifications in such form as the Secretary may prescribe, which will provide assurances concerning these foregoing matters, and concerning other matters as may be required by the Secretary in connection with carrying out the Citys' CDBG program.

Section 5:

That this Council hereby authorizes the Mayor to consent to assume the status of a responsible Federal official under the National Environmental Police Act of 1969, insofar as the provision of such act applies to the Secretary's responsibilities for environmental review, decision making, and action to be assumed and carried out by the Mayor, and authorizes the Mayor to consent, on behalf of the City, to accept the jurisdiction of the Federal Courts for the purposes of carrying out the CDBG program; and furthermore, that this Council hereby authorizes the Mayor to execute and file such other documents and take such other actions in connection with the environmental review process as may be required by the Act and Regulations.

Section 6:

That 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 further reason that the immediate approval and filing of the application is necessary to enable the City to qualify for its CDBG Grant for the FY 1998 Program Year and thus enable it to carry out its Community Development 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 form and after the earliest period allowed by law.

PASSED IN COUNCIL THISD	DAY OF	1998
APPROVED: SHARON HOWELL, CLERK OF COU	UNCIL DENNIS D. HARWIG, P	RESIDENT
APPROVED:	FRANCIS H. CICCHINE	LLI, JR., MAYOR

CITY OF MASSILLON - FY 1998 CDBG PROGRAM PROPOSED ACTION PLAN

Project Name	Applicant	Description	Amount Allocated
CDBG Administration Activities			
Planning & Administration	Community Development Dept	Planning & Administration of CDBG Program	130,000
Fair Housing Program	Community Development Dept	Fair housing services, education, outreach	30,000
Housing Activities			200
City Housing Rehabilitation	Community Development Dept	Homeowner & Rental Housing Rehabilitation	000,000
Habitat for Humanity	Habitat for Humanity	Property Acquisition & New Housing Construction	25,000
Essential Homes	Schalmo Builders	Site Improvements for new housing construction	75,000
Homeownership Program	NHS of Massillon	Acquisition & Rehabilitation of Existing Housing	00,000
Public Improvements			50000
Sidewalk & Lighting Project	Massillon Main Street	Replacement of downtown sidewalks & street light	000,00
LMI Street Resurfacing	City Engineer's Office	Street Resurfacing in LMI neighborhoods	7,000
16th SE Sidewalks	Stark Metropolitan Housing	New Sidewalk, east side 16th Se (Franklin area)	/,000
Public Service Activities			
Youth Center Program	Community Development Dept	Operation of City Youth Center	65,000
Elderly Homemaker Program	Westark Family Services		20,000
Housing Counseling	Massillon Urban League	Rental referrals, tenant & homeowner counseling	15,000
Children's Art Connection	City Youth Center	Youth arts education and outreach program	10,000
Family Living Center	Catholic Community Services	Homeless Shelter, Adult Day Care Services	10,000
Adult Literacy Training	Massillon Literacy Commission	Adult Literacy Training, Education & Outreach	5,000
Teen Pregnancy Prevention	Massillon Urban League	Education Program for Middle School Students	5,000
Mayor's Drug Task Force	Mayor's Drug Task Force	Education & Outreach	5,000
YWCA Y-Tots	YWCA of Western Stark County	Preschool/child care center	3,000

Rehabilitation Projects

Downtown Rehabilitation Program | Massillon Main Street

YMCA Rehabilitation

Joe Sparma Community Center

Joe Sparma Community Center

Facility Renovation

FY 1997 Entitlement

916,000 34,000 0 **Total Budget**

950,000

75,000 15,000 50,000

Estimated Income Re-Allocated Funds

Total Available

950,000

Massillon Family YMCA

Rehab of Downtown Buildings

Electrical System, Boiler Room Repairs

FY 1998 Community Development Program Budget	
FY 1998 Community Development Program Budget	.Budget Amount
Housing Activities	Amount
City Housing Rehabilitation Program Essential Homes/Forest Hills Allotment Site Improvements Habitat for Humanity New Housing Construction Neighborhood Housing Services of Massillon: Homeownership Program	\$200,000 75,000 60,000 50,000
Public Improvements	
Target Area Neighborhood Street Improvements Downtown Sidewalk & Street Light Improvements 16th Street, S.E. Sidewalk Construction	70,000 50,000 7,000
Non-Residential Rehabilitation	
Massillon Main Street Downtown Improvement Program Joe Sparma Community Center Gymnasium Massillon Family YMCA Electrical/Boiler Room Repairs	75,000 50,000 15,000
Public Service Activities	
City Youth Center Program Elderly Homemaker Program - Westark Family Services Housing Counseling Program - Massillon Urban League Children's Art Connection Program Family Living Center Homeless Shelter - Catholic Community Services Teen Pregnancy Prevention - Massillon Urban League Massillon Commission to Advance Literacy Adult Literacy Training Program Massillon Drug Task Force Commission YWCA Y-Tots Preschool/Daycare Program	65,000 20,000 15,000 10,000 5,000 5,000 5,000 3,000
Planning & Administration Activities	
Planning and Program Administration City Fair Housing Program	130,000 30,000

Public Hearing

FY 1998 CDBG PROGRAM BUDGET

\$950,000

The City of Massillon will hold a Public Hearing on its FY 1998 Community Development Action Plan on Monday, April 20, 1998, at 6:30 P.M., in Massillon City Council Chambers, Second Floor, Municipal Government Center, One James Duncan Plaza, Massillon. The purpose of this public hearing will be to obtain citizen input and comments on the City of Massillon's Community Development Strategic Plan and FY 1998 CDBG Action Plan.

		3
DATE: April 6, 1998	CLERK:	SHARON HOWELL
	CITY OF MASSILLON, OHIO	
COUNCIL CHAMBERS	w.	LEGISLATIVE DEPARTMENT
	ORDINANCE NO. 90 - 1998	
BY: FINANCE COMMITTEE		
TITLE: AN ORDINANCE author Federal COPS MORE Program declaring an emergency.	rizing the Mayor to accept a for use by the Massillon	federal grant under the Police Department, and
NOW, THEREFORE, BE IT STATE OF OHIO, THAT:	ORDAINED BY THE COUNCIL OF	THE CITY OF MASSILLON,
Section 1:		
The Mayor is hereby au COPS MORE Program for use	thorized to accept a federal by the Massillon Police Dep	grant under the Federal artment.
Section 2:		5 ix
The said amount of th Hundred Thirty-Six Dolalrs	e federal grant shall be Fo (\$ 46,436.00)	
Section 3:		
necessary for the immediate the community and that the dispatching through the REI of two-thirds of the elect in force immediately upon	is hereby declared to be preservation of the health the grant is necessary to center. Provided it received members to Council, it is passage and approval by in force from and after the	, safety, and welfare of o off set the cost of ves the affirmative vote shall take effect and be the Mayor. Otherwise,
PASSED IN COUNCIL T	HISDAY OF	1998
APPROVED: SHARON HOWELL, CL	ERK OF COUNCIL DENNIS D.	HARWIG, PRESIDENT

FRANCIS H. CICCHINELLI, JR., MAYOR

APPROVED:

DATE:	April	6. 1998	CLERK:	SHARON HOWELL	
MIL.	2 2 2 2 2 2	0 2320	Control of the Contro		_

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 91 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Federal Grant COPS Fund, Municipal Golf Course Fund, Restaurant License Fund, Home Health Service Fund, General Fund and the Capital Improvement 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 Federal Grant COPS Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ 48,436.00 to an account entitled "Professional Services" 1230.305.2390

Section 2:

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 3:

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

\$ 16,220.00 to an account entitled "New Vehicle Health Dept." 1211.720.2530 \$ 750.00 to an account entitled "Restaurant Office Supplies" 1211.720.2410

Section 4:

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

\$ 3,000.00 to an account entitled "Office Supplies" 1235.705.2410

Section 5:

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:

\$ 2,651.71 to an account entitled "Maintenance Fire Vehicle" 1100.325.2331

Section 6:

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:

\$ 2,002.00 to an account entitled "Mayor's Computer" 1401.110.2531

Section 7:

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.

-2-

PASSED IN COUNCIL THISDA	AY OF1998	3
APPROVED: SHARON HOWELL, CLERK OF COUN	NCIL DENNIS D. HARWIG, PRESIDE	NT
APPROVED:	FRANCIS H. CICCHINELLI, JF	R., MAYOF

DATE:April 6, 1998	CLERK:	SHARON HOWELL
CITY OF MASS	ILLON, OHIO	
COUNCIL CHAMBERS	1	LEGISLATIVE DEPARTMENT
ORDINANCE NO.	92 - 1998	
BY: FINANCE COMMITTEE		
TITLE: AN ORDINANCE making certain trans Municipal Golf Course Fund to The Lege Massillon, Ohio, and declaring an emerg	ends Golf Cou	998 appropriation from the arse Fund, of the City of
NOW, THEREFORE, BE IT ORDAINED BY STATE OF OHIO, THAT:	THE COUNCIL	OF THE CITY OF MASSILLON,
Section 1: There be and hereby is transferre Municipal Golf Course Fund to The Legen \$35,000.00 FROM: "Transfer To" 1432.920 TO: "Transfer In" 2104.920	ds Golf Cour 0.2710	998 appropriation from the se Fund the following:
That this Ordinance is hereby decreason for the emergency being that sattle more efficient operation of the Massillon, Ohio, and for the preservat welfare of the community. Provided it thirds of the elected members to Council immediately upon its passage and approviate effect and be in force from and after the community.	id funds are Legends Goltion of the preceives the l, it shall total	immediately necessary for f Course in the City of public health, safety and affirmative vote of two-ake effect and be in force ayor. Otherwise, it shall
PASSED IN COUNCIL THISDAY	OF	1998
APPROVED: SHARON HOWELL, CLERK OF COUNCI	L DENNIS D	. HARWIG, PRESIDENT

FRANCIS H. CICCHINELLI, JR., MAYOR

APPROVED:

DATE:	April 6.	1998	CLERK:	SHARON	HOWELL
DETTI .	110111 01	1770	ODD-11111		

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 93 - 1998

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE repealing CHAPTER 1305 "ONE, TWO AND THREE FAMILY DWELLING CODE" of the Codified Ordinances of the City of Massillon, Ohio, and enacting a new CHAPTER 1305 "OBOA ONE, TWO AND THREE FAMILY DWELLING CODE" of the Codified Ordinances of 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:

CHAPTER 1305 "ONE, TWO AND THREE FAMILY DWELLING CODE" of the Codified Ordinances of the City of Massillon, Ohio, be and is hereby repealed.

Section 2:

That there be and hereby is enacted a new CHAPTER 1305 "OBOA ONE, TWO AND THREE FAMILY DWELLING CODE" of the Codified Ordinances of the City of Massillon, Ohio. Said new chapter shall read as follows:

(SEE ATTACHED)

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is necessary for the more efficient operation of the Massillon Building Department and to bring the massillon Building Code into conforming wit the adopted codes of the Five County Building Officials Association and standardize building codes 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.

P	ASSED I	N COUNCI	L THIS_		DAY OF_				1998	
APPROVED		HOWELL,	CLERK	OF	COUNCIL	DENNIS	D.	HARWIG,	PRESIDENT	
APPROVED	:					FRANCIS	в н.	CICCHIN	JELLI, JR.,	MAYOR

CHAPTER 1305 OBOA One, Two and Three-Family Dwelling Code

1305.01 OBOA One, Two, and Three-Family Code adopted

1305.02 Copies

1305.03 Conflict

1305.04 Fees

1305.05 Prefabricated construction

CROSS REFERENCES

Removal of unsafe structures - see Ohio R.C. 715.26 (B), 715.261
Adoption of technical codes - see Ohio R.C. 731.231
Housing Code - see BLDG. CH. 1309
Ohio Plumbing Code adopted - see BLDG 1317.02

1305.01 OBOA ONE, TWO AND THREE-FAMILY DWELLING CODE ADOPTED

There is hereby adopted by reference, the OBOA One, Two, and Three-Family Dwelling Code, current edition, which shall be known as the OBOA One, Two and Three-Family Dwelling Code for the City, except such portions as are hereinafter deleted, modified or amended by this chapter. As fully as if set out in length herein, and from the date on which this chapter shall take effect, the provisions thereof shall be controlling within the City limits.

1305.02 COPIES

Copies of the Code as adopted in this chapter are on file with the Building Department for inspection by the public.

1305.03 CONFLICT

In case of conflict between the OBOA One, Two and Three-Family Dwelling Code and any other Municipal ordinance or technical code adopted thereby, the more restrictive provision shall govern.

1305.04 FEES

The following sections of the OBOA One, Two and Three-Family Dwelling Code are amended for this Building Code as follows:

- (a) Permit fees shall be based on the estimated cost of construction including, but not necessarily limited to all subtrade costs.
- (b) A base fee of ten dollars (\$10.00) shall be charged for each permit issued.
- (c) In addition to the base fee in subsection (b) hereof the following fees shall be charged:
- \$0 \$100,000.00 = 50 Cents per/hundred dollars of estimated cost of construction.
- Over \$100,000.00 = \$500.00 plus 10 cents per/hundred dollars of valuation in excess of \$100,000.00
- All fees charged will be rounded off to the closest whole dollar amount.
- (d) Permit exemptions. The City, the State, the Federal Government, the Massillon School Board and the Massillon Parks and Recreation Department are exempt from the charging fees covered by Section 1305.04
- (e) The Chief Building Official shall determine whether an application and subsequent "no charge" permit is to be issued.

1305.05 PREFABRICATED CONSTRUCTION

All prefabricated construction which falls under the definition of industrialized units as defined by OBBC shall be governed by the application provisions of OBBC or as approved by the United States Government Department of Housing and Urban Development, and shall be subject to all permit fees as authorized in this chapter

1305.05 PREFABRICATED CONSTRUCTION

All prefabricated construction which falls under the definition of industrialized units as defined by OBBC shall be governed by the application provisions of OBBC or as approved by the United States Government Department of Housing and Urban Development, and shall be subject to all permit fees as authorized in this chapter

Adopted apendix A, D, E and F.

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 94 - 1998

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 961 "PARKS" of the Codified Ordinances of the City of Massillon, by repealing Section 961.01 "PERMIT TO USE PARK BUILDINGS" of CHAPTER 961 "PARKS", and enacting a new Section 961.01 "PERMIT TO USE PARK BUILDINGS" 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 961.01 "PERMIT TO USE PARK BUILDINGS" of CHAPTER 961 "PARKS, of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

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

961.01 PERMIT TO USE PARK BUILDINGS

Permits are required for use of park system buildings, and shall be issued by the Recreation Board. The fees for these buildings have been established by the Recreation Board, approved by City Council and shall be collected by the Parks and Recreation Department prior to the issuance of such permit. The cost of said permits are as follows:

- (a) The Kiwanis Club of Massillon, Ohio, shall be permitted to use the enclosed shelter building at Kiwanis Park once a year without charge.
- (b) Local non-profit organizations/groups shall be permitted to use an open pavilion for a community event, as long as participation is open, once a year without charge.
- (c) Sixty Dollars (\$60.00) for the use of the enclosed shelter building at Kiwanis and Oak Knoll Parks by City of Massillon residents. Ninety Dollars (\$90.00) for use of the enclosed shelter building at Kiwanis and Oak Knoll Parks by non-residents.
- (d) Twenty Dollars (\$20.00) for the use of any other park, pavilion or buildings between April 1 - October 31 by City of Massillon residents. Thirty Dollars (\$30.00) for the use of any other park, pavilion or buildings between April 1 - October 31 by non residents

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is needed so that the Park and Recreation Department may have this permit fee schedule prior to the buildings being used for the outdoor season of 1998, and for the additional reason 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	F1997
APPROVED: SHARON HOWELL, CLERK OF COUNCIL	DAVID A. SMITH, PRESIDENT
APPROVED:	FRANCIS H. CICCHINELLI, JR., MAYOF

DATE:	April	6.	1998	CLERK:	SHARON	HOWELL	

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 95 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Mayor of the City of Massillon, to enter into a loan agreement with G & F Industries, Inc., under the City of Massillon's Economic Development Revolving Loan Fund, to assist the company in acquiring a new facility located at 1929 9th Street S.W., Massillon, Ohio, and declaring an emergency.

WHEREAS, the City of Massillon, Ohio, has established an Economic Development Revolving Loan Fund to assist in the expansion and development of local businesses and industries; and

WHEREAS, G & F Industries, Inc., located at 104 Heiman Place S.W., Massillon, Ohio, has made application to the City of Massillon, Ohio, for financial assistance in the form of a \$35,000.00 loan, from the City's Economic Development Revolving Loan Fund, to assist the company in acquiring a new facility located at 1929 9th Street, S.W. This facility would house the company's now cold forming operations; and

WHEREAS, the proposed revolving loan fund assistance to G & F Industries, Inc., will result in the creation of twenty (20) new jobs, the majority of which will be filled by low or moderate income persons; and

WHEREAS, the City of Massillon's Revolving Loan Fund Committee reviewed and approved the loan application from G & F Industries, Inc., and made a determination that the financial assistance to be provided by the City was both necessary and appropriate, taking into account the actual needs of the business in making the project financially feasible, as well as the extent of public benefit expected to be derived from the project.

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

Section 1:

The Mayor is hereby authorized to enter into a loan agreement with G & F Industries, Inc., in the amount of Thirty-Five Thousand Dollars (\$35,000.00), from the City's Economic Development Revolving Loan Fund, to assist the company in acquiring a new facility located at 1929 9th Street, S.W. Massillon, Ohio.

Section 2:

Upon delivery of the aforesaid agreement, 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 said agreement, and the City Auditor is authorized and directed to honor and pay said vouchers.

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 further reason that this program is needed to promote the economic development and expansion within the City of Massillon. And provided it received the affirmative vote of two-thirds of the elected members of 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 CO	OUNCIL THIS	DAY OF	1998
APPROVED:	WELL, CLERK OF CO	DUNCIL DENNIS D.	HARWIG, PRESIDENT
APPROVED:		FRANCIS H.	CICCHINELLI, JR., MAYOR

n a mra	April 6, 1998	CLERK:	SHARON HOWELL	
DATE:	April 6, 1998	CHERT.	DIRINON HOULD	

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 11 - 1998

BY: FINANCE COMMITTEE

TITLE: A RESOLUTION declaring the necessity for the construction of sidewalks at 22 Shriver S.E. in the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, on February 17, 1998, this Council passed Ordinance No. 50 - 1998 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, Ohio;

WHEREAS, the plans and specifications have been prepared and were filed in the office of the Clerk of Massillon City Council:

WHEREAS, pursuant to Ohio Revised Code 729.02 it is required that this Council declare the necessity for the construction of the sidewalk.

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

Section 1:

This Council hereby approves the plans, specifications and estimates of cost of the proposed construction of the sidewalks that were filed with the Clerk of this Council.

Section 2:

The lot that abuts the sidewalk that needs constructed is located at 22 Shriver S.E., Massillon, Ohio, 44646.

Section 3:

That the sidewalks shall be constructed by the owner of the property located at 22 Shriver S.E., Massillon, Ohio, in accordance with the specifications on file in the office of the Clerk of Council.

Section 4:

That the owner of the property shall construct the sidewalks within forty-five (45) days from the date of service of notice that is required under Section 729.03 of the Ohio Revised Code.

Section 5:

That the Clerk of this Council is hereby directed and shall send a certified copy of this Resolution of necessity to the owner of 22 Shriver S.E., Massillon, Ohio, in the manner as service of summons in civil cases or by certified mail addressed to such owner at his last known address or to the address to which tax bills are sent, or by a combination of the foregoing methods. If service cannot be made as stated above, said owner shall be served by publication of the notice once in a newspaper of general circulation within the municipal corporation.

Section 6:

If the sidewalk is not constructed by the owner in accordance with the plans and specifications and within the time prescribed in this resolution, the Director of Service and Safety will cause the construction of the sidewalk to be made and assess the cost thereof against the property as enumerated in Ohio Revised Code 729.04.

Section 7:

This Resolution is hereby declared to an emergency measure, the reason for the emergency being that said enactment is necessary that this resolution of necessity be approved prior to notifying the owner to compete the construction of the sidewalk pursuant to Ohio Revised Code 729.02 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 COUNCI	L THIS	DAY OF_	-		1998	
APPROVED:	N HOWELL,	CLERK OF	COUNCIL	DENNIS D.	HARWIG,	PRESIDENT	
APPROVED:				FRANCIS H	. CICCHI	NELLI, JR.,	MAYOR