

A G E N D A

DATE: MAY 18, 1998
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INVOCATION - COUNCILMAN CHARLES TRIBETT
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 114 - 1998 BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 2, for the Lincoln Way West Rehab Project, without competitive bidding, with Northern Ohio Paving, and declaring an emergency.

ORDINANCE NO. 115 - 1998 BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 2 on the Lincoln Way East Rehab Project Phase III, without competitive bidding, with Spaulding Construction Co. Inc., and declaring an emergency.

ORDINANCE NO. 116 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the sale of a certain tract of land known as and being Out Lot No. 739 in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose, and declaring an emergency.

ORDINANCE NO. 117 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE accepting the final Plat for Country View Estates No. 2 in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

ORDINANCE NO. 118 - 1998 BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to execute a grant of easement and right-of-way for and on behalf of the City of Massillon, to Richard H. Irwin and Sherry L. Irwin, and declaring an emergency.

ORDINANCE NO. 119 - 1998 BY: FINANCE COMMITTEE

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

ORDINANCE NO. 120 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE repealing Ordinance No. 162 - 1995 and accepting the final Plat for the University Village Phase I in the City of Massillon, Stark County, Ohio, presently on file in the office of the City engineer, and declaring an emergency.

RESOLUTION NO. 12 - 1998 BY: COMMITTEE OF THE WHOLE

A RESOLUTION providing for the submitting to the electors of the City of Massillon at a Special Election August 4, 1998, the question of the approval of the issue of a renewal of a one (1) Mill Operating Levy to provide continued funding for the Massillon Museum which is operated by the Massillon Museum, Inc., a non-profit corporation, and declaring an emergency.

RESOLUTION 13 - WALES HILLS & DOLES ANNEX. AUTHORIZING MAYOR & SSD TO SIGN FOR CITY.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS
9. BILLS, ACCOUNTS AND CLAIMS
10. REPORTS FROM CITY OFFICIALS

- A). MAYOR SUBMITS MONTHLY REPORT FOR APRIL 1998
- B). FIRE CHIEF SUBMITS MONTHLY REPORT FOR APRIL 1998
- C). POLICE CHIEF SUBMITS MONTHLY REPORT FOR APRIL 1998

MAY 18, 1998

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

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

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.

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

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

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

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain 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.

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

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.

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 101 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

AN ORDINANCE accepting the Final Plat for the Legend Hills Phase I in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

THERE ARE FOUR PUBLIC HEARINGS SCHEDULED FOR THIS EVENING
ORDINANCE NO. 79 - 1998 AT 6:30 P.M.
ORDINANCE NO. 80 - 1998 AT 6:45 P.M.
ORDINANCE NO. 81 - 1998 AT 7:00 P.M.
ORDINANCE NO. 82 - 1998 AT 7:15 P.M.

SHARON HOWELL
CLERK OF COUNCIL

DATE: May 18, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 114 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 2, 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. 2, 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. 2, for the Lincoln Way West Rehab Project, without competitive bidding, with Northern Ohio Paving. The cost of said Change Order No. 2 shall not exceed Fifteen Thousand Six Hundred Seventy-Eight Dollars (\$15,678.00).

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, in that the funds are available in account. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

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

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

DATE: May 18, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 115 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 2, on the Lincoln Way East Rehab Project Phase III, without competitive bidding, with Spaulding Construction Co. Inc., and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 2, on the Lincoln Way East Rehab Project Phase III, without competitive bidding, with Spaulding Construction Co. Inc.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve a Change Order No. 2, on the Lincoln Way East Rehab Project Phase III, without competitive bidding, with Spaulding Construction Co. Inc. The cost of said Change Order No. 2 shall not exceed Thirty Four Thousand Six Hundred Dollars (\$34,600.00).

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 East Rehab Project Phase III that is currently under way, in that the funds are in account. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

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

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

DATE: May 18, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 116 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the sale of a certain tract of land known as and being Out Lot No. 739 in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the sale of a certain tract of land known as and being Out Lot No. 739 in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose.

Section 2:

The following described real estate belonging to the City of Massillon, Ohio, is not needed for any municipal purpose, to-wit:

Known as and being Out Lot No. 739, a 4.861 acre located at the northwest corner of Nave Road, S.E. and University Drive S.E., in the City of Massillon, County of Stark and State of Ohio.

Section 3:

That the Director of Public Safety and Service be and hereby is authorized to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the sale of a certain tract of land known as and being Out Lot No. 739 in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose.

Section 4:

That the advertisement for the bidding of said real estate shall contain the following instructions:

- 1). Each bidder shall be prepared to review with Council their intended use for the real estate.
- 2). The successful bidder shall be responsible to pay all fees and costs associated with the sale and transfer of said property.
- 3). The City reserves the right to reject any and all bids.

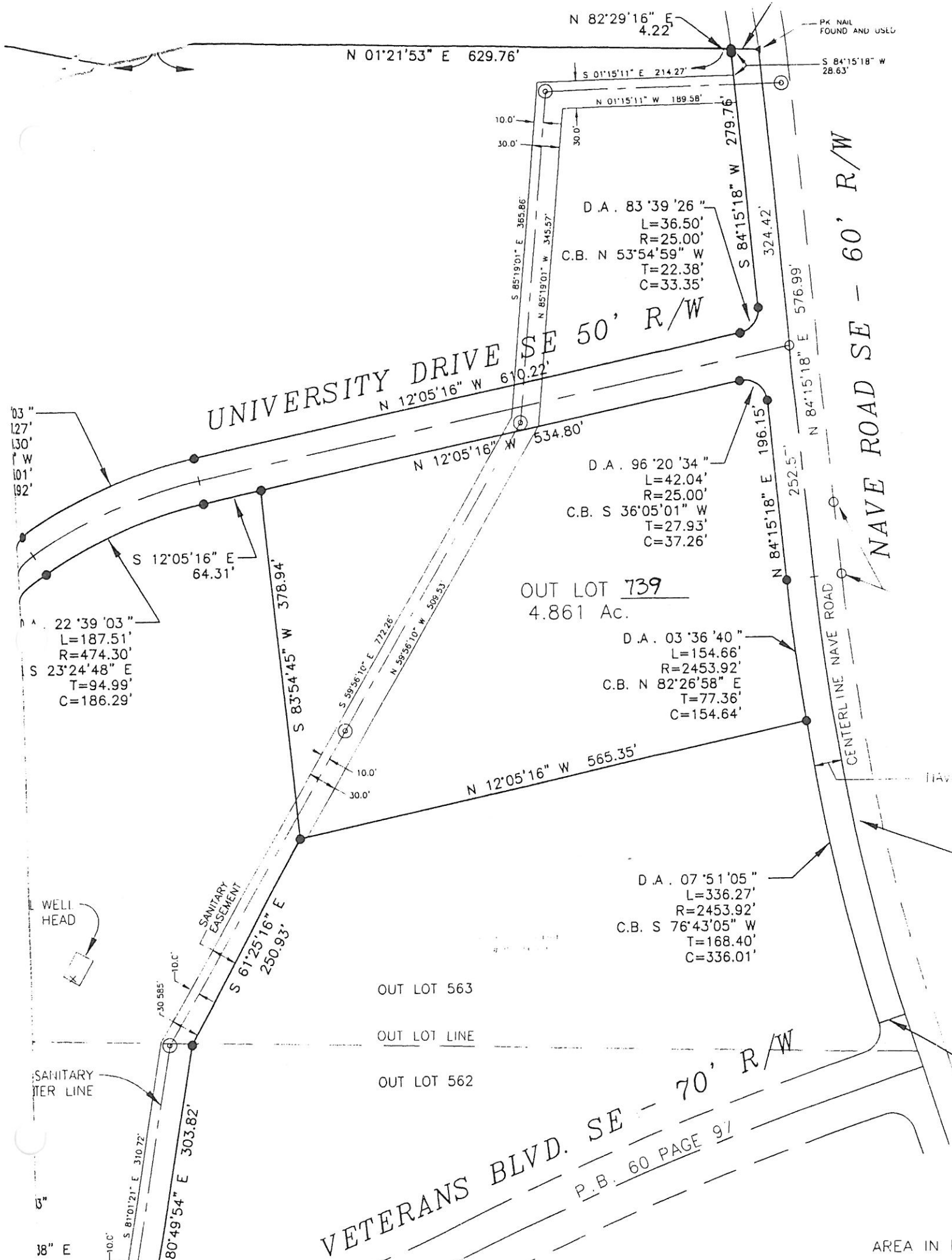
Section 5:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the community and for the further reason of such emergency arising out of the necessity to dispose of real estate no longer needed for any municipal purpose for the best price obtainable. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

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

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



DATE: May 18, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 117 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting the Final Plat for Country View Estates No. 2 in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

Section 1:

The Final Plat for Country View Estates No. 2 in the City of Massillon, Stark County, Ohio, presently on file in the Office of the City Engineer and designated as File No. 98ps06 be, and the same is approved and accepted and that the dedication to public use of the streets and alleys thereon shown, be, and the same is hereby accepted and confirmed. This plat was approved by the Planning Commission at a meeting held March 11, 1998. The undertaking given by the owners for improvement of streets and now on file with the City Engineer is approved. The description of Country View Estates No. 2 is as follows:

Being Known as Part of Out Lot 662, a 13.366 acre parcel of land located on the south side of Main Avenue West, west of Kelly Street S.W. This property will be divided into 26 lots zoned R-3 Single Family Residential. Also included in this plat is the dedication of a portion of Main Avenue West, and new streets to be known as Vonnice Drive, S.W., Benson Street S.W., Eileen Avenue S.W. and Relda Circle S.W.

Section 2:

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

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

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

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

PROP. COUNTRY
VIEW ESTATES NO. 2



COUNTRY VIEW ESTATES NO. 2

LOCATED IN THE CITY OF MASSILLON, COUNTY OF STARK, STATE OF OHIO
AND BEING PART OF OUTLOT 602, ALSO KNOWN AS PART OF THE SOUTHWEST
QUARTER, SECTION 13 (T-12, R-10)

DATE: May 18, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 118 - 1998

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to execute a grant of easement and right-of-way for and on behalf of the City of Massillon, to Richard H. Irwin and Sherry L. Irwin, 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 is hereby authorized to sign on behalf of the City of Massillon, Ohio, a grant of easement and right-of-way for and on behalf of the City of Massillon, granting to Richard H. Irwin and Sherry L. Irwin, their successors and assigns, certain rights as more fully set forth in Section 2 hereof.

Section 2:

The grant of an easement and right-of-way referred to in Section 1 hereof shall be in the following form and shall contain the following terms and conditions:

(SEE ATTACHED)

Section 3:

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 said easement is necessary to provide Mr. & Mrs. Irwin the ability to enter and exit their property over City property. Provided it receives the affirmative vote of two-thirds of the members elected 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 at the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

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

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

GRANT OF EASEMENT OF RIGHT OF WAY

THE CITY OF MASSILLON, OHIO, a municipal incorporation of Stark County, Ohio, the Grantor, for the agreements set forth below, One Dollar and other valuable consideration paid, grants to RICHARD H. IRWIN and SHERRY L. IRWIN, Grantees, whose tax mailing address is 13090 Wooster Street NW, Massillon, Stark County, Ohio, an easement of right of way for ingress and egress, the parameters of said easement being described as follows:

Situated in the Township of Tuscarawas, County of Stark and State of Ohio, and known as and being part of the Southwest Quarter of Section 3, (T-12,R-10), more fully bounded and described as follows, to-wit:

Beginning at the northwest corner of said Southwest Quarter of Section 3, thence S03°05'W along the west line of said Section, a distance of 66.0 feet to the northwest corner of a tract of land now or formerly owned By L. Kurtz, thence S86°38'E along the north line of said Kurtz tract and the north line of a tract of land now or formerly owned by R. & L. Graybill, a distance of 680.46 feet to the northwest corner of a 4.222 acre tract of land now or formerly owned by R. & S. Irwin, said corner being the true place of beginning for the easement herein described;

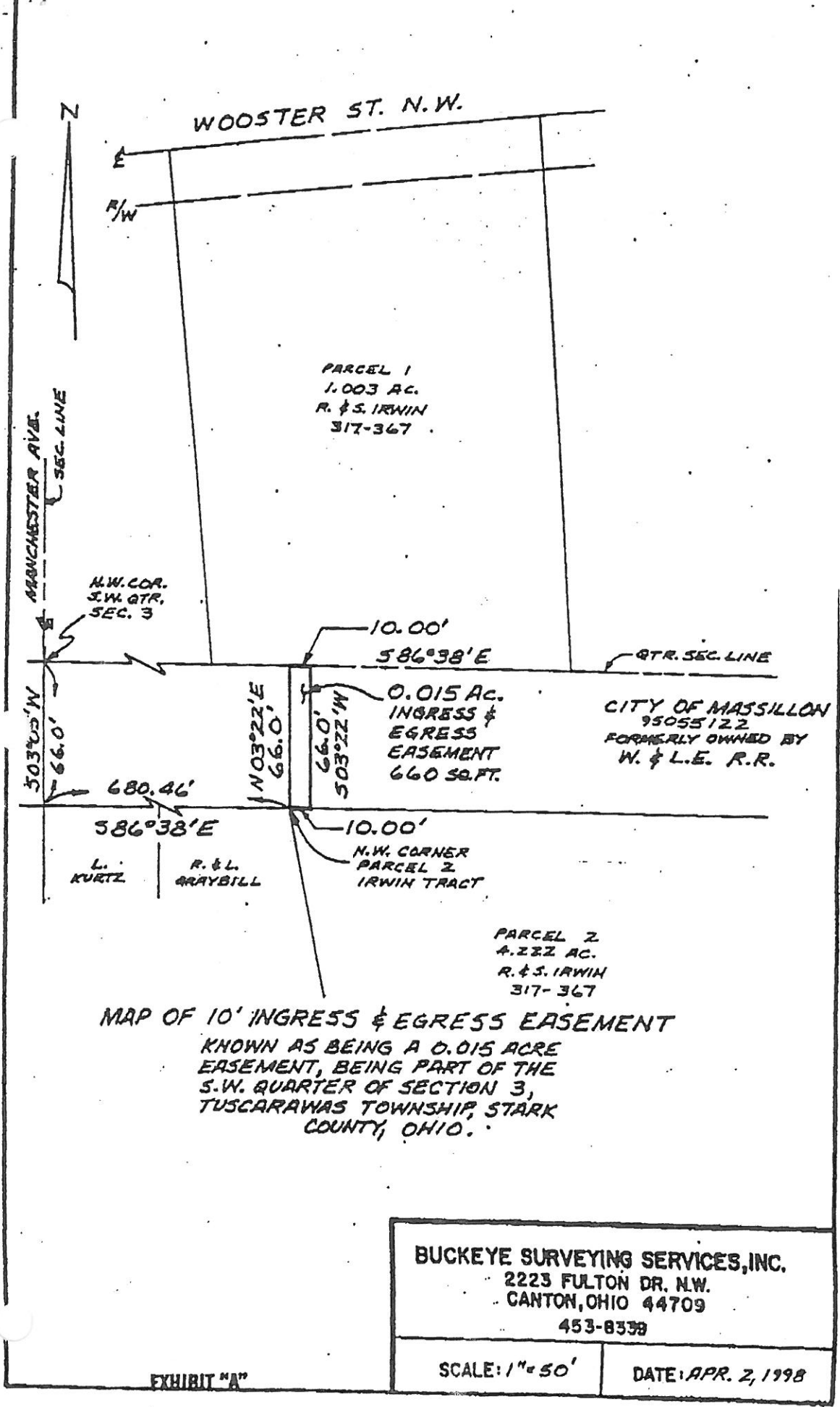
1. Thence N03°22'E a distance of 66.0 feet to the south line of a 1.003 acre tract of land now or formerly owned by R. & R. Irwin;
2. Thence S86°38'E along the south line of said 1.003 acre, Irwin tract, a distance of 10.00 feet to a point;
3. Thence S03°22'W a distance of 66.0 feet to a point on the north line of said 4.222 acre, Irwin tract;
4. Thence N86°38'W along the north line of said 4.222 acre tract, a distance of 10.00 feet to the true place of beginning.

The above described ingress and egress easement contains 0.015 of an acre of land (660 square feet), as surveyed under the supervision of Bruce D. Conery, P.S. no. 6499 of Buckeye Surveying Services, Inc. of Canton, Ohio, in April of 1998, and is part of a tract of land conveyed to the City of Massillon by a deed recorded in Official Record Imaging No. 95055122;

to pass on foot (or with domestic animals, lawn equipment, etc.) over the property of Grantor (as conveyed to Grantor by a deed recorded in Official Record Imaging Instrument No. 95055122). Said easement is otherwise described in the attached Exhibit "A".

Said easement shall be only for residential purposes incidental to Grantees' use of the otherwise noncontiguous tracts of land of Grantees (as conveyed to Grantees by deed recorded in Official Records Vol. 317, Page 376). Further, said easement is non-exclusive; without limiting the foregoing, it is specifically agreed and acknowledged by the parties said easement shall not interfere with the Grantor's use of its property as a city park and/or recreational trail for the general public.

Additionally, this grant is conditioned upon Grantees maintaining the easement right-of-way at their own expense; however, nothing herein shall be construed as requiring Grantees to maintain or take any other sort of responsibility for the Grantor's use of its property. Further, any improvement or structural changes Grantees may require for the actual means of ingress and egress over the easement shall be conditioned upon prior written approval by Grantor, which approval will not be unreasonably withheld.



DATE: MAY 18, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 119 - 1998

BY: FINANCE COMMITTEE

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

\$ 25,900.00	to an account entitled "Supplies".....	1100.845.2410
\$ 6,725.70	to an account entitled "SYEP Salaries".....	1100.845.2110
\$ 2,500.00	to an account entitled "Service".....	1100.845.2390
\$ 911.33	to an account entitled "P.E.R.S.".....	1100.845.2230
\$ 300.00	to an account entitled "Travel, Seminar, School"	1100.845.2389
\$ 97.53	to an account entitled "Medicare".....	1100.845.2231
\$ 36,434.56	TOTAL	

Section 2:

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

\$ 10,000.00	to an account entitled "Computer Upgrades"	1401.405.2532
\$ 7,000.00	to an account entitled "Lincoln Way West Waterline"	1401.405.2510

Section 3:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for the efficient operation of the various departments in the City of Massillon. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

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

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

DATE: JANUARY 5, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 12 - 1998

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION providing for the submission to the electors of the City of Massillon at a Special Election on August 4, 1998, the question of the approval of the issue of a renewal of a one (1) Mill Operating Levy to provide continued funding for the Massillon Museum which is operated by the Massillon Museum, Inc., a non-profit corporation, and declaring an emergency.

WHEREAS, the amount of revenues which will be raised by the City of Massillon, Ohio, within the ten mill limitation by levies on the current tax duplicate of the City of Massillon will be insufficient to provide adequate funds for the City of Massillon, to provide for a free Museum of Art, Science, or History that is maintained and operated by a private, non-profit organization as authorized by Section 5705.19 (AA) of the Ohio Revised Code; and

WHEREAS, it is necessary to levy a renewal of a tax in excess of the ten mill limitation for the purpose of providing funds to provide for a free Museum of Art, Science, or History that is maintained and operated by a private, non-profit organization.

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

Section 1:

There shall be submitted to the electors of the City of Massillon at a Special Election on August 4, 1998, the question of the approval of issues providing for the levy of a renewal of a tax in the amount of one (1) Mill for each One Dollar (\$1.00) of valuation, which amounts to Ten Cents (.10¢) per One Hundred Dollars (\$100.00) of valuation for a period of Five (5) years, to wit: 1998, 1999, 2000, 2001 and 2002 for the purpose of providing for a free Museum of Art, Science, or History that is maintained and operated by a private, non-profit organization as authorized by Section 5705.19(AA) of the Ohio Revised Code.

Section 2:

The Clerk of Council is hereby directed to certify to the Board of Election of Stark County, Ohio, a copy of this Resolution upon the enactment of this Resolution for its submission to the electors of the City of Massillon, Ohio, for the question of its passage at the Special Election to be held on August 4, 1997. The Clerk of Council is directed to request the Board of Elections to provide notice of election on the question of levying said renewal tax as required by law. The Clerk shall also provide the Board of Elections with a proposed sample ballot which is attached to this Resolution.

Section 3:

That this Resolution is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor. The reason for the emergency lies in the fact that the immediate enactment of this Resolution is necessary to provide for the orderly submission of the proposed levy to the electors of the City of Massillon in the interest of the public welfare and for the levy of a tax as provided in this Resolution in order to obtain sufficient revenue for the operation of a free Museum of Art, Science or History.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

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

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

DATE: May 18, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 13 - 1998

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: A RESOLUTION endorsing the proposed annexation of approximately .003 acre of land in Perry Township, owned by the City of Massillon, Ohio, and urging the Stark County Commissioners to approve said annexation.

WHEREAS, the City of Massillon, Ohio, owns approximately .003 acre in Perry Township and Council of the City of Massillon, Ohio, desires that said municipally owned property be located within the city limits, and

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

Section 1:

Massillon City Council hereby endorses and urges the Stark County Commissioners to approve the proposed annexation of approximately .003 acre of City owned land in Perry Township.

Section 2:

The Mayor and Director of Service and Safety are authorized to sign a petition requesting annexation of said city owned land to the City.

Section 3:

This Resolution shall be immediately effective.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

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

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

DATE: May 18, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 120 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE repealing Ordinance No. 162 - 1995 and enacting a new ordinance to accept the Final Plat for the University Village Phase I in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

Section 1:

Ordinance No. 162 - 1995 is hereby repealed.

Section 2:

The Final Plat for University Village Phase I in the City of Massillon, Stark County, Ohio, presently on file in the Office of the City Engineer and designated as File No. 98PS05 be, and the same is approved and accepted and that the dedication to public use of the streets and alleys thereon shown, be, and the same is hereby accepted and confirmed. This plat was approved by the Planning Commission at a meeting held April 8, 1998. The undertaking given by the owners for improvement of streets and now on file with the City Engineer is approved. The description of University Village Phase I is as follows:

Being Known as part of Out Lot 557, a 16.733 acre parcel located on University Drive S.E., north of Nave Road S.E. and between St. Andrews Golf Estates and Richville Drive. This first phase development in the University Village Phase I subdivision will create a total of 46 single family residential lots. Also included in this plat is the dedication of the following streets: University Drive S.E.; Malone Avenue S.E.; Xavier Drive S.E.; Urbana Avenue S.E.; and Wilmington Avenue S.E.

Section 3:

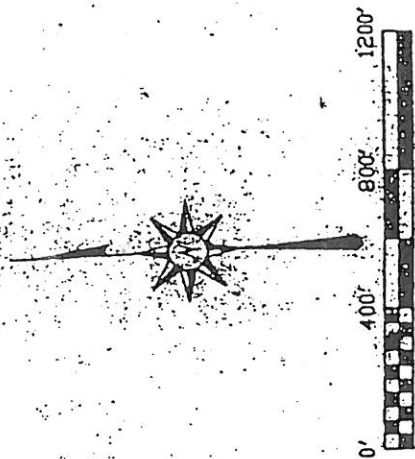
This Ordinance is declared to be an emergency measure for the reason that said plat is urgently needed for the development of this area and for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Provided it receives the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

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

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

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

VICINITY MAP
NOT TO SCALE



O.L. 708
BONKS PROPERTIES, INC.
RI No. 97049236
30.89 AC.

D. & A. SHETLER TRUSTEES
OR 1762-225
11.03 AC.

N87°09'45"W 682.400'
S03°19'41"W 415.2800'
O.L. 657

HARVEY H. & LAURA J. ZIMMERMAN
OR 1765-876
10.0 AC.

ETHEL WHEELER
DV 4270 PG 703
0.746 AC.

DAVID RAPOW
0.80 AC.

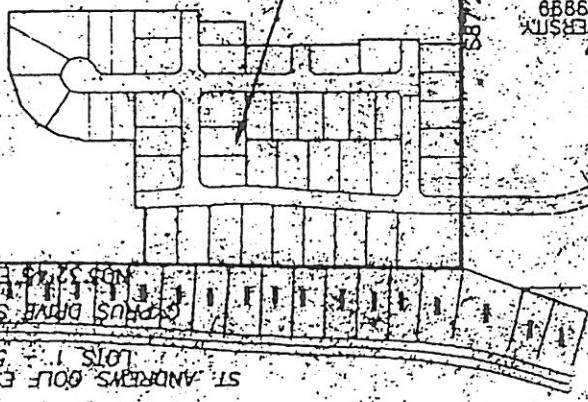
N27°58'18"W 567.7427'
N62°03'42"E 223.1400'
N27°58'18"E 568.4300'

RICHVILLE DRIVE S.E.
N27°58'18"W 567.7427'
60' (SR 627)
S26°01'18"E 1731.25'

O.L. 767
D & D WHIRKEY
RI No. 97006233
127.112 AC.

A=191.8889'
R=5726.5800'
D=01°55'00"
B=S26°58'48"E
C=191.5580'
T=95.8424'

ST. ANDREWS GOLF ESTATES No. 1
LOTS 1 - 58
OPHUS DRIVE S.E.
N62°03'42"E 223.1400'



O.L. 768
FILERS, INC.
RI No. 97006237
5.008 AC.

O.L. 771
OHIO EDISON CO.
DV 2088 PG 429
0.76 AC.

S.E. QTR. SEC. 21
N.W. QTR. SEC. 22

S.E. QTR. SEC. 21
S.W. QTR. SEC. 22

O.L. 737
AND UNIVERSITY
NO. 97029889
39.90 AC.
G.L. DAWSON
V 3823 PG 133
9.927 AC.
R. SHINE
OR 773 PG 608
11.273 AC.

STARK COUNTY AREA
JOINT VOCATIONAL SCHOOL
DV 3865 PG 741
82.15 AC.

QUARTER SECTION LINE AND CORPORATION LINE