

AGENDA

DATE: AUGUST 3, 1998
TIME: 7:30 P.M.
PLACE: COUNCIL CHAMBERS

17.093 93

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

ORDINANCE NO. 158 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency. *Shawnee Woods*

ORDINANCE NO. 159 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency. *Windsor Place*

ORDINANCE NO. 160 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency. *Westside Area*

ORDINANCE NO. 161 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency. *Banks Roadside*

ORDINANCE NO. 162 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

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

ORDINANCE NO. 163 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

AN ORDINANCE authorizing submission of a Section 108 Loan application to the United States Department of Housing and Urban Development (HUD) for use of Community Development Block Grant Funds, and declaring an emergency.

ORDINANCE NO. 164 - 1998 BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE amending CHAPTER 961 "PARKS" of the Codified ordinances of the City of Massillon, by repealing existing Section 961.17 "HOURS OF OPERATION" of said CHAPTER 962 "PARKS" and enacting a new Section 961.17 "HOURS OF OPERATION" of said CHAPTER 962 "PARKS", and declaring an emergency.

ORDINANCE NO. 165 - 1998 BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the State Route 241 "Massillon Community Park" Construction Project, and declaring an emergency.

ORDINANCE NO. 166 - 1998 BY: PARKS AND RECREATION COMMITTEE

AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement for the purchase of approximately 18.915 acres of land being a part of Out Lot 602 in the City of Massillon currently owned by Benson Brothers, Inc., and said land shall be designated as park land, and declaring an emergency.

ORDINANCE NO. 167 - 1998 BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Mayor to accept a federal grant under the law Enforcement Block Grant for use by the Massillon Police Department and declaring an emergency.

ORDINANCE NO. 168 - 1998 BY: FINANCE COMMITTEE

AN ORDINANCE making certain transfers in the 1998 appropriation from within the General Fund of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 169 - 1998BY: FINANCE COMMITTEE

P
AN ORDINANCE making certain appropriations from the unappropriated balance of the Mural Fund and the Restaurant License Fund, of the City of Massillon, Ohio, for the year ending December 31, 1998, and declaring an emergency.

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

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR JULY 1998
- B). AUDITOR SUBMITS MONTHLY REPORT FOR JULY 1998
- C). TREASURER SUBMITS MONTHLY REPORT FOR JUNE - 1998

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR - *Reconsider Ord. # 145-1998 - Amended to vacate 12' of Charles St. P*
14. THIRD READING ORDINANCES AND RESOLUTIONS
15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 148 - 1998BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

2nd
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from Jackson Township to Massillon Zoning, and declaring an emergency. *reopen Sept 2*

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 SCHEDULED THIS EVENING

DATE: August 3, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 158 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, a petition for the annexation for certain territory in Perry Township, was duly filed by Aane Aaby, Agent for the petitioners, and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Stark County on May 21, 1998, and

WHEREAS, the Board of County Commissioners on May 21, 1998, approved the annexation of said territory to the City of Massillon as hereinafter described, and

WHEREAS, the Board of County Commissioners certified the transcript and pertinent documents of proceedings in connection with said annexation with the map and petition required in connection therewith, to the City Auditor of the City of Massillon, who received same on June 5, 1998, and

WHEREAS, at least two-thirds of the members elected to Council of the City of Massillon, Ohio, have found, considered and determined that in order to annex said territory to the City of Massillon, this constitutes an emergency, requiring immediate action.

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

Section 1:

The application of Aane Aaby, Agent for the petitioners is hereby accepted for the annexation of the following described territory in the County of Stark and adjacent to the City of Massillon, to wit:

Known and being part of the Southeast Quarter Section 18 and Southwest Quarter Section 17 of Perry Township, Stark County, State of Ohio and being further described as follows:

Beginning at the intersection of the centerline of Oberlin Avenue Southwest and 6th Street Southwest, said point also being on the existing City of Massillon Corporation Line, and the true place of beginning; Thence S 89°40'28"E along the centerline of Oberlin Avenue Southwest and said corporation line a distance of 721.80' to a point;

Section 1: (cont.)

Thence following the existing City of Massillon Corporation Line the following courses:

N 09°02'49"E, a distance of 282.63' to a point;

Thence N 89°37'43"W, a distance of 775.12' to a point, said point also being on the centerline of 6th Street Southwest;

Thence N 89°42'22"W, a distance of 1285.79' to a point;

Thence S 05°08'01"W, a distance of 280.26' to a point, said point being on the centerline of Oberlin Avenue Southwest;

Thence S 89°40'28"E along said centerline of Oberlin Avenue Southwest and existing City of Massillon Corporation Line a distance of 1319.72' to a point, said point being the true place of beginning, containing 12.534 acres in the Southeast Quarter Section 18 of Perry Township and 0.634 acres in the Southwest Quarter Section 17 of Perry Township. Total acreage in annexation is 13.168 acres more or less.

Section 2:

The City Council Clerk be and hereby is directed to file certified copies of said annexation containing the petition, map accompanying the petition, a transcript of the proceedings of the County Commissioners and this Ordinance, with the Stark County Recorder and the Secretary of State.

Section 3:

The Clerk of this Council be and hereby is directed to file with the Clerk of the Board of Commissioners of Stark County, as well as the County Board of Elections, notice in writing of the boundary changes of the City of Massillon hereby affected together with a map of the annexed territory.

Section 4:

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 City of Massillon, Ohio, and for the additional reason that it is in the best interest of the property owners in the annexed area that their property becomes a part of 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.

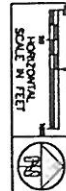
PASSED IN COUNCIL THIS _____ DAY OF _____, 1998.

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR



SECRET BAC	EXCLUDED FROM AUTOMATIC DOWNGRADING AND DECLASSIFICATION B2AX0201.DWG
SECRET January 08, 1998	

City of Massillon, Ohio

Q

DATE: August 3, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 159 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, a petition for the annexation for certain territory in Perry Township, was duly filed by Steven D. Hamit, Agent for the petitioners, and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Stark County on June 3, 1998, and

WHEREAS, the Board of County Commissioners on June 3, 1998, approved the annexation of said territory to the City of Massillon as hereinafter described, and

WHEREAS, the Board of County Commissioners certified the transcript and pertinent documents of proceedings in connection with said annexation with the map and petition required in connection therewith to the City Auditor of the City of Massillon, who received same on June 5, 1998, and

WHEREAS, at least two-thirds of the members elected to Council of the City of Massillon, Ohio, have found, considered and determined that in order to annex said territory to the City of Massillon, this constitutes an emergency, requiring immediate action.

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

Section 1:

The application of Steven D. Hamit, Agent for the petitioners is hereby accepted for the annexation of the following described territory in the County of Stark and adjacent to the City of Massillon, to wit:

Known as and being all of Lots 1-18 in Wheaton Place, as situated in part of the Southeast Quarter Section 4, Township 10, (Perry Township) Range 9, Stark County, Ohio and being more particularly bounded and described as follows:

Beginning for the same at a point marked by a ½ inch iron pipe found on the north line of Gi Ante Street N.W. (50 feet wide), marking the southwest corner of Lot 9 in Pravata-Fontana Estates, as recorded in Plat Book 48, Pages 117 & 118 in the Stark County Records of Plats and being the true place of beginning for the tract of land herein described;

Section 2: (cont.)

Thence S02°18'17"W along the west line of Gi Ante Street N.W., the west line of Lots 60, 59, 58, 57, & 56 in the replat of Pravata-Fontana Estates as recorded in Plat Book 51, Page 100 in said Plat Records and it's southerly extension, the same being a portion of the west line of said Wheaton Place a distance of 910.51 feet to a point marked by a Mag nail set on the centerline of Hankins Street (C-240);

Thence S70°39'30"W along a portion of the centerline of said Hankins Street, and the present City of Massillon corporation line, a distance of 392.36 feet to a point marked by a Mag nail set at the southeast corner of a 32.45 acre tract of land now or formerly owned by H. & E. Mischler, as recorded in Official Record Volume 155, Page 551 in the Stark County Records of Deeds;

Thence N02°44'10"E along a portion of a common line between the east line of said 32.45 acre H. & E. Mischler tract of land and a portion of the west line of said Wheaton Place a distance of 1051.52 feet to a point marked by a ½ inch pinch top pipe found;

Thence S88°17'51"E along a portion of north line of said Gi Ante Street a distance of 356.79 feet to a point marked by a ½ inch iron pipe found at the southwest corner of Lot 9 in previously stated Pravata-Fontana Estates and being the true place of beginning and containing 8.117 acres of land more or less.

Note: Reference direction for bearing system used was established from Stark County records Image No. 95101536, using S70°39'30"W for the centerline of Hankins Street.

Section 2:

The City Council Clerk be and hereby is directed to file certified copies of said annexation containing the petition, map accompanying the petition, a transcript of the proceedings of the County Commissioners and this Ordinance, with the Stark County Recorder and the Secretary of State.

Section 3:

The Clerk of this Council be and hereby is directed to file with the Clerk of the Board of Commissioners of Stark County, as well as the County Board of Elections, notice in writing of the boundary changes of the City of Massillon hereby affected together with a map of the annexed territory.

Section 4:

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 City of Massillon, Ohio, and for the additional reason that it is in the best interest of the property owners in the annexed area that their property becomes a part of 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: August 3, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 160 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, a petition for the annexation for certain territory in Tuscarawas Township, was duly filed by Aane Aaby, Agent for the petitioners, and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Stark County on February 11, 1998, and

WHEREAS, the Board of County Commissioners on May 12, 1998, approved the annexation of said territory to the City of Massillon as hereinafter described, and

WHEREAS, the Board of County Commissioners certified the transcript and pertinent documents of proceedings in connection with said annexation with the map and petition required in connection therewith, to the City Auditor of the City of Massillon, who received same on May 26, 1998, and

WHEREAS, at least two-thirds of the members elected to Council of the City of Massillon, Ohio, have found, considered and determined that in order to annex said territory to the City of Massillon, this constitutes an emergency, requiring immediate action.

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

Section 1:

The application of Aane Aaby, Agent for the petitioners is hereby accepted for the annexation of the following described territory in the County of Stark and adjacent to the City of Massillon, to wit:

Known and being part of the Southeast and Southwest Quarter Section 3 of Tuscarawas Township, Stark County, State of Ohio and being further described as follows:

Beginning at the Southeast corner of said Southwest quarter Section 3, and the true place of beginning; Thence S 86°50' 45" E, along the south line of the Southeast quarter Section 3, said line also being the south line of a tract of land presently or previously owned by M. Smeyres, as recorded in Official Records Imaging No. 97063264, in Stark County a distance of 1177.18' to a point;

Thence N 2°45'03" E, along the east line of said Smeyres tract, a distance of 1348.75' to a point;

Section 1: (cont.)

Thence N 86°58'17" W, along the north line of said Smeyres tract, a distance of 1172.82' to a point, said point being on the line between the Southwest and Southeast Quarter Section 3 of Perry Township;

Thence N 2°59'00" E, along said quarter section line, a distance of 255.06' to a point;

Thence N 89°52'00"W, along the north line of a tract of land presently or previously owned by A. R. Lockhart, et al. as recorded in Official Records Imaging No. 97063263 in Stark County, a distance of 795.88' to a point;

Thence S 02°41'00"W, along the westerly line of said A.R. Lockhart, et. al. Tract, a distance of 744.40' to a point;

Thence N 86°44'00"W, along the north line of a parcel of land presently or previously owned by R. Harris and M. Allman, as recorded in Deed Volume 972, Page 923 & 924 in Stark County, a distance of 1912.06' to a point, said point also being on the centerline of Manchester Avenue N.W.;

Thence S 03°05'00"W, along the centerline of Manchester Ave. N.W., a distance of 819.70' to a point;

Thence S 86°55'00"E, along the south line of said Allman parcel, a distance of 1919.94' to a point;

Thence S 86°45'00"E, along the south line of a parcel of land presently or previously owned by A. R. Lockhart, et al., as recorded in Official Records Imaging No. 97063263 in Stark County, a distance of 785.65' to a point, said point being the true place of beginning, containing 36.593 acres in the Southeast quarter Section 3 and 64.849 acres in the Southwest quarter Section 3, Tuscarawas Township. Total acreage in annexation is 101.442 acres, more or less.

Section 2:

The City Council Clerk be and hereby is directed to file certified copies of said annexation containing the petition, map accompanying the petition, a transcript of the proceedings of the County Commissioners and this Ordinance, with the Stark County Recorder and the Secretary of State.

Section 3:

The Clerk of this Council be and hereby is directed to file with the Clerk of the Board of Commissioners of Stark County, as well as the County Board of Elections, notice in writing of the boundary changes of the City of Massillon hereby affected together with a map of the annexed territory.

Section 4:

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 City of Massillon, Ohio, and for the additional reason that it is in the best interest of the property owners in the annexed area that their property becomes a part of the City of Massillon. Provided it receives the affirmative vote of two-thirds of 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

HORIZONTAL
SCALE IN FEET

LOCATION MAP -- NOT TO SCALE

Amount \$1.00
141)
No. 141
S.E. Cr. Section 3 Township 3 N. Range 3 E. Area 36.36
S.W. Cr. Section 3 Township 3 N. Range 3 E. Area 36.36

REFERENCES:

NOTE
Total savings reflected above is based on Comparison of Tract
to be covered as submitted from Descriptions of County of Howard.
Total savings as listed in the County of Record is 161.43 acres.

COUNTY AUDITOR
Received this _____ Day of _____, 196____.

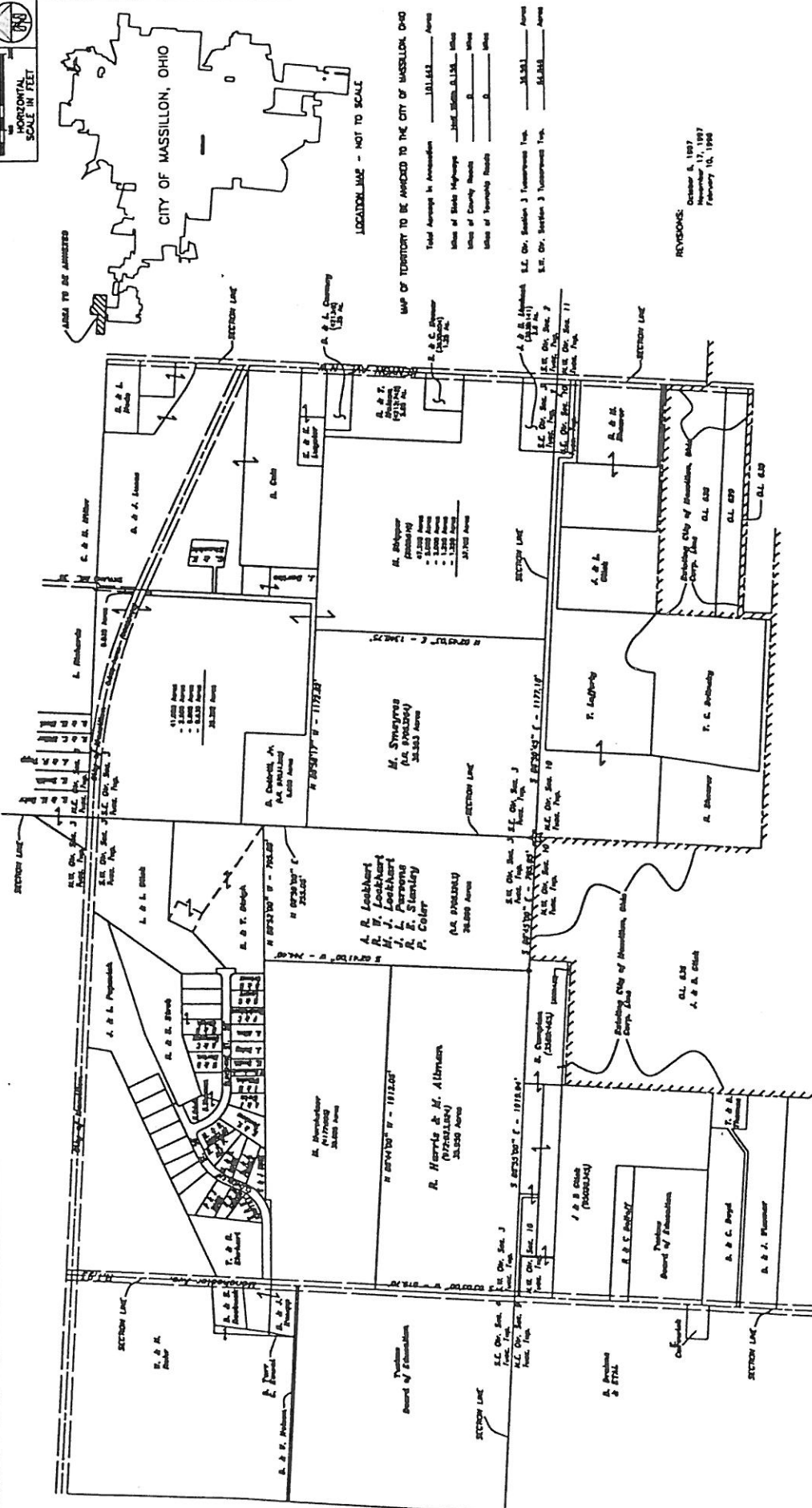
STARK COUNTY COMMISSIONERS
approved for execution by the clerk's county commissioners
this ____ day of _____, 192__.

MASSILLON CITY COUNCIL
 Adopted by The City Council of Massillon, Ohio Ordinance No. _____
 Passed this _____ day of _____, 192____.

0.004

SECRET

1



DATE: August 3, 1998 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 161 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, a petition for the annexation for certain territory in Perry Township, was duly filed by Steven D. Hamit, Agent for the petitioners, and

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Stark County on December 9, 1997, and

WHEREAS, the Board of County Commissioners by Resolution dated January 15, 1998 rejected the annexation of said territory to the City of Massillon as hereinafter described, and

WHEREAS, the appeal was filed in the Common Pleas Court of Stark County, Ohio, on behalf of the appellants on January 28, 1998, and

WHEREAS, the Court ruled in favor of the appellants and reversed the decision of the Board of County Commissioners of Stark County on July 21, 1998, thus granting the annexation, and

WHEREAS, at least two-thirds of the members elected to Council of the City of Massillon, Ohio, have found, considered and determined that in order to annex said territory to the City of Massillon, this constitutes an emergency, requiring immediate action.

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

Section 1:

The application of Steven D. Hamit, Agent for the petitioners is hereby accepted for the annexation of the following described territory in the County of Stark and adjacent to the City of Massillon, to wit:

Known and being Part of the Southwest Quarter Section 16 and Part of the Southeast Quarter Section 16 of Perry Township, Stark County, Ohio, and being further described as follows; beginning at the intersection of the centerline of Richville Dr. S.W. and Southway St. S.W., thence S 84° 30' 00" E along the centerline of Southway St. S.W., a distance of 120.95 feet to a point, said point also being the true place of beginning of the tract herein described:

Thence following the centerline of Southway St. S.W., S 84° 30' 00" E a distance of 2190.97 feet to a point, said point being the northeast corner of a tract of land formerly or presently owned by Superior's Brand Meats Inc. as recorded in Stark County, Ohio, volume 4221, page 184;

Section 1: (cont.)

Thence following the east line of said tract of land the following courses:

S 04° 43' 57" W a distance of 297.00' to a point;
S 84° 30' 00" E a distance of 125.00' to a point;
S 04° 33' 12" W a distance of 1202.89' to a point, said point being on the centerline of Richville Dr. S.W.;

Thence continuing along said centerline of Richville Dr. S.W., N 53° 22' 00" W a distance of 913.80 feet to a point;

Thence N 28° 40' 00" E a distance of 200.00 feet to a point;

Thence N 83° 57' 00" W a distance of 188.50 feet to a point;

Thence S 05° 48' 00" W a distance of 119.50 feet to a point, said point being on the centerline of Richville Dr. S.W.;

Thence continuing along said centerline N 53° 22' 00" W a distance of 34.25 feet to an angle point on said centerline;

Thence continuing along said centerline N 52° 49' 00" W, also being the southwesterly property line of a tract of land formerly or presently owned by Bonks Properties Inc. as recorded in Official Imaging Record 97049237 in Stark County, Ohio, a distance of 222.10 feet to a point;

Thence N 26° 35' 00" E a distance of 289.00 feet to a point;

Thence N 52° 49' 00" W a distance of 126.90 feet to a point;

Thence S 37° 11' 00" W a distance of 284.16 feet to a point, said point also being on the centerline of Richville Dr. S.W.;

Thence continuing along said centerline N 52° 49' 00" W a distance of 647.59 feet to an angle point, on said centerline;

Thence continuing along said centerline N 53° 13' 00" W a distance of 612.64 feet to a point;

Thence N 04° 44' 33" E a distance of 73.95 feet to the true place of beginning containing 39.032 acres of land more or less, with 13.982 acres being in the Southwest Quarter Section 16 Perry Township and 25.050 acres being in the Southeast Quarter Section 16 Perry Township, Stark County, Ohio.

Section 2:

The City Council Clerk be and is hereby directed to file certified copies of said annexation containing the petition, map accompanying the petition, a transcript of the proceedings of the County Commissioners and this Ordinance, with the Stark County Recorder and the Secretary of State.

Section 3:

The Clerk of this Council be and is hereby directed to file with the Clerk of the Board of Commissioners of Stark County, as well as the County Board of Elections, notice in writing of the boundary changes of the City of Massillon hereby affected together with a map of the annexed territory.

Section 4:

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 City of Massillon, Ohio, and for the additional reason that it is in the best interest of the property owners in the annexed area that their property becomes a part of 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.

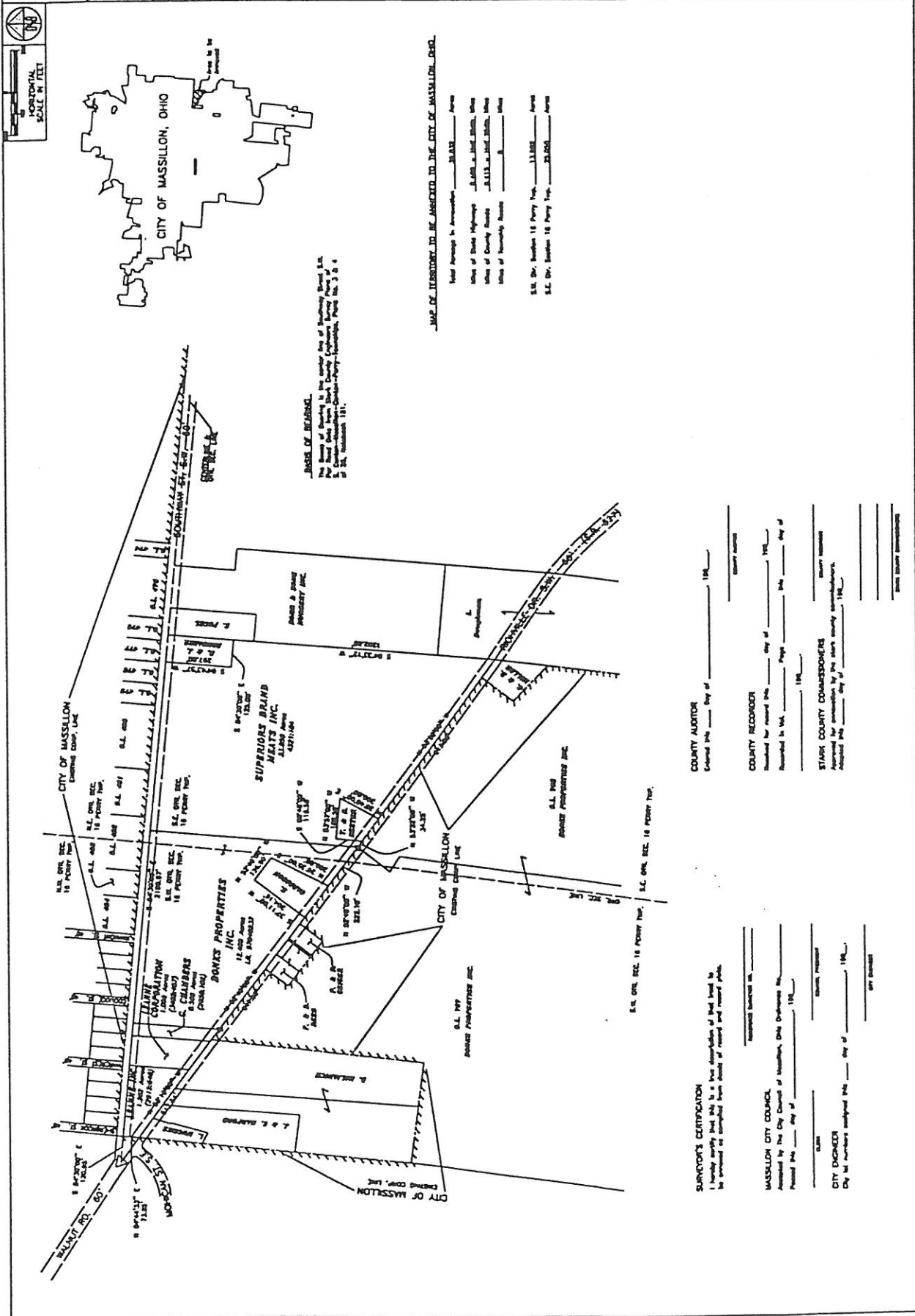
PASSED IN COUNCIL THIS _____ DAY OF _____, 1998.

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR



DATE: August 3, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 162 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

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

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

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

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

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

Section 1:

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

Section 2:

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

Known and being part of the Southwest Quarter Section 14 of Tuscarawas Township, Stark County, State of Ohio and being further described as follows:

Beginning at the Northeast corner of said Southwest quarter Section 14, said point also being on the centerline of Deerford Avenue, and the true place of beginning; Thence N 88°23'00"W along the northerly line of a parcel of land presently or previously owned by Vincent G. Hammer and Jean Hammer, as recorded in Volume 3703, Page 961, a distance of 1702.14' to a point;

Section 2: (cont.)

Thence continuing along said Hammer parcel the following courses:

S 01°44'30"W a distance of 2230.07' to a point;
S 88°24'12"E a distance of 1700.48' to a point, said point also being on the
centerline of Deerford Avenue;

Thence N 01°47'03"E, continuing along the centerline of said Deerford Avenue a distance of
2229.48' to a point, said point being the true place of beginning, containing 87.220 acres in the
Southwest Quarter Section 14, Tuscarawas Township. Total acreage in annexation is 87.220
acres, more or less.

Section 3:

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

Section 4:

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

Section 5:

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

Section 6:

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of
the health, safety and welfare of this community and for the further reason that the timely resolution of its
subject matter is essential for making the boundary lines of Massillon Township conform with the corporation
lines of the City of Massillon, Ohio. Provided it receives the affirmative vote of two-thirds of the elected
members to Council, it shall take effect and be in force immediately upon its passage and approval by the
Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 1998.

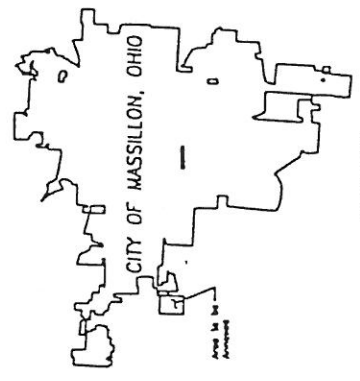
APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

HORIZONTAL
SCALE IN FEET



LOCATION MAP
Map 10. 10000

MAP OF TITHEBURY TO BE ABANDONED IN THE CITY OF MASSACHUSETTS.

Total Acreage in Annexation 3,120 Acres

Within of State Highways 0 Miles

Within of County Roads 0 Miles

Within of Locally Roads Ind. 3020, 3,120 Miles

S.C. Civ. Section 77 Transcripts for _____ 1/1/20 _____ April

SUBJECT'S CERTIFICATION

SUBMITTER'S CONTRIBUTION

I hereby certify that this is a true description of what I had to be assessed as completed from records and return filed.

MASSILLON CITY COUNCIL

Armed Forces of Italy

CITY [HONOLULU] AND
STATE

City lot numbers assigned 12-9

COUNTY AUDITOR

[illegible]

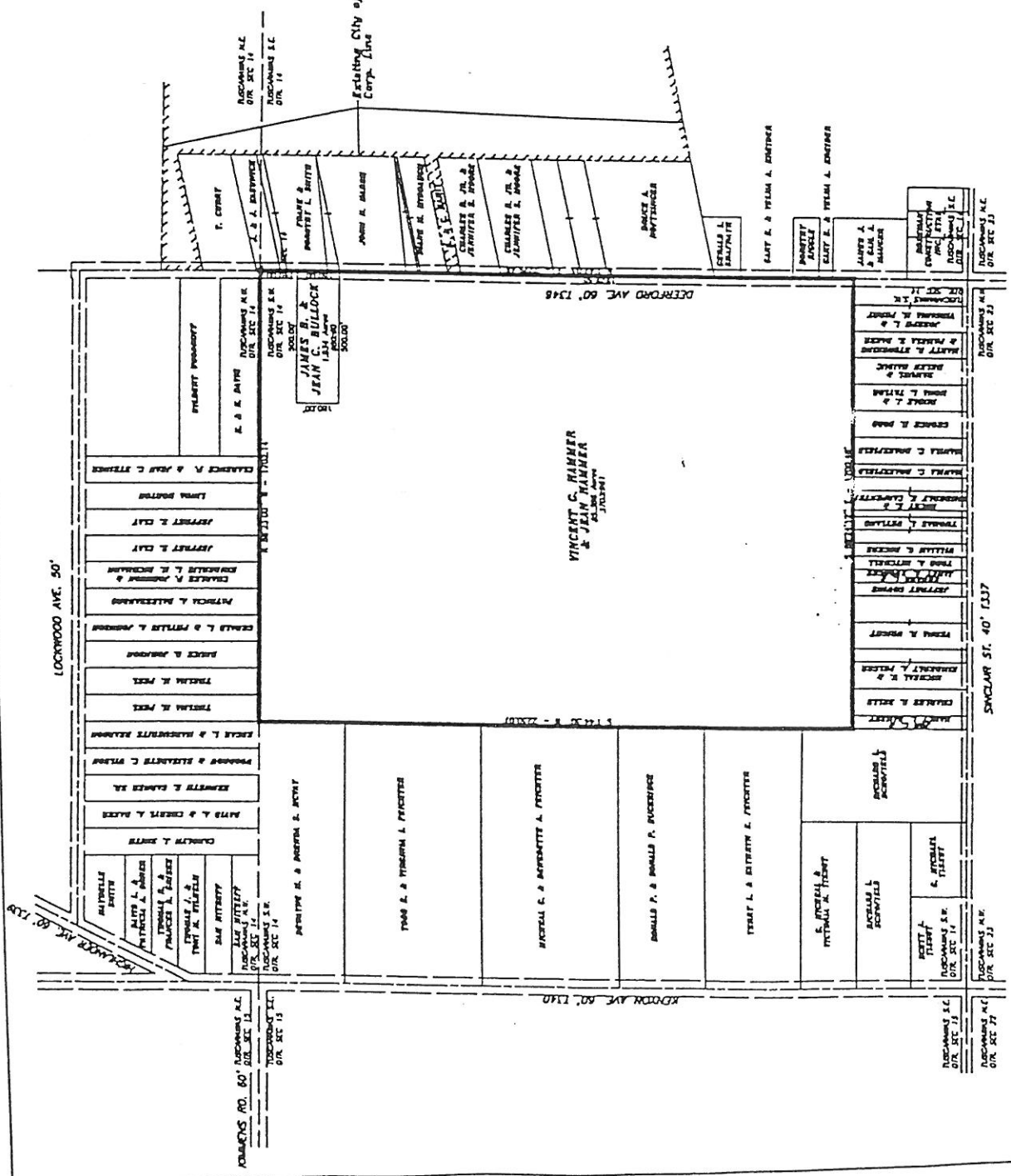
COUNTY RECORDER

Recorded in Vol. _____

194

STARK COUNTY COMMISSION

IN	OUT	IN	OUT
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100	100	100	100



PAGES OF RECORDS

The Shingles are based on the north line of Southeast Quarter Section 16 Township 7 North, Range 3 East 1300'. The first land in this section was located by George W. Henry and Bruce J. Henry.

DATE: August 3, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 163 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing submission of a Section 108 Loan Application to the United States Department of Housing and Urban Development (HUD) for use of Community Development Block Grant Funds, and declaring an emergency.

WHEREAS, the City of Massillon hereby finds and determines that all formal actions relative to the adoption of this Ordinance were taken in an open meeting of this Massillon City Council and that all the deliberations of this Massillon City Council and of its committees, if any, which resulted in formal actions, were taken in meetings open to the public, in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code, and

WHEREAS, Massillon has been designated an "Entitlement City" by the United States Department of HUD and such designation makes the City eligible for Community Development Block Grant (CDBG) Funds, and

WHEREAS, Massillon has a need to stimulate downtown development and revitalization and create jobs primarily to benefit low and moderate income persons, and

WHEREAS, Massillon needs to continue furthering the Lincoln Center Phase II Redevelopment Plan, which would stimulate economic opportunities.

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

Section 1:

That this Council, in and for the City of Massillon, hereby authorizes the submission of a Section 108 Loan Application request and the execution of the Application any amendments thereto by the Mayor, including authorizing the Mayor to enter into agreements with the United States Department of HUD for Community Development Block Grant Funds in the amount of \$2,250,000.00 and including such other agreements necessary for the Section 108 Loan Application and implementation of 108 activities.

Section 2:

That in order to expedite the application submission, this measure is determined to be an emergency Ordinance for the immediate preservation of the public peace, health, safety and welfare of the City of Massillon and its inhabitants and providing it receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor. Otherwise, from and after the earliest time allowed by law.

PASSED IN COUNCIL _____ DAY OF _____, 1998.

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: August 3, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 164 - 1998

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 961 "PARKS" of the Codified Ordinances of the City of Massillon, by repealing existing Section 961.17 "HOURS OF OPERATION" of said CHAPTER 961 "PARKS" and enacting a new Section 961.17 "HOURS OF OPERATION" of said 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:

The existing Section 961.17 "HOURS OF OPERATION" of CHAPTER 961 "PARKS" of the Codified Ordinances of the City of Massillon be and hereby is repealed.

Section 2:

There be and hereby is enacted a new Section 961.17 "HOURS OF OPERATION" of CHAPTER 961 "PARKS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

961.17 HOURS OF OPERATION

- (a) No person shall be permitted on City of Massillon park land before 6:00 a.m. and after 11:00 p.m.
- (b) Exceptions to this section may be granted by the Recreation Board, Parks and Recreation Director or their authorized representatives.
- (c) Lighted ball fields shall be under the jurisdiction of the Recreation Board and such Board may determine hours of operation.

Section 3:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Parks and Recreation Department of the City of Massillon, Ohio, and for the additional reason for the preservation of the public health, safety and welfare of the community. 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: August 3, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 165 - 1998

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the State Route 241 "Massillon Community Park" Construction Project, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the State Route 241 "Massillon Community Park" Construction Project.

Section 2:

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 State Route 241 "Massillon Community Park" Construction Project.

Section 3:

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 construct the "Massillon Community Park" 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: August 3, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 166 - 1998

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement for the purchase of approximately 18.915 acres of land being a part of Out Lot 602 in the City of Massillon currently owned by Benson Brothers, Inc., and said land shall be designated as park land, and declaring an emergency.

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

Section 1:

The real estate owned by Benson Brothers, Inc., and being part of Out Lot 602, consisting of approximately 18.915 acres is needed for park land.

Section 2:

The Director of Public Service and Safety is authorized to enter into an agreement to purchase the above described real estate for Four Hundred Seventy-Two Thousand Eight Hundred Seventy-Five Dollars (\$472,875.00) and upon the execution and approval the said Director of Public Service and Safety he is further authorized to execute and approve all necessary documents to expedite the purchase of said real estate.

Section 3:

That the City Auditor is hereby authorized to pay the purchase price of Four Hundred Seventy-Two Thousand Eight Hundred Seventy-Five Dollars (\$472,875.00) from the Park and Rec Capital Improvement Fund.

Section 4:

It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

Section 5:

This Ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that the acquisition of the real estate is necessary for the construction of the community park by the year 1999. 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: August 3, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 167 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor to accept a federal grant under the Law Enforcement Block Grant for use by the Massillon Police 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 Mayor be and is here is authorized to accept a federal grant under the Law Enforcement Block Grant for use by the Massillon Police Department.

Section 2:

The said amount of the federal grant shall be Forty-Two Thousand Three Hundred Ninety Dollars (\$42,390.00).

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community and that the grant is needed to upgrade the Police Department's computer system. 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: August 3, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 168 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1998 appropriation from within the General Fund of the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

There be and is hereby transferred from the 1998 appropriation from within the General Fund of the City of Massillon, Ohio, the following:

\$ 800.00 FROM: "VD Control" 1100.715.2390
TO: "Travel/Seminar/Schooling" 1100.705.2389

Section 2:

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 Health Department and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 1998

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

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

DATE: August 3, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 169 - 1998

BY: FINANCE COMMITTEE

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

\$ 12,000.00 to an account entitled "Mural Project" 3112.905.2370

Section 2:

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:

\$ 500.00 to an account entitled "Office Supplies" 1211.705.2410

Section 3:

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