

AGENDA

DATE: AUGUST 17, 1998  
TIME: 7:30 P.M.  
PLACE: COUNCIL CHAMBERS

1. ROLL CALL
2. INVOCATION - COUNCILWOMAN MIKE LOUDIANA
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. 170 - 1998 BY: SEWER AND WASTE DISPOSAL COMMITTEE

SDH ✓ P  
AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with Wenger Excavating, for the emergency sanitary sewer repair on Vinette Place N.E., and declaring an emergency.

ORDINANCE NO. 171 - 1998 BY: HEALTH, WELFARE & BUILDING REGULATIONS

1st  
AN ORDINANCE amending CHAPTER 505 "ANIMALS AND FOWL" of the Codified ordinances of the City of Massillon, by repealing existing Section 505.11 "Hunting Prohibited" of CHAPTER 505 "ANIMALS AND FOWL" and enacting a new Section 505.11 "Hunting Prohibited" of CHAPTER 505 "ANIMALS AND FOWL", and declaring an emergency.

ORDINANCE NO. 172 - 1998 BY: HEALTH, WELFARE & BUILDING REGULATIONS

1st  
AN ORDINANCE amending CHAPTER 549 "WEAPONS AND EXPLOSIVES" of the Codified ordinances of the City of Massillon, by repealing existing Section 549.10 "Discharging Firearms" of CHAPTER 549 "WEAPONS AND EXPLOSIVES" and enacting a new Section 549.10 "Discharging Firearms" of CHAPTER 549 "WEAPONS AND EXPLOSIVES", and declaring an emergency.

ORDINANCE NO. 173 - 1998 BY: HEALTH, WELFARE & BUILDING REGULATIONS

1st  
AN ORDINANCE amending CHAPTER 557 "WEEDS AND TREES" of the Codified ordinances of the City of Massillon, by repealing existing Section 557.08 (a) "Cutting and Destroying Weeds Required" of CHAPTER 557 "WEEDS AND TREES" and enacting a new Section 557.08(a) "Cutting and Destroying Weeds Required" of CHAPTER 557 "WEEDS AND TREES", and declaring an emergency.

ORDINANCE NO. 174 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

1st  
AN ORDINANCE amending PART ELEVEN - PLANNING AND ZONING CODE - TITLE FIVE of the Codified Ordinances of the City of Massillon, by the addition of a new CHAPTER 1174 "A-2 GENERAL AGRICULTURAL DISTRICT" of PART ELEVEN - PLANNING AND ZONING CODE - TITLE FIVE, and declaring an emergency.

ORDINANCE NO. 175 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P ✓  
AN ORDINANCE authorizing and directing the Mayor and Director of Public Safety and Service to enter into a contract agreement with Jennifer Tully, without competitive bidding, to provide Annexation Development Consulting Services for the City of Massillon, and declaring an emergency.

ORDINANCE NO. 176 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

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

ORDINANCE NO. 177 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

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

ORDINANCE NO. 178 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

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

ORDINANCE NO. 179 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

file ✓ P  
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.

ORDINANCE NO. 180 - 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. 181 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

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

ORDINANCE NO. 182 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

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

ORDINANCE NO. 183 - 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. 184 - 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. 185 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning certain tracts of land from R-3 Single Family Residential to RM-1 Multiple Family Residential, and declaring an emergency.

ORDINANCE NO. 186 - 1998 BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Auditor to pay a 1993 bill, out of the 1998 appropriations within the General Fund, and declaring an emergency.

ORDINANCE NO. 187 - 1998 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

AN ORDINANCE approving and authorizing the Mayor to enter into an agreement, without competitive bidding, with Harwick Chemical Manufacturing Corporation, providing an economic development "inducement grant" to assist the company in relocating to and expanding its operations in Massillon, and declaring an emergency.

ORDINANCE NO. 188 - 1998 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Fund, UDAG B-81-AB-39-0097 (Towne Plaza) Fund and the General Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, and declaring an emergency.

RESOLUTION NO. 16 - 1998 BY: SEWER AND WASTE COMMITTEE

A RESOLUTION directing the City Engineer and the Director of Public Service and Safety to prepare cost estimates, plans, profiles and specifications for construction of sanitary sewer for the Fothergill/Bellmont Area.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

A). LETTER FROM THE OHIO DIVISION OF LIQUOR CONTROL REGARDING A STCK LICENSE TO LONE EAGLE INC., DBA BEIR BANC, 211 ERIE STREET SOUTH, MASSILLON, OHIO, 44310

B). LETTER FROM THE OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM GEARLY INC., DBA ELBOW ROOM, 1318 ERIE STREET S. 1ST FLOOR AND BASEMENT, MASSILLON, OHIO, 44646 TO ELBOW ROOM INC., DBA THE ELBOW ROOM, 1318 ERIE STREET S. 1ST FLOOR AND BASEMENT, MASSILLON, OHIO, 44646.



AUGUST 17, 1998

9. BILLS, ACCOUNTS AND CLAIMS
10. REPORTS FROM CITY OFFICIALS
  - A). MAYOR SUBMITS MONTHLY REPORT FOR JULY 1998
  - B). FIRE CHIEF SUBMITS MONTHLY REPORT FOR JULY 1998
  - C). POLICE CHIEF SUBMITS MONTHLY REPORT FOR JULY 1998
11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR
14. THIRD READING ORDINANCES AND RESOLUTIONS

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

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. *9/8/98 - Public Mtg. Goldman West*

15. SECOND READING ORDINANCES AND RESOLUTIONS

*Amended 1st*  
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.

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: August 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 170 - 1998

BY: SEWER AND WASTE DISPOSAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with Wenger Excavating, for the emergency sanitary sewer repair on Vinette Place N.E., and declaring an emergency.

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

Section 1:

The City Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract, without competitive bidding, with Wenger Excavating, for the emergency sanitary sewer repair on Vinette Place N.E.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract, without competitive bidding, with Wenger Excavating, for the emergency sanitary sewer repair on Vinette Place N.E.

Section 3:

The cost of this emergency repair will not exceed the amount of Nineteen Thousand Three Hundred Twelve Dollars (\$19,312.00).

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary that the repair of the sanitary sewer be completed to avoid additional sewer problems in the area. 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 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 171 - 1998

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 505 "ANIMALS AND FOWL" of the Codified Ordinance of the City of Massillon, by repealing existing Section 505.11 "Hunting Prohibited" of CHAPTER 505 "ANIMALS AND FOWL" and enacting a new Section 505.11 "Hunting Prohibited" of CHAPTER 505 "ANIMALS AND FOWL", and declaring an emergency.

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

Section 1:

Existing Section 505.11 "Hunting Prohibited" of CHAPTER 505 "ANIMALS AND FOWL" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

That there is hereby enacted a new Section 505.11 "Hunting Prohibited" of CHAPTER 505 "ANIMALS AND FOWL" of the Codified Ordinances of the City of Massillon and which shall read as follows:

505.11 HUNTING PROHIBITED

- (a) No person shall hunt or pursue game within the corporate limits, except on premises zoned A-2 General Agricultural.
- (b) No person shall hunt or pursue game on premises zoned A-2 General Agricultural in a manner that is unsafe or without due regard for the safety of persons or property.
- (c) No person shall hunt or pursue game on premises zoned A-2 General Agricultural who is not an owner or resident of the premise.
- (d) No person shall hunt or pursue game on premises zoned A-2 General Agricultural except for domestic consumption or pest or vermin control.
- (e) It shall be prima-facie evidence of hunting if a person is found within the corporate limits with any firearm, bow and arrow or other similar weapon, if such weapon is loaded or with the firing mechanism in a closed position so that the weapon could be fired if loaded.
- (f) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is needed to amend the City's ordinances concerning the prohibition of hunting in certain areas within the City 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 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1998

APPROVED: \_\_\_\_\_

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: \_\_\_\_\_

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: August 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 172 - 1998

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 549 "WEAPONS AND EXPLOSIVES" of the Codified Ordinance of the City of Massillon, by repealing existing Section 549.10 "Discharging Firearms" of CHAPTER 549 "WEAPONS AND EXPLOSIVES" and enacting a new Section 549.10 "Discharging Firearms" of CHAPTER 549 "WEAPONS AND EXPLOSIVES", and declaring an emergency.

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

Section 1:

Existing Section 549.10 "Discharging Firearms" of CHAPTER 549 "WEAPONS AND EXPLOSIVES" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

That there is hereby enacted a new Section 549.10 "Discharging Firearms" of CHAPTER 549 "WEAPONS AND EXPLOSIVES" of the Codified Ordinances of the City of Massillon and which shall read as follows:

549.10 DISCHARGING FIREARMS

- (a) No person shall discharge any air gun, rifle, shotgun, revolver, pistol or other firearm within the corporate limit of the municipality, except on premises zoned A-2 General Agricultural.
- (b) No person shall discharge any air gun, rifle, shotgun, revolver, pistol or other firearm within the corporate limit of the municipality, except on premises zoned A-2 General Agricultural and in a manner that is safe or with due regard for the safety of persons or property.
- (c) No person shall discharge any air gun, rifle, shotgun, revolver, pistol or other firearm on premises zoned A-2 General Agricultural who is not an owner or resident of the premise.
- (e) This section does not apply when firearms are used in self defense, in discharge of official duty or when otherwise legally authorized.
- (f) Whoever violates this section is guilty of a misdemeanor of the fourth degree.

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is needed to amend the City's ordinances concerning the discharging of firearms within certain areas of City 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 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1997

APPROVED:

SHARON HOWELL, CLERK OF COUNCIL      DAVID A. SMITH, PRESIDENT

APPROVED: \_\_\_\_\_

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: August 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 173 - 1998

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 557 "WEEDS AND TREES" of the Codified Ordinance of the City of Massillon, by repealing existing Section 557.08(a) "Cutting and Destroying Weeds Required" of CHAPTER 557 "WEEDS AND TREES" and enacting a new Section 557.08(a) "Cutting and Destroying Weeds Required" of CHAPTER 557 "WEEDS AND TREES", and declaring an emergency.

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

Section 1:

Existing Section 557.08(a) "Cutting and Destroying Weeds Required" of CHAPTER 557 "WEEDS AND TREES" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

That there is hereby enacted a new Section 557.08(a) "Cutting and Destroying Weeds Required" of CHAPTER 557 "WEEDS AND TREES" of the Codified Ordinances of the City of Massillon and which shall read as follows:

557.08 CUTTING AND DESTROYING WEEDS REQUIRED

(a) Prohibitions. No person, whether as owner, lessee, agent, tenant or any other person having charge or care of land in the City, shall permit noxious weeds or other undesirable vegetation, grasses, etc., to grow thereon to a height in excess of twelve inches, or to mature their seeds thereon, or fail to cut and destroy such weeds and other undesirable vegetation when notified by the Director of Public Safety and Service to do so. This provision shall not apply to premised zoned A-2 General Agricultural when the premised are utilized in pursuit of a reasonable agricultural use.

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is needed to amend the City's ordinances concerning the cutting and destroying weeds required within the City 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 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1997

APPROVED: \_\_\_\_\_  
SHARON HOWELL, CLERK OF COUNCIL      DAVID A. SMITH, PRESIDENT

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR



## CITY OF MASSILLON, OHIO.

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

## ORDINANCE NO. 174 - 1998

BY: COMMUNITY DEVELOPMENT &amp; ANNEXATION COMMITTEE

TITLE: AN ORDINANCE amending PART ELEVEN - PLANNING AND ZONING CODE - TITLE FIVE of the Codified Ordinances of the City of Massillon, by the addition of a new CHAPTER 1174 "A-2 GENERAL AGRICULTURAL DISTRICT" of PART ELEVEN - PLANNING AND ZONING CODE - TITLE FIVE, and declaring an emergency.

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

Section 1:

That there be and hereby is enacted a new CHAPTER 1174 "A-2 GENERAL AGRICULTURAL DISTRICT" of PART ELEVEN - PLANNING AND ZONING CODE - TITLE FIVE, of the Codified Ordinances of the City of Massillon. Said newly enacted CHAPTER 1174 shall read as follows:

CHAPTER 1174  
A-2 General Agricultural District

1174.01 Intent.

1174.02 Principal uses permitted.

1174.03 Principal uses permitted

Subject to special conditions.

1174.04 Area and bulk requirements.

## 1174.01 INTENT.

The A-2 General Agricultural District is established as a zone in which agricultural uses are encouraged as the principal uses of the land. The specific intent is to facilitate the proper use of lands best suited to agriculture to minimize the conflicts between urban and agricultural uses, to preserve and protect agricultural land from unnecessary encroachment by nonagricultural uses, and to prevent the premature termination of agricultural pursuits, to preserve open space, and to provide for the diversity of land uses in the City to specifically include the agricultural pursuits historically important to the cultural heritage of the City and its environs. This chapter is necessary to foster the preservation of farms and rural lifestyles through zoning, which is prohibited to unincorporated areas surrounding the City.

## 1174.02 PRINCIPAL USES PERMITTED.

In a General Agricultural District, no building or land shall be used and no building shall be created except for one or more of the following specified uses unless otherwise provided in this chapter:

## (a) Agricultural buildings and uses provided:

- (1) Buildings used to house farm animals.
- (2) Livestock and poultry raising or breeding for consumption on the premises and for commercial purposes.
- (3) Production of crops, timber and pasturage.
- (4) Recycling of organic matter.
- (5) Roadside stands, which shall be limited to one sign advertising such products not exceeding twenty square feet, and which shall include a required minimum of two off-street parking places; all of which shall be located and set back so as not to create a traffic hazard.
- (6) Slaughtering of livestock and poultry, production of fertilizer, processing of animal skins and hides, and the reduction of animal matter, provided that the animals, skins, hides, and animal matter are either produced on the premises or the resulting product is employed as an end use on the premises.
- (7) One-family detached dwellings.
- (8) Publicly owned and operated parks, playgrounds and recreational facilities.
- (9) Conservation of natural resources including land, water and open space conservation and wildlife refuges.
- (10) Accessory buildings and uses customarily incident to any of the permitted uses.

1174.03 PRINCIPAL USES PERMITTED TO SPECIAL CONDITIONS.

No use which is not specifically set forth in section 1174.02 of this chapter shall be permitted.

Where an owner of premises in a General Agricultural District intends to use the premises in furtherance of agriculture beyond the uses specified in section 1174.02 the Massillon City Board of Zoning Appeals may grant a special approval to the owner of the premises pursuant to this section and section 1129.05 to permit one or more uses not specifically set forth in section 1174.02. Such approval must:

- (1) be for a specified period of years, or
- (2) be specifically restricted to run to the benefit of the owner of the premises, and
- (3) not be transferrable to a subsequent owner, and
- (4) not run with the land, and
- (5) be in furtherance of, incident to, or an extension of a permitted use.

1174.04 AREA AND BULK REQUIREMENTS

Minimum lot size shall be twenty acres.

Minimum frontage on a public street shall be one hundred feet.

Minimum width of any lot shall be one hundred feet.

There shall be no set back requirement on any agricultural use, including growing crops, standing timber or woodlot production, pasturage, holding fields fallow or in natural succession, or to permit the maximumization of agricultural production or conservation except that no building shall be nearer than fifteen feet to any lot boundary.

Section 2:

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 Planning 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. 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 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 175 - 1998

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Mayor and Director of Public Safety and Service to enter into a contract agreement with Jennifer Tully, without competitive bidding, to provide Annexation Development Consulting Services for the City of Massillon, and declaring an emergency.

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

Section 1:

The Mayor and Director of Public Safety and Service of the City of Massillon, Ohio, are hereby authorized and directed to enter into a contract agreement with Jennifer Tully, without competitive bidding, to provide Annexation Development Consulting Services for the City of Massillon, Ohio. A copy of said contract is hereby attached as Exhibit "A".

Section 2:

The cost of said consulting services will not exceed Five Thousand (\$5,000.00) for a three month period.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary for the more efficient operation for the preparation of annexation petitions, surveys and research for 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



## AGREEMENT FOR ANNEXATION DEVELOPMENT SERVICES

This agreement is entered into on August \_\_, 1998, by and between the City of Massillon, Ohio, One James Duncan Plaza 44646 ("City"), and Jennifer Tully, 7867 Daytona NW, Massillon, Ohio 44646 ("Consultant").

Consultant agrees to assist and advise the City on matters relating to obtaining owner support on one or more petitions for annexation of areas identified by the City. Consultant and the City agree that no results in the form of successfully completed annexations are guaranteed. Consultant agrees to utilize Consultant's best efforts to obtain a necessary majority of signatures on one or more annexation petitions covering each of the areas identified by the City.

Consultant's duties shall be:

1. Develop general maps describing the territory or territories to be annexed in sufficient detail under Ohio Revised Code Chapter 709 to allow the City Engineer or his designee to complete an accurate annexation map showing approximate acreage, location on Stark County tax maps, location relative to adjacency to existing City boundaries, owners and residents of included and adjacent parcels, Stark County permanent parcel numbers of all parcels in the territory or territories sought to be annexed;
2. Develop annexation configurations, including alternative annexation configurations, of the territory or territories sought to be annexed as identified by the City;
3. Research and develop owner specific information, including current and projected tax and financial valuations and impacts upon affected owners and residents and the desires and needs for existing and projected or additional infrastructure and services from the City;
4. Research and develop a calculation of costs and impacts to the City for territories sought to be annexed;
5. Survey property owners in areas identified by the City to determine the current and proposed usage of their property and their needs, utilization of existing infrastructure and services and desires for additional infrastructure and services, opinions of the current political subdivision in which the property is located and the infrastructure and services provided to the property whether by the political subdivision of another entity, opinions of the City of Massillon and its available and projected infrastructure and services, opinions regarding annexation in general and willingness to annex to the City of Massillon, and opinions on municipal incorporation or merger, whether to a new or existing entity, including the City of Massillon;
6. Facilitate meetings between property owners and resident of areas sought to be annexed with City officials to discuss costs and impacts of the annexation and the need for infrastructure, services and development assistance;
7. Assist City officials in developing the required statement of services to be provided the territory sought to be annexed;
8. Secure the signatures of a majority of owners in the territory or territories sought to be annexed as identified by the City;
9. Attend public hearings regarding the territory or territories sought be annexed; and
10. Act as a liaison between the various units of governments that may have an interest in annexation.

In consideration of the services provided by Consultant, the City agrees to compensate the Consultant as a fee NOT TO EXCEED Five Thousand Dollars (\$5,000.00). Said fee will be based on an hourly rate of Ten Dollars (\$10.00) per hour. The City shall reimburse actual, reasonable, and necessary expenses incurred in the performance of this agreement. The term of this agreement shall be three months.

IN WITNESS:

ATTEST:

CITY OF MASSILLON, OHIO

\_\_\_\_\_

\_\_\_\_\_  
By FRANCIS H. CICCHINELLI, JR.  
MAYOR

ATTEST:

CONSULTANT

\_\_\_\_\_

CITY OF MASSILLON, OHIO

\_\_\_\_\_  
ATTEST:

\_\_\_\_\_

\_\_\_\_\_  
By FRANCIS H. CICCHINELLI, JR.  
MAYOR

## CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

## ORDINANCE NO. 176 - 1998

BY: COMMUNITY DEVELOPMENT &amp; ANNEXATION COMMITTEE

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

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

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

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

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

Section 1:

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

Section 2:

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

Known as and being 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;

Thence S02°18'17"W along the west line of Gi Ante Street N.W., the west line of Lots 61, 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 Recorders Image No. 95101536, using S70°39'30"W for the centerline of Hankins Street.

Section 3:

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

Section 4:

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

Section 5:

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

Section 6:

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

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1998

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

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR

## CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

## ORDINANCE NO. 177 - 1998

BY: COMMUNITY DEVELOPMENT &amp; ANNEXATION COMMITTEE

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

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

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

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

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

Section 1:

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

Section 2:

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

Known and being part of the 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;

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 3:

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

Section 4:

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

Section 5:

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

Section 6:

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

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1998

APPROVED: \_\_\_\_\_

SHARON HOWELL, CLERK OF COUNCIL

\_\_\_\_\_ DENNIS D. HARWIG, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_ FRANCIS H. CICCHINELLI, JR., MAYOR



## CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

## ORDINANCE NO. 178 - 1998

BY: COMMUNITY DEVELOPMENT &amp; ANNEXATION COMMITTEE

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

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

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

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

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

Section 1:

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

Section 2:

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

Known and being Part of the 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;

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 3:

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

Section 4:

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

Section 5:

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

Section 6:

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

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1998

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

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR

## CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

## ORDINANCE NO. 179 - 1998

BY: COMMUNITY DEVELOPMENT &amp; ANNEXATION COMMITTEE

TITLE: AN ORDINANCE petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon and 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 said 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 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;

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 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



## CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 180 - 1998

BY: COMMUNITY DEVELOPMENT &amp; 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 August 12th 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-3 Single Family Residential:

Being known as Lots 15649 - 15666, consisting of 18 lots totaling 8.117 acres located on the north side of Hankins road, west of Louisa-Marie Avenue.

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-3 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 COUNCIL

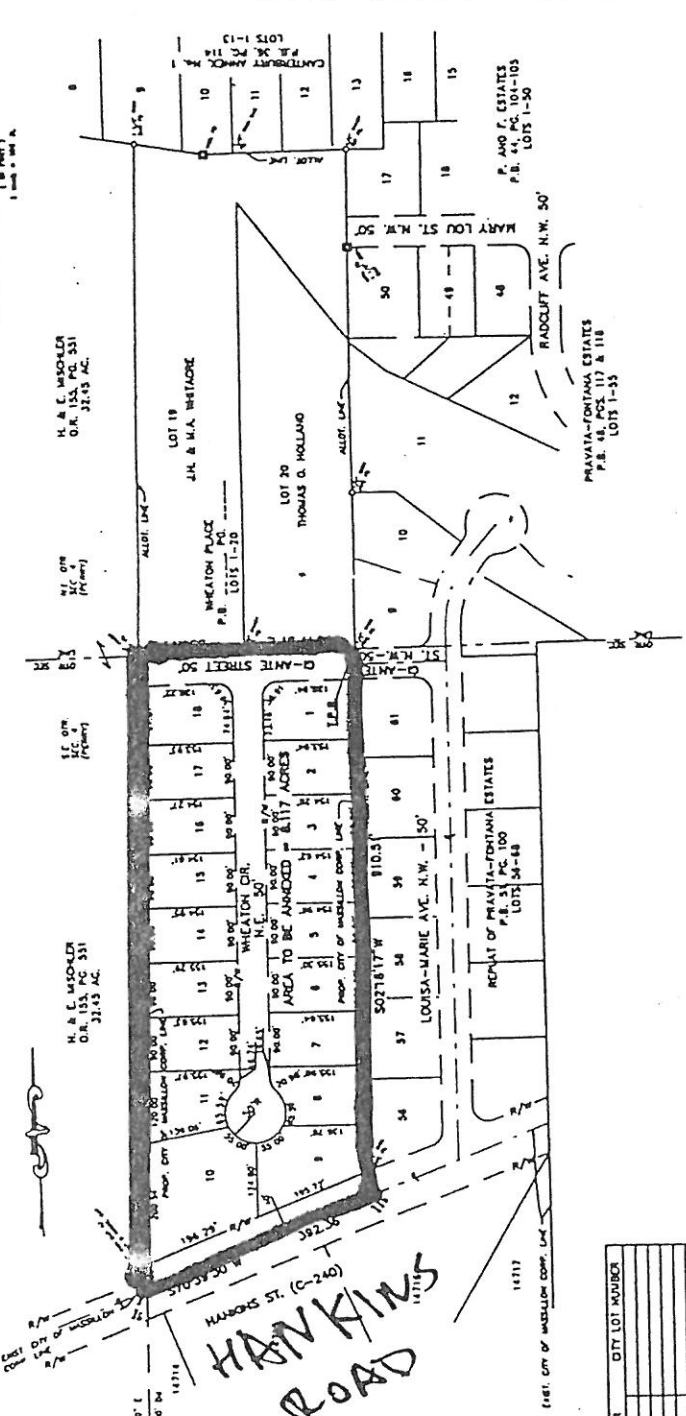
DENNIS D. HARWIG, PRESIDENT

APPROVED: \_\_\_\_\_

FRANCIS H. CICCHINELLI, JR., MAYOR

# ANNEXATION PLAT OF PART OF WHEATON PLACE TO THE CITY OF MASSILLON

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



REFERENCE DIRECTOR  
COUNTY ENGINEER FOR STARK COUNTY  
FROM ALAN S. BISHOP, dated 3/27/2017, a true and  
correct copy of the plat of the  
CITY OF MASSILLON, OHIO.

Rezoning - Wheaton Place Annexation  
From Perry Twn to R-3 One Family Residential

### ACKNOWLEDGEMENTS

CITY LOT NUMBER ASSON  
WHEELING CITY ENGINEER  
ENTERED FOR TRANSFER  
STARK COUNTY RECORDER

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE  
PROPOSED ANNEXATION PLAT OF THE CITY OF MASSILLON, OHIO, AS SUBMITTED  
BY COOPER & ASSOCIATES, LLP IN MASSILLON, OHIO.  
RECORDED JUNE 14, 2017  
APPROVED FOR ANNEXATION BY THE STARK COUNTY COMMISSIONERS THIS  
DAY OF \_\_\_\_\_ 199\_\_\_\_  
COMMISSIONER \_\_\_\_\_ COMMISSIONER \_\_\_\_\_  
ACCEPTED BY THE CITY COUNCIL OF MASSILLON, OHIO, BY ORDINANCE  
NUMBER \_\_\_\_\_ PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 199\_\_\_\_  
CITY CLERK \_\_\_\_\_

LOT NUMBER	CITY LOT NUMBER
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HANKS ROAD

### LEGAL DESCRIPTION

Acquire and being all of Lot 1-18 in Wheaton Place, in Stark County, Ohio, as shown on the plat of the same, recorded in Public Records of Stark County, Ohio, at Page 117 & 118 of Volume 118, (Perry Township), Range 9, Stark County, Ohio, and being more particularly described and bounded as follows:

Beginning for the corner of a point marked by a 1/2 inch iron pin found on the north line of Gravelly Street N.E. (34) feet east, marking the southeast corner of Lot 9 in Public Records of Stark County, Ohio, at Page 117 & 118 of Volume 118, (Perry Township), Range 9, Stark County, Ohio, and being more particularly described and bounded as follows:

Thence S87°15'17" E along the west line of Gravelly Street N.E., the west line of Lot 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

DATE: August 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 181 - 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 Tuscarawas 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 Tuscarawas Township to Massillon Zoning classifications. Said rezoning was approved by the City Planning Commission at its August 12th 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 A-1 Agricultural:

Being known as Out Lots 781, 782 and 783, three parcels totaling 101.442 acres, located on north of Lincoln Way N.W., between Kenyon and Manchester Avenues.

Section 3:

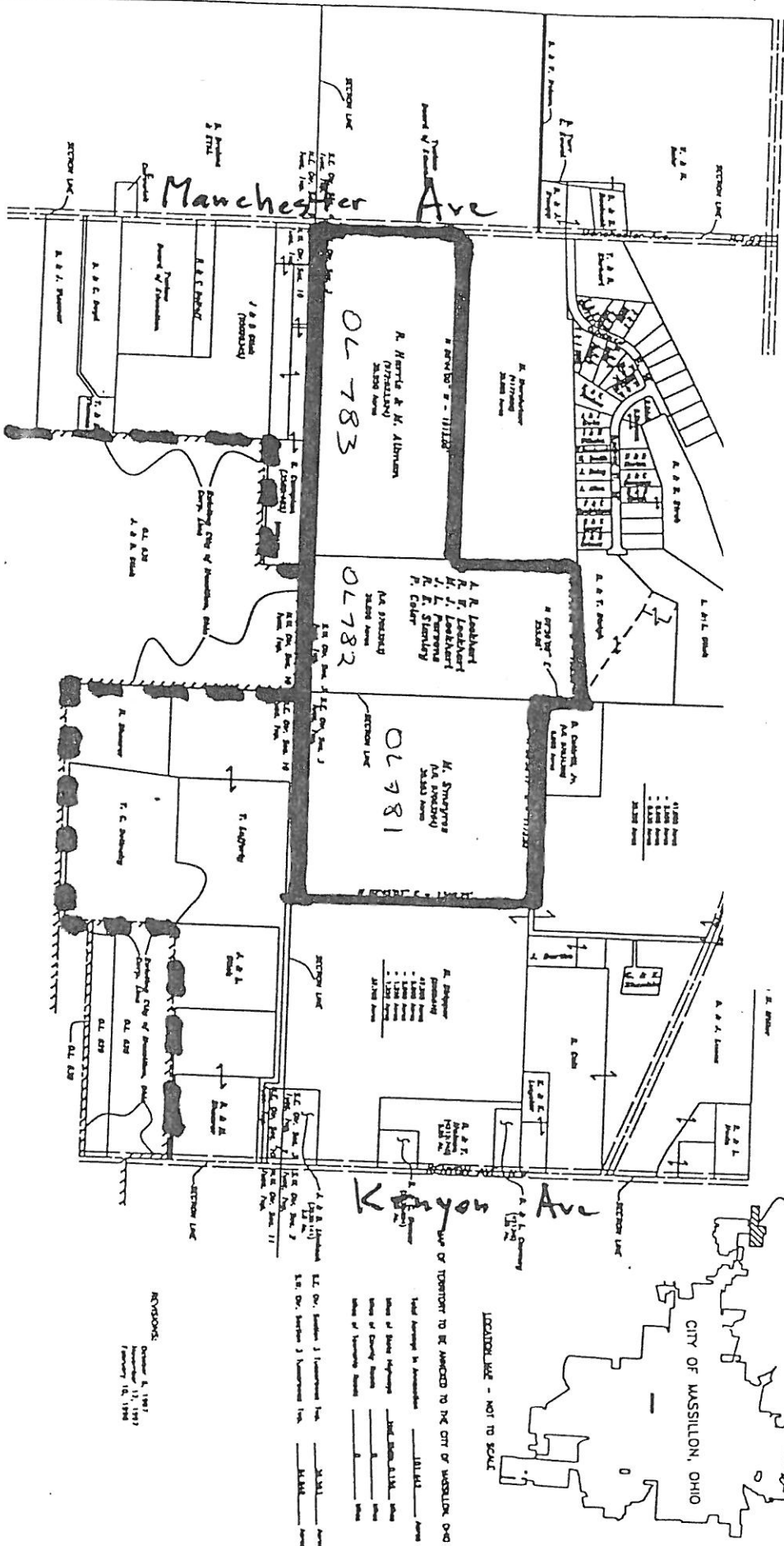
That this ordinance is declared to be an emergency measure in that the use herein provided for is essential to the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community and that this property would best be served to be designated 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 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1998

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

APPROVED: \_\_\_\_\_ FRANCIS H. CICCHINELLI, JR., MAYOR

# Rezoning - West Side Area Annexation From Tuscarawas Township to A-1 Agricultural



SURVEYOR'S CERTIFICATION  
I, Surveyor, certify that this is a true and correct copy of the original map and plat as the same appears in my office and is a true and correct copy of the original map and plat as the same appears in my office.

Surveyor's Signature: \_\_\_\_\_

MASSILLON CITY COUNCIL

Approved by the City Council of Massillon, Ohio, this \_\_\_\_\_ day of \_\_\_\_\_, 1987.

STARK COUNTY COMMISSIONERS

Approved for annexation by the Stark County Commissioners this \_\_\_\_\_ day of \_\_\_\_\_, 1987.

CITY CLERK

City of Massillon, Ohio, this \_\_\_\_\_ day of \_\_\_\_\_, 1987.

COUNTY RECORDER

Recorded in the \_\_\_\_\_ day of \_\_\_\_\_, 1987.

COUNTY AUDITOR

Counted this \_\_\_\_\_ day of \_\_\_\_\_, 1987.

NOTICE OF RECORDING  
This plat is being recorded in the \_\_\_\_\_ day of \_\_\_\_\_, 1987, for the purpose of recording the same in the public records of Stark County, Ohio, and for the purpose of recording the same in the public records of Stark County, Ohio.

NOTICE OF RECORDING  
This plat is being recorded in the \_\_\_\_\_ day of \_\_\_\_\_, 1987, for the purpose of recording the same in the public records of Stark County, Ohio, and for the purpose of recording the same in the public records of Stark County, Ohio.

WESTSIDE AREA ANNEXATION  
PL. S.C. & S.W. Div. Sec. 3 Tuscarawas Twp.  
Stark County, State of Ohio

CITY OF MASSILLON

MASSILLON, OHIO  
M-875  
3368  
APR 2, 1987  
THE CITY OF MASSILLON, OHIO

DATE: August 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 182 - 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 Tuscarawas 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 Tuscarawas Township to Massillon Zoning classifications. Said rezoning was approved by the City Planning Commission at its August 12th 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 A-1 Agricultural:

Being known as Out Lot 791, containing 1.834 acres, and Out Lot 780 containing 85.386 acres, located on west side of Deerford Avenue, north of Sinclair Street.

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 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.

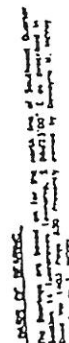
PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1998

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

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR



From Tuscarawas Township to A-1 Agricultural



DATE: August 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 183 - 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 August 12th 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 I-2 General Industrial:

Being known as Out Lots 788, 789, 790 and Lots 15643 - 15648, 9 parcels totaling 13.168 acres, located on north side of Oberlin Road S.W., between Duncan Street, S.W., and 9th Street, S.W.

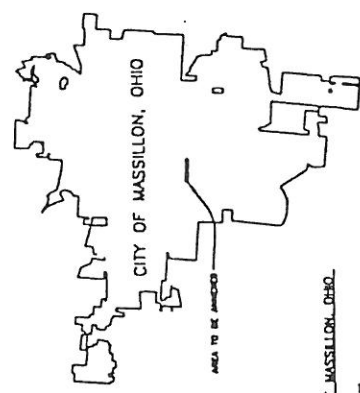
Section 3:

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 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 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1998

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

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR



LOCATIONS - NOT TO SCALE

CITY ENGINEER  
City lot numbers assigned this day of \_\_\_\_\_, 19\_\_\_\_.

STARK COUNTY COMMISSIONERS  
Approved for execution by the clerk \_\_\_\_\_  
Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 192\_\_

S.L. Cr., Section 18 Perry Twp. \_\_\_\_\_ 1234 \_\_\_\_\_ Acres  
S.E. Cr., Section 17 Perry Twp. \_\_\_\_\_ 0.14 \_\_\_\_\_ Acres

MAP OF TERRITORY TO BE ANNEXED TO THE CITY OF MASSILLON, OHIO.

Total Acquired by Acquisition 33,128 Acres

State	Year	Value	Unit
Alabama	1960	100	100
Alabama	1961	100	100
Alabama	1962	100	100
Alabama	1963	100	100
Alabama	1964	100	100
Alabama	1965	100	100
Alabama	1966	100	100
Alabama	1967	100	100
Alabama	1968	100	100
Alabama	1969	100	100
Alabama	1970	100	100
Alabama	1971	100	100
Alabama	1972	100	100
Alabama	1973	100	100
Alabama	1974	100	100
Alabama	1975	100	100
Alabama	1976	100	100
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Alabama	2012	100	100
Alabama	2013	100	100
Alabama	2014	100	100
Alabama	2015	100	100
Alabama	2016	100	100
Alabama	2017	100	100
Alabama	2018	100	100
Alabama	2019	100	100
Alabama	2020	100	100
Alabama	2021	100	100
Alabama	2022	100	100
Alabama	2023	100	100
Alabama	2024	100	100
Alabama	2025	100	100
Alabama	2026	100	100
Alabama	2027	100	100
Alabama	2028	100	100
Alabama	2029	100	100
Alabama	2030	100	100
Alabama	2031	100	100
Alabama	2032	100	100
Alabama	2033	100	100
Alabama	2034	100	100
Alabama	2035	100	100
Alabama	2036	100	100
Alabama	2037	100	100
Alabama	2038	100	100
Alabama	2039	100	100
Alabama	2040	100	100
Alabama	2041	100	100
Alabama	2042	100	100
Alabama	2043	100	100
Alabama	2044	100	100
Alabama	2045	100	100
Alabama	2046	100	100
Alabama	2047	100	100
Alabama	2048	100	100
Alabama	2049	100	100
Alabama	2050	100	100
Alabama	2051	100	100
Alabama	2052	100	100
Alabama	2053	100	100
Alabama	2054	100	100
Alabama	2055	100	100
Alabama	2		

[illegible][illegible]

Dr. Section 17 Perry Twp. D.A.M. Across

DATE: August 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 184 - 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 August 12th 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 A-1 Agricultural:

Being known as Out Lots 784, 785, 786, 787 and Lot No. 15642, 5 parcels totaling 39.032 acres, located east of Walnut Road S.E. between southway Street and Richville Drive, S.W.

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 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, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1998

APPROVED: \_\_\_\_\_

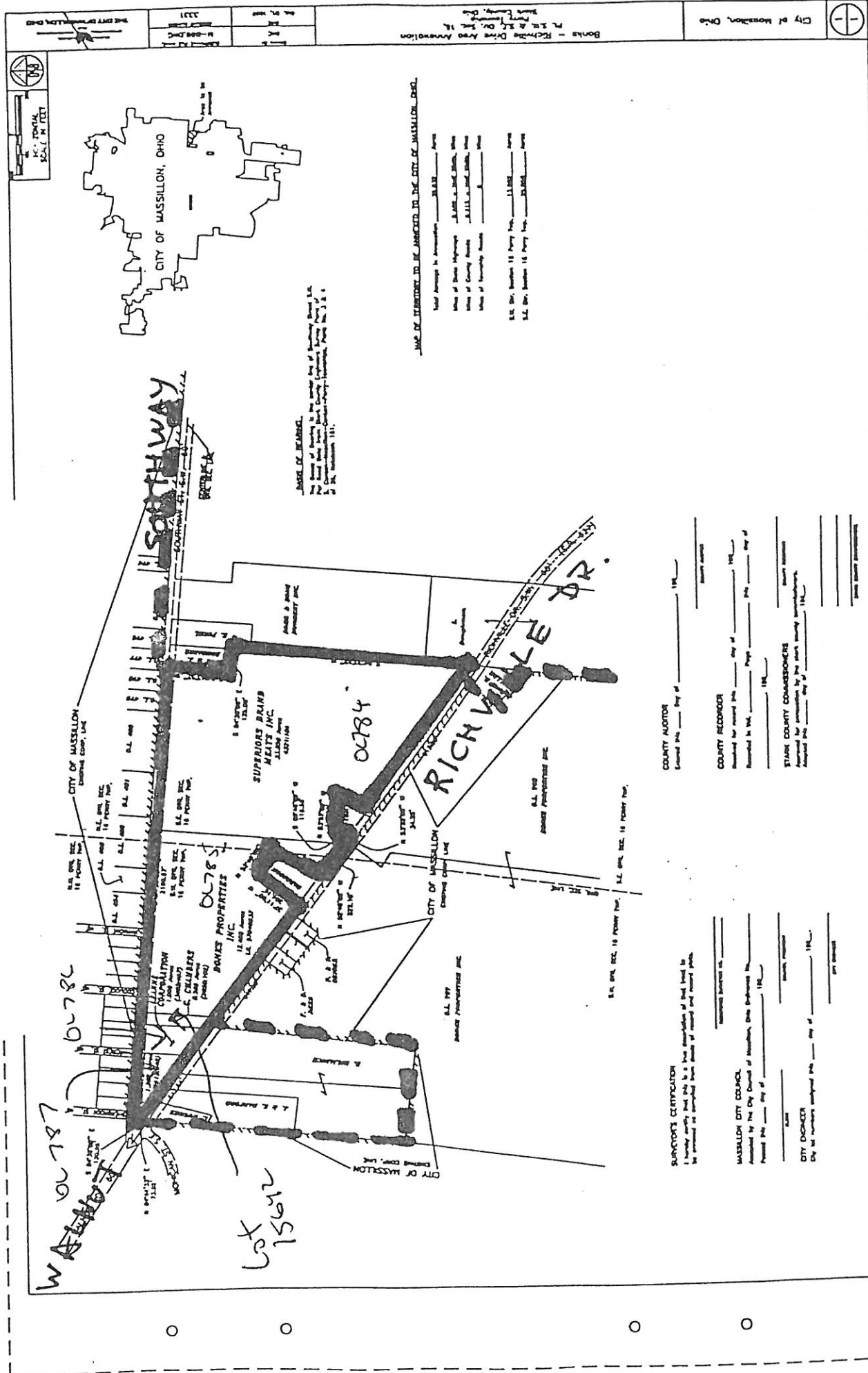
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: \_\_\_\_\_

FRANCIS H. CICCHINELLI, JR., MAYOR

From Perry Township to A-1 Agricultural





DATE: August 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 185 - 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 R-3 Single Family Residential to RM-1 Multiple Family Residential, 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 from R-3 Single Family Residential to RM-1 Multiple Family Residential. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on August 12th, 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 as RM-1 Multiple Family Residential.

Being known as Out Lot 739, a 4.861 acre parcel of land located at the northwest corner of Nave Road S.E. and University Drive S.E.

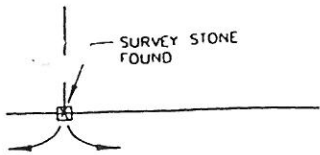
Section 3:

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 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 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1998

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

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR

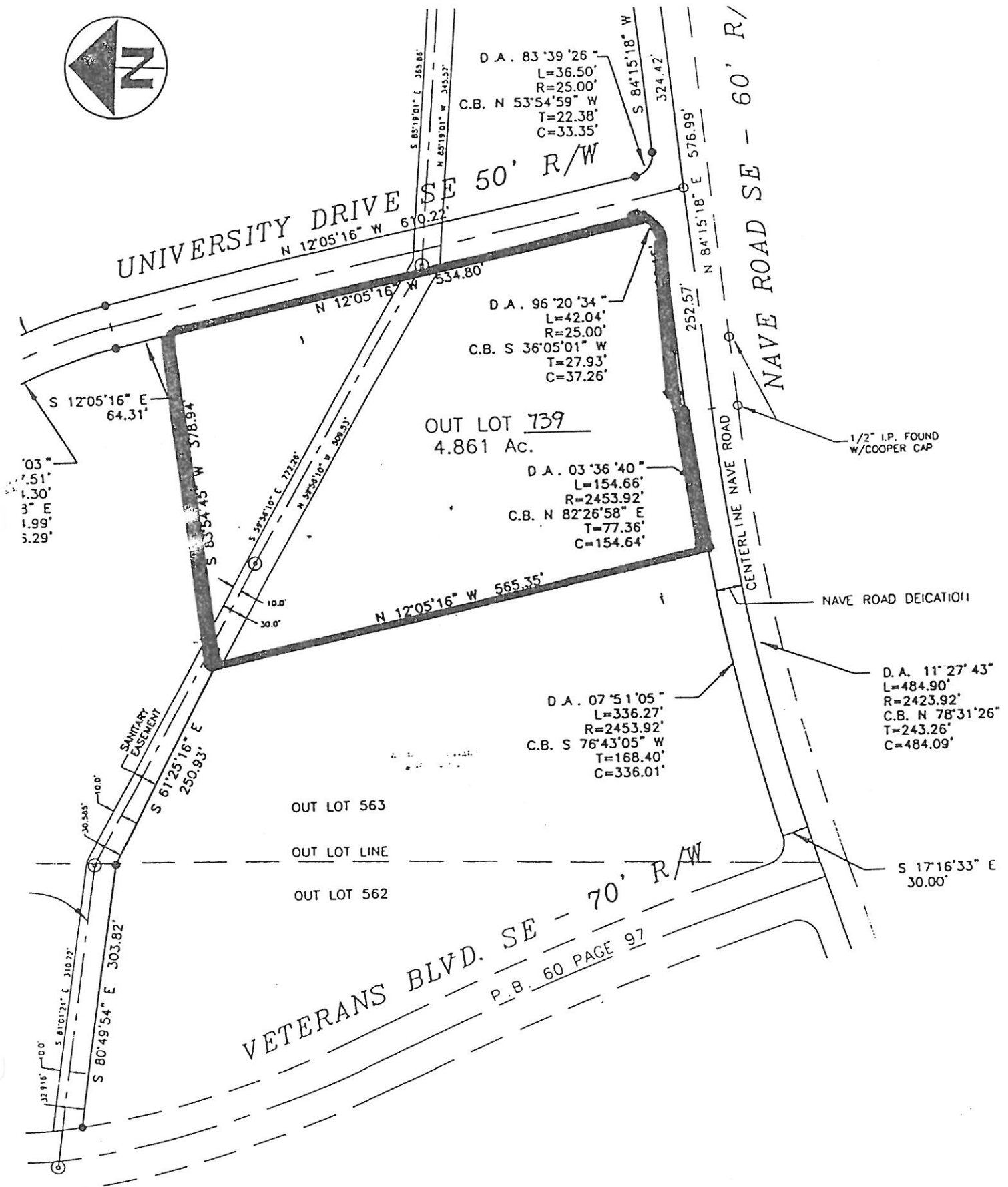


Rezoning - Out Lot 739

From R-3 to RM-1

NO USED

18" W



DATE: August 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 186 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor to pay a 1993 bill, out of the 1998 appropriations within the General Fund, 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 it necessary to authorize the City Auditor to pay a 1993 bill out of the 1998 appropriation within the General Fund. Said bill to be paid is as follows:

\$451.92 To Ohio Bureau of Employment Services (Acct.1100.325.3290)

Section 2:

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 Fire Department 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 form and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1998

APPROVED: \_\_\_\_\_

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: \_\_\_\_\_

FRANCIS H. CICCHINELLI, JR., MAYOR

## CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

## ORDINANCE NO. 187 - 1998

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE approving and authorizing the Mayor to enter into an agreement, without competitive bidding, with Harwick Chemical Manufacturing Corporation, providing an economic development "inducement grant" to assist the company in relocating to and expanding its operations in Massillon, and declaring an emergency.

WHEREAS, the City of Massillon carries out a variety of economic development programs designed to promote the creation and expansion of business and industry in the community; with a special emphasis on the revitalization of the area; and

WHEREAS, Harwick Chemical Manufacturing Corporation desires to relocate their operations from Akron to a new facility currently under construction in Neocom Park on Navarre Road;

WHEREAS, Harwick Chemical Manufacturing Corporation, through this proposed business relocation and expansion, plans to provide new jobs in Massillon; and

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

Section 1:

This Council hereby approves and authorizes the Mayor to enter into an agreement, without competitive bidding, with Harwick Chemical Manufacturing Corporation, providing an economic development "inducement grant," in a total amount not to exceed One Hundred Sixty Five Thousand Dollars (\$165,000.00) for the purpose of assisting the company in relocating to and expanding its operations in Massillon. This "inducement grant" shall be provided by the City as follows:

1. \$55,000.00 shall be paid by the City in three annual payments to Harwick payable by December 31, 1998, December 31, 1999, and December 31, 2000.

Section 2:

In return for this economic development grant assistance, Harwick Chemical manufacturing Corporation, shall provide the City with information regarding the number of jobs that it has provided as a result of the company's relocation and expansion in Massillon.

Section 3:

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 additional reason that it is necessary to improve the economic climate of the community through the expansion of business and employment opportunities. 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 17, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 188 - 1998

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Fund, UDAG B-81-AB-39-0097 (Towne Plaza) Fund, and the General Fund, of the City of Massillon, Ohio, for the year ending December 31, 1998, and declaring an emergency.

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

Section 1:

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

\$ 19,312.00 to an account entitled "Vinette Place Sanitary Sewer Repair" 2101.615.2592

Section 2:

There be and hereby is appropriated from the unappropriated balance of the UDAG B-81-AB-39-0097 (Towne Plaza) Fund of the City of Massillon, Ohio, for the year ending December 31, 1998, the following:

\$ <sup>5,000.00</sup> ~~6,500.00~~ to an account entitled "Annexation Costs" 1217.840.2391

Section 3:

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

\$ 6,038.15 to an account entitled "Refunds" 1100.210.2720  
\$ 1,653.20 to an account entitled "Administrative Fees Springhaven/Springhill Storm Sewer Project" 1100.405.2392  
\$ 1,275.60 to an account entitled "Administrative Fees Lake Ave. Widening Project" 1100.405.2392

Section 4:

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.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1998

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

APPROVED: FRANCIS H. CICCHINELLI, JR., MAYOR



## CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

## RESOLUTION NO. 16 - 1998

BY: SEWER AND WASTE DISPOSAL COMMITTEE

TITLE: A RESOLUTION directing the City Engineer and the Director of Public Service and Safety to prepare cost estimates, plans, profiles and specifications for construction of sanitary sewer for the Fothergill/Belmont Area.

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

Section 1:

It is necessary to investigate the construction of a sanitary sewer on 29th Street N.W., Belmere Avenue N.W., Starbrook Street N.W., Crest Circle N.W., Stanton Avenue N.W., Noble Place N.W. and Gordon Avenue N.W.

Section 2:

That it is determined that the improvement aforesaid is conducive to the public health, convenience and welfare. Council hereby finds that said improvement has been petitioned for by the owners of more than 60% of the foot frontage of the property abutting upon said improvement.

Section 3:

That plans, specifications, cost estimates and profiles of the proposed improvement heretofore will be prepared by the City Engineer and be on file with the Clerk of Council in the office of the Director of Public Service and Safety of the City of Massillon, Ohio.

That the grade of said improvement shall be at the grade as shown on the City Engineer's plans and profiles.

Section 4:

Council hereby determines that the whole cost of said improvement shall be assessed per each lot of the property bounding and abutting on the improvement upon all lands bounding and abutting upon the proposed improvement, which said lands are hereby determined to be especially benefitted by said improvement. The cost of said improvement shall include the expense of the preliminary and other surveys, plans, specifications, profiles and estimates, and of printing and publishing notices, resolutions, and ordinances required and the serving of said notices, the amount of damages resulting from the improvement and the cost of construction; together with interest on notes and bonds or Ohio Water Pollution Control Loan Fund Construction Loan issued in anticipation of the collection of deferred assessments and all other necessary expenditures.

Section 5:

The assessments to be levied shall be in forty (40) bi-annual installments with interest on deferred payments at the same rate as shall be borne by the bond or loan to be issued in anticipation of the collection thereof, provided that the owner of any property assessed may, at his option, pay such assessment in cash within 30 days after passage of the assessing ordinance.

Section 6:

The bonds of the City of Massillon or loan from the Ohio Water Pollution Control Loan Fund shall be issued in anticipation of the collection of assessments by installments and in amount equal thereto and notes of said City shall be issued in anticipation of the issuance of such bonds if and only if a loan from the Ohio Water Pollution Control Loan Funds cannot be obtained by the City of Massillon.

Section 7:

The City Engineer is directed to prepare and file with the Clerk of this Council estimated assessments of the cost of the improvement described in this resolution in accordance with the method of assessment set forth in this resolution and based upon the estimate of cost now on file with the Clerk of this Council, showing the assessment against each lot or parcel of land to be assessed. Such estimated assessments shall be kept by said Clerk on file in the office of the Director of Public Service and Safety and shall be available for inspection by any interested person. Upon the filing of said estimates, the Clerk of this Council is directed to cause notice of the adoption of this Resolution and the filing of said estimated assessments to be served on the owners of all lands to be assessed in the manner provided by R.C. 727.13

Section 8:

Whereas a petition subscribed by the owners of 100% of the property abutting the hereinafter described improvement has been filed with this Council requesting the improvement by special assessment upon the abutting property owners of 29th Street N.W., Belmere Avenue N.W., Starbrook Street N.W., Crest Circle N.W., Stanton Avenue N.W., Noble Place N.W. and Gordon Avenue N.W. by the construction of a sanitary sewer main and laterals. The Director of Public Service and Safety of the City of Massillon and the City Engineer of said City are hereby directed to prepare plans, specifications and profiles of the aforesaid improvements with reference to the property abutting thereon, and an estimate of the cost of the improvement showing, among other things, the amount allocated to labor and materials, the total cost and the apportionment, if any, between the property owners and the City. The Director of Public Service and Safety and the City Engineer are further directed upon completion of the aforesaid data to file the same in the office of the Clerk of Council of the City of Massillon, where it shall be maintained open to inspection of all persons interested.

Section 8:

This Resolution shall be in effect immediately from and after passage and upon approval by the Mayor.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1998

APPROVED: \_\_\_\_\_

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: \_\_\_\_\_

FRANCIS H. CICCHINELLI, JR., MAYOR