

## AGENDA

DATE: MARCH 1, 1999  
PLACE: COUNCIL CHAMBERS  
TIME: 7:30 P.M.

1. ROLL CALL
2. INVOCATION - COUNCILMAN BILL AMAN
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. 35 - 1999 BY: HEALTH, WELFARE & BUILDING REGULATIONS COMM.**

**AN ORDINANCE** approving the editing and inclusion of certain Ordinances as part of the various component codes of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

**ORDINANCE NO. 36 - 1999 BY: POLICE AND FIRE COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sell at Auction a 1966 Seagrave 85 foot aerial truck no longer needed by the Fire Department of the City of Massillon, and declaring an emergency.

**ORDINANCE NO. 37 - 1999 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety to enter into a contract with Fifth-Third Bank, for the financing of a lease/purchase agreement for the equipment purchased from Bake Vehicle Systems and Xenia Power Equipment, without competitive bidding, through pricing based on State Contract #OT920698 for The Legends of Massillon Municipal Golf Course, and declaring an emergency.

**ORDINANCE NO. 38 - 1999 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE**

**AN ORDINANCE** authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with Raymond Bush to be the golf professional at The Legends Golf Course, and declaring an emergency.

**ORDINANCE NO. 39 - 1999 BY: PARKS AND RECREATION COMMITTEE**

**AN ORDINANCE** repealing Ordinance No. 221 - 1998 and enacting a new Ordinance authorizing and directing the Director of Public Service and Safety to enter into an agreement for the purchase of approximately 14.845 acres of land being part of the North-West Quadrant of Section 24 in Tuscarawas Township currently owned by Gloria Marsh and said land shall be designated a park land, and declaring an emergency.

**ORDINANCE NO. 40 - 1999 BY: PARKS AND RECREATION COMMITTEE**

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Baker Vehicle Systems to purchase a Steiner Model 430 Max Tractor with 60" mower deck and weight bar, without competitive bidding, through pricing based on State Contract #OT920698 with trade of Steiner 420 mower deck, and approved by the Board of Control, and declaring an emergency.

MARCH 1, 1999

B). LETTER OHIO DIVISION OF LIQUOR CONTROL REGARDING A NOTICE OF HEARING ON PERMIT RENEWAL FOR TRAIAN H. YOANNOPULOS, DBA THREE STAR TAVERN, 1121 4<sup>TH</sup> STREET S.W., FIRST FLOOR AND BASEMENT, MASSILLON, OHIO, 44646 ON MARCH 15, 1999 AT 10:30 P.M. AT THE CANTON CITY HALL, 208 CLEVELAND AVENUE S.W., CAUCUS ROOM, MAIN FLOOR, CANTON, OHIO.

**9. BILLS, ACCOUNTS AND CLAIMS**

**10. REPORTS FROM CITY OFFICIALS**

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR FEBRUARY - 1999
- B). AUDITOR SUBMITS MONTHLY REPORT FOR FEBRUARY - 1999
- C). MASSILLON MAIN STREET YEARLY REPORT FOR -1998
- D). POLICE CHIEF SUBMITS YEARLY REPORT FOR - 1998

**11. REPORTS OF COMMITTEES**

**12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS**

**13. CALL OF THE CALENDAR**

**14. THIRD READING ORDINANCES AND RESOLUTIONS**

**15. SECOND READING ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 24 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE**

P **AN ORDINANCE** amending the agreement between the City of Massillon and Elastochem, Inc., under the Ohio Urban Jobs and Enterprise Zone Program, by extending the project completion date from December 1998 to December 2001, and also making changes in several other project benchmark dates to coincide with the completion date, and declaring an emergency.

**ORDINANCE NO. 30 - 1999 BY: FINANCE COMMITTEE**

P **AN ORDINANCE** authorizing the Mayor to enter into a contract agreement with Pyrotecnico, for the fireworks display at the summer concert to be held on June 11, 1999, 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 HEARING THIS EVENING**

DATE: March 1, 1999 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 35 - 1999

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE approving the editing and inclusion of certain Ordinances as part of the various component codes of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of Massillon, Ohio; and

WHEREAS, numerous sections in the Traffic and General Offenses Codes need to be amended or enacted so as to conform to enactments of the Ohio General Assembly;

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

Section I:

The editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of Massillon, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances to wit:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
5-1998	1-5-98	181.03(e)(11)
7-1998	1-20-98	165.01(e)
25-1998	2-2-98	961.15
42-1998	2-17-98	961.06
85-1998	4-6-98	1129.03
94-1998	4-6-98	961.01
164-1998	9-21-98	961.17
171-1998	10-5-98	505.11
172-1998	10-5-98	549.10
173-1998	10-5-98	557.08(a)
174-1998	10-5-98	1174.01 to 1174.04

Section 2:

The following sections of the Traffic and General Offenses Codes, as amended, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly.

Traffic Code

335.03	Driving with Temporary Instruction Permit; Curfew. (Amended)
335.99	Penalty. (Amended)
339.07	Towing Requirements. (Amended)
341.02	Commercial Drivers Exemptions. (Amended)
373.23	Paths Exclusively for Bicycles. (Added)

General Offenses Code

509.06	Inducing Panic. (Amended)
509.07	Making False Alarms. (Amended)
513.01	Drug Abuse Control Definitions. (Amended)
513.03	Controlled Substance Possession or Use. (Amended)
513.04	Possessing Drug Abuse Instruments. (Amended)
513.09	Controlled Substance or Prescription Labels. (Amended)
513.10	Hypodermic Possession, Display and Possession. (Amended)
513.12	Drug Paraphernalia. (Amended)
525.01	Law Enforcement and Public Office Definitions. (Amended)
525.08	Obstructing Justice. (Amended)
525.09	Resisting Arrest. (Amended)
525.11	Soliciting or Receiving Improper Compensation. (Amended)
533.01	Obscenity and Sex Offenses Definitions. (Amended)
533.06	Voyeurism. (Amended)
537.03	Assault. (Amended)
537.10	Telephone Harassment. (Amended)
537.15	Temporary Protection Order. (Amended)
541.07	Desecration. (Amended)
545.05	Theft. (Amended)
545.18	Receiving Stolen Property. (Amended)



Section 3:

A copy of such Ordinances as edited, arranged and numbered or renumbered as part of the codified Ordinances is attached to this Ordinance in the form of 1999 Replacement Pages to the Codified Ordinances.

Section 4:

That this Ordinance is declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that there exists an imperative necessity for the earliest publication and distribution of the Codified Ordinances to the officials and residents of the City of Massillon, Ohio, so as to facilitate administration, daily operation and avoid practical and legal entanglements. 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 \_\_\_\_\_, 1999

WITNESSETH:

\_\_\_\_\_  
SHARON HOWELL, CLERK OF COUNCIL

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

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

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

DATE: March 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 36 - 1999

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sell at Auction a 1966 Seagrave 85 foot aerial truck no longer needed by the Fire Department of the City of Massillon, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to sell at auction a 1966 Seagrave 85 foot aerial truck no longer needed by the Fire Department of the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to sell at auction a 1966 Seagrave 85 foot aerial truck no longer needed by the fire Department of the City of Massillon.

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that the City and obtain the highest price it can sell at auction a 1966 Seagrave 85 foot serial truck no longer needed by the City. 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 of 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: March 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 37 - 1999

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract with Fifth-Third Bank, for the financing of a lease/purchase agreement for the equipment purchased from Bake Vehicle Systems and Xenia Power Equipment, without competitive bidding, through pricing based on State Contract #0T920698 for The Legends of Massillon Municipal Golf Course, and declaring an emergency.

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

ection 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Fifth-Third Bank, for the financing of a lease/purchase agreement for the equipment purchased from Bake Vehicle Systems and Xenia Power Equipment, without competitive bidding through pricing based on State Contract #0T920698 for The Legends of Massillon Municipal Golf Course.

Section 2:

That the Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract with Fifth-Third Bank, for the financing of a lease/purchase agreement for the equipment purchased from Bake Vehicle Systems and Xenia Power Equipment, without competitive bidding through pricing based on State Contract #0T920698 for The Legends of Massillon Municipal Golf Course

Section 3:

That the cost of said contract will not exceed Ninety-Nine Thousand One Hundred Fourteen Dollars and Seventy-Four Cents (\$99,114.74).

Section 4:

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 for the additional reason that it is necessary to obtain financing for the recently acquired equipment for The Legends of Massillon Municipal Golf Course.. 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 \_\_\_\_\_, 1999

ATTEST:

\_\_\_\_\_  
SHARON HOWELL, CLERK OF COUNCIL

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

APPROVED:

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

DATE: March 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 38 - 1999

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into a contract agreement with Raymond Bush to be the golf professional at The Legends Golf Course, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract agreement with Raymond Bush to be the golf professional at The Legends Golf Course.

Section 2:

The cost to the City for the agreement with the golf professional shall not exceed Twenty-Nine Thousand Seven Hundred Ninety-Six dollars (\$29,796.00) annually.

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 for the additional reason that it is necessary that a golf professional is hired prior to the 1999 opening of The Legends Golf Course 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 \_\_\_\_\_, 1999

ATTEST:

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SHARON HOWELL, CLERK OF COUNCIL

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

APPROVED:

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

DATE: March 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 39 - 1999

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE repealing Ordinance No. 221 - 1998 and enacting a new Ordinance authorizing and directing the Director of Public Service and Safety to enter into an agreement for the purchase of approximately 14.845 acres of land being part of the North-West Quadrant of Section 24 in Tuscarawas Township currently owned by Gloria Marsh and said land shall be designated as park land, and declaring and emergency.

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

Section 1:

That Ordinance No. 221 - 1998 be and is hereby repealed.

Section 2:

The real property owned by Gloria Marsh, located on the North-West Quadrant of Section 24 in the Township of Tuscarawas, consisting of approximately 14.825 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 One Hundred Fifty-Five thousand Six Hundred Sixty-Two dollars and Fifty Cents (\$155,662.50) and upon the execution and approval the said Director of Public Service and Safety 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 One Hundred Fifty-Five Thousand Six Hundred Sixty-Two Dollars and Fifty Cents (\$155,662.50) from the Park and Recreation 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 further construction of the community park. 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 \_\_\_\_\_ 1999

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

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

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

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: March 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 40 - 1999

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Baker Vehicle Systems to purchase a Steiner Model 430 Max Tractor with 60" mower deck and weight bar, without competitive bidding, through pricing based on State Contract #0T920698 with a trade of a Steiner 420 and mower deck, and approved by the Board of Control, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Baker Vehicle Systems to purchase a Steiner Model 430 Max Tractor with a 60" mower deck and weight bar, without competitive bidding, through pricing based on State Contract #0T920598 with a trade of Steiner a 420 and mower deck and approved by the Board of Control..

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with Baker Vehicle Systems to purchase a Steiner Model 430 Max Tractor with a 60" mower deck and weight bar, without competitive bidding, through pricing based on State Contract #0T920698 with a trade of a Steiner 420 and mower deck and approved by the Board of Control.

Section 3:

Upon delivery of the aforesaid agreement, the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for said agreement and the City Auditor is authorized and directed to honor and pay said vouchers.

Section 4:

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 the City of Massillon enter into a contract with Baker Vehicle Systems so that the tractor may be purchased prior to the spring of 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 \_\_\_\_\_ 1999

APPROVED \_\_\_\_\_

SHARON HOWELL, CLERK OF COUNCIL

\_\_\_\_\_

DENNIS D. HARWIG, PRESIDENT

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

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: March 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 41 - 1999

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting the replatting of part of Out Lot No. 326 and Lot Nos. 6657-6661, 6682-6694, 6707-6730, 6733-6743 and 6746-6752, bounded by Oak Avenue, S.E., on the north; 21<sup>st</sup> Street, S.E., on the east; Harsh Avenue, S.E., on the south and 20<sup>th</sup> Street, S.E. on the west, and accepting the vacation of a portion of South Avenue, S.E., Hartford Avenue, S.E. and 21<sup>st</sup> Street, S.E. along with all 10 foot wide public alleys located within the area of the proposed replat, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

Section 1:

The replatting of part of Out Lot No. 326 and Lot Nos. 6657-6661; 6682-6694; 6707-6730; 6733-6743; and 6746-6752, bounded by Oak Avenue, S.E., on the north; 21<sup>st</sup> Street, S.E., on the east; Harsh Avenue, S.E., on the south; and 20<sup>th</sup> Street, S.E., on the west and accepting the vacation of a portion of South Avenue, S.E., Hartford Avenue, S.E., and 21<sup>st</sup> Street, S.E., and all 10 foot wide public alleys located within the area of the proposed replat, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer, be and the same is accepted and confirmed. This replatting and vacations were approved by the Planning Commission at the meeting held February 10<sup>th</sup> 1999. That the City Engineer having requested that the replatting and vacation of various streets and 10 foot alleys be formally accepted by the City Engineer and are approved as heretofore described:

A part of Out Lot No. 326 and Lot Nos. 6657-6661, 6682-6694, 6707-6730, 6733-6743, and 6746-6752, bounded by Oak Avenue, S.E., on the north; 21<sup>st</sup> Street, S.E., on the east; Harsh Avenue, S.E., on the south; and 20<sup>th</sup> Street, S.E., on the west. Also the vacation of South Avenue, S.E., between 20<sup>th</sup> Street, S.E., and 21<sup>st</sup> Street, S.E.; Hartford Avenue, S.E., between 20<sup>th</sup> Street, S.E., and 21<sup>st</sup> Street, S.E.; and 21<sup>st</sup> Street, S.E., between Harsh Avenue, S.E., and Oak Avenue, S.E., and all 10 foot wide public alleys located within the area of the proposed replat. All of the parcels and vacated rights-of-way shall be replatted into one new 8.842 acre Out Lot, owned by the Massillon Tiger Football Booster Club. A separate 0.047 acre parcel, part of 21<sup>st</sup> Street, S.E., shall be created as part of this replat and conveyed to Sara Graef.



Section 2:

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

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1999

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

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

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

FRANCIS H. CICCHINELLI, JR., MAYOR

OAK AVE. S.E. 50'

SOUTH AVE. S.E. 50' (Not Open)

HARTFORD AVE. S.E. 50' (Not Open)

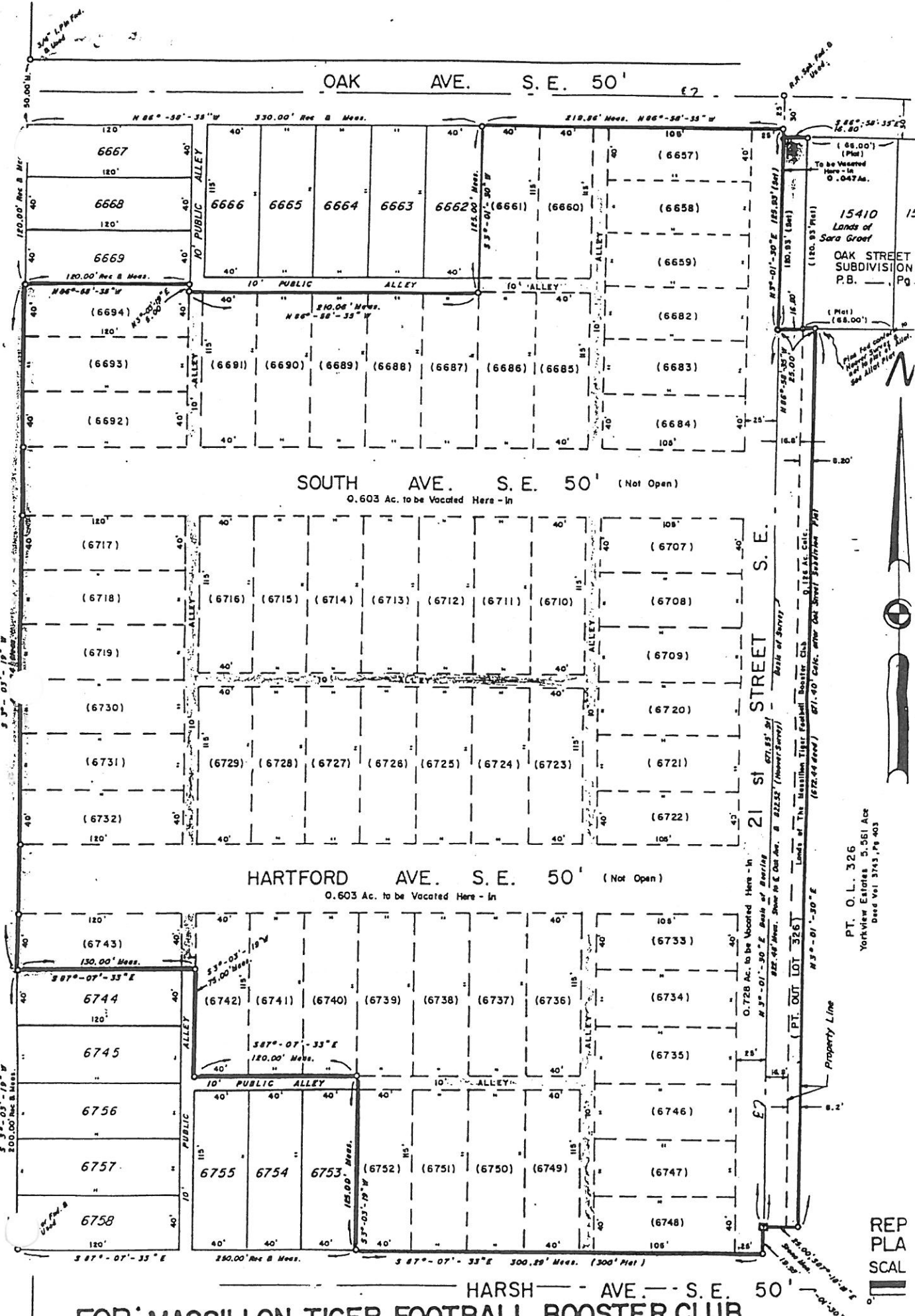
HARSH AVE. S.E. 50'

FOR MASSILLON TIGER FOOTBALL BOOSTER CLUB

PT. O.L. 326  
Yorkview Estates 5.561 Acre  
Deed Vol 3743, Pg 403

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DATE: March 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 42 - 1999

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE accepting the replatting for Shawview Estates No. 1, a 4.302 acre parcel of land consisting of City Lot Nos. 13926 through 13949., located along Shaw Avenue, N.E., west of Wray Street, N.E., and the dedication of a small amount of right-of-way at the Shaw Avenue/Wray Street intersection, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

Section 1:

The replatting for Shawview Estates No. 1, a 4.302 acre parcel of land consisting of City Lot Nos. 13926 through 13949, located along Shaw Avenue, N.E., west of Wray Street, N.E. and accepting the dedication of a small amount of right-of-way at the Shaw Avenue/Wray Street Intersection, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer, be and the same is hereby accepted and confirmed. This replatting and dedication was approved by the Planning Commission at the meeting held February 10, 1999. The City Engineer having requested that the dedication of a small amount or right-of-way at the Shaw Avenue/Wray Street intersection be formally dedicated by the City and now on file with the City Engineer is approved as heretofore described:

Shawview Estates No. 1, a 4.302 acre parcel of land consisting of City Lots No. 13926 through 13949, located along Shaw Avenue, N.E. west of Wray Street N.E. These 24 existing vacant lots will be replatted into 18 new lots, zoned R-1 Single Family Residential. Also included in this plat is the dedication of a small amount of right-of-way at the Shaw Avenue/Wray Street intersection.

Section 2:

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

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 1999

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

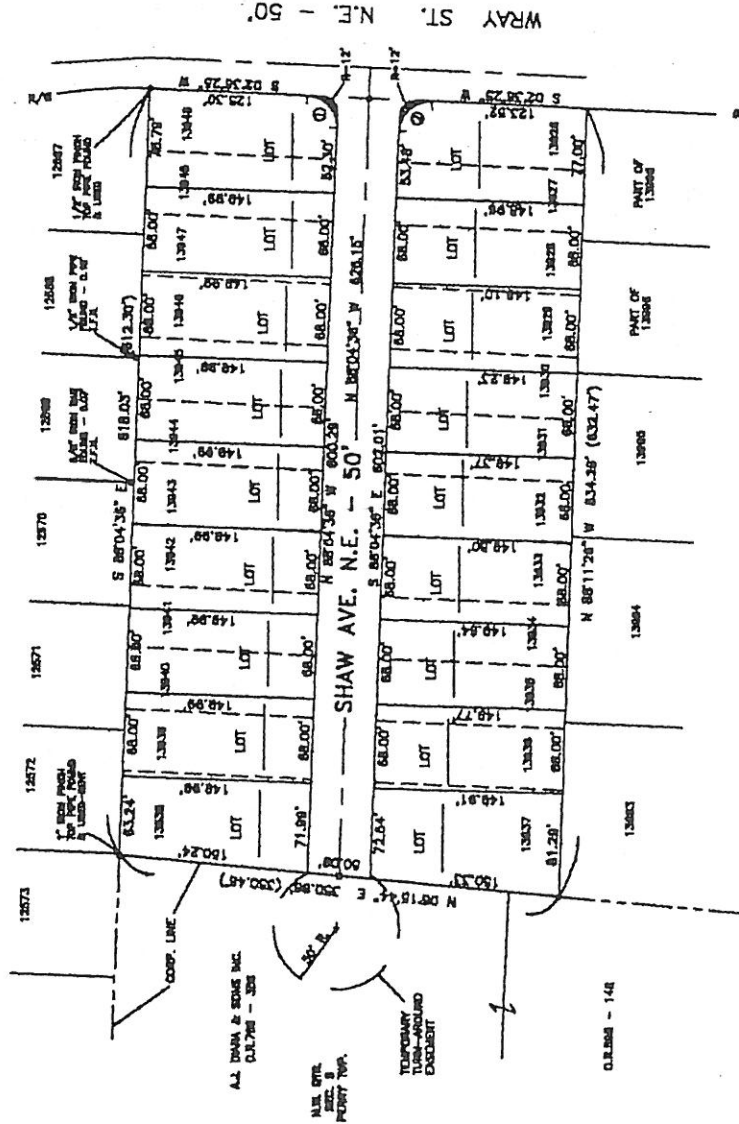
APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR

# SHAW VIEW ESTATES REPLAT 1

REPLAT OF CITY LOTS 13024 THROUGH 13044,  
CITY OF MASSILLON, OHIO, TO BE DIVIDED INTO  
FOURTEEN (14) LOTS, TO BE KNOWN AS  
BLUESHORE ADDITION AS RECORDED IN  
PLAT BOOK 18, PAGES 44-47 OF THE STARK COUNTY PLAT RECORDS  
IN THE CITY OF MASSILLON, STARK COUNTY, OHIO.

BY  
BLUESHORE SURVEYING SERVICES, INC.  
2223 FULTON DR. N.W.  
CANTON, OHIO 44706  
PHONE: 433-8338

ACREAGE SUMMARY  
LOTS 4.288 AC.  
STREETS 0.004 AC.  
TOTAL 4.302 AC.



INDICATES STANDING MONUMENT BORN WITH  
MONUMENT SET.  
NOTES:  
S/V FROM BARS TO BE SET AT ALL CORNERS  
AND CURVE POINTS.  
DATA USED:  
DEED MAPS - MASSILLON 3A & PERRY A.E. 8  
DEED MAPS - MASSILLON 3A & PERRY A.E. 8  
PLAT - BLUESHORE ADDITION (P. 18, P. 40)  
BASIS OF RECORDS:  
N 87°15'41\"

CURVE DATA  
① A=87°15'34\"

I HEREBY DECLARE THAT THIS REPLAT OF LOTS 13024 - 13044 AN ALLOTMENT LOCATED IN  
THE CITY OF MASSILLON, STARK COUNTY, OHIO, IS A TRUE AND CORRECT SURVEY  
AND THAT THE DIMENSIONS AND AREAS SHOWN HEREON ARE CORRECT, AS SURVEYED  
BY BLUESHORE SURVEYING SERVICES, INC. IN JANUARY OF 1988.

BRUCE D. CONERY, P.E. NO. 8469

KNOW ALL MEN BY THESE PRESENTS THAT WE, THE UNDERSIGNED OWNERS OF THE LAND  
SHOWN ON THIS PLAT, DO HEREBY APPROVE THE PLAT AND DO HEREBY DEDICATE TO THE  
PUBLIC, THEREAFTER, ALL THE LANDS FOR PUBLIC PURPOSES SHOWN HEREON.

WITNESSES:

TIMOTHY L. DANA, PRESIDENT  
A.J. DANA SONS, INC.

CHARLES E. DANA, SECRETARY  
A.J. DANA SONS, INC.

STATE OF OHIO )  
COUNTY OF STARK ) SS

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY  
APPEARED THE ABOVE SIGNED OWNERS OF THE LAND SHOWN ON THIS PLAT, WHO  
THEY DO SO ON THE FOREGOING INSTRUMENT AND THAT IT WAS  
THEIR FREE AND VOLUNTARY ACT AND DEED, AND THAT THEY WERE FULLY  
HEREIN SUBSCRIBED MY HAND AND AFFIXED MY OFFICIAL SEAL AT  
OHIO, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 1988.

CITY PLANNING COMMISSION  
APPROVED BY THE MASSILLON CITY PLANNING COMMISSION THIS \_\_\_\_\_ DAY  
OF \_\_\_\_\_, 1988.

SECRETARY

CITY COUNCIL:  
I HEREBY CERTIFY THAT THE LANDS DEDICATED FOR PUBLIC PURPOSES ON THE  
ACCOMPANYING PLAT HAVE BEEN ACCEPTED BY THE MASSILLON CITY COUNCIL BY  
ORDINANCE NO. \_\_\_\_\_ PASSED ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 1988.

PRESIDENT

CITY LAW DIRECTOR:  
I HEREBY CERTIFY THAT THE ABSTRACT SUBMITTED WITH THIS PLAT SHOWS ALL NEARLY  
DEDICATED LANDS FOR PUBLIC PURPOSES TO BE FREE FROM ANY ENCUMBRANCES.

LAW DIRECTOR

CITY ENGINEER:  
I HEREBY APPROVE THIS PLAT AND ASSIGN THE LOT NUMBERS SHOWN HEREON.

CITY ENGINEER

STARK COUNTY AUDITOR:  
ENTERED FOR TRANSFER BY THE STARK COUNTY AUDITOR THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 1988.

STARK COUNTY AUDITOR

STARK COUNTY RECORDER:  
RECORDED BY THE STARK COUNTY RECORDER THIS \_\_\_\_\_ DAY OF  
\_\_\_\_\_, 1988, AND RECORDED IN PLAT BOOK \_\_\_\_\_ PAGE \_\_\_\_\_

STARK COUNTY RECORDER

DATE: March 1, 1999 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 43 - 1999

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE petitioning the Director of the Ohio Department of Development, with the consent of the City of Massillon, to amend the boundaries of the City of Massillon's Enterprise Zone to include additional industrial areas with the City, and declaring an emergency.

WHEREAS, the State of Ohio, through its Department of Development, administers the Enterprise Zone Program whereby tax incentives are awarded to enterprises which establish, expand, renovate or occupy a facility within such a designated zone, through investment in new buildings, additions or improvements to existing buildings, machinery, equipment, furniture, fixtures and inventory, and which hire new employees to work at said facility, and

WHEREAS, the Enterprise Zone has been approved for that part of the City of Massillon designated as all or part of those portions of Census Tracts 7135, 7138, 7139, 7141, 7142, 7143.01, 7144, 7145 and 7146 located within the City of Massillon corporate limits, and

WHEREAS the City of Massillon proposes to amend the boundaries of its Enterprise Zone to include additional commercial areas located in Census Tract 7143.02 and having a single continuous boundary as depicted and described in Exhibits "A" and "B" attached hereto and incorporated by reference, and

WHEREAS, the designation of this area within the City of Massillon as an Enterprise Zone would create and preserve employment opportunities in the zone and would improve the economic climate of the City through the establishment and expansion of business enterprises within the zone, and

WHEREAS, the City of Massillon must petition the Director of Development for certification of the proposed area as an Enterprise Zone pursuant to Section 5709.63(A) of the Ohio Revised Code.

NOW, THEREFORE, BE IT 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, requests and hereby consents to the petitioning to the Director of Ohio Department of Development to amend the boundaries of the City's Enterprise Zone to include additional industrial areas within the City as depicted and described in Exhibits "A" and "B" attached hereto and incorporated by reference as if fully re-written herein.

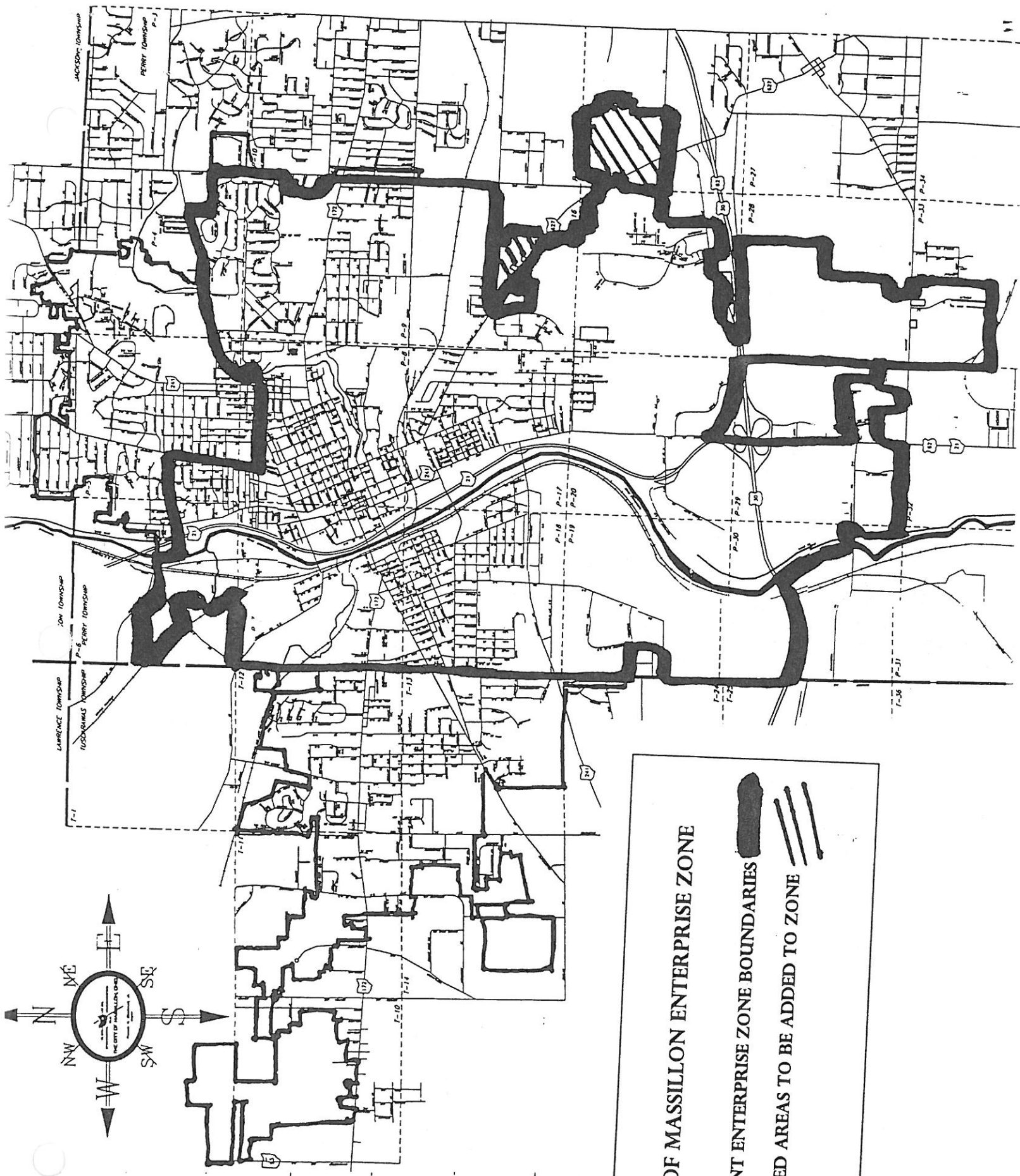
Section 2:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the City of Massillon, Ohio, and for the further reason to ensure that the residents of the City of Massillon receive the benefits associated with the designation of an Enterprise Zone within its boundaries at the earliest possible time, and as such, 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 \_\_\_\_\_ 1999

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

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



CITY OF MASSILLON ENTERPRISE ZONE

CURRENT ENTERPRISE ZONE BOUNDARIES

AMENDED AREAS TO BE ADDED TO ZONE

DATE: MARCH 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 44 - 1999

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Safety and Service of the City of Massillon to enter into an agreement with the Massillon Washington Steel Buyout Association to undertake an ESOP Feasibility Study regarding the proposed purchase by the employees of Massillon operations of the Lukens/Washington Steel Plant recently acquired by Bethlehem Steel, and declaring an emergency.

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

Section 1:

The Director of Public Safety and Service of the City of Massillon is hereby authorized to enter into an agreement with the Massillon Washington Steel buyout Association to undertake an ESOP Feasibility Study regarding the proposed purchase by the employees of Massillon operations of the Lukens/Washington Steel Plant recently acquired by Bethlehem Steel.

Section 2:

That the cost of said agreement shall not exceed Ten Thousand Dollars (\$10,000.00).

Section 3:

That upon the completion of said services the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for such services, and the City Auditor is hereby authorized and directed to honor and pay said vouchers.

Section 4:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the further reason that this feasibility study is urgently needed in order to expedite a possible purchase by the employees of Massillon operations of the Lukens/Washington Steel Plant recently acquired by Bethlehem Steel. 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 \_\_\_\_\_ 1999

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

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

DATE: March 1, 1999 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 45 - 1999

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for a reimbursement grant through SCATS for Transportation Enhancement funds for the Canalview Streetscape 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 and in the public health, safety and welfare to authorize the Mayor of the City of Massillon, Ohio, to submit an application for a reimbursement grant through SCATS for Transportation Enhancement funds for the Canalview Streetscape Project.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to submit an application for a reimbursement grant through SCATS for Transportation Enhancement funds for the Canalview Streetscape Project.

Section 3:

This ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to submit an application for a reimbursement grant through SCATS for the Canalview Streetscape Project. 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 \_\_\_\_\_ 1999

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

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



DATE: February 1, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 46 - 1999

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Tax Fund, Legends Golf Fund and the General Fund for the year ending December 31, 1999, 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 Capital Improvement Fund of the City of Massillon, Ohio, for the year ending December 31, 1999, the following:

\$ 45,000.00 to an account entitled "Earl Road Bridge" 1401.435.2513  
\$ 16,500.00 to an account entitled "Jail/Radio Room Upgrade" 1401.305.2530  
\$ 9,950.00 to an account entitled "Eldon Street Lines" 1401.405.2511  
\$ 6,000.00 to an account entitled "Computer Update" 1401.115.2530  
\$ 4,000.00 to an account entitled "Telephone Update" 1401.115.2531

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Legends Golf Fund of the City of Massillon, Ohio, for the year ending December 31, 1999, the following:

\$ 29,796.00 to an account entitled "Service/Contracts" 2104.920.2392  
\$ 27,301.66 to an account entitled "Lease Purchase" 2104.920.2532  
\$

Section 3:

There be and hereby is appropriated from the unappropriated balance of the General Fund for the year ending December 31, 1999, the following:

\$ 1,200.00 to an account entitled "Mosquito Control Supply" 1100.725.2410

Section 4:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon 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 \_\_\_\_\_ 1999

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

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