

AGENDA

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

1. ROLL CALL
2. INVOCATION - COUNCILMAN BILL POOLE
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. 95 - 1999 BY: POLICE AND FIRE COMMITTEE

P AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for roof repairs/replacement at the Number Three Fire Sation of the City of Massillon Fire Department, and declaring an emergency.

ORDINANCE NO. 96 - 1999 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.

P AN ORDINANCE authorizing the Director of Public Service and Safety of Massillon, Ohio, to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Amherst Avenue N.E. improvements in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 97 - 1999 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.

P SDH AN ORDINANCE authorizing the Director of Public Service and Safety of Massillon, Ohio, to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Harsh Avenue S.E. improvements in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 98 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

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

ORDINANCE NO. 99 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P file 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.

JUNE 7, 1999

ORDINANCE NO. 100 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P
file ✓ **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. *- Community Park I Annex.*

ORDINANCE NO. 101 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P
SDH ✓ **AN ORDINANCE** amending CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND" of the Codified Ordinances of the City of Massillon, by repealing existing Section 937.09(a)(10), (11), (12) "Annual Rates for Sewer Service" - Domestic Class of CHAPTER 937 and enacting a new Section 937.09 (a)(10),(11),(12) "Annual Rates for Sewer Service" - Domestic Class of Said CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND", and declaring an emergency.

P
ORDINANCE NO. 102 - 1999 BY: HEALTH, WELFARE & BUILDING REG. COMM.

AN ORDINANCE amending CHAPTER 1153 "R-1 THROUGH R-4 ONE-FAMILY RESIDENTIAL DISTRICTS" by deleting Section 1153.03(h) "Principle Uses Permitted Subject to Special Conditions (private Swimming pools), and declaring an emergency.

P
ORDINANCE NO. 103 - 1999 BY: HEALTH, WELFARE & BUILDING REG. COMM.

AN ORDINANCE amending CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1187.14 "Principle Uses Permitted Subject to Special Conditions" (private swimming pools), and declaring an emergency.

P
ORDINANCE NO. 104 - 1999 BY: HEALTH, WELFARE & BUILDING REG. COMM.

file ✓ **AN ORDINANCE** amending CHAPTER 155 "CITY ENGINEER" of the Codified Ordinances of the City of Massillon, by amending Section 155.02 "Records" to include Section 155.02(a) "Costs for Copies of Maps" of CHAPTER 155 "CITY ENGINEER", and declaring an emergency.

P
ORDINANCE NO. 105 - 1999 BY: FINANCE COMMITTEE

JB ✓ **AN ORDINANCE** authorizing and directing the Mayor and the Director of Public Service and Safety to enter into an agreement with Miller Land Development and Massillon Development Foundation to transfer all funds received from the Ohio Department of Development to the Massillon Development Fund for NEOCOM Industrial Park No. 1, and declaring an emergency.

JUNE 7, 1999

ORDINANCE NO. 106 - 1999 BY: FINANCE COMMITTEE

P
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids, according to law, and enter into a contract upon award and approval of the Board of Control for the lease/purchase of three (3) Police Cruisers for use in the Police Department of the City of Massillon for a minimum of three years, and declaring an emergency.

ORDINANCE NO. 107 - 1999 BY: FINANCE COMMITTEE

P
SDH
AN ORDINANCE amending CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND" of the Codified Ordinances of the City of Massillon, by repealing existing Section 937.08 "Administration and Disbursement of Funds" and enacting a new Section 937.08 "Administration and Disbursement of Funds" of CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND", and declaring an emergency.

ORDINANCE NO. 108 - 1999 BY: FINANCE COMMITTEE

P
SDH
AN ORDINANCE making certain transfers in the 1999 appropriation from within the Wastewater Treatment Fund of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 109 - 1999 BY: FINANCE COMMITTEE

P
SDH
AN ORDINANCE making certain appropriations from the unappropriated balance of the Park and Recreation Fund; Capital Improvement Fund; General Fund; Probation Services Fund; Motor Vehicle License Plate Tax Fund; Municipal Court Computing Fund and the UDAG Towne Plaza B-81-AB-39-0097 Fund, for the year ending December 31,, 1999, and declaring an emergency.
Harsh Ave Storm Sewers.
Harsh.

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

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR MAY - 1999
- B). AUDITOR SUBMITS MONTHLY REPORT FOR MAY - 1999

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

ORDINANCE NO. 62 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

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

June 7, 1999

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 80 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

P
file ✓ **AN ORDINANCE** authorizing the Mayor to enter into a contract with TriDoc Inc., for the sale of land known as and being Lot No. 9544, a 0.196 City-owned parcel of land in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose, and declaring an emergency.

ORDINANCE NO. 81 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

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

ORDINANCE NO. 82 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

Tabbed **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.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 87 - 1999 BY: SEWER AND WASTE DISPOSAL COMMITTEE

P
6-3
SDH ✓ **AN ORDINANCE** authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Supplemental Sewer Service Agreement No. 9, with the Stark County Ohio Board of Commissioners, and declaring an emergency.

ORDINANCE NO. 92 - 1999 BY: FINANCE COMMITTEE

2nd
SDH ✓ **AN ORDINANCE** authorizing and directing the Director of Public Service and Safety to accept an addendum to the Municipal Lease Agreement with Johnson Controls, Inc., which was entered into on January 29, 1998, 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 IS A PUBLIC HEARING THIS EVENING
AT 7:00 P.M.
REGARDING ORDINANCE NO. 62 - 1999

DATE: June 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 95 - 1999

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for roof repairs/replacement at the Number Three Fire Station of the City of Massillon Fire Department, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for and receive sealed bids and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the roof repairs/replacement at the Number Three Fire Station for the City of Massillon Fire Department.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for and receive sealed bids according to law, and to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the roof repair/replacement at the Number Three Fire Station for the City of Massillon Fire Department.

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 that the roof be repaired or replaced because of the severe leaking of the existing roof. 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: JUNE 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 96 - 1999

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Amherst Avenue N.E. improvements in 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 advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Amherst Avenue N.E. improvements in 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 prepare plans and specifications and to advertise for and receive sealed bids according to law, and to enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the Amherst Avenue N.E. improvements in the City of Massillon.

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 that bids be received so that work may be completed on the Amherst Avenue N.E. 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

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

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

DATE: JUNE 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 97 - 1999

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Harsh Avenue S.E. improvements in 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 advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Harsh Avenue S.E. improvements in 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 prepare plans and specifications and to advertise for and receive sealed bids according to law, and enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the Harsh Avenue S.E. improvements in the City of Massillon.

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 that bids be received so that work may be completed on the harsh Avenue S.E. 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

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

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

DATE: June 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 98 - 1999

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-1 Single Family Residential and R-2 Single Family Residential to R-T Two 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-1 Single Family Residential and R-2 Single Family Residential to R-T Two Family Residential. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on May 12th, 1999 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 R-T Two Family Residential.

Two separate vacant tracts of land, both being known as Part of Out Lot 91 located on the west side of Cherry Road N.W. across from Cable Court N.W.. Tract "A" is a 0.92 acre parcel presently zoned R-1 Single Family Residential. Tract "B" is a 1.47 acre parcel presently zoned R-2 Single Family Residential. This request has been submitted by Tim Boger who wishes to develop these properties with duplex housing.

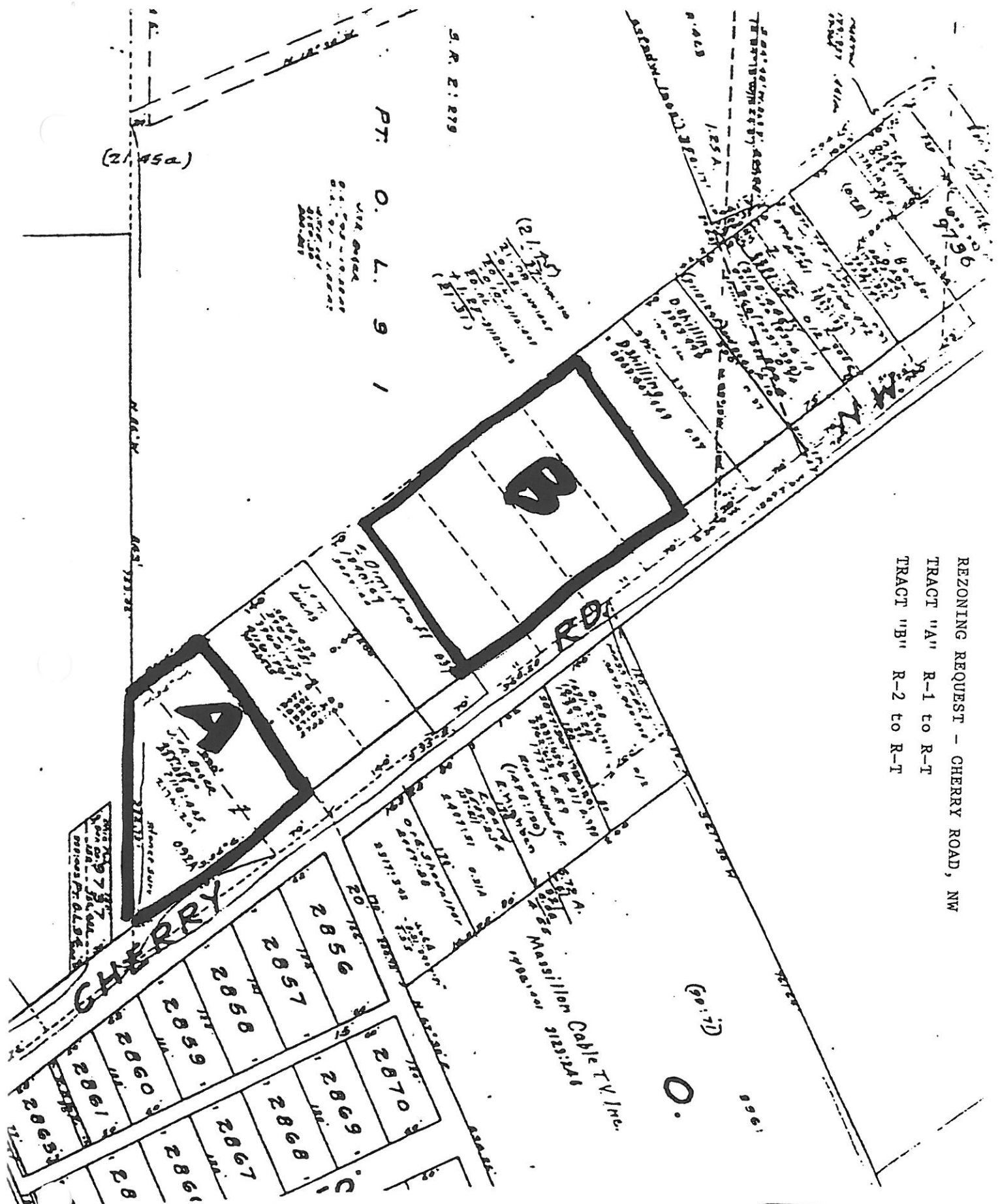
Section 3:

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-T Two 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 _____ 1999

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

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



DATE: June 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 99 - 1999

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

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

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

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

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

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that the corporation limits of the City of Massillon includes one (1) tract of land which is part of Tuscarawas Township, Stark County, Ohio, and that it will be in the public interest of the City to have the boundaries of said Tuscarawas Township changed by excluding this one (1) tract of land from 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 northwest quarter of Section 11 in Tuscarawas Township, Stark County, State of Ohio, and being further described as follows:

Beginning at a point on the centerline of Kenyon Avenue N.W. and also being on the west line of said Quarter Section, said point also being the northwest corner of the northwest quarter of section 11;

Thence S 5°10' 00" W, along the centerline of Kenyon Avenue and also being west line of said Quarter Section a distance of 316.80' to the TRUE PLACE OF BEGINNING;

Thence S 84° 50' 00" E, along the north line of a parcel of land presently or previously owned by Judith A. Paquelet, as recorded in Official Recorder 98046780 in Stark County, a distance of 962.94' to a point;

Thence S 05° 10' 00" W, along the east line of said parcel, a distance of 316.07' to a point;

Thence N 84°50' 00" W, along the south line of said parcel a distance of 962.94' to a point; said point also being on the centerline of Kenyon Avenue N.W. and also being on the west line of said quarter section.

Thence N 05° 10' 00" E, along said centerline a distance of 316.07' to a point, said point being the TRUE PLACE OF BEGINNING, containing 6.987(Calc.) acres in the northwest quarter of Section 11 in Tuscarawas Township, 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 _____ 1999

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

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

TUSCARAWAS N.F.
QTR. SEC 10

**— potency
of day**

PAUL J. COOK

CITY OF

KENTON AVENUE N.W.

**THOMAS G. &
PATRICIA DISS**

S 84°50'00" E - 982.94'

JUDITH A. PAQUELET
6.987 Acres (Calc.)
7.000 Acres (Rec.)
O.R. 25046700

O.L. 626
JUDITH PAQUELET

GLENN A. KESTNER

NO CITY OF
N CORP LINE

POSTING CITY OF
MASSILLON CORP LANE
-307-2002 HOTTISSYAN
FO ALL ENLISOD -

Not To

MAP OF TERRITORY TO BE ANNEXED

Total Acreage in Annex:	Miles of State Highway:	Miles of County Roads	Miles of Township Road
1,000	100	100	100

N.W. Qtr. Section 11 Tuncrowas

DATE: June 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 100 - 1999

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

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

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

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

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

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that the corporation limits of the City of Massillon includes one (1) tract of land which is part of Tuscarawas Township, Stark County, Ohio, and that it will be in the public interest of the City to have the boundaries of said Tuscarawas Township changed by excluding this one (1) tract of land from 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 as, and being part of the Northwest Quarter of Section 24 in the Township of Tuscarawas (T.12, R.10), County of Stark, State of Ohio, and being a parcel now or formerly owned by the City of Massillon (II #99024633), and further described as follows:

Beginning at the northeast corner of said Northwest Quarter Section 24; Thence N88°35'24"W along the north line of said Northwest Quarter Section 24, (basis of bearing) a distance of 543.07 feet to a point and the True Place of Beginning of the parcel herein described:

1. Thence S01°44'57"W along the east line of said Massillon parcel, a distance of 652.35 feet to a point;
2. Thence S69°41'31"W, along the north line of a parcel now or formerly owned by the State of Ohio (1453-184) which is the north right of way of Finefrock Road (S.R.241), a distance of 858.65 feet to a point;
3. Thence N01°43'29"E along the west line of said Massillon parcel, a distance of 970.09 feet to a point;
4. Thence S88°35'24"E along the north line of said Northwest Quarter Section 24, a distance of 796.23 feet to the True Place of Beginning and containing 14.825 acres of land, more or less, all being in the Northwest Quarter of Section 24 of Tuscarawas Township..

The above described 14.825 acre tract is the property deeded to the City of Massillon as recorded in Official Record Imaging #99024633 of the Stark County Records of Deeds and the basis of bearings is taken therefrom as determined by James J. Benekos, Massillon City Engineer and Ohio Registered Surveyor No. 7653 in May of 1999.

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.

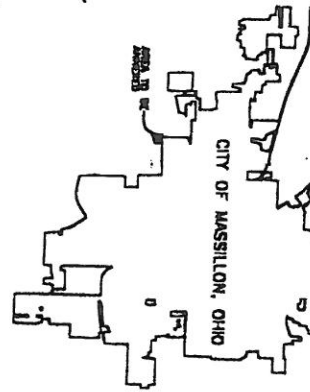
Section 6:

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 _____ 1999

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

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



DATE: June 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 101 - 1999

BY: SEWER AND WASTE DISPOSAL COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND" of the Codified Ordinances of the City of Massillon, by repealing existing Section 937.09(a)(10),(11), (12) "Annual Rates for Sewer Service" - Domestic Class of CHAPTER 937 and enacting a new Section 937.09(a)(10),(11),(12) "Annual Rates for Sewer Service" - Domestic Class of said CHAPTER 937 "WASTEWATER TREATMENT REVENUE 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 existing Section 937.09(a)(10),(11),(12) "Annual Rates for Sewer Service" - Domestic Class of said CHAPTER 937 of the Codified Ordinances of the City of Massillon be and hereby is repealed.

Section 2:

That there be and hereby is enacted a new Section 937.09(a)(10),(11),(12) "Annual Rates for Sewer Service" - Domestic Class of said CHAPTER 937 of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

937.09 ANNUAL RATES FOR SEWER SERVICE.

<u>Domestic Class</u>	<u>DISTRICT I & II</u>
(10) Schools (public and parochial)	\$ 3.50 for each student And employee
(11) Industrial employees	\$ 17.50 for each employee
(12) Industrial flow	\$508.00 for each million gallons

Section 3:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Sewer Department of the City of Massillon, Ohio, and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 1999

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

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

DATE: June 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 102 - 1999

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1153 "R-1 THROUGH R-4 ONE-FAMILY RESIDENTIAL DISTRICTS" by deleting Section 1153.03 (h) "PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS" (private swimming pools), and declaring an emergency.

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

Section 1:

The existing Section 1153.03(h) "PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS"(private swimming pools) of CHAPTER 1153 "R-1 THROUGH R-4 ONE-FAMILY RESIDENTIAL DISTRICTS" shall be and is hereby deleted from CHAPTER 1153.

Section 2:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary so the Massillon building Department shall review and approve all swimming pool requests and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 1999

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: June 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 103 - 1999

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 1187.14 "Principle Uses Permitted Subject to Special Conditions" (private swimming pools), and declaring an emergency.

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

Section I:

There be and is hereby enacted a new Section 1187.14 "Principle Uses Permitted Subject to Special Conditions" (private swimming pools), of CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1187.14 PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITONS

Private pools shall be permitted as an accessory use within the rear yard only, provided they meet the following requirements:

- (1) There shall be a minimum distance of not less than ten feet, between the adjoining property line, or alley right of way and the outside of the pool wall. Side yard setbacks shall apply to side yards if greater than ten feet.
 - (2) There shall be a distance of not less than four feet between the outside pool wall and any building located on the same lot.
 - (3) Swimming pools shall be located no less than thirty-five feet from any front lot line.
 - (4) No swimming pool shall be located in an easement.
 - (5) For the protection of the general public, swimming pools shall be completely enclosed by a fence not less than six feet in height. The gates shall be of a self-closing and latching type, with the latch on the inside of the gate not readily available for children to open. Gates shall be capable of being securely locked when the pool is not in use for extended periods. Provided, however, that if the entire premises of the residence is enclosed, then this provision may be waived by the Building Inspector upon inspection and approval.
 - (6) A pool shall not be located nearer than twenty feet of any overhead power lines.
- (i) Family Homes licensed under Ohio R.C. 5123.19, subject to the provisions of Section 1187.12.
 - (j) Accessory buildings and uses customarily incident to any of the above permitted uses.

Section 3:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Building Department of the City of Massillon, Ohio, and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 1999

ATTEST: _____

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: June 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 104 - 1999

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 155 "CITY ENGINEER" of the Codified Ordinances of the City of Massillon, by amending Section 155.02 "Records" to include Section 155.02(a) "Costs for Copies of Maps" of CHAPTER 155 "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:

That Section 155.02 "Records" of CHAPTER 155 "CITY ENGINEER" be and is hereby amended to include Section 155.02(a) "Cost of Copies of Maps" of CHAPTER 155 "CITY ENGINEER" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

155.02 RECORDS

(a) The cost for copies of maps shall be as follows:

24" x 22" (approx) color map of the City \$8.00

36" x 38" black and white map of the City \$2.00

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

PASSED IN COUNCIL THIS _____ DAY OF _____, 1999

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

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

DATE: June 7, 1999 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 105 - 1999

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Mayor and the Director of Public Service and Safety to enter into an agreement with Miller Land Development and Massillon Development Foundation to transfer all funds received from the Ohio Department of Development to the Massillon Development Fund for NEOCOM Industrial Park No. 1, 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 the Director of Public Service and Safety of the City of Massillon, Ohio, are hereby authorized and directed to enter into a agreement with Miller Land Development and Massillon Development Foundation to transfer all funds received from the Ohio Department of Development to the Massillon Development Fund for NEOCOM Industrial Park No. 1.

Section 2:

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 reason that it is necessary to transfer the funds from the Ohio Department of Development to the Massillon Development Fund for the development of the NEOCOM Industrial Park No. 1. 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: June 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 106 - 1999

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids, according to law, and enter into a contract upon award and approval of the Board of Control for the lease/purchase of three (3) Police Cruisers for use in the Police Department of the City of Massillon for a minimum of three years, 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 advertise for and receive sealed bids, according to law, and enter into a contract upon award and approval of the Board of Control for the lease/purchase of three (3) Police Cruisers for use in the Police 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 prepare plans and specifications and to advertise and receive sealed bids according to law, and enter into a contract upon award and approval of the Board of Control for the lease/purchase of three (3) Police Cruisers for use in the Police Department of the City of Massillon.

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 for the more efficient operation of the Police Department 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 _____
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: June 7, 1999 CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 107 - 1999

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND" of the Codified Ordinances of the City of Massillon, by repealing existing Section 937.08 "Administration and Disbursement of Funds" and enacting a new Section 937.08 "Administration and Disbursement of Funds" of CHAPTER 937 "WASTEWATER TREATMENT REVENUE 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 existing Section 937.08 "Administration and Disbursement of Funds" of CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

There be and is hereby enacted a new Section 937.08 "Administration and Disbursement of Funds" of CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

937.08 ADMINISTRATION AND DISBURSEMENT OF FUNDS

(a) The funds received from the rates and charges hereinafter provided in Section 937.09 shall be deposited as received with the City Treasurer, who shall keep the same in a separate fund designated the Wastewater Treatment Revenue Fund. The Wastewater Treatment Revenue shall contain subaccounts hereinafter designated as follows:

(1) Wastewater Treatment Fund

The revenue deposited in this fund shall be:

All City and County industrial surcharge revenues

All other County user revenue.

76% Seventy-Six percent of all other City user revenue.

(2) WWT Bond Retirement Fund

24% Twenty-four percent of City user revenues received as authorized by Chapter 937 shall be designated as the Wastewater Bond Retirement Fund.

Section 3:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Wastewater Treatment Department of the City of Massillon, Ohio, and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 1999

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED:

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: June 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 108 - 1999

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 1999 appropriation from within the Wastewater Treatment Fund of the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

There be and is hereby transferred from the 1999 appropriation from within the Wastewater Treatment Fund of the City of Massillon, Ohio, the following:

\$22,00.00 FROM: "Hospital/Eye/Dental/Pre/Life "2101.615.2210
TO: "Utilities" 2101.610.2340

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for the efficient operation of the various departments 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

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

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

DATE: June 7, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 109 - 1999

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Park and Recreation Fund; Capital Improvement Fund; General Fund; Probation Services Fund; Motor Vehicle License Plate Tax Fund; Municipal Court Computing Fund and the UDAG Towne Plaza B-81-AB-39-0097 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 Park and Recreation Fund of the City of Massillon, Ohio, for the year ending December 31, 1999, the following:

\$550,000.00 to an account entitled "Recreation Center Project" 1435.505.2510

\$ 1,925.00 to an account entitled "Services/Contracts" 1435.505.2392

Section 2:

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

\$52,000.00 to an account entitled "Harsh Avenue S.E. Rehab Project" 1401.435.2515

\$50,000.00 to an account entitled "Storm Sewers" 1401.435.2511

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:

\$23,458.08 to an account entitled "Supplies & Materials" 1100.845.2410
\$ 9,747.76 to an account entitled "Salary & Wages" 1100.845.2110
\$ 2,500.00 to an account entitled "Services/Contracts" 1100.845.2392
\$ 1,320.82 to an account entitled "P.E.R.S." 1100.845.2230
\$ 325.00 to an account entitled "Travel" 1100.845.2389
\$ 141.34 to an account entitled "Medicare" 1100.845.2231

Section 4:

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

\$30,000.00 to an account entitled "Services/Contracts" 1238.125.2392

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Motor Vehicle License Plate Tax Fund for the year ending December 31, 1999, the following:

\$23,000.00 to an account entitled "Harsh Avenue S.E. Rehab Project" 1206.435.2515

Section 6:

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

\$15,000.00 to an account entitled "Equipment" 1233.125.2510

Section 7:

There be and hereby is appropriated from the unappropriated balance of the UDAG Towne Plaza B-81-AB-39-0097 Fund for the year ending December 31, 1999, the following:

\$10,000.00 to an account entitled "Massillon Tourism Committee" 1217.840.2394

Section 8:

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