

AGENDA

DATE: JULY 6, 1999 (TUES)
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

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

ORDINANCE NO. 127 - 1999 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, Jackson and Perry townships, and declaring an emergency. *Hills & Dales Annex.*

ORDINANCE NO. 128 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

file ✓ P
AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the **Warstler Area Annexation**, upon annexation, and declaring an emergency.

ORDINANCE NO. 129 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

file ✓ P
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon to enter into an agreement with **The Gateway Consulting Group** to perform a feasibility study for a Civic Events Center, and declaring an emergency.

ORDINANCE NO. 130 - 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, according to law, and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder, for the refurbishment and conversion to a tanker of one (1) 1976 Seagrave pumper for the City of Massillon Fire Department, and declaring an emergency.

ORDINANCE NO. 131 - 1999 BY: HEALTH, WELFARE & BUILDING REGULATIONS COMM

P
AN ORDINANCE amending CHAPTER 142 "BOARD OF BUILDING APPEALS" of the codified ordinances of the City of Massillon, by enacting a new Section 142.01(c) "Members; Appointment, Qualifications and Vacancy" of CHAPTER 142, and declaring an emergency.

ORDINANCE NO. 132 - 1999 BY: SEWER AND WASTE COMMITTEE

SDH ✓ P
AN ORDINANCE authorizing the Director of Public Service and Safety of the city of Massillon, Ohio, to approve a **Change Order No.1**, for **digester cleaning** at the Wastewater Treatment Plant, without competitive bidding, with Wheelabrator Water Technologies Incorporated, and declaring an emergency.

JULY 6, 1999

ORDINANCE NO. 133 - 1999 BY: FINANCE COMMITTEE

SDH file
AN ORDINANCE making certain appropriations from the unappropriated balance of the **General Fund**, Community Development Block Grant Program Fund, Federal Grants COPS Fund, and the **Capital Improvement Fund**, for the year ending December 31, 1999, and declaring an emergency. *NEOCOM I - file*
Harsh - SDH

ORDINANCE NO. 134 - 1999 BY: FINANCE COMMITTEE

file
AN ORDINANCE making certain appropriations from the unappropriated balance of the **UDAG Towne Plaza Fund**, for the year ending December 31, 1999, and declaring an emergency. *Events Center Feasibility Study*

ORDINANCE NO. 135 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM.

file
AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract with The Montrose Investment Corporation, for the **sale of land** known as and being Lot Nos. 400 through 406, 10888 & 10889, 0.6 acres 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. *CROSSROADS CENTER*

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

A). LETTER OHIO DIVISION LIQUOR CONTROL REGARDING TRANSFER OF LIQUOR LICENSE FROM IRENE SPANGLER, DBA SPANKYS PUB, 1540 S. ERIE STREET FIRST FLOOR, MASSILLON, OHIO, 44646 TO D.E.A. ENTERPRISE, INC., 1540 S. ERIE STREET FIRST FLOOR, MASSILLON, OHIO, 44646

B). LETTER OHIO DIVISION LIQUOR CONTROL REGARDING TRANSFER OF LIQUOR LICENSE FROM CONSUN FOOD INDUSTRIES INC., DBA CONVENIENT FOOD MART 714, 704 WALES ROAD, MASSILLON, OHIO, 44646 TO WILLIAM M. LUDWIG JR. DBA WALES ROAD ONE STOP, 704 WALES ROAD N.E., MASSILLON, OHIO, 44646

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR JUNE - 1999

B). AUDITOR SUBMITS MONTHLY REPORT FOR JUNE - 1999

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

ORDINANCE NO. 92 - 1999 BY: FINANCE COMMITTEE

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.

JULY 6, 1999

14. THIRD READING ORDINANCES AND RESOLUTIONS

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

Tabloid
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. *2nd rd 7/19/99*

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

Tabloid
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. *7/19/99*

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 110 - 1999 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

2nd
AN ORDINANCE *→ Letter removing name* vacating a portion of a certain public alley, and declaring an emergency.

ORDINANCE NO. 111- 1999 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

2nd
AN ORDINANCE vacating a portion of a certain public alley, and declaring an emergency.

ORDINANCE NO. 112- 1999 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

2nd
AN ORDINANCE vacating a portion of a certain public alley, and declaring an emergency.

ORDINANCE NO. 113- 1999 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

2nd
AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an agreement with the State of Ohio Department of Transportation for the project known as STA-241-8.91, and declaring an emergency.

ORDINANCE NO. 118 - 1999 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

2nd
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-1 Local business, and declaring an emergency.

RESOLUTION NO. 4 - 1999 BY: FINANCE COMMITTEE *P.H. - Aug 12, 1999*

P
A RESOLUTION for the proposed budget for the fiscal year 1999.

16. NEW AND MISCELLANEOUS BUSINESS

17. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA ADJOURNMENT

SHARON HOWELL

THERE IS A PUBLIC HEARING THIS EVENING
AT 7:00 P.M.
REGARDING RESOLUTION NO. 4 - 1999

DATE: July 6, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 127 - 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, Jackson and Perry Townships, 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 Jackson and Perry Townships, and

WHEREAS, these annexed lands are still shown as a part of Jackson and Perry Townships, 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 Jackson and Perry Townships, Stark County, Ohio, and that it will be in the public interest of the City to have the boundaries of said Jackson and Perry Townships changed by excluding this one (1) tract of land from said Jackson and Perry Townships 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 Jackson Township, Perry Township and Massillon Township, all in Stark County, Ohio, by excluding from said Jackson and Perry Townships 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 of Section 33 in Jackson Township, and northwest quarter of Section 4 and northeast quarter of Section 5 in Perry Township, Stark County, State of Ohio, and being further described as follows:

Beginning at a point at the intersection of the centerline of Wales Road Northeast and the Township Line between Jackson Township, and Perry Township, said point also being the southwest corner of Jackson Township Section 33 and the northeast corner of Perry Section 5; Thence N 4° 25' 00" E, along the section line between sections 32 and 33 of Jackson Township, a distance of 200.00' to a point, said point also being the southwest corner of a parcel of land presently or previously owned by Bobbie J. Hall, as recorded in Deed Volume 3122, page 38, as recorded at the Stark County Recorder;

Thence S 85° 32' 00" E, along the south property line of said parcel a distance of 200.00' to the northeast corner of Out Lot 507 in the City of Massillon, said point being the TRUE PLACE OF BEGINNING;

Thence S 85° 32' 00" E, continuing along the south line of said parcel a distance of 30.00' to a point;

Thence S 04° 25' 00" W, along the west line of a parcel of land presently or previously owned by Kenneth G. Hall, Trustee as recorded in Official Imaging Record 97063140 in Stark County, a distance of 200.00' to a point, said point being on the Township Line between Jackson Township Section 33 and Perry Township Section 4;

Thence S 85° 32' 00" E, along said Township Line a distance of 200.00' to a point, said point being on the east line of said Kenneth G. Hall;

Thence following said Hall parcel, the following courses:

Thence N 04° 25' 00" E, a distance of 137.00' to a point;

Thence S 85° 32' 00" E, a distance of 100.00' to a point, said point also being on the existing City of Massillon Corporation line;

Thence following said Corporation line the following courses:

S 04° 25' 00" W, a distance of 258.66' to a point in the centerline of Hills and Dales Road;

Thence S 66° 32' 00" W, following said centerline a distance of 360.65' to a deflection point in said road;

Thence S 67° 18' 00" W, continuing along said centerline a distance of 244.08' to a point;

Thence N 37° 46' 33" E, a distance of 374.63' to a point;

Thence N 04° 26' 00" E, a distance of 88.96' to a point;

Thence N 04° 25' 00" E, a distance of 200.00' to a point, said point being the TRUE PLACE OF BEGINNING, containing 0.4523 acres in the southwest quarter of Section 33 in Jackson Township, 2.0743 acres in the northwest quarter of Section 4 in Perry Township, and 0.0004 acre in the northeast quarter of Section 5 in Perry Township. Total acreage in annexation is 2.5270 acres, more or less.

The Bearings are based on N 04° 25' 00" E for the west line of the Southwest Quarter Section 33 Jackson Township, as described in Deed Volume 3122, Page 38 for the 1.188 acres for land presently or previously owned by Bobbie J. Hall, 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.

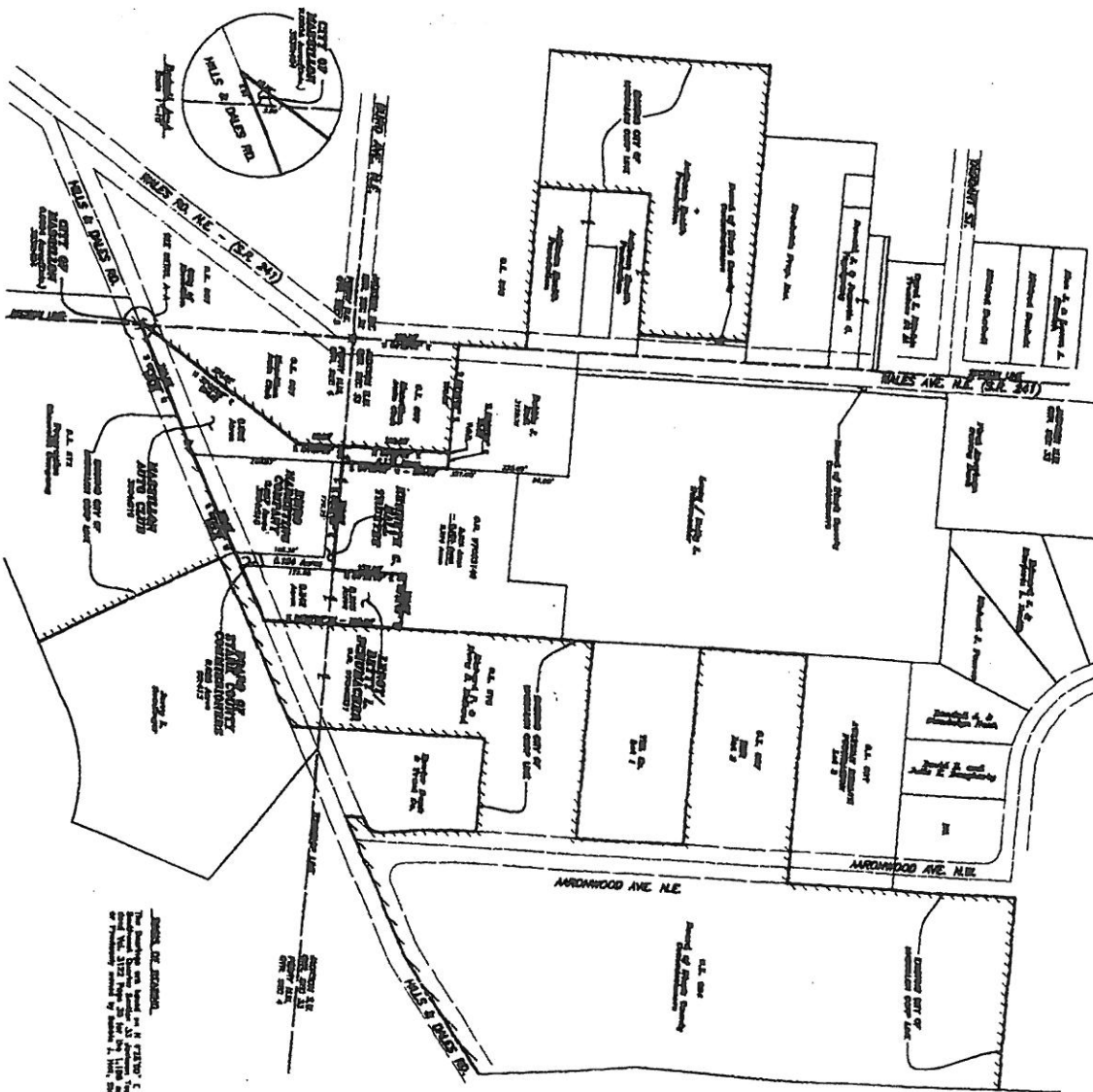
Section 6:

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.

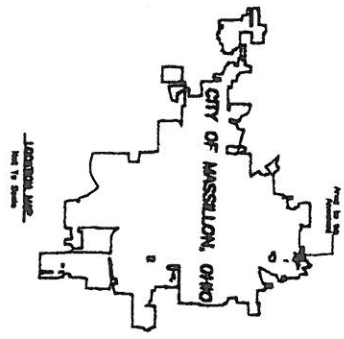
PASSED IN COUNCIL THIS _____ DAY OF _____ 1999

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

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



NOTE: The above plat was filed in the office of the Recorder of Deeds for Stark County, Ohio, on the 15th day of September, 1908, at 1:15 P.M. and is a true and correct copy of the original as the same appears in the office of the Recorder of Deeds for Stark County, Ohio.



AND OF RECORD, TO BE KEPT IN THE OFFICE OF THE RECORDER OF DEEDS FOR STARK COUNTY, OHIO.

WITNESSED my hand and the seal of the City of Massillon, Ohio, this 15th day of September, 1908.

Mayor of Massillon, Ohio

City Engineer

City Auditor

City Clerk

City Treasurer

City Assessor

City Surveyor

City Engineer

City Auditor

City Clerk

City Treasurer

City Assessor

City Surveyor

STARK COUNTY COMMISSIONERS

Approved by the Stark County Commissioners this 15th day of September, 1908.

UNION CITY, OHIO

Attest my hand and the seal of the City of Union, Ohio, this 15th day of September, 1908.

Mayor of Union, Ohio

City Engineer

City Auditor

City Clerk

City Treasurer

City Assessor

City Surveyor

MASSILLON, OHIO

Attest my hand and the seal of the City of Massillon, Ohio, this 15th day of September, 1908.

Mayor of Massillon, Ohio

City Engineer

City Auditor

City Clerk

City Treasurer

City Assessor

City Surveyor

STARK COUNTY COMMISSIONERS

Approved by the Stark County Commissioners this 15th day of September, 1908.

DATE: July 6, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 128 - 1999

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Warstler Area Annexation, upon annexation, and declaring an emergency.

WHEREAS, certain property owners have filed a petition requesting the Warstler Area Annexation to be annexed to the City of Massillon, Ohio, pursuant to the Ohio Revised Code Section 709.02, and

WHEREAS, The Ohio Revised Code Section 709.031 (B) requires; Upon receiving this notice, the Municipal Legislative Authority, shall by Ordinance or Resolution, adopt a statement indicating what services, if any, the municipal corporation will provide to the territory proposed for annexation upon annexation, and

WHEREAS, this Ordinance is intended to comply with the requirements of the Ohio Revised Code Section 709.031 (B), and

WHEREAS, the legislative authority of the City of Massillon, Ohio, is supportive of the annexation proposal, and

WHEREAS, the Stark County Commissioners have scheduled a public hearing, to be held at the City Council Chambers on Wednesday, August 11th, 1999 at 7:00 P.M.

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

Section I:

The City of Massillon, Ohio, will extend to the proposed area, upon annexation, the availability of all municipal services extended to all of the current citizens, residents and property owners of the City of Massillon, Ohio, including, but not limited, to the services of the Municipal Police Department, services of the Municipal Fire Department, services of the Municipal Service Department, services of the Engineering Department, services of the Building Department, services of the Street Department, services of the Safety Department, services of the Planning Department, services of the Health Department, services of the Sewer Department and services of the City of Massillon Administration.

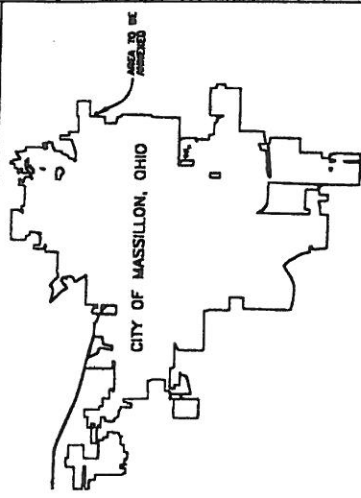
Section 2:

That 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 indicate what services the City of Massillon will provide to the area upon annexation prior to the Stark County Commissioners hearing on August 11th, 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

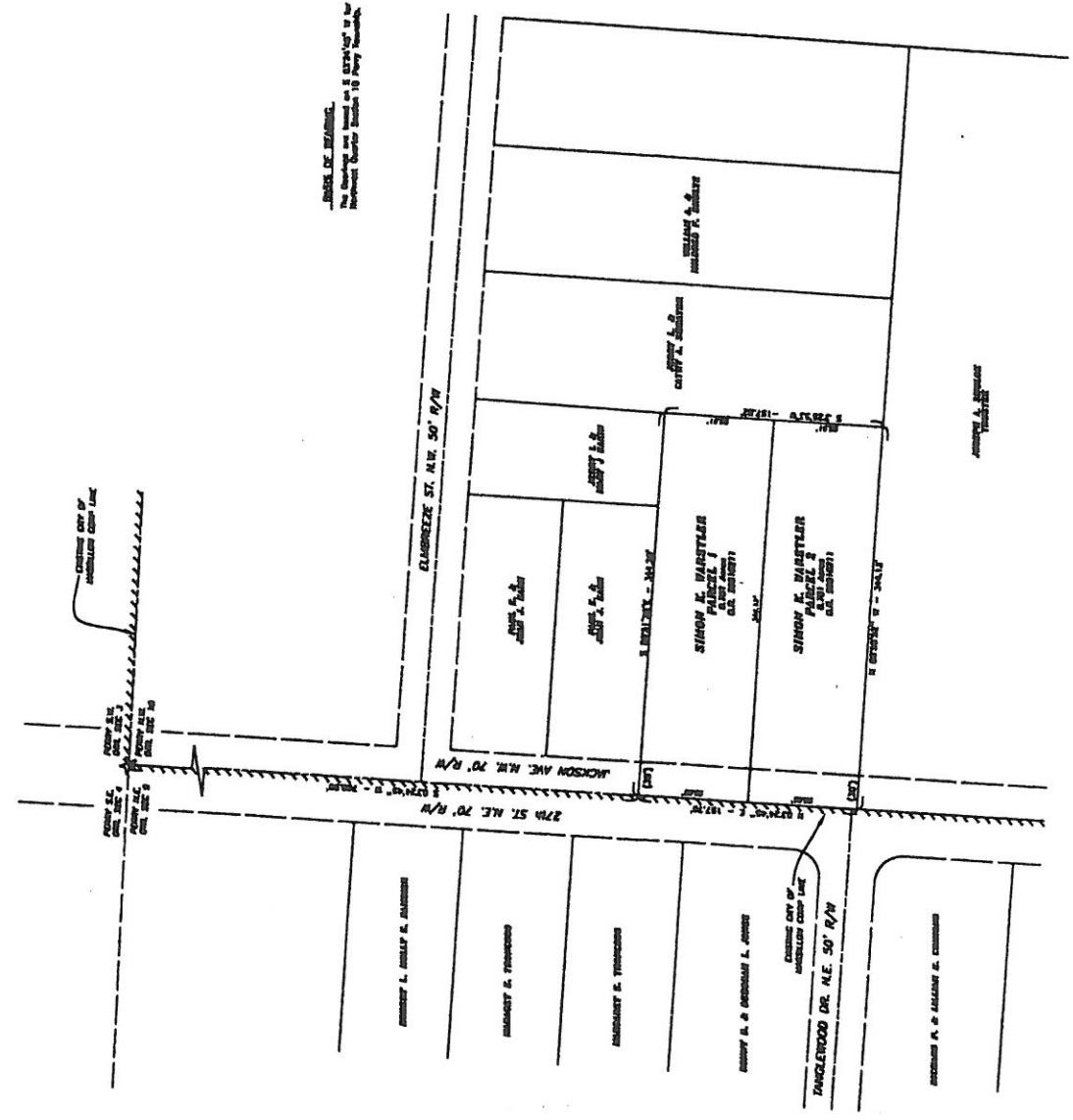
APPROVED: _____
FRANCIS H. CICCHINELLI, JR., MAYOR



LOCATION MAP - NOT TO SCALE
MAP OF TERRITORY TO BE ANNEXED TO THE CITY OF MASSILLON, OHIO

Total Average to Announce: 1,500 _____ Dollars
 Office of State Highway: _____
 Office of County Road: _____
 Office of Township Road: _____
 U.S. Civ. Section 10 Perry Reg. 1,500 _____ Dollars
 SURETY'S CERTIFICATION
 I hereby certify that this is the duplicate of that sent to
 be recorded as required from State of record and record copy.
 MASSILLON CITY COUNCIL
 Assailed by the City Council of Massillon, Ohio Ordinance No. _____
 Passed this _____ day of _____, 1988.
 CITY ENGINEER
 City of Massillon Ordinance No. _____
 COUNTY AUDITOR
 Ordained this _____ day of _____, 1988.
 COUNTY RECORDER
 Recorded for record this _____ day of _____, 1988.
 Recorded in Vol. _____ Page _____ of _____
 STATE COUNTY COMMISSIONER
 Approved for annexation by the State County Commissioner.
 Approved this _____ day of _____, 1988.

BASE OF SEPARATE
 The drawings are based on a 1/4" = 100' scale to be the north line of
 the proposed Quarter Section 10 Perry Township.



DATE: July 6, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 129 -1999

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon to enter into an agreement with The Gateway Consulting Group to perform a feasibility study for a Civic Events Center, 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 Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into an agreement with The Gateway Consulting Group to perform a feasibility study for a Civic Events Center, in the City of Massillon.

Section 2:

That the cost of said agreement shall not exceed Twenty Thousand Dollars (\$20,000.00).

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 a feasibility study is needed in order to expedite a possible Civic Events Center 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

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

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



June 29, 1999

VIA FAX: 330-830-1764
AND FEDERAL EXPRESS MAIL

The Honorable Mayor Francis H. Cicchinelli
City of Massillon
City Hall
James Plaza
Massillon, Ohio 44646

Re: Massillon Civic Center Feasibility Proposal

Dear Mayor:

I am very pleased that we had the opportunity to meet this past Wednesday and to discuss your vision for a Civic Center Facility in Massillon. In addition to your input, I have also discussed the proposed project with Tony Manna and John Heline and have had the opportunity to review the report of the Citizens Committee which analyzed the question of building a facility in the early 1980's.

In our discussion on Wednesday, I suggested that it would be useful to engage a consultant to perform a feasibility analysis based on 1999 data and the current environment. In addition, I think it is very important to develop a "program" for the venue which matches both the market for events in Massillon and a potential budget for such a project. Please accept this letter as my proposal for performing such programming and feasibility analysis.

SCOPE OF SERVICES

The Gateway Consulting Group would undertake a baseline market analysis of the types of events and attractions which could be supported in a Civic Center Facility to be developed in downtown Massillon, Ohio. Our approach is to determine whether a building, if developed, can support its operations and maintenance and contribute to a capital repair and replacement fund. We would also determine the extent, if any, to which revenue from the venue could be used to support debt service on the original construction. We would also provide you with an "order of magnitude" cost of the capital construction of such a facility.

The Honorable Mayor Francis H. Cicchinelli
City of Massillon
June 29, 1999
Page 2

The end result of this analysis will be the development of a "program" for the venue, a pro forma financial statement and a recommendation as to whether the community should undertake the project.

I believe that the analysis will take sixty (60) to ninety (90) days to complete. It may be advisable to perform a public opinion survey of area residents in order to insure their receptivity to attending events in a new Massillon Facility. If such a survey is part of the study, then the ninety (90) day time frame is the earliest that one could reasonably expect a final report.

Our work product would include a written report to you summarizing our conclusions and recommendations and outlining an architectural program for the Facility.

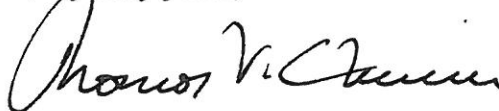
FEE

The Gateway Consulting Group would propose to perform the above Scope of Services for a flat fee of \$15,000 plus out-of-pocket expenses. Our expenses would be at no mark-up and would consist of travel, telecommunications, duplication costs, etc. If we jointly decide to do a public survey, I would expect that this cost would be no more than \$3,500. No non-routine expense would be authorized without your expressed approval. We would propose to bill one-half of our fee thirty (30) days after commencing the project with the balance due at the time our final report is issued.

Mayor, I believe that you are acting prudently in obtaining advice relative to the economic viability of a potential Civic Center. This type of project is always difficult and controversial, but when done properly can be of significant benefit to the community. The benefits are tangible and economic and intangible, in the form of improvements to the quality of life in the community. To achieve those benefits, appropriate planning must be done at the outset.

We are very pleased to submit this proposal for your consideration. I am enclosing as an attachment to this letter background information relative to the Gateway Group and our principals. Thank you for giving us an opportunity to participate in this exciting project.

Very truly yours,



Thomas V. Chema
President

Enclosure

The Gateway Consulting Group

The Gateway Consulting Group ("GCG") was formed in 1994 to take advantage of a unique knowledge base to assist public or private sector entities which seek to develop major infrastructure projects such as stadiums, ballparks, arenas and civic centers. GCG believes that increasingly successful projects will result only when there exists broad based public support, including subsidies, combined with major private participation in such projects.

The principals of GCG were personally involved in every phase of the development of the Gateway project that built Gund Arena and Jacobs Field in Cleveland, Ohio. As a result of this experience, and their prior backgrounds, GCG is qualified to assist in the development of major infrastructure projects from conception to operation. GCG provides consultation services, either as a complete package or unbundled, in all of the following areas:

- Conceptual planning for the project
- Development of funding plans, both public and private sources
- Development of strategies for implementing the funding plans, including legislative and/or public vote campaigns
- Development of financing plans and methodologies including assistance in selecting underwriters, counsel and other professionals
- Preparation of background materials for use in lease negotiations with sports or other franchisees, where appropriate
- Development of strategies for lease negotiations
- Assistance in selecting design professionals
- Assistance in selecting costs and constructibility and/or project management teams
- Development of contract documents for use in engaging design professionals and construction team
- Development of methodology for dealing with affirmative action responsibilities
- Development of marketing plans and strategies, where appropriate
- Development of public relation strategies to achieve or maintain support for the project
- Development of budget and cost control strategies and methodologies

While GCG does not routinely act as "developer" of a project, we do share our experience as successful developers to enable projects to move forward with minimal problems and expense. Our approach is one of consensus building and problem solving. We are focused on getting the project done with the least expenditure of resources: dollars as well as political capital.

Our goal is to assist clients in developing a strategy which will succeed, and then aiding the client in the implementation of that strategy. GCG is a unique organization. We are consultants who not only understand the theory underlying development of major infrastructure projects; but we have been responsible for and have successfully completed projects which are among the largest of their type in the country. We can help you achieve similar success.

Attached you will find a Representative Client List whom you may feel free to contact for recommendations. You will also find background information concerning the firm's principals. Messrs. Chema and Eckart are attorneys and partners with the Cleveland-based law firm of Arter & Hadden, that also has major branch offices in San Francisco and Los Angeles. The resources of the firm are available to GCG clients.

We at Gateway Consulting stand ready to assist you at any point in the development of a project. Let us know how we can be of service to you.

REPRESENTATIVE CLIENT LIST

International Management Group (IMG)

Arthur J. LaFave, Jr. - Chief Financial Officer

Peter J. Kuhn - Deputy Chief Financial Officer

[Financing, Development and Construction Issues for Garden of Champions
Tennis Stadium in Indian Wells, California]

Gateway Economic Development Corporation of Greater Cleveland

James Biggar - Former Chairman

[Jacobs Field / Gund Arena in Cleveland, Ohio]

Cincinnati Bengals

Troy Blackburn - Stadium Project Director

[New Stadium for NFL Franchise]

City of Akron, Ohio

Richard Merrolla - Finance Director

[Canal Park - Akron Aeros Minor League Ballpark Project]

City of Dayton, Ohio

Baseball at Hara, Inc.

[Minor League Baseball Facility for the Dayton, Ohio Area]

City of Las Vegas

Lynnette Boggs-McDonald - Assistant City Manager

[Siting and Development Issues for a Domed Stadium]

City of Louisville, Kentucky - Board of Alderman

Dan Johnson - Alderman

[Developmental Work on a Proposed New Arena]

San Diego Padres Baseball team

Erik Judson - Special Assistant to the President

[New Ballpark Project]

San Francisco Giants Baseball Team

John Yee - Chief Financial Officer

[Ballpark at China Basin]

Toledo - Lucas County, Ohio

James O'Neal - Assistant Lucas County Administrator

[Develop Construction & Financing Plan for New Toledo Mudhens Ballpark]

Youngstown - Mahoning County, Ohio

Bruce J. Zoldan - President and Chief Executive Officer, B.J. Alan Company

Thomas E. Hutch - President, Aerolite Company

[Developmental Work for New Arena]

Career Resume: THOMAS V. CHEMA

President, Gateway Consulting Group, Cleveland, Ohio (1994 -)

Executive Director, Gateway Economic Development Corporation
of Greater Cleveland, Cleveland, Ohio (1990 -1995)

Partner, Arter & Hadden, Cleveland, Ohio (1972 - 1983; 1989 -)
(Practice specialty: energy utilities, telecommunications, capital project development)

Chairman, Ohio Building Authority (1989 - 1995)

Chairman, Public Utilities Commission of Ohio, Columbus, Ohio (1985 - 1989)

- Member, National Association of Regulatory Utility Commissioners Executive Committee (1985 - 1989)
- Member, Advisory Board Electric Power Research Institute (1987-1989)
- Member, National Academy of Science Panel on Alternative Energy Research and Development (1989 - 1990)
- Participant, Ditchley Conference, Ditchley, England (1988 -)
- Participant, United States - German Acid Rain Exchange (1988)

Executive Director, Ohio Lottery Commission, Cleveland, Ohio (1983-1985)

Current Selected Board Memberships:

- Transtechnology Corporation, Union, New Jersey
- NuMed Home Health Systems, Inc., Clearwater, Florida
- Interactive Multimedia, Inc., Columbus, Ohio
- Roulston Family of Funds, Cleveland, Ohio
- Hiram College, Hiram, Ohio
- Cleveland Foundation for Architecture, Cleveland, Ohio
- Sisters of Charity of Saint Augustine Health System, Inc., Cleveland, Ohio

Education:

AB, History, University of Notre Dame (1968)

JD, Harvard Law School (1971)

Recent Lecture Assignments Relevant to Infrastructure Planning Include:

- The Graduate School of Design at Harvard University
- Baldwin Wallace College
- The College of Wooster
- Northern Virginia Planning District Commission Land Use Conference
- Ohio Bar Foundation Annual Meeting
- National Council for Urban Economic Development
- The International Sports Summit

Career Resume: DENNIS E. ECKART

Principal, Gateway Consulting Group, Cleveland, Ohio (1994 -)

Partner, Arter & Hadden, Washington, DC (1994 -)

(Practice specialty: energy utilities, environmental issues, international trade & finance, transportation issues, securities and finance, health care issues, international relations and development, Federal and State Government Relations, US Congress, Executive Branch, Federal Agencies)

Partner, Winston & Strawn, Washington, DC (1993-1994)

United States Congressman, (1980 - 1993)

(Chairman, SBA Subcommittee on Antitrust, Deregulation, and Ecology, Member, House Energy and Commerce Committee, Co-chairman of the Democratic Congressional Campaign Committee ("DCCC"), Co-Chairman of the Democratic Steering and Policy Committee, Served as Vice-Chairman of the Northeast-Midwest Congressional Coalition, and as a Deputy Democratic Whip)

Ohio House of Representatives (1975 - 1980)

Attorney, Beringer, Hertick & Eckart,
Cleveland, OH (1974-1981)

Assistant Lake County Prosecutor (1974)

Current Selected Board Memberships:

Recently appointed by the US Department of State to head the US Delegation of the Conference on Security and Cooperation in Europe for their annual Implementation Conference on Human Rights
Appointed Member, the American Bar Association Congressional Process Committee
Public Member, Board of the American Institute of Certified Public Accounts

Education:

BA, Xavier University (1971)

J.D., Cleveland Marshall College of Law (1974)

Legislative Initiatives Authored:

- Superfund program to reform management of dangerous toxic chemical waste sites
- The Drinking Water Act
- Great Lakes Research and Management Act to remove toxins threatening the quality of the Great Lakes
- Privatization of Conrail
- Clean Air Act
- Acid Rain
- Regulation and competition for area cable systems

Career Resume: PATRICK M. ZOHN

Principal, Gateway Consulting Group, Cleveland, Ohio (1999 -)

General Counsel & Manager of Governmental Affairs, Ohio Valley Resources, Inc.,
Cleveland, Ohio (1998)

Director of Administration, Parkwood Corporation/Mandel Foundation,
Cleveland, Ohio (1997 - 1998)

Senior Trial Attorney, United States Department of Labor, Cleveland, Ohio (1980 - 1997) (Practice
specialty: litigation of construction, labor, safety, health & environmental cases on behalf
of the federal government)

Current Selected Board Memberships:

- Midtown Cleveland, not-for profit development corporation Cleveland, Ohio
- Case Western Reserve University School of Law Board, Cleveland, Ohio
- Great Lakes Theater Festival, Cleveland, Ohio
- Committee For Public Art, Cleveland, Ohio
- Greater Cleveland Growth Association Speakers Bureau

Education:

AB, Social Science/Education, West Liberty State College (1975)
JD, Case Western Reserve University School of Law (1978)

DATE: July 6, 1998

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 130 - 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, according to law, and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder, for the refurbishment and conversion to a tanker of one (1) 1976 Seagrave pumper for 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 and to advertise for and receive sealed bids, according to law, and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder, for the refurbishment and conversion to a tanker of one (1) 1976 Seagrave pumper 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 advertise for and receive sealed bids, according to law, and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder, for the refurbishment and conversion to a tanker of one (1) 1976 Seagrave pumper for the City of Massillon Fire Department.

Section 3:

That 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 in the interest of saving costs that the City of Massillon advertise for bids for refurbishment and conversion to a tanker of one (1) 1976 Seagrave pumper for the City of Massillon Fire Department. 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: July 6, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 131 - 1999

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 142 "BOARD OF BUILDING APPEALS" of the Codified Ordinances of the City of Massillon, by enacting a new Section 142.01(c) "Members; Appointment, Qualifications and Vacancy" of said CHAPTER 142, and declaring an emergency.

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

Section I:

That there be and hereby is enacted a new Section 142.01(c) "Members; Appointment, Qualifications and Vacancy" of CHAPTER 142 "BUILDING BOARD OF APPEALS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

142.01(c) MEMBERS; APPOINTMENT, QUALIFICATIONS AND VACANCY

In addition the Mayor shall appoint three (3) alternates to serve as needed in the event there is not a quorum of regular members available for any meeting. Their periods of appointment to be consistent with established procedure.

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary that alternates to the Board of Building Appeals be appointed so that meetings can be conducted when needed, 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: July 6, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 132 - 1999

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 1, for digester cleaning at the Wastewater Treatment Plant, without competitive bidding, with Wheelabrator Water Technologies Incorporated, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve a Change Order No. 1, for digester cleaning at the Wastewater Treatment Plant, without competitive bidding with Wheelabrator Water Technologies Incorporated.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve a Change Order No. 1, for the digester cleaning at the Wastewater Treatment Plant, without competitive bidding, with Wheelabrator Water Technologies Incorporated. The cost of said Change Order No. 1 shall not exceed Sixty-Seven Thousand Dollars (\$67,000.00).

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 declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that said services are necessary for the cleaning of the digesters at the Wastewater Treatment Plant that is currently under way. 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: July 6, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 133 - 1999

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Community Development Block Grant Program Fund, Federal Grant COPS Fund, and the Capital Improvement 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 General Fund for the year ending December 31, 1999, the following:

\$150,000.00 to an account entitled "~~ODOD Funds to Massillon Dev. Found.~~" 1100.905.239D
\$ 10,000.00 to an account entitled "Supplies & Materials" 1100.305.2410

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Community Development Block Grant Program Fund of the City of Massillon, Ohio, for the year ending December 31, 1999, the following:

\$100,000.00 to an account entitled "Housing Rehabilitation" 1402.845.2806
\$ 12,500.00 to an account entitled "Youth Center" 1402.845.2804
\$ 5,000.00 to an account entitled "Fair Housing" 1402.845.2814

Section 3:

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

\$29,247.00 to an account entitled "Computers" 1230.305.2510

Section 4:

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

\$ 7,475.00 to an account entitled "Computer Equipment-Fire Dept." 1401.325.2532

\$ 1,418.23 to an account entitled "Administrative Fees Harsh Ave. Project" 1401.435.2390

Section 5:

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

TEST:

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED:

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: July 6, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 134 - 1999

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the UDAG Towne Plaza Fund of the City of Massillon, Ohio, 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 I:

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

\$20,000.00 to an account entitled "Civic Events Center Feasibility Study" 1217.840.2395

Section 2:

This Ordinance is hereby declared to be an emergency measure, for the reason that said feasibility study is needed by the City to study the feasibility possibility of a Civic Events Center in 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

APPROVED: _____

SHARON HOWELL, CLERK OF COUNCIL

_____ DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: July 6, 1999

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 135 - 1999

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract with The Montrose Investment Corporation, for the sale of land known as and being Lot Nos. 400 through 406, 10888 & 10889. 0.6 acres City-owned 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.

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

Section 1:

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

Known as and being Lot Nos.400 through 406, 10888 & 10889, 0.6 acres of land in the City of Massillon, County of Stark and State of Ohio.

Section 2:

The Director of Public Service and Safety is authorized to sell said real estate to The Montrose Investment Corporation, and the Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to convey said real estate by deed to The Montrose Investment Corporation, according to law.

Section 3:

The cost of said sale shall be Twenty Thousand Dollars (\$20,000.00). The Montrose Investment Corporation shall be responsible for the payment of all fees and costs associated with the sale and transfer of said property.

Section 4:

The Auditor is hereby directed to deposit the monies from sale of said lot into the Lincoln Centre Bond Retirement Fund.

Section 5:

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

PASSED IN COUNCIL THIS _____ DAY OF _____ 1999

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

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