

AGENDA

DATE: NOVEMBER 20, 2000
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE IS A PUBLIC HEARING AT 7:00 P.M. REGARDING ORDINANCE NO. 218 - 2000

1. ROLL CALL
2. INVOCATION - COUNCILMAN JIM FILHOUR
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. 233 - 2000 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

AN ORDINANCE vacating a portion of Houston Street S.W., and declaring an emergency.

ORDINANCE NO. 234 - 2000 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.

AN ORDINANCE vacating a portion of Pennock Avenue S.W, and declaring an emergency.

ORDINANCE NO. 235 - 2000 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

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

ORDINANCE NO. 236 - 2000 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

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

ORDINANCE NO. 237 - 2000 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement for the purchase of property known as Out Lot No. 11, consisting of .116 acres, which is currently owned by the Heirs of Tillie Boss, and declaring an emergency.

ORDINANCE NO. 238 - 2000 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the sale of certain 4.861 acre tract of land known as and being Out Lot No. 739 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. 239 - 2000 BY: FINANCE COMMITTEE

P
AN ORDINANCE making certain appropriations from the unappropriated balance of the Municipal Capital Improvement Fund, General Fund, Massillon Mural Fund, ADR Fund, and the Parking Enforcement Fund, for the year ending December 31, 2000, and declaring an emergency.

ORDINANCE NO. 240 - 2000 BY: FINANCE COMMITTEE

181
AN ORDINANCE authorizing the Mayor to enter into contract agreements with Variety Attractions, Inc. and L & B Entertainment Inc., for various engagement contracts for the 2001 summer concert series, and declaring an emergency.

ORDINANCE NO. 241- 2000 BY: FINANCE COMMITTEE

Police Parking Lot.

Greg P
AN ORDINANCE making certain transfers in the 2000 appropriation from within the General Fund of the City of Massillon, Ohio, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

A). LETTER OHIO DEPARTMENT OF LIQUOR CONTROL REGARDING A TRANSFER OF LICENSE FROM SPEEDWAY SUPERAMERICA LLC, DBA SPEEDWAY 1169, 804 WALES ROAD, MASSILLON, OHIO, 44646 TO UNITED PETROLEUM MARKETING LLC, DBA UPM 100, 804 WALES ROAD, MASSILLON, OHIO 44646

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

- A).** MAYOR SUBMITS MONTHLY REPORT FOR OCTOBER - 2000
- B).** POLICE CHIEF SUBMITS MONTHLY REPORT FOR OCTOBER - 2000
- C).** FIRE CHIEF SUBMITS MONTHLY REPORT FOR OCTOBER - 2000
- D).** TREASURER SUBMITS MONTHLY REPORT FOR OCTOBER - 2000

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 218 - 2000 BY: HEALTH, WELFARE & BUILDING REGULATIONS COMM

P
AN ORDINANCE amending CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" of the Codified Ordinances of the City of Massillon, by deleting section 1187.14(h)(6) "PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS" (private swimming pools), of CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" and enacting a new Section 1187.14(h)(6) "PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS" (private swimming pools), of CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" and declaring an emergency

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 225 - 2000 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

2nd **AN ORDINANCE** amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-3 Single Family Residential to RM-1 Multiple Family Residential.

ORDINANCE NO. 226 - 2000 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

P **AN ORDINANCE** accepting the Final Plat for Augusta Lakes No. 1, in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

ORDINANCE NO. 227 - 2000 BY: HEALTH, WELFARE & BLDG. REGULATIONS COMM.

P **AN ORDINANCE** amending CHAPTER 1309 "HOUSING CODE" of the Codified Ordinances of the City of Massillon, by repealing Section 1309.01(t) "DEFINITIONS" of CHAPTER 1309 "HOUSING CODE" and enacting a new Section 1309.01(t) "DEFINITIONS" of CHAPTER 1309 "HOUSING CODE", 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**

DATE: November 20, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

11/10/01 Tabled 2wks
LEGISLATIVE DEPARTMENT
passed 2/5/01

ORDINANCE NO. 233 - 2000

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of Houston Street S.W., and declaring an emergency.

WHEREAS, there has been filed with this Council by the owners of all of the lots and lands bounding and abutting upon the street hereinafter described, a petition requesting that a portion thereafter described be vacated, and

WHEREAS, upon hearing, this Council hereby finds that there is good cause for such vacation and that it will not be detrimental to the general interest of this community and that such vacation should be made.

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

Section 1:

There has been a request to vacate a portion of Houston Street S.W., lying between Fir Street S.W. and Francis Street S.W.. The request is to vacate that portion of Houston Street S.W. between Lincoln Way West and Wabash Avenue S.W. This vacation plat is filed in the City Engineer's Office. Approval of the vacation was recommended by the City Planning Commission on November 8th, 2000. Said vacation is hereby approved, adopted and confirmed.

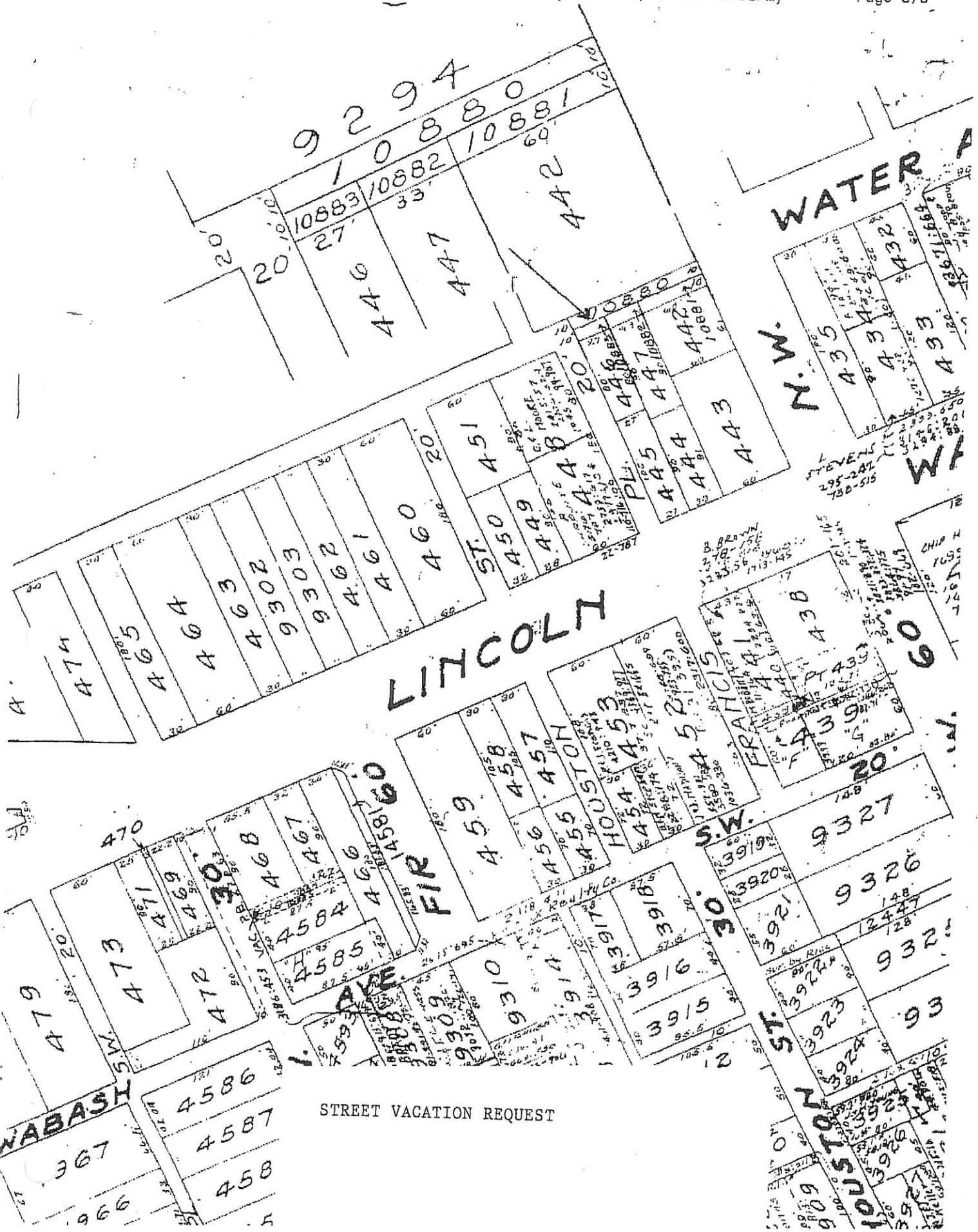
Section 2:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the continued efficient operation of the City of Massillon, Ohio, and that the portion of the street to be vacated is no longer needed for municipal purposes. 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 _____ 2000

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

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



DATE: November 20, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 234 - 2000

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of Pennock Avenue S.W., and declaring an emergency.

WHEREAS, there has been filed with this Council by the owners of all of the lots and lands bounding and abutting upon the street hereinafter described, a petition requesting that a portion thereinafter described be vacated, and

WHEREAS, upon hearing, this Council hereby finds that there is good cause for such vacation and that it will not be detrimental to the general interest of this community and that such vacation should be made.

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

Section 1:

There has been a request to vacate a portion of Pennock Avenue S.W., lying between Finefrock Avenue S.W. (State Route 241) and Oberlin Avenue S.W. The request is to vacate that portion of Pennock Avenue S.W. from 8th Street S.W. to 6th Street S.W. This vacation plat is filed in the City Engineer's Office. Approval of the vacation was recommended by the City Planning Commission on October 11th, 2000. Said vacation is hereby approved, adopted and confirmed.

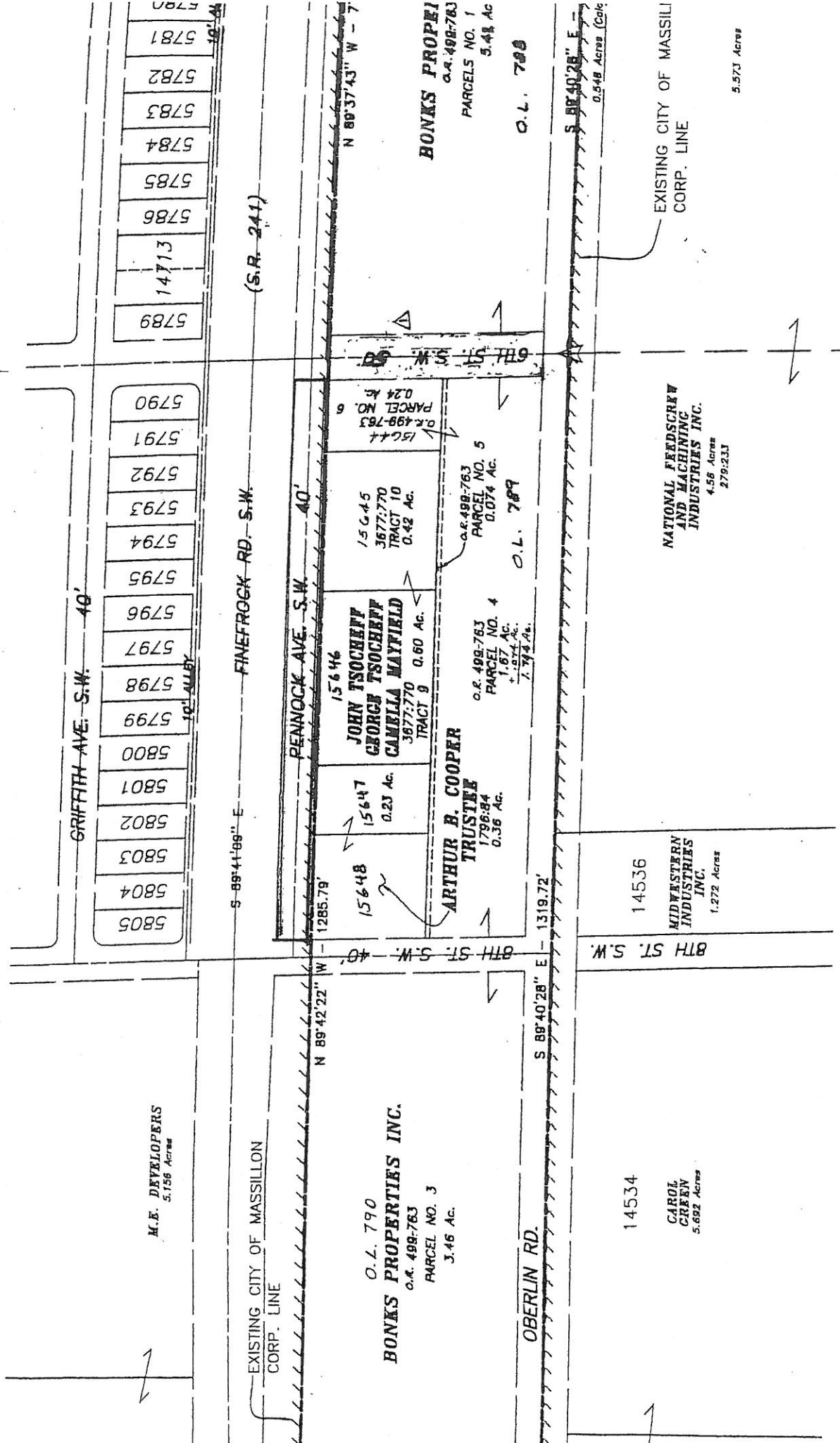
Section 2:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the continued efficient operation of the City of Massillon, Ohio, and that the portion of the street to be vacated is no longer needed for municipal purposes. 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 _____ 2000

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

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



STREET VACATION REQUEST - PENNOCK AVENUE SW

M.E. DEVELOPERS
5.156 Acres

EXISTING CITY OF MASSILLON
CORP. LINE

O.L. 790
BONKS PROPERTIES INC.
O.A. 499-763
PARCEL NO. 3
3.46 Ac.

15648
15647
15646
JOHN TSOCHIEFF
GEORGE TSOCHIEFF
CAMELLA MAYFIELD
3877:770 0.60 Ac.
3877:770 0.42 Ac.
3677:770 0.42 Ac.
O.A. 499-763
PARCEL NO. 4
1.67 Ac.
1.074 Ac.
1.744 Ac.
ARTHUR B. COOPER
TRUSTEE
1796:84
0.36 Ac.

15645
3677:770
TRACT 10
0.42 Ac.
O.A. 499-763
PARCEL NO. 5
0.074 Ac.
O.L. 789

O.A. 499-763
PARCEL NO. 6
0.24 Ac.

BONKS PROPEI
O.A. 499-763
PARCELS NO. 1
5.48 Ac.
O.L. 788

OBERLIN RD.

14534
CAROL
GREEN
5.692 Acres

14536
MIDWESTERN
INDUSTRIES
INC.
1.272 Acres

NATIONAL FEEDSCREW
AND MACHINING
INDUSTRIES INC.
4.56 Acres
279:233

EXISTING CITY OF MASSILLON
CORP. LINE

5.573 Acres

DATE: November 20, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 235 - 2000

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

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

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

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Stark County on September 12, 2000, and

WHEREAS, the Board of County Commissioners on September 12, 2000, approved the annexation of said territory to the City of Massillon as hereinafter described, and

WHEREAS, the Board of County Commissioners certified the transcript and pertinent documents of proceedings in connection with said annexation with the map and petition required in connection therewith, to the Auditor of the City of Massillon, who received same on September 21, 2000, and

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

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

Section I:

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

Situated in the township of Tuscarawas, County of Stark, and State of Ohio, and known as and being part of the Southwest Quarter of Section 2, Township 12, (Tuscarawas), Range 10, and more fully bounded and described as follows:

Beginning at the Northwest corner of said Southwest quarter section and being the true place of beginning;

Thence S 89°49'51" E, following the North line of said Southwest quarter section, a distance of 585.75 feet to a point;

Thence along the west boundary of a tract of land currently or formerly or formerly owned by B. & B. Hamrick the following courses:

S 05°10'09" W a distance of 45.13 feet to a point;

S 81°21'39" E a distance of 75.10 feet to a point;

Thence along the west line of a tract of land currently or formerly owned by D. Kisner, on a bearing of S 06°29'21" W a distance of 219.36 feet to a point;

Thence along the southerly line of three tracts of land owned by D. Kisner, on a bearing of S 83°30'00" E a distance of 1052.15 feet to a point; said point being the Southeast corner of a tract of land currently or formerly owned by W. Amos,

Thence along the easterly line of said Amos tract on a bearing of N 06°59'45" E a distance of 229.02 feet to a point in the center line of Wooster Street N.W.;

Thence along said centerline the following courses:

S 83°03'21" E a distance of 303.69 feet to a point;

S 78°27'40" E a distance of 26.83 feet to a point;

Thence along the west line of a tract of land currently or formerly owned by H. & R. Baysinger on a bearing of S 01°39'27" W a distance of 1437.13 feet to a point; said point being a on the north line of a 66' foot wide tract of land (former railroad bed) currently or formerly owned by the City of Massillon;

Thence along said City of Massillon tract on a bearing of N 66°38'23" W a distance of 2189.73 feet to a point on the centerline of Kenyon Ave; said centerline also being the west line of the Southwest Quarter Section;

Thence N 01°26'35" E, along said section line and center line, a distance of 778.33 feet to a point, said point being the Northwest corner of the Southwest Quarter and the true place of beginning.

The parcel herein described contains 47.005 acres, more or less, of which all 47.005 acres lies in the Southwest Quarter of Section 2, Tuscarawas Township, Stark County, Ohio.

Robert Sanderson, 13277 Fern Ave. N.W., Hartville, Ohio, is hereby appointed agent for the undersigned petitioners as required RC 709.02 with full power and authority hereby granted to said agent to amend, alter, change, withdraw, refile, substitute, and to take any action necessary for obtaining the granting of this petition. Said amendment, compromise, increase or deletion, or other things for granting this petition shall be made in the petition, description, and/or plat by said agent without further expressed consent of the petitioners.

Section 2:

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

Section 3:

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

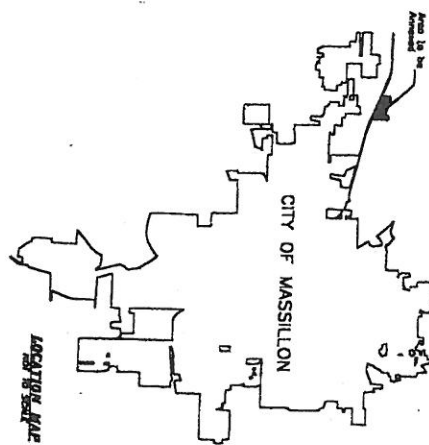
Section 4:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is necessary for the more efficient operation of the City of Massillon, Ohio, and for the additional reason that it is in the best interest of the property owners in the annexed area that their property become a part of the City of Massillon. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.


PASSED IN COUNCIL THIS _____ DAY OF _____ 2000

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

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



Approved for enrollment by the State County Commissioner.
Adopted the _____ day of _____, 200__.

	
HORIZONTAL SCALE IN FEET	
DATE JUNE 2000	DATE JUNE 2000
DATE JUN 1	DATE 504

DATE	DESCRIPTION
	REVISIONS:

DOAXD401.DWG

DATE: November 20, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 236 - 2000

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

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

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

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Stark County on September 5, 2000, and

WHEREAS, the Board of County Commissioners on September 5, 2000, approved the annexation of said territory to the City of Massillon as hereinafter described, and

WHEREAS, the Board of County Commissioners certified the transcript and pertinent documents of proceedings in connection with said annexation with the map and petition required in connection therewith, to the Auditor of the City of Massillon, who received same on September 21, 2000, and

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

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

Section I:

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

Situated in the township of Perry, County of Stark, and State of Ohio, and known as being part of the Southwest Quarter of Section 10, Township 10, (Perry), Range 9, and more fully bounded and described as follows:

Beginning for reference at a point marking the Northwest Corner of Out Lot 321 in the City of Massillon, thence south along the west line of said lot and along the east right-of-way line of 27th St. S.E. a distance of 53.00 feet to a point being the northwest corner of Massillon City Lot 16039;

Thence N 89°37'35"E, along the north line of Massillon City lots 16039 and 16040 a distance of 182.00 feet to a point marking the Northeast Corner of Lot 16040 and being the true place of beginning for the tract of land herein described;

Thence, continuing N 89°37'35"E a distance of 54.30 feet to a point on the west right-of-way line of Elizabeth Avenue SE,

Thence S 00°00'00"E, along said right-of-way a distance of 54.00 feet to a point;

Thence S 89°37'35"W a distance of 54.30 feet to a point being the southeast corner of Massillon City Lot 16040;

Thence, N 00°00'00"W along the East line of lot 16040 and the West line of the Southwest Quarter of Section 10 a distance of 54.00 feet to the place of beginning and containing 0.0673 acres of land, more or less.

Section 2:

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

Section 3:

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

Section 4:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is necessary for the more efficient operation of the City of Massillon, Ohio, and for the additional reason that it is in the best interest of the property owners in the annexed area that their property become a part of the City of Massillon. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2000

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

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

ANNEXATION PLAT AND REPLAT



BASIS OF BEARINGS

LEGEND

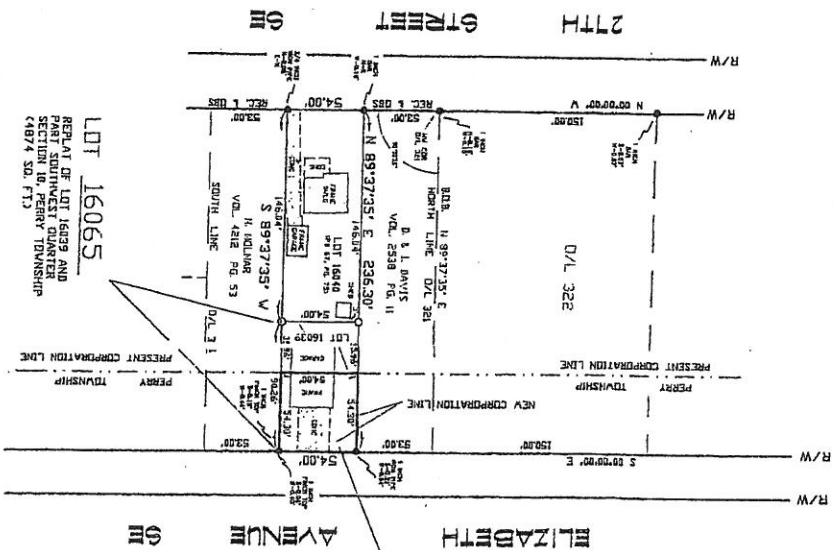
NOTE: DIMENSIONS SHOWN HEREON ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF.

NOTE: THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT AND NO SEARCH OF THE PUBLIC RECORDS WAS MADE FOR EASEMENTS, RIGHT OF WAYS & ETC.

CERTIFICATION

I HEREBY DECLARE THAT I HAVE SURVEYED THE LAND SHOWN ON THIS PLAT, AND HAVE FOUND ON SET THE PRIS AND MONUMENTS SHOWN ON THIS PLAT.

THOMMY A UZL P.S. 14.7885 DATE 5-5-00



AREA TO BE ANNEXED
PART OF SOUTHWEST QUARTER
SECTION 10, TOWNSHIP PERRY
STARK COUNTY, OHIO
(2932 SQ. FT.)

BEING PART OF A TRACT OF LAND NOW OR FORMERLY OWNED BY STEPHEN G. FLAD AS RECORDED IN OFFICIAL RECORDS IMAGING NUMBER 98025159 AND INCLUDING ALL OF MASSILLON CITY LOT 16039, STARK COUNTY, OHIO.

MAP OF TERRITORY TO BE ANNEXED TO THE CITY OF MASSILLON, OHIO	
TOTAL ACRES IN ANNEXATION	0.027
ACRES OF STATE HIGHWAYS	0.000
ACRES OF COUNTY ROADS	0.000
ACRES OF TOWNSHIP ROADS	0.000
5.36 CTR. SEC. 10 PENNY TWP.	0.027
ACRES	0.027

LAND SHOWN HEREIN, DO HEREBY ACKNOWLEDGE THE SIGNING OF THE SAME TO BE OUR FREE ACT AND DEED, AND DO HEREBY AWARD AND REPEAT OUR LAND.

OWNERS
Stephen S. Eld
STEPHEN C. RUD

COUNTY OF STARK

11-18-01
AT COMMISSIONER'S OFFICE:
Butt, J. C.
NORTHAN Public

Kathy A. Larkin
NOTARY PUBLIC

MASSILLON CITY COUNCIL

_____, 2000.
PASSED THIS _____ DAY OF _____, 2000.

CDKX

LOT NUMBER(S) 16065 ASSIGNED BY THE MASSILLON CITY ENGINEER
THIS DAY OF 2000

COUPON FOR TRANSFER THIS _____ DAY OF _____ 2000

COUNTY RECORDER	COUNTY AUDITOR
WITNESSED AND TRUE	

DATE 7/15 DAY OF JULY 2009

COUNTY RECORDS

MEETING HELD _____ DAY OF _____ 1918.

~~SECRET~~

STARKE COUNTY COMMISSIONERS

ADOPTED THIS _____ DAY OF _____, 20__

STARK COUNTY COMMISSIONERS

**CAMPBELL &
ASSOCIATES, INC.**

Surveying • Engineering
CANYON, OHIO 44702
(216) 231-1111

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Copyright Act without the permission of the copyright owner.

is unadvised. Requests for pardon should be further
action should be addressed to Camp

OWNER: STEPHEN G. ET AL

ELIZABETH AVENUE SE

F.	1 st SN	1	THRAWN RY.
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LIBRARY

DATE: November 20, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 237 - 2000

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement for the purchase of property known as Out Lot No 11, consisting of .116 acres which is currently owned by the heirs of Tillie Boss, and declaring an emergency.

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

Section 1:

The real property owned by the heirs of Tillie Boss and known as Out Lot 11, consisting of .116 acres in the City of Massillon is needed for the Lincoln Centre Phase III Project.

Section 2:

The Director of Public Service and Safety is authorized to enter into an agreement to purchase the above described real estate for Fifteen Thousand Three Hundred Fourteen Dollars (\$15,314.00) and upon the execution and approval the said Director of Public Service and Safety is further authorized to execute and approve all necessary documents to expedite the purchase of said real estate.

Section 3:

That the City Auditor is hereby authorized to pay the purchase price of Fifteen Thousand Three Hundred Fourteen Dollars (\$15,314.00). These funds will be provided through a note issuance.

Section 4:

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

Section 5:

This Ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason that the acquisition of the real estate is necessary for further development within the downtown area of the City of Massillon. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2000

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

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

DATE: November 20, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 238 - 2000

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the sale of a certain 4.861 acre tract of land known as and being Out Lot No. 739 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 Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the sale of a certain 4.861 acre tract of land known as and being Out Lot No. 739 in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose.

Section 2:

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 Out Lot No. 739, a 4.861 acre located at the northwest corner of Nave Road, S.E. and University Drive S.E., in the City of Massillon, Ohio, County of Stark and State of Ohio.

Section 3:

The Director of Public Safety and Service be and is hereby authorized to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the sale of a certain 4.861 acre tract of land known as and being Out Lot No. 739 in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose.

Section 4:

The advertisement for the bidding of said real estate shall contain the following instructions:

- 1). Each bidder shall be prepared to review with the administration of the City of Massillon and City Council their intended use for the real estate.
- 2). The successful bidder shall be responsible to pay all fees and costs associated with the sale and transfer of said property.
- 3). The City reserves the right to reject any and all bids.

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 _____ 2000

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

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

DATE: November 20, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 239 - 2000

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Municipal Capital Improvement Fund, General Fund, Massillon Mural Fund, ADR Fund, and the Parking Enforcement Fund, for the year ending December 31, 2000, 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 Municipal Court Capital Improvement Fund for the year ending December 31, 2000, the following:

\$100,000.00 to an account entitled "Equipment" 1204.125.2710

Section 2:

There be and hereby is appropriated from the unappropriated balance of the General Fund for the year ending December 31, 2000, the following:

\$ 5,000.00 to an account entitled "Arbitrator Services/Contracts" 1100.905.239A"

\$ 4,500.00 to an account entitled "Services/Contacts" 1100.105.2392

\$ 1,765.20 to an account entitled "County Fees" 1100.905.2393

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Massillon Mural Fund for the year ending December 31, 2000, the following:

\$ 1,268.00 to an account entitled "Mural Project-Phase IV" 3112.905.2510

Section 4:

There be and hereby is appropriated from the unappropriated balance of the ADR Fund for the year ending December 31, 2000, the following:

\$ 354.00 to an account entitled "P.E.R.S." 1242.125.2230

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Parking Enforcement Fund for the year ending December 31, 2000, the following:

\$ 100.00 to an account entitled "Parking Enforcement Petty Cash" 1208.445.2383

Section 6:

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 _____ 2000

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: November 20, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 240 - 2000

BY: COMMITTEE OF THE WHOLE

TITLE: AN ORDINANCE authorizing the Mayor to enter into contract agreements with Variety Attractions, Inc. and L & B Entertainment Inc., for various engagement contracts for the 2001 summer concert series, 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 of the City of Massillon, Ohio, is hereby authorized to enter into contract agreements with Variety Attraction, Inc., and L & B Entertainment Inc., for various engagement contracts for the 2001 summer concert series. The cost of said contracts shall not exceed Ninety-Five Thousand Dollars (\$95,000.00).

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 additional reason to provide summer concert entertainment series for the citizens 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 _____ 2000

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: November 20, 2000

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 241 - 2000

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2000 appropriation from within the General Fund of the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

There be and is hereby transferred from the 2000 appropriation from within the General Fund of the City of Massillon, Ohio, the following:

§ 60,000.00 FROM: "Bailliff's Salary Account" 1100.135.2111
45,000.00 TO: "Supplies/Materials/Postage 1100.125.2410
15,000.00 TO: "Engineering Dept. Police Parking Lot Repair" 1100.405.2510

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 _____ 2000

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

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