

AGENDA

DATE: FEBRUARY 20, 2001(TUES)
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

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

ORDINANCE NO. 31- 2001 BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, 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 lease/purchase of four full size sedans for the City of Massillon Police Department, and declaring an emergency.

ORDINANCE NO. 32- 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE repealing Ordinance No. 96 - 2000, and enacting a new ordinance authorizing and directing the Mayor of the City of Massillon to enter into an agreement with Robert J. Matthews Co. for the adoption of a project which will establish a new facility and create employment opportunities within the City of Massillon Enterprise Zone, and declaring an emergency.

ORDINANCE NO. 33 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

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

ORDINANCE NO. 34 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, 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 Phase II Cart Paths at The Legends of Massillon Golf Course, and declaring an emergency.

ORDINANCE NO. 35 - 2001 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

AN ORDINANCE authorizing the Director of public Service and Safety of the City of Massillon, to enter into a contract to purchase various John Deere equipment, without competitive bidding, through pricing based on State Contract #0T920698-E and approved by the Board of Control, for The Legends of Massillon Golf Course, and declaring an emergency.

FEBRUARY 20, 2001

ORDINANCE NO. 36 - 2001 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

505P 9-0
PASS 9-0
AN ORDINANCE authorizing and directing the Director of Public Service and Safety to enter into an agreement with Metricom Inc. for possible use of right of way of roads in the City of Massillon, for the purpose of placing small radio antennas on existing poles and other structures for use in Metricom's high speed wireless Internet access network, and declaring an emergency.

ORDINANCE NO. 37 - 2001 BY: FINANCE COMMITTEE

505P 9-0
PASS 9-0
AN ORDINANCE authorizing the Auditor to pay several 2000 bills out of the 2001 appropriations within the youth Center fund, and declaring an emergency.

ORDINANCE NO. 38 - 2001 BY: FINANCE COMMITTEE

505P 9-0
PASS 9-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Municipal Golf Course Fund, The Legends Golf Course Fund, State Highway M&R Fund, Street M&R Fund, and the Capital Improvement Fund, for the year ending December 31, 2001, and declaring an emergency.

RESOLUTION NO. 4 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

Ready
A RESOLUTION declaring the intention of the City of Massillon, Ohio to appropriate property within the corporate limits pursuant to the authority in CHAPTER 719 of the Ohio Revised Code, and declaring the necessity to acquire property for the purpose of redevelopment.

- ✓ 7. UNFINISHED BUSINESS
- ✓ 8. PETITIONS AND GENERAL COMMUNICATIONS
- ✓ 9. BILLS, ACCOUNTS AND CLAIMS
- ✓ 10. REPORTS FROM CITY OFFICIALS
 - ✓ A). MAYOR SUBMITS MONTHLY REPORT FOR JANUARY - 2001
 - ✓ B). POLICE CHIEF SUBMITS MONTHLY REPORT FOR JANUARY - 2001
 - ✓ C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR JANUARY - 2001
 - ✓ D). TREASURER SUBMITS MONTHLY REPORT FOR JANUARY - 2001
- ✓ 11. REPORTS OF COMMITTEES *COBIS - 11:54 6:30pm*
- ✓ 12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
- ✓ 13. CALL OF THE CALENDAR
- ✓ 14. THIRD READING ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 3 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

PASS 9-0
A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on December 14th wherein the Zoning Board of Appeals approved a variance for setbacks to a vacant lot located at Woodland Ave., S.E. and known as Lot No. 11418 in the City of Massillon, Ohio, and declaring an emergency

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 19 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

P.H. 2nd 3-5 7:00pm
AN ORDINANCE amending CHAPTER 1109 "PLANNING AND ZONING CODE - DESIGN STANDARDS" of the Codified Ordinances of the City of Massillon, by repealing Section 1109.06(a)(1) and (b)(5) of "EASEMENT; INSTALLATION OF UTILITIES; PUBLIC SITES AND OPEN SPACE" of CHAPTER 1109 "PLANNING AND ZONING CODE - DESIGN STANDARDS" and enacting a new Section 1109.06(a)(1) and (b)(5) of "EASEMENTS; INSTALLATION OF UTILITIES; PUBLIC SITES AND OPEN SPACE", and declaring an emergency.

ORDINANCE NO. 26 - 2001 BY: FINANCE COMMITTEE

6:30p 9-0 No 9-0
AN ORDINANCE authorizing the Auditor to pay various 2000 bills that have been received and that will be received by her office between January 1, 2001 and March 1, 2001, out of the 2001 appropriations within the various departments of the City of Massillon, 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**

17.) Gail Grumble.

- Senior High Rise Project*
- Glen Thought The Res. was to be on The Floor Tonight*
- Will Attend The Next Com. Meeting @ 6:00 2-06.*
- 6 stories. 22 Apt. 2 Bed Room Units.*

DATE: February 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 31 - 2001

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, 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 lease/purchase of four full size sedans for the City of Massillon Police 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, 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 lease/purchase of four full size sedans for the City of Massillon Police 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, 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 lease/purchase of four full size sedans for the City of Massillon Police 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 bids be received and that the vehicles are necessary for 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 _____, 2001

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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

DATE: February 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 32 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE repealing Ordinance No. 96 - 2000, and enacting a new ordinance authorizing and directing the Mayor of the City of Massillon to enter into an agreement with Robert J. Matthews Co. for the adoption of a project which will establish a new facility and create employment opportunities within the City of Massillon Enterprise Zone, and declaring an emergency.

WHEREAS, the City of Massillon has encouraged the development of real property and the acquisition of personal property located in the area designated as an Enterprise Zone; and

WHEREAS, Robert J. Matthews Co. is hereby proposing to build a new facility on a five (5) acre site on Nave Road S.E. east of Richville Road, within the Massillon Enterprise Zone, and is proposing to establish a facility to relocate its manufacturing operations, at a total combined investment of One Million Three Hundred Thousand Dollars (\$1,300,000.00), (hereinafter the "Project"), provided that the appropriate development incentives are available to support the economic viability of said Project; and

WHEREAS, the Council of the City of Massillon, Ohio, (hereinafter "Council") by Ordinance No. 163-1994, adopted on July 18, 1994, and as amended by Ordinance No. 57-1998, adopted March 2, 1998 and as amended by Ordinance No. 43 - 1999, adopted March 1, 1999, has designated an area of the City as an "Enterprise Zone" pursuant to Chapter 5709 of the Ohio Revised Code; and

WHEREAS, effective September 12, 1994, and as amended on March 13, 1998, and as amended on March 9, 1999, the Director of Development of the State of Ohio has determined that the aforementioned area designated in said Ordinance No. 163 - 1994 contains the characteristics set forth in 5709.61(A) of the Ohio Revised Code, and has certified said area as an Enterprise Zone under Chapter 5709; and

WHEREAS, the City of Massillon, having the appropriate authority for the stated type of project is desirous of providing Robert J. Matthews Co. with the incentives available for development of the Project in said Enterprise Zone, under Chapter 5709 of the Ohio Revised Code; and

WHEREAS, Robert J. Matthews Co. have submitted a proposed agreement application, herein attached as Exhibit "A", to the City of Massillon, Ohio, requesting that the incentives available for development within the Enterprise Zone be approved for the Project; and

WHEREAS, the Mayor of the City of Massillon, Ohio, has investigated the application submitted by the Robert J. Matthews Co. and has recommended approval of the same to the Council on the basis that the company is qualified by financial responsibility and business experience to create employment opportunities in said Enterprise Zone and to improve the economic climate of the City of Massillon; and

WHEREAS, the project site is located in the Perry School District and the Perry Board of Education has been notified in accordance with Section 5709.83 and has been given a copy of the application.

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

Section 1:

That Ordinance No. 96 - 2000 be and hereby is repealed and this new ordinance be enacted.

Section 2:

The Council of the City of Massillon, Ohio does hereby authorize and direct the Mayor to enter into an agreement, attached hereto as Exhibit "A" and incorporated herein by reference, with Robert J. Matthews Co. providing for the adoption of a project which will establish a facility and preserve employment opportunities within the City of Massillon Enterprise Zone.

Section 3:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the City of Massillon, Ohio and for the further reason that approval of said agreement is necessary so as to maximize the investment that will be made by the Robert J. Matthews Co. within 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 _____ 2001

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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

DATE: February 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 33 - 2001

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 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 tract of land comprising a part of Perry Township, and

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

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

Section 1:

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

Section 2:

The Board of County Commissioners of Stark County, Ohio, are hereby petitioned under the authority of Section 503.07 Ohio Revised Code, to change the Township boundaries of Perry Township and Massillon Township, all in Stark County, Ohio, by excluding from said Perry Township and 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:

Situated in the township of Perry, County of Stark, and State of Ohio, and known as being parts of the Northeast Quarter of Section 30, Southeast Quarter of Section 30, and Northeast Quarter of Section 31, Township 10, (Perry), Range 9, and more fully bounded and described as follows:

Beginning at a point on the intersection of the centerline of Warmont Road S.W. and the east right-of-way line of the R.J. Corman Railroad Company (formerly the B & O Railway); said point also being on the existing Corporation line of the City of Massillon;

Thence S18°07'11"W, a distance of 41.74 feet to a point being on the westerly right-of-way line of Warmont Road SW and the easterly line of said R.J. Corman Railroad Company;

Thence along the westerly right-of-way line of Warmont Road SW the following courses:
N02°56'24"W a distance of 222.45 feet to a point;

N17°18'44"W a distance of 26.17 feet to a point;

Thence following the west property line of the R.J. Corman Railroad Company the following courses:

A curve to the left through a central angle of 05°04'06", an arc distance of 249.61 feet a chord bearing of N23°41'12"E a chord distance of 249.53 feet to a point;

N16°10'06"E a distance of 306.51 feet to a point;

Around a curve to the left through a central angle of 08°42'31", an arc distance of 432.29 feet a chord bearing of N10°30'49"E a chord distance of 431.86 feet to a point;

N06°06'34"E a distance of 1277.30 feet to a point;

Around a curve to the left through a central angle of 02°14'04", an arc distance of 789.51

feet a chord bearing of N01°07'02"E a chord distance of 788.52 feet to a point;

N74°01'19"E a distance of 15.32 feet to a point;

N03°37'56"W a distance of 399.70 feet to a point;

N11°06'26"W a distance of 287.30 feet to a point;

N41°58'56"W a distance of 131.56 feet to a point;

Around a curve to the left through a central angle of 12°40'28", an arc distance of 390.96 feet a chord bearing of N22°48'12"W a chord distance of 390.16 feet to a point;

N29°08'26"W a distance of 50.00 feet to a point;

N39°43'26"W a distance of 277.13 feet to a point; said point being on the South right-of-way line of U.S. Route 30; and also on the existing Corporation line of the City of Massillon.

Thence along the existing Corporation line the following courses;

N38°51'00"E a distance of 36.05 feet to a point;

N62°11'04"E a distance of 18.00 feet to a point;

N27°49'06"W a distance of 20.01 feet to a point;

N62°10'54"E a distance of 182.00 feet to a point; said point being in the center of the Tuscarawas River;

Thence following the centerline of said river and said existing Corporation line the following courses:

S47°46'36"E a distance of 95.57 feet to a point;

S31°37'35"E a distance of 156.00 feet to a point;

S37°35'32"E a distance of 424.04 feet to a point;

S32°54'40"E a distance of 649.69 feet to a point;

S46°22'28"E a distance of 310.12 feet to a point;

S30°11'06"E a distance of 287.86 feet to a point;

S15°09'04"E a distance of 332.75 feet to a point;
S04°50'05"E a distance of 219.19 feet to a point;
S02°35'02"E a distance of 85.74 feet to a point;
S01°20'28"E a distance of 91.75 feet to a point;
S02°17'39"W a distance of 92.58 feet to a point;
S01°30'36"W a distance of 140.65 feet to a point;
S26°36'08"W a distance of 132.42 feet to a point;
S43°34'39"W a distance of 306.45 feet to a point;
S36°14'15"W a distance of 188.08 feet to a point;
S13°31'01"W a distance of 190.28 feet to a point;

Thence departing from said river centerline but continuing to follow said corporation line S78°24'09"W a distance of 89.62 feet to a point; said point being on the westerly line of a tract of land now or formerly owned by the City of Massillon, Ohio; and on the east line of a tract of land now or formerly owned by the Greif Brothers Corporation of Ohio Inc.;

Thence continuing to follow said existing Corporation line of the City of Massillon the following courses:

S11°06'30"E a distance of 1629.89 feet to a point;

Around a curve to the right through a central angle of 05°52'21", an arc distance of 583.87 feet a chord bearing of S08°10'20"E a chord distance of 583.61 feet to a point;

Around a curve to the left through a central angle of 09°36'16", an arc distance of 578.33 feet a chord bearing of N44°07'31"W a chord distance of 577.65 feet to a point;

N81°16'59"W a distance of 790.58 feet to a point;

N02°56'28"W a distance of 77.35 feet to the true place of beginning and containing 81.43 acres of land, more or less, of which 8.13 acres are in the NE Quarter Section 30 Perry Township, 47.18 acres are in the SE Quarter Section 30 Perry Township, and 26.12 acres are in the NE Quarter Section 31 Perry Township.

The above described tract of land to be annexed is as compiled from deeds of record and record plats by the City of Massillon Engineering Department.

Section 3:

Attached hereto and made a part of this Ordinance is a 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 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.

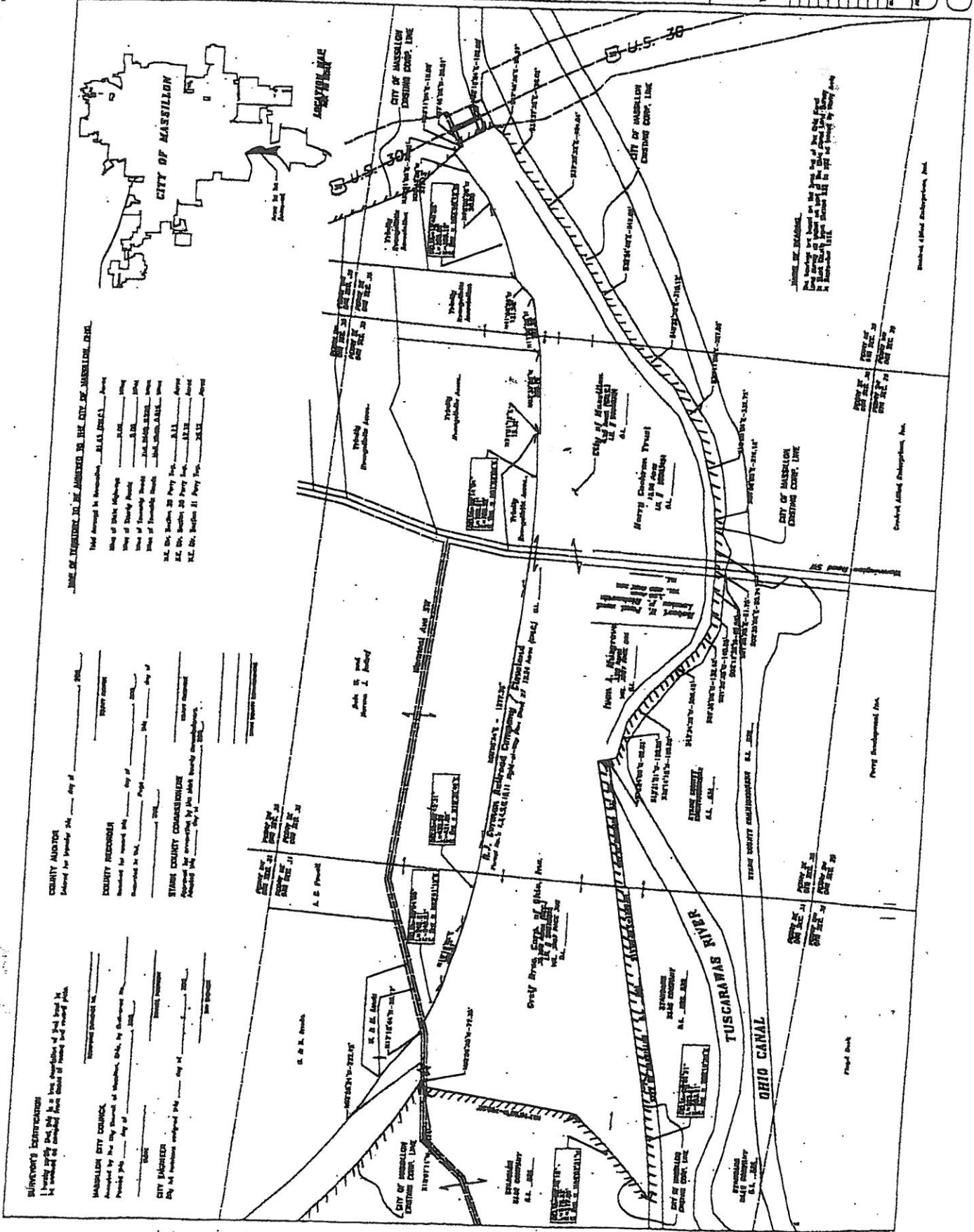
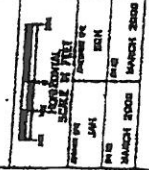
Section 6:

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 _____ 2001

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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



DATE: February 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Sharon Howell
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 34 - 2001

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, 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 Phase II Cart Paths at The Legends of Massillon Golf Course, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for, receive sealed bids according to law and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Phase II Cart Paths at The Legends of Massillon Golf Course.

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, 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 Phase II Cart Paths at The Legends of Massillon Golf Course.

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 accepted so as to complete the cart paths program at The Legends of Massillon Golf Course. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2000

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN ACTING, PRESIDENT

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

DATE: February 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 35 - 2001

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract to purchase various John Deere equipment, without competitive bidding, through pricing based on State Contract #0T920698-E and approved by the Board of Control, for The Legends of Massillon Golf Course, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract to purchase various John Deere equipment, without competitive bidding, through pricing based on State Contract #0T920698-E and approved by the Board of Control, for The Legends of Massillon Golf Course. The cost of said contract shall not exceed Two Hundred Sixty Two Thousand Two Hundred Sixty-Four Dollars and Thirty-Two Cents (\$262,264.32).

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract to purchase various John Deere equipment, without competitive bidding, through pricing based on State Contract #0T920698-E and approved by the Board of Control, for The Legends of Massillon Golf Course.

Section 3:

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

Section 4:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason the City of Massillon enter into a contract to purchase various John Deere rough equipment for use by The Legends of Massillon Golf Course for the up coming golf season.. 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 _____ 2001

APPROVED _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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

DATE: February 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 36 - 2001

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into an agreement with Metricom Inc., for possible use of right of way of roads in the City of Massillon, for the purpose of placing small radio antennas on existing poles and other structures for use in Metricom's high speed wireless internet access network, 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 take the necessary action to enter into an agreement with Metricom Inc., for possible use of right of way of roads in the City of Massillon, for the purpose of placing small radio antennas on existing poles and other structures for use in Metricom's high speed wireless internet access network.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to take the necessary action to enter into an agreement with Metricom Inc., for possible use of right of way of roads in the City of Massillon, for the purpose of placing small radio antennas on existing poles and other structures for use in Metricom's high speed wireless internet access network, and declaring an emergency.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary to give right of way to Metrocom's Inc., to install small radio antennas for Metricom's high speed wireless internet access network.. 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 TIM BRYAN, ACTING, PRESIDENT

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: February 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO.37 - 2000

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor to pay several 2000 bills out of the 2001 appropriations within the Youth Center Fund, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds it necessary to authorize the City Auditor to pay several 2000 bills out of the 2001 appropriations within the Youth Center Fund. Said bills to be paid are as follows:

\$1,180.26 K-Mart
\$ 426.91 Fisher Food Marketing
\$ 152.00 K-Mart
\$ 35.80 Hearts Desire
\$1,794.97

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary to pay several 2000 bills that have recently been submitted to the City Auditor, and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force form and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING, PRESIDENT

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

DATE: February 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 38 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Municipal Golf Course Fund, The Legends Golf Course Fund, State Highway M&R Fund, Street M&R Fund, and the Capital Improvement Fund, for the year ending December 31, 2001, 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 Golf Course Fund for the year ending December 31, 2001, the following:

\$77,000.00 to an account entitled "Capital Projects" 1432.920.2510
\$27,000.00 to an account entitled "Capital Projects" 1432.920.2510
\$15,000.00 to an account entitled "Golf Course Expansion Project" 1432.920.2510

Section 2:

There be and hereby is appropriated from the unappropriated balance of The Legends Golf Course Fund for the year ending December 31, 2001, the following:

\$46,316.08 to an account entitled "Services & Contracts" 2104.920.2392

Section 3:

There be and hereby is appropriated from the unappropriated balance of the State Highway M&R Fund for the year ending December 31, 2001, the following:

\$40,000.00 to an account entitled "Supplies/Materials/Postage" 1202.435.2410
\$ 1,000.00 to an account entitled "Medicare" 1202.420.2231

Section 4:

There be and hereby is appropriated from the unappropriated balance of the Street M&R Fund for the year ending December 31, 2001, the following:

\$30,000.00 to an account entitled "Supplies/Materials/Postage" 1201.435.2410

Section 5:

There be and hereby is appropriated from the unappropriated balance of the Capital Improvement Fund for the year ending December 31, 2001, the following:

\$20,000.00 to an account entitled "General Repairs Municipal Government Annex"1401.410.2511
\$10,000.00 to an account entitled "General Repairs Municipal Government Annex"1401.410.2512

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 _____ 2001

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

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: February 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 4 - 2001

BY: THE COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: A RESOLUTION declaring the intention of the City of Massillon, Ohio to appropriate property within the corporate limits pursuant to the authority in CHAPTER 719 of the Ohio Revised Code, and declaring the necessity to acquire property for the purpose of redevelopment.

WHEREAS, it is necessary to acquire property within the corporate limits of the City of Massillon for the reason that the city is an "impacted city," as defined in division (C) of Section 1728.01 of the Ohio Revised Code, and the acquisition of such property is necessary in order to create or preserve jobs and employment opportunities and to improve the economic welfare of the people of the City of Massillon; and

WHEREAS, the City of Massillon intends to appropriate, enter upon, and hold such property within its corporate limits for either (a) the sale, lease, exchange or other disposition of such property for use or development for industry, commerce, housing, distribution, or research; or (b) the construction, enlargement, improvement, or equipment and subsequent sale, lease, exchange, or other disposition of such property with the structures, equipment, and facilities thereon for industry, commerce, housing, distribution, or research; and

WHEREAS, the property to be acquired is part of an Urban Renewal Plan which has been adopted by the City of Massillon, and

WHEREAS, it is desirable in the public interest that the City take possession of the property and the structures thereon, and

WHEREAS, the City, prior to the actual filing of a complaint will attempt to purchase the property from the landowners.

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

Section I:

It is deemed necessary and it is hereby declared to be the intention of this Council to acquire the following described property:

"Situated in the City of Massillon, County of Stark and State of Ohio and known as .897 acres of land located on the Southwest corner of 2nd Street N.E. and North Avenue N.E. and being known as Lot Nos 77, 78, 79, 80, 82, 83, and 84, according to the present numbering of lots therein."

Section 2:

The property hereinabove described is to be acquired pursuant to an Urban Renewal Plan which has been adopted by the City and is therefore declared to be desirable in the public interest that the City take possession by all legal means including eminent domain of the desired property and the structures thereon. Said redevelopment is vital for the future development of the City of Massillon.

Section 3:

The Mayor is hereby authorized to cause written notice of the passage of this Resolution to be given to the owner, persons in possession or having an interest of record in the above premises and said notice shall be served according to law by the person designated for that purpose and to make return of said service of notice in the manner provided by law.

Section 4:

This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of the City of Massillon, the emergency being to proceed with the rehabilitation and subsequent sale of the within property, and provided it received the affirmative vote of two-thirds of all the members duly elected 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 _____, 2001

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL TIM BRYAN, ACTING PRESIDENT

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

PROPERTY SKETCH

