

AGENDA

DATE: MARCH 19, 2001
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION - COUNCILMAN TIM BRYAN
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA

A). REPRESENTATIVE FROM CLEARVIEW ALLOTMENT REGARDING INSTALLATION OF TOWER POLE.

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

Res-8-2001 + Susp Rules 9-0 Pass 9-0

ORDINANCE NO. 51- 2001 BY: POLICE AND FIRE COMMITTEE

Susp 9-0
Pass 9-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a lease agreement with Mayflower Development Company for a police satellite station, and declaring an emergency.

ORDINANCE NO. 52- 2001 BY: SEWER AND WASTE COMMITTEE

Susp 9-0
Pass 9-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare specifications and 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 according to law, for sewage sludge removal and disposal for the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 53 - 2001 BY: SEWER AND WASTE COMMITTEE

Susp 9-0
Pass 9-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare specifications and 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 according to law, for the lease/purchase of one mid-size pickup truck for the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 54 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

Susp 9-0
Pass 9-0
AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the St. Luke Annexation, upon annexation, and declaring an emergency.

MARCH 19, 2001

New Page + Ord 57-2001

ORDINANCE NO. 55 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE amending the agreement between the City of Massillon and Ziegler Tire and Supply Company, under the Ohio Urban Jobs and Enterprise Zone Program, to include Michelin Retread Technologies, Inc., as part of the enterprise which, along with Ziegler Tire and Supply Company, is undertaking the project set forth in the Enterprise Zone, and declaring an emergency.

ORDINANCE NO. 56 - 2001 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

AN ORDINANCE authorizing and directing the Director of Public Service and Safety to prepare plans and specifications and to advertise for and receive sealed bids according to law for the paving of the parking lot at The Legends of Massillon Golf Course, and declaring an emergency.

ORDINANCE NO. 57 - 2001 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

AN ORDINANCE authorizing the issuance of not to exceed \$2,700,000.00 of notes in anticipation of the issuance of bonds for the purpose of providing funds for acquiring land and interest in land and demolition relating thereto, for the purpose of urban redevelopment in connection with the Lincoln Center Phase III Project and retiring notes previously issued for such purpose, and declaring an emergency.

ORDINANCE NO. 58 - 2001 BY: POLICE AND FIRE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Baker Vehicle Systems of Ohio to purchase one Cushman Patrol Vehicle, without competitive bidding, through pricing based on State of Ohio MAC-29 contract #OT902501 and approved by the Board of Control, and declaring an emergency.

ORDINANCE NO. 59 - 2001 BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Jack Doheny Supplies of Ohio to purchase one Elgin sweeper, without competitive bidding, through pricing based on State of Ohio MAC-9 contract #OT902501 and approved by the Board of Control, and declaring an emergency.

ORDINANCE NO. 60 - 2001 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the Muni Golf Course Fund, Capital Improvement Fund, Fire Damage Structure Fund, Parking Enforcement Fund, Economic Development Fund, Solid Waste Fund and the Probation Services Fund, for the year ending December 31, 2001, and declaring an emergency.

ORDINANCE NO. 55 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

Susp 9-0
Pass 9-0
AN ORDINANCE amending the agreement between the City of Massillon and Ziegler Tire and Supply Company, under the Ohio Urban Jobs and Enterprise Zone Program, to include Michelin Retread Technologies, Inc., as part of the enterprise which, along with Ziegler Tire and Supply Company, is undertaking the project set forth in the Enterprise Zone, and declaring an emergency.

ORDINANCE NO. 56 - 2001 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

Susp 9-0
Pass 9-0
AN ORDINANCE authorizing and directing the Director of Public Service and Safety to prepare plans and specifications and to advertise for and receive sealed bids according to law for the paving of the parking lot at The Legends of Massillon Golf Course, and declaring an emergency.

ORDINANCE NO. 57 - 2001 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

Susp 9-0
Pass 9-0
(ORDINANCE BEING PREPARED BY BRICKER AND ECKLER LLP REGARDING RE-ISSUANCE OF NOTE FOR 2.7 MILLION DOLLARS BORROWED UNDER ORDINANCE NO. 154 - 200 FOR LINCOLN CENTRE III. NOT AVAILABLE ON FRIDAY WHEN AGENDA BEING PREPARED.)

ORDINANCE NO. 58 - 2001 BY: POLICE AND FIRE COMMITTEE

Susp 9-0
Pass 9-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Baker Vehicle Systems of Ohio to purchase one Cushman Patrol Vehicle, without competitive bidding, through pricing based on State of Ohio MAC-29 contract #OT902501 and approved by the Board of Control, and declaring an emergency.

ORDINANCE NO. 59 - 2001 BY: FINANCE COMMITTEE

131
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Jack Doheny Supplies of Ohio to purchase one Elgin sweeper, without competitive bidding, through pricing based on State of Ohio MAC-9 contract #OT902501 and approved by the Board of Control, and declaring an emergency.

ORDINANCE NO. 60 - 2001 BY: FINANCE COMMITTEE

Susp 4-0
Pass 9-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Muni Golf Course Fund, Capital Improvement Fund, Fire Damage Structure Fund, Parking Enforcement Fund, Economic Development Fund, Solid Waste Fund and the Probation Services Fund, for the year ending December 31, 2001, and declaring an emergency.

ORDINANCE NO. 61 - 2001 BY: FINANCE COMMITTEE

*503P
9-0
Pose
9-0
125*
AN ORDINANCE making certain appropriations from the unappropriated balance of the Law Enforcement Trust Fund of the City of Massillon, Ohio, for the year ending December 31, 2001, and declaring an emergency.

ORDINANCE NO. 62 - 2001 BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into an agreement with the State of Ohio accepting a One Million Dollar Grant for the Arena Project, and declaring an emergency.

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

A). LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM P.J. BORDNER & CO., INC. AMHERST PARK SHOPPING CENTER, 1515 AMHERST ROAD N.W., MASSILLON, OHIO 44646 TO P.J. BORDNER & CO. 2100 WALES ROAD N.E., MASSILLON, OHIO 44646.

B). LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM SCHRADER SUPERMARKET INC., 1619 WALNUT ROAD S.E., MASSILLON, OHIO 44646 TO KHALED A. IMEISHAT, DBA M & K SUPERMARKET, 1619 WALNUT ROAD S.E., MASSILLON, OHIO, 44646.

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

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

*• Glen Gamber -
Brick Streets Policy
• Park & Rec - Awards
• Claude the Electrician -
Honor Mayor - Disturbance*

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

*Table
103
Eve's
Mr. Miller
don't property
in Block*
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

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 41 - 2001 BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMM

2nd ready
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 2001 Street Resurfacing Program within the City of Massillon, and declaring an emergency
(Forward List To Eng Dept)

ORDINANCE NO. 42 - 2001 BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMM

2nd ready
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 2000 Target Neighborhood Street Program within the City of Massillon, and declaring an emergency.

ORDINANCE NO. 43 - 2001 BY: SEWER AND WASTE COMMITTEE

3rd P. 9-0
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, 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 design and construction of the West Warmington Sanitary Sewer Pump Station in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 44 - 2001 BY: SEWER AND WASTE COMMITTEE

2nd ready
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, 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 construction of the Augusta Lakes Pump Station in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 46 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

P.H. APRIL 16 7:00pm

2nd
AN ORDINANCE amending Section 1151.02 of the Massillon Code rezoning a certain tract of land from Perry Township to Massillon Zoning, and declaring an emergency.

ORDINANCE NO. 47 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

P.H. APRIL 16 7:20pm

2nd
AN ORDINANCE amending Section 1151.02 of the Massillon Code rezoning a certain tract of land from Perry Township to Massillon Zoning, and declaring an emergency.

ORDINANCE NO. 48 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

P.H. APRIL 16 7:25pm

2nd
AN ORDINANCE amending Section 1151.02 of the Massillon Code rezoning a certain tract of land from Perry Township to Massillon Zoning, and declaring an emergency.

MARCH 19, 2001

ORDINANCE NO. 50 - 2001 BY: FINANCE COMMITTEE

ZNP
AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund of the City of Massillon, Ohio, for the year ending December 31, 2001, and declaring an emergency.

RESOLUTION NO. 6 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

Table Indentation
A RESOLUTION supporting the efforts of the proposal of Wooten Homes, L.P. to provide affordable housing for the citizens of Massillon through the use of housing tax credits from the Ohio Housing Finance Agency. (*NHS*)

16. NEW AND MISCELLANEOUS BUSINESS

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

18. ADJOURNMENT

SHARON HOWELL COUNCIL CLERK

DATE: March 19. 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 51 - 2001

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into a lease agreement with Mayflower Development Company for a police satellite station, 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 authorize the Director of Public Service and Safety to enter into a lease agreement with Mayflower Development Company for a police satellite station.

Section 2:

The Director of Public Safety and Service of the City of Massillon, Ohio, is hereby authorized to enter into a lease agreement with Mayflower Development Company for a police satellite station. The cost of said lease agreement will be Three Hundred Dollars (\$300.00) per month, however, the owner will pay One Hundred Twenty Five Dollars (\$125.00) of the utilities per month..

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 to open a police satellite office in Mayflower Village so as to better serve the Citizens residing in the western part of the City. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval 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

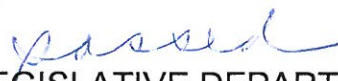
APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: March 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 52 - 2001

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare specifications and 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 according to law, for sewage sludge removal and disposal for the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for, receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for as required by law, for sewage sludge removal and disposal for the Wastewater Treatment Plant in the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for, receive sealed bids and to enter into contract, upon award and approval by the Board of Control, with the lowest and best bidder according to law, for sewage sludge removal and disposal for the Wastewater Treatment Plant in the City of Massillon.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to enter advertise for bids and enter into contract for sewage sludge removal and disposal at the Wastewater Treatment Plant. 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 DENNIS D. HARWIG, PRESIDENT

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

DATE: March 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Sharon Howell
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 53 - 2001

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare specifications and 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 according to law, for the lease/purchase of one mid-size pickup truck for the Wastewater Treatment Plant in the City of Massillon, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for, receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for as required by law, for the lease/purchase of one mid-size pickup truck for the Wastewater Treatment Plant in the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for, receive sealed bids and to enter into contract, upon award and approval by the Board of Control, with the lowest and best bidder according to law, for the lease/purchase of one mid-size pickup truck for the Wastewater Treatment Plant in the City of Massillon.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to advertise for bids and enter into contract for the lease/purchase of a mid-size pickup truck at the Wastewater Treatment Plant. 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 DENNIS D. HARWIG, PRESIDENT

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

DATE: March 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 54 - 2001

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

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

WHEREAS, certain property owners have filed a petition requesting the St. Luke 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 that upon receiving 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 Tuscarawas Township Hall on Wednesday, March 21, 2001 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.

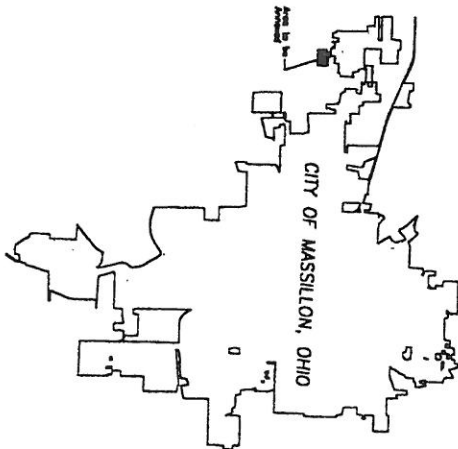
Section 2:

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. Wednesday, March 21, 2001 at 7:00 P.M. at the Tuscarawas Township Hall. 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 DENNIS D. HARWIG, PRESIDENT

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



2007

DEC 12, 2000	DEC 12, 2000
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[illegible]

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DOAKO 101.DWRC

**PETITION
BY CITIZENS FOR THE ST. LUKE AREA ANNEXATION
TO THE CITY OF MASSILLON, OHIO**

TO THE COMMISSIONERS OF STARK COUNTY, STATE OF OHIO:

We, the undersigned, being a majority of the adult owners of real estate in the territory hereinafter described, hereby petition for the annexation of the following described territory to the City of Massillon, Massillon Township, Stark County, Ohio.

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

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

Thence N 02°30'00" E, following the West line of said Southeast quarter section, a distance of 908.83 feet to a point;

Thence along the south line of a tract of land currently or formerly owned by Jack & Cynthia Gardner, on a bearing of S 87°30'00" E a distance of 217.50 feet to a point;

Thence along the east line of said Gardner tract, said east line also being the west line of an unnamed 50 foot wide township road, on a bearing of N 02°30'00" E a distance of 466.27 feet to a point; said point lying on the centerline of Lincoln Way West;

Thence along said centerline, on a bearing of S 84°00'00" E a distance of 535.99 feet to a point; said point being on the easterly line of an unnamed 50 foot wide township road;

Thence along said right-of-way line, said line also being the west line of a tract of land currently or formerly owned by G. & R. Long, on a bearing of S 02°30'00" W a distance of 261.70 feet to a point;

Thence on a bearing of S 87°29'48" E a distance of 434.99 feet to a point, said point being on the southeast corner of a tract of land now or formerly owned by Gary Dietz, and the west line of an unnamed 50 foot wide township road;

Thence following said west right-of-way line, on a bearing of S 02°30'00" W a distance of 29.66 feet to a point, said point marking the end of said 50 foot township road;

Thence on a bearing of S 87°30'00" E a distance of 508.81 feet to a point, said point being on the centerline of Willowdale Ave. NW;

Thence along said centerline, on a bearing of S 02°56'00" W a distance of 1056.43 feet to a point; said point being on the South line of the Southeast Quarter of Section 10, Tuscarawas Township;

Thence along said quarter section line, on a bearing of N 87°18'59" W a distance of 1688.31 feet to a point, said point being the Southwest corner of the Southeast Quarter of Section 10, and being the true place of beginning.

The parcel herein described contains 44.303 acres, more or less, of which all 44.303 acres lies in the Southeast Quarter of Section 10, 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.

K:\Associates\00\AN011\PETITION.doc

DATE March 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 55 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE amending the agreement between the City of Massillon and Ziegler Tire and Supply Company, under the Ohio Urban Jobs and Enterprise Zone Program, to include Michelin Retread Technologies, Inc., as part of the enterprise which, along with Ziegler Tire and Supply Company, is undertaking the project set forth in the Enterprise Zone, a declaring an emergency.

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

Section 1:

The agreement between the City of Massillon and Ziegler Tire and Supply Company, under the Ohio Urban Jobs and Enterprise Zone Program is hereby amended to include Michelin Retread Technologies, Inc., as part of the enterprise which, along with Ziegler Tire and Supply Company, is undertaking the project set forth in the Enterprise Zone.

Section 2:

A copy of said amendment is attached hereto and made part of this Ordinance.

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is necessary for the Enterprise Zone agreement to reflect the addition of Michelin Retread Technologies, Inc. with Ziegler Tire and Supply Company as part of the undertaking of the project set forth in the Enterprise Zone. 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 DENNIS D. HARWIG, PRESIDENT

ATTEST: _____
FRANCIS H. CICCHINELLI, JR. MAYOR

**AMENDMENT TO
OHIO ENTERPRISE ZONE AGREEMENT**

This Amendment is made and entered into by and between the CITY OF MASSILLON, OHIO, a Municipal Corporation (hereinafter "City of Massillon") and THE ZIEGLER TIRE AND SUPPLY COMPANY, an Ohio Corporation (hereinafter "Ziegler Tire").

WITNESSETH:

WHEREAS, the City of Massillon and Ziegler Tire have previously entered into an Ohio Enterprise Zone Agreement dated May 10th, 1999 (hereinafter "Agreement");

WHEREAS, pursuant to the Agreement Ziegler Tire agreed to construct a new 105,000 square foot building that included space for manufacturing, warehousing and office space on Navarre Road, S.E. in Neocom I Industrial Park, Massillon, Ohio (hereinafter "Project");

WHEREAS, pursuant to this Agreement the City of Massillon agreed to grant Ziegler Tire a tax exemption pursuant to ORC §5709.62 for eligible new tangible personal property acquired in conjunction with the Project;

WHEREAS, Ziegler Tire has determined it to be in Ziegler Tire's best interest in completing the Project to provide equipment to the Project by means of a lease with Michelin Retread Technologies, Inc. (hereinafter "MRTI"), an affiliate of Michelin North America, Inc. (hereinafter "MNAI");

WHEREAS, pursuant to Ziegler's lease with MRTI, Ziegler is responsible for paying the personal property tax imposed on MRTI for this equipment;

WHEREAS, in order to accomplish the intended purpose of the Agreement, the Parties have determined to amend the Agreement, in the particulars set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants set forth in the Agreement and the benefit to be derived from each party for completion of the Project as contemplated by the Agreement, the Parties hereby agree as follows:

1. For purposes of Section 7 of the Agreement, MNAI, or one of its affiliates, in its capacity as owner of equipment used and leased by Ziegler Tire in its manufacturing operations as part of the Project, hereby joins solely in Section 7 of the Agreement.

2. As related solely to Section 7 of this Agreement, MNAI, or one of its affiliates, is hereby recognized by the City of Massillon and is acknowledged as being the owner of record of certain manufacturing equipment subject to the personal property tax exemption set forth in Section 7 of the Agreement and as such shall, in addition to Ziegler, be entitled to receive the benefit of the personal property tax exemption as set forth therein.

3. In all other respects, the Agreement is hereby confirmed and ratified as written.

IN WITNESS WHEREOF, the Parties have each caused this Agreement to be executed by their duly authorized representatives as of March _____, 2001.

WITNESSED BY:

THE CITY OF MASSILLON, OHIO

By: _____

Its: _____

WITNESSED BY:

**THE ZIEGLER TIRE AND
SUPPLY COMPANY**

By: _____

Its: _____

WITNESSED BY:

**MICHELIN NORTH
AMERICA, INC.**

By: _____

Its: _____

DATE: March 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 56 - 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 prepare plans and specifications and to advertise for and receive sealed bids according to law for the paving of the parking lot 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 prepare plans and specifications and to advertise for and receive sealed bids according to law for the paving of the parking lot 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 and receive sealed bids according to law for the paving of the parking lot 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 plans and specifications be prepared so that advertisement for sealed bids may be received by the City of Massillon, for the paving of the parking lot 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 _____, 2001

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

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

DATED: MARCH 19, 2001

CLERK: SHARON K. HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 57- 2001

BY: THE FINANCE COMMITTEE

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$2,700,000 OF NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF PROVIDING FUNDS FOR ACQUIRING LAND AND INTERESTS IN LAND AND DEMOLITION RELATING THERETO, FOR THE PURPOSE OF URBAN REDEVELOPMENT IN CONNECTION WITH THE LINCOLN CENTER PHASE III PROJECT, AND RETIRING NOTES PREVIOUSLY ISSUED FOR SUCH PURPOSE, AND DECLARING AN EMERGENCY.

WHEREAS, the City Council (the "Council") of the City of Massillon (the "City") has issued notes dated October 26, 2000, in the amount of Two Million Seven Hundred Thousand Dollars (\$2,700,000) (the "Outstanding Notes") in anticipation of the issuance of the bonds herein described, which Outstanding Notes will mature April 12, 2001; and

WHEREAS it appears advisable in lieu of issuing bonds at this time to issue new notes in anticipation of the issuance of bonds; and

WHEREAS, the City Auditor (the "City Auditor") of the City has certified to the Council of the City (the "Council") that the estimated life of the improvement stated in the title of this ordinance (the "Project") which is to be financed with the proceeds of bonds and notes hereinafter referred to exceeds five (5) years, the maximum maturity of bonds being thirty (30) years and notes being twenty (20) years;

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

Section 1. It is hereby declared necessary to issue bonds (the "Bonds") of the City in the principal sum of not to exceed \$2,700,000 for the purpose of paying the cost of financing the Project.

Section 2. The Bonds shall be dated prior to the maturity date of the Notes (as defined hereinbelow), shall bear interest at the maximum average annual interest rate presently estimated to be seven per centum (7.00%) per annum, payable semiannually until the principal sum is paid and shall mature in thirty (30) annual installments.

Section 3. It is necessary to issue and this Council hereby determines that notes shall be issued in anticipation of the issuance of the Bonds.

Section 4. Such anticipatory notes (the "Notes") shall be in the amount of not to exceed \$2,700,000, which sum does not exceed the amount of the Bonds. The Notes shall be dated the date established by the City Auditor and certified to this Council and shall mature on such date as shall be determined by the City Auditor and certified to this Council, provided that such maturity date shall not be later than one year after the date of issuance of the Notes.

Section 5. The Notes shall be issued as one fully registered note in book-entry only form in denominations of \$100,000 or any integral multiple of \$5,000 in excess thereof. Coupons shall not be attached to the Notes. The Notes shall be sold in a transaction exempt from the requirements of Rule 15c2-12 of the United States Securities and Exchange Commission. The exemption requires that, (i) the Notes be issued only in authorized denominations of \$100,000 or more and with restrictions that prevent the sale or transfer of Notes in principal amounts of less than \$100,000 and (ii) the Notes be sold to no more than 35 persons each of whom the Original Purchaser (as defined hereinbelow) reasonably believes: (A) has such knowledge and experience in financial and business matters that it is capable of evaluating the merits and risks of investment in the Notes and (B) is not purchasing the Notes for more than one account or with a view to distributing the Notes. Based upon the foregoing, beneficial interests in the Notes are not to be sold or transferred in principal amounts of less than \$100,000.

Section 6. The Notes shall be the full general obligation of the City, and the full faith, credit and revenue of the City are hereby pledged for the prompt payment of the same. The par value to be received from the sale of the Bonds and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used only for the retirement of the Notes at maturity, together with interest thereon, and is hereby pledged for such purpose.

Section 7. There shall be and is hereby levied annually on all the taxable property in the City, in addition to all other taxes and inside the ten mill limitation, a direct tax (the "Debt Service Levy") for each year during which any of the Notes are outstanding, in an amount which is sufficient to provide funds to pay interest upon the Notes as and when the same fall due and to provide a fund for the repayment of the principal of the Notes at maturity or upon redemption. The Debt Service Levy shall not be less than the interest and sinking fund tax required by Article XII, Section 11 of the Ohio Constitution.

Section 8. The Debt Service Levy shall be and is hereby ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of such years are certified, extended and collected. The Debt Service Levy shall be placed before and in preference to all other items and for the full amount thereof. The funds derived from the Debt Service Levy shall be placed in a separate and distinct fund, which shall be irrevocably pledged for the payment of the premium, if any, and interest on and principal of the Notes and Bonds when

and as the same fall due. Notwithstanding the foregoing, if the City determines that funds will be available from other sources for the payment of the Notes and Bonds in any year, the amount of the Debt Service Levy for such year shall be reduced by the amount of funds which will be so available, and the City shall appropriate such funds to the payment of the Notes and Bonds in accordance with law.

Section 9. The Notes shall bear interest at such rate per annum as shall be determined by the City Auditor and certified to this Council, provided that such rate shall not exceed six and one-half per centum (6.50%) per annum, based on a 360-day year of twelve 30-day months, payable semi-annually on June 1 and December 1 of each year beginning June 1, 2001 or on such other date or dates as shall be determined by the City Auditor. The Notes shall be, and hereby are, awarded and sold to Fifth Third Securities, Inc., Columbus, Ohio (the "Original Purchaser") at the par value thereof, and the City Auditor of this Council is hereby authorized and directed to deliver the Notes, when executed, to said purchaser upon payment of the purchase price and accrued interest, if any, to the date of delivery.

The proceeds of such sale, except any accrued interest or premium thereon, shall be deposited in the Treasury of the City and used for the purpose aforesaid and for no other purpose. Any accrued interest or premium on the Notes shall be transferred to the Bond Retirement Fund to be applied to the payment of the principal and interest on the Notes in the manner provided by law.

Section 10. The Notes shall be executed by the City Auditor and the Mayor, provided that either or both of such signatures may be a facsimile. The Notes shall be designated "City of Massillon, Stark County, Ohio Lincoln Center Phase III Land Acquisition Notes" and shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this ordinance. No Note shall be valid or become obligatory for any purpose or shall be entitled to any security or benefit under this ordinance unless and until a certificate of authentication, as printed on the Note, is signed by the Note Registrar (as defined in this ordinance) as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued and delivered under this ordinance and is entitled to the security and benefit of this ordinance. The certificate of authentication may be signed by any officer or officers of the Note Registrar or by such other person acting as an agent of the Note Registrar as shall be approved by the City Auditor on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Notes.

Section 11. The City hereby covenants, pursuant to Section 133.05(B)(7), Ohio Revised Code, to appropriate annually from lawfully available municipal income taxes, and to continue to levy and collect municipal income taxes adequate to produce, amounts necessary to meet the debt charges of the Notes and the Bonds in each year until full payment is made.

Section 12. Fifth Third Bank, is hereby appointed to act as the authenticating agent, note registrar, transfer agent and paying agent (collectively, the "Note Registrar") for the Notes. So long as any of the Notes remain outstanding, the City will cause to be maintained and kept by the Note Registrar, at the office of the Note Registrar, all books and records necessary for the registration, exchange and transfer of Notes as provided in this section (the "Note Register"). The person in whose name any Note shall be registered on the Note Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Note shall be made only to or upon the order of that person. Neither the City nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Notes, including the interest thereon, to the extent of the amount or amounts so paid.

Any Note, upon presentation and surrender at the office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar, may be exchanged for Notes of any authorized

denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

A Note may be transferred only on the Note Register upon presentation and surrender thereof at the office of the Note Registrar, together with an assignment executed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar. Upon that transfer, the Note Registrar shall complete, authenticate and deliver a new Note or Notes of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

In all cases in which Notes are exchanged or transferred hereunder, the City shall cause to be executed and the Note Registrar shall authenticate and deliver Notes in accordance with the provisions of the Note Ordinance. The exchange or transfer shall be without charge to the owner; except that the City and Note Registrar may make a charge sufficient to reimburse them for any tax or other governmental charge required to be paid with respect to the exchange or transfer. The City or the Note Registrar may require that those charges, if any, be paid before it begins the procedure for the exchange or transfer of the Notes. All Notes issued upon any transfer or exchange shall be the valid obligations of the City, evidencing the same debt, and entitled to the same benefits under the Note Ordinance, as the Notes surrendered upon that transfer or exchange.

Section 13. For purposes of the Note Ordinance, the following terms shall have the following meanings:

"Book entry form" or "book entry system" means a form or system under which (i) the beneficial right to payment of principal of and interest on the Notes may be transferred only through a book entry and (ii) physical Notes in fully registered form are issued only to a depository or its nominee as registered owner, with the Notes "immobilized" to the custody of the Depository, and the book entry is the record that identifies the owners of beneficial interests in those Notes.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, together with its participants, a book entry system to record beneficial ownership of Notes and to effect transfers of Notes, in book entry form.

The Notes will be initially issued to a Depository for use in a book entry system, and the provisions of this section shall apply, notwithstanding any other provision of the Note Ordinance; (i) there shall be a single Note of each maturity, (ii) those Notes shall be registered in the name of the Depository or its nominee, as registered owner, and immobilized in the custody of the Depository; (iii) the beneficial owners in book entry form shall have no right to receive Notes in the form of physical securities or certificates; (iv) ownership of beneficial interests in any Notes in book entry form shall be shown by book entry on the system maintained and operated by the Depository, and transfers of the ownership of beneficial interests shall be made only by the Depository and by book entry; and (v) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City. Note service charges on Notes in book entry form registered in the name of a Depository or its nominee shall be payable in same day funds delivered to the Depository or its authorized representative upon presentation and surrender of Notes as provided in the Note Ordinance.

The Note Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Note in the custody of a Depository providing for making all payments to that owner of principal and interest on that Note or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in the Note Ordinance, without prior presentation or surrender of the Note, upon any

conditions which shall be satisfactory to the Note Registrar and to the City. That payment in any event shall be made to the person who is the registered owner of that Note on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Note Registrar will furnish a copy of each of those agreements, certified to be correct by the Note Registrar, to other paying agents for Notes and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, the Note Ordinance.

The Clerk of the City is authorized and directed to execute, acknowledge and deliver, in the name of and on behalf of the City, if requested, a letter agreement among the City, the Note Registrar and The Depository Trust Company, to be delivered in connection with the issuance of the Notes to the Depository for use in a book entry system in substantially the form submitted to the City.

If any Depository determines not to continue to act as a depository for the Notes for use in a book entry system, the City and the Note Registrar may attempt to have established a securities depository/book entry relationship with another qualified Depository under the Note Ordinance. If the City and the Note Registrar do not or are unable to do so, the City and the Note Registrar, after the Note Registrar has made provision for notification of the beneficial owners by the then Depository, shall permit withdrawal of the Notes from the Depository and authenticate and deliver bond certificates in fully registered form to the assigns of the Depository or its nominee, all at the cost and expense (including costs of printing definitive Notes), if the event is not the result of action or inaction by the City or the Note Registrar, of those persons requesting such issuance.

Section 14. The officer having charge of the minutes of the Council and any other officers of the Council, or any of them individually, are hereby authorized and directed to prepare and certify a true transcript of proceedings pertaining to the Notes and to furnish a copy of such transcript to the Original Purchaser. Such transcript shall include certified copies of all proceedings and records of the Council relating to the power and authority of the City to issue the Notes and certificates as to matters within their knowledge or as shown by the books and records under their custody and control, including but not limited to a general certificate of the City Auditor and a no-litigation certificate of the Mayor and the City Auditor, and such certified copies and certificates shall be deemed representations of the City as to the facts stated therein.

Section 15. 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 of 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 16. It is hereby determined that all acts, conditions and things necessary to be done precedent to and in the issuing of the Notes in order to make them legal, valid and binding obligations of the City have happened, been done and been performed in regular and due form as required by law; that the full faith, credit and revenue of the City are hereby irrevocably pledged for the prompt payment of the principal and interest thereof at maturity; and that no limitation of indebtedness or taxation, either statutory or constitutional, has been exceeded in issuing the Notes.

Section 17. The Clerk is hereby directed to forward a certified copy of this ordinance to the Auditor of Stark County, Ohio.

Section 18. This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason that notes heretofore issued are about to mature and it is necessary to make immediate provision for their repayment in

order to preserve the credit of the City; wherefore this ordinance shall take effect and be in force from and immediately after its adoption.

Adopted in Council on this 19th day of March, 2001.

Effective this 19th day of March, 2001.

Attest:

Clerk

President of Council

Approved:

Mayor

CERTIFICATE

The undersigned Clerk hereby certifies that the foregoing is a true copy of Ordinance No. ____-2001 duly adopted by the Council of the City of Massillon, Ohio on March 19, 2001, and that a true copy thereof was certified to the County Auditor of Stark County, Ohio, on _____, 2001.

Clerk
City of Massillon, Ohio

RECEIPT OF COUNTY AUDITOR FOR
LEGISLATION PROVIDING
FOR THE ISSUANCE OF
GENERAL OBLIGATION NOTES

I, Janet Weir Creighton, the duly elected, qualified, and acting County Auditor in and for Stark County, Ohio hereby certify that a certified copy of Ordinance No. _____-2001 duly adopted by the City Council of the City of Massillon, Stark County, Ohio on March 19, 2001, providing for the issuance of general obligation notes designated City of Massillon, Stark County, Ohio Lincoln Center Phase III Land Acquisition Notes, in the aggregate amount of not to exceed \$2,700,000 were filed in this office on _____, 2001.

WITNESS my hand and official seal at Canton, Ohio this _____ day of _____, 2001.

[SEAL]

County Auditor
Stark County, Ohio

DATE: March 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 58 - 2001

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Baker Vehicle Systems of Ohio to purchase one Cushman Patrol Vehicle, without competitive bidding, through pricing based on State of Ohio MAC-29 contract #OT902501 and approved by the Board of Control, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Baker Vehicle Systems of Ohio to purchase one Cushman Patrol Vehicle, without competitive bidding, through pricing based on State of Ohio MAC-29 contract #OT902501 and approved by the Board of Control. The cost of said contract shall not exceed Eighteen Thousand Three Hundred Ninety-Seven Dollars (\$18,397.00).

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract Baker Vehicle System of Ohio to purchase one Cushman Patrol Vehicle, without competitive bidding, through pricing based on State of Ohio MAC-29 contract #OT902501 and approved by the Board of Control.

Section 3:

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

Section 4:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason the City of Massillon enter into a contract with Baker Vehicle System of Ohio, so that a Cushman Patrol Vehicle may be purchased for use by the Police 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 _____ 2001

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

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

DATE: March 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

1st reading

COUNCIL CHAMBERS

passed 4/2/01
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 59 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Jack Doheny Supplies of Ohio to purchase one Elgin sweeper, without competitive bidding, through pricing based on State of Ohio MAC-9 contract #OT902501 and approved by the Board of Control, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Jack Doheny Supplies of Ohio to purchase one Elgin sweeper, without competitive bidding, through pricing based on State of Ohio MAC-9 contract #OT902501 and approved by the Board of Control. The cost of said contract shall not exceed One Hundred Thirty- Nine Thousand Seven Hundred Seventy Dollars (\$139,770.00)

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract Jack Doheny Supplies of Ohio to purchase one Elgin sweeper, without competitive bidding, through pricing based on State of Ohio MAC-9 contract #OT902501 and approved by the Board of Control.

Section 3:

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

Section 4:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason the City of Massillon enter into a contract with Jack Doheny Supplies of Ohio, so that a Elgin sweeper may be purchased for use by the Street 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 _____ 2001

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

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

DATE: March 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 60 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Muni Golf Course Fund, Capital Improvement Fund, Fire Damage Structure Fund, Parking Enforcement Fund, Economic Development Fund, Solid Waste Fund and the Probation Services 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 Muni Golf Course Fund for the year ending December 31, 2001, the following:

\$316,488.99 to an account entitled "Capital Projects" 1432.920.2510

Section 2:

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

\$200,000.00 to an account entitled "Leases" 1401.905.2530

\$ 29,557.39 to an account entitled "Leases" 1401.905.2530

Section 3:

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

\$ 42,000.00 to an account entitled "Fire Damage Structure" 3107.905.2390

Section 4:

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

✓ 18,397.00 to an account entitled "Equipment" 1208.445.2530

Section 5:

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

\$ 5,000.00 to an account entitled "Services/Contacts" 1237.845.2390

Section 6:

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

\$ 1,784.00 to an account entitled "Workers Compensation" 2102.605.2270

Section 7:

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

\$ 325.00 to an account entitled "Workers Compensation" 1238.125.2270

Section 8:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: March 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO.61 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Law Enforcement Trust Fund of the City of Massillon, Ohio, 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 Law Enforcement Trust Fund of the City of Massillon, Ohio, for the year ending December 31, 2001, the following:

\$12,500.00 to an account entitled "Supplies/Materials" 1215.305.2410.

Section 2:

This Ordinance is hereby declared to be an emergency measure, for the reason that said fund is needed to assist the Police Department, for outfitting a tactical team 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 THIS _____ DAY OF _____ 2001

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

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

DATE: March 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

*1st reading
2nd reading 4/10/01*

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 62 - 2001

*4/16/01 Forwarded to 5/7/01
passed 5/7/01*

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into an agreement with the State of Ohio accepting a one million dollar grant (\$1,000,000.00) for the Massillon Arena Project, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to authorize the Director of Public Service and Safety to enter into an agreement accepting a one million dollar grant for the Massillon Arena Project.

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into an agreement with the State of Ohio accepting a One Million Dollar Grant for the Arena Project.

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community and that the grant is necessary to assist in completion of the plans for the Massillon Arena project. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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