

AGENDA

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

THERE ARE TWO PUBLIC HEARINGS THIS EVENING

- ORDINANCE NO. 87 - 2001 at 6:45
- ORDINANCE NO. 68 - 2001 at 7:00

1. ROLL CALL (*Excuse Pres. Harney*) *ADD ORD 120 - 2001*
2. INVOCATION - COUNCILMAN PAUL LAMBERT
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA

A). REPRESENTATIVE KIRK SCHURING TO PRESENT A COMMENDATION

6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

ORD 63-2001 - 3rd Reading

ORDINANCE NO. 104 - 2001 BY: SEWER AND WASTE COMMITTEE

125 Ready
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract, without competitive bidding, with CTI Environmental for professional engineering services during bidding construction of the Wastewater Treatment Plant Upgrade 2000 Project, and declaring an emergency. (*corrected on floor*)

ORDINANCE NO. 105- 2001 BY: SEWER AND WASTE COMMITTEE

505P Fill-HD B-1
AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract without competitive bidding, with Ohio Edison to relocate overhead lines for the Wastewater Treatment Plant, and declaring an emergency.

ORDINANCE NO. 106 - 2001 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

505P 9-0 P-00 9-0
AN ORDINANCE enacted by the Council of the city of Massillon, Stark County, Ohio, in the matter of the hereinafter described improvement under the supervision of the Executive director of the Ohio Rail Development Commission of the State of Ohio, and declaring an emergency.

ORDINANCE NO. 107 - 2001 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.

155 Ready
AN ORDINANCE vacating a portion of Rhode Island Avenue S.E., and declaring an emergency.

ORDINANCE NO. 108 - 2001 BY: PARKS AND RECREATION COMMITTEE

505P 9-0 P-00 8-1 Fillhook
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract, with Pepsi-Cola for exclusive beverage service for Massillon Parks and Recreation Department in the City of Massillon, and declaring an emergency.

May 7, 2001

ORDINANCE NO. 109 - 2001 BY PARKS AND RECREATION COMMITTEE

5-10-01
P. 9-0
AN ORDINANCE dissolving the By-Laws of the Massillon Youth Center Board of Directors and placing the Massillon Youth Center under the direction and control of the Parks and Recreation Department, and declaring an emergency.

ORDINANCE NO. 110 - 2001 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

5-10-01
P. 9-0
AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon to sign a ratification of an Oil and Gas Lease with Great Lakes Energy Partners, LLC for a 1.09 acre parcel owned by the City of Massillon, and declaring an emergency.

ORDINANCE NO. 111 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

1-1-01
Ready
AN ORDINANCE accepting the Final Plat for Country View Estates No. 5., in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

ORDINANCE NO. 112 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

5-10-01
P. 9-0
AN ORDINANCE authorizing the Director of Public Service and Safety to accept the dedication of a 20 foot sanitary sewer easement in University Village Condominiums area, located at the northeast corner of Ohio State Drive S.E. and Bowling Green Drive S.E., and declaring an emergency.

ORDINANCE NO. 113 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

5-10-01
P. 9-0
AN ORDINANCE authorizing the Director of Public Service and Safety to accept the dedication of a sanitary sewer easement located along the west and south property lines of Out Lot 768 and Part of Out Lot 767, located at the northeast corner of Richville Drive and Nave Street S.E., and declaring an emergency.

ORDINANCE NO. 114 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

5-10-01
P. 9-0
AN ORDINANCE authorizing the Director of Public Service and Safety to accept the dedication of a 20 foot wide sanitary sewer easement located within Lot No. 14603, located at the southeast corner of Federal Avenue N.W. and Third Street N.W., and declaring an emergency.

ORDINANCE NO. 115 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

5-10-01
P. 9-0
AN ORDINANCE authorizing 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 demolition of structures at 121 Cherry Road N.W. and 314 First Street N.W. in the City of Massillon, Stark County, Ohio and owned by said City, which are not needed for any municipal purpose, and declaring an emergency.

MAY 7, 2001

ORDINANCE NO. 116 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

*503P
9-0
Polo
9-0*
AN ORDINANCE authorizing the Mayor of the City of Massillon to enter into an agreement with Controlled Power Corporation and Kirk Key Interlock to provide economic development "inducement grants" to assist the company in relocating and expanding the operations in Massillon, and declaring an emergency.

ORDINANCE NO. 117 - 2001 BY: FINANCE COMMITTEE

*503P
9-0
Polo
9-0*
AN ORDINANCE authorizing the Auditor of the City of Massillon to deposit the three-tenths percent (.3%) City Income Tax for the parks and recreation system into the "Parks and Recreation Fund, "Capital Improvement fund" and the "Bond Retirement Park and Rec Fund" under the Parks and Recreation Fund, and declaring an emergency.

ORDINANCE NO. 118 - 2001 BY: FINANCE COMMITTEE

*503P
9-0
Polo
9-0*
AN ORDINANCE authorizing the Mayor to enter into a Grant Agreement with the Juvenile Accountability Incentive Block Grant Program to provide a safety security officer for the Massillon School System, and declaring an emergency.

ORDINANCE NO. 119 - 2001 BY: FINANCE COMMITTEE

*503P
9-0
Polo
9-0*
AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Development block Grant program Fund, Economic Development Fund, Capital improvement Fund, Parks and Recreation Capital Improvement Fund, Wastewater Treatment Plant Fund, BR Lincoln Center Fund, Law Enforcement Trust fund, Park and Rec Fund, BR Wastewater Treatment Fund, and the SA Shaw Castle West Fund for the year ending December 31, 2001, and declaring an emergency.

RESOLUTION NO. 12 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

*Amend
9-0
503P
9-0
Polo
9-0*
A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on April 12th, 2001 wherein the Zoning Board of Appeals denied a variance to build an addition to the first level of a home located at 921 Duncan Avenue S.W., and known as Lot No. 3391 and 3392 in the City of Massillon, Ohio, and declaring an emergency.

ADDED SECTION 3 -

RESOLUTION NO. 13 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

*503P
9-0
Polo
9-0*
A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on April 12th, 2001 wherein the Zoning Board of Appeals denied a variance to build a secondary accessory building on the property located at 211 Ertle Avenue N.E. and known as Lot No. 7685 in the City of Massillon, Ohio, and declaring an

*ORD 120 - 2001 - 503P
9-0 Polo
9-0*

MAY 7, 2001

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

A). LETTER OHIO DIVISION OF LIQUOR CONTROL REGARDING A STOCKHOLDER LIQUOR LICENSE FOR FISHER FOODS MARKETING INC., DBA FISHER FOODS, 2216 LINCOLN WAY EAST, MASSILLON, OHIO 44646

9. BILLS, ACCOUNTS AND CLAIMS

10. REPORTS FROM CITY OFFICIALS

A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR APRIL - 2001

B). AUDITOR SUBMITS MONTHLY REPORT FOR APRIL - 2001

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

Com mty may 14 5:00 - 5:30 - Final

Change & Review Reg. & Res. of Moderator Hours

ORDINANCE NO. 62 - 2001 BY: FINANCE COMMITTEE

Pass 9-2
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.

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

Take Indet. 9-2
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.

14. THIRD READING ORDINANCES AND RESOLUTIONS

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

Pass 7-2
Fillmore Ho Ho
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. 66 - 2001 BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

Pass 8-2
Halter
AN ORDINANCE amending Section 2(D) OCCUPATION OF LIST CLASS TITLES - ENGINEER AND WASTEWATER TREATMENT DEPARTMENTS of Ordinance No. 127 - 1997 be repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - ENGINEER AND WASTEWATER TREATMENT DEPARTMENT and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - ENGINEER AND WASTEWATER TREATMENT DEPARTMENT in the City of Massillon, Ohio, and declaring an emergency.

MAY 7, 2001

ORDINANCE NO. 68 - 2001 BY PUBLIC UTILITIES/GOLF COURSE COMMITTEE

Pass 9-0
AN ORDINANCE authorizing the Zoning Inspector of the City of Massillon, Ohio, to issue a conditional zoning certificate to Great Lakes Energy Partners, L.L.C., for a permit to drill a gas and oil well, which shall be known as the R.T.I. No. 1, located on the Republic Technologies International property on the west side of 16th Street S.E., south of Oak Avenue S.E., and declaring an emergency.

ORDINANCE NO. 77 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

Pass 9-0
AN ORDINANCE approving an application for assistance under Title I of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications, and declaring an emergency.

ORDINANCE NO. 80 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

*Pass 8-1
Halter*
AN ORDINANCE accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 85 - 2001 BY: FINANCE COMMITTEE

*Pass 6-3
Boylan
Halter
Fithoon*
AN ORDINANCE authorizing the Mayor and the director of Public Service and Safety of the City of Massillon, Ohio, to enter into a lease agreement with the Grand Mill Center for 4,377.6 square feet of office space for use by the Massillon City Health Department, and declaring an emergency. *(money, parking)*

ORDINANCE NO. 87 - 2001 BY: HEALTH, WELFARE & BUILDING REGULATIONS

Pass 9-0
AN ORDINANCE repealing CHAPTER 1313 "ELECTRICAL CODE" of the Codified Ordinances of the City of Massillon, Ohio and enacting anew CHAPTER 131 "ELECTRICAL CODE" of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 90 - 2001 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

*Pass 7-0
Halter
Boylan
Fithoon*
AN ORDINANCE to provide for water service to be furnished by Consumers Ohio Water Company to the City of Massillon, Ohio, and the inhabitants thereof, and to regulate the rates under which water service shall be furnished in the City of Massillon, Ohio, for and during the term of three (3) years beginning on July 1, 2001.

May 7, 2001

ORDINANCE NO. 91 - 2001 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

*2nd
PH
MAY 21
7:00PM*

AN ORDINANCE to provide for water service to be furnished by Consumers Ohio Water Company to the City of Massillon, Ohio and the inhabitants thereof, and to regulate the terms and conditions under which water service shall be furnished in the City of Massillon, Ohio from the date of this ordinance legally takes effect until June 30, 2004, and declaring an emergency.

ORDINANCE NO. 94 - 2001 BY: SEWER AND WASTE COMMITTEE

2nd

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, and to enter into contract, upon award and approval of the Board of Control, with the lowest and best bidder for the construction of the Wastewater Treatment Plant 2001 expansion in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 95 - 2001 BY: SEWER AND WASTE COMMITTEE

2nd

AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a Loan Agreement with OEPA/WPCLF for the Wastewater Treatment Plant upgrade, and declaring an emergency.

ORDINANCE NO 96 - 2001 BY: SEWER AND WASTE COMMITTEE

2nd

AN ORDINANCE amending CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND" of the codified Ordinances of the City of Massillon, by repealing existing Section 937.08 "ADMINISTRATION AND DISBURSEMENT OF FUNDS", Section 937.09 "ANNUAL RATES FOR SEWER SERVICE" and Section 937.10 "ADDITIONAL SURCHARGE FOR INDUSTRIAL WASTES" and enacting a new Section 937.08 "ADMINISTRATION AND DISBURSEMENT OF FUNDS", Section 937.09 "ANNUAL RATES FOR SEWER SERVICE" and Section 937.10 "ADDITIONAL SURCHARGE FOR INDUSTRIAL WASTES" of CHAPTER 937 "WASTEWATER TREATMENT REVENUE FUND", and declaring an emergency.

ORDINANCE NO. 97 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

*5:00P
9-0
P 300
9-0*

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. 101 - 2001 BY: FINANCE COMMITTEE

*TB
IN
8-1
Fillmore*

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

MAY 7, 2001

ORDINANCE NO. 102 - 2001 BY: FINANCE COMMITTEE

*Table
Ind
8-1
Filhoor* **AN ORDINANCE** making certain transfers in the 2001 appropriation from the Probation Services Fund to the General Fund, of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 103 - 2001 BY: FINANCE COMMITTEE

*Table
Ind
8-1
Filhoor* **AN ORDINANCE** making certain appropriations from the unappropriated balance of the General Fund, of the City of Massillon, Ohio, for the year ending December 31, 2001, 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
CLERK OF COUNCIL**

DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

*not reading
passed 5/1/01*
LEGISLATIVE DEPARTMENT

COUNCIL CHAMBERS

ORDINANCE NO. 104 - 2001

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with CTI Environmental for professional engineering services during bidding construction of the Wastewater Treatment Plant Upgrade 2000 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 finds that it is necessary to enter into a contract, without competitive bidding, with CTI Environmental for professional engineering services during bidding construction of the Wastewater Treatment Plant Upgrade 2000 Project.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract, without competitive bidding, with CTI Environmental for professional engineering services during bidding construction of the Wastewater Treatment Plant Upgrade 2000 Project.

Section 3:

That the amount of the contract with CTI Environmental for professional engineering services during bidding construction of the Wastewater Treatment Plant Upgrade 200 Project shall not exceed the amount of One Million Eight Hundred Thousand Dollars (\$1,800,000.00).

Section 4:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary to enter into contract with CTI Environmental for professional engineering services during bidding construction of the 2000 upgrade of 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: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 105 - 2001

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, without competitive bidding, with Ohio Edison to relocate overhead lines for the Wastewater Treatment Plant, and declaring an emergency.

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

Section 1:

The City Council of the City of Massillon, Ohio, hereby finds that is necessary to enter into a contract, without competitive bidding, with Ohio Edison to relocate overhead lines at the Wastewater Treatment Plant.

Section 2:

That the Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract, without competitive bidding, with Ohio Edison to relocate overhead lines at the Wastewater Treatment Plant.

Section 3:

That the cost of this professional service will not exceed the amount of Eighteen Thousand Three Hundred Thirty Two Dollars (\$18,332.00)

Section 4:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary that the overhead lines be relocated by Ohio Edison so as to complete a Wastewater Treatment 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 _____ 1997

APPROVED: _____
SHARON HOWELL, CLERK OF COUNCIL DAVID A. SMITH, PRESIDENT

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

DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 106 - 2001

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE enacted by the Council of the City of Massillon, Stark County, Ohio in the matter of the hereinafter described improvement under the supervision of the Executive Director of the Ohio Rail Development Commission of the State of Ohio, and declaring an emergency.

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

Section 1:

The public interest demands the improvement of the at-grade crossing of Lake Avenue (AAR No. 142 547 K) and the track of the RJ Corman Railroad Company by the reconstruction of the at-grade crossing pavement and approach work necessary, and being hereinafter referred to as the Project.

Section 2:

The City does hereby give its consent to the Project and its administration by the Executive Director of the Ohio Rail Development Commission.

Section 3:

The City agrees to perpetuate and maintain all advance warning signs and pavement markings on the approaches to the at-grade crossing in conformance with the Ohio Manual of Uniform Traffic Control Devices, as adopted under Section 4511.11 of the Ohio Revised Code. The City further agrees to provide for the maintenance of the highway traffic during the construction of the improvement by either closing the road with no signed detour or by designating a temporary detour with all necessary incidentals and assuming and bearing the cost of erecting, maintaining and removing signs and barricades required to close the crossing and detour traffic.

Section 4:

To the extent permitted by law the City hereby agrees that the Ohio Rail Development Commission of the State of Ohio shall be and is saved harmless from any and all damages or claims thereof arising from or growing out of the certification or obligation made or agreed to hereinabove.

Section 5:

This Ordinance is hereby declared to be an emergency measure by reason of the need for expediting the planning and construction of the aforesaid improvement, and provided it receives the affirmative vote of two-thirds of the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor, and upon its acceptance and approval by the Executive Director of the Ohio Rail Development Commission it shall become a binding agreement on the City of Massillon and the Executive Director.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

ATTEST: _____

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR. MAYOR

DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading 5/21/01
2nd Reading 5/21/01
passed 6/4/01
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 107 - 2001

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of Rhode Island Avenue S.E., and declaring an emergency.

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

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

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

Section 1:

There has been a request to vacate a portion of Rhode Island Avenue S.E., a 50 foot right-of-way located between Cambridge Avenue S.E. and Connecticut Avenue S.E. and running in an east-west direction between 19th and 20th Streets S.E. This request is to vacate that portion from the southwest corner of Lot No. 6522 and the northwest corner of Lot No. 6557 a distance of approximately 346.64 feet easterly to the southeast corner of Lot No. 6515 and the northeast corner of Lot No. 6550. Approval of the vacation was recommended by the City Planning Commission on April 11th, 2001. Said vacation is hereby approved, adopted and confirmed.

Section 2:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the continued efficient operation of the City of Massillon, Ohio, and that the portion of the street to be vacated is no longer needed for municipal purposes. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

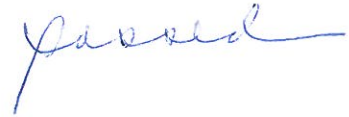
| | | |
|--------|--------|----------------|
| (40') | (40') | (40') |
| 6513 | 6512 | b.c. (120') |
| (120') | (120') | |

Street Vacation Request

DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO



COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 108 - 2001

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract, with Pepsi-Cola for exclusive beverage service for Massillon Parks and Recreation Department 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 enter into a contract with Pepsi-Cola for exclusive beverage service for Massillon Parks and Recreation Department in the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a contract with Pepsi-Cola for exclusive beverage service for Massillon Parks and Recreation Department in the City of Massillon.

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 execute the contract so as to allow Pepsi-Cola to provide beverage service for the Massillon Park and Recreation 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

ATTEST:

SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 109 - 2001

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE dissolving the By-Laws of the Massillon Youth Center Board of Directors and placing the Massillon Youth Center under the direction and control of the Parks and Recreation 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 finds it necessary and in the best interest of the citizens to dissolve the By-Laws of the Massillon Youth Center Board of Directors and placing the Massillon Youth Center under the direction and control of the Parks and Recreation Department,

Section 2:

The By-Laws of the Massillon Youth Center Board of Directors are hereby dissolved and the Massillon Youth Center shall immediately be placed under the direction and control of the Parks and Recreation Department,

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 provide better services to the members of the community who use the Massillon Youth Center. 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: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 110 - 2001

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to sign a ratification of an Oil & Gas Lease with Great Lakes Energy Partners, LLC for a 1.09 acre parcel owned by 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 ratify an Oil & Gas Lease with Great Lakes Energy Partners, LLC for a 1.09 acre parcel owned by the City of Massillon.

Section 2:

The Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, are hereby authorized to sign a ratification of an Oil & Gas Lease with Great Lakes Energy Partners, LLC for a 1.09 acre parcel owned by the City of Massillon..

Section 3:

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 that it is necessary to ratify the Gas & Oil Lease Agreement with Great Lakes Energy Partners, LLC for the 1.09 parcel of City owned land. Provided it receives the affirmative vote of two-thirds of the elected members of 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 HARWIG, PRESIDENT

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

DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 111 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting the Final Plat for Country View Estates No. 5, in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

Section 1:

The Final Plat for Country View Estates No. 5 in the City of Massillon, Stark County, Ohio, presently on file in the Office of the City Engineer, is hereby approved and accepted and that the dedication to public use of the streets and alleys thereon shown, be, and the same is hereby accepted and confirmed. This plat was approved by the Planning Commission at a meeting held April 11th, 2001. The undertaking given by the owners for improvement of streets and now on file with the City Engineer is approved. The description of Country View Estates No. 5 is as follows:

Being Known as Part of Out Lot 602, a 9.684 acre parcel located on the south of Main Avenue West, west of 24th Street, S.W. Streets dedicated by Plat are the extension of Benson Street S.W. and Kelly Street S.W. . This plat creates a total of 20 single family residential lots.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said plat is urgently needed for the development of this area and for the proper community growth and hence immediately necessary for the preservation of the 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

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

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

20 LOTS

COUNTRY VIEW ESTATES NO. 4
P.B. 87, PG. 80



AN EASEMENT, TEN FEET WIDE ON THE FRONT AND FIVE FEET WIDE ON THE REAR AND
 EACH OF THE LOTS, AND TEN FEET ON THE EXTERIOR BOUNDARY OF THIS ALLOTMENT
 BEING HEREBY DEDICATED AND RESERVED IN THIS SUBDIVISION TO: COUNTY OF STARK, CITY
 OF MASSILLON, OHIO; OHIO WATER CO., DODDSON EAST GAS CO. GAS COMPANY, OHIO
 EDISON COMPANY, OHIO TELEPHONE COMPANY, MASSILLON GAS COMPANY, AND
 ANY PUBLIC OR PRIVATE UTILITY FOR THE PURPOSES OF CONSTRUCTION, ERECTION,
 MAINTENANCE, REPAIR, REPLACEMENT, OPERATION, USE, ENJOYMENT, AND/OR
 AND/OR MAINTENANCE OF ANY TRANSMISSION LINES, POLES, TOWER, CONDUITS, WIRED
 WIRES, SIGNALS OR OTHER APPURTENANCES FOR THE TRANSMISSION OF POWER, ELECTRIC
 COMMUNICATIONS, STORM WATER, SANITARY SEWER WASTES, WATER, AND/OR ANY FUTURE
 DEVELOPED PUBLIC UTILITY. THIS EASEMENT GRANTS ALL OF THE UTILITIES THE RIGHT TO
 REMOVE TREES AND LANDSCAPING WITHOUT LIABILITY AS REQUIRED TO MAINTAIN, OPERATE,
 OR CONSTRUCT THE FACILITIES.

| CURVE | RADIUS | ARC | DELTA |
|-------|--------|-------|---------|
| E50 | 50.00 | 20.33 | 2317.83 |
| E51 | 50.00 | 16.07 | 1132.13 |
| E52 | 50.00 | 20.07 | 2238.13 |
| E53 | 50.00 | 18.07 | 1132.13 |

3/4 INCH BAR
SOUTHEAST CORNER
SOUTHWEST QUARTER
SECTION 13
TUSCARAWAS TOWNSHIP

NOTARY PUBLIC

CL. ANNING COMMISSION THIS _____

SECRETARY _____

MASSILLON, OHIO, BY ORDINANCE NO. _____
DAY OF _____, 2001.

CLERK _____

SUBMITTED TO ME, THAT TO MY KNOWLEDGE
OF THE LANDS HEREIN OFFERED FOR
S OF THIS DAY OF _____, 19____

MASSILLON CITY LAW DIRECTOR _____

NEER. _____

DAY OF _____, 2001.

STARK COUNTY AUDITOR _____

DA _____, 2001.
PAGE _____

STARK COUNTY RECORDER _____

IF WAY ARE SUITABLE FOR ONE AND TWO FAM
IE SET AT ALL LOT CORNERS AND CURVE POI

ACREAGE SUMMARY

LOTS = 8.586 A
ROADS = 1.288 A
TOTAL = 9.884 A

SCALE 1 INCH = 80 FEET

0 25 50 100

SURVEY DATA USED:

TAX MAP - MASSILLON 89

PLAT - COUNTRY VIEW ESTATES NO. 1
(P.B. 88, PG. 81)

COUNTRY VIEW ESTATES NO. 2
(P.B. 88, PG. 18)

COUNTRY VIEW ESTATES NO. 3
(P.B. 87, PG. 79)

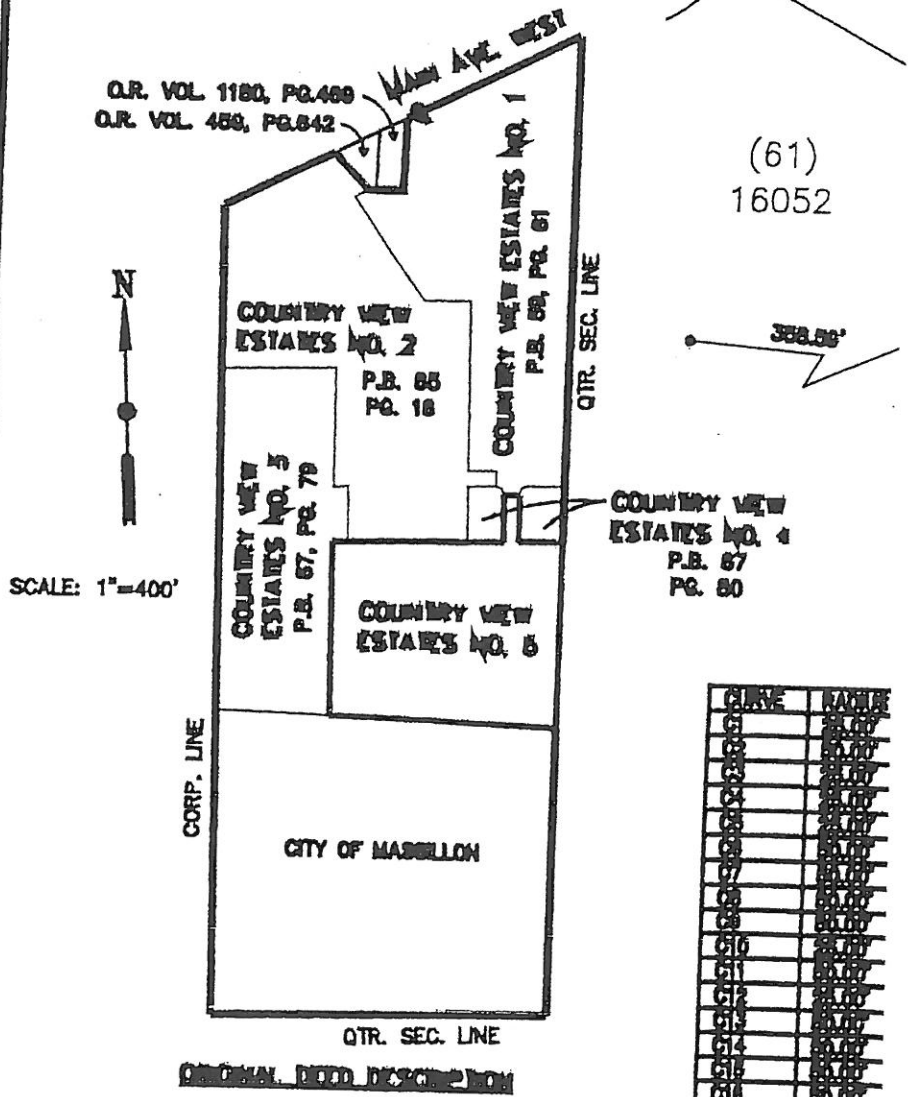
COUNTRY VIEW ESTATES NO. 4
(P.B. 87, PG. 80)

ANNEXATION PLAT - CITY OF MASSILLON
(P.B. 88, PG. 30)

DEEDS - O.R. VOL 1412, PG. 744

BASE OF BEARING:

S 05°18'00" W THE EASTERLY LINE OF THE
COUNTRY VIEW ESTATES NO.1 AS RECORDED
IN PLAT BOOK 88, PAGE 81 OF THE STARK
COUNTY PLAT RECORDS.



(58)
16049

(59)
16050

(6)
16

(61)
16052

DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 112 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the dedication of a 20 foot sanitary sewer easement in University Village Condominiums area, located at the northeast corner of Ohio State Drive S.E. and Bowling Green Drive S.E., 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, hereby finds that it is necessary to accept the dedication of a 20 foot sanitary sewer easement in University Village Condominiums area, located at the northeast corner of Ohio State Drive S.E. and Bowling Green Drive S.E.

Section 2:

The Director of Public Service and Safety of the city of Massillon, Ohio, is hereby authorized to accept the dedication of a 20 foot sanitary sewer easement in University Village Condominiums area, located at the northeast corner of Ohio State Drive S.E. and Bowling Green Drive S.E.

Section 3:

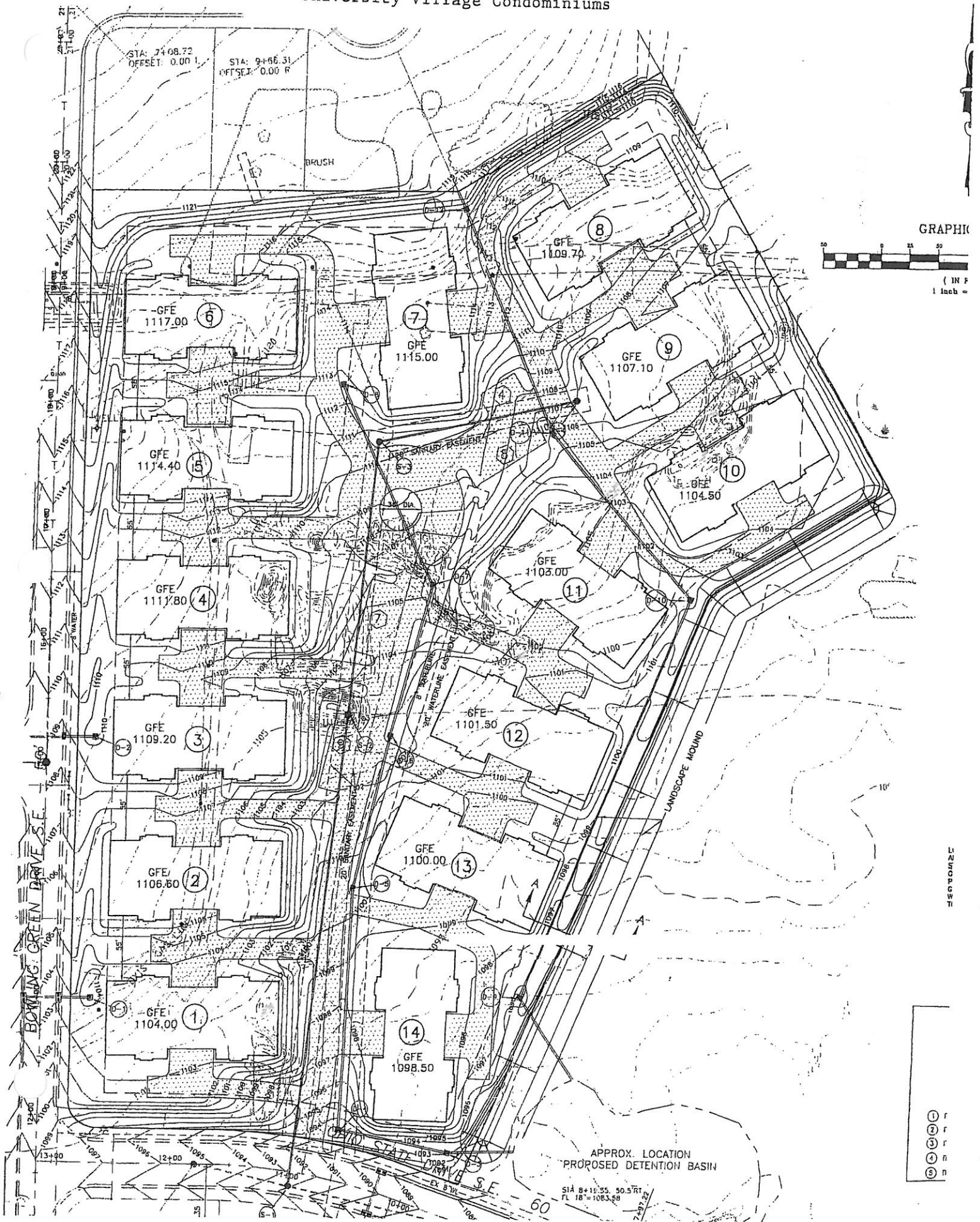
This Ordinance is hereby declared to be an emergency measure for the reason that this easement is needed to assist in the completion of the development of the University Village Condominiums area. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take 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 K. HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

Proposed Sanitary Sewer Easement
University Village Condominiums



DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 113 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the dedication of a sanitary sewer easement located along the west and south property lines of Out Lot 768 and Part of Out Lot 767, located at the northeast corner of Richville Drive and Nave Street S.E., 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, hereby finds that it is necessary to accept the dedication of a sanitary sewer easement located along the west and south property lines of Out Lot 768 and Part of Out Lot 767, located at the northeast corner of Richville Drive and Nave Street S.E..

Section 2:

The Director of Public Service and Safety of the city of Massillon, Ohio, is hereby authorized to accept the dedication of a sanitary sewer easement located along the west and south property lines of Out Lot 768 and Part of Out Lot 767, located at the northeast corner of Richville Drive and Nave Street S.E..

Section 3:

This Ordinance is hereby declared to be an emergency measure for the reason that this easement is needed to assist in the development of the area located near the sanitary sewer easement. 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 K. HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

| CURVE TABLE | | | | |
|-------------|---------|----------|---------|---------|
| CURVE | LENGTH | RADIUS | DELTA | CHORD |
| C1 | 154.96' | 2894.60' | 304°02' | 154.94' |
| C2 | 73.50' | 2914.60' | 126°41' | 73.49' |
| | | | | 77.50' |
| | | | | 36.75' |

DEDICATION PLAT
FOR A

SANITARY SEWER EASEMENT

BEING PART OF Q.L. 767 AND ALL OF Q.L. 768
IN THE CITY OF MASSILLON STARK COUNTY, OHIO

SCALE: 1"=100' DATE: JANUARY 2001

D. & D. WHIPKEY
PT. O.L. No. 767
R.I. NO. 97006233
(127.112 AC.)

P.T. OUTLOT 767
R.I. NO. 98074313
1.622 AC.

FILTERS INC.
O.L. No. 768
R.I. NO. 97006237
(5.008 AC.)

PERMANENT SAN.
SEWER EASEMENT
0.598 AC.

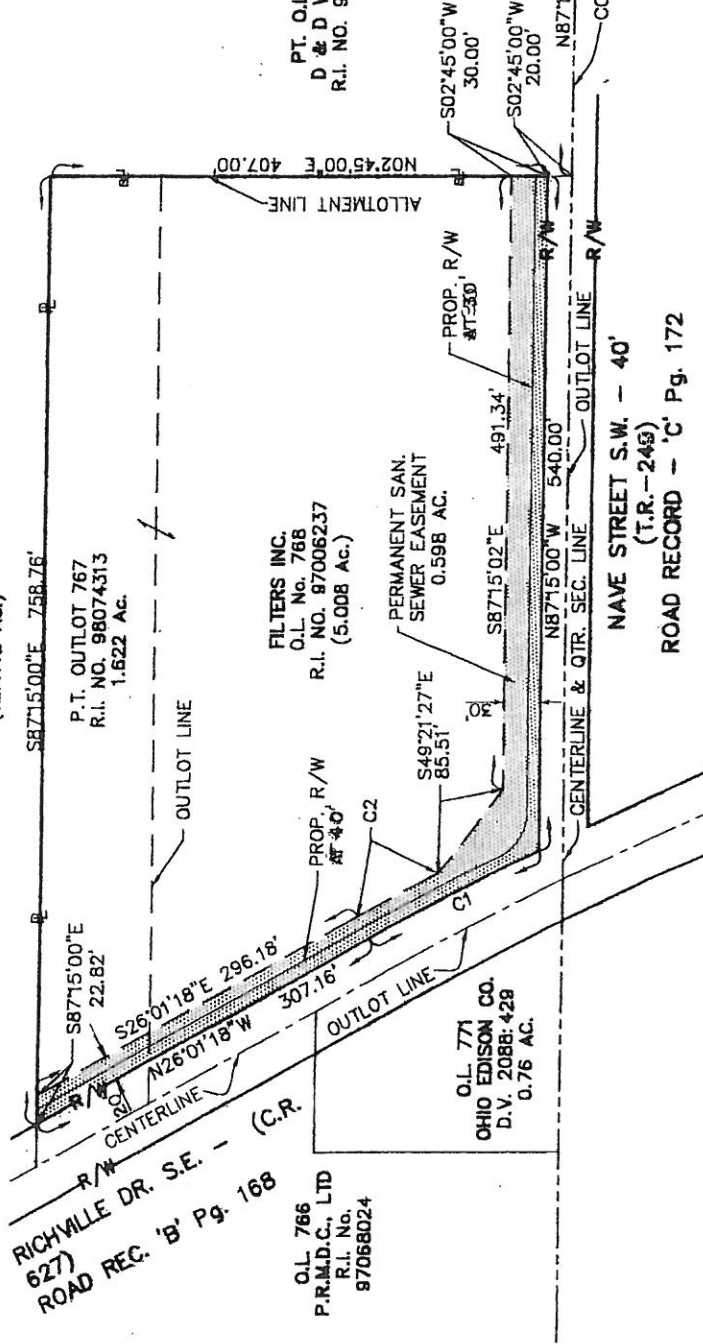
O.L. 771
OHIO EDISON CO.
D.V. 2088:428
0.76 AC.

Q.L. 766
P.R.M.D.C., LTD
R.I. No.
97068024

PT. O.L. 767
D. & D. WHIPKEY
R.I. NO. 97006233

S.E. COR. OF N
QTR. SEC. 22
COR. OF O.L. 7
S.W. QTR
PERRY T

RICHVILLE DR. S.E. - (C.R.
627)
ROAD REC. 'B' Pg. 168



CERTIFICATION

I HEREBY CERTIFY THIS SANITARY SEWER EASEMENT IS A TRUE AND CORRECT PLAT OF THE EASEMENT
MADE BY ME THIS 23RD DAY OF January, 2001.

PLANNING COMMISSION

APPROVED BY THE CITY OF MASSILLON PLANNING COMMISSION ON THIS _____ DAY
OF _____ 2001.

DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 114 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept the dedication of a 20 foot wide sewer easement located within Lot No. 14603, located at the southeast corner of Federal Avenue N.W. and Third Street N.W., 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, hereby finds that it is necessary to accept the dedication of a 20 foot sanitary sewer easement located within Lot No. 14603, located at the southeast corner of Federal Avenue N.W. and Third Street N.W.

Section 2:

The Director of Public Service and Safety of the city of Massillon, Ohio, is hereby authorized to accept the dedication of a 20 foot sanitary sewer easement located within Lot No. 14603, located at the southeast corner of Federal Avenue N.W. and Third Street N.W.,

Section 3:

This Ordinance is hereby declared to be an emergency measure for the reason that this easement is needed to assist CVS Pharmacy in the construction of its new building in downtown 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

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

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

Sanitary Sewer Easement - CVS Pharmacy

NOTE: UTILITY SUBCONTRACTOR TO PROVIDE 4" SCISSOR LIFT DRAIN TO SANITARY SEWER.

STATE OF OHIO, COUNTY OF STARK, CITY OF MASSILLON, KNOWN AS BEING MASSILLON CITY LOT 14603.

BASIS OF BEARING
THE BASIS OF BEARINGS
SURVEY IS S 69°12'33" E
CENTERLINE OF LINCOLN
AS RECORDED IN PLAT B
PAGE 41.

SCH. B ITEM 7
22" SEWER EASEMENT
P.B. 55, P. 41

R/W

FEDERAL AVENUE N.W. 60' R/W

PUBLIC RIGHT OF WAY

DED. P.B. 36 PG. 170

EX. POLE SIGN
(TO BE REFACED
BY OTHERS)

EX. STM MH
TOP 928.84 (ADJUST TO 931.70)
INV 921.17 12" VCP N
INV 919.47 18" VCP S
INV 916.44 66" CPP E, 772' CPP W

R/W

24 LF CURB REPLACEMENT

6" CONC. APRON

72" STM

12" REBAR FD.
0.07' N, 0.02' E-W

PROP. CB 4
ODOT 2-2B CB
TOP 930.35
INV. 12" S 922.00
INV. EX. 12" N 922.00 +/-
8 LF 12" STM @ 10.47%

58 LF 8" SAN @ 0.50%

PROP. SAN MH 4

PROP. 10' SAN EASE.

8" SAN
@ 0.66%
(PER PLAN)

PROP. SAN MH 4
SEE NOTES "B" & "C"

HALT PAVEMENT

DRIVE THRU

PROPOSED CVS PHARMACY

10,000 SF

59 PARKING SPACES

2.00%

12" STM

GAS SERV.

SANITARY

12" STM

12" REBAR FD.
0.04' N, 0.04' W

EX. SAN VAULT
TOP 934.08
INV 925.87

STM MH 2

12" REBAR FD.
0.04' N, 0.05' W

SCH. B ITEM 7
SEWER CASE
P.B. 55, P. 41

12" REBAR FD.
0.09' N, 0.02' E

12" SAN

15' SAN

20' SAN

12" W.M.

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DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 115 - 2001

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the demolition of structures at 121 Cherry Road N.W. and 314 First Street N.W. In the City of Massillon, Stark County, Ohio and owned by said City, which are not needed for any municipal purpose, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the demolition of structures at 121 Cherry Road N.W. and 314 First Street N.W. in the City of Massillon, Stark County, Ohio and owned by said City, which are not needed for any municipal purpose.

Section 2:

The Director of Public Safety and Service is hereby authorized to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the demolition of structures at 121 Cherry Road N.W. and 314 First Street N.W. In the City of Massillon, Stark County, Ohio and owned by said City, which are not needed for any municipal purpose.

Section 3:

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

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 116 - 2001

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon to enter into an agreement with Controlled Power Corporation and Kirk Key Interlock to provide economic development "inducement grants" to assist the company in relocating and expanding its operations in Massillon, and declaring an emergency.

WHEREAS, the City of Massillon carries out a variety of economic development programs designed to promote the creation and expansion of business and industry in the community; and

WHEREAS, Controlled Power Corporation and Kirk Key Interlock desire to relocate and expand its headquarters located at 211 and 225 Wetmore Avenue S.E. in Massillon, and

WHEREAS, the City of Massillon proposes to assist Controlled Power Corporation and Kirk Key Interlock in this relocation and expansion of its operations by providing an economic development "inducement grant", the purpose of which is to help offset the company's costs in relocating its operations to Massillon.

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

Section 1:

This Council hereby authorizes the Mayor to enter into an agreement with Controlled Power Corporation and Kirk Key Interlock providing an economic development "inducement grant," in a total amount not to exceed Twenty Five Thousand Dollars (\$25,000.00) for each company for the purpose of assisting the company in relocating and expanding its operations in Massillon.

Section 2:

In return for this economic development grant assistance, Controlled Power Corporation and Kirk Key Interlock, shall provide the City with information regarding the number of jobs that it has provided as a result of the company's relocation and expansion in Massillon.

Section 3:

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 that it is necessary to improve the economic climate of the community through the expansion of business and employment opportunities. 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: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 117 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor of the City of Massillon to deposit the three-tenths percent (.3%) City Income Tax for the parks and recreation system into the "Parks and Recreation Fund", "Park and Recreation Capital Improvement Fund" and the "Park and Redcreation Bond Retirement Fund", and declaring an emergency.

WHEREAS, the electors of the City of Massillon voted to raise the city income tax rate by three-tenths percent (.3%) effective January 1st, 1996 and to be used exclusively for the parks and recreation system in the City of Massillon.

WHEREAS, it is necessary to determine what percentage of the tax collected for the Parks and Recreation Department shall be deposited into the "Parks and Recreation Fund", "Park and Recreation Capital Improvement Fund" and the "Park and Recreation Bond Retirement Fund".

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

Section 1:

It is hereby determined that it is necessary for the Auditor of the City of Massillon to deposit a portion of the three-tenths percent (.3%) City Income Tax for the parks and recreation system into the "Parks and Recreation Fund", "Park and Recreation Capital Improvement Fund" and the "Park and Recreation Bond Retirement Fund".

Section 2:

Effective June 1, 2001 the Auditor of the City of Massillon is hereby authorized to deposit the following percentages into the following funds from the amounts collected from the income tax for the Parks and Recreation Department:

- 1.) Forty-Five percent (45%) shall be deposited into the "Parks and Recreation Fund".
- 2.) Fifteen (15%) shall be deposited into the "Park and Recreation Capital Improvement Fund".
- 3.) Forty percent (40%) shall be deposited into the "Park and Recreation Bond Retirement Fund".

Section 3:

That Ordinance No. 281 - 1998 be and is hereby repealed as of May 31, 2001.

Section 4:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community, and for the further reason that said funds are necessary to provide sufficient funds to adequately maintain the expenditures of the Park and Recreation 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: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 118 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor to enter into a Grant Agreement with the Juvenile Accountability Incentive Block Grant Program to provide a safety security officer for the Massillon School System, 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 enter into a Grant Agreement with Juvenile Accountability Incentive Block Grant Program in the amount of Sixty Thousand Dollars (\$60,000.00) to provide a safety security officer for the Massillon School System.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a Grant Agreement with the Juvenile Accountability Incentive Block Grant Program to provide a safety security officer for the Massillon School System.

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 reason that the grant is necessary to provide a safety security officer for the Massillon School System. 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: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Sharon Howell
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 119 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund, Economic Development Fund, Capital Improvement Fund, Parks and Recreation Capital Improvement Fund, Wastewater Treatment Plant Fund, BR Lincoln Center Fund, Law Enforcement Trust Fund, Park and Rec Fund, BR Wastewater Treatment Fund, Park and Rec Fund and the SA Shaw Castle West 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 Community Development Block Grant Program Fund for the year ending December 31, 2001, the following:

\$ 70,000.00 to an account entitled "Target Area Streets" 1203.845.2812

Section 2:

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

\$ 50,000.00 to an account entitled "Services/Contracts" 1237.845.2392

Section 3:

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

\$ 25,000.00 to an account entitled "Fire Dept. EMS Equip" 1401.325.2533

Section 4:

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

\$ 18,806.82 to an account entitled "Service/Contracts" 1433.505.2392

Section 5:

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

\$ 18,332.00 to an account entitled "Services/Contracts" 2101.610.2392

\$ 3,400.00 to an account entitled "County Collection Fees" 2101.610.2382

Section 6:

There be and hereby is appropriated from the unappropriated balance of the BR Lincoln Center Fund the year ending December 31, 2001, the following:

\$ 11,150.00 to an account entitled "Service/Contracts" 1303.940.2392

Section 7:

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

✓ 5,000.00 to an account entitled "Travel/School/Seminars" 1215.305.2389

Section 8:

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

\$ 2,100.00 to an account entitled "County Collection Fees" 1305.940.2393

Section 9:

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

\$ 1,000.00 to an account entitled "Unemployment Compensation" 1234.505.2290

Section 10:

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

\$ 850.00 to an account entitled "Services/Contracts" 1208.445.2392

Section 11:

There be and hereby is appropriated from the unappropriated balance of the SA Shaw Castle West Fund for the year ending December 31, 2001, the following:

\$ 250.00 to an account entitled "County Collection Fees" 1351.935.2382

Section 12:

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

WITTEST: _____

SHARON HOWELL, CLERK OF COUNCIL

DENNIS HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 120 - 2001

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the removal of asbestos at 121 Cherry Road N.W. and 314 First Street N.W. In the City of Massillon, Stark County, Ohio and owned by said City, which are not needed for any municipal purpose, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the removal of asbestos at 121 Cherry Road N.W. and 314 First Street N.W. in the City of Massillon, Stark County, Ohio and owned by said City, which are not needed for any municipal purpose.

Section 2:

The Director of Public Safety and Service is hereby authorized to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the removal of asbestos at 121 Cherry Road N.W. and 314 First Street N.W. In the City of Massillon, Stark County, Ohio and owned by said City, which are not needed for any municipal purpose.

Section 3:

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

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 12 - 2001

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on April 12th, 2001 wherein the Zoning Board of Appeals denied a variance to build an addition to the first level of a home located at 921 Duncan Avenue S.W. and known as Lot No. 3391 and 3392 in the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, the Massillon Zoning Board of Appeals on April 12th, 2001 denied a variance to build an addition to the first level of a home located at 921 Duncan Avenue S.W. and known as Lot No. 3391 and 3392 in the City of Massillon, Ohio, and

WHEREAS, on April 17th, 2001, a Notice of Appeal pursuant to Section 1129.09 of the Massillon Zoning Code was filed with the Clerk of Council by Ms Karen M. Cecil, appealing the decision in Case No. 991 of the Massillon Zoning Board of Appeals.

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

Section 1:

The Council of the City of Massillon, Ohio, deems it is in the best interest for proper community growth to reverse the decision of the Massillon Zoning Board of Appeals made on April 12th, 2001 in Case No. 991, in regards to the building of a one story addition to the first level of a home located at 921 Duncan Avenue S.W. and known as Lot No. 3391 and 3392 in the City of Massillon, Ohio.

Section 2: ³

This Resolution is declared to be an emergency measure in that the reversal of the decision of the Massillon Zoning Board of Appeals is essential for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Therefore, this Resolution shall be in full force and effect immediately from and after passage and approval by the Mayor.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

Sec 2.

subject TO Repealing into one lot.

DATE: May 7, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

RESOLUTION NO. 13 - 2001

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on April 12th, 2001 wherein the Zoning Board of Appeals denied a variance to build a secondary accessory building on the property located at 211 Ertle Avenue N.W. and known as Lot No. 7685 in the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, the Massillon Zoning Board of Appeals on April 12th, 2001 denied a variance to build an addition to the build a secondary accessory building on the property located at 211 Ertle Avenue N.W. and known as Lot No. 7685 in the City of Massillon, Ohio, and

WHEREAS, on April 20th, 2001, a Notice of Appeal pursuant to Section 1129.09 of the Massillon Zoning Code was filed with the Clerk of Council by Mr. & Mrs. William L. Fricke, appealing the decision in Case No. 993 of the Massillon Zoning Board of Appeals.

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

Section 1:

The Council of the City of Massillon, Ohio, deems it is in the best interest for proper community growth to reverse the decision of the Massillon Zoning Board of Appeals made on April 12th, 2001 in Case No. 993, in regards to the building of a secondary accessory building on the property located at 211 Ertle Avenue N.E., Lot No. 7685 in the City of Massillon, Ohio.

Section 2:

This Resolution is declared to be an emergency measure in that the reversal of the decision of the Massillon Zoning Board of Appeals is essential for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Therefore, this Resolution shall be in full force and effect immediately from and after passage and approval by the Mayor.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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