

AGENDA

DATE: AUGUST 20, 2001
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION - DR. MARK JACOBS, PASTOR ANCHOR BAPTIST CHURCH
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

Amend Agenda Rel. 20, ORD 160-2001

ORDINANCE NO. 186 - 2001 BY: POLICE AND FIRE COMMITTEE

*500P
9-0
P.D.
9-0* **AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Mutual Aid Agreement with other political subdivisions safety forces for critical incidents, involving the Massillon city safety forces, and declaring an emergency.

ORDINANCE NO. 187-2001 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

*1-0
Rel.* **AN ORDINANCE** vacating a portion of a certain public alley, and declaring an emergency.

ORDINANCE NO. 188- 2001 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

Rel. **AN ORDINANCE** vacating a portion of a certain public alley, and declaring an emergency.

ORDINANCE NO. 189- 2001 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

*500P
9-0
P.D.
9-0* **AN ORDINANCE** authorizing and directing the Director of Public Service and Safety to negotiate with property owners for easements on Lake Street N.E. and 3rd Street N.E. in conjunction with the Stark County Bridge Replacement Project, and declaring an emergency.

ORDINANCE NO. 190- 2001 BY: PARKS AND RECREATION COMMITTEE

*500P
9-0
P.D.
9-0* **AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon to enter into an agreement with Stark Glass Enterprises Inc., for an easement for part of Lot 13475 in the City of Massillon, Stark County, Ohio, and declaring an emergency.

ORDINANCE NO. 191- 2001 BY: PARKS AND RECREATION COMMITTEE

*500P
9-0
P.D.
9-0* **AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a donation of a 15 passenger van from the Massillon Senior Citizens Center Activity Club for use by the Massillon Senior Center, and declaring an emergency.

CDL ?

ORDINANCE NO. 192 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

St. Ann Valley

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

ORDINANCE NO. 193 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

St. Lukes

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

ORDINANCE NO. 194 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE accepting the Final Plat and dedication of various streets for August Lakes No. 2 in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

ORDINANCE NO. 195 - 2001 BY: FINANCE COMMITTEE

AN ORDINANCE authorizing the Director of Service and Safety of the City of Massillon to apply for the DARE Law Enforcement Grant for funding and to implement the DARE program within the City of Massillon, and declaring an emergency

ORDINANCE NO. 196 - 2001 BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Parks and Recreation CI Fund and the Parking Enforcement Fund, for the year ending December 31, 2001, and declaring an emergency.

ORDINANCE NO. 197 - 2001 BY: HEALTH, WELFARE & BUILDING REGULATIONS COMM

AN ORDINANCE amending Section 1313.02(d) "Definitions" of CHAPTER 1313 "ELECTRICAL CODE" of the Codified Ordinances of the City of Massillon, by adding a new paragraph to Section 1313.02(d) "Definitions" of CHAPTER 1313 ELECTRICAL CODE" of the Codified Ordinances of the City of Massillon, and declaring an emergency.

ORDINANCE NO. 198 - 2001 BY: FINANCE COMMITTEE

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.

175
179
179-2001 - Finance Committee
Amended 9-5 | *Amended Sec 1 9-0* | *503A 9-0* | *Pass 8-1*

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

A RESOLUTION authorizing the "No On State Control of Property Rights" referendum petition being circulated to place the question of the approval or rejection of Am. Sub, S.B. No. 5 before the electors of this municipality and State.

RESOLUTION NO. 20 - 2001 BY: POLICE AND FIRE COMMITTEE

A RESOLUTION commending Chief Tommy Matthews for his years of service to the citizens of Massillon in the Massillon Fire Department.

RESOLUTION NO. 21 - 2001 BY: COMMITTEE OF THE WHOLE

A RESOLUTION observing the week of September 3rd through September 8th, 2001 as (Union Label Week 2001) in the City of Massillon, Ohio.

7. UNFINISHED BUSINESS
8. PETITIONS AND GENERAL COMMUNICATIONS
9. BILLS, ACCOUNTS AND CLAIMS
10. REPORTS FROM CITY OFFICIALS

- A). MAYOR SUBMITS MONTHLY REPORT FOR AUGUST - 2001
- B). POLICE CHIEF SUBMITS MONTHLY REPORT FOR AUGUST - 2001
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR AUGUST - 2001
- D). TREASURER SUBMITS MONTHLY REPORT FOR AUGUST - 2001

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR
14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 165- 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE amending Section 111.02 of the Massillon Code rezoning a certain tract of land from Perry Township to Massillon Zoning, and declaring an emergency.

ORDINANCE NO. 166- 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM

AN ORDINANCE amending Section 111.02 of the Massillon Code rezoning a certain tract of land from R-1 Single Family Residential to B-1 Local Business, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 172 - 2001 BY: SEWER AND WASTE COMMITTEE

AN ORDINANCE authorizing the Director of Public Service and Safety to enter into WRRSP Agreements with various entities to amend our loan application for the 2001 Wastewater Treatment Plant Expansion and Upgrade Project, and declaring an emergency.

16. NEW AND MISCELLANEOUS BUSINESS

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

18. ADJOURNMENT

SHARON HOWELL COUNCIL CLERK

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS


LEGISLATIVE DEPARTMENT

ORDINANCE NO. 186 - 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 Mutual Aid Agreement with other political subdivisions safety forces for critical incidents involving the Massillon City safety forces, 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 Mutual Aid Agreement with other political subdivisions safety forces of Stark County for critical incidents involving the Massillon City safety forces.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a Mutual Aid Agreement with other political subdivisions safety forces of Stark County for critical incidents involving the Massillon City safety forces.

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 enter into a Mutual Aid Agreement for critical incidents for the City of Massillon safety forces with other political subdivision. 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

MUTUAL AID AGREEMENT

WHEREAS, Ohio Revised Code 737.04 authorizes the legislative authority of a municipal corporation, in order to obtain additional police protection, to enter into contracts upon such terms as may be agreed upon with other political subdivisions for the services of their police departments or the use of their police equipment or for the interchange of said services or equipment within the territories of the contracting subdivision.

WHEREAS, Ohio Revised Code Section 505.43 states that in order to obtain police protection, or to obtain additional police protection, any township may enter into a contract with one or more townships or municipal corporations upon any terms that are agreed to by them, for services of police departments or use of police equipment, or the interchange of the service of police departments or use of police equipment, within the several territories of the contracting subdivisions if the contract is first authorized by respective boards of township trustees or other legislative bodies.

WHEREAS, Ohio Revised Code Section 505.50 states that the board of trustees of any township may enter into a contract with one or more townships or a municipal corporation upon any terms that are mutually agreed upon for the provision of police protection services or additional police protection services either on a regular basis or for additional protection in times of emergency.

WHEREAS, it is the desire of the parties herein to provide for mutual assistance in the use of police personnel and equipment in case of emergency or need for additional police protection, within their jurisdictions for the purpose of response to critical incidents.

NOW THEREFORE BE IT AGREED among the parties hereto as follows:

1. In the event of an emergency or need for additional police protection for the purpose of response to critical incidents and upon the request of another police department by the Police Chief or Shift Commander of that department available at the time of the emergency, each political subdivision which is a party to this agreement will furnish police personnel and equipment if the highest ranking officer available in the police department furnishing such police manpower and equipment agrees that the requested police personnel or equipment is available. Such police personnel and equipment may be recalled at the sole discretion of the highest ranking officer available in the police department furnishing the police personnel or equipment.

2. When an officer calls for assistance, he shall state the specific emergency or need for additional police protection and an estimate of the personnel and equipment needed, along with directions as to the location where such assistance is needed and shall, where possible, dispatch someone to a specific meeting place to escort the responding officer to their destination.

3. When invoking any provision of this agreement, the Police Chief or Shift Commander who is present and in charge of the department of the calling party shall have full charge and authority over personnel and equipment of the responding party.

4. The responding party shall not be responsible or liable in damages to the other party hereto or any of its inhabitants or contractual obligees for failure to respond to any request for assistance, for lack of speed, inadequacy of equipment, for operation of equipment or for any other cause whatsoever arising from services provided under this agreement. This agreement shall not be construed as or deemed to be an agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action whatsoever hereunder for any cause.

5. No charge shall be made to any contracting political subdivision entering into this agreement for services rendered by the other contracting political subdivision under the provisions of this agreement.

6. The Police Chief or Shift Commander shall provide each involved department with sufficient information for that department to maintain a mandatory log or other type of documentation detailing the request for assistance and the response to a request for assistance.

7. There shall be no reimbursement for loss or damage to equipment while engaged in activity, in accordance with the agreement, outside of the limits of the political subdivision owning and furnishing the equipment. Nor shall there be any reimbursement for any policeman's pension or indemnity fund award or premium contribution or reimbursement charge assessed against the employing political subdivision for workers' compensation benefits arising by reason of injury or death of its police department members occurring while engaged in rendering services under this agreement.

8. This contract shall remain in force until revoked by either party. Each party to this agreement shall have the right to terminate this contract upon giving sixty (60) days advance written notice to the governing body of the other contracting party.

IN WITNESS WHEREOF, the City of Massillon, the Board of Trustees of Jackson Township, the Board of Trustees of Perry Township, the Board of Trustees of Lawrence

Township, the Village of Navarre, the City of Canal Fulton and the Village of Hills and Dales have caused to be affixed hereto their names duly authorized by resolution of the respective legislative authorities.

THE CITY OF MASSILLON, OHIO

Mayor

Director of Public Service & Safety

THE BOARD OF TRUSTEES OF
PERRY TOWNSHIP, STARK
COUNTY, OHIO

Craig Chessler, President

Jim Holmes, Trustee

Lee Laubacher, Trustee

VILLAGE OF NAVARRE

Robert L. Benson, Mayor

Mary Ann Heestand, Clerk/Treasurer

VILLAGE OF HILLS AND DALES

Bette A. Maier, Mayor

THE BOARD OF JACKSON TOWNSHIP
TRUSTEES, STARK COUNTY, OHIO

Patricia A. Miller, President

Steven M. Meeks, Trustee

John E. Pizzino, Trustee

THE BOARD OF TRUSTEES OF
LAWRENCE TOWNSHIP, STARK
COUNTY, OHIO

Steven Ries, President

Marvin Hardgrove, Trustee

Richard Harbaugh, Trustee

CITY OF CANAL FULTON

Shawn Kenney, Mayor

Rick Archer, Clerk/Treasurer

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st reading
passed 9/17/01
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 187 - 2001

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of a certain public alley, 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 alley 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:

A request to vacate an unnamed 12 foot wide alley lying between North Avenue N.E. and Thorne Avenue N.E. and running in a north/south direction between 6th Street N.E. and 7th Street N.E. the portion being the alley from North Avenue N.E. to Thorne Avenue N.E. This vacation plat is filed in the City Engineer's Office and was approved by the City Planning Commission on August 8th, 2001. The said vacation is hereby approved, adopted and confirmed.

Section 2:

That 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 reason that the alley is no longer needed for a municipal purpose. 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

14712

1859115
2252170
2465160
3598140
451-458
920-87

111.55

W. 45 saymour
299 E. 217
2414. 156

1652

45

PT. 1649
54.5

N

11/19

AVE.

NORTH

572

七

N. E.

658

1657

1659

660

91

1621

0261

6222

23

101

564

565

055

67

25

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st reading
passed 9/17/01
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 188 - 2001

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of a certain public alley, 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 alley 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:

A request to vacate an unnamed 10 foot wide alley lying between Cherry Road N.E. and State Street N.E. and running in a north/south direction between Danner Street N.E. and 8th Street N.E.. and 7th Street N.E. the portion being the alley approximately 160 feet northerly from Cherry Road N.E.. This vacation plat is filed in the City Engineer's Office and was approved by the City Planning Commission on August 8th, 2001. The said vacation is hereby approved, adopted and confirmed.

Section 2:

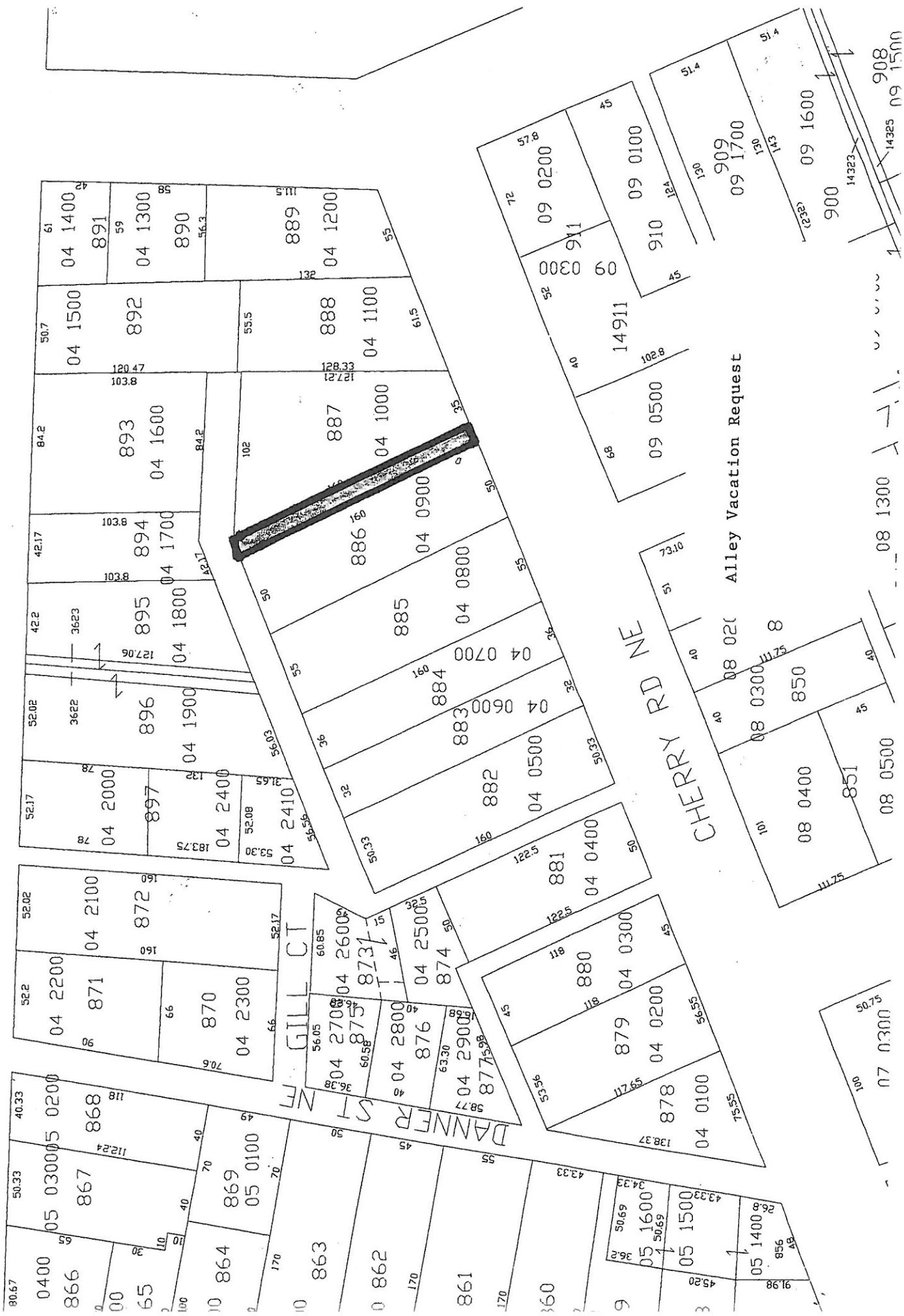
That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the reason that the alley is no longer needed for a municipal purpose. Provided it receives the affirmative vote of two-thirds of the elected 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

STATE AVE NE



Alley Vacation Request

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 189 - 2001

Type Replace NE w/ NW.

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to negotiate with property owners for easements on Lake Street N.E. and 3rd Street N.E. in conjunction with the Stark County Bridge Replacement 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, hereby finds that it is necessary to authorize the Director of Public Service and Safety to negotiate with property owners for easements on Lake Street N.E. and 3rd Street N.E. in conjunction with the Stark County Bridge Replacement Project

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized authorize to negotiate with property owners for easements on Lake Street N.E. and 3rd Street N.E. in conjunction with the Stark County Bridge Replacement Project

Section 3:

That this Ordinance is hereby declared to be an emergency measure for the reason that this easement is needed so that the Stark County Bridge Replacement Project on Lake and 3rd Street may be completed. 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

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 190 - 2001

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into an agreement with Stark Glass Enterprises Inc., for an easement for part of Lot 13475 in the City of Massillon, Stark County, 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 Council of the City of Massillon, Ohio, hereby determines it to be necessary and in the public health, safety and welfare and that the Director of Public Service and Safety of the City of Massillon enter into an agreement with Stark Glass Enterprises Inc., for an easement for part of Lot 13475 in the City of Massillon, Stark County, Ohio,

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into an agreement with Stark Glass Enterprises Inc., for an easement for part of Lot 13475 in the City of Massillon, Stark County, Ohio,

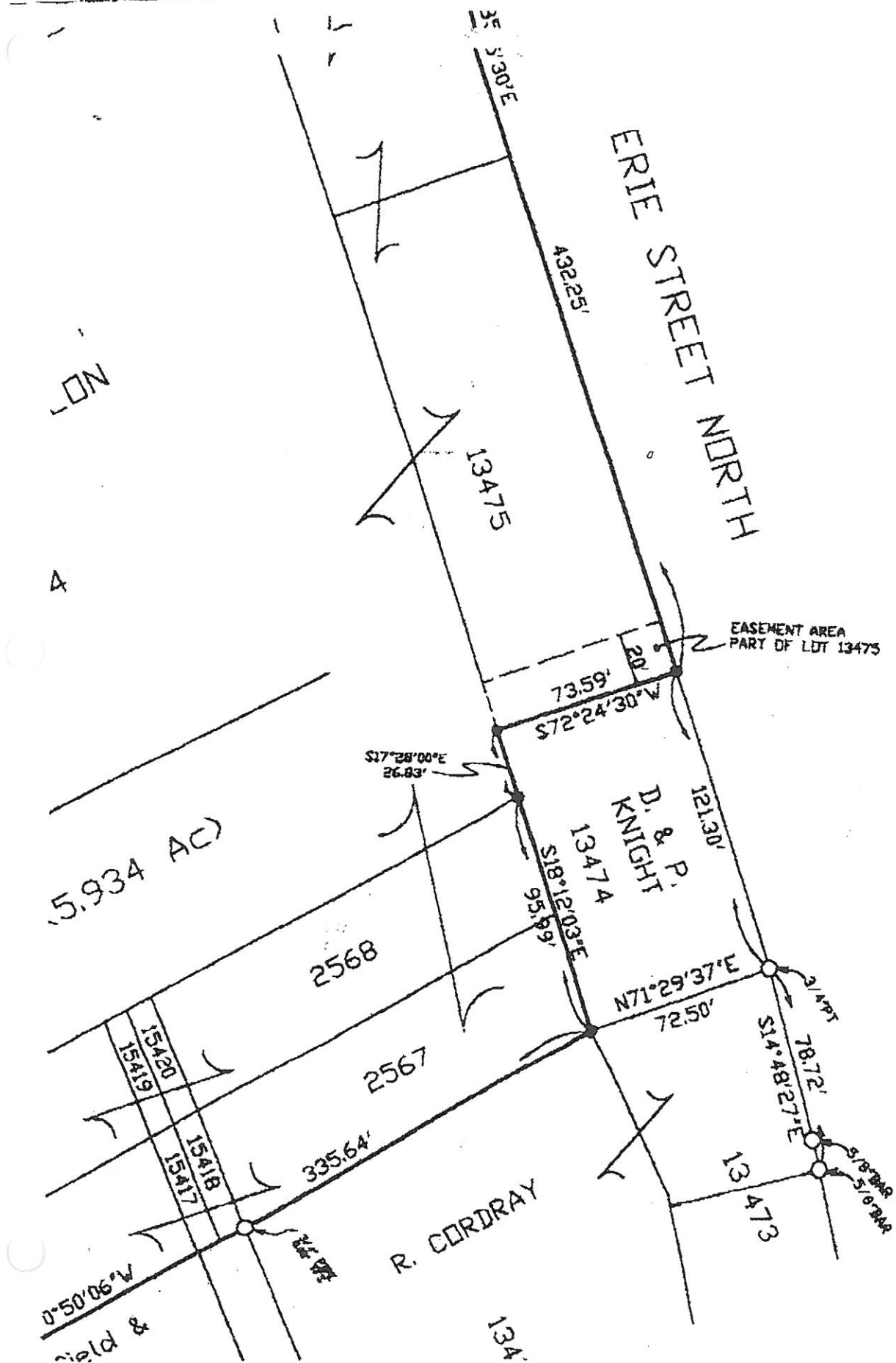
Section 3:

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 allow for an easement to be used Stark Glass Enterprises Inc. for part of Lot 13475 in the City of Massillon, Stark County, Ohio. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR



DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 191 - 2001

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to accept a donation of a 15 passenger van from the Massillon Senior Citizens Center Activity Club for use by the Massillon Senior Center, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to accept a donation of a 15 passenger van from the Massillon Senior Citizens Center Activity Club for use by the Massillon Senior Center.

Section 2:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason to provide transportation to the Massillon Senior Citizens Center. 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

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Sharon Howell
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 192 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon and Tuscarawas Township, and declaring an emergency.

WHEREAS, Massillon Township was erected to conform with the corporation limits of the City of Massillon, Stark County, Ohio by the Board of County Commissioners on August 19, 1963, and

WHEREAS, the corporation limits of the City of Massillon, Ohio, have been enlarged since the erection of said Massillon Township, through the annexation of contiguous territory of Tuscarawas Township, and

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

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

Section 1:

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

Section 2:

The Board of County Commissioners of Stark County, Ohio, are hereby petitioned under the authority of Section 503.07 Ohio Revised Code, to change the Township boundaries of Tuscarawas and Massillon Township, all in Stark County, Ohio, by excluding from said Tuscarawas Township / adding to said Massillon Township the respective areas thereof which are presently located within the corporation limits of the City of Massillon, Ohio, which areas are described as follows:

Situated in the township of Tuscarawas, County of Stark, and State of Ohio, and known as and being part of Sections 4,5,6,7, and 8, Township 12, (Tuscarawas), Range 10, and more fully bounded and described as follows:

Beginning at the Northeast corner of the Southeast Quarter of Section 4, Tuscarawas Township; said point also being on the centerline of Manchester Ave. (State Route 93) and being the true place of beginning;

Thence S $02^{\circ}47'00''$ W, along said centerline and section line, a distance of 66.00 feet to a point; said point also being the Northeast corner of a tract of land currently or formerly owned by William and Nancy Rohr;

Thence along said Rohr tract, on a bearing of N $89^{\circ}25'00''$ W a distance of 2691.93 feet to a point, said point being on the west line of said Quarter Section and the centerline of Ben Fulton Ave.;

Thence along the North line of a tract of land currently or formerly owned by Mark and Rebecca Princehorn, on a bearing of N $89^{\circ}25'00''$ W a distance of 2673.00 feet to a point, said point lying on the West line of Section 4, Tuscarawas Township;

Thence continuing along the North line of a tract of land currently or formerly owned by William and Vicki Rohr on a bearing of N $89^{\circ}25'00''$ W a distance of 1329.79 feet to a point;

Thence along a curve to the left through a central angle of $42^{\circ}17'16''$ an arc distance of 2794.91 feet a chord bearing of S $69^{\circ}28'38''$ W a chord distance of 2731.90 feet to a point, said point lying on the west line of a tract of land currently or formerly owned by Brian and Julie Burrow;

Thence along said Burrow property the following courses:

S $48^{\circ}20'00''$ W a distance of 115.83 feet to a point;

S $41^{\circ}40'00''$ E a distance of 17.00 feet to a point;

Along a curve to the left through a central angle of $11^{\circ}00'57''$ an arc distance of 1098.69 feet a chord bearing of S $42^{\circ}03'04''$ W a chord distance of 1097.00 feet to a point,

Thence S $37^{\circ}08'43''$ W, along the west line of a tract of land currently or formerly owned by Lester and Cynthia King, and passing over the South line of Section 5, a distance of 1066.89 feet to a point; said point lying on the west line of the Northwest Quarter Section 8 and the East line of Section 7, Tuscarawas Township;

Thence along the westerly line of a tract of land currently or formerly owned by Albert J. Ruegg the following courses:

S 35°49'37" W a distance of 1085.21 feet to a point;

Along a curve to the right through a central angle of 22°01'29" an arc distance of 1120.51 feet a chord bearing of S 48°28'26" W a chord distance of 1113.62 feet to a point;

Along a curve to the left through a central angle of 34°45'25" an arc distance of 374.45 feet a chord bearing of S 22°23'19" W a chord distance of 368.74 feet to a point;

Along a curve to the left through a central angle of 87°06'41" an arc distance of 762.73 feet a chord bearing of S 38°32'44" E a chord distance of 691.36 feet to a point on the South line of the North half of Section 7;

Thence along said section line, on a bearing of S 89°25'00" E a distance of 1037.64 feet to a point on the East line of section 7, said point also being the Southwest corner of the Northwest Quarter Section 8;

Thence continuing along the South line of said section on a bearing of S 89°25'00" E a distance of 1787.89 feet to a point, said point lying on the South line of a tract of land currently or formerly owned by Albert J. Ruegg;

Thence along the West line of a tract of land currently or formerly owned by Kim and Carrie Kreiger the following courses:

A curve to the right through a central angle of 88°09'31" an arc distance of 913.48 feet a chord bearing of S 42°24'50" E a chord distance of 826.00 feet to a point;

S 02°47'00" W a distance of 108.10 feet to a point;

Thence along a curve to the left through a central angle of 60°55'41" an arc distance of 588.79 feet a chord bearing of S 28°47'55" E a chord distance of 561.43 feet to a point; said point lying on the East line of the Southwest Quarter Section 8, said East line also being the centerline of Alabama Avenue;

Thence along said centerline on a bearing of S 02°01'46" W a distance of 45.90 feet to a point; said point being in the right of way of Lincoln Street (State Route 172);

Thence N 57°18'37" W a distance of 10.77 feet to a point;

Thence along the east line of a parcel of land currently or formerly owned by Wain and Norma Neuenschwander the following courses:

A curve to the right through a central angle of $62^{\circ}01'00''$ an arc distance of 642.60 feet a chord bearing of $N 29^{\circ}28'12'' W$ a chord distance of 613.28 feet to a point;

$N 02^{\circ}47'00'' E$ a distance of 108.10 feet to a point;

A curve to the left through a central angle of $88^{\circ}24'10''$ an arc distance of 854.29 feet a chord bearing of $N 42^{\circ}32'10'' W$ a chord distance of 772.04 feet to a point;

Thence $N 89^{\circ}25'00'' W$ a distance of 1785.67 feet to a point, said point lying on the West line of the Southwest Quarter Section 8 and also being the Northeast corner of a tract of land currently or formerly owned by Walter and Alice Harrold;

Thence continuing along said Harrold tract, on a bearing of $N 89^{\circ}25'00'' W$ a distance of 1040.42 feet to a point;

Thence along a curve to the right through a central angle of $87^{\circ}00'30''$ an arc distance of 823.88 feet a chord bearing of $N 38^{\circ}33'47'' W$ a chord distance of 746.73 feet to a point;

Thence along a tract of land currently or formerly owned by Timothy Blosser the following courses:

A curve to the right through a central angle of $26^{\circ}54'32''$ an arc distance of 308.69 feet a chord bearing of $N 18^{\circ}27'53'' E$ a chord distance of 305.86 feet to a point;

A curve to the left through a central angle of $00^{\circ}56'37''$ an arc distance of 48.01 feet a chord bearing of $S 61^{\circ}50'37'' W$ a chord distance of 48.01 feet to a point;

$N 00^{\circ}05'21'' E$ a distance of 19.20 feet to a point;

A curve to the right through a central angle of $08^{\circ}38'11''$ an arc distance of 436.81 feet a chord bearing of $S 66^{\circ}27'27'' W$ a chord distance of 436.40 feet to a point;

$S 69^{\circ}27'07'' W$ a distance of 88.41 feet to a point; said point lying on the west line of Section 7 and also being the centerline of Deerfield Avenue, and the Stark/Wayne County line;

Thence along said centerline $N 00^{\circ}44'17'' E$ a distance of 70.56 feet to a point, said point being the Southwest corner of a tract of land currently or formerly owned by Ira and Evelyn Forrer;

Thence along said Forrer tract and a tract currently or formerly owned by Seth and Darla Everhart the following courses:

N 69°27'07" E a distance of 63.58 feet to a point;

A curve to the left through a central angle of 47°40'00" an arc distance of 2356.00 feet a chord bearing of N 46°57'00" E a chord distance of 2288.64 feet to a point;

Thence along the east line of two tracts of land currently or formerly owned by Canton Baptist Temple the following courses:

N 23°07'00" E a distance of 160.77 feet to a point;

A curve to the right through a central angle of 12°27'35" an arc distance of 630.19 feet a chord bearing of N 29°20'47" E a chord distance of 628.95 feet to a point (passing over the North line of Section 7); said point lying on the East line of Section 6;

Thence along said Section line N 03°12'55" E a distance of 31.54 feet to a point;

Thence along a tract of land currently or formerly owned by Elwood and Wilda Horst the following courses:

A curve to the right through a central angle of 12°14'31" an arc distance of 622.81 feet a chord bearing of N 42°12'45" E a chord distance of 621.62 feet to a point;

N 48°20'00" E a distance of 458.00 feet to a point;

S 41°40'00" E a distance of 17.00 feet to a point;

N 48°20'00" E a distance of 817.50 feet to a point;

A curve to the right through a central angle of 22°16'41" an arc distance of 1498.08 feet a chord bearing of N 59°28'20" E a chord distance of 1488.66 feet to a point, said point lying on the East line of the Southwest Quarter Section 5, and also being the centerline of Alabama Avenue;

Thence along said centerline N 02°46'00" E a distance of 231.78 feet to a point, said point being the Northwest corner of the Southeast Quarter of Section 5 and the south line of a tract of land currently or formerly owned by Mutchler Farms Ltd.;

Thence along the North line of said Southeast Quarter Section, on a bearing of S 89°25'00" E a distance of 1312.66 feet to a point;

Thence along said Quarter Section line, on a bearing of S 89°25'00" E a distance of 1332.28 feet to a point, said point lying on the East line of Section 5, and the North line of the Southwest Quarter Section 4;

Thence along said Quarter Section Line on a bearing of S 89°25'00" E a distance of 2673.00 feet to a point on the centerline of Ben Fulton Avenue, said point also being the Northwest corner of the Southeast Quarter Section 4;

Thence along the North line of said Quarter Section on a bearing of S 89°25'00" E a distance of 2691.93 to a point; said point being the Northeast corner of the Southeast Quarter Section 4 and being the true place of beginning.

This description contains former railroad property deeded to the City of Massillon from the Wheeling and Lake Erie Railroad by Imaging Record Number 1995055122 of the Stark County Records.

The parcel herein described contains 38.2692 calculated acres, more or less, of which:

- 4.0757 acres lie in Southeast Section 4,
- 4.0470 acres lie in Southwest Section 4,
- 6.3436 acres lie in Southeast Section 5,
- 10.8075 acres lie in Southwest Section 5,
- 0.5371 acres lie in South half Section 6,
- 7.9377 acres lie in North half Section 7,
- 1.0311 acres lie in South half Section 7,
- 0.3115 acres lie in Northwest Section 8,
- 3.1780 acres lie in Southwest Section 8,

and all being in Tuscarawas Township, Stark County, Ohio.

Section 5:

Upon passage of this Ordinance the Clerk of Council is directed to forward a certified copy thereof and the attached map, together with an authenticated copy of the proceedings relating thereto, to the Board of County Commissioners of Stark County, Ohio.

Section 6:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of this community and for the further reason that the timely resolution of its subject matter is essential for making the boundary lines of Massillon Township conform with the corporation lines of the City of Massillon, Ohio. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

fd 2001
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 193 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon and Tuscarawas Township, and declaring an emergency.

WHEREAS, Massillon Township was erected to conform with the corporation limits of the City of Massillon, Stark County, Ohio by the Board of County Commissioners on August 19, 1963, and

WHEREAS, the corporation limits of the City of Massillon, Ohio, have been enlarged since the erection of said Massillon Township, through the annexation of one tract of land comprising a part of Tuscarawas Township, and

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

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

Section 1:

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

Section 2:

The Board of County Commissioners of Stark County, Ohio, are hereby petitioned under the authority of Section 503.07 Ohio Revised Code, to change the Township boundaries of Tuscarawas Township and Massillon Township, all in Stark County, Ohio, by excluding from said Tuscarawas Township and by adding to said Massillon Township the respective areas thereof which are presently located within the corporation limits of the City of Massillon, Ohio, which areas are described as follows:

Situated in the township of 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.

Section 3:

Attached hereto and made a part of this Ordinance is a map covering the tract of land described in Section 2 of this Ordinance.

Section 4:

The Board of County Commissioners of Stark County, Ohio, are hereby petitioned under the authority of Section 503.07, Ohio Revised Code, to add the one tract of land described in Section 2 of this Ordinance to Massillon Township, Stark County, Ohio.

Section 5:

Upon passage of this Ordinance the Clerk of Council is directed to forward a certified copy thereof and the attached map, together with an authenticated copy of the proceedings relating thereto, to the Board of County Commissioners of Stark County, Ohio.

Section 6:

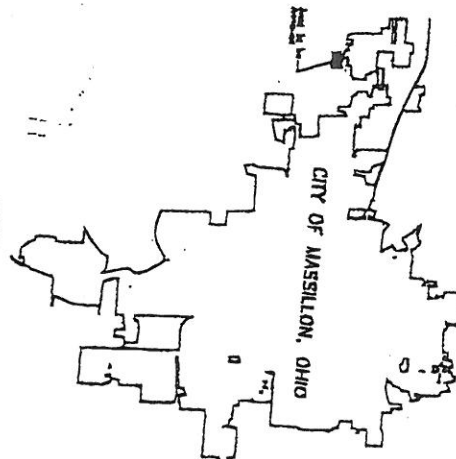
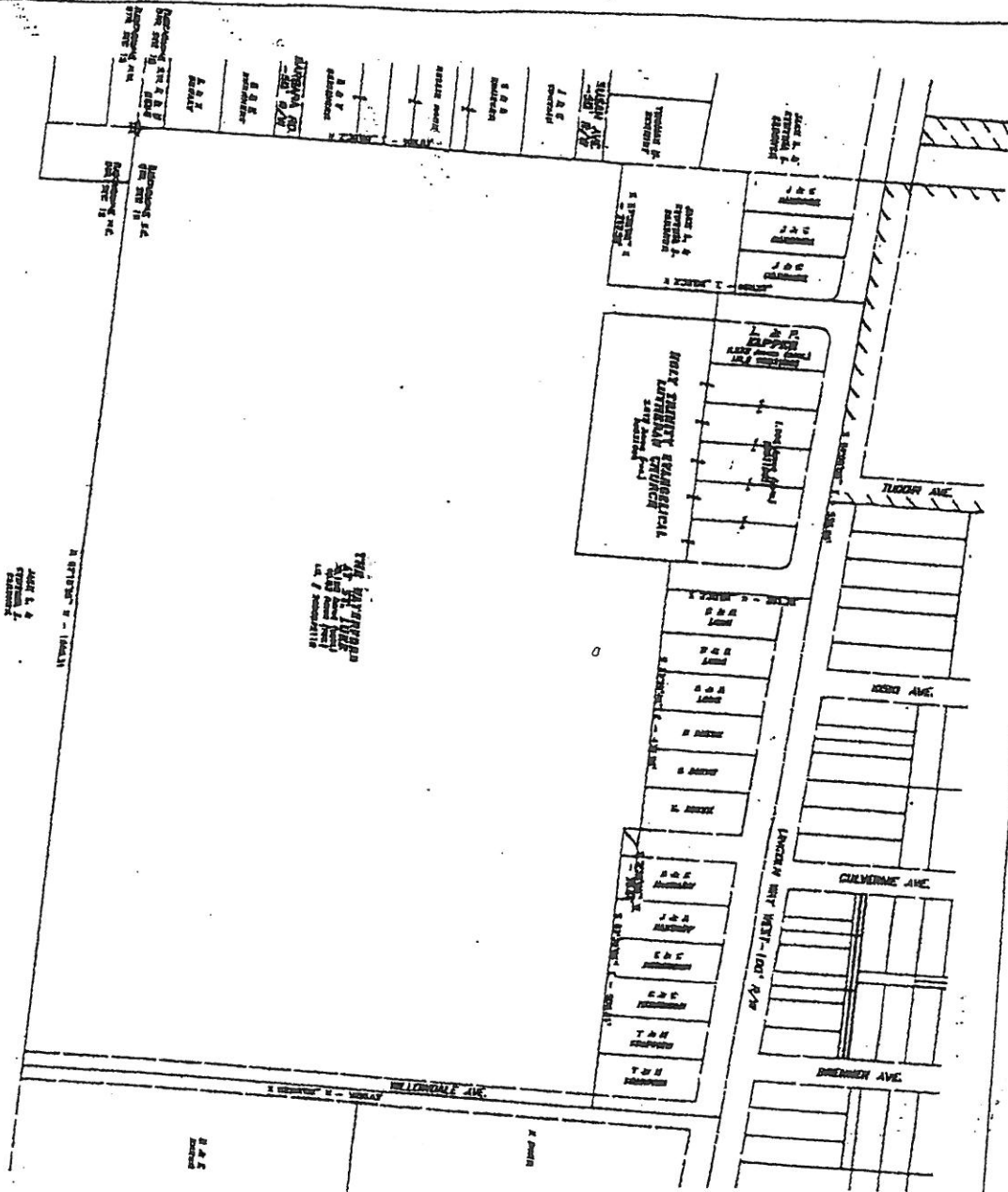
This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of this community and for the further reason that the timely resolution of its subject matter is essential for making the boundary lines of Massillon Township conform with the corporation lines of the City of Massillon, Ohio. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

NOTE: The map shows the location of the proposed annexation area in relation to the existing city limits. The area is bounded by the following streets: ...



LOCATING MAP - NOT TO SCALE

Notes: ...

STANDARD CONVENTION ...

MASSILLON CITY COUNCIL ...

CITY ENGINEER ...

COUNTY AUDITOR ...

COUNTY RECORDER ...

STATE COUNTY COMMISSIONER ...

NOTARIAL PUBLIC ...

St. Luke Area Annexation

Part of Township ...

DATE	FILED
DEC 15, 2001	DEC 15, 2001
BY	BY
NOTARY PUBLIC	NOTARY PUBLIC



DATE	FILED
DEC 15, 2001	DEC 15, 2001
BY	BY
NOTARY PUBLIC	NOTARY PUBLIC

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 194 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting the Final Plat and dedication of various streets for Augusta Lakes No. 2 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 Augusta Lakes No. 2 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 Championship Circle S.E., Amen Corner S.E., Triple Crown Circle S.E., Master Point Circle S.E. and Pour Four Circle S.E., be, and the same is hereby accepted and confirmed. This plat was approved by the Planning Commission at a meeting held August 8th, 2000. The undertaking given by the owners for improvement of streets and now on file with the City Engineer is approved. The description of Augusta Lakes No. 2 is as follows:

Being Known as Part of Out Lot 870, consisting of 18.613 acres located on the west side of Richville Drive, S.E. This plat creates a total of 45 lots which are presently zoned RM-1 Multiple Family Residential as well as the dedication of Championship Circle S.E., Amen Corner S.E., Triple Crown Circle S.E., Master Point Circle S.E. and Pour Four Circle S.E.,

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

59
MASSILLON, 11/23/99--SHEET 3 OF 3
16A

0.
075001
9236

ES NO. 1
100-101

TERLINE OF RICHVILLE DR. S.W.
Y OF THE LEGENDS OF MASSILLON
OF MASSILLON DATED 11/23/99--

AUGUSTA LAKES NO. 2

SITUATED IN THE CITY OF MASSILLON, COUNTY OF STARK, STATE
OF OHIO AND BEING OUTLOT 870

JULY, 2001

45 LOTS

ACREAGE SUMMARY
LOTS = 15.864 Ac.
ROADS = 2.749 Ac.
TOTAL = 18.613 Ac.

JANDA DEVELOPMENT LIMITED
2000075862

MASSILLON CITY
2000036656

MASSILLON CITY
2000036656

OWNER/DEVELOPER
JANDA DEVELOPMENT LIMITED
ATTN. STEVE SMITH, PRESIDENT
6501 HIGH MILL AVE. N.W.
MASSILLON, OH 44646
PHONE: (330) 832-1040

ENGINEER / SURVEYOR
HAMMONTREE AND
ASSOCIATES, LTD.
5233 STONEHAM ROAD
NORTH CANTON, OH. 44720
PHONE: (330) 499-8817

PROP. AUGUSTA
LAKES NO. 2
I.L. NO. 2000075862

I.L. NO. 2000075862

AUGUSTA LAKES NO. 1
P.B. 68, PGS. 100-101

L. & B. MILLER
727-225

TANGENT
128.77
123.24
337.77
59.85
77.46
109.11
34.50
50.85
23.23
113.65
54.74
81.35
81.63
303.99
63.96
40.37
108.02
21.13
21.13
28.34
24.77
53.87
14.27
43.47
7.25
65.84
11.18
42.62
27.32
38.92
30.28
44.72
11.18
32.27
21.13
36.15
11.60
36.77
28.87
37.50
34.98
44.74

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 195 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Service and Safety of the City of Massillon to apply for the DARE Law Enforcement Grant for funding and to implement the DARE program within 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 authorize the Director of Service and Safety of the City of Massillon to apply for the DARE Law Enforcement Grant for funding and to implement the DARE program within the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized apply for the DARE Law Enforcement Grant for funding and to implement the DARE program within 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 the application must be submitted by August 27th, 2001 for it to be considered this year. 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: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 196 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Parks and Recreation CI Fund and the Parking Enforcement 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 Parks and Recreation CI Fund for the year ending December 31, 2001, the following:

\$12,500.00 to an account entitled "Services/Contracts" 1433.505.2392

Section 3: ✓

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

\$ 3,000.00 to an account entitled "Services/Contracts" 1208.445.2392

Section 3:

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: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

1st reading
9/17/01 Laurel Indefinites
LEGISLATIVE DEPARTMENT

COUNCIL CHAMBERS

ORDINANCE NO.197 - 2001

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending Section 1313.02(d) "Definitions" of CHAPTER 1313 "ELECTRICAL CODE" of the Codified Ordinances of the City of Massillon, by adding a new paragraph to Section 1313.02(d) "Definitions" of CHAPTER 1313 "ELECTRICAL CODE" of the Codified Ordinances of 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 I:

That Section 1313.02(d) "Definitions" of CHAPTER 1313 "ELECTRICAL CODE" of the Codified Ordinances of the City of Massillon is hereby amended to read as follows:

1313.02 DEFINITIONS

(d) "Apprentice Electrician" means any person who is the holder of, or who is required to hold a registered apprentice license issued pursuant to this chapter. An apprentice electrician shall be indentured in a bona-fide program of training recognized by the federal and state bureau of apprenticeship and training for the electrical and construction industry and be directly employed or engaged by an electrical contractor licensed by the city to provide services to such electrical contractor pursuant to a "leased employee" agreement or arrangement between the electrical contractor and any other per, firm, corporation or other entity, or pursuant to any other contractual arrangement or agreement or whereby the apprentice function as an independent contractor.

An "Apprentice Electrician", when employed under this chapter, shall always be under the direct supervision and control of a registered and/or licensed journeyman electrician. Journeyman shall supervise and control no more than one apprentice electrician at any point in time. A person who is not a registered and/or licensed apprentice electrician under this chapter and who is not under the direct supervision and control of such journeyman, as required by this paragraph, shall not be deemed or considered an "apprentice electrician" for any purposes and shall not be entitled to any of the benefits or privileges extended by this chapter.

Section 2:

This ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactments are necessary for the more efficient operation of the Building Department of the City of Massillon, Ohio, and for the additional reason for the preservation of the public health, safety and welfare of the community. And provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2001

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

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

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 198 - 2001

BY: FINANCE COMMITTEE

TITLE: 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.

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

Section 1:

There be and hereby is appropriated from the unappropriated balance of the General Fund of the City of Massillon, Ohio, for the year ending December 31, 2001, the following:

\$1,000,000.00 an account entitled "Massillon Arena Project" 1100.905.2395

Section 2:

This Ordinance is hereby declared to be an emergency measure, for the reason that said appropriation is needed for the Massillon Arena Project 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

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

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

DATE: August 20, 2001

CLERK: Sharon Howell

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 199 - 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 the Massillon Arena LLC for the expenditures of the 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 million dollar grant for the Massillon Arena Project.
to expend the

Section 2:

That this contract will bind Massillon LLC to the terms and agreement set forth in the contract between the City of Massillon and the State of Ohio.

Section 3:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with Massillon LLC for the distribution of the one million dollars for the Massillon Arena Project.

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 that the grant is necessary to assist in completion of 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 of Council

APPROVED: _____

Francis H. Cicchinelli, Jr., Mayor

**AGREEMENT
CITY OF MASSILLON
and
MASSILLON LLC**

This Agreement made as of _____, by and between the City of Massillon and Massillon Arena LLC.

WHEREAS, the Massillon City Council has appropriated \$1,000,000.00 for the Massillon Arena Project.

WHEREAS, the Massillon City Board of Control on _____, approved the contract for \$1,000,000.00 with Massillon Arena LLC.

NOW, THEREFORE the City of Massillon and Massillon Arena LLC agree to the following:

That Massillon LLC will abide by and adhere to all Articles, Terms, and Agreements between the City of Massillon and the State of Ohio (Agreement attached).

Massillon Arena LLC will provide the City of Massillon, for monitoring purposes, all pertinent documentation as per Article 2 of the attached agreement.

**STATE OF OHIO
DEPARTMENT OF ADMINISTRATIVE SERVICES
AGREEMENT FOR CAPITAL APPROPRIATION**

This Agreement made as of 6 August 2001, by and between the State of Ohio (the "State") by the Department of Administrative Services (the "Department"), Office of Legislative Affairs, 30 East Broad Street, Room 3940, Columbus, Ohio 43266 and the The City of Massillon (hereinafter referred to as the "Local Entity"), 151 Lincoln Way East; Massillon, Ohio 44646.

WHEREAS, the Ohio General Assembly has appropriated to the Local Entity funds for the following project (the "Project"):

Project Name: Massillon Civic Center

Legislation: Amended Substitute House Bill 640

Capital Appropriation: CAP-817, Urban Areas Community Improvements

WHEREAS, the State of Ohio Controlling Board on 6 August 2001 released funds in the amount of \$1,000,000.00 as more fully itemized in the applicable Controlling Board Request and the applicable Office of Budget and Management Encumbrance;

NOW, THEREFORE the Department and Local Entity agree as follows:

**ARTICLE 1
TERMS FOR USE OF APPROPRIATION**

- 1.1 The Local Entity agrees that the appropriation will be exclusively used to complete the Project described in the attached Scope of Work, which shall be incorporated into this Agreement as if fully rewritten herein. The Department reserves the right to permit the Local Entity to redefine the Scope of Work of any Project, or otherwise waive the provisions of paragraph 2.5 of this Agreement.
- 1.2 The Local Entity acknowledges and affirms that the Project is located upon, or will be located upon, real estate which it owns in fee simple or in which it has a long-term lease (at least 15 years), and further covenants that the premises are, and shall remain for the term of this Agreement, free and clear of all liens, encumbrances, restrictions and conditions, which prevent or interfere with the use of the Project facilities except such as may be by zoning ordinances and regulations.
- 1.3 The Local Entity agrees that any use of the appropriation shall not violate the following requirements provided by the General Assembly:
 - 1.3.1 The appropriation made for buildings or structures, including remodeling and renovations, shall be limited to:
 - (a) Acquisition of real property;

- (b) Buildings and structures which include construction, demolition, complete heating, lighting, and lighting fixtures, and all necessary utilities, ventilating, plumbing, sprinkling, and sewer systems, when such systems are authorized or necessary;
- (c) Architectural, engineering and professional services expenses directly related to the Project;
- (d) Machinery that is a part of structures at the time of initial acquisition or construction;
- (e) Equipment that meets all the following criteria:
 - (1) The equipment is essential in bringing the facility up to its intended use;
 - (2) The unit cost of the equipment, and not the individual parts of a unit, is about \$100 or more;
 - (3) The equipment has a useful life of five years or more;
 - (4) The equipment is necessary for the functioning of a particular facility; and
 - (5) The equipment will be used primarily in the rooms or areas covered in the Project.

1.3.2 The type of equipment that shall not be purchased is any equipment not an integral part of or directly related to the basic purpose or function of the Project for which funds are appropriated, including, but not limited to motor vehicles, adding machines, calculators, dictating machines, computers and computer peripherals, typewriters, word processors, or other items which are used for normal supplies and maintenance.

1.3.3 The appropriation shall not be used for operating expenses, i.e., salaries.

1.4 Prevailing Wage

1.4.1 The Local Entity agrees that no moneys appropriated shall be used for the construction of public improvements unless the mechanics, laborers, or workers engaged therein are paid the prevailing rate of wages of the Project locality as determined by the Ohio Bureau of Employment Services, Wage and Hour Division. Any contractor performing work is also required to comply with the provisions, duties, obligations, and is subject to the remedies and penalties of Chapter 4115, Ohio Revised Code, "Wages and Hours on Public Works."

1.4.2 "Public Improvement" includes all buildings, roads, streets, alleys, sewers, ditches, sewage disposal plants, water works, and all other structures or works constructed by a Public Authority of the State or any political subdivision thereof or by any person who, pursuant to a contract with a Public Authority, constructs any structure for a Public Authority of the State or a political subdivision thereof. When a Public Authority rents or leases a newly constructed structure within six months after completion of

such construction, all work performed on such structure to suit it for occupancy by a Public Authority, shall be a "public improvement" as defined herein, pursuant to Section 4115.03, Ohio Revised Code.

- 1.4.3 Nothing in this section shall affect the wages and salaries established for state employees under the provisions of Chapter 124 Ohio Revised Code, or collective bargaining agreements entered into by the state pursuant to Chapter 4117, Ohio Revised Code, while engaged on force account work, or shall this section interfere with the use of inmate and patient labor by the state.

1.5 Affirmative Action

- 1.5.1 The Local Entity, in connection with the letting of contracts for the architectural planning, rehabilitation, renovation, acquisition, equipment, or construction of buildings, or portions of or additions to the Project shall provide for the employment and effective utilization of disadvantaged persons whose disadvantage may arise from cultural, racial or ethnic background or other similar cause, including without limitation, race, creed, color, religion, disability, national origin, ancestry, sex or age.

- 1.5.2 Pursuant to Section 153.59, Ohio Revised Code, the Local Entity shall ensure that every contract for the Project shall contain provisions by which the contractor agrees:

- 1.5.2.1 That in the hiring of employees, no contractor, subcontractor, or any person acting on its behalf, shall, by reason of race, creed, sex, handicap, or color, discriminate against any citizen of the state in the employment of labor or workers who is qualified and available to perform the work to which the employment relates;

- 1.5.2.2 That no contractor, subcontractor, nor any person on its behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work on account of race, creed, sex, handicap, or color;

- 1.5.3 The Local Entity shall ensure that equal consideration be given to contractors, subcontractors or joint ventures who, pursuant to Section 153.59, Ohio Revised Code, qualify as a minority business enterprise.

- 1.5.4 The Local Entity agrees that it will fully cooperate with the State Equal Opportunity Coordinator, with any other official or agency of the State or federal government which seeks to eliminate unlawful employment discrimination, and with all other State and federal efforts to assure equal employment practices under this Agreement.

1.6 Compliance with Law

- 1.6.1 The Local Entity shall require all parties providing services for the Project to comply with all applicable federal, state and local laws in the conduct of the work.
- 1.6.2 The Local Entity agrees that it shall comply with the applicable legal requirements for procuring all contractual services for the Project.
- 1.7 Preference for Ohio Contractors
 - 1.7.1 In accordance with Section 153.012, Ohio Revised Code, preference shall be given to contractors having their principal place of business in Ohio over contractors in states who provide a preference to resident contractors, except for a contract financed in whole or in part by contributions or loans from any agency of the United States government. Where a preference is provided by another state for contractors of that state, contractors having their principle place of business in Ohio are to be granted in Ohio the same preference over them in the same manner and on the same basis and to the same extent as the preference is granted in letting contacts for the same type of work by the other state.
- 1.8 Domestic Steel
 - 1.8.1 With respect to the award of any contract under this appropriation, if any steel products are to be used or supplied in the construction, repair or improvement project, only steel products made in the United States as defined in Section 153.011, Ohio Revised Code shall be used or supplied in the Project.
- 1.9 Insurance
 - 1.9.1 The Local Entity agrees to provide and maintain, and require all parties performing services pursuant to this Agreement to provide and maintain insurance or self-insurance against general liability for accidents or injuries that may occur on the premises of the Project.

ARTICLE 2

REPORTING AND ACCOUNTABILITY

- 2.1 The Local Entity shall provide the Department a report on the progress of the Project at least annually, and upon completion, or as requested by the Department. The following information shall be contained in the report:
 - 2.1.1 The current stage of completion of the Project and any change in the original Scope of Work.
 - 2.1.2 The total dollar amount of funds expended to date.

- 2.1.3 An itemized financial accounting of how the funds were disbursed and the source and amounts of other revenue, public or private.
- 2.1.4 Evidence of general liability insurance coverage, if any construction services have been performed.
- 2.2 The Local Entity shall keep all financial records in a manner consistent with generally accepted accounting procedures. Documentation to support each action shall be filed in a manner allowing it to be readily located. Such documentation shall be maintained until three years after the Project is completed.
- 2.3 The Department shall have the right to inspect, audit or reproduce all books, records, documents and other data related to the Project until the expiration of three years from the date of completion of the Project. The State reserves the right to bring an action to recover any appropriation found by the Department to be improperly used for a purpose other than the Project.
- 2.4 If the Project is completely or partially terminated, the records relating to the Work terminated shall be made available for a period of three years from the date of termination.
- 2.5 The Local Entity agrees to return to the State, through the Department, all money not expended from the appropriation due to the following circumstances:
 - 2.5.1 The cancellation of the Project defined in the Scope of Work;
 - 2.5.2 Any remaining money not required for completion of the Project as defined in the Scope of Work;

ARTICLE 3 APPLICABLE LAW

- 3.1 All parties to the contract shall comply with all applicable federal, State, and local statutes, ordinances, codes and regulations, including, but not limited to, the Americans with Disabilities Act, the Drug Free Workplace Act and environmental regulations.
- 3.2 The State of Ohio shall have exclusive jurisdiction over any action or proceeding concerning this Agreement and performance thereunder. Any such action or proceeding arising out of or related in any way to the Agreement or performance thereunder shall be brought only in the courts of Ohio and all parties irrevocably consent to such jurisdiction.
- 3.3 This Agreement constitutes the entire Agreement between the parties and any change or modification of this Agreement shall be made in writing.
- 3.4 If any term, covenant or condition of this Agreement or the application thereof to any person or circumstance shall to any extent be illegal, invalid, or unenforceable

because of judicial construction, the remaining terms, covenants and conditions of this Agreement or the application of such term, covenant or condition to persons or circumstances other than those to which it is held invalid or unenforceable shall not be affected thereby, and each term, covenant or condition shall be valid and be enforced to the fullest extent permitted by law.

- 3.5 This Agreement shall be binding on the parties, their heirs, executors, administrators, successors and assigns, but it may not be assigned by the Local Entity without the prior written consent of the Department.

ARTICLE 4 INDEMNIFICATION

- 4.1 The Local Entity agrees that the State and Department will incur no responsibility for any additional cost or claim which may result from this Agreement or performance hereunder.

ARTICLE 5 CERTIFICATION OF FUNDS

- 5.1 The Local Entity expressly understands that no expenditures shall be made from any of the items appropriated from the General Revenue Fund until the funds are released by the Controlling Board. Each request for release of funds by the Controlling Board must have the certification of the Director of Budget and Management that sufficient General Revenue Fund moneys will be available to fund the anticipated expenditures associated with each request.
- 5.2 If the Director of Budget and Management shall fail to so certify a balance, this Agreement shall be null and void and without any force or effect and none of the parties shall be bound thereby.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

THE LOCAL ENTITY

Date: June 15, 2001

By: _____

Alan W. Chimer

Director of Public Service & Safety

For: The City of Massillon

Federal Tax ID Number: 34-6001829

OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES

Date: 6 August 2001

By: _____

C. Scott Johnson
C. Scott Johnson, Director
Administrative Services

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

Massillon Arena LLC

Date: _____

By: _____

By: _____

City of Massillon

Date: _____

By: _____

Director of Public Service & Safety

APPROVAL OF BOARD OF CONTROL

I hereby certify that pursuant to the authority conferred the
Board of Control on the _____ day of _____
duly approved the foregoing contract and authorized the Director of Public Service and Safety to
enter into said contract on behalf of the City of Massillon.

Date: _____

Secretary of the Board of Control

AUDITOR'S CERTIFICATE

I hereby certify that the amount of money required to meet the obligations of the City of
Massillon which will accrue during the year 20__ according to the written estimate made to me
by the Director of Public Service and Safety to wit:

\$ _____ has been lawfully appropriated for such purpose
and is in the Treasury or in the process of collection to the credit of an appropriate fund, free
from previous encumbrance.

Date: _____

City Auditor

LAW DIRECTOR'S CERTIFICATE

I, the undersigned, the duly elected and qualified Law Director of the City of Massillon,
Ohio, do hereby certify that I have personally examined the foregoing contract and have found
the same to be regular with respect to form and correctness, and binding upon all parties
signatory thereto.

Date: _____

City Law Director

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 19 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: A RESOLUTION authorizing the "No On State Control of Property Rights" referendum petition being circulated to place the question of the approval or rejection of Am. Sub. S.B. No. 5 before the electors of this municipality and State.

WHEREAS, on June 12, 2001, the Ohio General Assembly passed Amended Substitute Senate Bill No. 5 (Am. Sub. S.B. No. 5) which was filed with the Secretary of State on July 27, 2001, and become effective October 26, 2001, and

WHEREAS, Am. Sub. S.B. No. 5 makes far reaching changes to Ohio's land use law related to municipal annexation, and will have a negative effect on the future economic growth of Ohio's cities and villages; and

WHEREAS, the current state law supports property owners' rights, Am. Sub. S.B. No. 5 infringes on the rights of property owners by creating excessive state control and limiting property owners' ability to annex to cities and villages, and

WHEREAS, Am. Sub. S.B. No. 5 will force cities and villages to pay taxes to townships for land annexed to, developed by, and served by the municipality, thereby requiring the municipality to forfeit new tax dollars generated by the municipality on that land and result in a windfall for townships and the loss of tax revenues to municipal residents; and

WHEREAS, Am. Sub. S.B. No. 5 will adversely impact economic development and job creation for Ohio's cities and villages; and

WHEREAS, by adversely impacting economic development, Am. Sub. S.B. No. 5 will negatively impact school district funding and will result in limited and reduced revenue for school districts;

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

Section 1:

The municipality of the City of Massillon, Ohio, hereby declares it's support for "No. On State Control of Property Rights Committee" and the Referendum petition being circulated to place the question of the approval or rejection of Am. Sub. S.B. No. 5 before the electors of this municipality and State. Said Referendum will permit the opportunity for voters to decide this important issue, which will have significant effects upon the quality of their lives within their communities.

Section 2:

That this resolution shall be immediately effective.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 20 - 201

BY: POLICE AND FIRE COMMITTEE

TITLE: A RESOLUTION commending Chief Tommy Matthews for his years of service to the citizens of Massillon and the Massillon Fire Department.

WHEREAS, Tommy Matthews, was hired as a firefighter by the City of Massillon on May 3rd, 1966 in which he was following in the same career as his father, Arthur Matthews; and

WHEREAS, on November 25, 1974, he was promoted to Captain where he served until April 9, 1979 when he was then promoted to Assistant Chief; and

WHEREAS, on October 14, 1981, Tommy Matthews was promoted to Fire Chief, in which he served until his retirement on August 26th, 2001; and

WHEREAS, under his leadership as Fire Chief the #4 fire station was constructed; and

WHEREAS, Tommy Matthews implemented the paramedics program and the establishment of rescue squads in the #2 and #3 fire stations; and

WHEREAS, Tommy Matthews has earned the respect and admiration of city residents by making himself available to listen to their concerns; and

WHEREAS, Tommy Matthews and his great abilities will be missed by his fellow Massillonians, his co-workers, his friends and all people who had the privilege of having him serve with the Massillon Fire Department

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

Section 1:

This Council recognizes the contributions made over the past 35 years by Fire Chief TOMMY MATTHEWS, to the City of Massillon and to its citizens.

Section 2:

This Council congratulates Chief Matthews on his retirement and wishes him well on future endeavors.

Section 3:

- That this Resolution shall be immediately effective.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: August 20, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 21 - 2001

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION observing the week of September 3rd through September 8th, 2001 as (Union Label Week 2001) in the City of Massillon, Ohio.

WHEREAS, beginning Labor Day, Monday September 3rd and running through Saturday, September 8th, 2001, the City of Massillon, Ohio, will observe (Union Label Week 2001); and

WHEREAS, the City of Massillon, Ohio enjoys strong economic health thanks to the presence of stable jobs which pay decent wages that are the hallmark of union employers and unionized workers; and

WHEREAS, when our citizens buy union made goods and services they are helping to preserve American jobs and strengthening our community; and

WHEREAS, the products and services that carry a Union Label, Shop Card, Store Card or Service Button are guaranteed to be the highest quality, American made products and services;

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

Section 1:

This Council hereby resolves that the week of September 3rd through September 8th, 2001 be observed as (Union Label Week 2001) in honor of union employers and unionized workers.

Section 2:

That this resolution shall be immediately effective.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2001

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

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

DATE: August 6, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

***AMENDED**
ORDINANCE NO. 172 - 2001

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into WRRSP Agreements with various entities to amend our loan application for the 2001 Wastewater Treatment Plant Expansion and Upgrade 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 WRRSP Agreements with various entities to amend our loan application for the 2001 Wastewater Treatment Plant Expansion and Upgrade Project.

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into WRRSP Agreements with various entities to amend our loan application for the 2001 Wastewater Treatment Plant Expansion and Upgrade Project. The cost of said amendment shall not exceed * Thirty-Nine Million Dollars (\$39,000,000.00)

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 amend our Loan Agreements with the WRRSP for the 2001 upgrade for the Wastewater Treatment Plant that will provide the City of Massillon with a lower interest rate on the loan for the 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

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR