

**AGENDA**

**DATE: NOVEMBER 19TH, 2001**  
**PLACE: COUNCIL CHAMBERS**  
**TIME: 7:30 P.M.**

**THERE ARE NO PUBLIC HEARINGS THIS EVENING**

1. ROLL CALL
2. INVOCATION BY COUNCILMAN TIM BRYAN (OR GUEST)
3. PLEDGE OF ALLEGIANCE
4. READING OF THE JOURNAL
5. REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA
6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

**ORDINANCE NO. 248 - 2001 BY: SEWER & WASTE COMMITTEE**

*1st Ready*  
**AN ORDINANCE** authorizing the Director of Public Service and Safety to enter into a contract with Kokosing Construction for the 2001 Upgrade & Expansion Project for the Wastewater Treatment Plant upgrade, upon approval of the Board of Control, and contingent upon the award of the WPCLF Loan from the Ohio EPA, and declaring an emergency.

**ORDINANCE NO. 249 - 2001 BY: RULES, COURTS & CIVIL SERVICE COMM**

*1st*  
**AN ORDINANCE** amending section 2(D) OCCUPATION LIST OF CLASS TITLES - PARK AND RECREATION DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - PARK AND RECREATION DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - PARK AND RECREATION DEPARTMENT in the City of Massillon, Ohio, and declaring an emergency.

**ORDINANCE NO. 250 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM**

*1st Ready*  
**AN ORDINANCE** repealing Ordinance No. 184 - 1991, which subdivided the City of Massillon, Ohio, into wards and enacting a new Ordinance subdividing the City of Massillon, Ohio, into wards, and declaring an emergency.

**ORDINANCE NO. 251 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM**

*1st PH Dec 3 @ 7:00pm (30 days)*  
**AN ORDINANCE** adding a new CHAPTER 1180 "HOME OCCUPATIONS AND INCIDENTAL RESIDENTIAL USES" to PART ELEVEN - PLANNING AND ZONING CODE under TITLE SEVEN - Zoning Regulations of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

**ORDINANCE NO. 252 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM**

*7-12-01 Feltner - Halber*  
**AN ORDINANCE** accepting an application for annexation for territory to the City of Massillon, Ohio, and declaring an emergency.



*Halter*

**ORDINANCE NO. 253 - 2001 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM**

*5000  
9-0  
P  
B*

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a easement agreement with the Department of the Army over property located on State Route 21 and Lincoln Way West for the pedestrian bridge & streetscape, and declaring an emergency.

**ORDINANCE NO. 254 - 2001 BY: FINANCE COMMITTEE**

*5000  
9-0  
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B*

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 3, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Wood Electric, and declaring an emergency.

**ORDINANCE NO. 255 - 2001 BY: FINANCE COMMITTEE**

*5000  
9-0  
P  
B*

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 3, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Stanley Miller Construction Co., and declaring an emergency.

**ORDINANCE NO. 256 - 2001 BY: FINANCE COMMITTEE**

*5000  
9-0  
P  
B*

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 1, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Capital Fire Protection, and declaring an emergency.

**ORDINANCE NO. 257 - 2001 BY: FINANCE COMMITTEE**

*5000  
9-0  
P  
B*

**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 4, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Feinman Mechanical, and declaring an emergency.

**ORDINANCE NO. 258 - 2001 BY: FINANCE COMMITTEE**

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B*  
*Filmer  
Halter*

**AN ORDINANCE** amending Section 2 of Ordinance No. 172 - 2001, and declaring an emergency.



**ORDINANCE NO. 259 - 2001 BY: FINANCE COMMITTEE**

*500P 9-0 P. 1000 9-0*  
**AN ORDINANCE** making certain appropriations from the unappropriated balance of the Municipal Golf Course Fund, General Fund, Parks and Recreation Fund, Solid Waste Fund, and the Parking Meter Fund, of the City of Massillon, Ohio, for the year ending December 31, 2001, and declaring an emergency.

**ORDINANCE NO. 260 - 2001 BY: FINANCE COMMITTEE**

*500P 9-0 P. 1000 9-0*  
**AN ORDINANCE** making certain transfers in the 2001 appropriation from within the Municipal Golf Course Fund to The Legends Golf Course Fund, of the City of Massillon, Ohio, and declaring an emergency.

**ORDINANCE NO. 261 - 2001 BY: FINANCE COMMITTEE**

*500P 9-0 P. 1000 9-0*  
**AN ORDINANCE** making certain appropriations from the unappropriated balance of The Legends Golf Course Fund of the City of Massillon, Ohio, for the year ending December 31, 2001, and declaring an emergency.

**ORDINANCE NO. 262 - 2001 BY: FINANCE COMMITTEE**

*500P 9-0 P. 1000 9-0*  
**AN ORDINANCE** making certain transfers in the 2001 appropriation from The Legends Golf Course Fund to the Bond Retirement Legends Fund of the City of Massillon, Ohio, and declaring an emergency.

**ORDINANCE NO. 263 - 2001 BY: FINANCE COMMITTEE**

*500P 9-0 P. 1000 9-0*  
**AN ORDINANCE** making certain transfers in the 2001 appropriation from within the Capital Improvement Fund of the City of Massillon, Ohio, and declaring an emergency.

**7. UNFINISHED BUSINESS**

**8. PETITIONS AND GENERAL COMMUNICATIONS**

**9. BILLS, ACCOUNTS AND CLAIMS**

**10. REPORTS FROM CITY OFFICIALS**

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

**11. REPORTS OF COMMITTEES**

**12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS**

**13. CALL OF THE CALENDAR**

**ORDINANCE NO. 209 - 2001 BY: COMMUNITY DEVELOPMENT & ANNEXATION COMM**

*P.H. Jan 7 @ 7:00pm Table until Jan 7 (9-0)*

**AN ORDINANCE** amending Section 1151.02 of the Massillon Code rezoning a certain tract of land from R-1 Single Family Residential to B-1 Business, and declaring an emergency.

*T. BRYAN - Request for Budget*

14. THIRD READING ORDINANCES AND RESOLUTIONS

15. SECOND READING ORDINANCES AND RESOLUTIONS

**ORDINANCE NO. 241 - 2001    BY: HEALTH, WELFARE & BUILDING REGULATIONS**

*2ND*  
**AN ORDINANCE** authorizing the adoption and incorporation of the 2002 edition of the National Electrical Code, which will become effective on January 1, 2002 into the Codified Ordinances of the City of Massillon under Chapter 1313, and declaring an emergency.

**ORDINANCE NO. 244 - 2001    BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM**

*To be added  
to the  
9-0*  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Downtown Area Rehab Phase I 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  
CLERK OF COUNCIL



DATE: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

*1st Reading*

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 248 -2001

BY: SEWER AND WASTE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a contract with Kokosing Construction for the 2001 Upgrade & Expansion Project for the Wastewater Treatment Plant upgrade, upon approval of the Board of Control, and contingent upon the award of the WPCLF Loan from the Ohio EPA, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Kokosing Construction for the 2001 Upgrade & Expansion Project for the Wastewater Treatment Plant upgrade, upon approval of the Board of Control, and contingent upon the award of the WPCLF Loan from the Ohio EPA.

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with Kokosing Construction for the 2001 Upgrade & Expansion Project for the Wastewater Treatment Plant upgrade, upon approval of the Board of Control, and contingent upon the award of the WPCLF Loan from the Ohio EPA.

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 contract with Kokosing Construction for the 2001 Upgrade & Expansion Project for the Wastewater Treatment Plant upgrade. 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: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 249 - 2001

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - PARK and RECREATION DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - PARK and RECREATION DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - PARK and RECREATION DEPARTMENT in the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

Section 2(D) OCCUPATION LIST OF CLASS TITLES - PARK and RECREATION DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby repealed.

Section 2:

That a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - PARK and RECREATION DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby enacted and shall read as follows:

(SEE ATTACHMENT 'A' PAGE 5; AND INSERT IN THE SALARY ORDINANCE 127 - 1997)

Section 3:

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the additional reason that the provision hereby enacted is immediately necessary to bring current personnel up to an appropriate rate of pay in 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



| <b>CLASS<br/>GRADE</b> | <b>SCHEDULE</b> | <b>DEPARTMENT &amp; TITLE DESCRIPTION</b>  |            |
|------------------------|-----------------|--|------------|
|                        |                 | <b><u>STREET DEPT. CONT.</u></b>           |            |
| 12H                    | A               | Truck Driver                               |            |
| 11H                    | A               | Laborer II                                 |            |
| 10H                    | A               | Storekeeper (Split 1/2)                    |            |
| 9H                     | A               | Laborer I                                  |            |
| 1H                     | A               | Temporary Labor                            |            |
|                        |                 | <b><u>GARAGE</u></b>                       | <b>440</b> |
| 22S                    | SU UN           | Operations Superintendent (Split 1/3)      |            |
| 18H                    | SU CL           | Service Superintendent                     |            |
| 16H                    | A               | Chief Automotive Mechanic                  |            |
| 14H                    | A               | Automotive Mechanic                        |            |
| 11H                    | A               | Assistant Automotive Mechanic              |            |
|                        |                 | <b><u>PARKS AND RECREATIONS DEPT</u></b>   | <b>510</b> |
| 26S-30S                | SU-UN           | Parks and Recreation Director              |            |
| 26S                    | SU UN           | Acting Parks and Recreation Director       |            |
| 11S-13S                | SU UN           | * Facility Maintenance Supervison          |            |
| 9S-11S                 | SU UN           | * Recreation Supervisor                    |            |
| 9S-11S                 | SU UN           | * Aquatics/Fitness Supervisor              |            |
| 12S                    | UN              | Office Manager                             |            |
| 7S                     | UN              | Data Entry Clerk                           |            |
| 4S                     | UN              | * Clerk Typist I                           |            |
|                        |                 | <b><u>PART TIME/TEMPORARY/SEASONAL</u></b> |            |
|                        | MS              | *Custodian                                 |            |
|                        | MS              | * Program Coordinator I/Laborer I          |            |
|                        | MS              | * Program CoordinatorII/LaborerII          |            |
|                        | MS              | * Program Coordinator III/Laborer III      |            |
|                        |                 | <b><u>SENIOR CITIZENS CENTER</u></b>       | <b>450</b> |
| 15S                    | SU UN           | Senior Citizens Superintendent             |            |
|                        |                 | <b><u>PART TIME/TEMPORARY/SEASONAL</u></b> |            |
|                        | MS              | Cooperative Business Aid                   |            |
|                        |                 | <b><u>PARK DEPARTMENT</u></b>              | <b>505</b> |
| *24S                   | SU UN           | Park Superintendent                        |            |
| 14H                    | A               | Park Lead Worker                           |            |
| 13H                    | A               | Park Group Leader                          |            |
| 13H                    | A               | Tree Trimmer                               |            |
| 12H                    | A               | Truck Driver                               |            |
| 11H                    | A               | Gardener                                   |            |
| 10H                    | A               | Assistant Gardener                         |            |
| 9H                     | A               | Laborer I                                  |            |
| 1H                     | A               | Temp Laborer                               |            |
|                        |                 | <b><u>RECREATION DEPT</u></b>              | <b>510</b> |
| *24S                   | SU UN           | Recreation Superintendent                  |            |
|                        |                 | <b><u>PART TIME/TEMPORARY/SEASONAL</u></b> |            |
|                        | MS              | Clerk                                      |            |
|                        | MS              | Clerk/Typist                               |            |

DATE: November 19, 2001

CLERK: SHARON HOWEL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 250 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE repealing Ordinance No. 184 – 1991, which subdivided the City of Massillon, Ohio, into wards and enacting a new Ordinance subdividing the City of Massillon, Ohio, into wards, and declaring an emergency.

WHEREAS, according to the last federal census, as shown by the proclamation of the Secretary of State, the City of Massillon, Ohio, has a population of 31,325; and

WHEREAS, this Council is authorized and directed by law to redistrict said city and subdivide the same into wards.

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

Section 1:

That Ordinance no. 184 – 1991 be and is hereby repealed.

Section 2:

That it is hereby enacted that the City of Massillon, Ohio, is hereby subdivided into six (6) wards, which are equal in number to the members of Council who are hereafter to be elected from wards according to law. Such six (6) wards are hereby created and established in the City of Massillon, Ohio, and the boundaries thereof shall be such as are hereafter set forth, which boundaries are fixed to that each ward shall contain as nearly as practicable an equal number of inhabitants.

Section 3:

That the boundaries of the wards shall be as follows:

a. FIRST WARD

Beginning at the midpoint of the intersection with Lincoln Way East and Seventh Street, NE; thence northerly along the centerline of Seventh Street, NE, to the midpoint of intersection with Cherry Avenue, NE; thence westerly along the centerline of Cherry Avenue, NE, to the midpoint of intersection with Amherst Road, NE; thence northerly along the centerline of Amherst Road, NE, to the midpoint of intersection with Oak Manor Avenue, NE; thence westerly along the centerline of Oak Manor Avenue, NE, to the point of intersection with the West Corporation Line; thence northerly along the West Corporation Line to the North



Corporation Line; thence easterly along the North Corporation Line to the East Corporation Line; thence southerly along the East Corporation Line to the point of intersection with the centerline of Hankins Road, NE; thence westerly along the centerline of Hankins Road, NE, to the midpoint of intersection with Sippo Creek; thence westerly along the centerline path of Sippo Creek to Sippo Reservoir; then southerly along the centerline of Sippo Reservoir to the midpoint of intersection with the centerline of State Avenue, NE; thence westerly along the centerline of State Avenue, NE, to the midpoint of intersection with Wales Road, NE; thence southerly along the centerline of Wales Road, NE, to the midpoint of intersection with Lincoln Way East; thence westerly along the centerline of Lincoln Way East to the point of beginning.

b. SECOND WARD

Beginning at the midpoint of the intersection of Lincoln Way East and Seventh Street, NE; thence westerly along the centerline of Lincoln Way East to the midpoint of intersection with Third Street, SE; thence southerly along the centerline of Third Street, NE, to the midpoint of intersection with Tremont Avenue, SE; thence westerly along the centerline of Tremont Avenue, SE and SW, to the centerline path of the Tuscarawas River; thence northerly along the centerline path of the Tuscarawas River to the midpoint of intersection with Lincoln Way West; thence westerly along the centerline of Lincoln Way West to the midpoint of intersection with 17th Street, NW; thence northerly along the centerline of 17th Street, NW, to the midpoint of intersection with West Sippo Creek; thence westerly along the centerline path of West Sippo Creek to the point of intersection with the North Corporation Line; thence northerly and easterly along the North Corporation Line to the point of intersection with the centerline of Oak Manor Avenue, NE; thence easterly along the centerline of Oak Manor Avenue, NE, to the midpoint of the intersection with Amherst Road, NE; thence southerly along the centerline of Amherst Road, NE, to the midpoint of intersection with Cherry Avenue, NE; thence easterly along the centerline of Cherry Avenue, NE, to the midpoint of intersection with Seventh Street, NE; thence southerly along the centerline of Seventh Street, NE, to the point of beginning.

c. THIRD WARD

Beginning at the midpoint of the intersection of Lincoln Way East and Wales Road, NE; thence northerly along the centerline of Wales Road, NE, to the midpoint of intersection with State Avenue, NE; thence easterly along the centerline of State Avenue, NE, to the point of intersection with Sippo Reservoir; thence northerly along the centerline path of Sippo Reservoir to the midpoint of intersection with Sippo Creek; thence easterly along Sippo Creek to the midpoint of intersection with Hankins Road, NE; thence easterly along the centerline of Hankins Road, NE, to the point of intersection with the East Corporation Line; thence easterly and southerly along the East Corporation Line to the point of the intersection with the Penn Central Railroad tracks (Conrail); thence westerly along the centerline of the Penn Central Railroad tracks (Conrail) to the point of the intersection with the centerline of 16th Street, SE; thence northerly along the centerline of 16th Street, SE, to the midpoint of intersection with Hess Boulevard, SE; thence northerly along the centerline of Hess Boulevard, SE, to the midpoint of intersection with Tremont Avenue, SE; thence westerly along the centerline of Tremont Avenue, SE, to the midpoint of intersection with Third Street, SE; thence northerly along the centerline of Third Street, SE, to the midpoint of intersection with Lincoln Way East; thence easterly along the centerline of Lincoln Way East to the point of beginning.

## d. FOURTH WARD

Beginning at the intersection of the East Corporation Line and the Penn Central Railroad tracks (Conrail); thence southerly along the East Corporation Line to the point of intersection with the South Corporation Line; thence along the South Corporation Line to the midpoint of intersection with the centerline path of the Ohio and Erie Canal; thence northerly along the centerline path of the Ohio and Erie Canal to its intersection with the north line of Section 30, Perry Township; then westerly along the north line of Section 30, Perry Township to the intersection with the centerline path of the Tuscarawas River; thence northerly along the centerline path of the Tuscarawas River to the point of intersection with Tremont Avenue, SW; thence easterly along the centerline of Tremont Avenue, SW and SE, to the midpoint of intersection with Hess Boulevard, SE; thence southerly along the centerline of Hess Boulevard, SE, to the midpoint of intersection with 16th Street, SE; thence southerly along the centerline of 16th Street, SE, to the point of intersection with the Pennsylvania Railroad tracks, thence easterly along the centerline of the Pennsylvania Railroad tracks to the point of beginning.

## e. FIFTH WARD

Beginning at the midpoint of the intersection of 17th Street, NW, and Lincoln Way West; thence easterly along the centerline of Lincoln Way West to the point of intersection with the centerline path of the Tuscarawas River; thence southerly along the centerline path of the Tuscarawas River to the point of intersection with the north line of Section 30, Perry Township; thence easterly along the north line of Section 30, Perry Township to the midpoint of intersection with the centerline path of the Ohio and Erie Canal; thence southerly along the centerline path of the Ohio and Erie Canal to the South Corporation Line; thence southerly and westerly along the South Corporation Line to the West Corporation Line; thence westerly and northerly along the West Corporation Line, to the midpoint of intersection with the centerline of Main Avenue West; thence easterly along the centerline of Main Avenue West to the midpoint of intersection with the centerline of Tremont Avenue, SW; thence easterly along the centerline of Tremont Avenue, SW, to the midpoint of intersection with the centerline of 17th Street, SW; thence northerly along the centerline of 17th Street, SW and NW, to the place of beginning.

## f. SIXTH WARD

Beginning at the midpoint of the intersection of 17th Street, NW, and Lincoln Way West; thence southerly along the centerline of 17th Street, NW, and SW, to the midpoint of intersection with Tremont Avenue, SW; thence westerly along the centerline of Tremont Avenue, SW, to the midpoint of intersection with Main Avenue West; thence westerly along the centerline of with Main Avenue West, to the South Corporation Line to the point of intersection with the West Corporation Line; thence northerly and westerly along the West Corporation Line to the point of intersection with the North Corporation Line; thence easterly along the North Corporation Line to the midpoint of intersection with 17th Street, NW, thence northerly along the centerline 17th Street, NW, to the southern line of the Sippo Valley Trail; then westerly and northerly along the southern line of the Sippo Valley Trail to the northern line of the Sippo Valley trail; thence easterly along the north line of the Sippo Valley trail to the Corporation line; thence northerly, easterly, and southerly along the Corporation line to the north line of the Sippo Valley trail; thence easterly along the north line of the Sippo Valley Trail to the midpoint of intersection with 17<sup>th</sup> Street, NW; thence southerly along the centerline of 17th Street, NW, to the point of beginning.



Section 4:

This Ordinance is hereby passed by Council pursuant to Section 731.06 of the Ohio Revised Code which provides that redistricting of the City after census must be done within 90 days after the first day of October, following the decennial census year, and it shall take effect and be in full force immediately upon its passage by Council and upon the approval of the Mayor as such approval is required pursuant to Section 731.06 of the Ohio Revised Code.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2001

ATTEST

\_\_\_\_\_  
SHARON HOWELL, CLERK OF COUNCIL

\_\_\_\_\_  
DENNIS D. HARWIG, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 251 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE adding a new CHAPTER 1180 "HOME OCCUPATIONS AND INCIDENTAL RESIDENTIAL USES" to PART ELEVEN - PLANNING AND ZONING CODE under TITLE SEVEN - Zoning Regulations 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 1:

That there be and hereby is enacted a new CHAPTER 1180 "HOME OCCUPATIONS AND INCIDENTAL RESIDENTIAL USES" to PART ELEVEN - PLANNING AND ZONING CODE under TITLE SEVEN - Zoning Regulations of the Codified Ordinances of the City of Massillon. Said new CHAPTER 1180 shall read as follows:

(See attachment "A")

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 efficient operation of the Building Maintenance Code of the City of Massillon, and for the additional reason for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2001

ATTEST: \_\_\_\_\_  
SHARON HOWELL, CLERK OF COUNCIL

\_\_\_\_\_  
DENNIS D. HARWIG, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR



" A "

Proposed Amendments to Massillon Zoning Code

CHAPTER 1180

Home Occupations and Incidental Residential Uses

1180.01 INTENT

It is the intent of this CHAPTER to establish regulations which will permit home occupations and other incidental residential uses in a manner which will preserve the peace, quiet, and tranquillity of residential neighborhoods and to ensure the compatibility of such uses permitted within the same zoning district. The need to establish regulations pertaining to home-based occupations and businesses is a result of the increased need within households for the diversity of income to help offset the rising cost of living. Home occupations and incidental residential uses will particularly benefit individuals with physical disabilities as well as those having to care for children or the elderly within their home. There are also potential benefits to the local community to be realized by those seeking services or goods supplies through home occupations and other incidental residential uses. However, these positive benefits must be weighed against the potential impacts of such uses on the residential character of the neighborhood.

1180.01 INCIDENTAL RESIDENTIAL USES

"Incidental Residential Uses" means the incidental use of a residential property for one of the following purposes:

- (a) Hobbies that do not produce a profit or only occasionally or incidentally do so.
- (b) Volunteer work for non-profit organizations.
- (c) Door-to-door sales, including marketing or sales activity in a residence by a door-to-door salesperson whose business is not based therein, including sales-oriented "parties" or group product demonstrations.
- (d) A home office used only for incidental clerical, administrative, or professional work brought home from an off-premises place of work.
- (e) An "address of convenience", meaning an activity confined to the sending and receipt of mail, phone calls, faxes, e-mail, and other forms of electronic communication, and the keeping of records in connection with any business or occupation.
- (f) Incidental low-nuisance money-making activities of household residents, other than Garage Sales as defined in Chapter 725, and including such activities as newspaper delivery, babysitting, and short-term seasonal activities such as children's lemonade stands, or other similar activities.

Incidental Residential Uses shall be permitted within all residential zoning districts as an allowable accessory use.

## 1180.02 HOME OCCUPATIONS

"Home Occupation" means any occupation or profession, other than "incidental residential uses" as defined herein, conducted entirely within a dwelling unit by the inhabitants thereof which is clearly incidental and secondary to the use of the premises for dwelling purposes and which does not change the residential character thereof. Home Occupations shall be subject to the following requirements:

- (a) There shall be no display or retail sale of goods on the premises.
- (b) All persons working at the home occupation site shall be full-time residents of that dwelling unit.
- (c) There shall be no evidence from the exterior that the dwelling unit is being utilized for purposes other than a dwelling. No addition, alteration, or remodeling of a dwelling shall be permitted in connection with any home occupation.
- (d) No signs advertising the home occupation shall be permitted.
- (e) Practice of the home occupation shall be permitted in the principal dwelling only, not in any accessory buildings.
- (f) Deliveries shall not restrict traffic circulation.
- (g) Traffic generated by the home occupation shall not exceed volumes normally expected in a residential neighborhood.
- (h) A home occupation shall not produce noise, obnoxious odors, vibrations, lighting glare, smoke, or fumes detectable to normal sensory perception on any adjacent lots or streets, nor shall it produce detectable electrical interference.
- (i) Adequate off-street parking facilities shall be provided to reasonably accommodate the normal activity of the home occupation.
- (j) The outdoor storage of goods, materials, or equipment shall be prohibited. The home occupation shall not involve the storage of hazardous, flammable, or combustible liquids or materials, other than those customarily found in a dwelling (and of no greater intensity or duration than that customarily associated with a residence.)

(k) Not more than one commercial vehicle together with equipment, tools, and stock-in-trade maintained therein where such motor vehicle is used as the owner's means of transportation, shall be permitted in any residential district; provided that such vehicle shall be parked on the premises and not on any public street, and provided further that such tools and equipment are not used for the performance of services upon the premises and stock-in-trade is not sold from the premises.

(l) The following types of home occupations shall be prohibited: any business whose primary function is the rendering of services to customers or clients on the premises, with the exception of educational services such as tutoring or music instruction.

#### 1180.03 APPLICATION AND REVIEW PROCESS

Any person desiring to conduct a home occupation in a residential district shall apply to the Board of Zoning Appeals for approval as follows:

- (a) The application fee for a home occupation permit shall be fifty dollars (\$50.00) and shall be paid to the Secretary of the Board of Zoning Appeals, who shall forthwith deliver said amount to the City Treasurer for deposit to the credit of the General Fund.
- (b) The Board of Zoning Appeals shall consider any application for a home occupation permit at its regularly scheduled monthly meeting.
- (c) In consideration of any application for a home occupation permit, the Board of Zoning Appeals shall determine that the proposed use will comply with the requirements of 1180.02 and further, that the proposed home occupation will not unreasonably diminish or impair established property values within the surrounding area, or in any respect impair the public health, safety, comfort, morals, or welfare of the community.
- (d) The granting of a home occupation permit by the Board of Zoning Appeals shall in no way constitute a change in the zoning classification of the property on which the home occupation is permitted.
- (e) A home occupation permit shall be valid for a period of one year and may be renewable in subsequent years, upon payment of a fee of fifty dollars (\$50.00) per year.
- (f) A home occupation permit is not transferable and shall be immediately revoked and become null and void upon the sale, lease, transfer, or other disposition of the home occupation or the property on which it is located.



- (g) If the use for which a home occupation has been granted ceases for a period of six consecutive months, all permits issued pursuant to this section shall become null and void.
- (h) Home occupation permits granted pursuant to this section may be revoked by the Building Inspector pursuant to the provisions of Chapter 1125, such revocation to be based upon the failure to comply with any of the provisions of this section and when the use of any property in a residential district as a home occupation results in an undesirable condition interfering with the health, safety, or welfare of the surrounding residential area.
- (i) Any person aggrieved or affected by a decision of the Board of Zoning Appeals regarding an application for a home occupation permit may appeal such decision, pursuant to Section 1129.09, to Council by filing with the Clerk of Council a written notice of such appeal within ten days of the decision by the Board of Zoning Appeals.

DATE: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 252 - 2001

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

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

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

WHEREAS, the said petition was duly considered by the Board of County Commissioners of Stark County on May 4, 2001.

WHEREAS, the Board of County Commissioners on September 11, 2001, approved the annexation of said territory to the City of Massillon as hereinafter described, and

WHEREAS, the Board of County Commissioners certified the transcript and pertinent documents of proceedings in connection with said annexation with the map and petition required in connection therewith, to the Auditor of the City of Massillon, who received same on September 21, 2001, and

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

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

Section I:

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

Situated in the township of Tuscarawas, County of Stark, and State of Ohio, and known as and being part of the Northwest Quarter of Section 14, Township 12, (Tuscarawas), Range 10, and more fully bounded and described as follows:

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

Thence S 04°26'00" W, following the East line of said Northwest quarter section, a distance of 449.98 feet to a point; said point marking the southeast corner of a tract of land currently or formerly owned by Tridoc Development Inc. as recorded in Imaging Record Number 2001004284 of the Stark County Official Records;

- Thence along the south line of said tract of land, on a bearing of N 85°45'00" W a distance of 604.65 feet to a point;

Thence along the east line of a platted Lot Number 79 of the Bonnie Brae allotment, as recorded in Plat Book 25, Page 66 of the Stark County records, on a bearing of S04°15'00" W a distance of 456.97 feet to a point; said point lying on the north right-of-way line of Bonnie Brae Drive SW;

Thence along said right-of-way, on a bearing of N 85°45'00" W a distance of 409.60 feet to a point; said point being on the westerly line of a platted Lot Number 82 of the Bonnie Brae allotment;

Thence along said westerly lot line, on a bearing of N 04°15'00" E a distance of 300.00 feet to a point; said point being the south line of a platted Lot Number 1 of the Bonnie Brae allotment;

Thence along said south lot line, on a bearing of N 85°45'00" W a distance of 609.71 feet to a point, said point being on the east right-of-way of Highlander Ave. SW;

Thence along said east right-of-way line, on a bearing of N 33°25'44" E a distance of 180.89 feet to a point, said point lying on the south line of said Tridoc parcel;

Thence along said line, on a bearing of N 85°45'00" W a distance of 34.47 feet to a point; said point being on the centerline of Highlander Ave. SW;

Thence along said centerline, on a bearing of N 33°45'00" E a distance of 517.00 feet to a point; said point being on the North line of the Northwest Quarter of Section 14, Tuscarawas Township;

Thence along said quarter section line, on a bearing of N 85°45'00" E a distance of 1317.38 feet to a point, said point being the Northeast corner of the Northwest Quarter of Section 14, and being the true place of beginning.

The parcel herein described contains 21.259 acres, more or less, of which all 21.259 acres lies in the Northwest Quarter of Section 14, Tuscarawas Township, Stark County, Ohio.



Section 2:

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

Section 3:

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

Section 4:

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

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2001

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

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR



DATE: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 253 - 2001

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into an easement agreement with the Department of the Army over property located on State Route 21 and Lincoln Way West for the pedestrian bridge & streetscape, 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 enter into an easement agreement with the Department of the Army over property located on State Route 21 and Lincoln Way West for the pedestrian bridge & streetscape.

Section 2:

The Director of Public Service and Safety of the city of Massillon, Ohio, is hereby authorized to enter into an agreement with the Department of the Army over property located on State Route 21 and Lincoln Way West for the pedestrian bridge & streetscape,

Section 3:

This Ordinance is hereby declared to be an emergency measure for the reason that this easement is needed to assist the City in providing a safe pedestrian crossing over State Route 21. 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: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 254 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 3, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Wood Electric, 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 for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 3, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Wood Electric

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve Change Order No. 3, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Wood Electric. The cost of said Change Order No. 3 shall not exceed Fifty-Two Thousand Ten Dollars (\$52,010.00).

Section 3:

That upon the completion of said services, the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for such services and the City Auditor is hereby authorized and directed to honor and pay said vouchers.



Section 4:

That 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 further reason that said services are necessary for the addition of the northeast community room, storage, restrooms and office space for work at the Massillon Recreation Center and the funds are available in account. 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: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 255 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 3, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Stanley Miller Construction Co., 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 for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 3, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Stanley Miller Construction Co.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve Change Order No. 3, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Stanley Miller Construction Co. The cost of said Change Order No. 3 shall not exceed Six Thousand Nine Hundred Ninety-Eight Dollars and Twenty Cents (\$6,998.20)

Section 3:

That upon the completion of said services, the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for such services and the City Auditor is hereby authorized and directed to honor and pay said vouchers.

Section 4:

That 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 further reason that said services are necessary for the addition of the northeast community room, storage, restrooms and office space for work at the Massillon Recreation Center and the funds are available in account. 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: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 256 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 1, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Capital Fire Protection, 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 for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 1, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Capital Fire Protection.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve Change Order No. 1, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Capital Fire Protection. The cost of said Change Order No. 3 shall not exceed Seven Thousand Eight Hundred Fifth-Seven Dollars (\$7,857.00)

Section 3:

That upon the completion of said services, the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for such services and the City Auditor is hereby authorized and directed to honor and pay said vouchers.

Section 4:

That 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 further reason that said services are necessary for the addition of the northeast community room, storage, restrooms and office space for work at the Massillon Recreation Center and the funds are available in account. 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: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 257 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 4, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Feinman Mechanical, 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 for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 4, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Feinman Mechanical.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve Change Order No. 4, for materials, work and equipment as required for addition of the northeast community room, storage, restrooms and office space for the Massillon Recreation Center, without competitive bidding, with Feinman Mechanical. The cost of said Change Order No. 3 shall not exceed Twenty-Seven Thousand Nine Hundred Eighty-Eight Dollars and Sixty-Seven Cents (\$27,988.67).

Section 3:

That upon the completion of said services, the Director of Public Service and Safety is hereby authorized to issue vouchers to the Auditor of the City of Massillon, Ohio, directing prompt payment for such services and the City Auditor is hereby authorized and directed to honor and pay said vouchers.



Section 4:

That 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 further reason that said services are necessary for the addition of the northeast community room, storage, restrooms and office space for work at the Massillon Recreation Center and the funds are available in account. 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: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 258 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending Section 2 of Ordinance No. 172 - 2001, and declaring an emergency.

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

Section 1:

Section 2 of Ordinance No. 172 - 2001 be and is hereby amended to read as follows: The cost of the Wastewater Treatment Plant Expansion and Upgrade Project shall not exceed Forty-Two Million Five Hundred Thousand Dollars (\$42,500,000.00)

Section 2:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community, and for the additional reason that it is no necessary to amend our Loan Agreements with the WRRSP for the 2001 upgrade for 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: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 259 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Municipal Golf Course Fund, Parks and Recreation Fund, General Fund, Solid Waste Fund and the Parking Meter 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 Municipal Golf Course Fund for the year ending December 31, 2001, the following:

\$120,000.00 to an account entitled "Transfer To" 1432.920.2710  
\$ 15,500.00 to an account entitled "Salary Project Manager" 1432.920.2110  
\$ 13,137.78 to an account entitled "Capital Projects" 1432.920.2510

Section 2:

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

\$85,220.10 to an account entitled "Capital Improvements" 1433.505.2510  
\$ 6,000.00 to an account entitled "Parks and Recreation Refunds" 1433.505.2720

Section 3:

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

\$36,500.00 to an account entitled "Street Salary" 1100.435.2110  
\$30,200.00 to an account entitled "Police Salary" 1100.305.2110  
\$0,000.00 to an account entitled "Law Director Clerks Salary" 1100.115.2111  
\$29,000.00 to an account entitled "Fire Salary" 1100.325.2110  
\$14,000.00 to an account entitled "Building Salary" 1100.415.2110  
\$ 7,000.00 to an account entitled "Janitor's Salary" 1100.410.2110



DATE: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 260 - 2000

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2001 appropriation from within the Municipal Golf Course Fund to The Legends Golf Course Fund, of the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

There be and hereby is transferred from the 2001 appropriation from within the Municipal Golf Course Fund to The Legends Golf Course Fund of the City of Massillon, Ohio, the following:

\$120,000.00 FROM: "Transfer To" 1432.290.2710  
"Transfer In" 2104.920.1860

Section 2:

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

PASSED IN COUNCIL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2001

ATTEST: \_\_\_\_\_  
SHARON HOWELL, CLERK OF COUNCIL

\_\_\_\_\_  
DENNIS D. HARWIG, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR



DATE: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO.261 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of The Legends Golf Course 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 Legends Golf Course Fund of the City of Massillon, Ohio, for the year ending December 31, 2001, the following:

\$68,800.00 to an account entitled "Transfer To" 2104.920.2710

Section 2:

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

PASSED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2001

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

APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 262 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2001 appropriation from The Legends Golf Course Fund to the Bond Retirement Legends Fund of the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

There be and hereby is transferred from the 2001 appropriation from The Legends Golf Course Fund to the Bond Retirement Legends Fund, of the City of Massillon, Ohio the following:

\$68,800.00 FROM: "Transfer To" 2104.920.2710  
TO: "Transfer In" 1302.920.1860

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are necessary for the payment of the more efficient operation of The Legends Golf Course. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2001

APPROVED: \_\_\_\_\_  
SHARON HOWELL, CLERK OF COUNCIL

\_\_\_\_\_  
DENNIS D. HARWIG, PRESIDENT

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: November 19, 2001

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 263 - 2001

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2001 appropriation from within the Capital Improvement Fund of the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

There be and is hereby transferred from the 2001 appropriation from within the Capital Improvement Fund of the City of Massillon, Ohio, the following:

\$ 8,400.00 FROM: "Street Resurfacing" 1401.435.2510  
\$ 1,600.00 FROM: "Fire Station Repairs" 1401.325.2510

\$10,000.00 TO: "New Fire Equipment Breathing Apparatus" 1401.325.2530

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for the efficient operation of the various departments for the end of the year 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