

## AGENDA

DATE: APRIL 1, 2002  
PLACE: COUNCIL CHAMBERS  
TIME: 7:30 P.M.

THERE IS ONE PUBLIC HEARING THIS EVENING  
**ORDINANCE NO. 33 - 2002 AT 7:00 P.M.**

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

A). CLERK OF COURT JOHNNIE MAIER AND CHIEF DEPUTY SHANE JACKSON TO  
PRESENT YEARLY REPORT OF THE CLERK OF COURTS OFFICE.

### 6. INTRODUCTION OF ORDINANCES AND RESOLUTIONS

#### **ORDINANCE NO. 65 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE**

P  
9-0  
AN ORDINANCE authorizing and directing the Mayor to enter into an agreement with Fame Beverage Company, providing for the adoption of a project which will establish a new facility and create employment opportunities within the City of Massillon Enterprise Zone, and declaring an emergency.

#### **ORDINANCE NO. 66 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE**

P  
9-0  
AN ORDINANCE repealing Ordinance No. 27 - 1998, Ordinance No. 24 - 1999 and Ordinance No. 208 - 1999 and rescinding the Enterprise Zone Agreement with the Rhein Chemie Corporation (formerly Elastochem), and declaring an emergency.

#### **ORDINANCE NO. 67 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE**

1st  
AN ORDINANCE approving an application for assistance under Title 1 of the Housing and Community Development Act of 1974, as amended, including the Consolidated Plan and Annual Action Plan; authorizing the execution and filing of the application and related assurances and certifications, and declaring an emergency.

#### **ORDINANCE NO. 68 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE**

1st  
AN ORDINANCE amending Section 1151.02 of the Massillon code by rezoning a certain tract of land from O-1 Office to RM-1 Multiple Family Residential and R-U One Family Residential, and declaring an emergency.

Public Hearing 5/4/02 7:00 PM

APRIL 1, 2002

**ORDINANCE NO. 69 - 2002    BY: ENVIRONMENTAL COMMITTEE**

5  
9-0  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Jack Doheny Supplies Ohio, Inc. to purchase/lease new sewer jet truck, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control, and declaring an emergency.

**ORDINANCE NO. 70 - 2002    BY: HEALTH, WELFARE & BUILDING REGULATIONS**

1st  
**AN ORDINANCE** amending CHAPTER 505 "ANIMALS AND FOWL" of the Codified Ordinances of the City of Massillon, by amending existing Section 505.14(c) "Keeping of Certain Animals Prohibited" of CHAPTER 505 "ANIMALS AND FOWL", and declaring an emergency.

**ORDINANCE NO. 71 - 2002    BY: PARKS AND RECREATION COMMITTEE**

P  
9-0  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Baker Vehicle Systems, Inc., to purchase two (2) Steiner Tractors, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control, and declaring an emergency.

**ORDINANCE NO. 72 - 2002    BY: PARKS AND RECREATION COMMITTEE**

5  
9-0  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Xenia Power Equipment, to purchase a John Deere ProGator Utility Vehicle with spray tank, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control, and declaring an emergency.

**ORDINANCE NO. 73 - 2002    BY: PARKS AND RECREATION COMMITTEE**

P  
9-0  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Arena Dodge, to purchase a full size 4-wheel drive heavy duty 3/4 ton pick-up truck, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control, and declaring an emergency.

**ORDINANCE NO. 74 - 2002    BY: PARKS AND RECREATION COMMITTEE**

P  
9-0  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No.6, with Wood Electric, for providing necessary electrical power and interconnecting control wiring at the Massillon Recreation Center, without competitive bidding, with Wood Electric, and declaring an emergency.



APRIL 1, 2002

**ORDINANCE NO. 75 - 2002 BY: RULES, COURTS & CIVIL SERVICE COMMITTEE**

1st  
P  
9-0  
AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - WASTEWATER TREATMENT DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - WASTEWATER TREATMENT DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - WASTEWATER TREATMENT DEPARTMENT in the City of Massillon, Ohio, and declaring an emergency.

**ORDINANCE NO. 76 - 2002 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM.**

P  
9-0  
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to grant an easement to Dominion East Ohio Gas for an underground pipe line to serve the Massillon Recreation Center and the new arena, and declaring an emergency.

**ORDINANCE NO. 77 - 2002 BY: FINANCE COMMITTEE**

P  
9-0  
AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund, Community Development Block Grant Fund, General Fund and the Ornamental Street Lighting Fund, of the City of Massillon, for the year ending December 31, 2002, and declaring an emergency.

**RESOLUTION NO. 7 - 2002 BY: COMMITTEE OF THE WHOLE**

P  
9-0  
A RESOLUTION repealing Resolution No. 23 - 2001 and enacting a new Resolution that reverses and amends the decision of the Massillon Zoning Board of Appeals made on September 13, 2001 wherein the Zoning Board of Appeals denied a variance to reduce the front and rear setbacks on the property located at 932 14<sup>th</sup> Street S.E. and known as Lot No. 16118 in the City of Massillon, Ohio, and declaring an emergency.

**RESOLUTION NO. 8 - 2002 BY: COMMITTEE OF THE WHOLE**

P  
9-0  
A RESOLUTION repealing Resolution No. 24 - 2001 and enacting a new Resolution reverses and amends the decision of the Massillon Zoning Board of Appeals made on September 13, 2001 wherein the Zoning Board of Appeals denied a variance to reduce the front and rear setbacks on the property located at 924 14<sup>th</sup> Street S.E. and known as Lot No. 16117 in the City of Massillon, Ohio, and declaring an emergency.

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

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR MARCH - 2002
- B). AUDITOR SUBMITS MONTHLY REPORT FOR MARCH - 2002
- C). CLERK OF COURTS SUBMITS YEARLY REPORT FOR 2001

APRIL 1, 2002

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR

IN 1111 F

A

**ORDINANCE NO. 33 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE**

P **AN ORDINANCE** amending Section 1151.02 of the Massillon Code by rezoning a certain tract of land from R-1 Single Family Residential and I-1 Light Industrial to R-1 Local Business, RM-1 Multiple Family Residential and R-U One Family Residential, and declaring an emergency

14. THIRD READING ORDINANCES AND RESOLUTIONS
15. SECOND READING ORDINANCES AND RESOLUTIONS
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: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 65 - 2000

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing and directing the Mayor to enter into an agreement with Fame Beverage Company, providing for the adoption of a project which will establish a new facility and create employment opportunities within the City of Massillon Enterprise Zone, and declaring an emergency.

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

WHEREAS, Fame Beverage Company, is proposing to construct a new facility on a 9.74 acre site in MDF Business Park, on Warmington Avenue S.W., within the Massillon Enterprise Zone, and Fame Beverage Company, is proposing to establish a new facility to relocate its manufacturing operations from its present location, at a total combined investment of Two Million Six Hundred Thousand Dollars (\$2,600,000.00), (hereinafter the "Project"), provided that the appropriate development incentives are available to support the economic viability of said Project; and

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

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

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

WHEREAS, Fame Beverage Company, has submitted a proposed agreement application, herein attached as Exhibit "A", to the City of Massillon, Ohio, requesting that the incentives available for development within the Enterprise Zone be approved for the Project; and

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

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

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

Section 1:

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

Section 3:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the City of Massillon, Ohio and for the further reason that approval of said agreement is necessary so as to maximize the investment that will be made by the Fame Beverage Company, within the City of Massillon, Ohio. Provided it receives the affirmative vote of two-thirds of the elected members to Council it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2000

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

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



DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 66 - 2002

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE repealing Ordinance No. 27 - 1998, Ordinance No. 24 - 1999 and Ordinance No. 208 - 1999 and rescinding the Enterprise Zone Agreement with the Rhein Chemie Corporation (formerly Elastochem), and declaring an emergency.

WHEREAS, in Ordinance No. 27 - 1998, Ordinance No. 24 - 1999 and Ordinance No. 208 - 1999, this Council authorized tax abatements with the Rhein Chemie Corporation (formerly Elastochem); and

WHEREAS, pursuant to the passage of these ordinances, the City of Massillon entered into an Enterprise Zone Agreement; and

WHEREAS, the company never began the project and has since sold the project site; and

WHEREAS, in order for the Stark County Auditor and the State of Ohio to adjust the records, the tax abatement needs to be rescinded.

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

Section 1:

That Ordinance No., 27 - 1998, Ordinance No. 24 - 1999 and Ordinance No. 208 - 1000 are hereby repealed.

Section 2:

There the Enterprise Zone Agreement between the City of Massillon and Rheim Chemie Corporation (formerly Elastochem) is hereby rescinded.

Section 3:

This ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community, and for the additional reason that these ordinances need to be repealed and the enterprise Zone Agreement needs to be rescinded so that the governmental entities may be rightfully adjusted. 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 \_\_\_\_\_, 2002

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

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



DATE: APRIL 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 67 - 2002

*1st reading 4/1*  
LEGISLATIVE DEPARTMENT

*2nd reading 4/5*  
*passed 5/6*

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

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

WHEREAS, under the provisions of Title I of the Housing and Community Development Act of 1974 (which title is hereunder referred to as the "Act") and the regulations promulgated thereunder (24 CFR Parts 58 and 570, hereunder referred to as the "Regulations") is authorized to make block grants to units of general local government to help finance housing and community development programs (which grants are hereinafter to as "CDBG" grants); and

WHEREAS, the City of Massillon proposes to apply for such a grant for Fiscal Year 2002 and has, in that connection and as required by and pursuant to the Act and Regulations, prepared a Consolidated Plan for community development, including a strategic plan for meeting its housing and community development needs, and an annual action plan describing the activities that the City proposes to undertake with CDBG funds; and

WHEREAS, the City of Massillon has developed and implemented a citizen participation plan to make information available to citizens, public agencies, and others on the various elements of CDBG program; to encourage participation of citizens and organizations representing citizens, particularly low and moderate income citizens, in the development of the Consolidated Plan; to hold public meetings on the Plan and proposed CDBG Budget and to provide timely and adequate notice of such meetings; and to provide technical assistance to citizens and citizen groups requesting assistance to adequately participate in the planning, implementation, and evaluation of the Consolidated Plan and CDBG Program; and

WHEREAS, the Council has duly reviewed and considered the Consolidated Plan and Annual Action Plan, along with the views and proposals of citizens, and the comments and recommendations of the City's administrative and planning officials.

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

Section 1:

This Council hereby finds and determines that the Consolidated Plan and Annual Action Plan properly and adequately identifies the City's housing and community development needs and objectives; and that the programs and activities to be undertaken by the City with CDBG funds as provided for under the Act for the 2002 Program Year have been designed so as to give maximum feasible priority to activities which will benefit low and moderate income households or aid in the prevention or elimination of slums and blight, so as to achieve the national objectives of the CDBG program which are to develop viable urban communities by providing decent housing and suitable living environment and expanding economic opportunities, principally for low and moderate income persons; and for these reasons, this Council approves said Plan.

Section 2:

That the Mayor, being the chief executive officer of the City of Massillon, is hereby designated as the authorized representative of the City, to act in connection with the City's application for CDBG funds, and to provide such additional information, as well as to execute and file such additional documentation or certifications as may be required by the Secretary or by other responsible agencies in connection with the application.

Section 3:

That this Council hereby finds and determines that the City in preparing its application for CDBG funds, has complied with the applicable requirements of the Act and Regulations, and that this Council hereby approves the Annual Action Plan and authorizes the Mayor to execute and file the application, together with all related documentation, with the Secretary.

Section 4:

That this Council hereby directs that the City of Massillon is carrying out its CDBG funded activities, continue to comply with applicable requirements of the Act and Regulations and with other applicable laws including civil rights, equal opportunity and fair housing, citizens participation, real property acquisition and relocation, environmental protection, fair labor standards, and the requirement of giving maximum feasible priority to activities which will benefit low and moderate income households or aid in the prevention or elimination of slums and blight, and this Council authorizes the Mayor to execute and file with the Secretary certifications in such form as the Secretary may prescribe, which will provide assurances concerning these foregoing matters, and concerning other matters as may be required by the Secretary in connection with carrying out the City's CDBG program.



Section 5:

That this Council hereby authorizes the Mayor to consent to assume the status of a responsible federal official under the National Environmental Policy Act of 1969, insofar as the provision of such act applies to the Secretary's responsibilities for environmental review, decision making, and action to be assumed and carried out by the Mayor, and authorizes the Mayor to consent, on behalf of the City, to accept the jurisdiction of the Federal Courts for the purposes of carrying out the CDBG program; and furthermore, that this Council hereby authorizes the Mayor to execute and file such other documents and take such other actions in connection with the environmental review process as may be required by the Act and Regulations.

Section 6:

That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the further reason that the immediate approval and filing of the application is necessary to enable the City to qualify for its CDBG Grant for the FY 2001 Program Year and thus enable it to carry out its Community Development Program. 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 \_\_\_\_\_ 2002

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

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

PROPOSED BUDGET- FY 2002 CDBG PROGRAM ACTION PLAN

Proposed  
CDBG  
Budget  
2002

Project Name	Applicant	Description	
<i>Housing Activities</i>			
City Housing Rehabilitation	Community Development Dept	Homeowner & Rental Housing Rehabilitation	220,000
NHS New Construction	NHS of Massillon	New Housing Construction	50,000
Habitat for Humanity	Habitat for Humanity	New Housing Construction	25,000
Family Living Center Improvements	Community Services of Stark County	Construction of Driveway to Improve Access	5,000
<i>Neighborhood Facilities &amp; Improvements</i>			
Target Area Street Resurfacing	City Engineer's Office	Street Resurfacing in LMI neighborhoods	100,000
Head Start Center	Stark Community Action Agency	Site Improvements for Head Start Center Site	25,000
Walnut Hills Improvements	Walnut Hills Residential Assoc	Picnic/Playground Project	15,000
CHARM District Improvements	CHARM	Street Lights, Sidewalk Improvements	10,000
<i>Central Business District Improvements</i>			
Massillon Main Street Program	Massillon Main Street	Rehab of Downtown Buildings	75,000
Lincoln Centre III Redevelopment	Community Development Dept	Redevelopment in Lincoln Centre III	25,000
<i>Clearance Activities</i>			
Demolition Program	Building Department	Demolition of vacant, dilapidated structures	45,000
<i>Public Service Activities</i>			
Youth Center Program	City Youth Center	Operation of City Youth Center	56,000
Elderly Homemaker Program	Westark Family Services	Homemaker services to elderly & handicapped	20,000
Housing Counseling	Massillon Urban League	Rental referrals, tenant & homeowner counseling	15,000
Western Stark Medical Clinic	Western Stark Medical Clinic	Free Medical Services for Uninsured LMI persons	12,000
Family Living Center	Community Services of Stark County	Operation of Homeless Shelter	10,000
Domestic Violence Project	Domestic Violence Project, Inc.	Operation of Domestic Violence Shelter	9,000
Adult Literacy Training	Massillon Literacy Commission	Adult Literacy Training, Education & Outreach	5,000
Neighborhood Partnership Program	Community Health Foundation	Leadership/Training Program	5,000
YWCA Child Development Centers	YWCA of Western Stark County	Preschool/child care centers	5,000
Teen Pregnancy Prevention	Massillon Urban League	Education Program for Middle School Students	4,000
Mayor's Drug Task Force	Mayor's Drug Task Force	Education & Outreach	4,000
Community Hospice	Hospice of Tuscarawas County	Hospice Care Giver Program	1,000



PROPOSED BUDGET - FY 2002 CDBG PROGRAM ACTION PLAN

Project Name	Applicant	Description	Proposed CDBG Budget 2002
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*Section 108 Loan Program*

Canal View Center 108 Payment	Community Development Dept	Annual Section 108 Loan Payment to HUD	210,000
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*CDBG Administration Activities*

Fair Housing Program	Community Development Dept	Fair housing services, education, outreach	34,000
Planning & Administration	Community Development Dept	Planning & Administration of CDBG Program	160,000

Total Proposed Projects 1,145,000

FY 2002 Entitlement 949,000  
 Estimated Income 21,000  
 Transfer in from prior FY Years 175,000  
 Total Available CDBG Funding 1,145,000

DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 68 - 2002

*1st Reading 4/1*  
LEGISLATIVE DEPARTMENT

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code by rezoning a certain tract of land from O-1 Office to RM-1 Multiple Family Residential and R-U One Family Residential and declaring an emergency.

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from O-1 Office to RM-1 Multiple Family Residential and R-U One Family Residential. Said rezoning request was approved by the Planning Commission of the City of Massillon, Ohio, on March 13<sup>th</sup>, 2002 and that notice and public hearing has been given according to law.

Section 2:

The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code, be and is hereby amended to show the following described area as RM-1 Multiple Family Residential and R-U One Family Residential:

Lot Nos. 9639, 9640, 6792 and 6793, a 0.98 acre parcel located at 937 Wales Road N.E. Lot Nos. 9639 and 9640 to be zoned RM-1 Multiple Family Residential to maintain existing apartment building and Lot Nos. 6792 and 6793 to be zoned R-U One Family Residential construct new single family residential homes. This rezoning is being requested by Timothy J. Putman.

Section 3:

That this ordinance is declared to be an emergency measure in that the use herein provided for is essential to the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community and that this property would best be served to be designated RM-1 Multiple Family Residential and R-U One Family Residential. 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 \_\_\_\_\_ 2002

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

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



KENDALL AVE 60

27

11TH ST.

PARKVIEW ST.

7.7

22

ES WAFES

Rezoning Request - 937 Wales Rd NE

Lot Nos. 6792-6793 from O-1 to R-U

Lot Nos. 9369-9640 from 0-1 to RM-1

DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 69 -2002

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Jack Doheny Supplies Ohio, Inc. to purchase/lease a new sewer jet truck, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Jack Doheny Supplies Ohio, Inc. to purchase/lease a new sewer jet truck, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control. The cost of said contract shall not exceed One Hundred Thirty-Two Thousand Two Hundred Eighteen Dollars (\$132,218.00)

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with Jack Doheny Supplies Ohio, Inc. to purchase/lease a new sewer jet truck without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control

Section 3:

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



DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 70 - 2002

*1st Reading 4/1*  
*2nd Reading 4/15*  
*passed 5/6*

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 505 "ANIMALS AND FOWL" of the Codified Ordinance of the City of Massillon, by amending existing Section 505.14(c) "Keeping of Certain Animals Prohibited" of CHAPTER 505 "ANIMALS AND FOWL", and declaring an emergency.

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

Section 1:

Existing Section 505.14(c) "Keeping of Certain Animals Prohibited" of CHAPTER 505 "ANIMALS AND FOWL" of the Codified Ordinances of the City of Massillon is hereby amended.

Section 2:

That Section 505.14(c) "Keeping of Certain Animals Prohibited" of CHAPTER 505 "ANIMALS AND FOWL" of the Codified Ordinances of the City of Massillon shall be amended to add the following:

505.14 (c)

(24) Presa Canario breed of dog.

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is needed to amend the City's ordinances concerning a Presa Canario breed of dog a considered dangerous animal, 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 \_\_\_\_\_ 2002

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

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

DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 71 - 2002

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Baker Vehicle Systems, Inc., to purchase two (2) Steiner Tractors, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Baker Vehicle Systems, Inc., to purchase two (2) Steiner Tractors, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control. The cost of said contract shall not exceed Nineteen Thousand Five Hundred Eleven Dollars. (\$19,511.00)

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with Baker Vehicle Systems, Inc., to purchase two (2) Steiner Tractors, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control

Section 3:

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

Section 4:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason the City of Massillon enter into a contract with Baker Vehicle Systems, Inc., to purchase two (2) Steiner Tractors, so that the tractors may be purchased for use by the Parks 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 \_\_\_\_\_ 2002

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

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



DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 72 - 2002

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Xenia Power Equipment, to purchase a John Deere ProGator Utility Vehicle with spray tank, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Xenia Power Equipment, to purchase a John Deere ProGator Utility Vehicle with spray tank, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control. The cost of said contract shall not exceed Twenty Two Thousand Four Hundred Seventy Dollars and Forty-Six Cents (\$22,470.46).

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with Xenia Power Equipment, to purchase a John Deere ProGator Utility Vehicle with spray tank, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control

Section 3:

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

Section 4:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason the City of Massillon enter into a contract with Xenia Power Equipment, to purchase a John Deere ProGator Utility Vehicle with spray tank, so that the tractors may be purchased for use by the Parks 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 \_\_\_\_\_ 2002

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

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

DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 73 - 2002

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, to enter into a contract with Arena Dodge, to purchase a full size 4-wheel drive heavy duty 3/4 ton pick-up truck, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Arena Dodge, to purchase a full size 4-wheel drive heavy duty 3/4 ton pick-up truck, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control. The cost of said contract shall not exceed Twenty Thousand Five Hundred Sixty Dollars. (\$20,560.00)

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with Arena Dodge, to purchase a full size 4-wheel drive heavy duty 3/4 ton pick-up truck, without competitive bidding, through pricing based on State of Ohio purchasing and approved by the Board of Control

Section 3:

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



Section 4:

This Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the additional reason the City of Massillon enter into a contract with Arena Dodge, to purchase a full size 4-wheel drive heavy duty 3/4 ton pick-up truck, so that the truck may be purchased for use by the Parks 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 \_\_\_\_\_ 2002

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

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

DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 74 - 2002

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 6, with Wood Electric, for providing necessary electrical power and interconnecting control wiring at the Massillon Recreation Center, without competitive bidding, 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. 6, with Wood Electric, for providing necessary electrical power and interconnecting control wiring for the Massillon Recreation Center, without competitive bidding.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve Change Order No. 6, with Wood Electric, for providing necessary electrical power and interconnecting control wiring for the Massillon Recreation Center, without competitive bidding. The Change Order No. 6 shall not exceed One Thousand Eight Hundred Ninety Two Dollars (\$1,892.00).

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 to provide necessary electrical power and interconnecting control wiring at the Massillon Recreation Center. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2002

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

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



DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*1st reading 4/1*  
LEGISLATIVE DEPARTMENT

*passed 4/15*

ORDINANCE NO. 75 - 2002

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - WASTEWATER TREATMENT DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - WASTEWATER TREATMENT DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - WASTEWATER TREATMENT 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 - WASTEWATER TREATMENT DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby repealed.

Section 2:

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

(SEE ATTACHMENT 'A' PAGE 7; 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 provisions hereby enacted are immediately necessary to employ additional personnel within the Wastewater Treatment Department to comply with the EPA Requirements. 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 15<sup>th</sup> DAY OF April 2002

APPROVED: Sharon Howell Dennis D. Harwig  
SHARON HOWELL, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

APPROVED: April 16, 2002 Francis H. Cicchinelli, Jr.  
FRANCIS H. CICCHINELLI, JR., MAYOR

I hereby certify that the foregoing ordinance  
is a true copy of the original, as passed by  
the Council of the City of Massillon, Ohio,  
and approved as noted thereon:

Sharon Howell  
Clerk of Council

Date 4/16/02

<b>CLASS GRADE</b>	<b>SCHEDULE</b>	<b>DEPARTMENT &amp; TITLE DESCRIPTION</b>
		<b><u>CON'T WASTEWATER TREATMENT</u></b>
22S	CL	*Collection System Superintendent
20S	CL	Industrial Pretreatment Coordinator
20S	SU CL	Maintenance Supervisor
20S	SU CL	Construction Superintendent
20S	UN	Design Superintendent
20S	CL	Laboratory Technician II
18S	CL	Industrial Pretreatment Inspector
18S	CL	Instrument Electrician II
18S	CL	Chief Main. Mechanic/Coll Sys. Inspector
20S	UN	Collection System Technician II
17S	SU UN	Collection Department Chief (Split ½)
16S	CL	Instrument Electrician I
16S	UN	Collection System Technician I
15S	SU UN	Collection Department Chief (Split ½)
15S	SU UN	Collection/Data Center (Split 1/3)
12S	CL	Laboratory Technician I
12S	CL	Administrative Assistant
11S	UN	Investigator/Administrative Assistant
9S	CL	Account Clerk
9S	UN	Asst to Manager/Superintendent/Adm Asst
9S	UN	Account Clerk II Typist
8S	UN	Account Clerk II Typist
8S	UN	Laboratory Asst/Admin.. Aide
7S	UN	Account Clerk II Typist
6S	UN	Secretary
3S	UN	Clerk Typist I
16W	WW	Chief Operator
16W	WW	Collection System Crew Chief
15W	WW	Operator III
15W	WW	Maintenance Mechanic II
14W	WW	Vactor Operator
14W	WW	Operator II (w/class II license)
14W	WW	Sewer Inspector
13W	WW	Operator I (w/class I license)
13W	WW	Maintenance Mechanic I
13W	WW	Light Equipment Operator
12W	WW	Operator (w/o license)
11W	WW	Laborer II
9W	WW	Laborer I
1W	WW	Temporary Labor



DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 76 - 2002

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to grant an easement to Dominion East Ohio Gas for an underground pipe line to serve the Massillon Recreation Center and the new arena, 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 grant an easement to Dominion East Ohio Gas for an underground pipe line to serve the Massillon Recreation Center and the new arena.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to grant an easement to Dominion East Ohio Gas for an underground pipe line to serve the Massillon Recreation Center and the new arena.

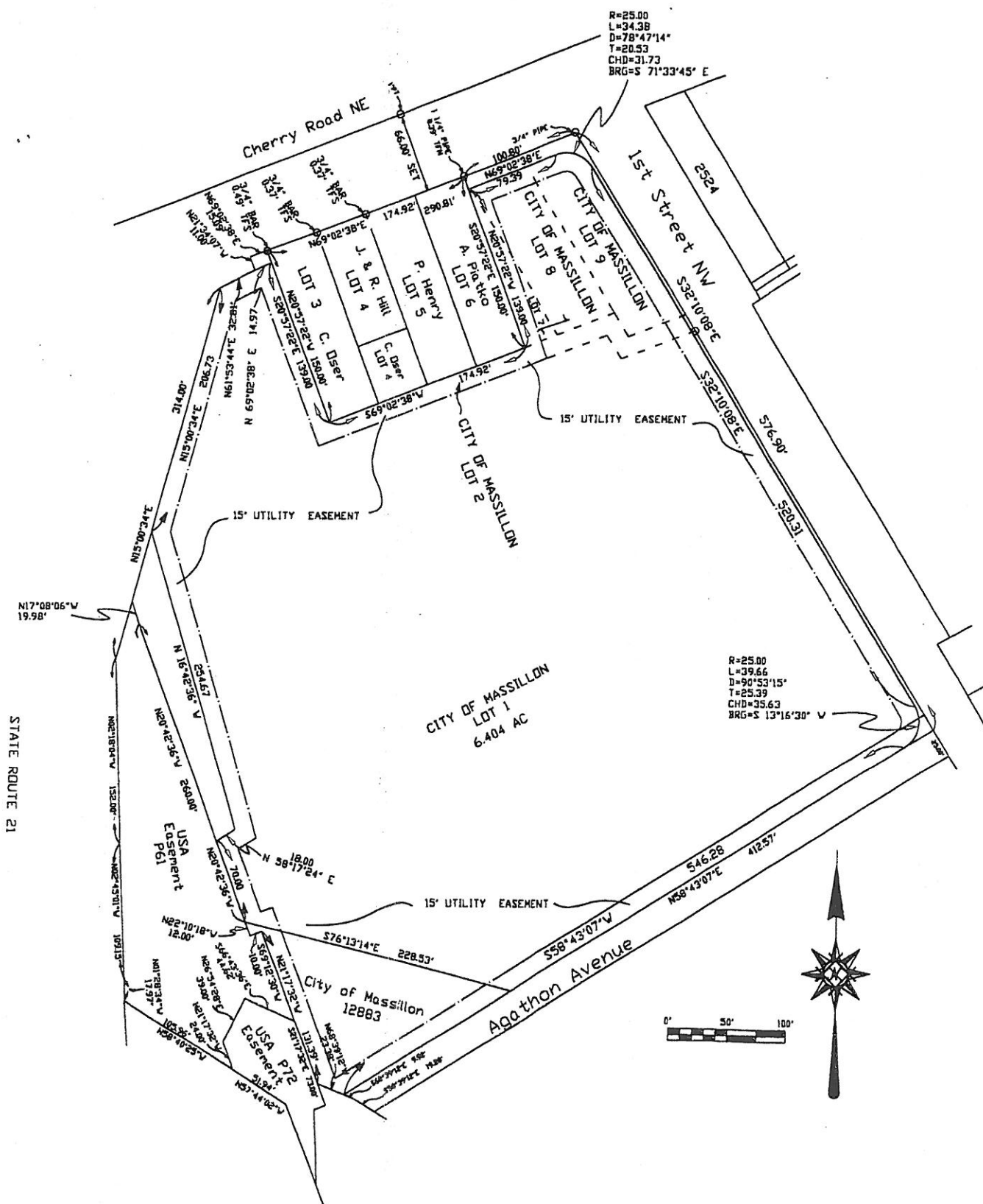
Section 3:

That this Ordinance is hereby declared to be an emergency measure for the reason that this easement is needed for an underground pipe line to service the Massillon Recreation Center and the new arena. 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 \_\_\_\_\_ 2002

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

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



DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 77 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund, Community Development Block Grant Fund, General fund, and the Ornamental Street Lighting Fund, for the year ending December 31, 2002, 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 Capital Improvement Fund for the year ending December 31, 2002, the following:

\$152,000.00 to an account entitled "Leases" 1401.905.2530

\$100,000.00 to an account entitled "Paul Brown Recreation/Sports Complex" 1401.905.2510

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Community Development Block Grant Fund, for the year ending December 31, 2002, the following:

\$ 30,000.00 to an account entitled "Joe Sparma Center" 1203.845.2932

Section 3:

There be and hereby is appropriated from the unappropriated balance of the General Fund for the year ending December 31, 2002, the following:

\$ 2,500.00 to an account entitled "Supplies/Materials/Postage" 1100.725.2410



Section 4:

There be and hereby is appropriated from the unappropriated balance of the Ornamental Street Lighting Fund, for the year ending December 31, 2002, the following:

\$ 2,000.00 to an account entitled "Street Lights" 1416.905.2392

Section 5:

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 \_\_\_\_\_ 200

ATTEST: \_\_\_\_\_  
SHARON HOWELL, CLERK OF COUNCIL      DENNIS HARWIG, PRESIDENT

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

DATE: April 8, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

*Susp 9-0  
pass 9-0*

ORDINANCE NO. 78 - 2002

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, 2002, 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, 2002, the following:

\$75,000.00 to an account entitled "Advance To" 1100.905.2750

Section 2:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are necessary for efficient operation of the Legends of Massillon 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 IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2002

APPROVED: \_\_\_\_\_  
SHARON HOWELL, CLERK OF COUNCIL      DENNY HARWIG, PRESIDENT

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

DATE: April 8, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

*SUSP 9-0  
PASS 9-0*

ORDINANCE NO. 79 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2002 appropriation from within the General Fund to 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 2002 appropriation from within the General Fund to the Legends Golf Course Fund, of the City of Massillon, Ohio, the following:

\$75,000.00 FROM: "Advance To" 1100.905.2720  
TO "Advance In" 2104.920.1865

Section 2:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are necessary for efficient operation of the Legends of Massillon 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 IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2002

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

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



DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 7 - 2002

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: A RESOLUTION Repealing Resolution No. 23 - 2001 and enacting a new Resolution that reverses and amends the decision of the Massillon Zoning Board of Appeals made on September 13<sup>th</sup>, 2001 wherein the Zoning Board of Appeals denied a variance to reduce the front and rear setbacks on the property located at 932 14<sup>th</sup> Street S.E. and known as Lot No. 16118 in the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, the Massillon Zoning Board of Appeals on September 13<sup>th</sup>, 2001 denied a variance to reduce the front and rear yard setbacks on the property located at 932 14<sup>th</sup> Street S.E. and known as Lot No. 16118 in the City of Massillon, Ohio, and

WHEREAS, on September 14<sup>th</sup>, 2001, a Notice of Appeal pursuant to Section 1129.09 of the Massillon Zoning Code was filed with the Clerk of Council by Mr. Eldon Glick, appealing the decision in Case No. 1018 of the Massillon Zoning Board of Appeals.

WHEREAS, the wording to amend Resolution No. 23 - 2001 was not properly inserted into the resolution and it is now necessary to pass a new resolution with the correct wording.

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

Section 1:

That Resolution No. 23 - 2001 be and hereby is repealed.

Section 2:

The Council of the City of Massillon, Ohio, deems it is in the best interest for proper community growth to reverse and amend the decision of the Massillon Zoning Board of Appeals made on September 13<sup>th</sup>, 2001 in Case No. 1018, by reducing the front and back set backs to 10 feet on property located at 932 14<sup>th</sup> Street N.E., Lot No. 16118 in the City of Massillon, Ohio.

DATE: April 1, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

RESOLUTION NO. 8 - 2002

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: A RESOLUTION Repealing Resolution No. 24 - 2001 and enacting a new Resolution that reverses and amends the decision of the Massillon Zoning Board of Appeals made on September 13<sup>th</sup>, 2001 wherein the Zoning Board of Appeals denied a variance to reduce the front and rear setbacks on the property located at 934 14<sup>th</sup> Street S.E. and known as Lot No. 16117 in the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, the Massillon Zoning Board of Appeals on September 13<sup>th</sup>, 2001 denied a variance to reduce the front and rear yard setbacks on the property located at 934 14<sup>th</sup> Street S.E. and known as Lot No. 16117 in the City of Massillon, Ohio, and

WHEREAS, on September 14<sup>th</sup>, 2001, a Notice of Appeal pursuant to Section 1129.09 of the Massillon Zoning Code was filed with the Clerk of Council by Mr. Eldon Glick, appealing the decision in Case No. 1019 of the Massillon Zoning Board of Appeals.

WHEREAS, the wording to amend Resolution No. 24 - 2001 was not properly inserted into the resolution and it is now necessary to pass a new resolution with the correct wording.

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

Section 1:

That Resolution No. 24 - 2001 be and hereby is repealed.

Section 2:

The Council of the City of Massillon, Ohio, deems it is in the best interest for proper community growth to reverse and amend the decision of the Massillon Zoning Board of Appeals made on September 13<sup>th</sup>, 2001 in Case No. 1019, by reducing the front yard setbacks to 10 feet on property located at 934 14<sup>th</sup> Street N.E., Lot No. 16117 in the City of Massillon, Ohio.

Section 3:

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

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2002

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

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