

AGENDA

DATE: APRIL 15, 2002
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE IS ONE PUBLIC HEARING THIS EVENING
ORDINANCE NO. 67 - 2002 6:30 P.M. (CD BUDGET)

1. ROLL CALL *Trm - Excused*
2. INVOCATION BY COUNCILMAN MIKE LOUDIANA (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. 80 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

135
AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a purchase agreement between the City of Massillon and the development group "21 Lincoln Way Project, LLC" for the redevelopment of the sites currently known as the Ohio Drilling and Consolidani properties, and declaring an emergency.

ORDINANCE NO. 81 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

check for missing lot #

Sub 8-0
AN ORDINANCE authorizing the Director Of Public Service and Safety of the City of Massillon to prepare plans and specifications and to advertise for and receive sealed bids according to law, for the sale of certain tracts of land known as and being Lot Nos. 5216, 5217, 8305, 14807 and 14813 located at 1428 Walnut Road S.E., in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose , and declaring an emergency.

ORDINANCE NO. 82 - 2002 BY: ENVIRONMENTAL COMMITTEE

10 min Rec.

CORRECTED COPY READ.

Sub 8-0
AN ORDINANCE authorizing the Director Public Service and Safety of the City of Massillon, to enter into a contract, without competitive bidding, with CTI Consultants for the design of the Federal Avenue Storm Water Pumping Station, and declaring an emergency.

ORDINANCE NO. 83 - 2002 BY: POLICE & FIRE COMMITTEE

Sub 8-0
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into an agreement with Jackson Township and other members of LOGIC to help renovate and equip the new site for the Regional Emergency Dispatch (RED) Center, and declaring an emergency.

Reconsider ORD 81-2002

8-0

Amend to ADD 5195 + 5196 in title Sec 1, 2, 3 - 8-0

Sub 8-0

Rec - 8-0

5195 + 5196

*study
survey
Preliminary layout*

ORDINANCE NO. 84 - 2002 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

*Susp 8-0
Pass 8-0*

AN ORDINANCE authorizing the director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive sealed bids and to enter into a contract, upon award and approval of the Board of control, with the lowest and best bidder for the construction and paving of additional new cart paths, repair of existing cart paths and top coating the entrance and circle leading to the club house at The Legends of Massillon Golf Course, and declaring an emergency.

ORDINANCE NO. 85 - 2002 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

*Susp 8-0
Pass 8-0*

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive sealed bids and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for directional signs at The Legends of Massillon golf course, and declaring an emergency.

ORDINANCE NO. 86 - 2002 BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMM

300,000 - CE 50,000 VLEP • Double 110' SH NE from North to 2nd intersection for 110' VLEP. Amendment 8-0

*Susp 8-0
Pass 8-0*

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive sealed bids and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the 2002 Street Resurfacing Program within the City of Massillon, and declaring an emergency.

ORDINANCE NO. 87 - 2002 BY: FINANCE COMMITTEE

*Susp 8-0
Pass 8-0*

AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund, Muni Golf Fund and Home Health Fund, for the year ending December 31, 2002, and declaring an emergency.

ORDINANCE NO. 88 - 2002 BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

*Susp 8-0
Pass 8-0*

AN ORDINANCE authorizing the issuance of ^{notes} not to exceed \$200,000 of notes in anticipation of the issuance of bonds for the purpose of acquiring and improving land for the Municipal Golf course, clubhouse and pavilion; furnishing and equipping the same; acquiring necessary appurtenances in connection therewith; and declaring an emergency.

7. UNFINISHED BUSINESS**8. PETITIONS AND GENERAL COMMUNICATIONS****9. BILLS, ACCOUNTS AND CLAIMS - 700 - Ind Bill****10. REPORTS FROM CITY OFFICIALS**

- A). MAYOR SUBMITS MONTHLY REPORT FOR MARCH 2002
- B). AUDITOR SUBMITS MONTHLY REPORT FOR MARCH 2002
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR MARCH 2002
- D). POLICE CHIEF SUBMITS MONTHLY REPORT FOR MARCH 2002
- E). TREASURER SUBMITS MONTHLY REPORT FOR MARCH 2002
- F). INCOME TAX ADMINISTRATOR SUBMITS MONTHLY REPORT FOR MARCH 2002
- G). MAYOR PRESENTS REVISED CAPITAL IMPROVEMENTS FOR 2002

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR *4-29-02 Next*
- ~~14. THIRD READING ORDINANCES AND RESOLUTIONS~~
15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 67 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

2ND P.H. NO IMP
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

2ND P.H. MAY 6 @ 7:00 PM
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.

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

2ND
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. 75 - 2002 BY: RULES, COURTS & CIVIL SERVICE COMMITTEE

SUB 8-0 POSS 8-0
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.

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 15, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 80 - 2002

1st Reading
LEGISLATIVE DEPARTMENT

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a purchase agreement between the City of Massillon and the development group "21 Lincoln Way Project, LLC" for the redevelopment of the sites currently known as the Ohio Drilling and Consolidani properties, 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 purchase agreement between the City of Massillon and the development group "21 Lincoln Way Project, LLC" for the redevelopment of the sites currently known as the Ohio Drilling and Consolidani properties.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a purchase agreement between the City of Massillon and the development group "21 Lincoln Way Project, LLC" for the redevelopment of the sites currently known as the Ohio Drilling and Consolidani properties.

Section 3:

The cost of said property shall be Two Hundred Twenty Five Thousand Dollars (\$225,000.00).

Section 4:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary that the contract agreement be entered into for the purchase of the sites currently known as the Ohio Drilling and Consolidani properties in the redevelopment area 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.

2nd Reading 5/6
Tabled 5/20
2nd Reading 8/19
passed 9/3/02

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 15, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 81 - 2002

BY: COMMUNITY DEVELOPMENT AND ANNEXATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare plans and specifications and to advertise for, and receive sealed bids, according to law, for the sale of certain tracts of land known as and being Lot Nos. 5216, 5217, 8305, 14807, and 14813 located at 1428 Walnut Road S.E. in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to prepare plans and specifications and to advertise for, and receive sealed bids, according to law, for the sale of a certain tracts of land known as and being Lot Nos. 5216, 5217, 8305, 14807, and 14813 located at 1428 Walnut Road S.E. in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose.

Section 2:

The following described real estate belonging to the City of Massillon, Ohio, is not needed for any municipal purpose, to-wit:

Known as and being tracts of land known as Lot Nos. 5216, 5217, 8305, 14807, and 14813 located at 1428 Walnut Road S.E. in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose.

Section 3:

The Director of Public Safety and Service be and is hereby authorized to prepare plans and specifications and to advertise for and receive sealed bids, according to law, for the sale of a certain tracts of land known as and being Lot Nos. 5216, 5217, 8305, 14807, and 14813 located at 1428 Walnut Road S.E. in the City of Massillon, Stark County, Ohio and owned by said City, which is not needed for any municipal purpose,

Section 4:

The advertisement for the bidding of said real estate shall contain the following instructions:

- 1). Each bidder shall be prepared to review with the administration of the City of Massillon and City Council their intended use for the real estate.
- 2). The successful bidder shall be responsible to pay all fees and costs associated with the sale and transfer of said property.
- 3). The City reserves the right to reject any and all bids.

Section 5:

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

PASSED IN COUNCIL THIS _____ DAY OF _____ 2002

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

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

Massillon City Youth Center Property
 Lots No. 5216, 5217, 8305, 14807, 14813, 5195, and 5196

14TH ST SE

15TH ST SE

16TH ST SE

18 0100 3402

18 0200 3401

18 0300 3400

18 0400 3399

18 0500 3396

18 0700 16116

18 0800 16117

18 0900 16118

18 1000 16119

18 1100 16120

18 1200 16121

18 1300 16122

18 1400 16123

18 1500 16124

18 1600 16125

18 1700 16126

18 1800 16127

18 1900 16128

18 2000 16129

18 2100 16130

18 2200 16131

18 2300 16132

18 2400 16133

18 2500 16134

18 2600 16135

18 2700 16136

18 2800 16137

18 2900 16138

18 3000 16139

18 3100 16140

18 3200 16141

18 3300 16142

18 3400 16143

18 3500 16144

18 3600 16145

18 3700 16146

18 3800 16147

18 3900 16148

18 4000 16149

18 4100 16150

18 4200 16151

18 4300 16152

18 4400 16153

18 4500 16154

18 4600 16155

18 4700 16156

18 4800 16157

18 4900 16158

18 5000 16159

18 5100 16160

18 5200 16161

18 5300 16162

18 5400 16163

18 5500 16164

18 5600 16165

18 5700 16166

18 5800 16167

18 5900 16168

18 6000 16169

18 6100 16170

18 6200 16171

18 6300 16172

18 6400 16173

18 6500 16174

18 6600 16175

18 6700 16176

18 6800 16177

18 6900 16178

18 7000 16179

18 7100 16180

18 7200 16181

18 7300 16182

18 7400 16183

18 7500 16184

18 7600 16185

18 7700 16186

18 7800 16187

18 7900 16188

18 8000 16189

18 8100 16190

18 8200 16191

18 8300 16192

18 8400 16193

18 8500 16194

18 8600 16195

18 8700 16196

18 8800 16197

18 8900 16198

18 9000 16199

18 9100 16200

18 9200 16201

18 9300 16202

18 9400 16203

18 9500 16204

18 9600 16205

18 9700 16206

18 9800 16207

18 9900 16208

18 10000 16209

21 0700 5201

21 0800 5200

21 0900 5199

21 1000 5198

21 1100 5197

21 1200 5196

21 1300 5195

21 1400 5194

21 1500 5193

21 1600 5192

21 1700 5191

21 1800 5190

21 1900 5189

21 2000 5188

21 2100 5187

21 2200 5186

21 2300 5185

21 2400 5184

21 2500 5183

21 2600 5182

21 2700 5181

21 2800 5180

21 2900 5179

21 3000 5178

21 3100 5177

21 3200 5176

21 3300 5175

21 3400 5174

21 3500 5173

21 3600 5172

21 3700 5171

21 3800 5170

21 3900 5169

21 4000 5168

21 4100 5167

21 4200 5166

21 4300 5165

21 4400 5164

21 4500 5163

21 4600 5162

21 4700 5161

21 4800 5160

21 4900 5159

21 5000 5158

21 5100 5157

21 5200 5156

21 5300 5155

21 5400 5154

21 5500 5153

21 5600 5152

21 5700 515

DATE: April 15, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 82 - 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, without competitive bidding, with CTI Consultants for the design of the Federal Avenue Storm Water Pumping Station, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract, without competitive bidding, with CTI Consultants for the design of the Federal Avenue Storm Water Pumping Station.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a contract, without competitive bidding, with CTI Consultants for the design of the Federal Avenue Storm Water Pumping Station.

Section 3:

That the amount of the contract with CTI Consultants for the design of the Federal Avenue Storm Water Pumping Station shall not exceed the amount of Twenty One Thousand Seven Hundred Dollars (\$21,700.00)

Section 4:

That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary for CTI Consultants to do a study for the design of the Federal Avenue Storm Water Pumping Station. 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 15, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 83 - 2002

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into an agreement with Jackson Township and other members of LOGIC to help renovate another site for the Regional Emergency Dispatch (RED) Center, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary and in the public health, safety and welfare to enter into contract with Jackson Township and other members of LOGIC to help renovate and equip the new site for the Regional Emergency Dispatch (RED) Center.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into an agreement with Jackson Township and other members of LOGIC to help renovate and equip the new site for the Regional Emergency Dispatch (RED) Center.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason to allow Jackson Township to act on behalf of LOGIC to help renovate and equip the new site for the Regional Emergency Dispatch (RED) 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

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

APPROVED _____
FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: April 15, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 84 - 2002

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive sealed bids and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the construction and paving of additional new cart paths, repair of existing cart paths and top coating the entrance and circle leading to the club house at The Legends of Massillon Golf Course, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for, receive sealed bids according to law and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the construction and paving of additional new cart paths, repair of existing cart paths and top coating the entrance and circle leading to the club house at The Legends of Massillon Golf Course.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for, receive sealed bids according to law, and enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for the construction and paving of additional new cart paths, repair of existing cart paths and top coating the entrance and circle leading to the club house at The Legends of Massillon Golf Course.

Section 3:

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

PASSED IN COUNCIL THIS _____ DAY OF _____, 2002

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

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

DATE: April 15, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 85 - 2002

BY: PUBLIC UTILITIES/GOLF COURSE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for, receive sealed bids and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for directional signs at The Legends of Massillon Golf Course, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for, receive sealed bids according to law and to enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for directional signs at The Legends of Massillon Golf Course.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for, receive sealed bids according to law, and enter into contract upon award and approval by the Board of Control, with the lowest and best bidder for directional signs at The Legends of Massillon Golf Course.

Section 3:

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

PASSED IN COUNCIL THIS _____ DAY OF _____, 2002

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

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

DATE: April 15, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 86 - 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 advertise for, receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the 2002 Street Resurfacing Program within the City of Massillon, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to advertise for, receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the 2002 Street Resurfacing Program within the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for, receive sealed bids and enter into contract, upon award and approval by the Board of Control, with the lowest and best bidder for the 2002 Street Resurfacing Program within the City of Massillon.

Section 3:

That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary that the advertising for bids be made to pave and/or resurface the streets prior to the commencement of the paving season. 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 15, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 87 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund, Muni Golf Fund and Home Health 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:

\$ 21,700.00 to an account entitled "Federal Avenue Storm Water Pumping Station"
\$ 7,500.00 to an account entitled "Equipment" 1401.305.2530

1401-405-5-2531

*per
Givney*

Section 2:

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

\$220,733.15 to an account entitled "Capital Projects" 1432.920.2510

Section 3:

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

\$ 1,000.00 to an account entitled "Travel/Seminar" 1235.705.2389
\$ 1,000.00 to an account entitled "Services/Contracts" 1235.705.2392

Section 4:

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

DATED: APRIL 15, 2002

CLERK: SHARON K. HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 88 - 2002

BY: THE FINANCE COMMITTEE

AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$200,000 OF NOTES IN ANTICIPATION OF THE ISSUANCE OF BONDS FOR THE PURPOSE OF ACQUIRING AND IMPROVING LAND FOR THE MUNICIPAL GOLF COURSE; EXPANDING, RENOVATING AND IMPROVING THE GOLF COURSE, CLUBHOUSE AND PAVILION; FURNISHING AND EQUIPPING THE SAME; ACQUIRING NECESSARY APPURTENANCES IN CONNECTION THEREWITH; AND DECLARING AN EMERGENCY.

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

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

Section 1. It is hereby declared necessary to issue bonds (the "Bonds") of the City in the principal sum of not to exceed \$200,000 for the purpose of paying the cost of financing the Project.

Section 2. The Bonds shall be dated prior to the maturity date of the Notes (as defined hereinbelow), shall bear interest at the maximum average annual interest rate presently estimated to be six per centum (6.00%) per annum, payable semiannually until the principal sum is paid and shall mature in thirty (30) annual installments.

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

Section 4. Such anticipatory notes (the "Notes") shall be in the amount of not to exceed \$200,000, which sum does not exceed the amount of the Bonds. The Notes shall be dated the date established by the City Auditor and certified to this Council and shall mature on such date as shall be determined by the City

Auditor and certified to this Council, provided that such maturity date shall not be later than one year after the date of issuance of the Notes. The Notes shall be designated "City of Massillon, Stark County, Golf Course Improvement Notes, Series 2002A," or as otherwise designated by the City Auditor.

Section 5. The Notes shall be issued as one fully registered note in book-entry only form in denominations of \$100,000 or any integral multiple of \$5,000 in excess thereof. Coupons shall not be attached to the Notes.

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

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

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

Section 9. The Notes shall bear interest at such rate per annum as shall be determined by the City Auditor and certified to this Council, provided that such rate shall not exceed five per centum (5.00%) per annum, based on a 360-day year of twelve 30-day months, payable at maturity. The Notes shall be, and hereby are, awarded and sold to Fifth Third Bank, Columbus, Ohio (the "Original Purchaser") at the par value thereof, and the City Auditor of this Council is hereby authorized and directed to deliver the Notes, when executed, to said purchaser upon payment of the purchase price and accrued interest, if any, to the date of delivery.

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

Section 10. The Notes shall be executed by the City Auditor and the Mayor, provided that either or both of such signatures may be a facsimile. The Notes shall express upon their faces the purpose for which they are issued and that they are issued pursuant to this ordinance. No Note shall be valid or become obligatory for any purpose of shall be entitled to any security or benefit under this ordinance unless and until a certificate of authentication, as printed on the Note, is signed by the Note Registrar (as defined in this

ordinance) as authenticating agent. Authentication by the Note Registrar shall be conclusive evidence that the Note so authenticated has been duly issued and delivered under this ordinance and is entitled to the security and benefit of this ordinance. The certificate of authentication may be signed by any officer or officers of the Note Registrar or by such other person acting as an agent of the Note Registrar as shall be approved by the City Auditor on behalf of the City. It shall not be necessary that the same authorized person sign the certificate of authentication on all of the Notes.

Section 11. Fifth Third Bank is hereby appointed to act as the authenticating agent, note registrar, transfer agent and paying agent (collectively, the "Note Registrar") for the Notes. So long as any of the Notes remain outstanding, the City will cause to be maintained and kept by the Note Registrar, at the office of the Note Registrar, all books and records necessary for the registration, exchange and transfer of Notes as provided in this section (the "Note Register"). The person in whose name any Notes shall be registered on the Note Register shall be regarded as the absolute owner thereof for all purposes. Payment of or on account of the principal of and interest on any Notes shall be made only to or upon the order of that person. Neither the City nor the Note Registrar shall be affected by any notice to the contrary, but the registration may be changed as herein provided. All payments shall be valid and effectual to satisfy and discharge the liability upon the Notes, including the interest thereon, to the extent of the amount or amounts so paid.

Any Notes, upon presentation and surrender at the office of the Note Registrar, together with a request for exchange signed by the registered owner or by a person authorized by the owner to do so by a power of attorney in a form satisfactory to the Note Registrar, may be exchanged for Notes of any authorized denomination or denominations equal in the aggregate to the unmatured principal amount of the Notes surrendered, and bearing interest at the same rate and maturing on the same date.

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

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

Section 12. For purposes of the Note Ordinance, the following terms shall have the following meanings:

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

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

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

The Note Registrar may, with the approval of the City, enter into an agreement with the beneficial owner or registered owner of any Notes in the custody of a Depository providing for making all payments to that owner of principal and interest on that Notes or any portion thereof (other than any payment of the entire unpaid principal amount thereof) at a place and in a manner (including wire transfer of federal funds) other than as provided in the Note Ordinance, without prior presentation or surrender of the Notes, upon any conditions which shall be satisfactory to the Note Registrar and to the City. That payment in any event shall be made to the person who is the registered owner of that Notes on the date that principal is due, or, with respect to the payment of interest, as of the applicable date agreed upon as the case may be. The Note Registrar will furnish a copy of each of those agreements, certified to be correct by the Note Registrar, to other paying agents for Notes and to the City. Any payment of principal or interest pursuant to such an agreement shall constitute payment thereof pursuant to, and for all purposes of, the Note Ordinance.

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

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

Section 13. The City hereby covenants that it will comply with the requirements of all existing and future laws which must be satisfied in order that interest on the Notes is and will continue to be excluded from gross income for federal income tax purposes, including without limitation restrictions on the use of the property financed with the proceeds of the Notes so that the Notes will not constitute "private activity bonds" within the meaning of Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"). The City further covenants that it will restrict the use of the proceeds of the Notes in such manner and to such extent, if any, as may be necessary, after taking into account reasonable expectations at the time the debt is incurred,

so that they will not constitute arbitrage bonds under Section 148 of the Code and the regulations prescribed thereunder (the "Regulations").

The City Auditor, or any other officer of the City, including the Mayor, is hereby authorized and directed (a) to make or effect any election, selection, designation, choice, consent, approval or waiver on behalf of the City with respect to the Notes as permitted or required to be made or given under the federal income tax laws, for the purpose of assuring, enhancing or protecting favorable tax treatment or the status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing any rebate amount or any payment of penalties, or making any payments of special amounts in lieu of making computations to determine, or paying, any excess earnings as rebate, or obviating those amounts or payments, as determined by the City Auditor, which action shall be in writing and signed by the City Auditor, or any other officer of the City, including the Mayor, on behalf of the City; (b) to take any and all actions, make or obtain calculations, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes; and (c) to give an appropriate certificate on behalf of the City, for inclusion in the transcript of proceedings, setting forth the facts, estimates and circumstances, and reasonable expectations of the City pertaining to Section 148 and the Regulations, and the representations, warranties and covenants of the City regarding compliance by the City with sections 141 through 150 of the Code and the Regulations.

The City Auditor shall keep and maintain adequate records pertaining to investment of all proceeds of the Notes sufficient to permit, to the maximum extent possible and presently foreseeable, the City to comply with any federal law or regulation now or hereafter having applicability to the Notes which limits the amount of Notes proceeds which may be invested on an unrestricted yield or requires the City to rebate arbitrage profits to the United States Department of the Treasury. The City Auditor of the City is hereby authorized and directed to file such reports with, and rebate arbitrage profits to, the United States Department of the Treasury, to the extent that any federal law or regulation having applicability to the Notes requires any such reports or rebates.

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

Section 15. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

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

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

Section 18. _____ This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City and its inhabitants for the reason this ordinance must be immediately effective so that the City can complete work on the Project prior to the beginning of the spring golf season; wherefore this ordinance shall take effect and be in force from and immediately after its adoption.

Adopted in Council on this 15th day of April, 2002.

Attest:

Clerk

President of Council

Approved:

Mayor

CERTIFICATE

The undersigned Clerk hereby certifies that the foregoing is a true copy of Ordinance No. ____ duly adopted by the Council of the City of Massillon, Ohio on April 15, 2002, and that a true copy thereof was certified to the County Auditor of Stark County, Ohio, on April __, 2002.

Clerk
City of Massillon, Ohio

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

I, Janet Weir Creighton, the duly elected, qualified, and acting County Auditor in and for Stark County, Ohio hereby certify that a certified copy of Ordinance No. _____ duly adopted by the City Council of the City of Massillon, Stark County, Ohio on April 15, 2002, providing for the issuance of general obligation notes designated City of Massillon, Stark County, Golf Course Improvement Notes, Series 2002A, in the aggregate amount of not to exceed \$200,000 was filed in this office on April ___, 2002.

WITNESS my hand and official seal at Canton, Ohio this _____ day of April, 2002.

[SEAL]

County Auditor
Stark County, Ohio

DATE: April 15, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Second Reading 5/6
LEGISLATIVE DEPARTMENT
passed 5/20

RESOLUTION NO. 9 - 2002

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: A RESOLUTION reversing the decision of the Massillon Zoning Board of Appeals made on April 11th, 2002 wherein the Zoning Board of Appeals denied a variance request to not install a continuous and obscuring wall not less than 4' 6" in height measured from the surface of the parking area of the Head Start site at 1134 Walnut Road S.E. and known as Lot No. OL864 in the City of Massillon, Ohio, and declaring an emergency.

WHEREAS, the Massillon Zoning Board of Appeals on April 11th, 2002 denied a variance request to not install a continuous and obscuring wall not less than 4' 6" in height measured from the surface of the parking area of the Head Start site at 1134 Walnut Road S.E. and known as Lot No. OL864 in the City of Massillon, Ohio.

WHEREAS, on April 15th, 2002, a Notice of Appeal pursuant to Section 1129.09 of the Massillon Zoning Code was filed with the Clerk of Council by Wilson Architectural, Agent appealing the decision in Case No. 1035 of the Massillon Zoning Board of Appeals.

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

Section 1:

The Council of the City of Massillon, Ohio, deems it is in the best interest for proper community growth to reverse the decision of the Massillon Zoning Board of Appeals made on April 11th, 2002 in Case No. 1035, to a request to not install a continuous and obscuring wall not less than 4' 6" in height measured from the surface of the parking area of the Head Start site at 1134 Walnut Road S.E. and known as Lot No. OL864 in the City of Massillon, Ohio,

Section 2:

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

1

PASSED IN COUNCIL THIS _____ DAY OF _____ 2002

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

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

AMENDMENT TO RES #9-2002

As a condition to the attached Resolution No. 9-2002 by the City of Massillon, Ohio; Stark County Community Action Agency (SCCAA) and its agents agree to the following:

VERBAL OK
BY JOHN
FERREIRO 5/13

- *1. Based upon future residential development on the adjoining property at their Head Start site - 1134 Walnut Road, S.E., Massillon City Council maintains the right to require SCCAA to install a barrier(s) not less than 4'-6" in height to specifically shield any and all vehicular headlights from their parking area sweeping on to the eastern and/or northern areas of said adjoining property developed as residential uses.

Massillon City Council agrees that such a requirement would not serve the purpose of screening the parking area effectively for the southern and western adjoining residential properties and therefore waives this requirement presently and in the future.

Massillon City Council for this specific site only, further agrees the zoning code's wall requirement will allow the use of natural plant material which will be maintained at all times by SCCAA and/or it's agents. It is further understood by all parties that said plant material must be an evergreen type and/or of full foliage for the entire 4'-6" height at all times of the year.

The actual placement and dimensional length of said barrier(s) shall be determined solely by Massillon City Council in accordance with the zoning code in effect at the time of this agreement.

Agreed by: Stark County Community Action Agency

Walter B. Henderson
Paul F. Lambert 5-13-02
Brenda E. King 5-13-02

C. E. O.
Title
4/30/02
Date

and Massillon City Council

5/13/01

ADD LANGUAGE IN #1 ABOVE

Attachments

TO RES 9-2002 FOR CONSIDERATION @ 5/20
"COUNCIL MTG.

Title

Date

Glenn Amber