

Call M/20
Revis
STR CTY + Study

AGENDA

DATE: JUNE 17, 2002
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS THIS EVENING

John Clauson
Res No 12-2002
SUPPORT
Chairman
Res No 12-2002

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

ORDINANCE NO. 118 - 2002 BY: PARKS AND RECREATION COMMITTEE

SUSP.
8-0
PASS
8-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to approve Change Order No. 8, with Wood Electric for materials and labor for the damper and panel covering in the kitchen at the Massillon Recreation Center, without competitive bidding, and declaring an emergency.

ORDINANCE NO. 119 - 2002 BY: POLICE AND FIRE COMMITTEE

SUSP.
8-0
PASS
8-0

AN ORDINANCE authorizing the Director Public Service and Safety of the City of Massillon, to enter into a contract with G.G. Grim to purchase a PT Cruiser, to be used by the DARE Officer, and declaring an emergency.

ORDINANCE NO. 120 - 2002 BY: FINANCE COMMITTEE

SUSP
8-0
PASS
4-4

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to approve Change Order No. 1, for the 2002 Street Resurfacing Program, without competitive bidding, with Superior Paving, and declaring an emergency.

Graham, IBAICK, LOUD, BRYAN

ORDINANCE NO. 121 - 2002 BY: FINANCE COMMITTEE

HARV
FOR

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to approve Change Order No. 1, for the 2001 Target Area Street Resurfacing Program, without competitive bidding, with Superior Paving, and declaring an emergency.

ORDINANCE NO. 122 - 2002 BY: FINANCE COMMITTEE

SUSP
8-0
PASS
8-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment Fund for the year ending December 31, 2002, and declaring an emergency.

SUSP
8-0
PASS
8-0

ORDINANCE NO. 123 - 2002 BY: HEALTH, WELFARE & BUILDING REGULATIONS

7-15 @ 7:00 PM
AN ORDINANCE amending CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" of the Codified Ordinances of the City of Massillon, by deleting Section 1187.14(a)(5) "PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS" (private swimming pools). Of CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" and enacting a new Section 1187.14(a)(5) "PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS" (private swimming pools), of CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" and declaring an emergency.

ORDINANCE NO. 124 - 2002 BY: COMMUNITY DEVELOPMENT COMMITTEE

*5:00 PM
8-0
Post 8-0*
AN ORDINANCE accepting the Final Plat for Centennial Village, in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

RESOLUTION NO. 12- 2002 BY: COMMUNITY OF THE WHOLE

*3:00 PM
8-0
Post 8-0*
A RESOLUTION providing for the submission to the electors of the City of Massillon at a General Election to be held on Tuesday, November 5th, 2002, the question of the approval of the issue of a renewal of a one (1) Mill Operating Levy to provide continued funding for the Massillon Museum which is operated by the Massillon Museum, Inc., a non-profit corporation, and declaring an emergency.

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

- Accepted
8-0*
- A). MAYOR SUBMITS MONTHLY REPORT FOR MAY 2002**
 - B). AUDITOR SUBMITS MONTHLY REPORT FOR MAY 2002**
 - C). FIRE CHIEF SUBMIT MONTHLY REPORT FOR MAY 2002**
 - D). POLICE CHIEF SUBMITS MONTHLY REPORT FOR MAY 2002**
 - E). TREASURER SUBMITS MONTHLY REPORT FOR MAY 2002**
 - F). INCOME TAX ADMINISTRATOR TO SUBMIT MONTHLY REPORT FOR MAY 2002**
 - G). ACCEPTANCE OF COMMITTEE CHANGES FOR 2002 - 2003** *Accepted
8-0*

11. REPORTS OF COMMITTEES**12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS****13. CALL OF THE CALENDAR****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***(BACK)*

SHARON HOWELL
CLERK OF COUNCIL

DATE: June 20, 2002

CLERK: SHARON HOWELL

505P
B-O P-O
B-O
COUNCIL CHAMBERS

CITY OF MASSILLON, OHIO

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 118 - 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. 8, with Wood Electric for materials and labor for the damper and panel covering in the kitchen 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. 8, with Wood Electric for materials and labor for the damper and panel covering in the kitchen at 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. 8, with Wood Electric for materials and labor for the damper and panel covering in the kitchen at the Massillon Recreation Center, without competitive bidding. The Change Order No. 8 shall not exceed Four Hundred Sixty Five Dollars and Forty-Four Cents (\$465.44).

Section 3:

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

Section 4:

That this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that said services are necessary for a motor operated damper and panel cover in the kitchen 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: June 17, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*SUSP
8-0
PASS
8-0*

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 119 - 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 a contract with G.G. Grim to purchase a PT Cruiser, to be used by the DARE Officer, 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 G.G. Grim to purchase a PT Cruiser, to be used by the DARE Officer.

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into a contract with G.G. Grim, to purchase a PT Cruiser, to be used by the DARE Officer. The total cost of said contract shall not exceed Thirteen Thousand Five Hundred Six-Three Dollars (\$13,563.00).

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 G. G. Grim for a PT Cruiser for use by the DARE Officer. 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

ATTEST _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: June 11, 2002

CLERK: SHARON HOWELL

*505P
B-10
4-4
POSD
Harvey - POS
Zack*

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 120 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 1, for the 2002 Street Resurfacing Program, without competitive bidding, with Superior Paving, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 1, for the 2002 Street Resurfacing Program, without competitive bidding, with Superior Paving.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve Change Order No. 1, for the 2002 Street Resurfacing Program, without competitive bidding, with Superior Paving. The cost of said Change Order No. 1 shall not exceed Eighty Six Thousand Eight Hundred Fifteen Dollars (\$86,815.00).

Section 3:

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

Section 4:

That this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that said services are necessary for the completion of the 2002 Street Resurfacing Program, in that the funds are available in account. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2002

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

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

DATE: June 11, 2002

CLERK: SHARON HOWELL

505P
8-0
Pode
8-0

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 121 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 1, for the 2001 Target Area Street Resurfacing Program, without competitive bidding, with Superior Paving, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary for the Director of Public Service and Safety of the City of Massillon, Ohio, to approve Change Order No. 1, for the 2001 Target Area Street Resurfacing Program, without competitive bidding, with Superior Paving.

Section 2:

The Director of Public Service and Safety be and is hereby authorized to approve Change Order No. 1, for the 2001 Target Area Street Resurfacing Program, without competitive bidding, with Superior Paving. The cost of said Change Order No. 1 shall not exceed Twenty Thousand Four hundred Eighty-Two Dollars (\$20,482.00).

Section 3:

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

Section 4:

That this Ordinance is declared to be an emergency measure immediately necessary for the preservation of the health, safety and welfare of the community and for the further reason that said services are necessary for the completion of the 2001 Target Area Street Resurfacing Program, in that the funds are available in account. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2002

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

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

DATE: JUNE 17, 2002

CLERK: SHARON HOWELL

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 122 - 2002

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Wastewater Treatment 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 Wastewater Treatment Fund for the year ending December 31, 2002, the following:

\$ 8,000.00 to an account entitled "New Equipment" 2101.615.2530

Section 3:

This Ordinance is hereby declared to be an emergency measure, for the efficient operation of the Solid Waste Department 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 _____ 2002

ATTEST: _____
SHARON HOWELL, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: June 17, 2002

CLERK: SHARON HOWELL

PH 7-15 @ 7:00

1st - 6-17

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 123 - 2002

2nd Reading 7/1/02
PH 7/15/02

BY: HEALTH, WELFARE AND BUILDING REGULATIONS COMMITTEE

passed 7/15

TITLE: AN ORDINANCE amending CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" of the Codified Ordinances of the City of Massillon, by deleting Section 1187.14(a)(5) "PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS" (private swimming pools), of CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" and enacting a new Section 1187.14(a)(5) "PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS" (private swimming pools), of CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" and declaring an emergency.

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

Section 1:

That Section 1187.14(a)(5) "PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS" (private swimming pools), of CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" be and is hereby repealed.

Section 2:

There be and is hereby enacted a new Section 1187.14(a)(5)(A) & (B) PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS" (private swimming pools), of CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS". Said newly enacted Section shall read as follows:

1187.14 PRINCIPLE USES PERMITTED SUBJECT TO SPECIAL CONDITIONS

- (a) Private pools shall be permitted as an accessory use within the rear yard only, provided they meet the following requirements:
- (5) (A) For the protection of the general public, in-ground swimming pools shall be completely enclosed by a fence not less than four feet in height. The gates shall be a self-closing and latching type, with the latch on the inside of the gate not readily available for children to open. Gates shall be capable of being securely locked when the pool is not in use for extended periods. Provided, however, that if the entire premises of the residence is enclosed, then this provision may be waived by the Building Inspector upon inspection and approval.

- (B) Above ground swimming pools with a pool wall height of four feet or greater measured from the surrounding grade and having a fold-up or removable ladder, shall not require fencing.

Section 3:

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

PASSED IN COUNCIL THIS _____ DAY OF _____, 2002

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

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

DATE: June 17, 2002

CLERK: SHARON HOWELL

5008-0
Pass B-0
COUNCIL CHAMBERS

CITY OF MASSILLON, OHIO

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 124 - 2002

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE accepting the Final Plat for Centennial Village, in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

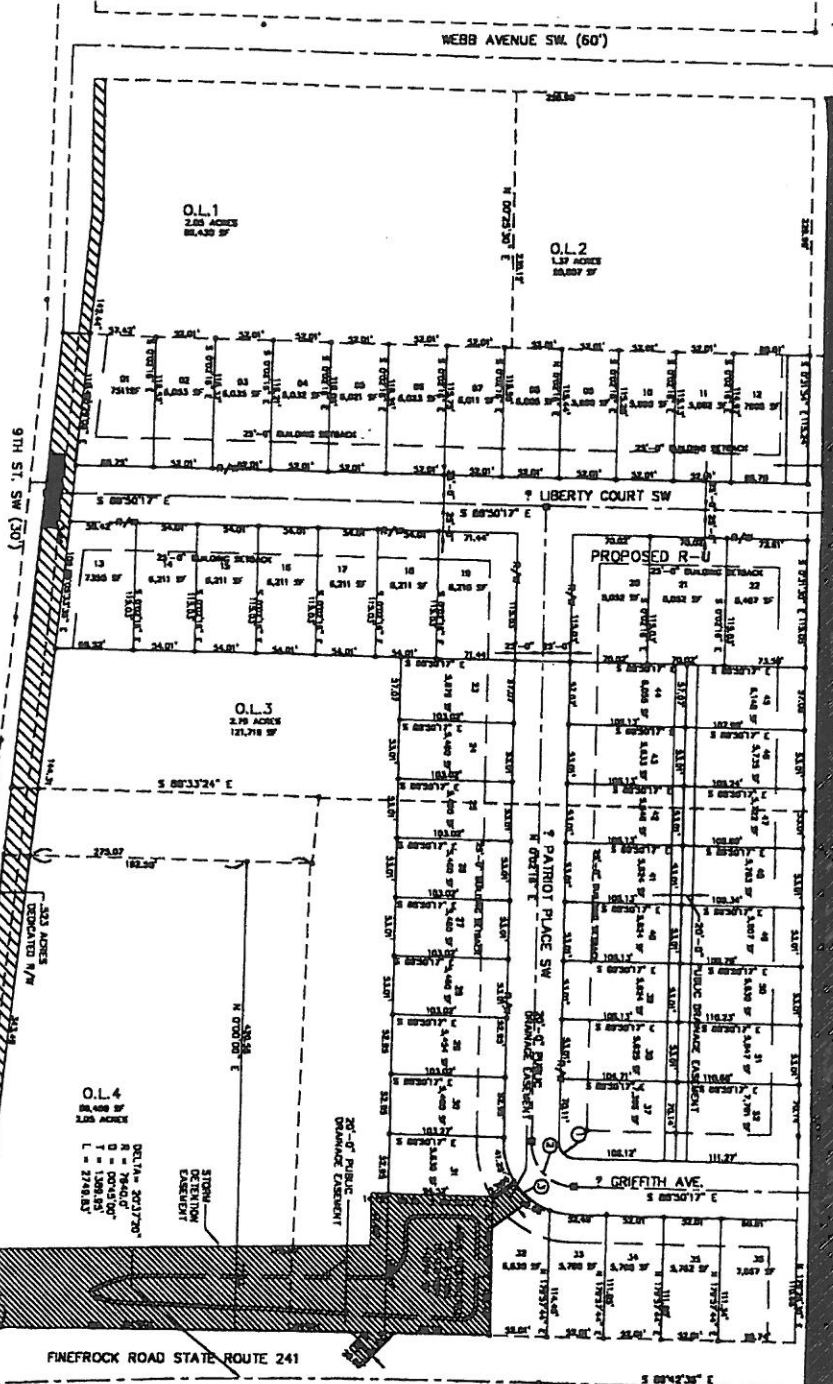
Section 1:

The Final Plat for Centennial Village in the City of Massillon, Stark County, Ohio, presently on file in the Office of the City Engineer, is hereby approved and accepted and that the dedication to public use of the streets and alleys thereon shown, be, and the same is hereby accepted and confirmed. This plat was approved by the Planning Commission at a meeting held June 5th, 2002. The undertaking given by the owners for improvement of streets and now on file with the City Engineer is approved. The description of Centennial Village 3 is as follows:

Being Known as Out Lots 291 and 797 and Lot No. 10365, a total 15.53 acre parcel located in the block bounded by 8th and 9th Streets S.W., Webb and Finefrock Avenues S.W. This plat creates a total of 52 lots zoned R-U One Family Residential, Multiple Family Area A (1.37 acres) and B (2.97 acres) and one 2.0 acre parcel zoned B-I Local Business.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said plat is urgently needed for the development of this area and for the proper community growth and hence immediately necessary for the preservation of the health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



EASEMENTS AND RESTRICTIONS

IN ADDITION TO PUBLIC DRAINAGE EASEMENTS SHOWN ON THE SUBJECT MAP, THE FOLLOWING EASEMENTS AND RESTRICTIONS ARE SET FORTH: ALL EASEMENTS, RESTRICTIONS, AND EASEMENTS SET FORTH ON THE SUBJECT MAP SHALL BE CONSIDERED TO BE A PART OF THE EASEMENTS AND RESTRICTIONS SET FORTH ON THE SUBJECT MAP. THE EASEMENTS AND RESTRICTIONS SET FORTH ON THE SUBJECT MAP SHALL BE CONSIDERED TO BE A PART OF THE EASEMENTS AND RESTRICTIONS SET FORTH ON THE SUBJECT MAP. THE EASEMENTS AND RESTRICTIONS SET FORTH ON THE SUBJECT MAP SHALL BE CONSIDERED TO BE A PART OF THE EASEMENTS AND RESTRICTIONS SET FORTH ON THE SUBJECT MAP.

OWNER/DEVELOPER

NO OVERSIGHT, LLC
4310 BUTTERCROFT ROAD
N. LAKESIDE, OH 44130

NOTES

- 1. ALL LOTS TO BE SET AT ALL LOT CORNERS AND CORNER POINTS.
- 2. THE EASEMENTS AND RESTRICTIONS SET FORTH ON THE SUBJECT MAP SHALL BE CONSIDERED TO BE A PART OF THE EASEMENTS AND RESTRICTIONS SET FORTH ON THE SUBJECT MAP.
- 3. THE EASEMENTS AND RESTRICTIONS SET FORTH ON THE SUBJECT MAP SHALL BE CONSIDERED TO BE A PART OF THE EASEMENTS AND RESTRICTIONS SET FORTH ON THE SUBJECT MAP.

DATE DATA

DATE	DATA
DATE 1	DATE 1
DATE 2	DATE 2
DATE 3	DATE 3
DATE 4	DATE 4
DATE 5	DATE 5
DATE 6	DATE 6
DATE 7	DATE 7
DATE 8	DATE 8
DATE 9	DATE 9
DATE 10	DATE 10

LEGEND

PROPOSED R-1	PROPOSED R-1
EXISTING R-1	EXISTING R-1
STREET	STREET
STREET EASEMENT	STREET EASEMENT
PUBLIC DRAINAGE EASEMENT	PUBLIC DRAINAGE EASEMENT

DATE: June 17, 2002

CLERK: Sharon Howell

503P
8-0
P-00
8-0

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATION DEPARTMENT

RESOLUTION NO. 12 - 2002

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION providing for the submission to the electors of the City of Massillon at a General Election to be held on Tuesday, November 5, 2002, the question of the approval of the issue of a renewal of a one (1) Mill Operating Levy to provide continued funding for the Massillon Museum which is operated by the Massillon Museum, Inc., a non-profit corporation, and declaring an emergency.

WHEREAS, the amount of revenue which will be raised by the City of Massillon, Ohio, within the ten mill limitation by levies on the current tax duplicate of the City of Massillon will be insufficient to provide adequate funds for the City of Massillon, to provide for a free Museum of Art, Science, History that is maintained and operated by a private, non-profit organization as authorized by Section 5705.19 (AA) of the Ohio Revised Code; and

WHEREAS, it is necessary to levy a renewal of a tax in excess of the ten mill limitation for the purposes of providing funds to provide for a free Museum of Art, Science, or History that is maintained and operated by a private, non-profit organization.

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

Section 1:

There shall be submitted to the electors of the City of Massillon at a General Election to be held on November 5, 2002, the question of the approval of issues providing for the levy of a renewal of a tax in the amount of one (1) Mill for each One Dollar (\$1.00) of valuation, which amounts to Ten Cents per One Hundred Dollars (\$100.00) of valuation for a period of five (5) years, to wit: 2003, 2004, 2005, 2006 and 2007 for the purpose of providing for a free Museum of Art, Science, or History that is maintained and operated by a private, non-profit organization as authorized by Section 5705.19(AA) of the Ohio Revised Code.

Section 2:

The Clerk of Council is hereby directed to certify to the Board of Elections of Stark County, Ohio, a copy of this Resolution upon the enactment of this Resolution for its submission to the electors of the City of Massillon, Ohio, for the question of its passage at the General Election to be held on November 5, 2002. The Clerk of Council is directed to request the Board of Elections to provide notice of election on the question of levying said renewal tax as required by law. The Clerk shall also provide the Board of Elections with a proposed sample ballot which is attached to this Resolution.

Section 3:

That this Resolution is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor. The reason for the emergency lies in the fact that the immediate enactment of this Resolution is necessary to provide for the orderly submission of the public welfare and for the levy of a tax as provided in this Resolution in order to obtain sufficient revenue for the operation of a free museum of Art, Science or History.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2002

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

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

OFFICIAL QUESTIONS AND ISSUES BALLOT
STARK COUNTY - - NOVEMBER 5, 2002

MASSILLON CITY

A Majority Affirmative Vote Is Necessary For Passage.

"A RENEWAL of a One (1.0) Mill Tax for the benefit of the City of Massillon, Stark County, Ohio, for the PURPOSE OF THE MAINTENANCE AND OPERATION OF A FREE PUBLIC MUSEUM OF ART, SCIENCE OR HISTORY at a rate not exceeding One (1.0) mill for each One Dollar (\$1.00) of valuation, WHICH AMOUNTS TO TEN CENTS (\$.10) FOR EACH ONE HUNDRED DOLLARS (\$100.00) OF VALUATION, for a period of (5) years, tax years 2003, 2004, 2005, 2006 2007."