

## AGENDA

DATE: TUESDAY, SEPTEMBER 2, 2003

PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL
2. INVOCATION BY COUNCILMAN CLAUDETTE ISTNICK
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

*Motion  
to amend  
#7 20  
C. W. B. / L. A. M. S.*

### ORDINANCE NO. 129 - 2003

### BY: COMMUNITY DEVELOPMENT COMMITTEE

*5:00 P  
9:00 P  
9:00 P*  
AN ORDINANCE authorizing and directing the Public Service and Safety of the City of Massillon, Ohio, to enter into a contract with the Stark County Community Action Agency, for the Head Start Family Development Center located at 1134 Walnut Road S.E., and declaring an emergency.

### ORDINANCE NO. 130 - 2003

### BY: COMMUNITY DEVELOPMENT COMMITTEE

*5:00 P  
9:00 P  
9:00 P*  
AN ORDINANCE accepting the Final Plat for Shaw View Estates No. 2 int the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

### ORDINANCE NO. 131 -2003

### BY: COMMUNITY DEVELOPMENT COMMITTEE

*5:00 P  
9:00 P  
9:00 P*  
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise and receive sealed bids for the old Ohio Drilling maintenance/work building and declaring an emergency.

### ORDINANCE NO. 132 - 2003

### BY: ENVIRONMENTAL COMMITTEE

*5:00 P  
9:00 P  
9:00 P*  
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into the attached temporary right-of-entry letter for proposed temporary and permanent new alignment of the bike path around the Wastewater Treatment Plant, and declaring an emergency.

### ORDINANCE NO. 133 - 2003

### BY: PARKS AND RECREATION COMMITTEE

*5:00 P  
9:00 P  
9:00 P*  
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to re-advertise for sealed bids and award contracts, upon the approval of the Board of Control, for the renovation of the Genshaft Softball Facility, and declaring an emergency.



**ORDINANCE NO. 134 - 2003**

**BY: FINANCE COMMITTEE**

*503P  
7-0  
PAM  
9-0*  
**AN ORDINANCE** authorizing the Mayor of the City of Massillon, to submit applications for Ohio Public Works Commission Funding for various projects for the year 2004 and to execute said contracts when approved, and declaring an emergency.

**ORDINANCE NO. 135 - 2003**

**BY: FINANCE COMMITTEE**

*503P  
7-0  
PAM  
9-0*  
**AN ORDINANCE** authorizing the Director of Public Service and Safety to enter into a State-Local Disaster Assistance Agreement to enable the City to receive Federal and State assistance funds through the Federal Emergency Management Agency, and declaring an emergency.

**ORDINANCE NO. 136 - 2003**

**BY: FINANCE COMMITTEE**

*503P  
7-0  
PAM  
9-0*  
**AN ORDINANCE** making certain appropriations from the unappropriated balance of the General Fund, Community Development Block Grant Program Fund, Muni Motor Vehicle License Tax Fund and the Economic Development Fund for the year ending December 31, 2003, and declaring an emergency.

**RESOLUTION NO. 20 - 2003**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

*803P 6-3 - FILLMORE, ISNER, MANG*  
*700P  
12-0*  
**A RESOLUTION** stating that the Council of the City of Massillon, Ohio, will support the construction of a Civic Arena in the event that Massillon Arena LLC obtains financing necessary for the construction of such project prior to September 16, 2003.

**7. UNFINISHED BUSINESS**

**8. PETITIONS AND GENERAL COMMUNICATIONS**

*(A)* LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM RICKS PLACE, 1220 1<sup>ST</sup> ST NE, MASSILLON, OHIO 44646 TO BISON APPENDAGES INC 234 LINCOLN WAY W, DBA BUFFALO WILD WINGS GRILL & BAR, 235 LINCOLN WAY WEST, MASSILLON, OHIO 44647

*(B)* LETTER FROM OHIO DIVISION OF LIQUOR CONTROL REGARDING A TRANSFER OF LIQUOR LICENSE FROM MSP COMPANIES INC 235 LINCOLN WAY W & PATIO, MASSILLON, OHIO 44647 TO EDWARD P STARCHER, 1220 AST ST NE, MASSILLON, OHIO 44647

**9. BILLS, ACCOUNTS AND CLAIMS** *Reliable*

**10. REPORTS FROM CITY OFFICIALS**

*A)* MAYOR SUBMITS MONTHLY PERMIT REPORT FOR AUGUST 2003

*B)* AUDITOR SUBMITS MONTHLY REPORT FOR AUGUST 2003

**11. REPORTS OF COMMITTEES** *503P 8 05:30  
Police Chief 5-0*

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER *Amity*

13. CALL OF THE CALENDAR

*motion to take off table*  
ORDINANCE NO. 81 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

*W.D. SIDE LEB - UNITED STATES*  
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from RM-1 Multiple Family Residential to O-1 Office, and declaring an emergency.

14. THIRD READING ORDINANCES AND RESOLUTIONS

*3:00 PM 9-2*  
*POB 9-2*  
ORDINANCE NO. 118 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

*Amend - STATE the maint of entire width of Road 9-2*  
AN ORDINANCE indicating what services the City of Massillon, Ohio, will provide to the Rohr Storage Area Annexation, upon annexation, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

*2:00 PM*  
ORDINANCE NO. 126 - 2003

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

*2:00 PM*  
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract upon award and approval of the Board of Control, with the apparent low bidder Superior Paving & Materials Inc, for street improvements in the City of Massillon, and declaring an emergency.

16. NEW AND MISCELLANEOUS BUSINESS

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

18. ADJOURNMENT

MARY BETH BAILEY - CLERK OF COUNCIL



DATE: SEPTEMBER 2, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 129 - 2003

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

*500P 9-2*  
*pass 9-2*

TITLE: AN ORDINANCE authorizing and directing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a contract agreement with the Stark County Community Action Agency, for the Head Start Family Development Center located at 1134 Walnut Road S.E., 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 agreement with the Stark County Community Action Agency, for the Head Start Family Development Center located at 1134 Walnut Road S.E. The contract for services shall not exceed Twenty-Five Thousand Dollars (\$25,000.00).

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 agreement with the Stark County Community Action Agency, for the Head Start Family Development Center located at 1134 Walnut Road S.E.

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 hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the further reason that these services are needed to meet the goals and objectives of the City's 2002 fiscal year Community Development Block Grant 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 \_\_\_\_\_ 2003

APPROVED: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATE: SEPTEMBER 2, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 130 - 2003

BY: COMMUNITY DEVELOPMENT & ANNEXATION COMMITTEE

TITLE: AN ORDINANCE accepting the Final Plat for Shaw View Estates No. 2 in the City of Massillon, Stark County, Ohio, presently on file in the office of the City Engineer, and declaring an emergency.

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

Section 1:

The Final Plat for Shaw View Estates No. 2 in the City of Massillon, Stark County, Ohio, presently on file in the Office of the City Engineer, is hereby approved and accepted and that the dedication to public use of 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 August 13, 2003. The undertaking given by the owners for improvement of streets and now on file with the City Engineer is approved. The description of Shaw View Estates No. 2 is as follows:

Being Known as Part of Out Lot 851, a 2.459 acre parcel located on the west end of Shaw Avenue N.E.

Section 2:

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



PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2003

APPROVED: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL    DENNIS D. HARWIG, PRESIDENT

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

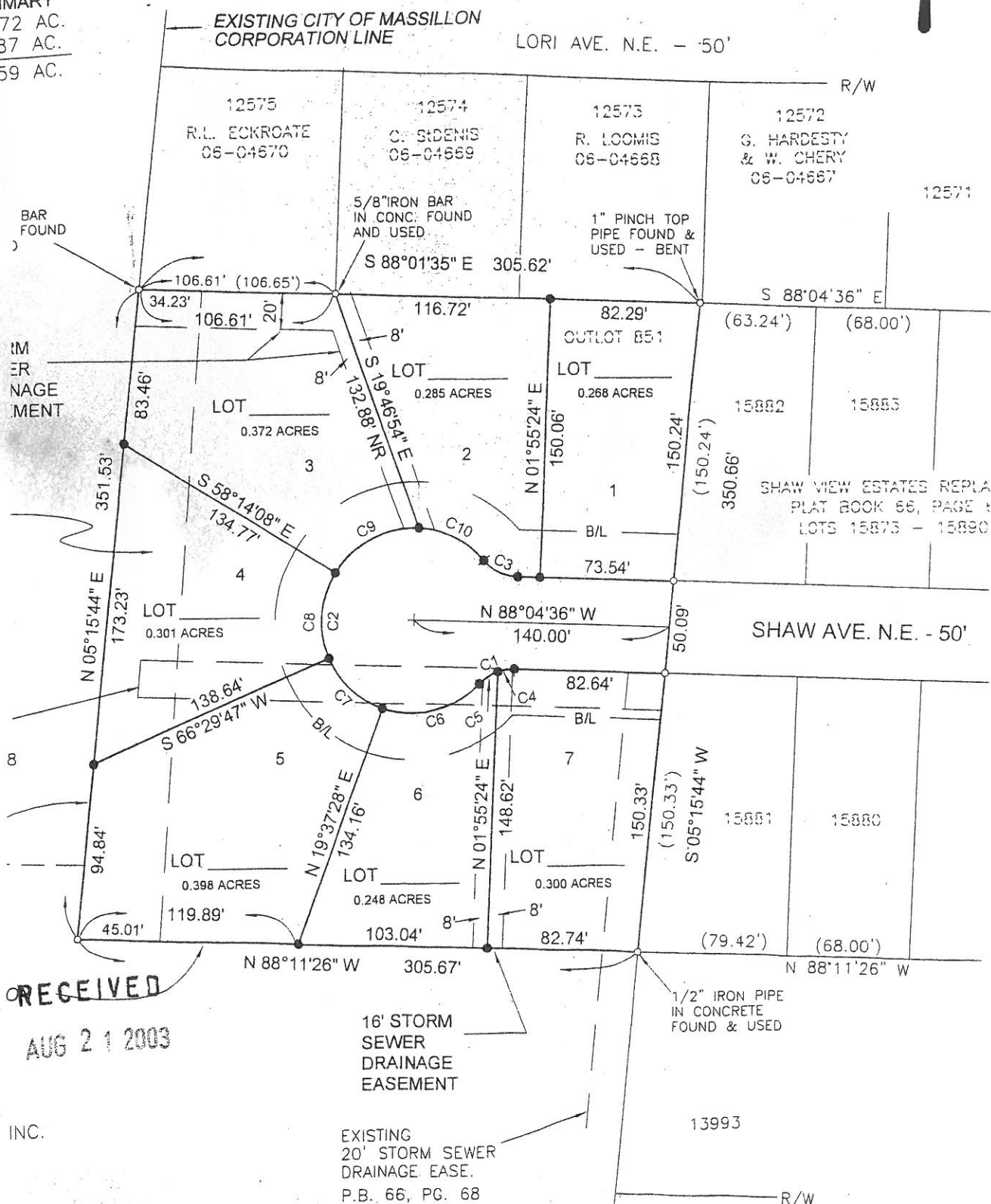
# SHAW VIEW ESTATES NO. 2

REPLAT OF OUTLOT 851  
IN THE CITY OF MASSILLON,  
STARK COUNTY, OHIO.

BY:  
BUCKEYE SURVEYING SERVICES, INC.  
2223 FULTON DR. N.W.  
CANTON, OHIO 44709  
PHONE: (330)453-8339

DATE: AUGUST, 2003

ACREAGE SUMMARY  
LOTS 2.172 AC.  
STREETS 0.287 AC.  
TOTAL 2.459 AC.



RECEIVED  
AUG 21 2003

INC.

RADIUS	TANGENT	ARC	CHORD	CHORD BEARING
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DATE: SEPTEMBER 2, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 131 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise and receive sealed bids for the sale of the old Ohio Drilling maintenance/work building, 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 and receive sealed bids according to law for the sale of the old Ohio Drilling maintenance/work building.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to advertise for and receive sealed bids according to law, for the sale of the old Ohio Drilling maintenance/work building.

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 to advertise for the sale of the old Ohio Drilling maintenance/work building in the City of Massillon. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003

ATTEST: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL      DENNIS D. HARWIG, PRESIDENT

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

DATE: SEPTEMBER 2, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO.132 - 2003

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into the attached temporary right-of-entry letter for proposed temporary and permanent new alignment of the bike path around the Wastewater Treatment Plant, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to enter into the attached temporary right-of-entry letter for proposed temporary and permanent new alignment of the bike path around the Wastewater Treatment Plant.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to enter into the attached temporary right-of-entry letter for proposed temporary and permanent new alignment of the bike path around the Wastewater Treatment Plant.

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 to enter into the attached temporary right-of-entry letter for proposed temporary and permanent new alignment of the bike path around the Wastewater Treatment Plant. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.



PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003

ATTEST: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL      DENNIS D. HARWIG, PRESIDENT

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

DATE: SEPTEMBER 2, 2003

CLERK: MARY BETH BAILEY

*308 9-2  
PMS 9-2*

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 133 - 2003

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to re-advertise for sealed bids and award contracts, upon the approval of the Board of Control, for the renovation of the Genshaft Softball Facility, 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 sealed bids according to law and award contracts upon the approval of the Board of Control, for the renovation of the Genshaft Softball Facility.

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 sealed bids according to law, and award contracts upon the approval of the Board of Control, for the renovation of the Genshaft Softball Facility.

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 Park and Recreation Department 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, shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003

ATTEST: \_\_\_\_\_

MARY BETH BAILEY, CLERK OF COUNCIL

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

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

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



DATE: SEPTEMBER 2, 2003

CLERK: MARY BETH BAILEY

*505P  
9-2  
PCH 1-2*  
COUNCIL CHAMBERS

CITY OF MASSILLON, OHIO

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 134 - 2003

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, to submit applications for Ohio Public Works Commission Funding for various projects for the year 2004 and to execute said contracts when approved, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to authorize the Mayor of the City of Massillon, Ohio, to submit applications for Ohio Public Works Commission Funding for various projects for the year 2004, and to execute said contracts when approved.

Section 2:

That the Mayor of the City of Massillon, Ohio, is hereby determines it to be necessary and in the public health, safety and welfare to authorize the Mayor of the City of Massillon, Ohio, to submit applications for 2004 Ohio Public Works Commission Funding for various projects for the year 2004, and to execute said contracts when approved. Said projects shall be as follows:

1. Lincoln Way West Rehabilitation from the west side of Main to 27<sup>th</sup> Street NW.
2. 27<sup>th</sup> Street NE/Jackson Avenue Rehabilitation and Widening.
3. Tremont Avenue Bridge.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the additional reason that it is necessary to submit the various projects in order to receive Ohio Public Works Funding. 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 \_\_\_\_\_ 2003

ATTEST:

\_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL

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

APPROVED \_\_\_\_\_

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

50290  
9-2  
DATED: SEPTEMBER 2, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 135 2003

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety to enter into a State-Local Disaster Assistance Agreement to enable the City to receive Federal and State assistance funds through the Federal Emergency Management Agency, and declaring an emergency.

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

Section 1:

The Director of Public Service and Safety is authorized to enter into the State-Local Disaster Assistance Agreement and he is further designated as the authorized representative to speak on behalf of the City of Massillon.

Section 2:

The amount of federal funds received by the City is impossible to determine at this time, however, in order to receive such funding for any particular project, the City will be responsible to pay twelve and one-half percent (12 ½%) of the cost of the same, the State will pay twelve and one-half percent (12 ½%) of the cost of the same, and the Federal Assistance Funds will pay seventy-five percent (75%) of the cost of the same.

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 that in order to be eligible to receive Federal Assistance Funds to assist the City in repairing property and items damaged by the flood disaster. Provided it receives the affirmative vote of two-thirds of the members elected 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 \_\_\_\_\_, 2003.

ATTEST: \_\_\_\_\_  
MARY BETH BAILEY,  
CLERK OF COUNCIL

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

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

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



DATE: AUGUST 18, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 136 - 2003

*505P 9-0*  
*PAS 9-0*  
BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund, Community Development Block Grant Program Fund, Muni Motor Vehicle License Tax Fund and the Economic Development Fund for the year ending December 31, 2003, 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 for the year ending December 31, 2003, the following:

\$81,000.00 to an account entitled "Massillon Head Start Center" 1100.210.2720.

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Community Development Block Grant Program Fund for the year ending December 31, 2003, the following:

\$25,000.00 to an account entitled "Massillon Head Start Center" 1203.845.2855.

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Muni Motor Vehicle License Tax Fund for the year ending December 31, 2003, the following:

\$16,600.00 to an account entitled "Supplies/Materials/Postage" 1206.435.2410.

Section 4:

There be and hereby is appropriated from the unappropriated balance of the Economic Development Fund for the year ending December 31, 2003, the following:

\$10,000.00 to an account entitled "Services/Contracts" 1237.845.2392.

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 \_\_\_\_\_ 2003

ATTEST: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

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

DATED: SEPTEMBER 2, 2003

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 20 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

A RESOLUTION stating that the Council of the City of Massillon, Ohio, will support the construction of a Civic Arena in the event that Massillon Arena LLC obtains financing necessary for the construction of such project prior to September 16, 2003.

WHEREAS, the City of Massillon previously entered into a Lease Agreement with the Massillon Community Improvement Corporation wherein certain real estate in the City of Massillon was subleased to the Massillon Arena LLC for the development of a Civic Arena; and

WHEREAS, the terms of said Lease Agreement required the construction of the Arena to be completed by September 15, 2002; and

WHEREAS, the Arena was not substantially completed by such date and pursuant to the terms of the Lease Agreement the Lease has terminated; and

WHEREAS, there is a possibility that Massillon Arena LLC may obtain financing to enable it to commence construction of such Arena; and

WHEREAS, the potential lender has requested that the Council of the City of Massillon indicate its intention to authorize the signing of a new Lease Agreement for such project in the event that financing is obtained.

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

In the event that Massillon Arena LLC obtains financing necessary to complete the construction of the Arena Project, prior to Tuesday, September 16, 2003, that the City Council of Massillon, Ohio, will support the project and, subject to the approval of the Massillon City Law Director and the City Council, will authorize the signing of a new Lease Agreement for the real estate on which the project will be constructed.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2003.

ATTEST: \_\_\_\_\_  
MARY BETH BAILEY,  
CLERK OF COUNCIL

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

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

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