

AGENDA

*Mary Beth + Dany H...
to sign Agendas*
DATE: TUESDAY, JANUARY 20, 2004

PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M.

**THERE IS ONE PUBLIC HEARING TONIGHT
ORDINANCE NO. 193 - 2003 AT 7:00PM**

1. ROLL CALL
 2. INVOCATION BY COUNCILMAN TIM BRYAN
 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
- Mike Sarosina - CRO NO-2003
Vote in favor of CRO*
*Amend Agend 1st CROB
AD 2003
Bring 193-2003 ahead*

ORDINANCE NO. 4 - 2004

BY: COMMUNITY DEVELOPMENT COMMITTEE

*Lot 500
Willy Ammergung - AA - Annual Contract
Continue about 100*
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a contract with Stark County Regional Planning Commission for Housing Rehabilitation Services in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 5 - 2004

BY: COMMUNITY DEVELOPMENT COMMITTEE

125 P.H. 2/16 @ 7:00 PM
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from I-2 General Industrial to B-3 General Business;

ORDINANCE NO. 6 - 2004

BY: ENVIRONMENTAL COMMITTEE

*SUPP
Maier
CAT-Per
Bryan
1-3
125*
AN ORDINANCE accepting the replatting of Part of Out Lot 512 and all of Lot No. 15098, a 19.604 acre area, located on the west side of Bostic Boulevard SW, and the south side of Industrial Avenue SW, and including the extension of an existing sanitary sewer easement at the location of Lot No. 15098, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer and declaring an emergency.

ORDINANCE NO. 7 - 2004

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

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

ORDINANCE NO. 8 - 2004

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

*SUPP
9-0
POSD
9-0*
AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - LAW DIRECTOR DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - LAW DIRECTOR DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - LAW DIRECTOR DEPARTMENT in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 9 - 2004

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY

SUSP 14 8-1
AN ORDINANCE accepting the replatting of Part of Out Lot 288, a 3.228 acre parcel of land, located on the north side of Oberlin Road SW at the junction of Finefrock Boulevard SW, and accepting the dedication of an additional 25 foot wide strip of right-of-way for Oberlin Road SW, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer, and declaring an emergency. *why an Emergency*

ORDINANCE NO: 10 - 2003

BY: FINANCE COMMITTEE

SUSP CAT-Perry 8-1
AN ORDINANCE making certain appropriated from the unappropriated balance of the Community Development Block Grant Program Fund and the Home Health Fund, for the year ending December 31, 2004, and declaring an emergency.

ORDINANCE NO. 11 - 2004

BY: FINANCE COMMITTEE

SUSP 9-0
AN ORDINANCE making certain transfers in the 2004 appropriation of the Park and Recreation Fund, of the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 12 - 2004

BY: FINANCE COMMITTEE

SUSP 9-0
AN ORDINANCE establishing a fund entitled "Massillon Police Jail Repair & Improvements Fund" and creating line items within said fund, and declaring an emergency.

ORDINANCE NO. 13 - 2004

BY: FINANCE COMMITTEE

SUSP 9-0
AN ORDINANCE authorizing the Mayor to accept a Domestic Violence Prosecutor Grant that will allow the City of Massillon to have a prosecutor specifically for domestic violence cases, and declaring an emergency.

ORDINANCE NO. 14 - 2004

BY: FINANCE COMMITTEE

135
AN ORDINANCE amending CHAPTER 917 "STANDARDS FOR CURBS, SIDEWALKS AND DRIVEWAYS" of the Codified Ordinances of the City of Massillon, by repealing existing Section 917.12(b) "LICENSE REQUIRED, FEE, BOND, EXCEPTION" and 917.13(b) "PERMIT REQUIRED FEES" and enacting new Sections 917.12(b) "LICENSE REQUIRED, FEE, BOND, EXCEPTION" and 917.13(b) "PERMIT REQUIRED FEES".

ORDINANCE NO. 15 - 2004

BY: FINANCE COMMITTEE

135
AN ORDINANCE amending CHAPTER 1369 "NUMBERING STRUCTURES" of the Codified Ordinances of the City of Massillon, by creating Section 1369.01(f) "SCHEME OF NUMBERING".

ORDINANCE NO. 16 - 2004

BY: FINANCE COMMITTEE

132 **AN ORDINANCE** amending CHAPTER 913 "EXCAVATIONS" of the Codified Ordinances of the City of Massillon, by repealing existing Section 913.02 "OBTAINING A PERMIT AND FEES" and enacting a new Section 913.02 "OBTAINING A PERMIT AND FEES".

ORDINANCE NO. 17 - 2004

BY: FINANCE COMMITTEE

151 **AN ORDINANCE** amending CHAPTER 1113 "ADMINISTRATION AND ENFORCEMENT" of the Codified Ordinances of the City of Massillon, by repealing existing Sections 1113.06(a) "FEES" and 1113.06(b) "PLAN CHECKING AND FILED INSPECTION FEES" and enacting new Sections 1113.06(a) "FEES" and 1113.06(b) "PLAN CHECKING AND FILED INSPECTIONS FEES".

ORDINANCE NO. 18 - 2004

BY: FINANCE COMMITTEE

AN ORDINANCE to enact a new sub-section 181(f) to establish a fee of five dollars (\$5.00) from January 1st through April 30th and ten dollars (\$10.00) from May 1st through December 31st for the preparing of Tax Returns by the staff in the Income Tax Department, and declaring an emergency.

ORDINANCE NO. 19 - 2004

BY: FINANCE COMMITTEE

Susp 9-0
POD 9-0
AN ORDINANCE authorizing the Auditor to pay various 2003 bills that have been received and that will be received in his office between January 1, 2004 and March 1, 2004 for which there is a discrepancy in the purchase order or no purchase order date, out of the 2004 appropriations within the various departments of the City of Massillon, and declaring an emergency.

Added ORD. 20, 22

20-2004 - INCOMETAX FEES - SUSP - 9-0
POD 9-0

7. UNFINISHED BUSINESS

8. PETITIONS AND GENERAL COMMUNICATIONS

9. BILLS, ACCOUNTS AND CLAIMS -

10. REPORTS FROM CITY OFFICIALS

22-204 - PARK CI Loan
with course funds (ordinance)
Susp 9-0 POD 9-0

A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR DECEMBER 2003

B). TREASURER SUBMITS MONTHLY REPORT FOR DECEMBER 2003

C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR DECEMBER 2003.

D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR DECEMBER 2003

E). MAYOR SUBMITS MONTHLY REPORT FOR DECEMBER 2003

F). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR DECEMBER 2003

G). MAYOR SUBMITS BOARD OF COMMISSIONS FOR 2004

Accepted 9-0

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS

13. CALL OF THE CALENDAR

1-26 @ 5:30. Finance meeting 6:00 pm - 7:00

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 193 - 2003

BY: COMMUNITY DEVELOPMENT COMMITTEE

*Pass
0-1
Cramer*
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 P-1 Vehicular Parking and B-2 Central Business District; *Amend Sec 2 - Delete Lot 621. - 2-7 Defeated.
Cramer*

15. SECOND READING ORDINANCES AND RESOLUTIONS

2-10
ORDINANCE NO. 3 - 2004

BY: FINANCE COMMITTEE

AN ORDINANCE making certain appropriations from the unappropriated balance of the General Fund for the year ending December 31, 2004, 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: January 20, 2004

CLERK: MARY BETH BAILEY

*SOSP
COT-Perry - NO 8-1*

*POSO
COT-Perry - NO 8-1*

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 4 - 2004

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into a contract with Stark County Regional Planning Commission for Housing Rehabilitation Services in the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to enter into a contract with Stark County Regional Planning Commission for Housing Rehabilitation Services in the City of Massillon. The contract for services shall not exceed Thirteen Thousand Dollars (\$13,000.00).

Section 2:

The Mayor of the City of Massillon is hereby authorized to enter into a contract with Stark County Regional Planning Commission for Housing Rehabilitation Services in the City of Massillon, Ohio.

Section 3:

Upon delivery of the aforesaid agreement, the Mayor 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 that it is needed to assist the City of Massillon in its Housing Rehabilitation 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 _____ 2004

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

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

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

155 1/20/04

r. H. 2/1/04 @ 7:00

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading
LEGISLATIVE DEPARTMENT

2nd Reading 2/2
passed 2/17/04

ORDINANCE NO. 5 - 2004

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from I-2 General Industrial to B-3 General Business;

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

Section 1:

It is hereby determined to be in the best interest and promotion of the general health, safety and convenience, comfort, prosperity and welfare of the community to change the designation of the area set forth in Section 2 hereof from I-2 General Industrial to B-3 General Business. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on December 10th, 2003 and that notice and public hearing has been given according to law.

Section 2:

The City of Massillon, Ohio, Zone Map as identified by Section 1151.02 of the Massillon Code of 1985, be and is hereby amended to show the following described area as B-3 General Business

Out Lot 580 (36.34 acres) and Part of Out Lot 581 (8.88 acres), located on the west side of Erie Street South (S.R. 21) between Warmington Road and the U.S. 30 interchange. The applicants are Olympic Realty Development Corp. and W/S Development Associates which plan to construct a strip retail plaza with free standing retail buildings.

Section 3:

Provided that this Ordinance receives approval by a majority of the elected members of Council it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2004

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

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

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

125 1-20-04
CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

pt reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 6- 2004

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE accepting the replatting of Part of Out Lot 512 and all of Lot No. 15098, a 19.604 acre area, located on the west side of Bostic Boulevard SW, and the south side of Industrial Avenue SW, and including the extension of an existing sanitary sewer easement at the location of Lot No. 15098, in the City of Massillon, County of Stark, State of 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 replatting of Part of Out Lot 512 and all of Lot No. 15098, a 19.604 acre area, located on the west side of Bostic Boulevard SW, and the south side of Industrial Avenue SW, and including the extension of an existing sanitary sewer easement at the location of Lot No. 15098, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer, is hereby accepted and confirmed. This replatting and dedication was approved by the Planning Commission at the meeting held December 10, 2004. The City Engineer having requested that this includes the extension of an existing sanitary sewer easement at the location of Lot No. 15098 and now on file with the City Engineer is approved as heretofore described:

Being known as Part of Out Lot 512 and all of Lot No. 15098, a 19.604 acre area located on the west side of Bostic Boulevard SW, and the south side of Industrial Avenue SW, and including the extension of an existing sanitary sewer easement at the location of Lot N. 15098, to be replatted into three new Out Lots.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said replatting including the extension of an existing sanitary sewer easement is urgently needed for 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 _____ 2004

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

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

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

*SUPP
9-0*

CITY OF MASSILLON, OHIO

Paid 9-0

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 7 - 2004

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

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

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

Section 1:

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

Section 2:

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

(SEE ATTACHMENT "A" PAGE 7; AND INSERT IN THE SALARY ORDINANCE NO. 127 - 1997)

Section 3:

This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the additional reason that the provisions hereby enacted are immediately necessary to employ additional personnel within the Wastewater Treatment Department. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2004

APPROVED _____

MARY BETH BAILEY, CLERK OF COUNCIL

_____ DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

_____ FRANCIS H. CICCHINELLI, JR., MAYOR

20S	SU CL	Construction Superintendent
20S	UN	Design Superintendent
20S	CL	Laboratory Technician II
18S	CL	Industrial Pretreatment Inspector
18S	CL	Instrument Electrician II
18S	CL	Chief Main. Mechanic/Coll Sys. Inspector
20S	UN	Collection System Technician II
17S	SU UN	Collection Department Chief (Split ½)
16S	CL	Instrument Electrician I
16S	UN	Collection System Technician I
15S	SU UN	Collection Department Chief (Split ½)
15S	SU UN	Collection/Data Center (Split 1/3)
12S	CL	Laboratory Technician I
12S	UN	Administrative Assistant
12S	CL	*Engineer Aide II
11S	UN	Investigator/Administrative Assistant
9S	CL	Account Clerk
9S	UN	Asst to Manager/Superintendent/Adm Asst
9S	UN	Account Clerk II Typist
8S	UN	Account Clerk II Typist
8S	UN	Laboratory Asst/Admin.. Aide
7S	UN	Account Clerk II Typist
6S	UN	Secretary
3S	UN	Clerk Typist I
16W	WW	Chief Operator
16W	WW	Collection System Crew Chief
15W	WW	Operator III
15W	WW	Maintenance Mechanic II
14W	WW	Vactor Operator
14W	WW	Operator II (w/class II license)
14W	WW	Sewer Inspector
13W	WW	Operator I (w/class I license)
13W	WW	Maintenance Mechanic I
13W	WW	Light Equipment Operator
12W	WW	Operator (w/o license)
11W	WW	Laborer II
9W	WW	Laborer I
1W	WW	Temporary Labor

**CLASS
GRADE**

SCHEDULE

DEPARTMENT & TITLE DESCRIPTION

WASTEWATER TREATMENT CON'T.
PART TIME/TEMPORARY/SEASONAL

	MS	Clerk/Laborer
1W	WW	Temp. sanit sewer Insp. (West Mass Trunk)

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

Susp 9-0

CITY OF MASSILLON, OHIO

Roll 9-0

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 8 - 2004

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

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

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

Section 1:

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

Section 2:

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

(SEE ATTACHMENT 'A' PAGE 1; AND INSERT IN THE SALARY ORDINANCE 127 - 1997)

Section 3:

That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the community and for the additional reason that the establishment of the new 17S position is necessary in order to pay the employee hired to replace a previous employee at the appropriate rate of pay and the provisions hereby enacted are immediately necessary to bring current personnel up to an appropriate rate of pay in the Law Director Department. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2004

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

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

OCCUPATION LIST OF CLASS TITLES

SCHEDULE CODE:

SU	SUPERVISORY	A	AFSCME	CL	CLASSIFIED
F	FIRE	UN	UNCLASSIFIED	P	POLICE
WW	WASTEWATER	MS	MISCELLANEOUS	SE	SEASONAL
EL	ELECTED				

CLASS GRADE	SCHEDULE	DEPARTMENT & TITLE DESCRIPTION	
		<u>CITY COUNCIL</u>	105
	EL	Council Members	
12S	UN	Administrative Assistant/Council Clerk	
9S	UN	Council Clerk	
	MS	Steno Clerk - Part Time	
		<u>MAYOR</u>	110
	EL	Mayor	
12S	UN	Administrative Assistant	
		<u>LAW DIRECTOR</u>	115
	EL	Law Director	
24S	UN	Police Prosecutor/Asst Law Director	
20S	UN	Prosecutor	
17S	UN	*Prosecutor	
12S	UN	Administrative Assistant	
9S	UN	Secretary	
		<u>PART TIME/TEMPORARY/SEASONAL</u>	
	MS	Chief Pol. Pros/Asst Law Director	
	MS	Assist. Pol. Prosecutors	
	MS	Legal Clerk	
	MS	Office Worker	
		<u>MUNICIPAL COURT</u>	125
	EL	Judges	
	EL	Magistrate	
16S	SU UN	Court Administrator	
13S	UN	Administrative Assistant I	
12S	UN	Administrative Assistant I	
9S	UN	Administrative Assistant II	
6S	UN	Secretary	
	MS	Security Supervisor	
	MS	Security Officer	
	MS	Mediator	
	MS	Cooperative Business Education Student	
		<u>CLERK OF COURTS</u>	130
	EL	Clerk of Courts	
	EL	Deputy Clerks	

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

SUP 8-1 CAT-PERRY

CITY OF MASSILLON, OHIO

POSS 8-1 CAT-PERRY

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 9 - 2004

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the replatting of Part of Out Lot 288, a 3.228 acre parcel of land, located on the north side of Oberlin Road SW at the junction of Finefrock Boulevard SW, and accepting the dedication of an additional 25 foot wide strip of right-of-way for Oberlin Road SW, in the City of Massillon, County of Stark, State of 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 replatting of Part of Out Lot 288, a 3.228 acre parcel of land, located on the north side of Oberlin Road SW at the junction of Finefrock Boulevard SW, and accepting the dedication of an additional 25 foot wide strip of right-of-way for Oberlin Road SW, in the City of Massillon, County of Stark, State of Ohio, presently on file in the office of the City Engineer, is hereby accepted and confirmed. This replatting and dedication of right-of-way was approved by the Planning Commission at the meeting held December 10, 2004. The City Engineer having requested that the dedication of the additional 25 foot wide strip of right-of-way for Oberlin Road SW be formally dedicated by the City and now on file with the City Engineer is approved as heretofore described:

Being known as Part of Out Lot 288, a 3.228 acre parcel of land located on the north side of Oberlin Road, SW at the junction of Finefrock Boulevard SW, to be replatted into two new Out Lots. This plat also includes the dedication of additional 25 foot wide strip of right-of-way for Oberlin Road SW.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said replatting and dedication of an additional 25 foot wide strip of right-of-way for Oberlin Road SW is urgently needed for 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 _____ 2004

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

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

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

passed
LEGISLATIVE DEPARTMENT

COUNCIL CHAMBERS

SUPP 8-1 CAT-Perry

PODD 8-1 CAT-Perry

ORDINANCE NO. 10 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Community Development Block Grant Program Fund and the Home Health Fund for the year ending December 31, 2004, 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 Community Development Block Grant Program Fund for the year ending December 31, 2004, the following:

\$67,941.55 to an account entitled "Sec. 108 Loan Program" 1203.845.2811.

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Home Health Fund for the year ending December 31, 2004, the following:

\$8,000.00 to an account entitled "Bio Terrorism Supplies" 1235.705.2411.

\$2,000.00 to an account entitled "Bio Terrorism Schooling" 1235.705.2388.

Section 3:

This Ordinance is hereby declared to be an emergency measure, for the reason that the appropriation contained in Section 1 is necessary to enable the City to make the upcoming Section 108 Loan payment for the Canalview Center project on or before January 22, 2004, for the efficient operation of the various departments of the City of Massillon, including the City Health Department for supplies and training in the event of a disaster, 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 _____ 2004

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

APPROVED: _____
FRANCIS H. CICCHINELLI, JR, MAYOR

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 11 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain transfers in the 2004 appropriation of the Park and Recreation Fund, of the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

There be and hereby is transferred from the 2004 appropriation of the Park and Recreation Fund of the City of Massillon, Ohio, the following:

\$5,000.00 FROM: "Parks & Recreation" 1234.505.2710.
TO: "Summer Concert Fund" 1212.505.1860.

Section 2:

That this Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary for the ability to book and arrange for the various artists that will be presented at the 2004 Summer Concert Series, the Summer Concert Fund needs additional funds in order to perform these tasks, for the more efficient operation of the various departments in the City of Massillon, Ohio, and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2004

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

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

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

SUPP 9-0

CITY OF MASSILLON, OHIO

POSD 9-0

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 12 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE establishing a fund entitled "Massillon Police Jail Repair & Improvements Fund" and creating line items within said fund, and declaring an emergency.

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

Section 1:

There be and is hereby established within the City of Massillon, Ohio, a fund entitled "Massillon Police Jail Repair & Improvement Fund", and creating line items within said fund.

Section 2:

The City Auditor is hereby authorized and directed to draw his warrants and make payments on vouchers duly approved by the proper departmental authority.

Section 3:

That this Ordinance is declared to be an emergency measure immediately necessary in order to receive and account for the funds received pursuant to the new jail booking fees being charged the townships and for the funds assessed by the Massillon Municipal Court on post-conviction bench warrants, for the preservation of the health, safety and welfare of the community and for the additional reason that it is necessary to establish said fund for accounting procedures within the Auditor's Department. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2004

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

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

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

SWOP 9-0

Pass 9-0

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 13 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor to accept a Domestic Violence Prosecutor Grant that will allow the City of Massillon to have a prosecutor specifically for domestic violence cases, 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 to the public health, safety and welfare of the community to accept a Domestic Violence Prosecutor Grant that will allow the City of Massillon to have a prosecutor specifically designated to prosecute for domestic violence cases.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to accept a Domestic Violence Prosecutor Grant that will allow the City of Massillon to hire a prosecutor specifically designated to prosecute for domestic violence cases.

Section 3:

The said amount of the Domestic Violence Prosecutor Grant shall be Thirty-Seven Thousand Seventy-Two Dollars (\$37,072.00). The city will be responsible for the remaining cost of Twelve Thousand Three Hundred Fifty-Seven Dollars and Thirty-Three Cents (\$12,357.33).

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, it is necessary to immediately accept the grant in order not to lose the benefit of the same, and for the reason that the grant is necessary to provide the Law Department with and allow the City of Massillon to have a prosecutor handle cases specifically for domestic violence. This will be in accordance with Violence Against Women Act (VAWA). 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 _____ 2004

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

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

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

105 1-20-04

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 14 - 2004

2nd reading 8/2

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 917 "STANDARDS FOR CURBS, SIDEWALKS AND DRIVEWAYS" of the Codified Ordinances of the City of Massillon, by repealing existing Section 917.12(b) "LICENSE REQUIRED, FEE, BOND, EXCEPTION" and 917.13(b) "PERMIT REQUIRED FEES" and enacting new Sections 917.12(b) "LICENSE REQUIRED, FEE, BOND, EXCEPTION" and 917.13(b) "PERMIT REQUIRED FEES".

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

Section I:

Existing Sections 917.12(b) "LICENSE REQUIRED, FEE, BOND, EXCEPTION" and 917.13(b) "PERMIT REQUIRED FEES" are hereby repealed in their entirety and there be and is hereby enacted the new Sections 917.12(b) "LICENSE REQUIRED, FEE, BOND, EXCEPTION" and 917.13(b) "PERMIT REQUIRED FEES", of CHAPTER 917 "STANDARDS FOR CURBS, SIDEWALKS AND DRIVEWAYS" of the Codified Ordinances of the City of Massillon. Said newly enacted Sections shall read as follows:

917.12 LICENSE REQUIRED; FEE; BOND; EXCEPTION

(b) The fee for such license shall be one hundred dollars (\$100.00) per year, or part thereof, and each renewal thereof. All licenses are to run for a period ending on December 31 in the year in which they are issued unless renewed. Each applicant for a license must file with the City Engineer a surety bond in the sum of ten thousand dollars (\$10,000) guaranteeing that the work he may do will comply in all respects the City specifications and provisions, all of which are made a part hereof, and to save the City harmless from any damage claims by reason of work done by the person, firm or corporation. A five hundred thousand dollar (\$500,000) liability policy must also be on file with the City Engineer and renewed yearly when requesting said license.

917.13 PERMIT REQUIRED; FEES

(b) The permit shall be in such form as the Director may prescribe, and each permit shall be issued only upon the payment of a minimum permit fee of twenty-five dollars (\$25.00) for repairing.

Section 2:

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 _____, 2004

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

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

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

105 1-20-04

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st Reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 15 - 2004

2nd Reading
passed 4/15/04

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1369 "NUMBERING STRUCTURES" of the Codified Ordinances of the City of Massillon, by creating Section 1369.01(f) "SCHEME OF NUMBERING."

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

Section 1:

There be and is hereby enacted a new Section 917.12(f) "SCHEME OF NUMBERING" of CHAPTER 1369 "NUMBERING STRUCTURES" of the Codified Ordinances of the City of Massillon. Said newly created Sections shall read as follows:

1369.01 SCHEME OF NUMBERING

(f) The permit shall be in such form as the City Engineer may prescribe, and such permit shall be issued only upon the payment of a permit fee of five dollars (\$5.00) for each house numbering.

Section 2:

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 _____, 2004

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

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

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

1st 1-20-04

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT
2nd reading 2/2
passed 2/17/04

ORDINANCE NO. 16 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 913 "EXCAVATIONS" of the Codified Ordinances of the City of Massillon, by repealing existing Section 913.02 "OBTAINING A PERMIT AND FEES" and enacting a new Section 913.02 "OBTAINING A PERMIT AND FEES"..

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

Section 1:

Existing Section 913.02 "OBTAINING A PERMIT AND FEES" is hereby repealed in its entirety and there be a nd is hereby enacted a new Section 913.02 "OBTAINING A PERMIT AND FEES". Of CHAPTER 913 "EXCAVATIONS" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

913.02 OBTAINING A PERMIT AND FEES.

The City Engineer shall, upon the filing of a ten thousand dollar (\$10,000) street opening bond, proof of at least five hundred thousand dollars (\$500,000) liability, and an application for a permit, investigate the same and, if he deems it necessary, issue a permit to the person or public utility to make such excavation at the place designated in the application. The fee for each such permit shall be twenty-five dollars (\$25.00) for each application. For each application over 100 feet, an additional charge of twenty cents (\$0.20) per foot shall be assessed.

Section 2:

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 _____, 2004

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

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

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

125 1-20-04

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 17 - 2004

1st reading
2nd reading 1/20/04
passed 1/17/04

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1113 "ADMINISTRATION AND ENFORCEMENT" of the Codified Ordinances of the City of Massillon, by repealing existing Sections 1113.06(a) "FEES" and 1113.06(b) "PLAN CHECKING AND FILED INSPECTION FEES" and enacting new Sections 1113.06(a) "FEES" and 1113.06(b) "PLAN CHECKING AND FILED INSPECTIONS FEES"..

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

Section I:

Existing Sections 1113.06(a) "FEES" and 1113.06(b) "PLAN CHECKING AND FILED INSPECTION FEES" are hereby repealed in their entirety and there be and is hereby enacted new Sections 1113.06(a) "FEES" and 1113.06(b) "PLAN CHECKING AND FILED INSPECTION FEES", of CHAPTER 1113 "ADMINISTRATION AND ENFORCEMENT" of the Codified Ordinances of the City of Massillon. Said newly enacted Sections shall read as follows:

1113.06 FEES.

(a) Filing fees in the amount fixed as follows shall be paid when the application for a schedule is submitted.

- (1) Preliminary plat fees:
\$50.00 plus \$2.00 per lot.
- (2) Final plat fees:
\$50.00 plus \$2.00 per lot.
- (3) Preliminary plan time extension fee:
\$25.00.
- (4) Preliminary plat resubmittal fee: Where the approved preliminary plan has not been changed but the approval period has expired, the fee shall be one-half the preliminary plan fee.

The filing fee shall be paid in local tender or by check or money order made payable to the City and deposited with the Planning Department. No plat shall be considered filed until the above fees have been so deposited.

(b) Plan Checking and Filed Inspection Fees. At the time such plans, profiles, and specifications are submitted for review, the City Engineer shall prepare and estimate of cost for office checking of all improvement plans. The subdivider shall thereupon deposit with the City an amount of money equal to such estimated cost. All work done by the Engineer in connection with checking, computing and correcting such plans for improvements shall be charged against such deposit. Plan checking fee shall be based upon the following schedule:

\$100.00 plus
5.00 per 100 L.F. of street
5.00 per 100 L.F. of sanitary sewer
7.00 per 100 L.F. of storm sewer

The subdivider shall also pay to the City a fee to defray the cost of field inspection of the improvements. The inspection fee shall be determined by the City Engineer based upon the following schedule:

Section 2:

where is this schedule? ☹

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 _____, 2004

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

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

DATED: _____

CLERK: MARY BETH BAILEY

Repealed

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 18-2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE to enact a new sub-section 181(f) to establish a fee of five dollars (\$5.00) from January 1st through April 30th and ten dollars (\$10.00 from May 1th through December 31th for the preparing of Tax Returns by the staff in the Income Tax Department, and declaring an emergency.

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

Section 1:

To enact a new sub-section 181(f) to the Codified Ordinance of the City of Massillon, Ohio.

Section 2:

That there be and hereby is enacted a new sub-section 181(f) to establish a fee of five dollars (\$5.00) from January 1st through April 30th and ten dollars (\$10.00 from May 1th through December 31th for the preparing of Tax Returns by the staff in the Income Tax Department .

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said amendment is necessary for the more efficient operation of the Massillon Income Tax Department 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 _____, 2004.

ATTEST: _____
MARY BETH BAILEY,
CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

Susp 9-0

Pos 9-0

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 19 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Auditor to pay various 2003 bills that have been received and that will be received in his office between January 1, 2004 and March 1, 2004 for which there is a discrepancy in the purchase order or no purchase order date, out of the 2004 appropriations within the various departments of the City of Massillon, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds it necessary to authorize the City Auditor to pay various 2003 bills that have been received and that will be received by his office between January 1, 2004 and March 1, 2004; for which there is a discrepancy in the purchase orders or no purchase orders, from the 2004 appropriations within the various departments.

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are immediately necessary to pay 2003 bills that will be submitted to the City Auditor, 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 _____ 2004

APPROVED: _____

MARY BETH BAILEY, CLERK OF COUNCIL DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

Susp
9-2
200 9-2
DATED: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 20 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE to enact a new sub-section 181(f) to establish a fee of five dollars (\$5.00) from January 1st through April 30th and ten dollars (\$10.00 from May 1st through December 31st for the preparing of Tax Returns by the staff in the Income Tax Department, and declaring an emergency.

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

Section 1:

That the City of Massillon, Ohio deems it necessary and in the best interest of the City to enact a new sub-section 181(f) to the Codified Ordinance of the City of Massillon, Ohio permitting the Income Tax Department to charge fees for the preparation of City Income Tax Returns by the department staff for residents and filers who request the department to prepare their returns.

Section 2:

That there be and hereby is enacted a new sub-section 181(f) of the Massillon Code of 1985 which shall read as follows:

"181(f) That the Income Tax Department shall charge a fee of five dollars (\$5.00) from January 1st through April 30th and ten dollars (\$10.00 from May 1th through December 31th for the preparing of Tax Returns by the staff in the Income Tax Department."

Section 3:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said amendment is necessary for the more efficient operation of the Massillon Income Tax Department, must be immediately enacted so that the Massillon Income Tax Department may start charging fees for the preparation of such returns as this is the time of year a majority of the returns are prepared and the City is in need of additional revenue, 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 _____, 2004.

ATTEST: _____

MARY BETH BAILEY,
CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: JANUARY 20, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

Tabled
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 21 - 2004

*Ind reading 3/17
PH 3/1 @ 7:00
passed 3/1/04*

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE repealing existing CHAPTER 1156 "R-CRD CONDOMINIUM RESIDENTIAL DISTRICT" to PART ELEVEN - PLANNING AND ZONING CODE under TITLE SEVEN - Zoning Regulations of the Codified Ordinances of the City of Massillon and the underlying ordinance which enacted it, Ordinance No. 47-2003, and adding a new CHAPTER 1156 "R-CRD CONDOMINIUM RESIDENTIAL DISTRICT" to PART ELEVEN - PLANNING AND ZONING CODE under TITLE SEVEN - Zoning Regulations of the Codified Ordinances of the City of Massillon.

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

Section 1:

Existing CHAPTER 1156 "R-CRD CONDOMINIUM RESIDENTIAL DISTRICT" to PART ELEVEN - PLANNING AND ZONING CODE under TITLE SEVEN - Zoning Regulations of the Codified Ordinances of the City of Massillon and the underlying ordinance which enacted it, Ordinance No. 47-2003 are hereby repealed in their entirety and there be and hereby is enacted a new CHAPTER 1156 "R-CRD CONDOMINIUM RESIDENTIAL DISTRICT" to PART ELEVEN - PLANNING AND ZONING CODE under TITLE SEVEN - Zoning Regulations of the Codified Ordinances of the City of Massillon. Said new CHAPTER 1156 shall read as follows:

(See attachment "A")

Section 2:

This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS _____ DAY OF _____, 2004

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

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

Condominium Regulations – Massillon Zoning Code Amendments

CHAPTER 1156

R-CRD Condominium Residential District

1156.01 Intent	1156.05 District Requirements
1156.02 Definitions	1156.06 Application and Review Process
1156.03 Principal Uses Permitted	1156.07 Amendments to Site Plan,
1156.04 Accessory Uses	Construction Progress

1156.01 INTENT

The R-CRD Condominium Residential District is designed exclusively for owner occupied condominium projects. The purpose of this district is to provide for alternative single-family housing options within the community. Condominium projects require special additional regulations because of the issues resulting from the divided ownership of individual buildings, and the purpose of this Chapter is to provide reasonable standards for the location, design, and development of condominium projects by requiring the submission of development plans and establishing a review process to ensure that all developments are consistent with these regulations.

1156.02 DEFINITIONS

“Condominium” means a residential building containing one to four dwelling units which shall be separately owned in fee, and shall be owner occupied. Condominiums are further distinguished from other dwelling types by having joint ownership and/or responsibility for the maintenance of building, grounds and other areas owned in common.

1156.03 PRINCIPAL USES PERMITTED

In a Condominium Residential District, no building or land shall be used and no building shall be erected except for one or more of the following uses unless otherwise provided in the Zoning Ordinance.

- (a) Condominium residential units. The number of residential units permitted in a condominium building located within the R-CRD District shall not exceed four residential units per building.
- (b) Accessory buildings and uses customarily incident to a condominium development, such as clubhouses, swimming pools, parks, playgrounds, and recreational facilities.

1156.04 ACCESSORY USES

All garages for the purpose of storing private vehicles shall be attached to the primary residential unit, and accessible therefrom. Free standing garages, carports and storage buildings of any type are not an allowable accessory use within the R-CRD District.

1156.05 DISTRICT REQUIREMENTS

Condominium development within the R-CRD District shall be constructed according to a formally approved Site Plan subject to the following District requirements:

DATE JANUARY 20, 2004

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 22 - 2004

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making a loan from the 2004 Parks and Recreation Capital Improvement Fund to the Legends Golf Course Operating Fund of the City of Massillon, Ohio, and declaring an emergency.

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

Section 1:

There be and hereby is approved a loan from the 2004 Parks and Recreation Capital Improvement Fund to the Legends Golf Course Operating Fund of the City of Massillon, Ohio. Said loan shall be in the amount of \$60,000.00 upon the terms and conditions of the promissory note which is attached hereto as Exhibit "A". The loan shall be repaid by the Legends Golf Course Operating Fund, in full, on or before November 1, 2004.

Section 2:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said funds are necessary to meet current financial obligations of the Legends Golf Course which are due and payable in January, 2004 and sufficient funds are not available at this time to meet these obligations. 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 _____ 2004

APPROVED: _____
MARY BETH BAILEY, CLERK OF COUNCIL

DENNIS D. HARWIG, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

PROMISSORY NOTE

BORROWER: THE LEGENDS OF MASSILLON, GOLF COURSE

PRINCIPAL AMOUNT: \$60,000.00

INTEREST RATE: 0%

1. FOR VALUE RECEIVED, THE LEGENDS OF MASSILLON, GOLF COURSE promises to pay to the PARKS & RECREATION C.I. FUND at such address as may be provided in writing to THE LEGENDS OF MASSILLON, GOLF COURSE, the principal sum of sixty thousand (\$60,000.00) USD.
2. This promissory note will be repaid in full on 11/1/2004.
3. At any time while not in default under this Note, the Borrower may pay the outstanding balance then owing under this Note to the Lender without further bonus of penalty.
4. This note will be construed in accordance with and governed by the laws of the State of OHIO.

IN WITNESS WHEREOF THE LEGENDS OF MASSILLON, GOLF COURSE has duly affixed its signature by a duly authorized officer under seal on this _____ Day of January, _____.

SIGNED, AND DELIVERED

*Mary - Asked to remove item No. 3
- who signs the document
- Did we know @ the beginning of Y.P.*

Designate Alan W. Cloner would sign