

# AGENDA

DATE: MONDAY, JUNE 20, 2005

PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M.

7:00 - 8:00

THERE ARE NO PUBLIC HEARINGS TONIGHT

ABSENT  
CHUCK MAIER  
TOM WEBER

1. ROLL CALL
2. INVOCATION BY COUNCILWOMAN GLORIA AUTREY
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. 60 – 2005

BY: COMMUNITY DEVELOPMENT COMMITTEE

P.H. July 18 @ 7:00am

125 AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-1 Single Family Residential to RM-1 Multi Family Residential.

## ORDINANCE NO. 61 – 2005

BY: COMMUNITY DEVELOPMENT COMMITTEE

P.H. July 18 @ 7:15am

125 AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-1 Single Family Residential to R-T Two Family Residential.

## ORDINANCE NO. 62 – 2005

BY: POLICE AND FIRE COMMITTEE

125 AN ORDINANCE amending CHAPTER 1519 "FIREWORKS" of the Codified Ordinances of the City of Massillon, by repealing existing Subsection 1519.02 (c) "PUBLIC EXHIBITION PERMIT REQUIRED; FEE; BOND; RECORDS" and enacting new Subsection 1519.02 (c) "PUBLIC EXHIBITION PERMIT REQUIRED; FEE; BOND; RECORDS."

## ORDINANCE NO. 63 – 2005

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

125 AN ORDINANCE vacating a portion of 1<sup>st</sup> Street SW, and declaring an emergency.

## ORDINANCE NO. 64 – 2005

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

503R 7-10 P.D. 7-10 AN ORDINANCE vacating a portion of Harold Avenue SE, and declaring an emergency.

## ORDINANCE NO. 65 – 2005

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

B.O.C. 503D 7-10 7-10 AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into contract with ME Company for the study and analysis for certain intersections in the City of Massillon, Ohio, and declaring an emergency.

ORDINANCE NO. 66 – 2005

BY: FINANCE COMMITTEE

*BOC  
5000  
70  
70  
70*  
**AN ORDINANCE** authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter a contract with Love Insurance Agency for boiler & machinery insurance and crime insurance coverage, and declaring an emergency.

ORDINANCE NO. 67 – 2005

BY: FINANCE COMMITTEE

*5000  
70  
70  
70*  
**AN ORDINANCE** making certain appropriations from the unappropriated balance of the Federal Grant Fund, for the year ending December 31, 2005, and declaring an emergency.

ORDINANCE NO. 68 – 2005

BY: FINANCE COMMITTEE

*5000  
70  
70  
70*  
**AN ORDINANCE** authorizing the Mayor of the City of Massillon, Ohio, to accept the Edward Byrne Memorial Justice Assistance Grant for the purchase of a comprehensive crime mapping program for the Massillon Police Department, and declaring an emergency.

**7. UNFINISHED BUSINESS**

**8. PETITIONS AND GENERAL COMMUNICATIONS**

**9. BILLS, ACCOUNTS AND CLAIMS**

*- Wilson \$277.68 - Service Agreement  
Index - \$814.55 - Legal.*

**10. REPORTS FROM CITY OFFICIALS**

*5000  
70  
70  
70*  
**A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR MAY 2005**

**B). TREASURER SUBMITS MONTHLY REPORT FOR MAY 2005**

**C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR MAY 2005.**

**D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR MAY 2005**

**E). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR MAY 2005**

**F). MAYOR'S MONTHLY REPORT**

*JUNE 27, 2005 - COM  
5000 - Council meeting*

**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**

RESOLUTION NO. 10 – 2005

BY: PUBLIC UTILITIES COMMITTEE

*2ND*  
**A RESOLUTION** authorizing all actions necessary to effect a governmental natural gas aggregation program with opt-in provisions pursuant to Article 18.04, Ohio Constitution and authorizing and directing the Director of Public Service and Safety to enter into an agreement with Buckeye Energy, Inc. for consulting services and any other required services related to natural gas aggregation.

**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: JUNE 20, 2005

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

ORDINANCE NO. 60 - 2005

LEGISLATIVE DEPARTMENT

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-1 Single Family Residential to RM-1 Multi Family Residential.

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 R-1 Single Family Residential to RM-1 Multi Family Residential. Said rezoning was denied by the Planning Commission of the City of Massillon, Ohio, on June 8, 2005 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 RM-1 Multi Family Residential.

Being known as Part of Lot No. 2534 and all of Lot No. 11624, located on the west side of Kracker Street NW, north of Lake Avenue NW. The applicant is Eleanora Alexander. Ms. Alexander proposes to utilize existing residential building as a multi family dwelling.

Section 3:

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

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2005

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

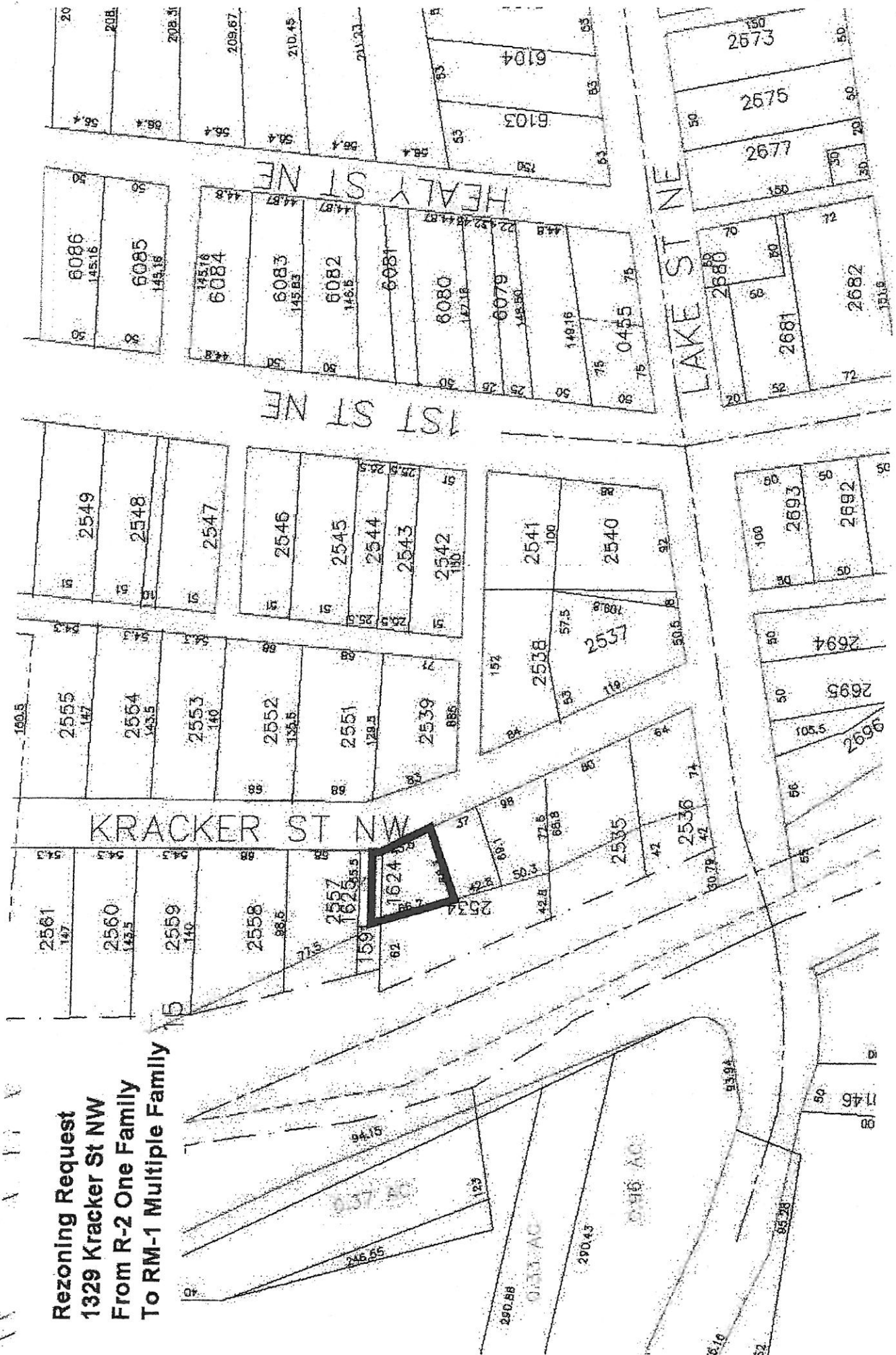
\_\_\_\_\_  
GLENN E. GAMBER, PRESIDENT

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

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



**Rezoning Request  
1329 Kracker St NW  
From R-2 One Family  
To RM-1 Multiple Family**



**Rezoning Request  
1329 Kracker St NW  
R-2 to RM-1**

Nish Ave.

KRACKER ST

1ST ST NE

HEALY ST

JANICE ST NE

LAKE AVE. NE

MCCADDEN ST

ST NE

E NW

RM-1

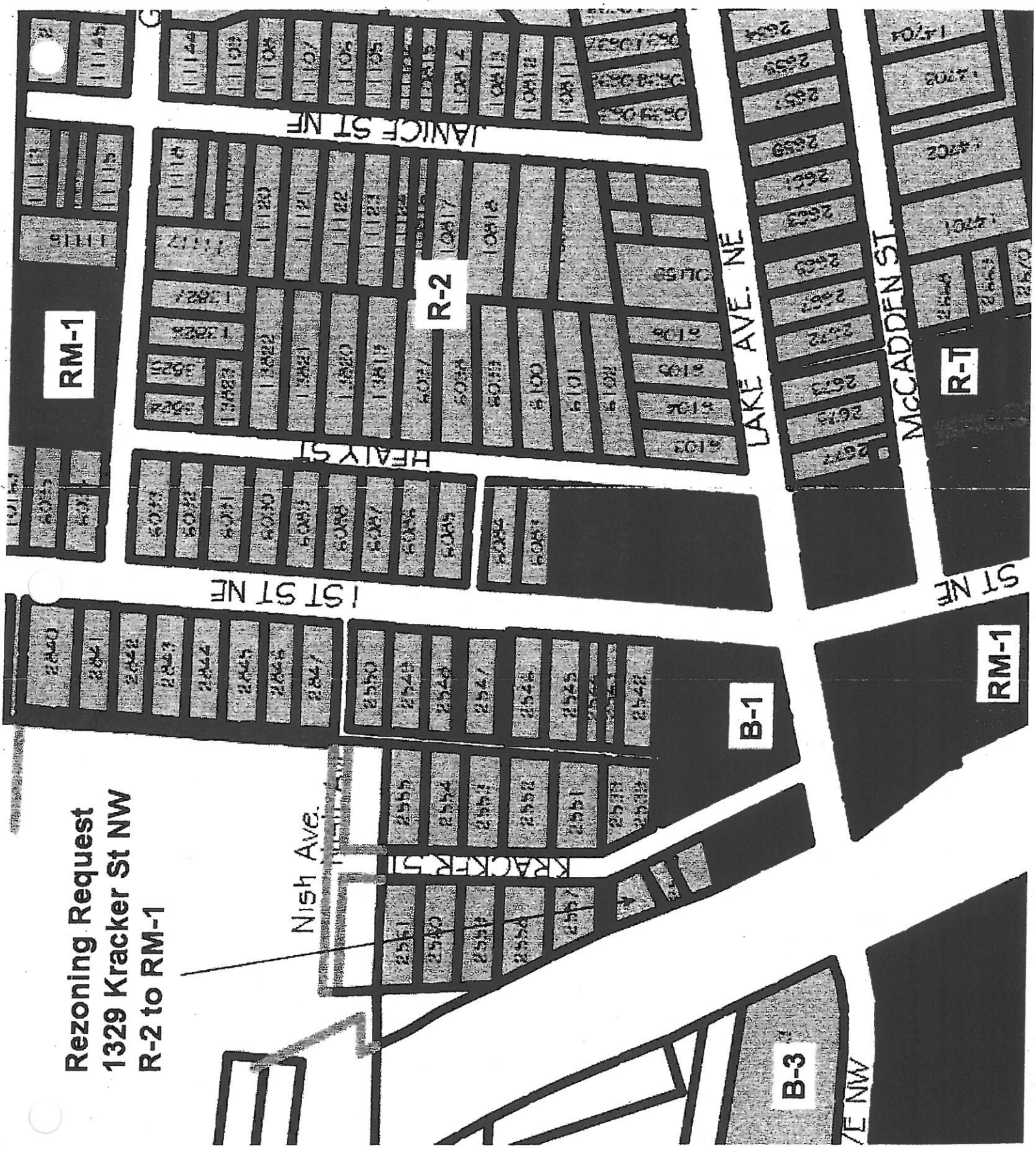
R-2

B-1

RM-1

B-3

R-T



DATE: JUNE 20, 2005

CLERK: MARY BETH BAILEY

*105 6/20/05*

*Printed July 18 @ 7:15*  
CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*not reading*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 61 - 2005

*passed*

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from R-1 Single Family Residential to R-T Two Family Residential.

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 R-1 Single Family Residential to R-T Two Family Residential.

Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on June 8, 2005 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 R-T Two Family Residential.

Being known as Part of Out Lot 288, a 2.00 acre vacant parcel of land located on the west side of 9<sup>th</sup> Street SW, north of Finebrock Boulevard SW, and Part of Out Lot 288, a 0.77 acre parcel of land located at 1219 9<sup>th</sup> Street SW. The applicant is Kevin Deckerd. Mr. Deckerd proposes to utilize existing residential building as a two family dwelling.

Section 3:

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



PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2005

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

\_\_\_\_\_  
GLENN E. GAMBER, PRESIDENT

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

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



LOOK AVE SW

TA

9th

EDUC

8th

WEBB AVE SW

LIBERTY COURT SW

1452

PATRIOT PLACE SW

MCIC 140

GRIFFITH

0-1

285

9th St SW



DATE: JUNE 20, 2005

CLERK: MARY BETH BAILEY

1<sup>st</sup> 6/20/05

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 62 - 2005

BY: POLICE AND FIRE COMMITTEE

TITLE: AN ORDINANCE amending CHAPTER 1519 "FIREWORKS" of the Codified Ordinances of the City of Massillon, by repealing existing Subsection 1519.02(c) "PUBLIC EXHIBITION PERMIT REQUIRED; FEE; BOND; RECORDS" and enacting new Subsection 1519.02(c) "PUBLIC EXHIBIT PERMIT REQUIRED; FEE; BOND; RECORDS".

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

Section 1:

Existing Sections 1519.02(c) "PUBLIC EXHIBITION PERMIT REQUIRED; FEE; BOND; RECORDS" is hereby repealed and is hereby enacted new Subsection 1519.02(c) "PUBLIC EXHIBITION PERMIT REQUIRED; FEE; BOND; RECORDS" of the CHAPTER 1519 "FIREWORKS" of the Codified Ordinances of the City of Massillon. Said newly enacted Subsection shall read as follows:

SEE EXHIBIT "A" ATTACHED HERETO

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 \_\_\_\_\_, 2005

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

\_\_\_\_\_  
GLENN E. GAMBER, PRESIDENT

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

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

## EXHIBIT "A"

(c) The Fire Chief or Fire Prevention Officer and the Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, shall not issue a permit until the applicant pays a permit fee of **one hundred and fifty dollars (\$150.00)** plus any necessary costs of investigation of the applicant and of inspecting the premises on which the exhibition will be conducted. **An additional fee of fifty dollars (\$50.00) per hour shall also be charged for each hour spent exceeding two hours, as determined by the Massillon Fire Department Fire Prevention Office.**

Each exhibitor shall provide an indemnity bond in the amount of at least one million dollars (\$1,000,000), with surety satisfactory to the Fire Chief or Fire Prevention Officer and to Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, conditioned for the payment of all final judgments that may be rendered against the exhibitor on account of injury, death or loss to persons or property emanating from the fireworks exhibition, or proof of insurance coverage of at least one million dollars (\$1,000,000) for liability arising from injury, death or loss to persons or property emanating from the fireworks exhibition. The Legislative Authority may require the exhibitor to provide an indemnity bond or proof of insurance coverage in amounts greater than those required by this subsection. The Fire Chief or Fire Prevention Officer and Police Chief or other similar chief law enforcement officer, or a designee of such Police Chief or similar chief law enforcement officer, shall not issue a permit until the exhibitor provides the bond or proof of the insurance coverage required by this subsection.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2005

APPROVED: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL    GLENN E. GAMBER, PRESIDENT

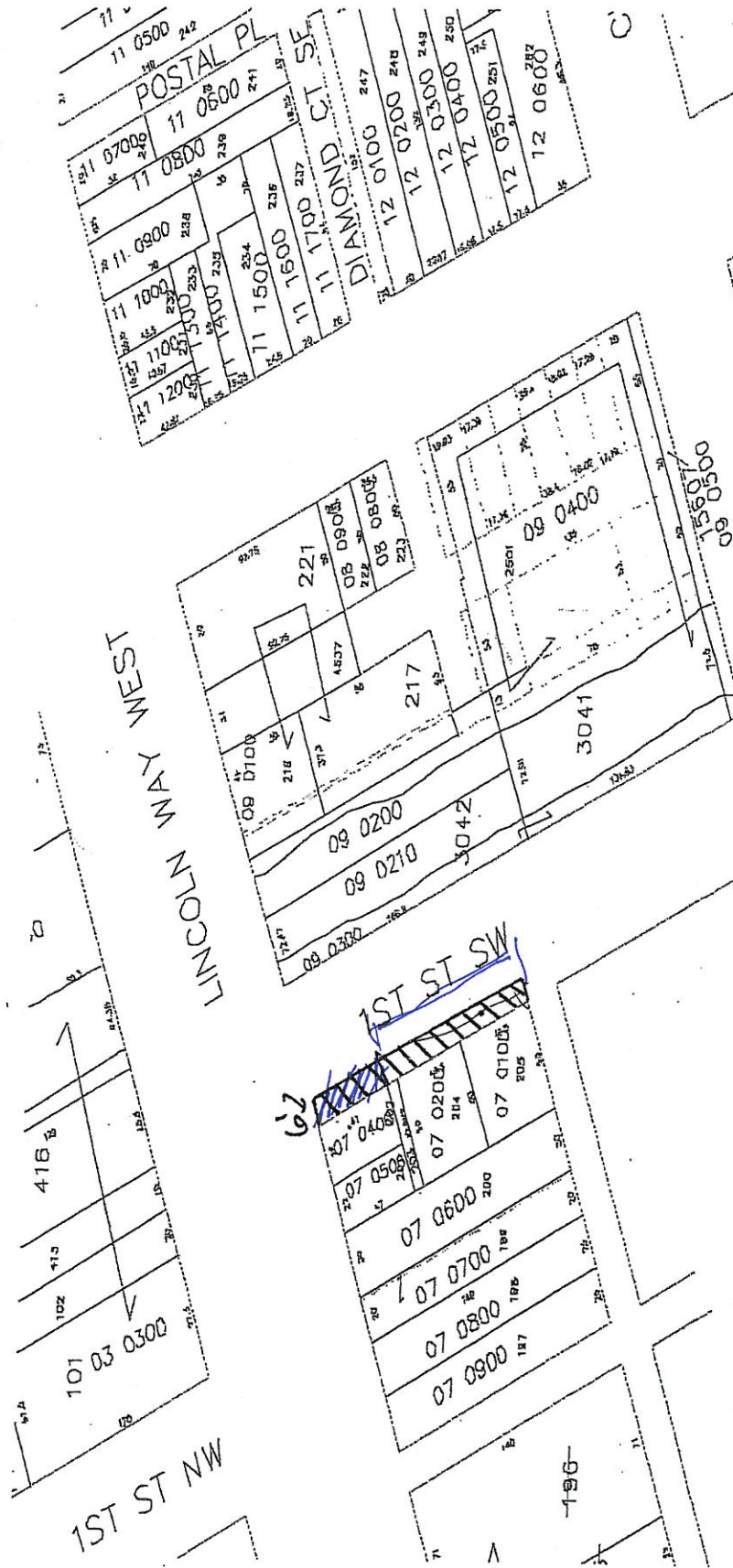
APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR



**Vacation Plat - 1st Street SW**

**Location and Description:** A portion of 1st Street SW, a 66 foot right-of-way; located South of Lincoln Way West, and North of Tremont SW. The request is to vacate a 6' strip off the western side of the right-of-way; beginning at the south line of Lincoln Way West and continuing South approximately 133 feet.

**Applicant:** Mocho Properties Ltd. / Chuck Thompson



DATE: JUNE 20, 2005

CLERK: MARY BETH BAILEY

*506P 7-0*

*P 7-0*

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 64 - 2005

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of Harold Avenue SE, and declaring an emergency.

WHEREAS, there has been filed with this Council by the owners of all of the lots and lands bounding and abutting upon the street hereinafter described, a petition requesting that a portion thereinafter described be vacated, and

WHEREAS, upon hearing, this Council hereby finds that there is good cause for such vacation and that it will not be detrimental to the general interest of this community and that such vacation should be made.

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

Section 1:

There has been a request to vacate a portion of Harold Avenue SE, a 50 foot right-of-way; located on the west side of Virginia Street SE, north of Harsh Avenue SE. The request is to vacate a portion of the right-of-way beginning at the west line of Virginia Street SE, westerly approximately 120 feet. This vacation plat is filed in the City Engineer's Office. Approval of the vacation was recommended by the City Planning Commission on June 8<sup>th</sup>, 2005. Said vacation is hereby approved, adopted and confirmed.

Section 2:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the continued efficient operation of the City of Massillon, Ohio, the portion of the street to be vacated has never been used for municipal purposes and is no longer needed for municipal purposes and the vacation will benefit the development of the area. 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 \_\_\_\_\_ 2005

APPROVED: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL    GLENN E. GAMBER, PRESIDENT

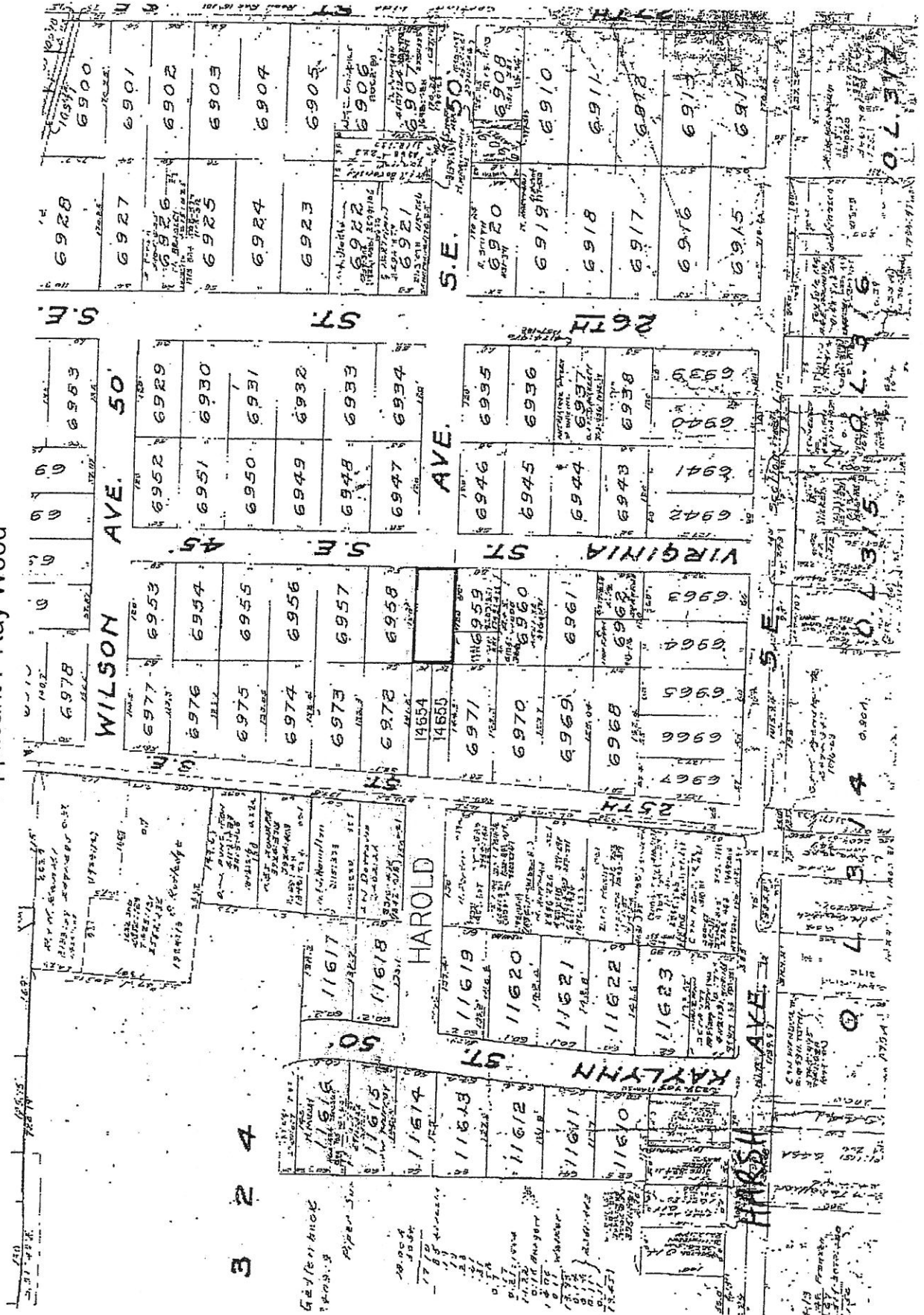
APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR



# Vacation Plat - Harold Avenue SE

**Location and Description:** A portion of Harold Avenue SE, a 50 foot right-of-way; located on the West side of Virginia Street SE, North of Harsh Avenue. The request is to vacate a portion of the roadway beginning at the west line of Virginia Street, westerly approximately 120 feet.

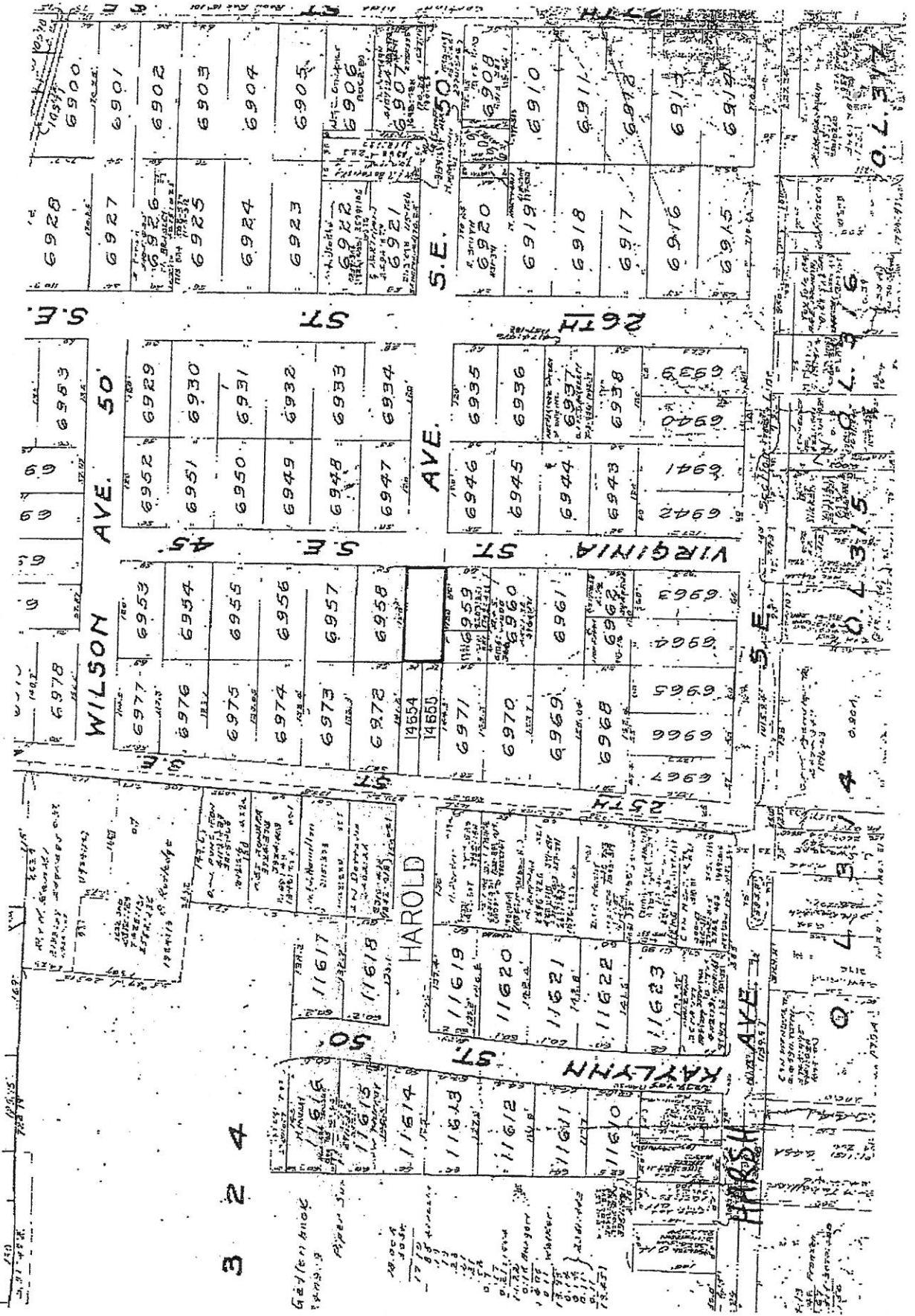
Applicant: Ray Wood



Vacation Plat Harold Avenue SE

Location and Description: A portion of Harold Avenue SE, a 50 foot right-of-way; located on the West side of Virginia Street SE, North of Harsh Avenue. The request is to vacate a portion of the roadway beginning at the west line of Virginia Street, westerly approximately 120 feet.

Applicant: Ray Wood



DATE: JUNE 20, 2005

CLERK: MARY BETH BAILEY

503P 7-0  
POD 7-0  
Boc.

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 65 - 2005

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into contract with ME Company for the study and analysis for certain intersections 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 determines it to be necessary in the public health, safety and welfare to enter into contract with ME Company for the study and analysis for certain intersections in the City of Massillon, Ohio. Said contract shall be in the amount of Ten thousand Dollars (\$10,000.00); which will be funded by a 100% grant from the Governor's Highway Safety Office.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into contract with ME Company for the study and analysis of the following intersections in the City of Massillon, Ohio:

- a). 11<sup>th</sup> Street NE & State Avenue
- b). 9<sup>th</sup> Street SW & Finefrock Road SW (S.R. 241)
- c). Erie Street South & Tremont Avenue
- d). Erie Street North & Federal Avenue NE
- e). 3<sup>rd</sup> Street SE & Tremont Avenue SE

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 that contracts are signed so the work may begin for the study and analysis for those intersections in the city. 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 \_\_\_\_\_, 2005

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

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

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

FRANCIS H. CICCHINELLI, JR., MAYOR



DATE: JUNE 20, 2005

CLERK: MARY BETH BAILEY

*5030 10  
PMD 10*

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 66 - 2005

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon to enter into a contract with Love Insurance Agency for boiler & machinery insurance and crime insurance coverage, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary and in the public health, safety and welfare to enter into contract with Love Insurance Agency for boiler & machinery insurance and crime insurance coverage for 2005 – 2006 year.

Section 2:

The Director of Public Service and Safety of the City of Massillon is hereby authorized to enter into contract with Love Insurance Agency for boiler & machinery insurance and crime insurance coverage for 2005 – 2006 year.

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 enter into a contract with Love Insurance Agency as the previous policies are about to expire. 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 \_\_\_\_\_ 2005

APPROVED: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL      GLENN E. GAMBER, PRESIDENT

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

DATE: JUNE 20, 2005

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

*5050 7-0*  
*PRD 7-0*

ORDINANCE NO. 67 - 2005

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Federal Grants Fund, for the year ending December 31, 2005, 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 Federal Grants Fund, for the year ending December 31, 2005, the following:

^10.000.00 to an account entitled "Intersection Safety Study"

Section 2:

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 \_\_\_\_\_ 2005

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

\_\_\_\_\_  
GLENN E. GAMBER, PRESIDENT

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

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

DATE: JUNE 20, 2005

CLERK: MARY BETH BAILEY

~~1st 6/20/05~~

Susp - 7.0

pro 7.0

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 68 - 2005

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to accept the Edward Byrne Memorial Justice Assistance Grant for the purchase of a comprehensive crime mapping program for the Massillon Police Department, 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 accept the Edward Byrne Memorial Justice Assistance Grant in the amount of Twenty-Three Thousand Fifty Dollars (\$23,050.00) for the purchase of a comprehensive crime mapping program for the Massillon Police Department.

Section 2:

The Mayor of the City of Massillon, Ohio, is hereby authorized and directed to accept the Edward Byrne Memorial Justice Assistance Grant for the purchase of a comprehensive crime mapping program for the Massillon Police Department.

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 reason that the grant is necessary for the purchase of comprehensive crime mapping program that will be used in the Massillon Police 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 \_\_\_\_\_ 2005

APPROVED: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL      GLENN GAMBER, PRESIDENT

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

DATE: JUNE 20, 2005

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

*Amendment Motion - 8-0*  
*Susp 8-0*  
*Pass 8-0*  
**\*AMENDED\***  
ORDINANCE NO. 63 - 2005

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of 1<sup>st</sup> Street SW, and declaring an emergency.

WHEREAS, there has been filed with this Council by the owners of all of the lots and lands bounding and abutting upon the street hereinafter described, a petition requesting that a portion thereafter described be vacated, and

WHEREAS, upon hearing, this Council hereby finds that there is good cause for such vacation and that it will not be detrimental to the general interest of this community and that such vacation should be made.

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

Section 1:

There has been a request to vacate a 6 foot portion of 1<sup>st</sup> Street SW, an irregular 66 foot wide right-of-way; located on the south side of Lincoln Way West, north of Tremont Avenue SW. The request is to vacate a 6 foot strip off the western side of the right-of-way; beginning 47 feet south of the south line of Lincoln Way West and continuing south approximately 96 feet. This vacation plat is filed in the City Engineer's Office. Approval of the vacation was recommended by the City Planning Commission on June 8<sup>th</sup>, 2005. Said vacation is hereby approved, adopted and confirmed.

Section 2:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the continued efficient operation of the City of Massillon, Ohio, the portion of the street to be vacated has never been used for municipal purposes and is no longer needed for municipal purposes and the vacation will benefit the development of the area. 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 \_\_\_\_\_ 2005

APPROVED: \_\_\_\_\_  
MARY BETH BAILEY, CLERK OF COUNCIL    GLENN E. GAMBER, PRESIDENT

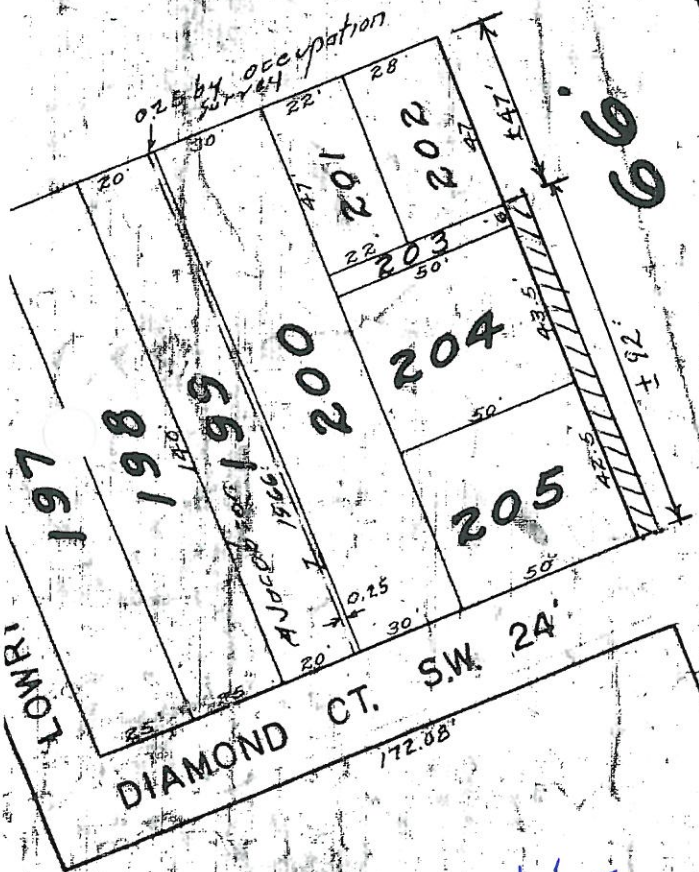
APPROVED: \_\_\_\_\_  
FRANCIS H. CICCHINELLI, JR., MAYOR



101  
102  
415  
41

WAY

Also 0830  
Part 3800  
O. LEWNN  
SIZE KNOWN



DIAMOND CT. SW. 24'

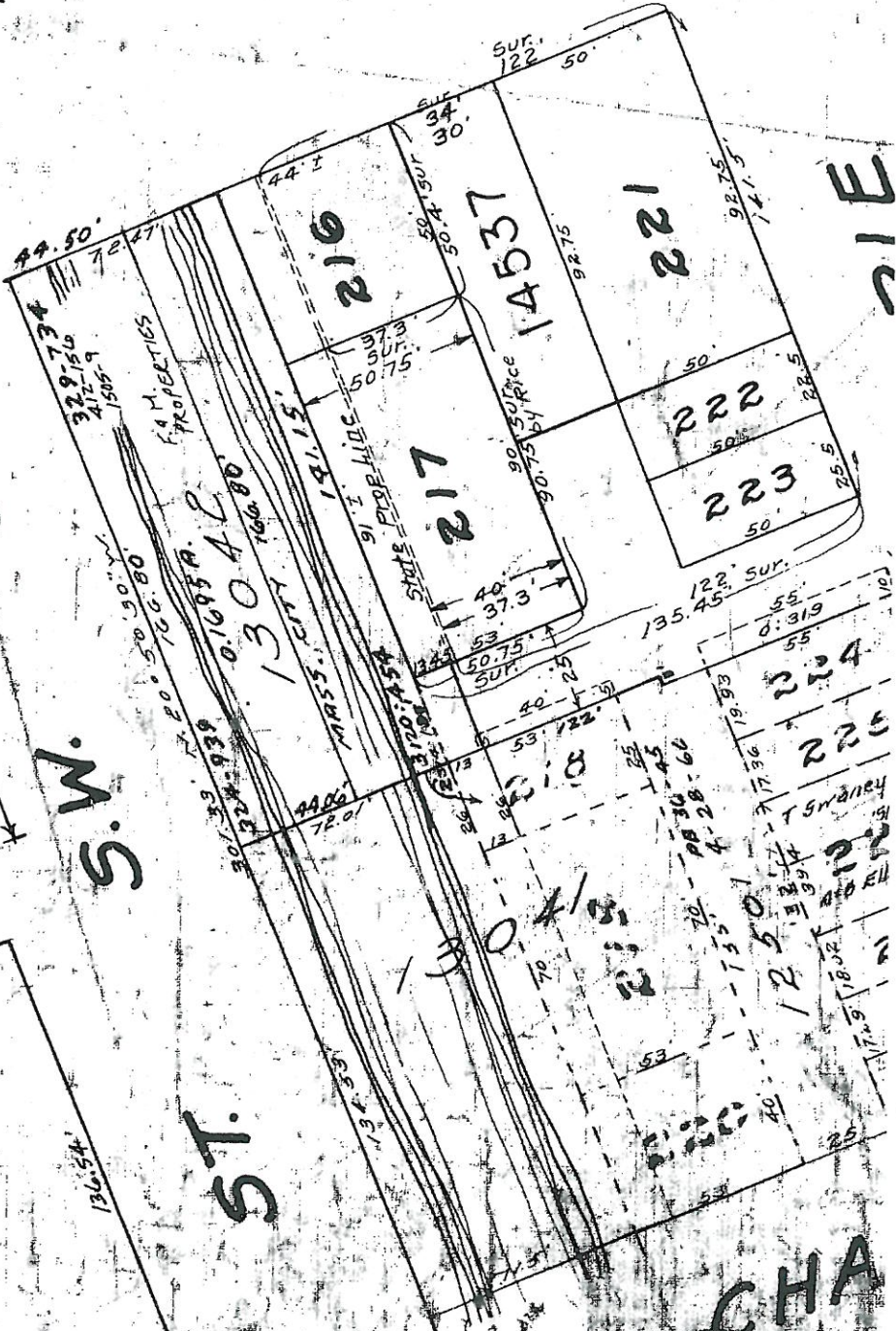
S.W.

ST.

42.5  
43.5  
6.0  
92.0

33  
5

DAVID CANARY  
DR. SW



CHA



DATE: JUNE 20, 2005

CLERK: MARY BETH BAILEY

*1st 6/20/05  
Needs Am*

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*1st Reading*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 63 - 2005

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of 1<sup>st</sup> Street SW, and declaring an emergency.

WHEREAS, there has been filed with this Council by the owners of all of the lots and lands bounding and abutting upon the street hereinafter described, a petition requesting that a portion thereafter described be vacated, and

WHEREAS, upon hearing, this Council hereby finds that there is good cause for such vacation and that it will not be detrimental to the general interest of this community and that such vacation should be made.

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

Section 1:

There has been a request to vacate a 6 foot portion of 1<sup>st</sup> Street SW, an irregular 66 foot wide right-of-way; located on the south side of Lincoln Way West, north of Tremont Avenue SW. The request is to vacate a 6 foot strip off the western side of the right-of-way; beginning at the south line of Lincoln Way West and continuing south approximately 96 feet. This vacation plat is filed in the City Engineer's Office. Approval of the vacation was recommended by the City Planning Commission on June 8<sup>th</sup>, 2005. Said vacation is hereby approved, adopted and confirmed.

Section 2:

This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the community and for the continued efficient operation of the City of Massillon, Ohio, the portion of the street to be vacated has never been used for municipal purposes and is no longer needed for municipal purposes and the vacation will benefit the development of the area. 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.