

~~APPROVED~~

AGENDA

DATE: MONDAY, FEBRUARY 5, 2007

PLACE: COUNCIL CHAMBERS

TIME: 7:30 P.M. - 8:40 P.M.

THERE IS ONE PUBLIC HEARING TONIGHT  
ORDINANCE NO. 2 - 2007 - REZONING P. H. AT 7:25PM

1. ROLL CALL
2. INVOCATION BY COUNCILMAN PAUL MANSON
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. 14 - 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an amended agreement between the City of Massillon and Wilmington Capital LLC, under the Ohio Urban Jobs and Enterprise Zone Program, and declaring an emergency.

\* ORDINANCE NO. 15 - 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS 9-0

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. 16 - 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

1<sup>ST</sup> READING

MARCH 5<sup>TH</sup> 7:00 P.M. P.H.

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 B-1 Local Business.

\* ORDINANCE NO. 17 - 2007

BY: ENVIRONMENTAL COMMITTEE

PASS 9-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Mutual Agreement for technical assistance between the City of Massillon, Ohio and Stark County Ohio Soil and Water Conservation District, and declaring an emergency.

ORDINANCE NO. 18 - 2007

BY: ENVIRONMENTAL COMMITTEE

1<sup>ST</sup> READING

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into contract with the lowest and best bidder, upon the approval of the Board of Control for the Harsh Avenue Sanitary Sewer Relocation Project, and declaring an emergency.

MONDAY, FEBRUARY 5, 2007

**ORDINANCE NO. 19 – 2007**

**BY: ENVIRONMENTAL COMMITTEE**

PASS 9-0

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare specifications and to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for sewer sludge removal and disposal at the Wastewater Treatment Plant in the City of Massillon.

**ORDINANCE NO. 20 – 2007**

**BY: RULES, COURTS AND CIVIL SERVICE**

PASS 9-0

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

**ORDINANCE NO. 21 – 2007**

**BY: RULES, COURTS AND CIVIL SERVICE**

PASS 9-0

AN ORDINANCE authorizing the City of Massillon, Ohio, to pick up a percentage of the statutorily required contribution to the Public Employees Retirement System of Ohio for certain employees of the City of Massillon, Ohio, pursuant to I.R.C. Section 414 (H)(2), and declaring an emergency.

**ORDINANCE NO. 22 – 2007**

**BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY**

PASS 9-0

AN ORDINANCE accepting the replatting of Lot 10213 and Out Lot 206, located on the west side of 32<sup>nd</sup> Street NW, north of Lincoln Way West, and including the dedication of the existing right-of-way of 32<sup>nd</sup> Street NW, 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. 23 – 2007**

**BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY**

DEFEAT 9-0

AN ORDINANCE vacating a portion of a certain public alley.

**ORDINANCE NO. 24 – 2007**

**BY: FINANCE COMMITTEE**

PASS 9-0

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

**ORDINANCE NO. 25 – 2007**

**BY: FINANCE COMMITTEE**

PASS 9-0

AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund and the Park & Rec. Fund, for the year ending December 31, 2007, and declaring an emergency.

MONDAY, FEBRUARY 5, 2007

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

- A). MAYOR SUBMITS MONTHLY PERMIT REPORT FOR JANUARY 2007
- B). AUDITOR SUBMITS MONTHLY REPORT FOR JANUARY 2007 9-0 ACCEPT

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER \*Armory Discussion
13. CALL OF THE CALENDAR
14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 2 - 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS 9-0  
AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Tuscarawas Township (no zoning) to A-2 General Agricultural District.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 11 - 2007

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

2ND READING  
AN ORDINANCE vacating a portion of a certain public alley.

RESOLUTION NO. 1 - 2007

BY: HEALTH, WELFARE AND BLDG REGULATIONS

2ND READING  
A RESOLUTION authorizing the Law Director to enter into a professional legal services contract on behalf of the City of Massillon related to claims against several lead-based paint and lead manufactures in order to remediate the hazards of lead in the City of Massillon, and

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 FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 14 - 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an amended agreement between the City of Massillon and Wilmington Capital LLC, under the Ohio Urban Jobs and Enterprise Zone Program, 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 does hereby authorize amending the Enterprise Zone agreement between the City of Massillon and Wilmington Capital LLC, by the property being conveyed from C L Webster Properties LLC and authorizing the Mayor to enter into the same under the Ohio Urban Jobs and Enterprise Zone Program.

Section 2:

The agreement between the City of Massillon and Wilmington Capital LLC, under the Ohio Urban Jobs and Enterprise Zone Program is hereby amended to show the property being conveyed from C L Webster Properties LLC and the Mayor is authorized to enter into the same.

Section 3:

A copy of said amendment is attached hereto and made part of this Ordinance.

Section 4:

This Ordinance is hereby declared to be an emergency measure, the reason for the emergency being that said enactment is necessary for the Enterprise Zone agreement to reflect the revised agreement with the property being conveyed to the new company Wilmington Capital LLC to the agreement. 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.

*2<sup>nd</sup> page is signature page*



AMENDMENT TO OHIO ENTERPRISE ZONE AGREEMENT  
CONSENT TO ASSIGNMENT

This Amendment made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_, by and between the City of Massillon, Ohio (the "City"), and Wilmington Capital, LLC, (the "Assignee").

Whereas, the City entered into an Ohio Enterprise Zone Agreement dated August 29, 2003 (the "Agreement") with C.L. Webster Properties, LLC (the "Enterprise") whereby the Enterprise agreed to construct a new fifteen thousand (15,000) square foot Field Service Center for the United States Department of Agriculture, on a 2.5 acre parcel, known as Out Lot 1002, and located at 2650 Richville Drive SE, in the City of Massillon, Stark County, Ohio (the "Project"); and in return, the City agreed to provide the Enterprise with development incentives to support the economic viability of the Project; and,

Whereas, the Agreement provides for a five year, 50% tax exemption for real property improvements made in connection with the Project; and,

Whereas, the Assignee has acquired the property at 2650 Richville Drive SE from the Enterprise; and,

Whereas, the Enterprise wishes to assign to the Assignee and the Assignee wishes to assume from the Enterprise, all of the Enterprise's rights and obligations under the Agreement; and

Whereas, pursuant to Section 16 of the Agreement, the Agreement is not transferable or assignable without the express, written approval of the City, which approval the City is willing to grant on the terms and conditions contained in this Amendment and Consent to Assignment.

Now, therefore, the parties hereby agree as follows:

Section 1:

The City approves of and consents to the assignment to Assignee of the Agreement, including the transfer to Assignee of all rights of the Enterprise contemplated by the Agreement and the assumption by Assignee of all of the Enterprise's payment and performance obligations expressly arising under the Agreement from and after the date of the assignment thereof.

Section 2:

The Assignee hereby agrees that, in connection with the assignment of the Agreement, it will assume the Enterprise's payment and performance obligations under the Agreement arising from and after the date of the assignment thereof.

Section 3:

In all other respects, the Agreement is hereby confirmed and ratified as written.

Section 4:

The City hereby undertakes to execute and deliver on its behalf such further instruments and documents as may be reasonably requested by Assignee to evidence the assignment of rights and assumption of obligations under the Agreement.

Section 5:

This Amendment and Consent to Assignment shall be binding upon the parties hereto and their respective successors and assigns.

Section 6:

This Amendment and Consent to Assignment shall be construed and enforced in accordance with the laws of the State of Ohio.

Section 7:

This Amendment and Consent to Assignment may be executed by the parties hereto in one or more counterparts, each of which shall be deemed to be an original and all of which shall constitute together but one and the same agreement.

In Witness Whereof, the parties have each caused this Amendment and Consent to Assignment to be executed by their duly authorized representatives as of the date and year first above written.

WITNESSED BY:

WILMINGTON CAPITAL, LLC

\_\_\_\_\_

By: \_\_\_\_\_

Name:

Title:

WITNESSED BY:

THE CITY OF MASSILLON, OHIO

\_\_\_\_\_

By: \_\_\_\_\_

Francis H. Cicchinelli, Jr., Mayor

Approved as to form and legal sufficiency:

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Pericles G. Stergios, Director of Law  
City of Massillon, Ohio



DATE: FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 15 - 2007

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 Fifteen Thousand Dollars (\$15,000.00).

Section 2:

The Mayor of the City of Massillon, Ohio 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.

*2<sup>nd</sup> page is the signature page*

Distribution:

Regional Planning  
Commission  
City of Massillon

AGREEMENT  
WITH CITY OF MASSILLON

SUBJECT: PROFESSIONAL SERVICES - HOUSING REHABILITATION

This Agreement, entered into this day, by and between the Stark County Regional Planning Commission, hereinafter referred to as the "Planning Commission" and duly authorized through a Resolution of the Planning Commission adopted on December 5, 2006, and the City of Massillon, Ohio, hereinafter referred to as the "City," and duly authorized through an ordinance adopted on \_\_\_\_\_

WHEREAS, the City of Massillon is desirous of obtaining certain professional administrative services for the purpose of assisting in various activities and duties in conjunction with the provision of professional housing rehabilitation services by the Planning Commission to the City of Massillon; and

WHEREAS, the County has entered into a contract with the Planning Commission to administer the Community Development Block Grant and HOME programs of the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the Planning Commission employs a staff specifically trained to administer HUD programs; and

WHEREAS, the City is willing to enter into an agreement with the Planning Commission to administer certain professional services for the City's Owner-Occupied Housing Rehabilitation, Rental Rehabilitation and Homebuyer programs; and

WHEREAS, the Planning Commission is willing and desirous of entering into an agreement to provide these services; and

WHEREAS, the Planning Commission does and hereby agrees to enter into such an agreement with the City of Massillon to perform the work and administrative procedures as described in the Scope of Services.

NOW, THEREFORE, in consideration of the provisions hereinabove and hereinafter contained it is mutually agreed as follows:

SECTION 1. Scope of Services

The Planning Commission shall be responsible for providing professional housing rehabilitation support services to the City of Massillon for its Owner-Occupied Housing Rehabilitation, Rental Rehabilitation and Homebuyer programs. Said services of the Planning Commission shall include the following:

- A) Conduct the initial inspection;
- B) Prepare work write-up and cost estimate;
- C) Conduct inspections for progress payments; and
- D) Conduct final inspection for final payment.

The services of the Planning Commission shall be performed in cooperation with the City's housing rehabilitation staff.

SECTION 2. Term

The City hereby contracts for the services of the Planning Commission to commence on January 1, 2007 and shall continue until terminating on December 31, 2007.

SECTION 3. Compensation

The City agrees to pay the Planning Commission a total of \$15,000 per year to be billed monthly by the Planning Commission at a rate of \$1,250.00 per month. In addition, the City agrees to pay the direct costs associated with the lead inspections and clearance testing.

The total amount of compensation to be paid to the Planning Commission as reimbursement shall not exceed \$15,000 (fifteen thousand dollars), plus the costs of the lead inspection and clearance testing.

The Planning Commission and/or the City may amend the total amount of compensation with prior approval of the other party of this Agreement. A request to amend the total compensation must be made in writing.

SECTION 4. Termination

The City and/or the Planning Commission may either jointly or individually terminate this Agreement at any time by providing at least sixty (60) days notice in writing.

SECTION 5. Compliance with Laws and Regulations

In the performance of service under this Agreement, the Planning Commission shall comply with all statutes, ordinances, regulations, and rules of the Federal Government, the State of Ohio, and Stark County, which are applicable to the performance of the services under this Agreement.

SECTION 6. Reports, Information, and Audits

The Planning Commission, at such times, and in such form as HUD and/or the City may require, shall furnish HUD and/or the City such reports as may be requested pertaining to the work or services undertaken pursuant to this Agreement, the costs and obligations incurred or to be incurred in connection therewith, and any other matters covered by this Agreement. All financial and administrative records shall be retained by the City, and the Planning Commission, and HUD, or any of their authorized representatives or auditors shall be provided access to such records.

SECTION 7. Non-Discrimination

The Planning Commission will not discriminate against any employee or applicant for employment because of race, color, religion, sex, disability, age, ancestry, or national origin.

SECTION 8. Approval of Incurred Costs

Any activity, expenditure and/or costs incurred by the Planning Commission in conjunction with this Agreement, and the service to be provided by this Agreement, are hereby ratified by the parties to this Agreement.

IN WITNESS WHEREOF, the parties have hereunto set their hands this date.

WITNESSED BY:

Patricia J. Chambers  
Elizabeth O'Brien

STARK COUNTY REGIONAL  
PLANNING COMMISSION

BY: Fred Abraham  
Fred Abraham, President

BY: Robert Sanderson  
Robert Sanderson, Secretary

WITNESSED BY:

\_\_\_\_\_

CITY OF MASSILLON

BY: Francis H. Cicchinelli, Jr.  
Francis H. Cicchinelli, Jr., Mayor

Approved as to Form and Legal  
Sufficiency:

David A. Thorley

David A. Thorley  
Attorney at Law

Approved as to Form and Legal  
Sufficiency:

\_\_\_\_\_  
City Law Director

J/cd/massrehab



DATE: FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

**\*DEFEATED\***  
ORDINANCE NO. 16 - 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: 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 B-1 Local 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 RM-1 Multiple Family Residential to B-1 Local Business. Said rezoning was denied by the Planning Commission of the City of Massillon, Ohio, on January 10th, 2007 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-1 Local Business:

Being known as Lot Nos. 4328 thru 4330, located on the south side of Lincoln Way East between 21<sup>st</sup> Street SE and 22<sup>nd</sup> Street SE. The total site consists of 3 lots, is approximately 47,000 square feet in size. The applicant is Andrew Oser. The applicant proposes to construct an approximate 8,000 square foot commercial building on this property.

Section 3:

Provided it receives the affirmative vote of seven of the elected members of Council, this ordinance it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2007

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

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

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

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

OL 1006

ROUTED MAP 35  
(19 2000)

16854  
14 0400

13 0100

13 0200

16566  
13 0500

222.39

230.34

454.02

56.02

B7

140

250

447

93.87

58.46

52.4	52.4	52.4	52.4	52.4	52.4
214.82	212.86	210.80	208.04	206.98	208
01 0500	01 0400	01 0300	01 0200	01 0100	52.8
6111	6110	6109	6108	6107	52.5

52.5	52.5	52.5	52.5	52.5	52.5
01 0600	01 0900	01 1000	01 1100	01 1200	52.5
6202	6203	6204	6205	6206	52.5

VERMONT AVE

52.5	52.5	52.5	52.5	52.5	52.5
02 0400	02 0500	02 0600	02 0700	02 0800	52.5
6213	6212	6211	6210	6209	52.5
6273	6272	6271	6270	6269	52.5

52.5	52.5	52.5	52.5	52.5	52.5
02 0900	02 1000	02 1100	02 1200	02 1300	52.5
6268	6267	6266	6265	6264	52.5

50	50	100	100
05 1000	05 0900	05 0800	05 0700
4328	4329	4330	4331
4328	4329	4330	4331

50	50	50	50	50	50
05 1100	05 1200	05 1300	05 1400	05 1500	05 1600
4344	4345	4346	4347	4348	4349
4344	4345	4346	4347	4348	4349

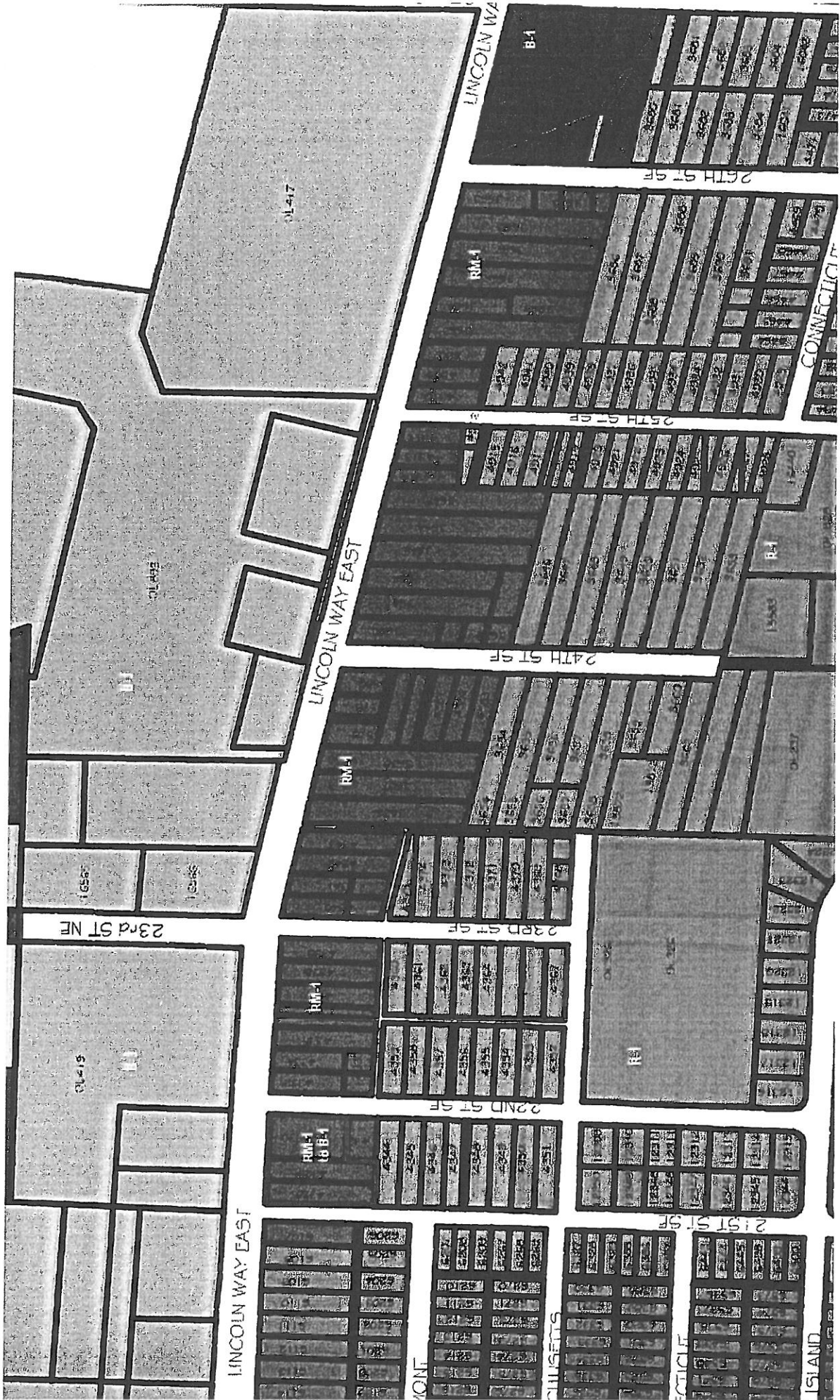
50	50	50	50	50	50
06 1400	06 1300	06 1200	06 1100	06 1000	06 0900
4334	4335	4336	4337	4338	4339
4334	4335	4336	4337	4338	4339

22ND ST SE

23RD ST SE

MASSACHUSETTS AVE SE





DATE: FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 16 - 2007

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: 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 B-1 Local Business.

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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-1 Local Business:

Being known as Lot Nos. 4328 thru 4330, located on the south side of Lincoln Way East between 21<sup>st</sup> Street SE and 22<sup>nd</sup> Street SE. The total site consists of 3 lots, is approximately 47,000 square feet in size. The applicant is Andrew Oser. The applicant proposes to construct an approximate 8,000 square foot commercial building on this property.

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Provided it receives the affirmative vote of seven of the elected members of Council, this ordinance it shall take effect and be in force from and after the earliest period allowed by law.

*2<sup>nd</sup> page is the signature page*



ON MAP 35

15	17	19	21	23	25	27	29	31	33	35	37	39	41	43	45	47	49	51	53	55	57	59	61	63	65	67	69	71	73	75	77	79	81	83	85	87	89	91	93	95	97	99	101	103	105	107	109	111	113	115	117	119	121	123	125	127	129	131	133	135	137	139	141	143	145	147	149	151	153	155	157	159	161	163	165	167	169	171	173	175	177	179	181	183	185	187	189	191	193	195	197	199	201	203	205	207	209	211	213	215	217	219	221	223	225	227	229	231	233	235	237	239	241	243	245	247	249	251	253	255	257	259	261	263	265	267	269	271	273	275	277	279	281	283	285	287	289	291	293	295	297	299	301	303	305	307	309	311	313	315	317	319	321	323	325	327	329	331	333	335	337	339	341	343	345	347	349	351	353	355	357	359	361	363	365	367	369	371	373	375	377	379	381	383	385	387	389	391	393	395	397	399	401	403	405	407	409	411	413	415	417	419	421	423	425	427	429	431	433	435	437	439	441	443	445	447	449	451	453	455	457	459	461	463	465	467	469	471	473	475	477	479	481	483	485	487	489	491	493	495	497	499	501	503	505	507	509	511	513	515	517	519	521	523	525	527	529	531	533	535	537	539	541	543	545	547	549	551	553	555	557	559	561	563	565	567	569	571	573	575	577	579	581	583	585	587	589	591	593	595	597	599	601	603	605	607	609	611	613	615	617	619	621	623	625	627	629	631	633	635	637	639	641	643	645	647	649	651	653	655	657	659	661	663	665	667	669	671	673	675	677	679	681	683	685	687	689	691	693	695	697	699	701	703	705	707	709	711	713	715	717	719	721	723	725	727	729	731	733	735	737	739	741	743	745	747	749	751	753	755	757	759	761	763	765	767	769	771	773	775	777	779	781	783	785	787	789	791	793	795	797	799	801	803	805	807	809	811	813	815	817	819	821	823	825	827	829	831	833	835	837	839	841	843	845	847	849	851	853	855	857	859	861	863	865	867	869	871	873	875	877	879	881	883	885	887	889	891	893	895	897	899	901	903	905	907	909	911	913	915	917	919	921	923	925	927	929	931
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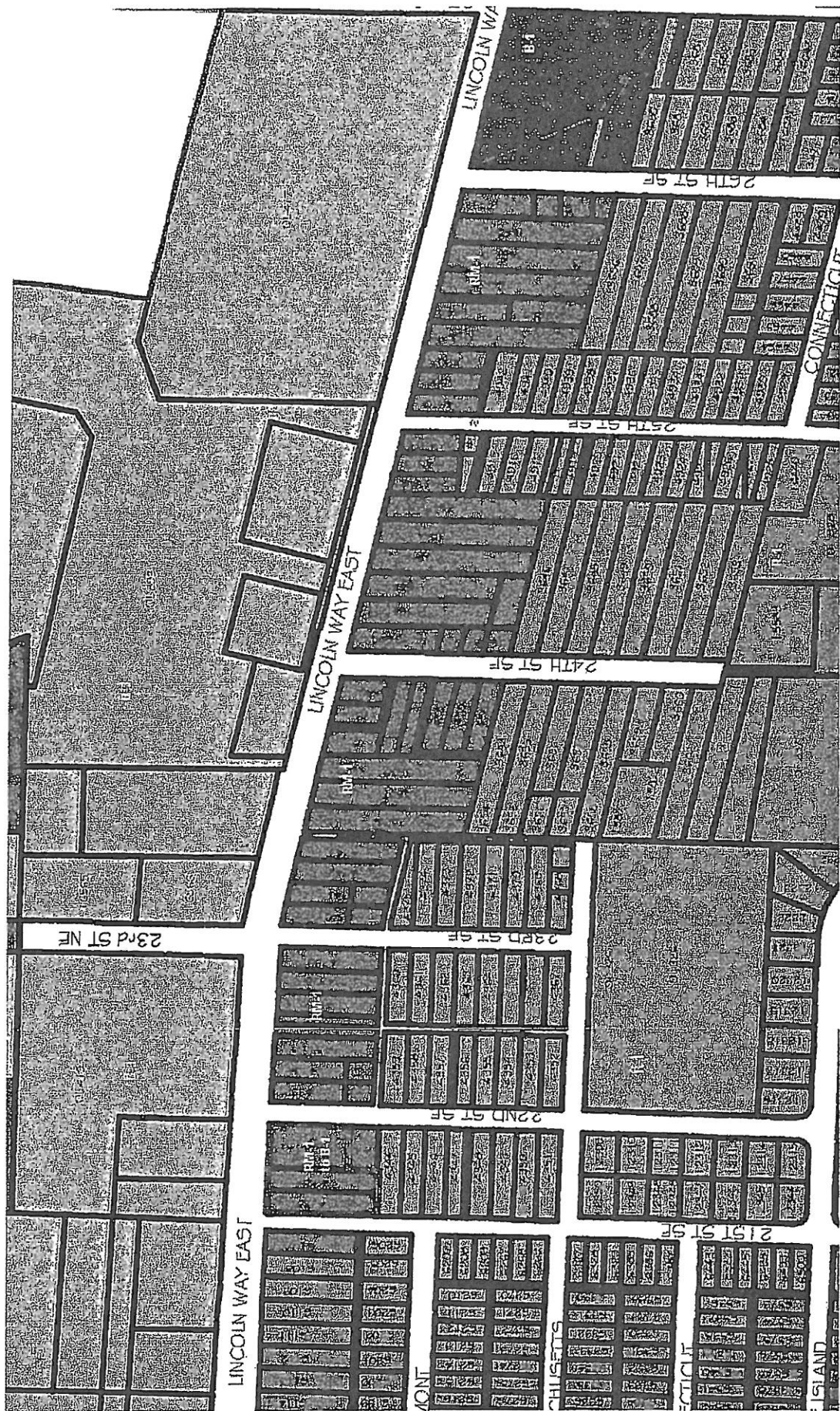
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MASSACHUSETTS AVE. SE.





DATE: FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 17 - 2007

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Mutual Agreement for technical assistance between the City of Massillon, Ohio and Stark County Ohio Soil and Water Conservation District, 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 a Mutual Agreement for technical assistance between the City of Massillon, Ohio and Stark County Ohio Soil and Water Conservation District, effective for a period of three (3) years. The cost will be Three Thousand Five Hundred Dollars (\$3,500.00) per year for three (3) years.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to enter into a Mutual Agreement for technical assistance between the City of Massillon, Ohio and Stark County Ohio Soil and Water Conservation District, effective for a period of three (3) years. The cost will be Three Thousand Five Hundred Dollars (\$3,500.00) per year for three (3) years.

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 the Mutual Agreement is signed to help carry out the city's mandated responsibility of the Ohio EPA NPDES Phase 2 Permit Sections. 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.

*2<sup>nd</sup> page is the signature page*

Mutual Agreement for Technical Assistance  
Between the City of Massillon and  
Stark County [Ohio] Soil & Water Conservation District

Upon this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, this Memorandum of Understanding was entered into by and between Stark Soil & Water Conservation District, herein referred to as the District and the City, herein referred to as the MS4. This Memorandum will be effective for a period of 3 years with no cost increase.

Recognizing the need for effective relationships in carrying out their mandated responsibilities of the Ohio EPA NPDES Phase 2 Permit Sections:

- 3.2.4. Construction Site Storm Water Run-off (MCM 4)
- 3.2.5 Post-Construction Storm Water Quality (MCM 5)

The MS4 and the District accept this agreement as the document, which describes the process for exchange. Cooperation between these two units of government facilitates solutions to problems encountered by the MS4 as it plans for development; conservation of its environment as well as water quality improvements per EPA's mandated requirements.

**What the District will do:**

1. The District will revise the existing Stark County Erosion/Sediment Control Regulations to meet Ohio EPA Phase 2 CGP requirements. Post construction water quality will be included in these revised regulations as well as long term maintenance plan requirements. All MS4's entering into this MOU will be required to adopt the revised regulations.
2. The District will review and inspect all earthmoving projects that will result in the disturbance of one acre of land (or less than 1 acre if part of a larger plan of development) per the revised regulations and Ohio EPA NPDES Phase 2 Permit.
3. The District will address public complaints pertaining to MCM 4 & 5 by site investigation, letter or phone call.
4. The District will send copies of all inspection reports to the MS4 reporting all non-compliant and enforcement sites. Copies of all Post-Construction Maintenance reports will be sent to the MS4 upon completion of the construction project.
5. The District will inspect structural post construction practices informing the controlling entity/operator (i.e. the person/parties named in the post construction maintenance plan) and MS4 of all required maintenance. If the maintenance items are not completed in the timeline given, the MS4 shall contract the work done and bill the person/parties listed in the maintenance plan.



6. The District will furnish to the MS4 all information required for their Storm Water Management Program report at the end of every year relating to the MCM 4 and MCM 5 as listed above.
7. The District will provide training materials and/or workshops pertaining to erosion sediment control and post construction water quality for local officials, staff and Homeowners Associations who will be responsible for long term maintenance of post construction BMP's including:

What the MS4 will do:

1. Recognize the environmental and economic functions of open spaces such as wetlands, stream corridors, flood plains, ravines, woodlands and open fields as worthy of protection and consider low impact development and less impervious areas as development options.
2. The MS4 will require verification from the District on any site 1 acre or more that the Ohio EPA NPDES Permit has been issued and an Erosion/Sediment Control Plan including post-construction has been submitted and approved before a zoning permit will be issued.
3. Adopt, apply, and enforce District recommendations when the MS4 deems them technically feasible and economically reasonable solutions to resource management and conservation problems. The MS4 recognizes that the District has no authority to enforce its recommendations. The District depends on the MS4's reliance of the District's recommendations as reasonable and worthy of enforcement through the MS4's existing regulatory process.
4. Direct builders, developers and consultants to the District for assistance on planning, conservation and permitting problems early in the land development and planning cycle.

Agreed Procedures

1. The District and the MS4 will meet yearly to review the effectiveness of this agreement, coordinate individual and joint progress and exchange information.
2. All services of the District, ODNR and the USDA Natural Resources Conservation Service are offered on a non-discriminatory basis without regard to race, color, national origin, religion, age, marital status or handicap.

3. The township recognizes the District's obligation to make its report and other written materials available to the public on request in accordance with the Ohio Public Records Act.
4. The MS4 will offer the District a yearly conservation appropriation in the amount of \$3500.00/yr at a set rate for 3 consecutive years to support the District's Urban Program. These appropriations will be billed in January of each year and must be paid within 60 days of receipt. In the event that the MS4 funding source for compliance with this contract ceases for any reason, the MS4 will notify the District immediately and meet to review funding solutions or terminate the MOU.
5. This agreement may be amended or terminated at any time by mutual consent of both governments, or terminated by either party giving sixty (60) days notice in writing to the other.

In witness thereof, this Agreement executed and agreed to on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

MS4

Stark Soil & Water  
Conservation District

By \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_



DATE: FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*1st Reading*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 18 - 2007

*passed 7/20*

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to advertise for and receive sealed bids and enter into contract with the lowest and best bidder, upon the approval of the Board of Control for the Harsh Avenue Sanitary Sewer Relocation Project, 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 and enter into contract with the lowest and best bidder, upon the approval of the Board of Control for the Harsh Avenue Sanitary Sewer Relocation Project.

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 and receive sealed bids according to law, with the lowest and best bidder and enter into contract with the lowest and best bidder, upon the approval of the Board of Control for the Harsh Avenue Sanitary Sewer Relocation Project.

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 bids be received so that work may be timely commenced on the Harsh Avenue Sanitary Sewer Relocation Project. 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.

*2<sup>nd</sup> page is the signature page*

DATE: FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 19 - 2007

BY: ENVIRONMENTAL COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to prepare specifications and to advertise for and receive sealed bids and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for sewer sludge removal and disposal at the Wastewater Treatment Plant in the City of Massillon.

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 and enter into a contract, upon award and approval of the Board of Control, with the lowest and best bidder for sewage sludge removal and disposal at the Wastewater Treatment Plant in the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized and directed to prepare plans and specifications and to advertise for and receive sealed bids according to law, and upon award and approval by the Board of Control, with the lowest and best bidder, according to law, as authorized in Section 1 of this Ordinance.

Section 3:

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.

*2<sup>nd</sup> page is the signature page*



DATE: FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 20 - 2007

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE amending Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION DEPARTMENT of Ordinance No. 127 - 1997 by repealing Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION DEPARTMENT, and enacting a new Section 2(D) OCCUPATION LIST OF CLASS TITLES - RECREATION 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 - RECREATION DEPARTMENT of Ordinance No. 127 - 1997 be and is hereby repealed.

Section 2:

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

(SEE ATTACHMENT 'A' PAGE 6; 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 provision hereby enacted is immediately necessary to bring current personnel up to an appropriate rate of pay in the Recreation 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.

*2<sup>nd</sup> page is the signature page*

# Parks and Recreation Department

## Proposed Seasonal Pay Schedule

Position Level	Entry	Step 1	Step 2	Step 3	Step 4
Laborer 1	\$6.85	\$7.10	\$7.35	\$7.60	\$7.85
Laborer 2	\$7.00	\$7.25	\$7.50	\$7.75	\$8.00
Laborer 3	\$7.40	\$7.65	\$7.90	\$8.15	\$8.40
Laborer 4	\$7.80	\$8.05	\$8.30	\$8.55	\$8.80
Laborer 5	\$8.20	\$8.45	\$8.70	\$8.95	\$9.20
Laborer 6	\$8.60	\$8.85	\$9.10	\$9.35	\$9.60
Laborer 7	\$9.00	\$9.25	\$9.50	\$9.75	\$10.00

## PART-TIME STAFFING PAY RANGES

DIVISION	POSITION	PAY SCHEDULE	PAY RANGE	Previous	INITIAL HIRE	MAXIMUM
				Pay Range		
Recreation	Lifeguard	Laborer 2	\$7.00-\$8.00	\$6.50-\$7.70	\$7.00	\$8.00
Recreation	Head Lifeguard	Laborer 4	\$7.80-\$8.80	\$7.00-\$9.75	\$7.80	\$8.80
Recreation	Custodian	Laborer 3	\$7.40-\$8.40	\$7.00-\$9.75	\$7.40	\$8.40
Recreation	FP Head Cook	Laborer 7	\$9.00-\$10.00	\$8.00-\$9.75	\$9.00	\$10.00
Recreation	Asst. Cook	Laborer 4	\$7.80-\$8.80	\$7.00-\$9.75	\$7.80	\$8.80
Recreation	FP Driver/Helper	Laborer 1	\$6.85-\$7.85	\$6.00-\$7.20	\$6.85	\$7.85
Recreation	Fitness Rm	Laborer 1	\$6.85-\$7.85	\$6.50-\$7.70	\$6.85	\$7.85
Recreation	Fitness Rm Lead Att.	Laborer 2	\$7.00-\$8.00	\$7.00-\$8.25	\$7.00	\$8.00
Recreation	Front Desk Staff	Laborer 4	\$7.80-\$8.80	\$7.00-\$8.25	\$7.40	\$8.40
Recreation	Front Desk Auditor	Laborer 5	\$7.80-\$8.80	\$8.00-\$9.75	\$7.80	\$8.80
Recreation	Gym Attendant	Laborer 1	\$6.85-\$7.85	\$5.60-\$6.80	\$6.85	\$7.85
Recreation	Program Coordinator I	Laborer 3	\$7.40-\$8.40	\$7.00-\$8.25	\$7.40	\$8.40
Recreation	Program Coordinator II	Laborer 5	\$8.20-\$9.20	N/A	\$8.20	\$9.20
Recreation	Program Coordinator III	Laborer 7	\$9.00-\$10.00	N/A	\$9.00	\$10.00
Recreation	Child Care Attendant	Laborer 1	\$6.85-\$7.85	N/A	\$6.85	\$7.85
Recreation	Child Care Lead	Laborer 3	\$7.40-\$8.40	N/A	\$7.40	\$8.40
Recreation	Rec Aide/Scorekeep	Laborer 1	\$6.85-\$7.75	\$5.15-\$6.30	\$6.85	\$7.75

Parks and Recreation Department  
Proposed Seasonal Pay Schedule

Position Level	Entry	Step 1	Step 2	Step 3	Step 4
Laborer 1	\$5.15	\$5.40	\$5.65	\$5.90	\$6.15
Laborer 2	\$5.30	\$5.55	\$5.80	\$6.05	\$6.30
Laborer 3	\$5.60	\$5.90	\$6.20	\$6.50	\$6.80
Laborer 4	\$6.00	\$6.30	\$6.60	\$6.90	\$7.20
Laborer 5	\$6.50	\$6.80	\$7.10	\$7.40	\$7.70
Laborer 6	\$7.00	\$7.50	\$7.75	\$8.00	\$8.25
Laborer 7	\$8.00	\$8.45	\$8.90	\$9.35	\$9.75



DATE: FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 21 - 2007

BY: RULES, COURTS AND CIVIL SERVICE COMMITTEE

TITLE: AN ORDINANCE authorizing the City of Massillon, Ohio, to pick up a percentage of the statutorily required contribution to the Public Employees Retirement System of Ohio for certain employees of the City of Massillon, Ohio, pursuant to I.R.C. Section 414 (H) (2), and declaring an emergency.

WHEREAS, Pursuant to federal and Ohio laws, certain employees of the City of Massillon, Ohio, could defer the federal and state income taxes on a portion of their wages or salaries if the City of Massillon, Ohio, would "pick up" (assume and pay) a portion of the statutorily required contribution by such employees to the Public Employees Retirement System of Ohio;

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

Section 1:

For the period of April 1, 2006 through December 31, 2006, 0.5% (1/2 percent) of the statutorily required employee contribution to the Public Employees Retirement System of Ohio shall be picked up and paid as a fringe benefit by the City of Massillon, Ohio, for each person designated in Section 2 herein. This "pick up" by the City of Massillon is, and shall be designated as, public employee contributions and shall be in lieu of contributions to the Public Employees Retirement System of Ohio by each person within any of the classes established in Section 2 herein. No person subject to this "pick up" shall have the option of choosing to receive the statutorily required contribution to the Public Employees Retirement System of Ohio directly instead of having it "picked up" by the City of Massillon, Ohio, or of being excluded from the "pick up".

Effective January 1, 2007 the provisions of the Collective Bargaining Agreement between the City of Massillon, Ohio and ACUE shall govern the contributions and payments to the Public Employees Retirement System.

Section 2:

The "pick up" by the City of Massillon, Ohio, provided by this Ordinance shall apply to all persons that are covered the agreement between the City of Massillon, Ohio and ACUE.

Section 3:

Under the Fringe Benefit Method Employee pick-up, salary is not modified; however, the employer will pay a certain percentage of the employees, statutorily required contribution to PERS.

Section 4:

The Treasurer is hereby authorized and directed to implement the provisions of this Ordinance to institute the "pick up", of the statutorily required contributions to the Public Employees Retirement System of Ohio for those persons reflected in Section 2 herein so as to enable them to obtain the result in federal and state tax deferments and other benefits.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2007

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

MARY BETH BAILEY, CLERK OF COUNCIL

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

APPROVED \_\_\_\_\_

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

DATE: FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 22 - 2007

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the replatting of Lot 10213 and Out Lot 206, located on the west side of 32<sup>nd</sup> Street NW, north of Lincoln Way West, and including the dedication of the existing right-of-way of 32<sup>nd</sup> Street NW, 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 Lot 10213 and Out Lot 206, located on the west side of 32<sup>nd</sup> Street NW, north of Lincoln Way West, and including the dedication of the existing right-of-way of 32<sup>nd</sup> Street NW, 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 January 10, 2007. The property being replatted is described as follows:

Being known as Lot 10213 and Out Lot 206, located on the west side of 32<sup>nd</sup> Street NW, north of Lincoln Way West, and including the dedication of the existing right-of-way of 32<sup>nd</sup> Street NW. The request is to combine the existing lots together to form one new lot. The property is zoned R-2 Single Family Residential. The applicant is Crockett Homes/David Hayes.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said replatting is needed for the existing lots to be combined to form one new lot and 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.

*2<sup>nd</sup> page is the signature page*

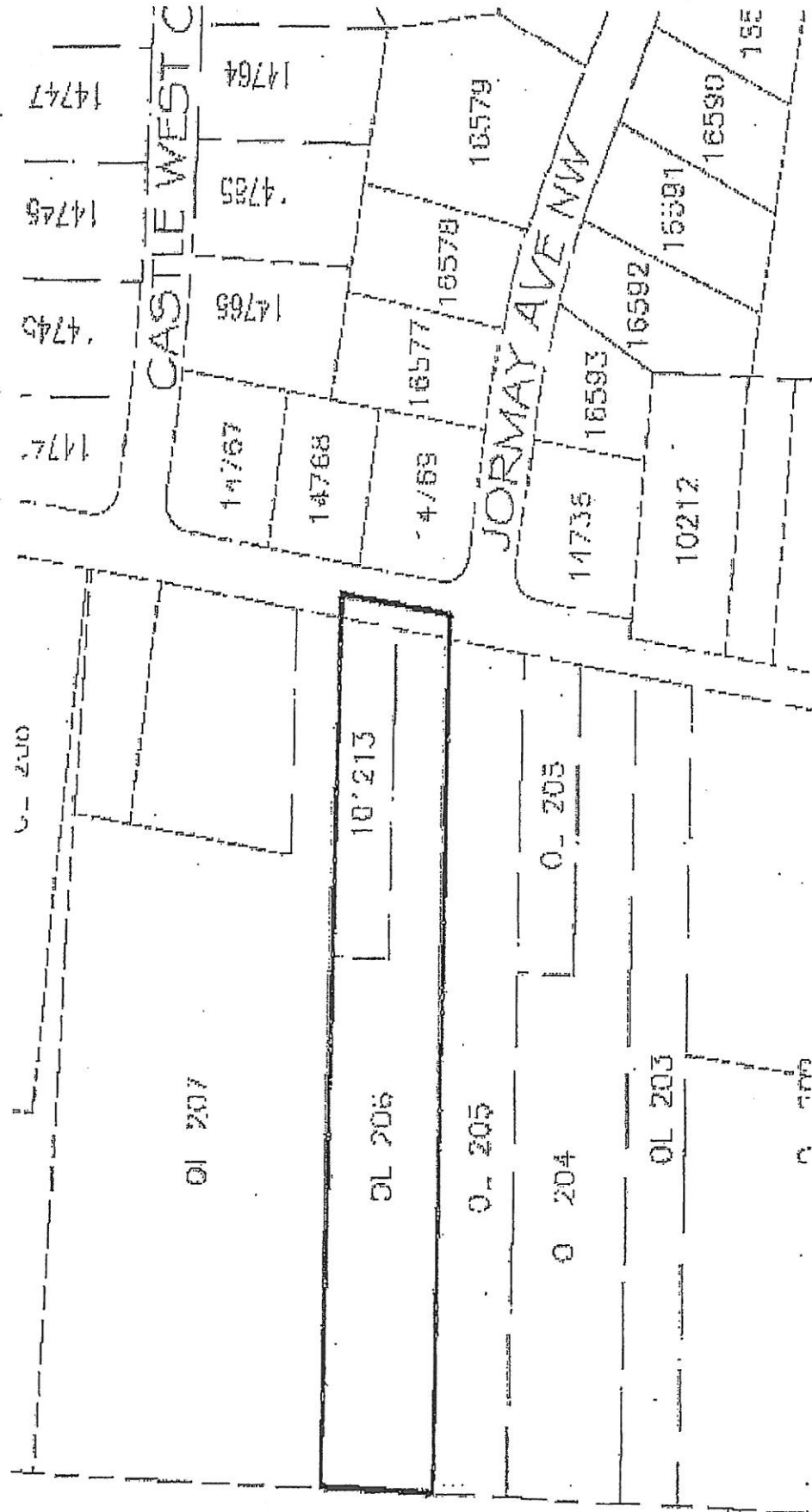


Replat and Dedication - 32nd Street NW

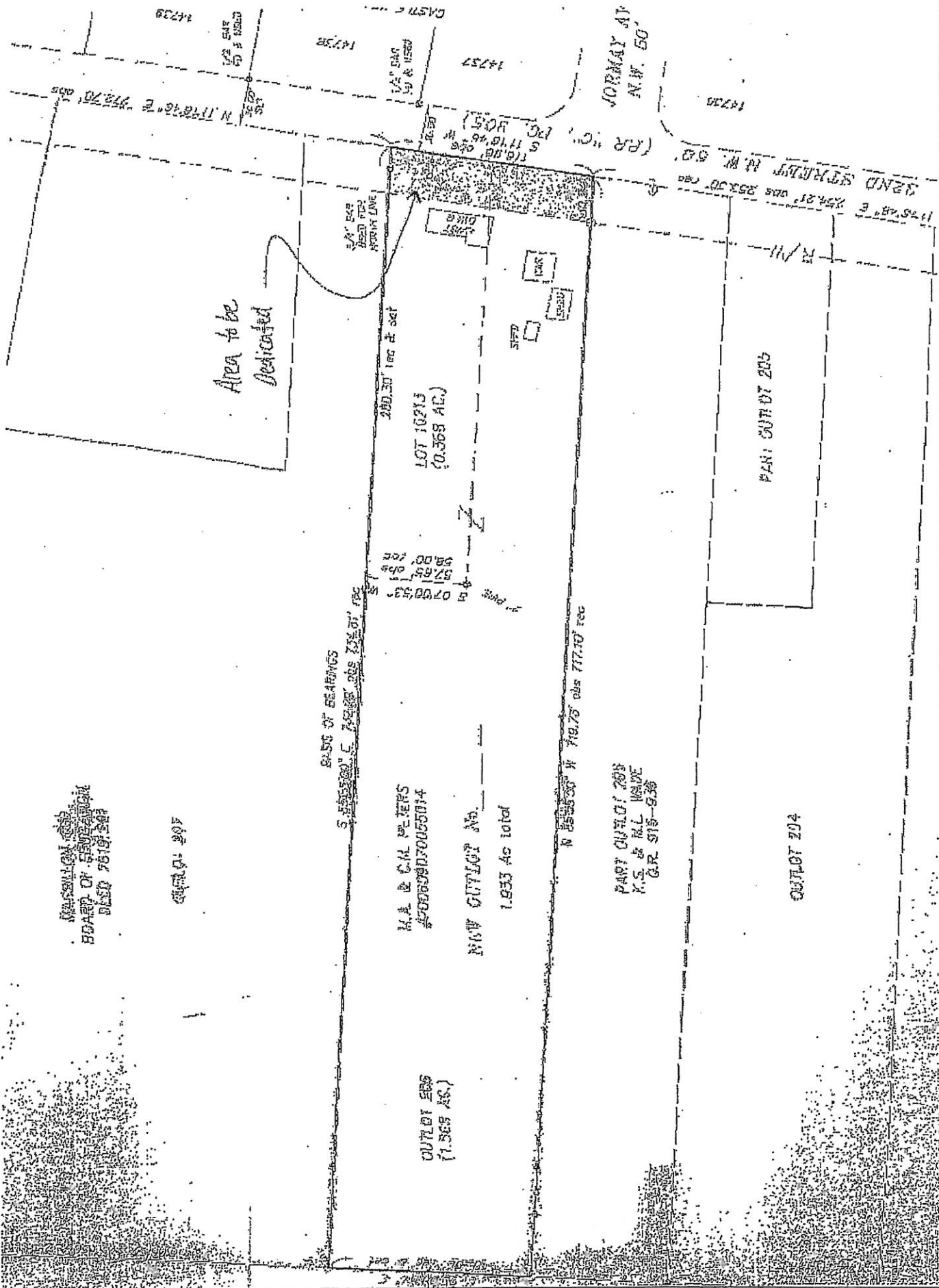
**Location:** Lot 10213 and Out Lot 206, located on the west side of 32nd Street NW, north of Lincoln Way West. The request is to combine the existing lots together to form (1) new lot. The property is zoned R-2 Single Family Residential.

The City Engineer's office will require the dedication of the existing R/W of 32nd Street NW for this proposal.

**Applicant:** Crockett Homes / David Hayes







DATE: FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*Repealed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 23 - 2007

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE vacating a portion of a certain public alley.

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

WHEREAS, upon hearing, the Council hereby find 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:

A request to vacate a 12 foot wide public alley lying between 8<sup>TH</sup> Street SE and 11<sup>TH</sup> Street Se, and running north/south from Oak Avenue to Bluff Avenue. The proposal is to vacate that section from Bluff Avenue southerly approximately 50 feet. This vacation would also include a survey and replat of the surrounding property. The applicant is Floyd T. Barnhart.

Section 2:

This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the health, safety, and welfare and for the continued efficient operation of the City of Massillon, Ohio, the portion of the street to be vacated is no longer needed for municipal purposes. 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.

*2<sup>nd</sup> page is the signature page*

*Description:* A 12 foot wide public alley lying between 8th Street SE and 11th St. SE, and running North/South from Oak Avenue to Bluff Avenue. The proposal is to vacate that section from Bluff Avenue southerly approximately 50 feet. This vacation would also include a survey and replat of the surrounding property.



DATE: FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 24 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor to accept the Domestic Violence Prosecutor Grant that will allow the City of Massillon to continue 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 the Domestic Violence Prosecutor Grant that will allow the City of Massillon to continue 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 continue to employ a prosecutor specifically designated to prosecute domestic violence cases.

Section 3:

The amount of the Domestic Violence Prosecutor Grant shall be Twenty-Nine Thousand Dollars (\$29,000.00). The city will be responsible to contribute the some of Nine Thousand Six Hundred Sixty-Six Dollars and Sixty-Six Cents (\$9,666.66).

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 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.

*2<sup>nd</sup> page is the signature page*



DATE: FEBRUARY 5, 2007

CLERK: MARY BETH BAILEY

CITY OF MASSILLON, OHIO

COUNCIL CHAMBERS

*passed*  
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 25 - 2007

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund and the Park & Rec. Fund, for the year ending December 31, 2007, and declaring an emergency.

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

Section 1:

There be and hereby is appropriated from the unappropriated balance of the Capital Improvement Fund, for the year ending December 31, 2007, the following:

\$51,500.00 to an account entitled "Lease Purchase" 1401.325.2530

\$30,012.00 to an account entitled "Lease/Purchase Police Cruisers" 1401.305.2530

\$19,780.00 to an account entitled "Street Dept Capital Improvement Equip" 1401.435.2530

\$17,397.00 to an account entitled "Leases" 1401.905.2530

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Park & Rec. Fund, for the year ending December 31, 2007, the following:

\$38,567.41 to an account entitled "Services/Contracts" 1370.905.2390

Section 3:

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.

*2<sup>nd</sup> Page is the Signature page*