

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

AGENDA

DATE: MONDAY, MARCH 2, 2009
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE IS ONE PUBLIC HEARING TONIGHT
ORDINANCE NO. 16 – 2009 AT 7:20PM – REZONING

1. ROLL CALL
2. INVOCATION BY COUNCILMAN DAVE HERSHER
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. 33 – 2009

BY: COMMUNITY DEVELOPMENT COMMITTEE

1ST READING

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

ORDINANCE NO. 34 – 2009

BY: COMMUNITY DEVELOPMENT COMMITTEE

1ST READING

AN ORDINANCE implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of community reinvestment area in the City of Massillon, Ohio, designating a housing officer to administer the program, and creating a community reinvestment housing council, and declaring an emergency.

ORDINANCE NO. 35 – 2009

BY: HEALTH, WELFARE & BLDG REGULATIONS

PASS 8-0

AN ORDINANCE amending CHAPTER 1307 "BUILDING MAINTENANCE CODE" and CHAPTER 1309 "HOUSING CODE" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Sections 1307.05(c) and 1309.05(g) "Roof, Gutters and Downspouts" and enacting replacement sections of CHAPTER 1307 "BUILDING MAINTENANCE CODE" and CHAPTER 1309 "HOUSING CODE" and declaring an emergency.

ORDINANCE NO. 36 – 2009

BY: HEALTH, WELFARE & BLDG REGULATIONS

PASS 8-0

AN ORDINANCE amending CHAPTER 1307 "BUILDING MAINTENANCE CODE" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Sections 1307.06(f) "Demolition Costs" and 1307.06(h) "Penalty" and enacting replacement sections of CHAPTER 1307 "BUILDING MAINTENANCE CODE", and declaring an emergency.

ORDINANCE NO. 37 – 2009

BY: HEALTH, WELFARE & BLDG REGULATIONS

PASS 8-0

AN ORDINANCE amending CHAPTER 1309 "HOUSING CODE" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 1309.99 "Penalty" and enacting a replacement section of CHAPTER 1309 "HOUSING CODE" and declaring an emergency.

ORDINANCE NO. 38 – 2009

BY: FINANCE COMMITTEE

PASS 8-0

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 upon the award and approval of the Board of Control, with the lowest and best bidder for various items needed for the use in various departments of the city, and declaring an emergency.

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 FEBRUARY 2009

B). AUDITOR SUBMITS MONTHLY REPORT FOR FEBRUARY 2009

C). MAYOR'S APPOINTMENT OF ELAINE CAMPBELL TO THE PLANNING COMMISSION

11. REPORTS OF COMMITTEES

12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBER

13. CALL OF THE CALENDAR

14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 16 – 2009

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS 7-0

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-1 General Agricultural District.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 28 – 2009

BY: PUBLIC UTILITIES COMMITTEE

2ND READING

AN ORDINANCE amending CHAPTER 1187 "SUPPLEMENTAL ZONING REGULATIONS" of the Codified Ordinances of the City of Massillon, Ohio, by enacting a new Section 1187.16 "FREE STANDING WINDMILL REGULATIONS", and declaring an emergency.

ORDINANCE NO. 29 – 2009

BY: RULES, COURTS & CIVIL SERVICE

DEFEATED 8-0

AN ORDINANCE amending CHAPTER 373 "BICYCLES AND MOTORCYCLES" of the Codified Ordinances of the City of Massillon, Ohio, by enacting a new SubSection 373.24 "CODE APPLICATION TO ALL PURPOSE VEHICLES" and 373.25 "CODE RULES FOR EQUIPMENT OF ALL PURPOSE VEHICLES" of CHAPTER 373 "BICYCLES AND MOTORCYCLES" 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: MARCH 2, 2009

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

ORDINANCE NO. 33 - 2009

LEGISLATIVE DEPARTMENT

1st reading
2nd reading 3/17
passed 4/6

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-1 Light Industrial to R-1 Single 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 I-1 Light Industrial to R-1 Single Family Residential. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on February 11th, 2009 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-1 Single Family Residential.

The City of Massillon is considering changing the zoning classification of a portion of the Columbia Heights neighborhood bounded by Anthony Avenue SW on the north, by Duncan Street SW on the west, and by the railroad on the southeast and the east. The lot and parcel numbers of the parcels being rezoned are listed on the list attached hereto as Exhibit "A" and incorporated herein by reference. The applicant is the City of Massillon.

Section 3:

Provided it receives the affirmative vote of majority 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.

Parcel No	Owner Name 2008	Property Address	Mailbox Address	Land Use	ROUTING NO
0615232	MILLER JAMES & MANDERINE ANGELA	DUNCAN ST SW	1006 DUNCAN ST SW MASSILLON OH 44647	400 - Commercial Vacant Land	06 063 06 01400
0615231	HARDMAN THAD A & MICHELLE	427 ANTHONY AVE SW	1213 STATE RT 14 DEERFIELD OH 44411	510 - Residential 1-Family Dwelling	06 063 06 01300
0608811	MIDAY LOUIS J SR & RACHAEL A	421 ANTHONY AVE SW	421 ANTHONY AVE SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 06 01200
0608288	MILLER JAMES & MANDERINE ANGELA	1008 DUNCAN ST SW	1008 DUNCAN ST SW MASSILLON OH 44647	430 - Commercial Restaurant / Cafeteria / Bar	06 063 06 01500
0604015	MILLER JAMES & MANDERINE ANGELA	DUNCAN ST SW	1008 DUNCAN ST SW MASSILLON OH 44647	456 - Commercial Parking Garage / Structure / Lot	06 063 06 01600
0617235	MILLER JAMES & MANDERINE ANGELA	DUNCAN ST SW	MILLER JAMES & MANDERINE ANGELA 1008 DUNCAN ST SW MASSILLON OH 44647	456 - Commercial Parking Garage / Structure / Lot	06 063 06 01700
0606984	WOODS KENNETH ETAL	1026 DUNCAN ST SW	1026 DUNCAN ST MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 06 01900
0601465	MILLER JAMES & MANDERINE ANGELA	1104 DUNCAN ST SW	920 7TH ST SW MASSILLON OH 44647	520 - Residential 2-Family Dwelling	06 063 06 02000
0608646	HABITAT FOR HUMANITY OF GREATER STARK & CARROLL COUNTIES INC	DUNCAN ST SW	327 LORIN PL SW MASSILLON OH 44647	300 - Industrial Vacant Land	06 063 06 02100
0608647	HABITAT FOR HUMANITY OF GREATER STARK & CARROLL COUNTIES INC	DUNCAN ST SW	327 LORIN PL SW MASSILLON OH 44647	599 - Residential Other Structures	06 063 06 02200
0603883	SHUCK LOOMIS A	DUNCAN ST SW	1218 DUNCAN ST SW MASSILLON OH 44646	500 - Residential Vacant Land	06 063 09 00100
0603884	SHUCK LOOMIS A	1202 DUNCAN ST SW	1218 DUNCAN ST SW MASSILLON OH 44646	530 - Residential 3-Family Dwelling	06 063 09 00200
0603886	SHUCK LOOMIS A	DUNCAN ST SW	1218 DUNCAN ST SW MASSILLON OH 44646	500 - Residential Vacant Land	06 063 09 00300
0604410	SHUCK LOOMIS	DUNCAN ST SW	1218 DUNCAN ST SW MASSILLON OH 44646	500 - Residential Vacant Land	06 063 09 00400
0604411	SHUCK LOOMIS	1218 DUNCAN ST SW	1218 DUNCAN ST SW MASSILLON OH 44646	510 - Residential 1-Family Dwelling	06 063 09 00500
0617237	LACHMAIER ROBERT C	1226 DUNCAN ST SW	1226 DUNCAN SW MASSILLON OH 44647	454 - Commercial Auto Sales / Service	06 063 09 00600
0612874	STURM TIM J & CATHERINE	1238 DUNCAN ST SW	STURM TIM & CATHERINE PO BOX 282 MASSILLON OH 44648	510 - Residential 1-Family Dwelling	06 063 12 01000
0605517	HEARTWOOD 88 LLC	1240 DUNCAN ST SW	PO BOX 5707 FORT LAUDERDALE FL 33310	510 - Residential 1-Family Dwelling	06 063 12 01100
0605518	TSOCHEFF RICKY G	DUNCAN ST SW	** ADDRESS UNKNOWN **	500 - Residential Vacant Land	06 063 12 01200
0610097	MASON HARRY J & VIRGINIA M	DUNCAN ST SW	1302 DUNCAN AVE SW MASSILLON OH 44647	500 - Residential Vacant Land	06 063 12 01300
0610098	MASON HARRY J & VIRGINIA M	1302 DUNCAN ST SW	1302 DUNCAN AVE SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 12 01400
0607468	F & M PROPERTIES	1310 DUNCAN ST SW	P O BOX 724 MASSILLON OH 44648	510 - Residential 1-Family Dwelling	06 063 12 01500
0608044	OHIO STATE	RD ST 241	O D T STATE OF OHIO 2088 S ARLINGTON RD AKRON OH 44306	610 - Exempt Ohio	06 063 12 01600
0608045	OHIO STATE	ST RT 241	O D T STATE OF OHIO 2088 S ARLINGTON RD AKRON OH 44306	610 - Exempt Ohio	06 063 12 01700
0605631	JOHN VICTOR L & BONNIE S	4TH ST SW	830 6TH ST SW MASSILLON OH 44646	500 - Residential Vacant Land	06 063 12 00200
0601259	BROZOVICH GEORGE ETAL	4TH ST SW	** ADDRESS UNKNOWN **	500 - Residential Vacant Land	06 063 12 00300
0612861	CHOFFIN SCOTT ETAL	1301 4TH ST SW	1301 4TH ST SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 12 00400
0602288	DEMIS NICK & CATHERINE	4TH ST SW	0000 4TH ST SW MASSILLON OH 44647	500 - Residential Vacant Land	06 063 12 00500
0608171	EVERGREEN HOMES LLC	4TH ST SW	EVERGREEN HOMES LLC PO BOX 22490 AKRON OH 44302	500 - Residential Vacant Land	06 063 12 00600
0612042	THOMAS MARY	MCKINLEY AVE SW	417 MCKINLEY AVE SW MASSILLON OH 44647	400 - Commercial Vacant Land	06 063 12 00800
0605519	THOMAS MARY	417 MCKINLEY AVE SW	417 MCKINLEY AVE SW MASSILLON OH 44647	429 - Commercial Other Retail	06 063 12 00900
0608172	HABITAT FOR HUMANITY OF GREATER STARK & CARROLL COUNTIES INC	MCKINLEY AVE SW	AUDITOR'S OFFICE - DOUGLAS P. THORN 110 CENTRAL PLAZA S STE 220 CANTON OH 44702	400 - Commercial Vacant Land	06 063 12 00700
0613862	TSOCHEFF CHRIS ETAL	MCKINLEY AVE SW	** ADDRESS UNKNOWN **	500 - Residential Vacant Land	06 063 09 00900
0613863	ALLISON'S SIGNS INC	1225 4TH ST SW	427 TAGGART AVE NE MASSILLON OH 44646	429 - Commercial Other Retail	06 063 09 00910
0600133	HABITAT FOR HUMANITY OF GREATER STARK & CARROLL COUNTIES INC	4TH ST SW	427 TAGGART AVE NE MASSILLON OH 44646	400 - Commercial Vacant Land	06 063 09 01000

Parcel No.	Owner, Nov. 2008	Property Address	Mailing Address	Land Use	Routing No.
0600134	ALLEN STUART T	4TH ST SW	** ADDRESS UNKNOWN **	400 - Commercial Vacant Land	06 063 09 01100
0600844	ALLEN STUART T	4TH ST SW	** ADDRESS UNKNOWN **	500 - Residential Vacant Land	06 063 09 01200
0600845	HEID ESTER R	4TH ST SW	** ADDRESS UNKNOWN **	500 - Residential Vacant Land	06 063 09 01300
0612875	LIBERTY ALLIANCE LLC	1125 4TH ST SW	1125 4TH ST SW MASSILLON OH 44647	429 - Commercial Other Retail	06 063 09 01400
0612039	RORIE RYAN O & STEPHANIE L	415 ISABELLA AVE SW	415 ISABELLA AVE SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 09 01500
0607441	JONES BARBARA ETAL	1109 4TH ST SW	1109 4TH ST SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 06 00100
0602886	SMITH ROBIN	1103 4TH ST SW	6102 MUFFLY AVE SW NAVARRE OH 44662	510 - Residential 1-Family Dwelling	06 063 06 00200
0608353	TAYLOR DORIN	1025 4TH ST SW	1025 4TH ST SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 06 00300
0600085	AHMED VIOLA	1019 4TH ST SW	%JOHN AHMED 2525 SCHULER AVE NW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 06 00400
0607037	TORRES MARY A & FRANCISCO	4TH ST SW	1009 4TH ST SW MASSILLON OH 44647	500 - Residential Vacant Land	06 063 06 00500
0607038	TORRES MARYANN & FRANCISCO	1009 4TH ST SW	1009 4TH ST SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 06 00600
0608277	BUSBY JOHN C	1005 4TH ST SW	FIRST AMERICAN RE TAX SERVICE (FARETS) 1721 MOON LAKE BLVD STE 400 HOFFMAN ESTATES IL 60169	510 - Residential 1-Family Dwelling	06 063 06 00700
0609011	DEUTSCHE BANK NATIONAL TRUST COMPANY	943 4TH ST SW	943 4TH ST SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 06 00800
0604786	SMITH TONY J	ANTHONY AVE SW	610 STUART ST NW MASSILLON OH 44646	456 - Commercial Parking Garage / Structure / Lot	06 063 06 01100
0600051	SMITH TONY J	ANTHONY AVE SW	610 STUART ST NW MASSILLON OH 44646	456 - Commercial Parking Garage / Structure / Lot	06 063 06 01000
0608812	SMITH TONY J	403 ANTHONY AVE SW	610 STUART ST NW MASSILLON OH 44646	454 - Commercial Auto Sales / Service	06 063 06 00900
0603215	GARLANDO THOMAS B	ANTHONY AVE SW	379 ANTHONY AVE SW MASSILLON OH 44647	500 - Residential Vacant Land	06 063 07 01500
0603216	GARLANDO THOMAS B	379 ANTHONY AVE SW	379 ANTHONY AVE SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 07 01400
0612140	VOUGARES NICHOLAS & ELIZABETH A	ANTHONY AVE SW	369 ANTHONY AVE SW MASSILLON OH 44647	500 - Residential Vacant Land	06 063 07 01300
0612518	MERCER R SANDRA & RUSSELL	1000 4TH ST SW	LSI TAX SERVICES (FIDELITY NATL TAX) 3100 NEW YORK DR STE 100 PASADENA CA 91107	510 - Residential 1-Family Dwelling	06 063 07 01600
0603258	GARDINER GERALDINE R	1004 4TH ST SW	1004 4TH ST SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 07 01700
0605539	GARDINER GERALDINE R	4TH ST SW	1004 4TH ST SW MASSILLON OH 44647	500 - Residential Vacant Land	06 063 07 01800
0609423	STEVENS NEIL	4TH ST SW	1553 WOOD AVE SE EAST CANTON OH 44730	500 - Residential Vacant Land	06 063 07 01900
0611910	PARKER ODASSA	1020 4TH ST SW	17793 CONFEDERATE CT DUMFRIES VA 22026	510 - Residential 1-Family Dwelling	06 063 07 02000
0608655	MCPHERSON FRANK	1026 4TH ST SW	8437 MAPLEFORD ST SW NAVARRE OH 44662	510 - Residential 1-Family Dwelling	06 063 07 02100
0608648	VENO SCOTT J & SHANNA R	1104 4TH ST SW	1633 PRAIRIE COLLEGE ST SW CANTON OH 44706	520 - Residential 2-Family Dwelling	06 063 07 02200
0608649	KEMP BRANDON	1108 4TH ST SW	8437 MAPLEFORD ST SW NAVARRE OH 44662	429 - Commercial Other Retail	06 063 07 02300
0610135	HABITAT FOR HUMANITY OF GREATER STARK & CARROLL COUNTIES INC	4TH ST SW	AUDITOR'S OFFICE - DOUGLAS P. THORN 110 CENTRAL PLAZA S STE 220 CANTON OH 44702	500 - Residential Vacant Land	06 063 10 00600
0609919	HABITAT FOR HUMANITY OF GREATER STARK AND CARROLL COUNTY INC	4TH ST SW	EVERGREEN HOMES LLC PO BOX 22490 AKRON OH 44302	500 - Residential Vacant Land	06 063 10 00700
0610146	HABITAT FOR HUMANITY OF GREATER STARK & CARROLL COUNTIES INC	4TH ST SW	AUDITOR'S OFFICE - DOUGLAS P. THORN 110 CENTRAL PLAZA S STE 220 CANTON OH 44702	500 - Residential Vacant Land	06 063 10 00800
0602841	HABITAT FOR HUMANITY OF GREATER STARK & CARROLL COUNTIES INC	4TH ST SW	AUDITOR'S OFFICE - DOUGLAS P. THORN 110 CENTRAL PLAZA S STE 220 CANTON OH 44702	500 - Residential Vacant Land	06 063 10 00900
0605644	HABITAT FOR HUMANITY OF GREATER STARK AND CARROLL COUNTY INC	4TH ST SW	EVERGREEN HOMES LLC PO BOX 22490 AKRON OH 44302	500 - Residential Vacant Land	06 063 10 01000
0602274	HABITAT FOR HUMANITY OF GREATER STARK & CARROLL COUNTIES INC	4TH ST SW	AUDITOR'S OFFICE - DOUGLAS P. THORN 110 CENTRAL PLAZA S STE 220 CANTON OH 44702	500 - Residential Vacant Land	06 063 10 01100
0607161	MCDREW JAMES & EVA	4TH ST SW	** ADDRESS UNKNOWN **	500 - Residential Vacant Land	06 063 10 01200

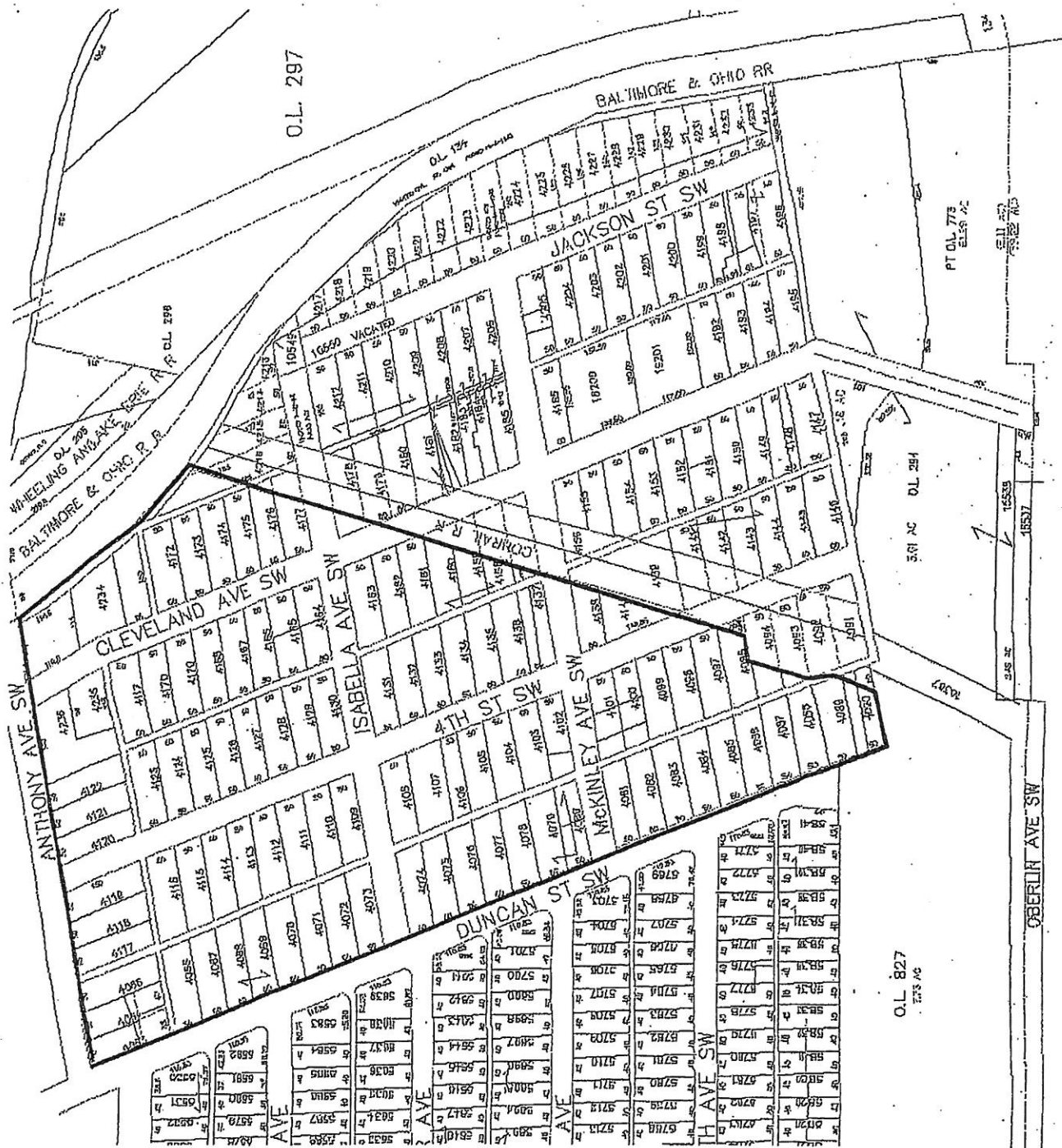
Parcel No - Owner Nov. 2008	Property Address	Mailing Address	Land Use	ROUTING NO.
0608656	KILLINS NAOMI E	C/O GREGORY YOUNG 548 EDMUND SAINT PAUL MN 55103	520 - Residential 2-Family Dwelling	06 063 10 01300
0608657	KILLINS NAOMI E	548 EDMUND SAINT PAUL MN 55103	500 - Residential Vacant Land	06 063 13 00100
0602594	SCOTT SHARON	1389 MEADOW RD COLUMBUS OH 43212	500 - Residential Vacant Land	06 063 13 00200
0612251	JONES JOSEPH & ROSE M	1123 CLEVELAND ST SW MASSILLON OH 44647	599 - Residential Other Structures	06 063 10 00200
0612252	JONES JOSEPH & ROSE M	1123 CLEVELAND ST SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 10 00300
0609839	JONES JOSEPH & ROSE M TRUSTEES	1123 CLEVELAND AVE SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 10 00400
0600314	SMITH EULIC JR	1344 GLENWOOD ST SE MASSILLON OH 44646	590 - Residential Other Multi-Family Dwellings	06 063 10 00500
0611679	COCKRELL MAMIE	328 ISABELLA AVE SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 07 00100
0607840	PETERS RONALD C	370 ISABELLA AVE SW MASSILLON OH 44646	340 - Industrial Manufacturing / Assembly Light	06 063 07 00300
0610927	PETERS RONALD C	370 ISABELLA AVE SW MASSILLON OH 44646	500 - Residential Vacant Land	06 063 07 00500
0609308	PETERS RONALD C	370 ISABELLA AVE SW MASSILLON OH 44646	500 - Residential Vacant Land	06 063 07 00600
0608309	SMITH JASON G	PO BOX 1229 MASSILLON OH 44648	520 - Residential 2-Family Dwelling	06 063 07 00700
0602080	SMITH JASON G	PO BOX 1229 MASSILLON OH 44648	500 - Residential Vacant Land	06 063 07 00800
0611808	HABITAT FOR HUMANITY OF GREATER STARK & CARROLL COUNTIES INC	822 GREEN AVE SW MASSILLON OH 44647	500 - Residential Vacant Land	06 063 07 00900
0605548	SMITH JASON G	PO BOX 1229 MASSILLON OH 44648	500 - Residential Vacant Land	06 063 07 01000
0612625	WILLIAMS LOUISE	1004 CLEVELAND ST SW	510 - Residential 1-Family Dwelling	06 063 08 00400
0608480	WILLIAMS LOUISE	1004 CLEVELAND ST SW MASSILLON OH 44646	500 - Residential Vacant Land	06 063 08 00500
0610931	SANDISON GWENDOLYN M ETAL	** ADDRESS UNKNOWN **	500 - Residential Vacant Land	06 063 08 00600
0602103	JONES JOSEPH & ROSE M TRUSTEES	1123 CLEVELAND AVE SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 08 00700
0608163	JONES JOSEPH & ROSE M TRUSTEES	1123 CLEVELAND ST SW MASSILLON OH 44647	520 - Residential 2-Family Dwelling	06 063 08 00800
0608164	JONES JOSEPH & ROSE M TRUSTEES	1123 CLEVELAND ST SW MASSILLON OH 44647	500 - Residential Vacant Land	06 063 08 00900
0607246	LATHAM BRIAN S	1110 CLEVELAND ST SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 11 00100
0609029	PETROSKY PETER	** ADDRESS UNKNOWN **	500 - Residential Vacant Land	06 063 08 00100
0602645	WILLIAMS LOUISE	1004 CLEVELAND AVE SW MASSILLON OH 44647	500 - Residential Vacant Land	06 063 08 00300
0605186	HOFTAN MICHAEL	** ADDRESS UNKNOWN **	500 - Residential Vacant Land	06 063 08 00200
0609552	PUTNAM ROBERT B	1308 WALES RD NE MASSILLON OH 44646	500 - Residential Vacant Land	06 063 07 01100
0612141	VOULGARES NICHOLAS & ELIZABETH A	369 ANTHONY AVE SW MASSILLON OH 44647	510 - Residential 1-Family Dwelling	06 063 07 01200

VALUE	LEGAL DESCRIPTION
\$8,000	4063.4064-68.7'SE EA
\$65,300	4063.4064-81.30'NE EA
\$64,600	4065 WH
\$104,300	4066 WH
\$18,000	4067 WH
\$38,900	4068.4069 WH EA
\$72,000	4070 WH
\$65,900	4071 WH
\$5,100	4072 WH
\$5,700	4073 WH
\$5,100	4074 WH
\$47,700	4075 WH
\$5,100	4076 WH
\$5,100	4077 WH
\$81,100	4078 WH
\$103,000	4079.4080 WH EA
\$56,200	4081 WH
\$31,500	4082 WH
\$5,100	4083 WH
\$5,100	4084 WH
\$52,700	4085 WH
\$25,500	4086 WH
	4087 WH (CA#5637)
	4088 WH (CA#5637)
\$1,200	4093-4094-TRI PT WEST OF PENN RR (PARCEL A)
\$3,200	4095 WH
\$36,000	4097 WH
\$5,100	4098 WH (Already R-1)
\$8,500	4099 WH
\$5,900	4100 4101 50' MP EA 63
\$21,100	4100-4101 32'WE EA
\$7,900	4100-4101 68' E EACH
\$1,800	4102 - 41' AV WE
\$53,600	4102-106ES
\$12,400	4103 WH

VALUE	LEGAL DESCRIPTION
\$8,700	4104 WH
\$5,100	4105 WH
\$3,300	4106 WH
\$26,600	4107 WH
\$64,600	4108 WH
\$38,200	4109 WH
\$55,600	4110 WH
\$53,400	4111 WH
\$29,000	4112 WH
\$5,100	4113 WH
\$61,600	4114 WH
\$29,500	4115 WH
\$56,000	4116 WH
\$12,700	4117 WH
\$11,200	4118 WH
\$45,300	4119 WH
\$5,100	4120 WH
\$70,000	4121 WH
\$5,100	4122 WH
\$61,900	4123 WH
\$78,900	4124 WH
\$5,100	4125 WH
\$8,500	4126 WH
\$68,100	4127 WH
\$35,600	4128 WH
\$74,100	4129 WH
\$21,500	4130 WH
\$5,100	4131 WH
\$5,100	4132 WH (Already R-1)
\$5,100	4133 WH
\$5,100	4134 WH
\$8,500	4135 WH (Already R-1)
\$5,100	4136 WH
\$2,300	4137 - 22.6NS

VALUE	LEGAL DESCRIPTION
\$39,300	4137 27.4' SS
\$4,400	4138 WH
\$7,400	4140 WH
	4157 4158 4159 4160 PARTS WEST PENN RR
\$9,300	PARCEL
\$63,900	4161 WH
\$49,700	4162 WH
\$80,900	4163 WH
\$27,000	4164 4165 WH EX W 1/2 EA
\$16,300	4164-4165 W 1/2 EACH
\$5,100	4166 WH
\$5,100	4167 WH
\$77,800	4168 WH
\$5,100	4169 WH
\$5,100	4170 WH
\$5,100	4171 WH
\$77,300	4172 WH
\$5,100	4173 WH
\$5,100	4174 WH
\$45,000	4175 WH
\$79,500	4176 WH
\$3,900	4177 50 X 103.05 AVE WE
	4178-4179 TRI NWC EA-WEST PENN RR
\$47,300	(PARCEL F)
\$9,400	4234 .25A 112.50' NE
\$5,000	4234 50' SS
\$7,700	4234 93.5' MP
\$6,000	4235 WH
\$72,300	4236 WH

Proposed Zone Change
Columbia Heights Area
From I-1 Light Industrial
To R-1 One Family
Residential



O.L. 827
1775 AC

3.01 AC O.L. 284

PT O.L. 775
21.50 AC

OBERLIN AVE SW

BALTIMORE & OHIO RR

JACKSON ST SW

ISABELLA AVE SW

CLEVELAND AVE SW

ANTHONY AVE SW

DUNCAN ST SW

McKINLEY AVE SW

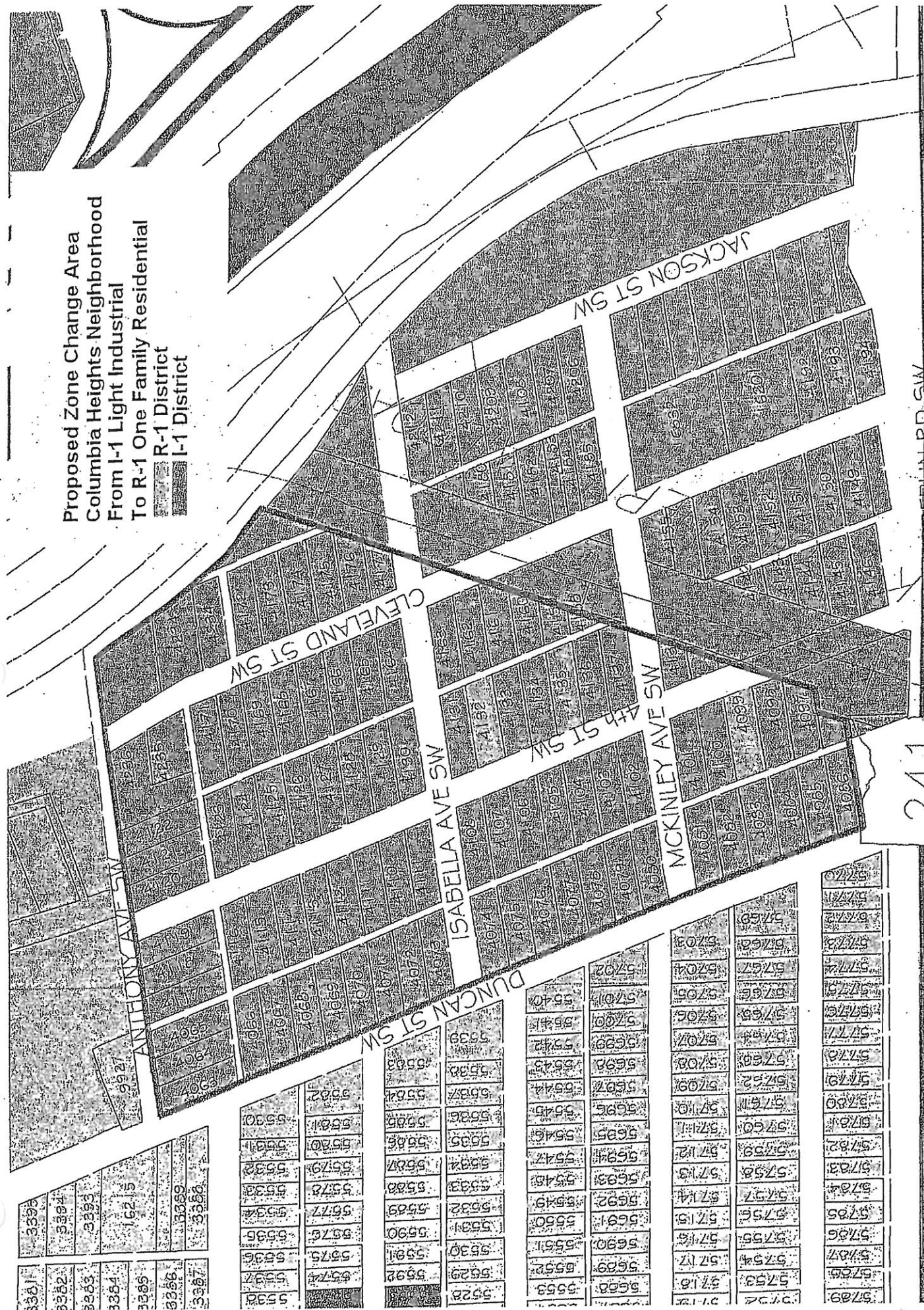
TH ST SW

O.L. 297

VA-MEETING ANGLE & EYE R
BALTIMORE & OHIO R.R.

Proposed Zone Change Area
 Columbia Heights Neighborhood
 From I-1 Light Industrial
 To R-1 One Family Residential

R-1 District
 I-1 District



241

DATE: MARCH 2, 2009

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

1st reading
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 34 - 2009

2nd reading 3/4
passed 4/6

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE implementing Sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of community reinvestment area in the City of Massillon, Ohio, designating a housing officer to administer the program, and creating a community reinvestment housing council, and declaring an emergency.

WHEREAS, the council of the City of Massillon, Ohio (hereinafter "Council") desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in specific areas of the City of Massillon, Ohio that have not enjoyed reinvestment from remodeling or new construction;

WHEREAS, a survey of housing, a copy of which is on file in the office of Community and Economic Development as required by Ohio Revised Code (ORC) Section 3735.66 has been prepared for the area to be included in the proposed Community Reinvestment Area;

WHEREAS, the maintenance of existing and construction of new structures in such area would serve to encourage economic stability, maintain real property values, and generate new employment opportunities; and

WHEREAS, the remodeling of existing structures or the construction of new structures in this Community Reinvestment Area constitutes a public purpose for which real property exemptions may be granted.

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

Section 1: The area designated as the Community Reinvestment Area constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or repair of existing facilities has been discouraged.

Section 2: Pursuant to ORC Section 3735.66, the Community Reinvestment Area, is hereby established in the following described area:

Being in the City of Massillon, County of Stark, State of Ohio, and beginning at a point which is the intersection of the center lines of Tremont Avenue SW and US Route 21; thence north along the center line of US Route 21 to the center line of Cherry Road NW; then east along the center line of Cherry Road NW to the center line of Erie Street North;

then south along the center line of Erie Street North to the center line of North Avenue NE; then east along the center line of North Avenue NE to the center line of Third Street NE; then south along the center line of Third Street NE and SE to the center line of South Avenue SE; then west along the center line of South Avenue SE and SW to the center line of First Street SW; then north along the center line of First Street SW to the center line of Tremont SW; then west along the center line of Tremont Avenue SW to the place of beginning.

The Community Reinvestment Area is approximately depicted as shown on the map attached to this Ordinance (see Exhibit A) and by this reference incorporated herein. Only residential, commercial and/or industrial properties consistent with the applicable zoning regulations within the designated Community Reinvestment Area will be eligible for exemptions under this Program.

Section 3: All properties identified as being within the designated Community Reinvestment Area, as shown in Exhibit A, are eligible for this incentive, which represents a public/private partnership intended to promote and expand conforming uses in the designated area.

Section 4: Within the Community Reinvestment Area, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the term of those exemptions shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring according to the rules outlined in the ORC Section 3765.67. The results of the negotiation as approved by this Council will be set in writing in a Community Reinvestment Area Agreement as outlined in ORC Section 3735.671. For residential property, a tax exemption on the increase in the assessed valuation resulting from the improvements as described in ORC Section 3735.67 shall be granted upon application by the property owner and certification thereof by the designated Housing Officer for the following periods.

- a. Ten (10) years, for the remodeling of every residential dwelling unit containing not more than two housing units and upon which the cost of remodeling is at least \$2,500, as described in ORC Section 3735.67, and with such exemption being one hundred percent (100%) for each of the ten (10) years.
- b. Twelve (12) years, for the remodeling of every residential dwelling unit containing more than two housing units and upon which the cost of remodeling is at least \$5,000, as described in ORC Section 3735.67, and with such exemption being one hundred percent (100%) for each of the twelve (12) years.
- c. Fifteen (15) years, for the new construction of dwellings, as described in ORC Section 3735.67, with such exemption being one hundred percent (100%) for each of the fifteen (15) years.
- d. Up to, and including, twelve (12) years, and up to, and including, one hundred percent (100%) for the remodeling of existing commercial and industrial facilities and upon which the cost of remodeling is at least \$5,000, as described in ORC Section 3735.67, the term and percentage of which shall be negotiated on a case-by-case basis in advance of remodeling occurring.
- e. Up to, and including, fifteen (15) years, and up to, and including, one hundred percent

(100%) for the construction of new commercial or industrial facilities, the term and percentage of which shall be negotiated on a case-by-case basis in advance of construction occurring.

For the purposes of the above described Community Reinvestment Area, a structure or remodeling composed of multiple dwelling units shall be classified as a residential structure, provided that no less than seventy percent (70%) of the gross floor area of the structure shall be used exclusively for residential purposes.

If remodeling qualifies for an exemption, during the period of the exemption, the exempted percentage of the dollar amount of the increase in market value of the structure shall be exempt from real property taxation. If new construction qualifies for an exemption, during the period of the exemption the exempted percentage of the structure shall not be considered to be an improvement on the land on which it is located for the purpose of real property taxation.

Section 5: All commercial and industrial projects are required to comply with the state application fee requirements of ORC Section 3735.672 (C) and the local annual monitoring fee of one percent of the amount of taxes exempted under the agreement - a minimum of \$500 up to a maximum of \$2500 annually unless waived.

Section 6: To administer and implement the provisions of this Ordinance, the Community Development Director is designated as the Housing Officer as described in Sections 3735.65 through 3735.70.

Section 7: That a "Community Reinvestment Area Housing Council" shall be created, consisting of two members appointed by the Mayor, two members appointed by Council and one member appointed by the City Planning Commission. The majority of the members shall then appoint two additional members who shall be residents within the City. Terms of the members of the Council shall be for three years. An unexpired term resulting from a vacancy in the Council shall be filled in the same manner as the initial appointment was made. The Community Reinvestment Area Council shall make an annual inspection of the properties within the district for which an exemption has been granted under Section 3735.67 of the ORC. The Community Reinvestment Area Council shall also hear appeals under Section 3735.70 of the ORC.

The Massillon Tax Incentive Review Council shall review annually the compliance of all agreements involving the granting of exemptions for commercial or industrial real property improvements under Section 3735.671, of the ORC and make written recommendations to the Council as to continuing, modifying or terminating said agreement based upon the performance of the agreement.

Section 8: The council reserves the right to annually re-evaluate the designation of the City's Community Reinvestment Area, beginning after December 31, 2009, at which time the Council may direct the Housing Officer not to accept any new applications for exemptions as described in Section 3735.67 of the ORC.

Section 9: The Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, that all deliberations of this Council and of its committees, if any, which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the ORC.

Section 10: That this ordinance shall take effect and be in force from and after the earliest period allowed by law and upon confirmation by the Director of Development of the findings in this Ordinance.

Section 11: The Mayor is hereby directed and authorized to petition the Director of Development to confirm the findings contained within this Ordinance.

PASSED IN COUNCIL THIS _____ DAY OF _____ 2009

APPROVED: _____

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR, MAYOR

MASSILLON COMMUNITY
REINVESTMENT AREA



DATE: MARCH 2, 2009

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

passed

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 35 - 2009

BY: HEALTH, WELFARE & BUILDING REGULATIONS COMMITTEE:

TITLE: AN ORDINANCE amending CHAPTER 1307 "BUILDING MAINTENANCE CODE" and CHAPTER 1309 "HOUSING CODE" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Sections 1307.05(c) and 1309.05(g) "Roof, Gutters and Downspouts" and enacting replacement sections, of CHAPTER 1307 "BUILDING MAINTENANCE CODE" and CHAPTER 1309 "HOUSING CODE", and declaring an emergency.

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

Section 1:

The existing Sections 1307.05(c) and 1309.05(g) "Roof, Gutters and Downspouts" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

That there hereby is enacted new Sections 1307.05(c) and 1309.05(g) "Roof, Gutters and Downspouts" of the Codified Ordinances of the City of Massillon. Said newly enacted Sections shall read as follows:

1307.05(c) Roof, Gutters and Downspouts. All roofs of every structure shall be maintained weather-tight and shall be equipped with gutters and downspouts maintained in good repair, and connected to a public storm sewer or approved retention system, or terminate at the curb or on splash blocks.

1309.05(g) Roof, Gutters and Downspouts. All roofs of every structure shall be maintained weather-tight and shall be equipped with gutters and downspouts maintained in good repair, and connected to a public storm sewer or approved retention system, or terminate at the curb or on splash blocks.

Section 3:

That 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 further reason that this change to the building code will allow the building department to enforce the code more effectively. 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.

2nd page is the signature page

DATE: MARCH 2, 2009

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 36 - 2009

BY: HEALTH, WELFARE & BUILDING REGULATIONS COMMITTEE:

TITLE: AN ORDINANCE amending CHAPTER 1307 "BUILDING MAINTENANCE CODE" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Sections 1307.06(f) "Demolition Costs" and 1307.06(h) "Penalty" and enacting replacement sections of CHAPTER 1307 "BUILDING MAINTENANCE CODE", and declaring an emergency.

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

Section 1:

The existing Sections 1307.06(f) "Demolition Costs" and 1307.06(h) "Penalty" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

That there hereby is enacted new Sections 1307.06(f) "Demolition Costs" and 1307.06(h) "Penalty" of the Codified Ordinances of the City of Massillon. Said newly enacted Sections shall read as follows:

1307.06(f) Demolition Costs. If the Board of Building Appeals sustains or modifies a motion of the Building Inspection Superintendent which calls for demolition of a structure or premises or part thereof, and the owner, agent, occupant or operator fails in the time prescribed to complete the same to the satisfaction of the Board, the Board may cause demolition thereof and shall certify the cost and expense of the demolition to the County Auditor as a lien on the real estate or sue the owner directly in court for the costs of said demolition.

1307.06(h) Penalty. Whoever violates any provisions of this Code, or any rule or regulation promulgated thereunder, or fails to comply therewith or with any written notice or written order issued thereunder, or whoever refuses to permit entry by the Building Inspection Superintendent or other City departments heads or their representatives at a reasonable hour, and whoever interferes with, obstructs, or hinders the Superintendent or his authorized agents while attempting to make such inspection, shall be fined not more than one thousand dollars (\$1,000.00) or imprisoned not more than six months or both. Community service can be levied in lieu of jail time. Each day such violation occurs or continues shall constitute a separate offense.

DATE: MARCH 2, 2009

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

Passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 37 - 2009

BY: HEALTH, WELFARE & BUILDING REGULATIONS COMMITTEE:

TITLE: AN ORDINANCE amending CHAPTER 1309 "HOUSING CODE" of the Codified Ordinances of the City of Massillon, Ohio, by repealing existing Section 1309.99 "Penalty" and enacting a replacement section of CHAPTER 1309 "HOUSING CODE", and declaring an emergency.

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

Section 1:

The existing Section 1309.99 "Penalty" of the Codified Ordinances of the City of Massillon is hereby repealed.

Section 2:

That there hereby is enacted new Section 1309.99 "Penalty" of the Codified Ordinances of the City of Massillon. Said newly enacted Section shall read as follows:

1309.99 Penalty. Whoever violates any provision of this chapter shall be fined not less than twenty-five dollars (\$25.00) or more than five hundred dollars (\$500.00) and imprisoned not more than ten days for the first offense and not more than sixty days for all repeat offenses. Community service can be levied in lieu of jail time. Each days failure to comply with any such provision shall constitute a separate violation.

Section 3:

That 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 further reason that this change to the building code will allow the building department to enforce the code more effectively. 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

DATE: MARCH 2, 2009

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

Passed

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 38 - 2009

BY: FINANCE 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 upon the award and approval of the Board of Control, with the lowest and best bidder for various items needed for the use in various departments of the city, 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 a contract, upon the award and approval of the Board of Control, with the lowest and best bidder for various items needed for the use in various departments of the city, said items listed on Exhibit "A" attached hereto.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to advertise for and receive sealed bids, and enter into contract with the lowest and best bidder for various items needed for the use in various departments of the city, said items listed on Exhibit "A" attached hereto.

Section 3:

This Ordinance is declared to be an emergency measure for the reason that the items listed on Exhibit "A" attached hereto are needed for the efficient operation of the city, and due to the time involved in advertising and bid process it must be commenced immediately so that the items are available for use as soon as possible as the various items are needed for the efficient operation of the various departments. 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.