

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

DATE: TUESDAY, FEBRUARY 22, 2011
PLACE: COUNCIL CHAMBERS
TIME: 7:30 P.M.

THERE ARE NO PUBLIC HEARINGS TONIGHT

1. ROLL CALL *McCune & Mang Absent*
2. INVOCATION BY COUNCILMAN GARY ANDERSON
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. 23 – 2011

BY: COMMUNITY DEVELOPMENT COMMITTEE

300
PASS 7-0
AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Stark County Community Services, to provide an economic development "inducement grant" to assist the relocation of The Family Living Center in Massillon, and declaring an emergency.

ORDINANCE NO. 24 – 2011

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 Perry Township, R-2 Single and Two Family Residential to R-3 Single Family Residential.

ORDINANCE NO. 25 – 2011

BY: PUBLIC UTILITIES COMMITTEE

1ST READING
AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Non-Surface Development Gas & Oil Lease with Lake Region Oil, Inc., for a 1.7 acre parcel owned by the City of Massillon, and declaring an emergency.

ORDINANCE NO. 26 – 2011

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

1ST READING
AN ORDINANCE accepting the dedication plat for the Sterilite Street SE Extension on Out Lot 717 and Part of Out Lot 753, a 0.835 acre parcel that would extend existing Sterilite Street SE approximately 177 feet to the south and 192 feet to the west, 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. 27 – 2011

BY: FINANCE COMMITTEE

PASS 7-0
AN ORDINANCE making certain appropriations from the unappropriated balance of the Economic Development Fund, Marketplace Infrastructure Fund and the Local Law Enforcement Trust Fund, for the year ending December 31, 2011, and declaring an emergency.

ORDINANCE NO. 28 – 2011

BY: FINANCE COMMITTEE

1ST READING

AN ORDINANCE creating an account numbered 1401.325.1500 in which to deposit a percentage of funds received for EMS services, and declaring an emergency.

RESOLUTION NO. 3 – 2011

BY: COMMITTEE OF THE WHOLE

PASS 7-0

A RESOLUTION supporting SARTA with a renewal levy for the Stark County Residents.

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

- A). POLICE CHIEF SUBMITS MONTHLY REPORT FOR JANUARY 2011
- B). TREASURER SUBMITS MONTHLY REPORT FOR JANUARY 2011
- C). FIRE CHIEF SUBMITS MONTHLY REPORT FOR JANUARY 2011
- D). INCOME TAX DEPARTMENT SUBMITS MONTHLY REPORT FOR JANUARY 2011
- E). WASTE DEPARTMENT SUBMITS MONTHLY REPORT FOR JANUARY 2011
- F). MAYOR SUBMITS MONTHLY REPORT FOR JANUARY 2011
- G). MAYOR'S APPOINTMENT TO THE RECREATION BOARD

11. REPORTS OF COMMITTEES
12. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS
13. CALL OF THE CALENDAR
14. THIRD READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 5 – 2011

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS 7-0

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. 6 – 2011

BY: COMMUNITY DEVELOPMENT COMMITTEE

PASS 7-0

AN ORDINANCE petitioning the Board of County Commissioners of Stark County, Ohio, for a change in the township lines of Massillon and Perry Township, and declaring an emergency.

ORDINANCE NO. 10 – 2011

BY: FINANCE COMMITTEE

TABLED MARCH 7th

AN ORDINANCE making certain appropriations from the unappropriated balance of the Capital Improvement Fund, for the year ending December 31, 2011, and declaring an emergency.

15. SECOND READING ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 13 – 2011

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

2ND 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 a contract, upon award and approval of the Board of Control, with the lowest and best bidder for the Intersection Improvement Project, in the City of Massillon, and declaring an emergency.

ORDINANCE NO. 14 – 2011

BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY

2ND READING

AN ORDINANCE amending Chapter 905, Construction of sidewalks and curbs; Chapter 907, Sidewalks contractors; and Chapter 919 Sidewalk Replacement Program, of part Nine, Title One of the Codified Ordinances of the City of Massillon, and declaring an emergency.

ORDINANCE NO. 22 – 2011

BY: FINANCE COMMITTEE

2ND READING

AN ORDINANCE appropriating money for current expenses and other expenses of the City of Massillon, Ohio, for the fiscal period ending December 31, 2011, 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 FEBRUARU 22, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

passed
LEGISLATIVE DEPARTMENT

ORDINANCE NO. 23 - 2011

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to enter into an agreement with Stark County Community Services, to provide an economic development "inducement grant" to assist the relocation of The Family Living Center in Massillon, and declaring an emergency.

WHEREAS, the City of Massillon carries out a variety of economic development programs designed to promote the creation and expansion of business and industry in the community; and

WHEREAS, The Family Living Center, needs to relocate its facility in Massillon, and

WHEREAS, the City of Massillon proposed to assist The Family Living Center, in the relocation of its facility by providing an economic development "inducement grant", the purpose of which is to assist in business relocation expenses.

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

Section 1:

This Council hereby authorizes the Mayor to enter into an agreement with The Family Living Center, providing an economic development "inducement grant", in a total amount not to exceed Twenty-Five Thousand Dollars (\$25,000.00) for the purpose of assisting the business in relocating its facility in Massillon.

Section 2:

This Ordinance is hereby 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 necessary to improve the economic climate of the community through the expansion of business and employment opportunities. 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: FEBRUARY 22, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 24 - 2011

*1st read 3/7
2nd read 3/7
passed 3/21*

BY: COMMUNITY DEVELOPMENT COMMITTEE

TITLE: AN ORDINANCE amending Section 1151.02 of the Massillon Code of 1985 rezoning a certain tract of land from Perry Township, R-2 Single and Two Family Residential to R-3 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 Perry Township, R-2 Single and Two Family Residential to R-3 Single Family Residential.. Said rezoning was approved by the Planning Commission of the City of Massillon, Ohio, on February 9, 2011 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-3 Single Family Residential.

Sibila Family LLC Annexation, Out Lots 1097 and 1098, a 10.54 acre area located along the east side of Valerie Avenue NE, north of Hankins Road. Property was recently annexed to the City of Massillon and need to give this property a zoning classification under the Massillon Zoning regulations.

Section 3:

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

Vila Family Annexation
Zoning from Perry Township
R-3 One Family Residential

The map shows the following details:

- Streets:** CARLYLE AVE NE, VALERIE AVE NE, HANKINS RD NE, AMBERWOOD, TOWN CRAFTS AVE, LOUISE WARE CRT NW.
- Parcels and Owners:**
 - OL 100, OL 101, OL 102, OL 103, OL 104, OL 105, OL 106, OL 107, OL 108, OL 109, OL 110, OL 111, OL 112, OL 113, OL 114, OL 115, OL 116, OL 117, OL 118, OL 119, OL 120, OL 121, OL 122, OL 123, OL 124, OL 125, OL 126, OL 127, OL 128, OL 129, OL 130, OL 131, OL 132, OL 133, OL 134, OL 135, OL 136, OL 137, OL 138, OL 139, OL 140, OL 141, OL 142, OL 143, OL 144, OL 145, OL 146, OL 147, OL 148, OL 149, OL 150, OL 151, OL 152, OL 153, OL 154, OL 155, OL 156, OL 157, OL 158, OL 159, OL 160, OL 161, OL 162, OL 163, OL 164, OL 165, OL 166, OL 167, OL 168, OL 169, OL 170, OL 171, OL 172, OL 173, OL 174, OL 175, OL 176, OL 177, OL 178, OL 179, OL 180, OL 181, OL 182, OL 183, OL 184, OL 185, OL 186, OL 187, OL 188, OL 189, OL 190, OL 191, OL 192, OL 193, OL 194, OL 195, OL 196, OL 197, OL 198, OL 199, OL 200, OL 201, OL 202, OL 203, OL 204, OL 205, OL 206, OL 207, OL 208, OL 209, OL 210, OL 211, OL 212, OL 213, OL 214, OL 215, OL 216, OL 217, OL 218, OL 219, OL 220, OL 221, OL 222, OL 223, OL 224, OL 225, OL 226, OL 227, OL 228, OL 229, OL 230, OL 231, OL 232, OL 233, OL 234, OL 235, OL 236, OL 237, OL 238, OL 239, OL 240, OL 241, OL 242, OL 243, OL 244, OL 245, OL 246, OL 247, OL 248, OL 249, OL 250, OL 251, OL 252, OL 253, OL 254, OL 255, OL 256, OL 257, OL 258, OL 259, OL 260, OL 261, OL 262, OL 263, OL 264, OL 265, OL 266, OL 267, OL 268, OL 269, OL 270, OL 271, OL 272, OL 273, OL 274, OL 275, OL 276, OL 277, OL 278, OL 279, OL 280, OL 281, OL 282, OL 283, OL 284, OL 285, OL 286, OL 287, OL 288, OL 289, OL 290, OL 291, OL 292, OL 293, OL 294, OL 295, OL 296, OL 297, OL 298, OL 299, OL 300, OL 301, OL 302, OL 303, OL 304, OL 305, OL 306, OL 307, OL 308, OL 309, OL 310, OL 311, OL 312, OL 313, OL 314, OL 315, OL 316, OL 317, OL 318, OL 319, OL 320, OL 321, OL 322, OL 323, OL 324, OL 325, OL 326, OL 327, OL 328, OL 329, OL 330, OL 331, OL 332, OL 333, OL 334, OL 335, OL 336, OL 337, OL 338, OL 339, OL 340, OL 341, OL 342, OL 343, OL 344, OL 345, OL 346, OL 347, OL 348, OL 349, OL 350, OL 351, OL 352, OL 353, OL 354, OL 355, OL 356, OL 357, OL 358, OL 359, OL 360, OL 361, OL 362, OL 363, OL 364, OL 365, OL 366, OL 367, OL 368, OL 369, OL 370, OL 371, OL 372, OL 373, OL 374, OL 375, OL 376, OL 377, OL 378, OL 379, OL 380, OL 381, OL 382, OL 383, OL 384, OL 385, OL 386, OL 387, OL 388, OL 389, OL 390, OL 391, OL 392, OL 393, OL 394, OL 395, OL 396, OL 397, OL 398, OL 399, OL 400, OL 401, OL 402, OL 403, OL 404, OL 405, OL 406, OL 407, OL 408, OL 409, OL 410, OL 411, OL 412, OL 413, OL 414, OL 415, OL 416, OL 417, OL 418, OL 419, OL 420, OL 421, OL 422, OL 423, OL 424, OL 425, OL 426, OL 427, OL 428, OL 429, OL 430, OL 431, OL 432, OL 433, OL 434, OL 435, OL 436, OL 437, OL 438, OL 439, OL 440, OL 441, OL 442, OL 443, OL 444, OL 445, OL 446, OL 447, OL 448, OL 449, OL 450, OL 451, OL 452, OL 453, OL 454, OL 455, OL 456, OL 457, OL 458, OL 459, OL 460, OL 461, OL 462, OL 463, OL 464, OL 465, OL 466, OL 467, OL 468, OL 469, OL 470, OL 471, OL 472, OL 473, OL 474, OL 475, OL 476, OL 477, OL 478, OL 479, OL 480, OL 481, OL 482, OL 483, OL 484, OL 485, OL 486, OL 487, OL 488, OL 489, OL 490, OL 491, OL 492, OL 493, OL 494, OL 495, OL 496, OL 497, OL 498, OL 499, OL 500, OL 501, OL 502, OL 503, OL 504, OL 505, OL 506, OL 507, OL 508, OL 509, OL 510, OL 511, OL 512, OL 513, OL 514, OL 515, OL 516, OL 517, OL 518, OL 519, OL 520, OL 521, OL 522, OL 523, OL 524, OL 525, OL 526, OL 527, OL 528, OL 529, OL 530, OL 531, OL 532, OL 533, OL 534, OL 535, OL 536, OL 537, OL 538, OL 539, OL 540, OL 541, OL 542, OL 543, OL 544, OL 545, OL 546, OL 547, OL 548, OL 549, OL 550, OL 551, OL 552, OL 553, OL 554, OL 555, OL 556, OL 557, OL 558, OL 559, OL 560, OL 561, OL 562, OL 563, OL 564, OL 565, OL 566, OL 567, OL 568, OL 569, OL 570, OL 571, OL 572, OL 573, OL 574, OL 575, OL 576, OL 577, OL 578, OL 579, OL 580, OL 581, OL 582, OL 583, OL 584, OL 585, OL 586, OL 587, OL 588, OL 589, OL 590, OL 591, OL 592, OL 593, OL 594, OL 595, OL 596, OL 597, OL 598, OL 599, OL 600, OL 601, OL 602, OL 603, OL 604, OL 605, OL 606, OL 607, OL 608, OL 609, OL 610, OL 611, OL 612, OL 613, OL 614, OL 615, OL 616, OL 617, OL 618, OL 619, OL 620, OL 621, OL 622, OL 623, OL 624, OL 625, OL 626, OL 627, OL 628, OL 629, OL 630, OL 631, OL 632, OL 633, OL 634, OL 635, OL 636, OL 637, OL 638, OL 639, OL 640, OL 641, OL 642, OL 643, OL 644, OL 645, OL 646, OL 647, OL 648, OL 649, OL 650, OL 651, OL 652, OL 653, OL 654, OL 655, OL 656, OL 657, OL 658, OL 659, OL 660, OL 661, OL 662, OL 663, OL 664, OL 665, OL 666, OL 667, OL 668, OL 669, OL 670, OL 671, OL 672, OL 673, OL 674, OL 675, OL 676, OL 677, OL 678, OL 679, OL 680, OL 681, OL 682, OL 683, OL 684, OL 685, OL 686, OL 687, OL 688, OL 689, OL 690, OL 691, OL 692, OL 693, OL 694, OL 695, OL 696, OL 697, OL 698, OL 699, OL 700, OL 701, OL 702, OL 703, OL 704, OL 705, OL 706, OL 707, OL 708, OL 709, OL 710, OL 711, OL 712, OL 713, OL 714, OL 715, OL 716, OL 717, OL 718, OL 719, OL 720, OL 721, OL 722, OL 723, OL 724, OL 725, OL 726, OL 727, OL 728, OL 729, OL 730, OL 731, OL 732, OL 733, OL 734, OL 735, OL 736, OL 737, OL 738, OL 739, OL 740, OL 741, OL 742, OL 743, OL 744, OL 745, OL 746, OL 747, OL 748, OL 749, OL 750, OL

DATE: FEBRUARY 22, 2011

CLERK: MARY BETH BAILEY

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

1st read 4/4
passed 4/18

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 25 - 2011

1st read
2nd read 3/7
amended 3/21

BY: PUBLIC UTILITIES COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a Non-Surface Development Gas & Oil Lease with Lake Region Oil, Inc., for a 1.7 acre parcel owned by the City of Massillon, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby determines it to be necessary in the public health, safety and welfare to enter into a Non-Surface Development Gas & Oil Lease with Lake Region Oil, Inc., for a 1.7 acre parcel owned by the City of Massillon.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to enter into a Non-Surface Development Gas & Oil Lease with Lake Region Oil, Inc., for a 1.7 acre parcel owned by the City of Massillon. A copy of the Non-Surface Development Oil & Gas Lease and map is attached hereto as Exhibit "A".

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 this oil and gas lease is signed. 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.

NON-DRILLING AND NON-SURFACE TRESPASS
OIL & GAS LEASE

THIS LEASE, made this ____ day of _____ 2011, by and between

City of Massillon
151 Lincoln Way E
Massillon, OH 44646

hereinafter called the Lessor, and Lake Region Oil, Inc, P. O. Box 499, Dalton, Ohio 44618, hereinafter
called the Lessee, do agree:

1. Lessor, for consideration, grants Lessee all the oil and gas in the lands described below, with the exclusive rights to operate for, produce and market the same from a well or wells on other lands; the right to unitize Lessor's lands, or any portion, with other lands into a drilling unit(s). This lease is to be for 5 year(s), and as long thereafter as operations are being conducted on any such unit or oil or gas can be produced in paying quantities in Lessee's judgment from any such unit.

This lease is for the following lessee's land located in the City of Massillon (formerly Perry Township), County of Stark, State of Ohio and containing 3.3 acres, more or less and described as follows: See Exhibits "A" and "B" attached hereto and made a part hereof.

2. Lessor shall be paid as royalties a proportional share of one-eighth (1/8) of "Proceeds Realized" on all the oil and gas produced and marketed from each well drilled and unitized, as the amount of the Lessor's acreage in the unit bears to total acreage in the unit, the same to be paid by the end of the next month following Lessee's receipt of payment for same, less any tax imposed by any government body, including but not limited to the severance tax. "Proceeds Realized" shall mean the price received by Lessee for oil and gas marketed and sold at the delivery point less any charges for transportation, dehydration, compression and marketing paid by Lessee to deliver the oil and gas for sale.

3. No well shall be drilled on Lessor's property, nor shall Lessee enter upon or install any installation of any nature whatsoever on the leased property, the within Lease being granted solely for the purpose of permitting the Lessee to unitize the leased property with other properties, which other properties shall bear all the burden of development.

4. This Lease shall be binding on all heirs, successors, and assigns of Lessor and Lessee. If the leased land is hereinafter owned in separate tracts, the premises, nevertheless, shall be treated as an entirety and all payments due shall be paid proportionally (on an acreage basis) to each separate owner, and if Lessor owns less than the entire fee, Lessor shall be paid only his proportional share of any payment due. Lessee may at any time surrender this Lease in whole or in part.

5. No change of ownership in the leased premises or in the rentals or royalties hereunder shall be binding on Lessee until after notice to the Lessee either by delivery of notice in writing duly signed by the parties to the instrument of conveyance or assignment and delivery of such original instrument or a duly certified copy thereof to the Lessee.

6. In the event Lessor considers Lessee has not complied with its expressed or implied obligations hereunder, Lessor shall notify Lessee in writing indicating specifically what Lessee allegedly has breached. Lessee shall have 30 days after receipt of said notice to meet or commence to meet any part of the breach alleged by Lessor. Lessor shall not bring any action against Lessee until 30 days after service of such notice on Lessee.

7. Lessor hereby warrants and agrees to defend the title to the land herein described and agrees that Lessee, at its option, may pay and discharge any taxes, mortgages, or other liens levied, or assessed on or against the said lands and, in the event it exercises such option, it shall be subrogated to the rights of any holder or holders, thereof and may reimburse itself for any payments due hereunder. This lease contains all the agreements of the parties, and there shall be no implied covenants or verbal representations.

IN WITNESS WHEREOF, the undersigned have executed this instrument on the date appearing above.

Signed and acknowledged in the presence of:

Signature of Lessor
City of Massillon:

Lessor Signature

Lessor Printed Name

Signature of Lessee
Lake Region Oil Inc:

By: _____

Title: President

Notary Public and Witness To all Signatures:

STATE OF OHIO)
COUNTY OF _____) SS:

The foregoing instrument was acknowledged before me this ____ day of _____, 2011

by _____
Name and Title

Notary Public
My Commission Expires:

STATE OF OHIO)
COUNTY OF _____) SS:

The foregoing instrument was acknowledged before me this ____ day of _____, 2011

by _____
Name and Title

Notary Public
My Commission Expires:

This instrument prepared by: Lake Region Oil, Inc., P. O. Box 499, Dalton, OH 44618

"Exhibit A"

PROPERTY DESCRIPTION

Attached hereto and made a part here of that certain Non-Development Oil and Gas Lease from the City of Massillon, as lessor and Lake Region Oil Company, as Lessee, dated the _____ day of _____, 2011.

Situated in the City of Massillon, County of Stark, and State of Ohio:

Being part of 2 roads within the City of Massillon, Section 19, Township 10 North of Range 9 West (formerly Perry Township), and being more particularly described as follows:

9th Street SW (40')

Beginning at a point of intersection between the southeast corner of Parcel 0500292, which is now or formerly owned by James and Katherine Zimmer and the northeast corner of Parcel 0500198 which is now or formerly owned by KEM Investments and 9th Street SW (approximately 950 feet northeast of Albrecht Street SW) and extending northeasterly approximately 1760 feet to the intersection of Sanders Avenue SW. Including the entire width of Right-of-Way for the said 1760 feet of distance.

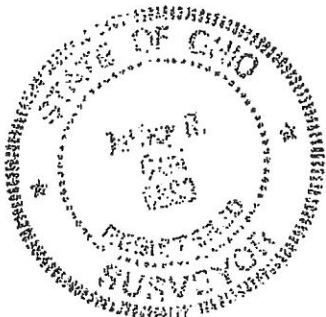
And containing 1.6 Acre of land more or less as described by Jeffrey R. Gaul, Ohio Registered Surveyor Number 6860 in January 2011.


Industrial Avenue SW (60')

Beginning at the west line of the intersection with 9th Street SW and extending west approximately 1220 feet to the intersection of Bostic (and including that intersection). Including the entire width of the Right-of-Way for the said 1220 feet of distance.

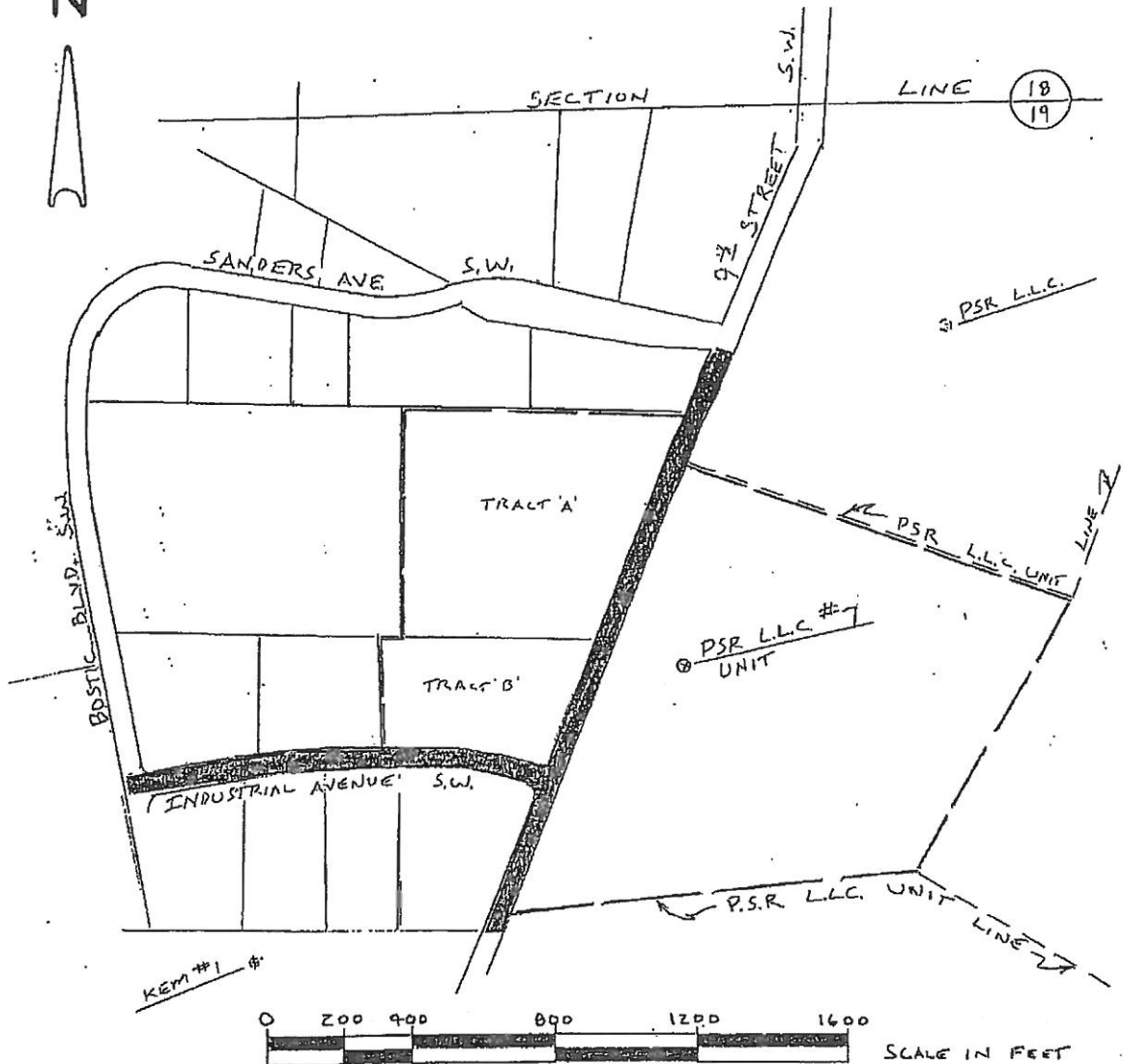
And containing 1.7 Acre of land more or less as described by Jeffrey R. Gaul, Ohio Registered Surveyor Number 6860 in January 2011.

Total Area = 3.3 Acres




Jeffrey R. Gaul P.S. 6860

OWNER	PARCEL	ACRE	PERCENT
CITY OF MASSILLON	PORTION OF 9 TH STREET SW	1.6	3.60%
CITY OF MASSILLON	PORTION OF INDUSTRIAL PARKWAY SW	1.7	3.90%
TRACT A	PT. O.L. 512	10.0	22.60%
TRACT B	PT. O.L. 512	3.9	8.80%
PSR L.L.C.	PT. O.L. 665	27.0	61.10%
TOTAL ACREAGE		44.28	100.00%



URBAN AREA = CITY OF MASSILLON

I HEREBY CERTIFY THAT ALL DRILLING OR PRODUCING WELLS CAPABLE OF PRODUCING FROM ANY AND/OR ALL GEOLOGIC FORMATIONS WITHIN 1,000 FEET, AND ALL DRILLING OR PRODUCING WELLS WITHIN 100 FEET AND ALL BUILDINGS AND STREAMS WITHIN 150 FEET HAVE BEEN SHOWN, THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. PREPARED ACCORDING TO CURRENT DIVISION OF OIL AND GAS REGULATIONS.

JEFFREY R. GAUL RS 6860

ROBERT DERVIN - NOTARY PUBLIC

OPERATOR LAKE REGION OIL
ADDRESS P.O. Box 499 DALTON, OHIO 44618

LANDOWNER:
SURFACE PSR L.L.C.

MINERALS PSR L.L.C.
WELL NO. 7 DRILLING UNIT AC.
COUNTY STARK
TOWNSHIP PERRY TWP (CITY OF MASSILLON)
OHIO PLANE CO-ORDINATES (NORTH ZONE)
X 404,550 Y 2,267,230

SUBDIVISION CIVIL TOWNSHIP
TOWNSHIP T10 N
RANGE R9 W

QUARTER TOWNSHIP
SECTION 19 LOT
TRACT
ALLOTMENT
FRACTION

SCALE: 1" = 400'
BLEV. 990 DATE 1/10/11

DATE: FEBRUARY 22, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 26- 2011

*1st read
passed 3/7*

BY: STREETS, HIGHWAYS, TRAFFIC AND SAFETY COMMITTEE

TITLE: AN ORDINANCE accepting the dedication plat for the Sterilite Street SE Extension on Out Lot 717 and Part of Out Lot 753, a 0.835 acre parcel that would extend existing Sterilite Street SE approximately 177 feet to the south and 192 feet to the west, 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 dedication plat for the Sterilite Street SE Extension on Out Lot 717 and Part of Out Lot 753, a 0.835 acre parcel that would extend existing Sterilite Street SE approximately 177 feet to the south and 192 feet to the west, 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 dedication was approved by the Planning Commission at the meeting held February 9, 2011. The property being replatted is described as follows:

Being known as Out Lot 717 and Part of Out Lot 753, a 0.835 acre parcel that would extend existing Sterilite Street SE approximately 177 feet to the south and 192 feet to the west. The property is currently zoned I-1 Light Industrial the proposed extension of Sterilite Street SW southerly to the end of NeoComm II Industrial Park. The applicant is Massillon Development Foundation.

Section 2:

This Ordinance is declared to be an emergency measure for the reason that said replatting and dedication of the drainage easement are necessary and needed for the development of the area for the Sterilite Street SE Expansion. The dedication is for property 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.

2nd page is the signature page

DATE: FEBRUARY 22, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 27 – 2011

Russell

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE making certain appropriations from the unappropriated balance of the Economic Development Fund, Marketplace Infrastructure Fund and the Local Law Enforcement Trust Fund, for the year ending December 31, 2011, 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 Economic Development Fund, for the year ending December 31, 2011 the following:

\$25,000.00 to an account entitled "Services/Contracts" 1237.845.2392

Section 2:

There be and hereby is appropriated from the unappropriated balance of the Marketplace Infrastructure Fund, for the year ending December 31, 2011 the following:

\$10,430.79 to an account entitled "Services/Contracts" 1419.845.2392

Section 3:

There be and hereby is appropriated from the unappropriated balance of the Local Law Enforcement Trust Fund, for the year ending December 31, 2011 the following:

\$8,000.00 to an account entitled "Supplies/Materials" 1215.305.2410

Section 4:

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.

DATE: FEBRUARY 22, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 28 - 2011

*1st read
passed 3/7*

BY: FINANCE COMMITTEE

TITLE: AN ORDINANCE creating an account numbered 1401.325.1500 in which to deposit a percentage of funds received for charges for EMS services, and declaring an emergency.

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

Section 1:

There be and is hereby created within the City of Massillon, Ohio, account number 1401.325.1500 which shall be titled "Massillon Fire Department Capital Improvement Fund" into which 10% of all revenue received through charges for EMS services shall be deposited into said account to be used in the future for capital equipment purchases for the Massillon Fire Department.

Section 2:

The City Auditor is hereby authorized and directed to deposit 10% of all revenue and funds received for EMS services into account number 1401.325.1500 for capital equipment purchases for the Massillon Fire Department.

Section 3:

That this Ordinance is declared to be an emergency measure immediately necessary in order to create a capital improvement account and designate a percentage of funds to deposit into the same as recommended by the State Auditor for accounting procedures within the Auditor's Department. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

DATE: FEBRUARY 22, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 3 - 2011

passed

BY: COMMITTEE OF THE WHOLE

TITLE: A RESOLUTION supporting SARTA with a renewal levy for the Stark County Residents.

WHEREAS, Massillon City Council supports the services provided to the Stark County residents especially our Massillon residents by SARTA, and

WHEREAS, SARTA relies in part on a ¼% sales tax levy, SARTA has taken steps to reduce staffing, combine bus routes, eliminate all Sunday and holiday routes, and

WHEREAS, its vital that SARTA pass this renewal levy on May 3, 2011 if the renewal levy does not pass SARTA will have no choice but to shut down by September 2012.

WHEREAS, many residents in Massillon rely on SARTA to travel to and from their place of employment, do their essential shopping, travel to and from doctor appointments and more, and

Now, therefore be it resolved the Massillon City Council supports and encourages the citizens of the Massillon to vote YES on the SARTA Renewal Levy on May 3, 2011.

PASSED THIS _____ DAY OF _____ 2011

ATTEST: _____

MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR

DATE: FEBRUARY 22, 2011

CLERK: MARY BETH BAILEY

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

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

RESOLUTION NO. 4 - 2011

passed

BY: COMMITTEE OF THE WHOLE

A RESOLUTION supporting the Stark County Community Action Agency for the services they provide to the citizens of Stark County while urging adequate funding for the Community Services Block Grant be adopted in the Congressional appropriations process so the vital services continue for the much needed citizens of Stark County.

WHEREAS, Stark County, Ohio communities continues to have a high incidence of poverty and unemployment and these conditions severely affect the quality of life for many of our neighbors; and

WHEREAS, the Stark County Community Action Agency has utilized Community Services Block Grant (CSBG) and other funding leveraged from that source to successfully and efficiently provide services and opportunities to Massillon, Ohio low income and unemployed residents; and

WHEREAS, the Community Services Block Grant provides not only funding but by law assures local control through a mandated board structure and flexibility to address changing local needs; and

WHEREAS, funding for the Community Services Block Grant is targeted for drastic reductions in multiple federal budget proposals, putting the entire range of services and opportunities provided by the Stark County Action Agency at risk.

Now, therefore be it resolved that the City of Massillon, Stark County, Ohio is fully supportive of the Stark County Community Action Agency and urges that adequate funding for the Community Services Block Grant be adopted in the Congressional appropriations process to assure the continuation of so many vital services to the citizens of Stark County, Ohio.

PASSED THIS _____ DAY OF _____ 2011

ATTEST: _____
MARY BETH BAILEY, CLERK OF COUNCIL

GLENN E. GAMBER, PRESIDENT

APPROVED: _____

FRANCIS H. CICCHINELLI, JR., MAYOR