

DATE: DECEMBER 1, 2014

CLERK: DIANE ROLLAND

MASSILLON CITY COUNCIL  
CITY OF MASSILLON, OHIO  
TONY M. TOWNSEND, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 158 – 2014

BY: PARKS AND RECREATION COMMITTEE

TITLE: AN ORDINANCE authorizing the Mayor to enter into a lease agreement on behalf of the City of Massillon, Ohio, with the Stark County Park District, an Ohio Political Subdivision of Canton, Ohio, as Lessee, and declaring an emergency.

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

Section 1:

The Council of the City of Massillon, Ohio, hereby finds it necessary to authorize the Mayor of the City of Massillon, Ohio, to enter into a lease agreement with the Stark County Park District, and Ohio Political Subdivision of Canton, Ohio.

Section 2:

The Lease Agreement is for Outlot 1036 (38.50 acres, more or less) and Outlot 2037 (37.70 acres, more or less) and also known as Stark County Auditor Parcels #504836, 504837 and 504838. The Lessee desires to lease the land for public recreation uses and in conformance with Warranty Deed from Daniel D. Cottrill, Jr.

Section 3:

The Lease Agreement is for ninety nine (99) years and total rent of \$1.00. Lessee shall be responsible for overall maintenance and repairs, signage program and insurance. The lease agreement is attached hereto as Exhibit "A".

Section 4:

The Clerk of Council is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this ordinance. The Clerk of Council is further authorized, in conjunction with the Law Department and the Council President to correct any ministerial or de minimis errors that do not substantially alter the intended results or numerical total sums of this ordinance, during or after the pendency or passage of this ordinance. Corrected copies are to be sent to all official recipients.

Section 5:

This Ordinance is hereby declared to be an emergency measure for the efficient operation of the various departments of the City of Massillon and for the preservation of the public health, safety and welfare of the community. Provided it receives the affirmative vote of two-thirds of the elected members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014

ATTEST: \_\_\_\_\_  
DIANE ROLLAND, CLERK OF COUNCIL

\_\_\_\_\_  
TONY TOWNSEND, PRESIDENT

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

\_\_\_\_\_  
KATHY CATAZARO-PERRY, MAYOR

REQUEST FOR LEGISLATION TO: PARKS AND RECREATION COMMITTEE

REQUEST LEGISLATION FOR: 12/1/2014

DEPARTMENT REQUESTING LEGISLATION: Parks and Recreation Department

MAYOR'S APPROVAL: Mayor

Date:

AVAILABILITY OF FINANCES: Auditor

Date:

SUBJECT OF REQUESTED LEGISLATION:

City of Massillon is requesting legislation to authorize Mayor to enter into a lease contract on behalf of the City of Massillon with the Stark County Park District, an Ohio Political Subdivision in Canton, Ohio as Lessee. The Lease Agreement is for Outlot 1036 (38.50 acres more or less) and Outlot 1037 (37.70 acres more or less) and also known as Stark County Auditor Parcels #504836, 504837 and 504838. The Lessee desires to lease land for public recreation uses and in conformance with Warranty Deed from Daniel D Cottrill, Jr. Lessee desires to develop for general park purposes. Lease is for ninety nine years and total rent of \$1.00. Lessee shall be responsible for overall maintenance and repairs, signage program and insurance. Lessor has right to enter and inspect, mineral and timber and is not liable for damages or injury.

Law Director continues to review and negotiate other lease agreements with the Stark County Park District on other certain City of Massillon park properties.

Thank you. Dr. #158

Date Given to Auditor: Date Given to Council Clerk:

11/26/14 @ 9:52 - "Verbal" from Ed Lewis via phone
" @ 9:20 - "Verbal" from Chad Steison "
" @ 9:25 - "Verbal" from Michelle Del Rio - Seller