

**City of North Canton**

**NOTICE OF PUBLIC MEETING**

Notice is hereby given that:

Recent, and temporary amended sessions of Ohio's Revised Code, specifically R.C. 121.22 Public meeting - exceptions, together with orders and directives from the Ohio Attorney General and the Ohio Department of Health, as well as the safety directives from the President and Center for Disease Control regarding health risks posed by COVID-19, compel the City of North Canton to take unprecedented actions to continue the business of government while limiting gatherings so as to prevent the spread of COVID-19. Accordingly, in this limited circumstance, where the Governor has declared a state of emergency and the Director of the Ohio Department of Health is limiting gatherings to prevent the spread of COVID-19, the City shall hold its public meetings via teleconference; all other requirements of Ohio's Open Meetings Act, R.C. 121.22, shall be fulfilled.

Meeting notices shall provide instructions for the public on how they may hear discussions and deliberations of all members of the public body, and in certain circumstances, address the public body themselves.

The City of North Canton shall hold the **City Council Regular Meeting on February 22, 2021 at 7:00 PM** via teleconference. See attached agenda for matters to be discussed.

Instructions to hear the meeting described above are as follows:

**FOR THOSE WISHING TO WATCH THE MEETING:**

The meetings will be livestreamed via the City's YouTube page and will begin at 7:00 PM on Monday, February 22, 2021.

**THOSE WISHING TO PARTICIPATE IN RECOGNITION OF VISITORS** at the Council Meeting on February 22, 2020, must email a request to the Council Clerk at **citycouncil@northcantonohio.gov** with your **name, email and telephone number** no later than **3:00 PM, February 22, 2021**.

Once your email has been received, the clerk will contact you with information on how to join the meeting. Members of the public wishing to participate will be called to speak in the order requests are received by Council's office.

Residents wishing to address Council may alternatively submit a written statement to the office of Council to be entered into the public record by **emailing such statements as a word or pdf attachment to byoung@northcantonohio.gov by 5:00 pm, February 22, 2021**. Statements must include the attributed party's **name and address**.

BY THE ORDER OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

02/19/2021  
Date

Benjamin R. Young  
Clerk

**NORTH CANTON CITY COUNCIL REGULAR MEETING**  
**February 22, 2021, 7:00 PM**  
**Agenda**

**1. Call to Order**

**2. Opening Prayer**

**3. Pledge of Allegiance**

**4. Roll Call**

**5. Consideration**

5.a Minutes from February 1, 2021 Committee of the Whole Meeting

5.b Minutes from February 8, 2021 City Council

**6. Recognition of Visitors**

**7. New Business**

**7.a Ordinance No. 07-2021, 1st Reading, Finance and Property Committee**

An ordinance authorizing the appropriation of funds of the City of North Canton to be appropriated for current expenses during the fiscal year ending December 31, 2021.

**7.b Ordinance No. 08-2021, 1st Reading, Finance and Property Committee**

An ordinance authorizing all actions necessary to support the continuation of a governmental electric aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code, directing the director of administration of the City of North Canton to execute an electric supply agreement with Energy Harbor, and declaring the same to be an emergency.

**7.c Ordinance No. 09-2021, 1st Reading, Personnel and Safety Committee**

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file with the Department of Administration for a vehicle exhaust system to be installed at North Canton Fire Station 1 and fully funded by a Federal Emergency Management Agency grant, and declaring the same to be an emergency.

**7.d Ordinance No. 10-2021, 1st Reading, Personnel and Safety Committee**

An ordinance to re-establish the North Canton Volunteer Firefighters' Dependents Fund Board, to clarify provisions for the selection of its members and to create a related chapter of the Codified Ordinances of the City of North Canton, and declaring the same to be an emergency.

**8. Department Reports**

Deputy Director of Administration	Director of Finance
Director of Administration	City Engineer

**9. Council Reports**

Ward 1 - Doug Foltz	At Large - Daryl Revoldt
Ward 2 - Daniel Peters	At Large - Mark Cerreta
Ward 3 - Stephanie Werren	At Large - Matthew Stroia
Ward 4 - Dominic Fonte	

**10. Executive Session**

Council may enter an executive session upon a roll call vote with unanimous consent that an executive session is necessary to protect the interests of the applicant and the possible investment of public funds, for the sole purpose of considering confidential information related to the specific business strategy of an applicant for economic development assistance, whose request involves public infrastructure improvements, as permitted under ORC 121.22(G)(8).

**11. Final Call for New Business**

**12. Meetings Calendar**

March 1, 2020 @ 6:30PM - Public Hearing on 309 Lindy Lane NW  
March 1, 2021 - Committee of the Whole - following public hearing  
March 8, 2021 - City Council  
March 15, 2021 - Committee of the Whole  
March 22, 2021 - City Council  
March 29, 2021 - No Meeting

**13. Adjourn**



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## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** February 22, 2021

**SUBMITTED BY:** Benjamin Young, Administration

**ITEM TYPE:** For Council

**AGENDA SECTION:** New Business

**SUBJECT:** **Ordinance No. 07-2021, 1st Reading, Finance and Property Committee**

An ordinance authorizing the appropriation of funds of the City of North Canton to be appropriated for current expenses during the fiscal year ending December 31, 2021.

**DESCRIPTION:** This ordinance would authorize supplemental appropriations for additional Civil Service testing and funds to replace carpeting at Arrowhead Golf and Event Center.

**ATTACHMENTS:**  
[Ord. 07-2021 February Supplemental Appropriations.docx](#)

North Canton City Council  
Finance and Property Committee

ORDINANCE 07 - 2021

An ordinance authorizing the appropriation of funds of the City of North Canton to be appropriated for current expenses during the fiscal year ending December 31, 2021.

WHEREAS, the North Canton Civil Service Commission has requested additional funding in order to offer entry exams for EMT-P/Firefighter and Full-Time Dispatcher in calendar year 2021; and

WHEREAS, the City wishes to replace aging and damaged carpeting at Arrowhead Golf and Event Center.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That to provide for current expenses and other expenditures of the City of North Canton, during the fiscal year ending December 31, 2021, the following funds be and are hereby set aside and appropriated as follows:

GENERAL FUND			
101.624	Civil Service	Other Operating	\$ 3,000.00
101.313	Arrowhead	Other Operating	\$30,000.00
TOTAL SUPPLEMENTAL APPROPRIATIONS			\$33,000.00

Section 2. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, it shall not affect the validity or enforceability of any other provision of this ordinance.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Attest: \_\_\_\_\_  
Benjamin R. Young, Clerk of Council

\_\_\_\_\_  
Stephan B. Wilder, Mayor

Signed on: \_\_\_\_\_



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** February 22, 2021

**SUBMITTED BY:** Benjamin Young, Administration

**ITEM TYPE:** For Council

**AGENDA SECTION:** New Business

**SUBJECT:** **Ordinance No. 08-2021, 1st Reading, Finance and Property Committee**

An ordinance authorizing all actions necessary to support the continuation of a governmental electric aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code, directing the director of administration of the City of North Canton to execute an electric supply agreement with Energy Harbor, and declaring the same to be an emergency.

**DESCRIPTION:** This ordinance would authorize the Administration to renew the City's electric aggregation program with Energy Harbor

**ATTACHMENTS:**  
[Ord. 08-2021 Electric Aggregate for 2021 to 2025.docx](#)

North Canton City Council  
Finance and Property Committee

ORDINANCE 08 - 2021

An ordinance authorizing all actions necessary to support the continuation of a governmental electric aggregation program with opt-out provisions pursuant to Section 4928.20, Ohio Revised Code, directing the director of administration of the City of North Canton to execute an electric supply agreement with Energy Harbor, and declaring the same to be an emergency.

WHEREAS, the Ohio Legislature has enacted electric deregulation legislation ("Am. Sub. S.B. No. 3") which authorizes the legislative authorities of cities to aggregate the retail electrical loads located within their jurisdiction and to enter into service agreements to facilitate for those loads the purchase and sale of electricity; and

WHEREAS, governmental aggregation provides an opportunity for residential and small business customers collectively to participate in the potential benefits of electricity deregulation through lower electric rates which they would not otherwise be able to have individually; and

WHEREAS, The City of North Canton is certified by the Public Utilities Commission of Ohio as a Governmental Aggregator of electricity and has solicited electric supply offers to serve its Electric Aggregation Program.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

Section 1. That the Director of Administration of the City of North Canton is hereby authorized to perform all actions necessary to support the continuation of a governmental aggregation program and to enter into a Master Services Agreement for electric supply, attached hereto and incorporated herein by reference as "Exhibit A", with Energy Harbor to facilitate the sale and purchase of electricity to consumers in the City's Opt-Out Program. Such agreement when signed will be effective as of the date of this Ordinance.

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, it shall not affect the validity or enforceability of any other provision of this ordinance.

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton; and; further necessary to meet the approval deadline of March 10, 2021 set by Energy Harbor, wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force upon its adoption by Council, together with the Mayor's approval. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Attest: \_\_\_\_\_  
Benjamin R. Young, Clerk of Council

\_\_\_\_\_  
Stephan B. Wilder, Mayor

Signed on: \_\_\_\_\_



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** February 22, 2021

**SUBMITTED BY:** Benjamin Young, Administration

**ITEM TYPE:** For Council

**AGENDA SECTION:** New Business

**SUBJECT:** **Ordinance No. 09-2021, 1st Reading, Personnel and Safety Committee**

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file with the Department of Administration for a vehicle exhaust system to be installed at North Canton Fire Station 1 and fully funded by a Federal Emergency Management Agency grant, and declaring the same to be an emergency.

**DESCRIPTION:** The North Canton Fire Department has received a grant from the Federal Emergency Management Agency for the costs of installing a vehicle exhaust system at North Canton Fire Station 1. The Department of Administration is requesting Emergency Authorization to seek bids for the the project as promptly as possible to facilitate completion of the project this calendar year and ensure compliance with the provisions of the grant.

**ATTACHMENTS:**

[Ord. 09-2021 Bids for Fire Department Vehicle Exhaust System.docx](#)

North Canton City Council  
Personnel and Safety Committee

ORDINANCE 09 - 2021

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file with the Department of Administration for a vehicle exhaust venting system to be installed at North Canton Fire Station 1 and fully funded by a Federal Emergency Management Agency grant, and declaring the same to be an emergency.

WHEREAS, the North Canton Fire Department has received a grant from the Federal Emergency Management Agency for the costs of installing a vehicle exhaust venting system at North Canton Fire Station 1; and

WHEREAS, the City wishes to seek bids for the installation of a vehicle exhaust venting system as promptly as possible to facilitate completion of the project this calendar year and ensure compliance with the provisions of the grant.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That the Director of Administration be, and is hereby, authorized to advertise and received bids according to specifications now on file with the Department of Administration for the installation of a vehicle exhaust venting system at North Canton Fire Station 1.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, it shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton; and; further necessary to facilitate completion of the above-described project this calendar year and ensure compliance with the provisions of the above-mentioned grant, wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force upon its adoption by Council, together with the Mayor's approval. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Attest: \_\_\_\_\_  
Benjamin R. Young, Clerk of Council

\_\_\_\_\_  
Stephan B. Wilder, Mayor

Signed on: \_\_\_\_\_



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** February 22, 2021

**SUBMITTED BY:** Benjamin Young, Council's Office

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** New Business

**SUBJECT:** **Ordinance No. 10-2021, 1st Reading, Personnel and Safety Committee**

An ordinance to re-establish the North Canton Volunteer Firefighters' Dependents Fund Board, to clarify provisions for the selection of its members and to create a related chapter of the Codified Ordinances of the City of North Canton, and declaring the same to be an emergency.

**DESCRIPTION:** This Ordinance adopts provisions to incorporate provisions of the Ohio Revised Code Chapter 146 related to the City's duty to establish a Volunteer Firefighter Dependent's Fund Board into City Ordinances and clarifies the City's choices for board member selection. An emergency is requested for this legislation to facilitate the prompt conduct of special elections for 2021 board members.

**ATTACHMENTS:**

[Ord. 10-2021 Creating Chapter 151 Volunteer Firefighters Dependents Fund Board.docx](#)

North Canton City Council  
Personnel and Safety Committee

ORDINANCE 10 - 2021

An ordinance to re-establish the North Canton Volunteer Firefighters' Dependents Fund Board, to clarify provisions for the selection of its members and to create a related chapter of the Codified Ordinances of the City of North Canton, and declaring the same to be an emergency.

WHEREAS, Ohio Revised Code Chapter 146 requires that political subdivisions having a fire department that employs volunteer firefighters establish a Volunteer Firefighters' Dependents Fund Board; and

WHEREAS, North Canton Charter Section 3.03 requires that boards and commissions established for the City must be provided for by ordinance of City Council; and

WHEREAS, no establishing ordinance for a Volunteer Firefighters' Dependents Fund Board could be located in City Records; and

WHEREAS, the City wishes to ensure the continued and proper operation of a North Canton Volunteer Firefighters' Dependents Fund Board to protect the interests of the City's volunteer firefighters and their families as provided for under the volunteer firefighters' dependents fund established pursuant to Chapter 146 of the Ohio Revised Code.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO:

- Section 1. That there be, and is hereby, created Chapter 151, Volunteer Firefighters' Dependents Fund Board, of the codified ordinances of the City of North Canton the provisions of which shall govern the North Canton Volunteer Firefighters' Dependents Fund Board.
- Section 2. That the text of such chapter shall be as set forth in "Exhibit A" attached hereto and incorporated herein.
- Section 3. That the Clerk of Council and Mayor of the City of North Canton be, and are hereby, authorized to make such amendments as may be needed to the codified ordinances of the City of North Canton to accurately reflect this ordinance upon approval of such amended pages by a voice vote of Council.
- Section 4. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, it shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton; and; further necessary to ensure the timely completion of special elections necessary to form a board as described herein for the calendar year 2021, wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in full force upon its adoption by Council, together with the Mayor's approval. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

Attest: \_\_\_\_\_  
Benjamin R. Young, Clerk of Council

\_\_\_\_\_  
Stephan B. Wilder, Mayor

Signed on: \_\_\_\_\_

## **CHAPTER 151 – VOLUNTEER FIREFIGHTERS’ DEPENDENTS FUND BOARD**

### **SECTION 151.01 BOARD ESTABLISHED; PURPOSE**

Pursuant to the provisions of ORC 146.02(A) the City of North Canton does hereby establish the North Canton Volunteer Firefighters’ Dependents Fund Board for the administration of North Canton’s participation in the Ohio Volunteer Firefighters’ Dependents Fund.

### **SECTION 151.02 BOARD MEMBERS; VACANCIES**

(a) The Volunteer Firefighters’ Dependents Fund Board shall consist of five members elected annually for terms beginning January 1 in accordance with the following:

- (1) Two members elected by City Council (ORC 146.03(A)(1))
  - (A) The election of such members shall be held each year no earlier than the first day of November and no later than the second Monday in December. (ORC 146.04(B))
- (2) Two members elected by the employees of the North Canton Fire Department who shall be employees of the same. (ORC 146.03(A)(2))
  - (A) The election of such members shall be held each year on or before the second Monday in December in accordance with ORC 146.04(C). (ORC 146.04(C))
  - (B) The Secretary of the Volunteer Firefighters’ Dependents Fund Board shall give notice of such election by posting it in a conspicuous place at the headquarters of the North Canton Fire Department, and at the house of each company composing the North Canton Fire Department. (ORC 146.04(C)(1))
  - (C) Voting shall take place from nine a.m. to nine p.m. on the day of the election during which time each member of the North Canton Fire Department shall send in writing the names of two persons, who are members of the North Canton Fire Department, who are the member’s choices. (ORC 146.04(C)(1))
  - (D) All votes cast shall be counted and recorded by the Board which shall announce the result. The two persons receiving the highest number of votes are elected. If any two persons receive the same number of votes, the tie shall be broken by lot or in a manner agreed to by both persons for whom such tie vote was cast. (ORC 146.04(C)(2))
- (3) One member elected by the other four members of the Board who were elected pursuant to Sections (1) and (2) above, who shall be an elector of the City of North Canton, but who shall not be a public employee and who shall hold no other elected or appointed municipal office. (ORC 146.03(A)(3))
  - (A) The election of such member shall take place each year on or before December 31<sup>st</sup>. (ORC 146.04(B))

(b) Any vacancy occurring on the Volunteer Firefighters’ Dependents Fund Board shall be filled at a special election called by the Secretary of the Board. (ORC 146.03(C))

### **SECTION 151.03 BOARD OFFICERS; ORGANIZATION**

(a) The Board shall meet promptly after its election and elect from among its members a Chairperson and a Secretary.

(b) The Secretary shall keep a complete record of proceedings of the Board which record shall be maintained as a permanent file.

(c) The Board may adopt rules as it deems necessary for the handling and processing of claims and such other duties as are required by ORC Chapter 146.

(d) The Secretary of the Board shall immediately certify to the state fire marshal the names and addresses of the members elected, by whom elected, and the names of the Board Chairperson and Secretary. The Secretary shall also forward a certificate prepared by the clerk of

the City of the current assessed valuation of the City or fire district if the City is a member of the Ohio Volunteer Firefighters' Dependents Fund.

(ORC 146.05)

#### SECTION 151.04 LEGAL COUNSEL

The legal advisor for the Volunteer Firefighters' Dependents Fund Board shall be the Stark County Prosecutor. (ORC 146.06)

#### SECTION 151.05 MEETINGS; NOTICE

(a) The Board shall meet at a City-owned facility as necessary to conduct its business in accordance with this Chapter and ORC Chapter 146.

(b) The Secretary of the Board shall post notice of all such meetings in accordance with ORC Section 121.22.

#### SECTION 151.06 FILING OF CLAIMS

(a) Initial claims made under ORC Section 146.14 for benefits payable under ORC Section 146.12 for members of the North Canton Fire Department shall be filed with the Volunteer Firefighters' Dependents Fund Board in accordance with ORC Section 146.14.

(b) After such initial filing, claims may be transferred at the request of the claimant or the Board to another Volunteer Firefighters' Dependents Fund Board near the current residence of the claimant provided that the transfer is mutually agreed to by the Boards involved. (ORC 146.15)

#### SECTION 151.07 CERTIFYING CLAIMS FOR PAYMENT

(a) The Board shall meet within five days after receipt of a claim to consider the claim and, if satisfied with the validity of the claim, shall make a determination of the amount due and to become due and shall certify its determination to the state fire marshal for payment.

- (1) The certificate shall show the name and address of the Board, the name and address of each beneficiary of the claim, the amount to be received by or on behalf of each beneficiary, and the name and address of the person to whom the payments shall be made.
- (2) The board may make a continuing order for monthly payments to become due to a claimant for a period not exceeding three months from the date of the determination.
- (3) The determination may be modified after issuance to reflect any changes in eligibility of the claimant.
- (4) If no changes occur at the end of the three-month period, it is sufficient authority for the state fire marshal to provide for payment if the Board certifies to the state fire marshal that the original certificate is continued for an additional three-month period.

(ORC 146.16)

(b) If the Board, after consideration of a claim, finds that the claimant has no right to benefits or that the claim is without merit, it shall deny the claim and issue notice of such action by delivering to the claimant a copy of the order, or by leaving a copy at the claimant's place of residence, or by mailing to the claimant a copy thereof by registered mail. (ORC 146.17)