



City of North Canton, Ohio

Council Office
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North Canton, Ohio 44720-2587
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Committee of the Whole Meeting Agenda Monday, May 2, 2011 – 7:00 p.m.

North Canton City Council will meet as a Committee of the Whole **Monday, May 2, 2011 at 7:00 p.m.** in the Council Chamber at North Canton City Hall.

Items will be discussed as time allows; not necessarily in the order indicated.

1. Community & Economic Development Committee

Chairperson: Marcia Kiesling
Vice Chairman: Daniel Peters
Member: Jeff Davies

- a. Occupancy Grant Tax Credit for Project Omega
Marcia Kiesling

2. Water, Sewer & Rubbish Committee

Chairman: Jeff Davies
Vice Chairman: Pat DeOrio
Member: Jon Snyder

- a. Resolution re Fracking
Jeff Davies

3. Finance & Property Committee

Chairman: Jon Snyder
Vice Chairman: Jeff Davies
Member: Pat DeOrio

- a. Discussion – Refundable Occupancy Grant Tax Credit Program
Jon Snyder
- b. Discussion – City Hall Roof Replacement Project
Jon Snyder

Gail M. Kalpac
Clerk of Council



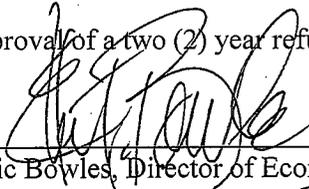
City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON, OHIO 44720-2587

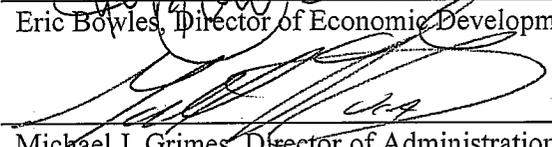
LEGISLATION REQUEST

To: Jon Snyder, President
North Canton City Council

Subject: Approval of a two (2) year refundable Occupancy Grant Tax Credit for Project Omega.

Requested by: 
Eric Bowles, Director of Economic Development

Date: April 27, 2011

Approved by: 
Michael J. Grimes, Director of Administration

Date: April 27, 2011

Background: The City of North Canton has been working with a Company for several months on Project Omega. Project Omega is a local company that has been looking in the region to expand their manufacturing operations. In an effort to attract the company to the City of North Canton the City has offered a **two year fifty percent (50%) refundable Occupancy Grant Tax Credit** as an incentive for the business to open their new manufacturing facility in the 200,000 sq. ft. building located at 334 Orchard Street in the Hoover District. The occupancy grant tax credit offers a credit of fifty-percent (50%) of the city income tax paid by new employees. The company would receive an annual credit against the businesses net profit tax. If the credit exceeds the tax owed by the company then the city would refund the difference up to the maximum credit. The Company has agreed to sign a five year lease with an additional five year option upon approval of the Occupancy Grant Tax Credit offered by the City.

Request: Approval of the two year refundable Occupancy Grant Tax Credit for Project Omega.

EMERGENCY REQUESTED: Yes X No _____

If Yes, Reason: Approval the Occupancy Grant Tax Credit for Project Omega as an emergency after two readings to meet the Company's timeline for build-out and ramp-up of operations at 334 Orchard Street Building.

RECEIVED

APR 28 2011

COUNCIL OFFICE
NORTH CANTON, OHIO

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a two year, fifty (50%) per cent, Refundable Occupancy Grant Tax Credit Program by and between the City of North Canton and Project Omega and declaring the same to be an emergency.

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

- Section 1. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a two year, fifty (50%) per cent, Refundable Occupancy Grant Tax Credit Program by and between the City of North Canton and Project Omega.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that 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 meet the Company's timeline for build-out and ramp-up of operations at their 334 Orchard Street Building location;; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, Ohio
Passed:

MAYOR

SIGNED: _____, 2011

ATTEST:

CLERK OF COUNCIL

Resolution

A Resolution by North Canton City Council encouraging the Ohio General Assembly and Governor's Administration to place a moratorium on the future use of horizontal hydraulic fracturing ("fracking") for the commercial extraction of natural gas until the safety of the process and related chemicals have been fully investigated and vetted through the Ohio and United States Environmental Protection agencies.

WHEREAS, North Canton City Council wishes to express their concern over fracking in Stark County and the State; and

WHEREAS, according to credible news sources and anecdotal evidence, fracking has allegedly resulted in the damage of nearby water well casings and the pollution of wells with toxic chemicals; and

WHEREAS, large mining apparatus with increased related traffic are necessary to fracking as in the transport, high-pressure use and collection of large amounts of toxic chemicals which also pose a risk of air, land and water pollution; and

WHEREAS, numerous political subdivisions, other state authorities and medical associations are calling for a moratorium on fracking in their respective areas to protect their ecosystems; and

WHEREAS, the City of North Canton and its residents rely on the City's water resources as a magnificent health and economic resource; and

WHEREAS, North Canton City Council is charged with protecting the health, safety and welfare of their residents via their police powers and constitutional home rule authority under Ohio law; and

WHEREAS, the City of North Canton authorities are conducting legal research and pursuing due diligence investigation into safeguarding their residents, lands, water transport and aquifers via future local legislation from the potential threats of fracking.

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

Section 1. That North Canton City Council encourages the Ohio General Assembly and Governor's Administration to place a moratorium on the future use of horizontal hydraulic fracturing ("fracking") for the commercial extraction of natural gas until the safety of the process and related chemicals have been fully investigated and vetted through the Ohio and United States Environmental Protection agencies.

Section 2. That North Canton City Council wishes to express their concerns over the adverse effects and possible irreversible damage to the City's water systems and supplies that pose a threat to the health, safety and welfare and that of future generations.

Section 3. That a copy of this Resolution shall be forwarded, via Certified Mail, to the Ohio Governor's Office, the Leadership of the Ohio House and Senate and the Senator and Representative serving the City of North Canton in the Ohio General Assembly as well as the Stark Council of Governments.

Respectfully submitted,

Jon Snyder, President

Doug Foltz, Vice President

Daniel Peters, Ward 2

Jeff Davies, Ward 3

Mark Cerreta, Council at Large

Pat DeOrio, Council at Large

Marcia Kiesling, Council at Large

***** PROPOSED *****

ARTICLE XXIV: SOUND PERFORMANCE STANDARDS

SECTION 2401. Policy Statement.

The Town of Dryden has a compelling interest in ensuring for its residents an environment free from excessive noise from industrial or commercial uses which may jeopardize their health or welfare or degrade the quality of life. The prohibitions of this article are intended to protect, preserve and promote the health, safety, welfare and quality of life for residents of the town through the reduction, control and prevention of such loud and unreasonable noise.

SECTION 2402. Applicability.

The requirements of this article shall apply to all uses in the MA zone, any Planned Unit Development District, any use for which a special permit and/or site plan review is required, any industrial or commercial use in any zone or district whether or not a permit from the town is or was required, and any industrial or commercial use for which a use variance has been granted by the Zoning Board of Appeals.

SECTION 2403. Definitions.

(A) Any words or phrases not defined in this Article or in the Definitions in Appendix A shall assume their common dictionary definition.

(B) As used in this Article, the following definitions shall apply:

(1) A-WEIGHTED SOUND LEVEL - The Sound Level, in decibels, reported as measured by a sound-level-measuring instrument having an A-weighting network which discriminates against the lower frequencies according to a relationship approximating the auditory sensitivity of the human ear. The level so read is designated "dBA."

(2) DECIBEL (dB) - The practical unit of measurement for sound pressure level. The number of "decibels" of a measured sound is equal to twenty (20) times the logarithm to the base 10 of the ratio of the sound pressure of the measured sound to the sound pressure of a standard sound [twenty (20) micropascals]; abbreviated "dB."

(3) COMMERCIAL USE - Any premises, property, or facility involving the purchase, sale, transfer or dealing in or with goods or furnishings of services, including but not limited to:

- a. Dining and/or drinking establishments;
- b. Banking and other financial institutions;
- c. Establishments for providing retail services;
- d. Establishments for providing wholesale services;
- e. Establishments for recreation and entertainment;
- f. Office buildings;
- g. Transportation;
- h. Warehouses;
- i. Hotels and/or motels.

(1)

(4) INDUSTRIAL USE - Any activity and its related premises, property, facilities, or equipment

involving the fabrication, manufacture, or production of durable or non-durable goods. ; or

(2) any activity and its related premises, property, facilities, or equipment involving the harvesting or extraction of any mineral, hydrocarbon, or vegetable matter from the earth. (track zoning mining language more closely).

(5) SOUND LEVEL - The sound pressure level measured in decibels with a sound-level meter set for A-weighting. "Sound level" is expressed in dBA.

(6) PROPERTY LINE - The imaginary line, including its vertical extension, that separates one parcel of real property from another.

(7) SOUND-LEVEL METER - An instrument for the measurement of noise and sound.

SECTION 2404. Prohibitions.

(1) No use of any property to which these prohibitions are applicable shall operate or produce any source of sound in such a manner as to create a Sound Level which exceeds the limits set forth for the land use category stated below when measured at the property line nearest the receiving land use.

Receiving Land Use Category	Time	Sound Level Limit (dBa)
Residential use	7:00 a.m. to 7:00 p.m.	65
	7:00 p.m. to 7:00 a.m.	55
Unique Natural areas	7:00 a.m. to 7:00 p.m.	60
	7:00 p.m. to 7:00 a.m.	50
All others	7:00 a.m. to 7:00 p.m.	68
	7:00 p.m. to 7:00 a.m.	58

- (2) For any source of sound which emits a pure tone, a discrete tone or impulsive sound, the maximum Sound Levels set forth above shall be reduced by five dBa.
- (3) Nothing contained herein shall restrict or limit the imposition of stricter noise standards by the town board in an appropriate situation in connection with any approval requiring environmental review of the proposed action under Environmental Conservation Law Article 8 and the regulations promulgated in 6 NYCRR Part 617.

SECTION 2405. Exceptions.

The Sound Levels herein prescribed shall not apply to noise emitted by or related to:

- (1) Natural phenomena.
- (2) Church bells rung as part of any official church ceremony or service, and tower clock bells ringing the hour.
- (3) Any siren, whistle or bell lawfully used by emergency vehicles or any other alarm systems used in any emergency situation, provided, however, that burglar alarms, including vehicle alarms, not terminated within thirty (30) minutes after being activated shall be unlawful.
- (4) Warning devices required by OSHA or other State or Federal regulations.
- (5) Lawful emergency maintenance or repairs.

- (6) Noise emanating from any agricultural activity, including silviculture activity.
- (7) The temporary use of property during construction of a facility.
- (8) Use of public or private school premises for any lawful activity.
- (9) Gun clubs.
- (10) Noise from recreational or personal use of internal combustion engines provided the same are operated within the parameters of the manufacturer's recommendations.

SECTION 2406. Measurement of Sound Levels.

- (1) The measurement of Sound Levels shall be made by any town code enforcement officer or his designee with a Sound Level Meter meeting the standards prescribed by the American National Standards Institute S1.4.
- (2) Except where otherwise prescribed, the slow meter response of the Sound Level Meter shall be used in order to determine that the average of three readings taken over a 15-minute period does not exceed the limiting sound levels set forth in this section.
- (3) Measurement of Sound Levels shall be made at the prescribed locations and shall be taken at

least four (4) feet from the ground.

(4) Compliance with Sound Level Limits is to be maintained at all elevations at the boundary of the property.

SECTION 2407. Enforcement.

This article shall be enforced by the Code Enforcement Officer or his designee and at all times by any peace or police officer.

SECTION 2408. Penalties.

Any violation of any of the provisions of this article shall be a violation pursuant to the Penal Law and shall be punishable by a fine of not more than two hundred fifty dollars (\$250) or imprisonment for not more than fifteen (15) days, or both. The continuation of an offense for each day [twenty-four (24) hours] shall be deemed a distinct and separate offense.

COMMITTEE

COLUMBUS CITY COUNCIL

I Certify Compliance with Title 39

INTRODUCED BY

As of (Date)

DATE OF FIRST READING

Ordinance No. 0544-03

Resolution No.

30 Day Emergency

Authorized Signature

CITY ATTORNEY: This ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

By: _____

Date: _____

FLOOR ACTION
(Clerk's Office Only)

AUDITOR'S CERTIFICATE
I hereby certify that there is in the treasury, or anticipated to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within ordinance.

Date: _____

No.: _____

Fd No. _____

Div.No. _____

Ch.: _____

By: _____

Amt: _____

City Auditor or Deputy Auditor

EXPLANATION OF LEGISLATION

City Attorney's Office

BACKGROUND:

This ordinance repeals existing Section 2329.11 of the Columbus City Code and enacts a new Section 2329.11. This legislation allows for the promotion of peace and quiet enjoyment of residential neighborhoods through the enactment of a per se loud sound violation. Furthermore, as existing Section 2329.11 has been held unconstitutional by a court of competent jurisdiction, an emergency exists in the usual daily operation of the Department of Law necessitating the enactment of this legislation in an expedited manner.

FISCAL IMPACT: None

Richard C. Pfeiffer, Jr.,
City Attorney

For Questions on this Legislation,
contact: Lara N Baker, Appellate
Director - 645-6361

Approved (Division Head)

Approved (Department Head)

TITLE (BRIEF DESCRIPTION)

To repeal existing Section 2329.11 of the Columbus City Codes, 1959, which regulates noise in the City of Columbus; to enact a new Section 2329.11 which includes a per se violation; and to declare an emergency.

MAYOR'S ACTION

COUNCIL ACTION

SIGNED

DATE

DATE PASSED/ADOPTED

PRESIDENT OF COUNCIL

WHEREAS, it is the objective of the City Of Columbus to promote the peace and quiet enjoyment of residential neighborhoods; **and**

WHEREAS, a court of competent jurisdiction has declared current Section 2329.11(C) to be unconstitutionally vague; said finding is currently pending appeal and the City is unable to enforce current Section 2329.11(C); **and**

WHEREAS, there are presently limited remedies available to the City of Columbus to promote these goals of peace and quiet enjoyment of residential neighborhoods; **and**

WHEREAS, proposed Section 2329.11 will allow for the immediate enforcement of noise violations in areas zoned residential using a clearly objective standard; **and**

WHEREAS, it is the objective of the City Of Columbus to provide the most efficient delivery of city services possible to its neighborhoods; **and**

WHEREAS, it is deemed necessary and advisable to undertake the aforementioned actions for the preservation of the public health, peace, property, safety and welfare;

WHEREAS, an emergency exists in the usual daily operation of the Department of Law in that it is immediately necessary to enact proposed 2329.11 of the Columbus City Code, 1959, and to repeal existing Section 2329.11; **Now, therefore**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

Section 1. That the Columbus City Code, 1959, is hereby supplemented through the enactment of new Section 2329.11 which shall read as follows:

2329.11 Community noise.

(A) Definitions. All definitions/terminology used in this chapter, not defined below, shall be in conformance with applicable standards of the American National Standards Institute (ANSI) or its successor body. For the purpose of this chapter certain words and phrases used herein are defined as follows:

(1) "Auditory Device" means any device that can be used to create a sound that can be heard.

(2) "Average sound level" means a sound level typical of the sound levels observed at a certain place during a given period of time averaged by the general rule of combination for sound levels, said general rule being set forth in ANSI specifications for sound level meters. Average sound level is also called equivalent continuous sound level.

(3) "Decibel" means a unit for measuring the intensity of a sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals. Decibel is denoted as "dB."

(4) "Device" means any system or machine devised or constructed to perform one or more tasks.

(5) "Emergency work" means any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency.

(6) "Health Commissioner" means the Health Commissioner of the City of Columbus or his authorized representative.

(7) "Musical Instrument" means any device designed to produce music.

(8) "Land use category" means those land uses defined and established by the Zoning Code and all subsequent changes and additions.

(9) "Loud or raucous noise" means any noise or sound that emanates in such manners and/or volume and is of such intensity, character and duration to be offensive or disturbing to a person of ordinary sensibilities.

(10) "Machine" means any system or device together with its power source and auxiliary equipment used to accomplish a specific objective.

(11) "Person" means any public corporation, private corporation, individual, firm, partnership, association, or other entity.

(12) "Property line" means the line along the ground surface, and its vertical extension, which separates the real property owned, rented, leased, or occupied by one or more persons from that owned, rented, leased or occupied by another person and the imaginary line which represents the legal limits of property of any person who owns, rents, leases, or otherwise occupies an apartment, condominium, hotel or motel room, or any other type of occupancy.

(13) "Property zoned residential" means any area zoned or utilized for residential purposes.

(14) "Safety Director" means the Director of the Department of Public Safety of the City of Columbus or authorized representative.

(15) "Sound amplification system" means any device used for the amplification of the human voice, music, or other sound and includes, but is not limited to, any radio, tape player, compact disc player or loud speaker.

(16) "Stationary sound source" means a machine or device capable of creating a noise level at the property upon which it is regularly located, including, but not limited to standing motor vehicles, industrial and commercial process machinery and equipment, pumps, fans, air-conditioning apparatus or refrigeration machines.

(17) "Warning device" means any device, which signals an unsafe or potentially dangerous situation.

(B) Sound levels for land use districts.

(1) The maximum allowable hourly average sound level, emitted from any stationary sound source, auditory device, or sound amplification system shall not exceed the limits set forth in Table I for the respective categories of receiving land use. The actual sound level shall be determined during any measurement period, which shall not be less than sixty (60) consecutive minutes, and shall be measured at the property boundary affected by the sound.

TABLE I

Receiving Land Use Category	Time		1 hr. Average Sound Level (dBA)
Institutional	10 p.m.	7 a.m.	60
	7 a.m.	10 p.m.	65
Residential. (all categories)	10 p.m.	7 a.m.	60
	7 a.m.	10 p.m.	65
Commercial	10 p.m.	7 a.m.	70
	7 a.m.	10 p.m.	75
Manufacturing	Anytime		80

(2) New Structures and Development. Prior to the approval of a zoning change, the noise impact of the zoning change may be reviewed by the Director of the Department or his designee, identifying existing and projected noise sources and their associated sound level. Such review shall include, but is not limited to, air transportation and land transportation noise sources as well as stationary noise sources. Adequate control measures may be recommended to mitigate the impact of those identified noise sources to effect compliance with this code.

(C) Prohibited sounds:

(1) No person shall make or allow to be made any unreasonably loud and/or raucous noise in such a manner or at such a volume as to disturb the quiet, comfort, or repose of a person of ordinary sensibilities. Strict liability is intended to be imposed for this section.

(2) In addition to the prohibition set out in (C)(1), the following specific acts are declared to be in violation of this ordinance:

(a) No person shall operate or permit the operation of any sound amplification system, auditory device, or stationary sound source from real property that is zoned residential in a manner as to be heard at a distance of 50 feet beyond the property line of the property from which the sound emanates. Strict liability is intended to be imposed for this section.

(b) Where there are two or more residential units contained within one structure within a property zoned residential, no person shall operate or permit the operation of any sound amplification system, auditory device, or stationary sound source in a manner as to be heard within said structure at a distance of 25 feet beyond the property line of the residential unit from which the sound emanates. Strict liability is intended to be imposed for this section.

(c) Where there are adjoining properties that are zoned residential, each of which has a residential unit, and where the residential units are located within 50 feet of one another, no person shall operate or permit the operation of any sound amplification system, auditory device, or stationary sound source in a manner as to be heard at a distance of 25 feet onto the adjoining residential property. Strict liability is intended to be imposed for this section.

(D) Special provisions (exemptions).

(1) The provisions of Section 2329.11 shall not apply to the following:

- (a) The emission of sound for the purpose of alerting persons to the existence of an emergency, or the emission of sound in the performance of emergency work.
- (b) Warning devices necessary for the protection of public safety.
- (c) Outdoor gatherings, public dances, shows, and sporting and entertainment events, provided these events are conducted pursuant to a permit or license issued by the Section of Licensing. Public works projects as authorized by the State and/or other political subdivisions.
- (d) The emission of sound from property zoned residential that is periodically generated by activities required to maintain the property in compliance with housing, building, zoning, fire, safety, health or sanitation codes and which occurs between the hours of 7 a.m. to 10 p.m.

(E) Inspection.

(1) The appropriate authority may inspect upon consent, at any reasonable time and in a reasonable manner, any device or mechanism, which creates any disturbing noise, including but not limited to the premises where such device or mechanism is used.

(2) If entry to the premises is denied or refused, the appropriate authority shall obtain an inspection warrant from a court of competent jurisdiction.

(F) Variance Procedure

(1) Any person who violates any provision of Section 2329.11 (B)(1) and (2) not covered by permit or license, may file an application with the Columbus Board of Health for a variance.

The Board of Health may grant a variance in a specific case and from a specific provision of any regulation, order or notice subject to appropriate conditions and provided the Board makes specific findings of fact based on evidence relating to the following:

- (a) That there are practical difficulties or unnecessary hardships in carrying out the strict letter of any regulation, order or notice; and
- (b) That the effect of the application of the provisions would be arbitrary in the specific case; and
- (c) That an extension would not constitute an appropriate remedy for these practical difficulties or unnecessary hardships and this arbitrary effect; and
- (d) That such variance is in harmony with the general purpose and intent of the Board in securing the public health, safety and general welfare.

The application shall be accompanied by a fee in the amount of one hundred dollars (\$100). A separate application shall be filed for each noise source; however, several mobile sources under common ownership, or several fixed sources on a single property may be combined into one application. Upon receipt of said application and fee, the Board will render a decision within 30 calendar days.

(2) Any person who violates any provision of Section 2329.11 other than those specified in 2329.11(F)(1) which is not covered by permit or license may file an application with the Director of Public Safety for a variance. The applicant shall set forth all actions taken to comply with said provision, the reasons why compliance cannot be achieved, the proposed method for achieving compliance, and the proposed time schedule for its accomplishment.

The application shall be accompanied by a fee in the amount of one hundred dollars (\$100). A separate application shall be filed for each noise source; however, several mobile sources under common ownership, or several fixed sources on a single property may be combined into one application. Upon receipt of said application and fee, the Safety Director will render a decision within 30 calendar days.

(G) Issuance of orders.

(1) The Health Commissioner, Safety Director or their designee may issue orders requiring the abatement of all violations of this chapter and the correction of any condition, which may result in a violation of this chapter. Failure to act upon such order within the time limit set forth therein or within the time extension granted by the Commissioner, Director or their designee, may result in revocation of any existing permit issued under this chapter.

(H) Severability. If any provision of this chapter is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.

(I) Penalty.

(1) Whoever violates division (C)(1) of this section is guilty of Unreasonably Loud and/or Raucous Noise. Except as otherwise provided in this division, Unreasonably Loud and/or Raucous Noise is a minor misdemeanor. If the offender persists in making or allowing to be made Unreasonably Loud and/or Raucous Noise after reasonable warning or request to desist within a twelve (12) hour period, Unreasonably Loud and/or Raucous Noise is a misdemeanor of the fourth degree.

(2) Whoever violates division (C)(2) of this section is guilty of Prohibited Sound. Except as otherwise provided in this division, Prohibited Sound is a minor misdemeanor. If the offender persists in operating or permitting the operation of a sound amplification system, auditory device, or stationary sound source in violation of the prohibitions contained in division (C)(2) after reasonable warning or request to desist within a twelve (12) hour period, Prohibited Sound is a misdemeanor of the fourth degree.

(3) If the offender has previously been convicted of a violation of C.C.C. section 2329.11, a violation of this section is a misdemeanor of the fourth degree.

Section 2. That existing Section 2329.11 of the Columbus City Codes, 1959, be repealed.

Section 3. That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.



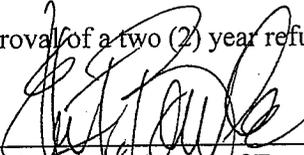
City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON, OHIO 44720-2587

LEGISLATION REQUEST

To: Jon Snyder, President
North Canton City Council

Subject: Approval of a two (2) year refundable Occupancy Grant Tax Credit for Project Omega.

Requested by: 
Eric Bowles, Director of Economic Development

Date: April 27, 2011

Approved by: 
Michael J. Grimes, Director of Administration

Date: April 27, 2011

Background: The City of North Canton has been working with a Company for several months on Project Omega. Project Omega is a local company that has been looking in the region to expand their manufacturing operations. In an effort to attract the company to the City of North Canton the City has offered a **two year fifty percent (50%) refundable Occupancy Grant Tax Credit** as an incentive for the business to open their new manufacturing facility in the 200,000 sq. ft. building located at 334 Orchard Street in the Hoover District. The occupancy grant tax credit offers a credit of fifty-percent (50%) of the city income tax paid by new employees. The company would receive an annual credit against the businesses net profit tax. If the credit exceeds the tax owed by the company then the city would refund the difference up to the maximum credit. The Company has agreed to sign a five year lease with an additional five year option upon approval of the Occupancy Grant Tax Credit offered by the City.

Request: Approval of the two year refundable Occupancy Grant Tax Credit for Project Omega.

EMERGENCY REQUESTED: Yes X No _____

If Yes, Reason: Approval the Occupancy Grant Tax Credit for Project Omega as an emergency after two readings to meet the Company's timeline for build-out and ramp-up of operations at 334 Orchard Street Building.

RECEIVED

APR 28 2011

COUNCIL OFFICE
NORTH CANTON, OHIO



City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587
ENGINEERING DEPARTMENT
JIM BENEKOS P.E., P.S.

MEMO

April 26, 2011

TO: North Canton City Council Members

RE: City Hall Roof Replacement Project - Discussion Item
Ordinance No. 40-11

Preparing the bid for the City Hall Roof Replacement Project has drawn attention to the exterior concrete surface of the roof. It is stained and needs attention. I am currently working with the architect of City Hall, Ken Dansizen, to determine the best, most cost-effective solution to improve the appearance. Preliminary discussions and estimates indicate the cost could be \$30,000 to \$35,000.

If Council is in agreement to address this item, we will include it in the City Hall Roof project. If the total bid exceeds the \$185,000 allocated in Ordinance No. 40-11, we can amend the ordinance at that time.

A handwritten signature in black ink, appearing to be "JB" or "Jim", written in a cursive style.

c: Mayor
Administrator
Bernhard/file

RECEIVED

APR 26 2011

COUNCIL OFFICE
NORTH CANTON, OHIO