



# City of North Canton, Ohio

Council Office  
145 North Main Street  
North Canton, Ohio 44720-2587  
330.499.3986 • 330.499.2960 Fax

*www.northcantonohio.com*  
*email: citycouncil@northcantonohio.com*

## NOTICE OF MEETINGS

Mr. Daniel Peters, Chairman of the Personnel & Safety Committee of North Canton City Council, has requested a meeting of said Committee Members, Council, Mayor, Director of Administration, Director of Law and Director of Finance **Monday, January 3, 2011 at 6:30 p.m.** in the Council Chambers at North Canton City Hall.

The meeting will be called to order and then moved into **executive session** for the purpose of discussing personnel matters pertaining to dismissal, demotion or compensation of a public employee. The executive session **will not be** open to the public.

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### Committee of the Whole Meeting Monday, January 3, 2011 – 7:00 p.m.

North Canton City Council will meet as a Committee of the Whole **Monday, January 3, 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. Ordinance, Rules & Claims Committee

Chairman: Daryl Revoldt  
Vice Chairman: Doug Foltz  
Member: Marcia Kiesling

- a. Amendment Chapter 907 Street Excavations, 907.03 Deposit Required  
Daryl Revoldt
- b. Amendment Chapter 935 Water Lines; 935.08 Nonresidents Use of Water or Sanitary Sewer Service Agreement  
Daryl Revoldt
- c. Amendment Chapter 937 Water Rates; 937.04 Water Turn on Charge  
Daryl Revoldt

- d. Amendment Chapter 1171 Administrative Powers & Duties; Section 1171.06  
Schedule of Fees  
Daryl Revoldt
- e. Amendment Chapter 1701 Minimum Housing Code; Section 1701.05(f)  
Changes, New Certificates & Fees  
Daryl Revoldt

2. Park & Recreation Committee

Chairman: Doug Foltz  
Vice Chairman: Daryl Revoldt  
Member: Daniel Peters

- a. Proposed Reduced Civic Center Rental Rates re North Canton City School  
Fund Raising Events for January, February and March  
Doug Foltz
- b. Proposed Civic Center Rental Rate Increase  
Doug Foltz

3. Water, Sewer & Rubbish

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

- a. Frank/Applegrove Waterline Project - 2011  
Jeff Davies
- b. Stratavon Waterline Project – 2011  
Jeff Davies

4. Finance & Property Committee

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

- a. Mayor's Court Receipts – November, 2010  
Jon Snyder

**Committee of the Whole  
Meeting Agenda**

**January 3, 2011  
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- b. Mayor's Court Receipts – December, 2010  
Jon Snyder
- c. Justice Assistance Grant  
Jon Snyder
- d. Renewal of Public Defender Contract  
Jon Snyder

Gail M. Kalpac  
Clerk of Council

12/30/10-gmk

c: Council, Director of Law  
Mayor, D/Administration  
D/Finance, Police Chief  
Fire/EMS Chief, Press



## CITY OF NORTH CANTON, OHIO

145 NORTH MAIN STREET  
NORTH CANTON, OHIO 44720-2587  
PERMITS & INSPECTION  
330-499-5557

December 29, 2010

To: Daryl Revoldt  
President of Council

From: R. Thomas Hampton  
Superintendent of Permits & Inspection

Re: Legislative Requests  
Ordinance Amendments Reflecting Increase of Fees

The following are ordinances that need legislative action for fee increases. Please place them on the January 3, 2011 Committee of the Whole agenda for consideration.

- Amendment Chapter 907 Street Excavations, 907.03 Deposit Required
- Amendment Chapter 935 Water Lines; 935.08 Nonresidents Use of Water or Sanitary Sewer Service Agreement
- Amendment Chapter 937 Water Rates; 937.04 Water Turn on Charge
- Amendment Chapter 1171 Administrative Powers & Duties; Section 1171.06 Schedule of Fees
- Amendment Chapter 1701 Minimum Housing Code; Section 1701.05(f) Changes, New Certificates & Fees

Thank you.

RTH:gmk

An ordinance amendment Chapter 907 Street Excavations, specifically 907.03 DEPOSIT REQUIRED, of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith.

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

Section 1. That Chapter 907 Street Excavations, specifically 907.03 DEPOSIT REQUIRED, of the Codified Ordinances of the City of North Canton, be and the same is hereby amended to read as follows:

**“907.03 DEPOSIT REQUIRED**

- (a) All persons, firms or corporations, except franchised utility companies and the City of North Canton, upon obtaining a street opening permit wherein cuts will be made in pavements, or sidewalks, shall make the following cash deposits which will insure the replacement of permanent pavement and sidewalks in the manner described in this chapter. No opening of streets shall be permitted until a street opening permit is obtained from the Superintendent of Permits and Inspection.
- (1) Brick pavements, concrete pavements and blacktop streets; two hundred dollars (\$200.00) per cut in pavement where it does not exceed two square yards and fifty dollars (\$50.00) per square yard for all over two square yards.
  - (2) Sidewalks: seventy-five dollars (\$75.00) per cut in sidewalk where it does not exceed one square yard and ten dollars (\$10.00) for each square foot for all over one square yard.
  - (3) Curb or curb and gutter: seventy-five (\$75.00) where it does not exceed two linear feet and twenty dollars (\$20.00) for each additional foot.
  - (4) Surface treated macadam or other flexible pavements: fifty dollars (\$50.00) per square yard for all over two square yards.
- (b) If these openings are not taken care of within twenty-four (24) hours after being notified by the Division of Permits and Inspection, all deposits shall be forfeited to the City and the work completed by the Service Department. The forfeiture of a deposit shall not prejudice the City from pursuing any additional cost to the City.
- (c) Cash deposits shall be held for ninety (90) days after final inspection to insure quality of work.

North Canton, OH  
Passed:

An ordinance amending Chapter 935 Water Lines and Hydrants, specifically 935.08 NONRESIDENT'S USE OF WATER OR SANITARY SEWER SERVICE; AGREEMENT of the Codified Ordinance of the City of North Canton, and repealing any and all legislation inconsistent herewith.

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

Section 1. That Chapter 935 Water Lines and Hydrants, specifically 935.08 NONRESIDENT'S USE OF WATER OR SANITARY SEWER SERVICE; AGREEMENT of the Codified Ordinance of the City of North Canton, be, and the same is hereby amended to read as follows:

**“SECTION 935.08 NONRESIDENT'S USE OF WATER OR SANITARY SEWER SERVICE; AGREEMENT.**

- (a) The Superintendent of Permits and Inspection shall refuse permission to any nonresident of the City who wishes to use the water or sewer service of the City and will not sign the standard agreement with the City to abide by the conditions of the agreement.
- (b) The agreement to be signed with the City of North Canton by nonresidents as it applies to connection to the North Canton Water System be amended to provide that the nonresident agree upon request by the City of North Canton to annex the nonresident's property to the City of North Canton as irrevocable attorney in fact to sign an annexation petition upon behalf of the nonresident; and that the nonresident sign a document in recordable form making these provisions a covenant running with the land enforceable against the successors and assigns of the nonresident.
- (c) Any nonresident presently receiving water service from the City shall, upon notice from the City, immediately comply with the provisions in the nonresident agreement. Failure to comply with said agreement may result in the water service being terminated sixty (60) days from the date of the notice.
- (d) Any nonresident who refuses annexation to the City when requested by City shall be barred from connecting to City's water service.
- (e) That there shall be a charge of seventy-five (\$75.00) dollars Recorder's fee for all nonresident agreements.

An ordinance amending Chapter 937 Water Rates, specifically 937.04 WATER TURN ON CHARGE of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith.

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

Section 1. That Chapter 937 Water Rates, specifically 937.04 WATER TURN ON CHARGE of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

**"SECTION 937.04 WATER TURN ON CHARGE**

Whenever water service has been turned off, there shall be a charge of fifty (\$50.00) dollars to be paid before water service will be turned on during the standard working day.

Whenever water service has been turned off, there shall be a charge of seventy-five (\$75.00) dollars to be paid before water service will be turned on whenever it is not the standard working day.

DRAFT

An ordinance amending Chapter 1171 Administrative Powers and Duties, specifically Section 1171.06 SCHEDULE OF FEES, of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith.

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

Section 1. That a schedule of fees pursuant to Chapter 1171 Administrative Powers and Duties, specifically Section 1171.06 SCHEDULE OF FEES, of the Codified Ordinances of the City of North Canton, and for permit fees, mechanical heating and cooling permit fees, plumbing permit fees and electrical permit fees pursuant to the One, Two and Three Family Dwelling and Building Code, be, and the same are hereby established as follows:

**"SECTION 1171.06 SCHEDULE OF FEES**

**a. BUILDING PERMIT FEES**

New, additions, alterations and accessory buildings more than 200 square feet	\$ 75.00 + \$.10 per sq. ft.
Miscellaneous, including roof, siding, patio and deck	\$ 75.00 per inspection

**b. ELECTRICAL PERMIT FEES**

New, temporary, additions, and alterations	\$ 75.00 + \$.08 per sq. ft.
New or replacement service	\$ 75.00
Signs	\$ 75.00
Low voltage system	\$ 50.00 + \$2.00 per 100 sq. ft.
Spa, pool	\$ 75.00

**c. PLUMBING PERMIT FEES**

New, additions and alterations	\$ 75.00 + \$.08 per sq. ft.
Water service	\$ 75.00
Fire Suppression System	\$ 75.00 + \$.08 per sq. ft.
Replacement water heater + permit	\$ 75.00
Backflow / isolation / containment	\$ 75.00 per device

**d. HVAC**

New, additions and alterations	\$ 75.00 + \$.08 per sq. ft.
Replacement heating device + permit	\$ 75.00
Solid fuel device (Wood/coal burner/auxiliary heat source)	\$125.00
Hood system	\$ 75.00 + \$100 plan review
Hood suppression system	\$ 75.00 + \$100 plan review

**e. INSPECTIONS**

Re-inspections & additional inspections	\$ 75.00 per inspection
After hours and/or weekends	Overtime rate for Inspector
Permits issued after work is started	Twice the original fee
Sewer inspections	\$500.00 per inspection + County Sewer Charges

f. Certificate of Occupancy	\$ 50.00
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**PLAN REVIEW**

Commercial	Processing	Plan Exam Fee
Building	\$200.00	\$4.50 per 100 sq. ft.
HVAC	\$200.00	\$2.50 per 100 sq. ft.
Electrical	\$200.00	\$2.50 per 100 sq. ft.
Fire Alarm	\$200.00	\$3.00 per device
Plumbing	\$200.00	\$2.50 per 100 sq. ft.
Suppression	\$200.00	\$2.50 per 100 sq. ft.
Industrialized units	\$200.00	\$1.50 per 100 sq. ft.

Residential (applies to 1-2-3 Family Dwellings & Accessory Structures)  
Per submittal \$100.00

**STATE OF OHIO BOARD OF BUILDING STANDARDS ASSESSMENT**

Commercial permits and plan review add three (3%) percent  
Residential permits and plan review add one (1%) percent

**MISCELLANEOUS**

Square footage calculations are based on aggregate area of each floor, including basement and attached garages.

**PLANNING AND ZONING APPLICATION FEES**

Certificate of Occupancy	\$ 50.00
1,2,3 Family – Residential (per dwelling unit)	\$100.00 +\$.05 per sq. ft.
Residential – Addition	\$ 75.00
Residential / Accessory Bldg / Structure	\$ 50.00 +\$.05 per sq. ft.
Multi-family Residential (per dwelling unit)	\$100.00
Commercial / Industrial (new or addition)	\$125.00
Commercial/Industrial/Accessory Bldg/Structure	\$100.00
Business Parking Lot	\$ 75.00
Conditional Use	\$ 75.00
Zoning amendment	\$100.00
Appeal / Variance	\$ 75.00
Similar Use	\$100.00
Substitution of Non-Conforming Use	\$100.00
General Development Plan	\$150.00
Final Development Plan	\$150.00
Subdivision Preliminary	\$150.00
Subdivision Final	\$150.00
Zoning Map (small)	\$ 5.00
Zoning Map (large)	\$ 15.00
Zoning Ordinance	\$ 30.00
Temporary Zoning Permit	\$ 75.00
Temporary Sign Permit	\$ 50.00
Sign (per sign) & Building Permit if required	\$100.00
Home Occupancy	\$ 75.00
Driveway/sidewalk/fence, small storage shed, swimming Pool, etc.	\$ 75.00"

- Section 2. That any and all legislation inconsistent herewith, be, and the same is hereby repealed.
- Section 3. 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 4. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

An ordinance amending Chapter 1701 Minimum Housing Code, specifically Section 1701.05(f) CHANGES, NEW CERTIFICATES AND FEES. of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith.

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

Section 1. That Chapter 1701 Minimum Housing Code, specifically Section 1701.05(f) CHANGES, NEW CERTIFICATES AND FEES. of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read:

**“SECTION 1701.05(f) CHANGES, NEW CERTIFICATES AND FEES.**

(1) In the event there is a change in the resident agent or nonresident agent as shown by the certificate of occupancy, the owner shall notify the Superintendent of Permits and Inspection in writing within thirty (30) days of each change, giving the name and address of the new resident agent or nonresident agent. Failure to so notify the Superintendent of Permits and Inspection within the specified time shall constitute a violation of this Housing Code.

(2) In the event there is a change in the ownership of record, the certificate of occupancy issued under the provision of this Housing Code to the former owner shall become null and void within thirty (30) days of the recorded date of such change of ownership and a new certificate of occupancy must be obtained by the new owner. Application for such new certificate of occupancy shall be made not more than thirty (30) days after such change in ownership has occurred on forms supplied by the Superintendent of Permits and Inspection.

(3) Any change in the nature or extent of the use or occupancy as specified on the certificate of occupancy shall render the certificate of occupancy null and void upon the happening of such change. No such change is permissible under this Housing Code unless such change has been approved by the proper City authorities pursuant to this Housing Code, and unless a new certificate of occupancy incorporating such change has been issued.

Any such change with the approval of the proper City authorities shall subject the owner, operator or agent to the penalties provided in this Housing Code. If a change involves the addition of any dwelling units to the number of dwelling units previously authorized an addition fee of Fifty (\$50.00) Dollars shall be charged for each additional dwelling and Fifty (\$50.00) Dollars per occupancy for all buildings.

Section 2. That any and all legislation inconsistent herewith, be, and the same is hereby repealed.



**City of NORTH CANTON, OHIO**  
**845 WEST MAPLE STREET**  
**NORTH CANTON, OHIO**  
**RECREATION DEPT.**  
**PH 330-499-2052      FAX 330-966-3629**

**RECEIVED**  
NOV 17 2010  
ADMINISTRATION  
NORTH CANTON, OHIO

To: Jim Benekos – Administrator

November 17, 2010

From: Thomas P. Chufar – Superintendent of Utilities, Services and Recreation

Re: Civic Center Rates

Jim,

Would you please place on the agenda for Dec. 6, 2010 the rate proposal for increasing Fri and Sun to \$800.00 each, it would be appreciated. Also this past June a request was made to have a rate reduction for the North Canton City Schools and Associated Booster Clubs. This reduced rate will enable the Booster Clubs to have events and maximize their fund raising for the students of North Canton City Schools. Please place these on as EMERGENCY.

Proposal #1. Rate for actual cost- Cleaning \$160.00, Security \$160.00, Alcohol or Liquor Permit \$40.00 or \$250.00. All week. Total \$ 360.00 A Total \$ 570.00 L

Proposal #2. Rate @1/3 cost of day for rental plus cleaning, security and Alcohol or Liquor Permit

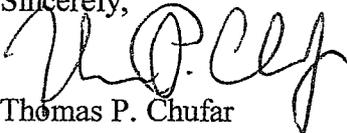
M-Thur.	Total \$ 467.25 A	Total \$ 677.25 L
Fri. & Sun	Total \$ 560.00 A \$624 A	Total \$ 770.00 L \$834 L
Sat.	Total \$ 760.00 A	Total \$ 970.00 L

Proposal #3. 1/2 Rate no Cleaning Cost, Actual Security Cost \$ 300.00 and Alcohol or Liquor Permit.

M-Thur.	Total \$ 502.50 A	Total \$ 712.50 L
Fri. & Sun	Total \$ 640.00 A \$740 A	Total \$ 850.00 L \$950 L
Sat.	Total \$ 940.00 A	Total \$ 1,150.00 L

Red reflects proposed rate increase adjustment.  
Renters are still liable for the \$400.00 damage deposit

Sincerely,

  
Thomas P. Chufar

**RECORD OF ORDINANCES**

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 108-10

Passed \_\_\_\_\_, 20\_\_\_\_

12/7/10-gmk  
(Park & Recreation)

## Ordinance No. 108-10

An ordinance amending Ordinance No. 118-08 establishing rental rates and policies for rental of the North Canton Civic Center, specifically Section 1. pertaining to Friday and Sunday rentals, repealing any and all legislation passed previously and inconsistent with this ordinance 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 Ordinance No. 118-08 establishing rental rates and policies for rental of the North Canton Civic Center, specifically Section 1. pertaining to Friday and Sunday rentals, be, and the same is hereby amended to read:

"That there be, and are hereby established the following rates for the rental of the North Canton Civic Center:

	Events Hall	Mack Room	Both Rooms
<b>Friday</b>	<b>\$ 800.00</b>	<b>\$ 250.00</b>	<b>\$ 850.00</b>
Saturday	1,200.00	300.00	1,400.00
<b>Sunday</b>	<b>800.00</b>	<b>200.00</b>	<b>850.00</b>
Weekdays	325.00	160.00	450.00
Holiday Weekdays	1,200.00	300.00	1,400.00
Weekdays AM*	225.00	100.00	300.00

**Smaller Rooms**

Day	\$ 75.00
Weekday AM*	50.00

\*That the weekday morning rate shall apply to rentals that vacate the premises by 12:00 noon.

Section 2. That there be, and are hereby established the following discount rates for rental of the third day, of the North Canton Civic Center:

	Events Hall	Mack Room	Both Rooms
Friday	\$ 500.00	\$ 150.00	\$ 650.00
Saturday	1,000.00	250.00	1,250.00
Sunday	500.00	150.00	650.00
Weekdays	275.00	125.00	400.00
Weekdays AM	200.00	75.00	275.00

Said rates shall be applicable after rental of two days at the regular rate.

Section 3. That there be, and are hereby established the following discount rates for rental of the fourth day, of the North Canton Civic Center:

	Events Hall	Mack Room	Both Rooms
Friday	\$ 450.00	\$ 200.00	\$ 625.00
Saturday	600.00	250.00	725.00
Sunday	400.00	150.00	475.00
Weekdays	250.00	125.00	300.00
Weekdays AM	150.00	50.00	175.00

Said rates shall be applicable after rental of two days at the regular rate and the third day at the discount rate listed above.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 108-10

Passed \_\_\_\_\_, 20\_\_\_\_

Section 4. That there be, and is hereby established the following damage security deposit rates for the Civic Center.

Events Hall	\$ 400.00
Mack Room	200.00

The rate schedule for the damage security deposit is not the maximum amount for which the renter shall be held responsible.

Section 5. That at any event where alcoholic beverages are to be provided, the renter shall be obligated to pay an additional amount of \$300.00 to the City of North Canton which amount shall be applied to the cost of providing security services.

Section 6. That there be and is hereby established a contract rate of ten (10%) percent discount for five up to nine weekly reservations, excluding Friday night and Saturday, in a twelve month period.

That there be and is hereby established a contract rate of twenty-five (25%) percent discount for ten or more weekly reservations, excluding Friday night and Saturday, in a twelve month period.

Said discount shall be applicable to reservations made prior to the effective date of this ordinance but to be used in part subsequent to the effective date of this ordinance."

Section 7. That there be and is hereby established the following refund policy for cancellation of a reservation for the North Canton Civic Center. All reservations will be accompanied by one-half of the applicable rental fee; the balance due to be paid 120 days prior to the reservation date.

Cancellation 120 days prior to reservation	Full Refund
Cancellation 90 to 120 days prior to reservation	Fifty (50%) Percent Refund
Cancellation less than 90 days	No Refund

Section 8. That there be and is hereby established a procedure whereby governmental and school entities shall have the option of renting the North Canton Civic Center by a purchase order.

Section 9. That the Mayor, be, and is hereby authorized to establish a policy for the purpose of security at the North Canton Civic Center.

Section 10. That games of chance shall be permitted at the Civic Center if the renter complies with Ohio State Law.

Section 11. That any and all legislation passed previously and inconsistent with this ordinance, be, and the same are hereby repealed."

Section 12. 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.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 108-10

Passed \_\_\_\_\_, 20\_\_\_\_

Section 13. 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 for the timely implementation of the rental rates; 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, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2010

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL

g:\legislation 2010\108-10 civic center rate increase.docx



# City of North Canton, Ohio

Council Office  
145 North Main Street  
North Canton, Ohio 44720-2587  
330.499.3986 - 330.499.2960 Fax

[www.northcantonohio.com](http://www.northcantonohio.com)

email: [citycouncil@northcantonohio.com](mailto:citycouncil@northcantonohio.com)

## **PARK & RECREATION COMMITTEE MINUTES**

The Park & Recreation Committee of North Canton City Council met as part of the Committee of the Whole Monday, December 6, 2010 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairperson Foltz, Vice Chairman Revoldt and Member Peters, Council Members Davies, DeOrio, Kiesling and Snyder. Also present were: Mayor Held, Director of Administration/Engineer Benekos, Director of Law Nilges, Director of Finance Loretto, Director of Economic Development Bowles, and Superintendent of Permits & Inspection Hampton.

### Items discussed:

- a. Proposed Civic Center Rental Rate Increases: The Committee authorized legislation amending Ordinance No. 118-08 establishing rental rates and policies for rental of the North Canton Civic Center, specifically Section 1. pertaining to Friday and Sunday rentals and repealing any and all legislation passed previously and inconsistent with this ordinance.

Legislation to contain an emergency clause.

- b. Proposed Reduced Civic Center Rental Rates re North Canton City School Fund Raising Events for January, February and March: Item was discussed and will be placed on the January 3, 2011 agenda for further consideration.

Respectfully submitted,

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Doug Foltz, Chairperson

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Daryl Revoldt, Vice Chairman

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Daniel Peters, Member

12/9/10-gmk



# City of NORTH CANTON, OHIO

145 NORTH MAIN STREET  
NORTH CANTON OHIO 44720-2587

## LEGISLATION REQUEST

December 22, 2010

To: **Daryl Revoldt, President**  
*City Council*

Subject: **Frank/Applegrove Waterline Project - 2011**

Requested By: James Benekos, City Engineer

Approved By:   
Director of Administration/City Engineer

Date: 12/23/2010

An ordinance authorizing the Director of Administration to advertise and receive bids and authorizing the Mayor, through the Board of Control, to enter into a contract for the **Frank/Applegrove Waterline Project**.

Funds have been allocated as follows: 651.767.5503 \$600,000

**RECEIVED**

**DEC 22 2010**

**COUNCIL OFFICE  
NORTH CANTON, OHIO**

EMERGENCY REQUESTED: Yes X No

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Frank Road/Applegrove Waterline Project - 2011, at a cost not to exceed \$600,000, 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 Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids, according to specifications now on file in the office of the Director of Administration for the Frank Road/Applegrove Waterline Project - 2011.

Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a contract for the Frank Road/Applegrove Waterline Project - 2011, at a cost not to exceed \$600,000,

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriation:

651	WATER EXP., REPL. & IMPROVEMENT FUND	
651.767.5503	Facilities – Outside Waterlines	\$600,000

upon receipt of vouchers duly approved by the proper departmental authority.

Section 4. 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 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 for the timely completion of the Frank Road/Applegrove Waterline Project - 2011; 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.



# City of NORTH CANTON, OHIO

145 NORTH MAIN STREET  
NORTH CANTON OHIO 44720-2587

## LEGISLATION REQUEST

December 22, 2010

To: **Daryl Revoldt, President**  
*City Council*

Subject: **Stratavon Waterline Project - 2011**

Requested By: James Benekos, City Engineer

Approved By:   
Director of Administration/City Engineer

Date: 12/23/2010

An ordinance authorizing the Director of Administration to advertise and receive bids and authorizing the Mayor, through the Board of Control, to enter into a contract for the **Stratavon Waterline Project**.

Funds have been allocated as follows: 651.767.5502 \$100,000

**RECEIVED**

**DEC 22 2010**

**COUNCIL OFFICE  
NORTH CANTON, OHIO**

EMERGENCY REQUESTED: Yes X No \_\_\_\_\_

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids; and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the Stratavon Waterline Project - 2011, at a cost not to exceed \$100,000, 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 Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids, according to specifications now on file in the office of the Director of Administration for the Stratavon Waterline Project - 2011.

Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a contract for the Stratavon Waterline Project - 2011, at a cost not to exceed \$100,000,

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriation:

651	WATER EXP., REPL. & IMPROVEMENT FUND	
651.767.5502	Facilities – Inside Waterlines	\$100,000

upon receipt of vouchers duly approved by the proper departmental authority.

Section 4. 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 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 for the timely completion of the Stratavon Waterline Project - 2011; 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.

END OF THE MONTH FOR THE CITY OF NORTH CANTON  
 FOR THE MONTH ENDING NOVEMBER 30, 2010

C/W: 1/3/11  
 Item 4a

	Beginning Month Balance	Month-to-date Actual Receipts	Month-to-date Withdrawals	Month-to-date Adjustments	Month-to-date Balance
10%B 10% BOND	0.00	0.00	0.00	0.00	0.00
B BOND	0.00	0.00	0.00	0.00	0.00
BC BANK CHARGES	0.00	0.00	0.00	0.00	0.00
CC COURT COSTS	0.00	2,443.80	2,443.80	0.00	0.00
COMP COMPUTER ACCOUNT	0.00	257.00	257.00	0.00	0.00
CTCOP CERTIFIED COURT COPY	0.00	0.00	0.00	0.00	0.00
EXP CITY EXPUNGEMENT ACCT	0.00	0.00	0.00	0.00	0.00
EXPS EXPUNGEMENT TO STATE	0.00	0.00	0.00	0.00	0.00
GR GENERAL REVENUE	0.00	15.00	15.00	0.00	0.00
INT MONTHLY BANK INTEREST	0.00	0.00	0.61	0.61	0.00
OF ORDNCE FINE	0.00	1,827.20	1,827.20	0.00	0.00
PF PARKING FINES	0.00	0.00	0.00	0.00	0.00
REL FEE FORFEITURE RELEASE FEE	255.00	0.00	0.00	0.00	255.00
SBD SEAT BELT DRIVER STATE FINE	0.00	20.00	20.00	0.00	0.00
SBP SEAT BELT PASSENGER STATE FINE	0.00	0.00	0.00	0.00	0.00
SC NSF SERVICE CHG	0.00	0.00	10.00	10.00	0.00
SF STATE FINE CHILD RESTRAINT	0.00	0.00	0.00	0.00	0.00
SUSP SUSPENCE ACCOUNT	0.00	0.00	0.00	0.00	0.00
VC VICTIM CRIME	0.00	446.00	446.00	0.00	0.00
<b>GRAND TOTALS</b>	<b>\$ 255.00</b>	<b>\$ 5,009.00</b>	<b>\$ 5,019.61</b>	<b>\$ 10.61</b>	<b>\$ 255.00</b>

**RECEIVED**  
 DEC 17 2010  
 COUNCIL OFFICE  
 NORTH CANTON, OHIO

MAYOR/CITY OF NORTH CANTON

CITY HALL, 145 N. MAIN ST.  
NORTH CANTON, OH 44720

1887

PAY TO THE ORDER OF

City of North Canton

DATE 12-17-10

56-55/412  
29220

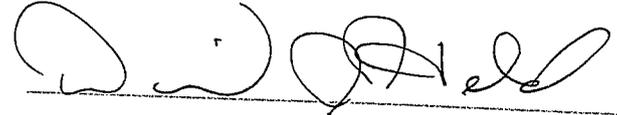
Four thousand five hundred eighteen dollars <sup>61</sup>/<sub>100</sub> DOLLARS

06/86

FIRSTMERIT North Canton Office

www.firstmerit.com

FOR CC 2443.80 Comp 2517 OF 1827.20  
INT. 61 NSF 70



⑈001887⑈ ⑆041200555⑆ ⑈2030793107⑈

MAYOR/CITY OF NORTH CANTON

CITY HALL, 145 N. MAIN ST.  
NORTH CANTON, OH 44720

1888

PAY TO THE ORDER OF

Treasurer State of Ohio

DATE 12-17-10

56-55/412  
29220

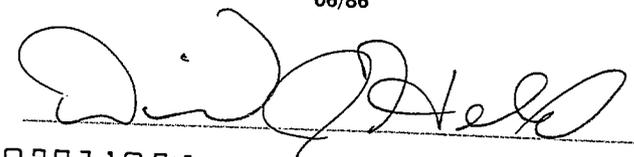
One thousand nine hundred four dollars <sup>00</sup>/<sub>100</sub> DOLLARS

06/86

FIRSTMERIT North Canton Office

www.firstmerit.com

FOR FR 15 5810 20 VC 446  
MCC 460 10SF 963



⑈001888⑈ ⑆041200555⑆ ⑈2030793107⑈

**KEVIN L. BOYCE**  
 Treasurer of State  
 P O Box 665  
 Columbus, OH 43216-0665

REPARATIONS ROTARY REPORTING FOR COURTS

<b>TOS ACCOUNT NUMBER (REQUIRED)</b>		7654	
<b>COURT NAME AND ADDRESS</b>			
<b>REPORTING PERIOD</b>		Month <u>November</u> Year <u>2010</u>	
<b>1. Victims of Crime - ORC 2743.70</b>		\$ <u>446.00</u>	
<b>2. ADDITIONAL COSTS/FINES - ORC 2949.091, 4511.19, 120.08, 2949.094 (A), 4503.235 (B), 5502.67, 5502.68</b>			
<b>a. General Revenue Fund</b>		\$ <u>15.00</u>	
<b>b. Indigent Drivers Alcohol Treatment Fund -</b>		\$	
<b>c. Indigent Defense Support Fund -</b>		\$ <u>963.00</u>	
<b>d. Drug Law Enforcement/Justice Program Services -</b>		\$ <u>460.00</u>	
<b>3. State Highway Patrol - ORC 5503.04</b>		\$	
<b>4. Liquor Control Fines - ORC 4301.57</b>		\$	
<b>5. Expungements - ORC 2953.1 - 2953.36</b>		\$	
<b>6. Child Safety Restraint - ORC 4511.99</b>		\$	
<b>7. State Highway Safety Fund - ORC 4510.13 (A) (9)</b>		\$	
<b>8. Legal Aid Society Fund - ORC 1901.26, 1907.24, 2303.201 (less 1% admin costs)</b>			
# of Small Claims Cases @ \$11			
# of Civil Cases @ \$26			
# of no fee cases			
# of cases moving from Small Claims to Civil @ \$15			
<b>Legal Aid Society Fund Total</b>			
<b>9. Child Abuse Prevention Fees - ORC 3109.13 - .18 (less 3% admin costs)</b>		\$	
<b>Family Violence Prevention Fees - ORC 3705.242 (less 3% admin costs)</b>		\$	
Penalty (if applicable)		\$	
# of Dissolutions	# of Divorces	# of Birth Certificates	# of Death Certificates
<b>10. Seat Belt Fines - ORC 4513.263</b>		\$ <u>20.00</u>	
# of Driver Tickets <u>1 pmt</u>		# of Passenger Tickets	
<b>11. Ohio Putative Fathers Registry (OPFR) - ORC 3107.062</b>		\$	
<b>TOTAL AMOUNT REMITTED</b>		\$ <u>1904.00</u>	

Name/Title Jessica Dolan Administrative Assistant Phone # 499-5081

**YOU CAN ALSO REMIT FORM AND PAYMENT ON OUR WEBSITE**

<http://payments.tos.ohio.gov>

Bank.	Account	Description.....	Beg-Mo-Bal..	Mtd-Receipts	Mtd-Withdr..	Mtd-Adjust..	Balance.....
CS	10%B	10% BOND	0.00	0.00	0.00	0.00	0.00
CS	B	BOND	0.00	0.00	0.00	0.00	0.00
CS	BC	BANK CHARGES	0.00	0.00	0.00	0.00	0.00
CS	CC	COURT COSTS	0.00	2443.80	0.00	0.00	2443.80
CS	COMP	COMPUTER ACCOUNT	0.00	257.00	0.00	0.00	257.00
CS	CTCOP	CERTIFIED COURT COPY	0.00	0.00	0.00	0.00	0.00
CS	EXP	CITY EXPUNGEMENT ACCT	0.00	0.00	0.00	0.00	0.00
CS	EXPS	EXPUNGEMENT TO STATE	0.00	0.00	0.00	0.00	0.00
CS	GR	GENERAL REVENUE	0.00	15.00	0.00	0.00	15.00
CS	IDSF	Indigent Defense Support Fund	0.00	963.00	0.00	0.00	963.00
CS	INT	MONTHLY BANK INTEREST	0.00	0.00	0.00	0.61	0.61
CS	MVCC	MOVING VIOLATION COURT COST	0.00	470.00	0.00	-10.00	460.00
CS	OF	ORDNCE FINE	0.00	1827.20	0.00	0.00	1827.20
CS	OP	OVERPAYMENTS	0.00	0.00	0.00	0.00	0.00
CS	PF	PARKING FINES	0.00	0.00	0.00	0.00	0.00
CS	RELFEF	FORFEITURE RELEASE FEE	255.00	0.00	0.00	0.00	255.00
CS	SBD	SEAT BELT DRIVER STATE FINE	0.00	20.00	0.00	0.00	20.00
CS	SBP	SEAT BELT PASSENGER STATE FINE	0.00	0.00	0.00	0.00	0.00
CS	SC	NSF SERVICE CHG	0.00	0.00	20.00	10.00	-10.00
CS	SF	STATE FINE CHILD RESTRAINT	0.00	0.00	0.00	0.00	0.00
CS	SUSP	SUSPENCE ACCOUNT	0.00	0.00	0.00	0.00	0.00
CS	VC	VICTIM CRIME	0.00	446.00	0.00	0.00	446.00
***			255.00	6442.00	20.00	0.61	6677.61
***			255.00	6442.00	20.00	0.61	6677.61

# FIRSTMERIT. Bank

FirstMerit Bank, N.A.  
295 FirstMerit Circle  
Akron Ohio 44307-2359

MAYOR CITY OF NORTH CANTON  
145 N MAIN ST  
N CANTON OH 44720-2501

**Statement Period**  
Nov 1, 2010 to  
Nov 30, 2010  
**Primary Account**  
20 3079 3107  
**Questions?**  
330-996-6000 (in Akron)  
1-888-554-4362 (toll-free)

1

2798 - 33

2

## Summary of Accounts

### Deposit Accounts

INTEREST CHECKING	20 3079 3107	11,224.03
<b>Total Deposit Accounts</b>		<b>11,224.03</b>

**INTEREST CHECKING**  
20 3079 3107

MAYOR CITY OF NORTH CANTON

### Account Summary

Beginning Balance as of Nov 1, 2010	16,642.34
2 Deposits and Credits	4,759.00
3 Withdrawals and Debits	10,177.92
Interest Paid	0.61
Ending Balance as of Nov 30, 2010	11,224.03

### Checks

Date	Number	Amount
Nov 23	1885	10,157.92
<b>Total Checks</b>		<b>10,157.92</b>
<b>Total Number of Checks</b>		<b>1</b>

# Indicates there is a gap between check numbers

### Other Transactions

Date	Description	Withdrawals	Deposits
Nov 3	RETURNED CHECK DEPOSITED FEE	10.00	
Nov 3	RETURNED CHECK DEPOSITED	10.00	
Nov 12	DEPOSIT		2,729.00
Nov 22	DEPOSIT		2,030.00
Nov 30	Interest Paid		.61

Daily Balance Information					
Date	Balance	Date	Balance	Date	Balance
Oct 31	16,642.34	Nov 12	19,351.34	Nov 23	11,223.42
Nov 3	16,622.34	Nov 22	21,381.34	Nov 30	11,224.03

Interest Detail			
Interest Paid Year-to-Date	5.85	Annual Percentage Yield Earned	0.05%
Interest Paid this Period	0.61	Days in this Period	30
Interest Earned this Period	0.61		

**NOTE**

ALL CHECKS ARE LISTED AS PAID AS OF THE POSTING DATE. IN THE EVENT A CHECK IS RETURNED, THE REVERSING ENTRY WILL SHOW AS A CREDIT ON THE NEXT POSTING DATE.

Failure to report discrepancies, forgeries, or alterations within 14 days may result in forfeiture of any claims.

**IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS**

Telephone the number listed on Page 1 of this statement or write using the address listed on Page 1 of this statement as soon as possible, if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

- (1) Tell us your name and account number.
- (2) Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- (3) Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. For consumer accounts only, if we take more than 10 business days to do this, we will recredit your account for the amount you think is in error, so that you will have use of the money during the time it takes us to complete our investigation.

*Thank you for choosing FirstMerit as your financial partner.  
We appreciate your business.*

END OF THE MONTH FOR THE CITY OF NORTH CANTON  
 FOR THE MONTH ENDING DECEMBER 17, 2010

*Council*

	Beginning Month Balance	Month-to-date Actual Receipts	Month-to-date Withdrawals	Month-to-date Adjustments	Month-to-date Balance
10%B 10% BOND	0.00	0.00	0.00	0.00	0.00
B BOND	0.00	0.00	0.00	0.00	0.00
BC BANK CHARGES	0.00	0.00	0.00	0.00	0.00
CC COURT COSTS	0.00	0.00	0.00	0.00	0.00
COMP COMPUTER ACCOUNT	0.00	0.00	0.00	0.00	0.00
CTCOP CERTIFIED COURT COPY	0.00	0.00	0.00	0.00	0.00
EXP CITY EXPUNGEMENT ACCT	0.00	0.00	0.00	0.00	0.00
EXPS EXPUNGEMENT TO STATE	0.00	0.00	0.00	0.00	0.00
GR GENERAL REVENUE	0.00	0.00	0.00	0.00	0.00
INT MONTHLY BANK INTEREST	0.00	0.00	0.00	0.00	0.00
OF ORDNCE FINE	0.00	0.00	0.00	0.00	0.00
PF PARKING FINES	0.00	0.00	0.00	0.00	0.00
REL FEE FORFEITURE RELEASE FEE	255.00	0.00	0.00	0.00	255.00
SBD SEAT BELT DRIVER STATE FINE	0.00	0.00	0.00	0.00	0.00
SBP SEAT BELT PASSENGER STATE FINE	0.00	0.00	0.00	0.00	0.00
SC NSF SERVICE CHG	0.00	0.00	0.00	0.00	0.00
SF STATE FINE CHILD RESTRAINT	0.00	0.00	0.00	0.00	0.00
SUSP SUSPENGE ACCOUNT	0.00	0.00	0.00	0.00	0.00
VC VICTIM CRIME	0.00	0.00	0.00	0.00	0.00
<b>GRAND TOTALS</b>	<b>\$ 255.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 255.00</b>

**RECEIVED**

DEC 28 2010

COUNCIL OFFICE  
 NORTH CANTON, OHIO

Bank.	Account	Description	Beg-Mo-Bal..	Mtd-Receipts	Mtd-Withdr..	Mtd-Adjust..	Balance.....
CS	10%B	10% BOND	0.00	0.00	0.00	0.00	0.00
CS	B	BOND	0.00	0.00	0.00	0.00	0.00
CS	BC	BANK CHARGES	0.00	0.00	0.00	0.00	0.00
CS	CC	COURT COSTS	0.00	1521.00	0.00	0.00	1521.00
CS	COMP	COMPUTER ACCOUNT	0.00	142.00	0.00	0.00	142.00
CS	CTCOP	CERTIFIED COURT COPY	0.00	0.00	0.00	0.00	0.00
CS	EXP	CITY EXPUNGEMENT ACCT	0.00	0.00	0.00	0.00	0.00
CS	EXPS	EXPUNGEMENT TO STATE	0.00	0.00	0.00	0.00	0.00
CS	GR	GENERAL REVENUE	0.00	0.00	0.00	0.00	0.00
CS	IDSF	Indigent Defense Support Fund	0.00	610.00	0.00	0.00	610.00
CS	INT	MONTHLY BANK INTEREST	0.00	0.00	0.00	0.00	0.00
CS	MVCC	MOVING VIOLATION COURT COST	0.00	280.00	0.00	0.00	280.00
CS	OF	ORDNCE FINE	0.00	861.00	0.00	0.00	861.00
CS	OP	OVERPAYMENTS	0.00	0.00	0.00	0.00	0.00
CS	PF	PARKING FINES	0.00	0.00	0.00	0.00	0.00
CS	RELFE	FORFEITURE RELEASE FEE	255.00	0.00	0.00	0.00	255.00
CS	SBD	SEAT BELT DRIVER STATE FINE	0.00	0.00	0.00	0.00	0.00
CS	SBP	SEAT BELT PASSENGER STATE FINE	0.00	0.00	0.00	0.00	0.00
CS	SC	NSF SERVICE CHG	0.00	0.00	0.00	0.00	0.00
CS	SF	STATE FINE CHILD RESTRAINT	0.00	0.00	0.00	0.00	0.00
CS	SUSP	SUSPENCE ACCOUNT	0.00	0.00	0.00	0.00	0.00
CS	VC	VICTIM CRIME	0.00	270.00	0.00	0.00	270.00
***			255.00	3684.00	0.00	0.00	3939.00
***			255.00	3684.00	0.00	0.00	3939.00

Bank. Beg-Mo-Bal.. Mtd-Receipts Mtd-Withdr.. Mtd-Adjust.. Balance.....

CS	255.00	3684.00	0.00	0.00	3939.00
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***	255.00	3684.00	0.00	0.00	3939.00
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REPARATIONS ROTARY REPORTING FOR COURTS

TOS ACCOUNT NUMBER (REQUIRED)		7654	
COURT NAME AND ADDRESS			
REPORTING PERIOD		Month Dec	Year 2010
1. Victims of Crime - ORC 2743.70		\$ 270.00	
2. ADDITIONAL COSTS/FINES – ORC 2949.091, 4511.19, 120.08, 2949.094 (A), 4503.235 (B), 5502.67, 5502.68			
a. General Revenue Fund		\$	
b. Indigent Drivers Alcohol Treatment Fund -		\$	
c. Indigent Defense Support Fund -		\$ 0.00	
d. Drug Law Enforcement/Justice Program Services -		\$ 280.00	
3. State Highway Patrol - ORC 5503.04		\$	
4. Liquor Control Fines - ORC 4301.57		\$	
5. Expungements - ORC 2953.1 - 2953.36		\$	
6. Child Safety Restraint - ORC 4511.99		\$	
7. State Highway Safety Fund – ORC 4510.13 (A) (9)		\$	
8. Legal Aid Society Fund - ORC 1901.26, 1907.24, 2303.201 (less 1% admin costs)			
# of Small Claims Cases @ \$11			
# of Civil Cases @ \$26			
# of no fee cases			
# of cases moving from Small Claims to Civil @ \$15			
Legal Aid Society Fund Total		\$	
9. Child Abuse Prevention Fees - ORC 3109.13 - .18 (less 3% admin costs)		\$	
Family Violence Prevention Fees - ORC 3705.242 (less 3% admin costs)		\$	
Penalty (if applicable)		\$	
# of Dissolutions	# of Divorces	# of Birth Certificates	# of Death Certificates
10. Seat Belt Fines - ORC 4513.263		\$	
# of Driver Tickets		# of Passenger Tickets	
11. Ohio Putative Fathers Registry (OPFR) - ORC 3107.062		\$	
TOTAL AMOUNT REMITTED		\$ 1160.00	

Name/Title J. Dwan Admin Assistant Phone # 499-5081

**YOU CAN ALSO REMIT FORM AND PAYMENT ON OUR WEBSITE**  
<http://payments.tos.ohio.gov>

**KEVIN L. BOYCE**  
 Treasurer of State  
 P O Box 665  
 Columbus, OH 43216-0665

REPARATIONS ROTARY REPORTING FOR COURTS

<b>TOS ACCOUNT NUMBER (REQUIRED)</b>		7654	
<b>COURT NAME AND ADDRESS</b>			
<b>REPORTING PERIOD</b>		Month <i>Dec</i>	Year <i>2010</i>
<b>1. Victims of Crime - ORC 2743.70</b>		\$ <i>270.00</i>	
<b>2. ADDITIONAL COSTS/FINES – ORC 2949.091, 4511.19, 120.08, 2949.094 (A), 4503.235 (B), 5502.67, 5502.68</b>			
<b>a. General Revenue Fund</b>		\$	
<b>b. Indigent Drivers Alcohol Treatment Fund -</b>		\$	
<b>c. Indigent Defense Support Fund -</b>		\$ <i>010.00</i>	
<b>d. Drug Law Enforcement/Justice Program Services -</b>		\$ <i>280.00</i>	
<b>3. State Highway Patrol - ORC 5503.04</b>		\$	
<b>4. Liquor Control Fines - ORC 4301.57</b>		\$	
<b>5. Expungements - ORC 2953.1 - 2953.36</b>		\$	
<b>6. Child Safety Restraint - ORC 4511.99</b>		\$	
<b>7. State Highway Safety Fund – ORC 4510.13 (A) (9)</b>		\$	
<b>8. Legal Aid Society Fund - ORC 1901.26, 1907.24, 2303.201 (less 1% admin costs)</b>			
# of Small Claims Cases @ \$11			
# of Civil Cases @ \$26			
# of no fee cases			
# of cases moving from Small Claims to Civil @ \$15			
<b>Legal Aid Society Fund Total</b>		\$	
<b>9. Child Abuse Prevention Fees - ORC 3109.13 - .18 (less 3% admin costs)</b>		\$	
<b>Family Violence Prevention Fees - ORC 3705.242 (less 3% admin costs)</b>		\$	
<b>Penalty (if applicable)</b>		\$	
# of Dissolutions	# of Divorces	# of Birth Certificates	# of Death Certificates
<b>10. Seat Belt Fines - ORC 4513.263</b>		\$	
# of Driver Tickets		# of Passenger Tickets	
<b>11. Ohio Putative Fathers Registry (OPFR) - ORC 3107.062</b>		\$	
<b>TOTAL AMOUNT REMITTED</b>		\$ <i>1160.00</i>	

Name/Title *J. Dehan Admin Assistant* Phone # *499-5081*

**YOU CAN ALSO REMIT FORM AND PAYMENT ON OUR WEBSITE**

<http://payments.tos.ohio.gov>

**MAYOR/CITY OF NORTH CANTON**

CITY HALL, 145 N. MAIN ST.  
NORTH CANTON, OH 44720

1890

56-55/412  
29220

DATE 12-17-10

PAY  
TO THE  
ORDER OF

Treasurer State of Ohio

\$ 1150.<sup>00</sup>/<sub>100</sub>

One thousand one hundred sixty dollars <sup>00</sup>/<sub>100</sub>

DOLLARS

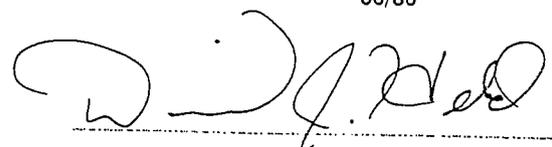
Security features  
are included.  
Details on back.

06/86

**FIRSTMERIT** North Canton Office

www.firstmerit.com

FOR VE 270 MCC 280 IRSF 610



⑈001890⑈ ⑆041200555⑆ ⑈2030793107⑈

MP

**MAYOR/CITY OF NORTH CANTON**

CITY HALL, 145 N. MAIN ST.  
NORTH CANTON, OH 44720

1891

56-55/412  
29220

DATE 12-17-10

PAY  
TO THE  
ORDER OF

City of North Canton

\$ 2524.<sup>00</sup>/<sub>100</sub>

Two thousand five hundred twenty four dollars <sup>00</sup>/<sub>100</sub>

DOLLARS

Security features  
are included.  
Details on back.

06/86

**FIRSTMERIT** North Canton Office

www.firstmerit.com

FOR CC 1521 comp 42 of 861



⑈001891⑈ ⑆041200555⑆ ⑈2030793107⑈

MP



145 North Main St. · North Canton, OH 44720  
Phone: 330-499-8223 Fax: 330-305-0603

**CITY OF NORTH CANTON**  
**James J. Benekos, P.E., P.S.**  
Director of Administration/City Engineer

**Legislation Request**

December 9, 2010

To: Daryl Revoldt  
Council President

Re: **Justice Assistant Grant**

Please place the above subject matter on the next Committee of the Whole agenda to authorize the to submit for a Justice Assistance Grant and enter into an agreement for the same (see attached).

EMERGENCY REQUESTED        X   YES             NO

Respectfully,

James J. Benekos, P.E., P.S.  
c: Director of Finance

**RECEIVED**  
DEC 09 2010  
COUNCIL OFFICE  
NORTH CANTON, OHIO



# City of North Canton, Ohio



MICHAEL J. GRIMES  
Chief of Police

POLICE DEPARTMENT – CITY HALL  
145 N. Main Street  
North Canton, Ohio 44720-2501  
Phone 330-499-5911  
Fax 330-966-3731  
[www.northcantonpolice.org](http://www.northcantonpolice.org)

RECEIVED

DEC 08 2010

ADMINISTRATION  
NORTH CANTON, OHIO

Dedicated To Service and Protection

December 8, 2010

✓ **TO: City Administrator James Benekos**

**RE: Request for Council Resolution**

I am requesting a Resolution from Council seeking their knowledge and approval for the police department to seek a Justice Assistance Grant (JAG) to be used for the purchase of a marked patrol cruiser.

As you know, Council has made it known that we are to seek out opportunities for grants when they are available. Our grant company had notified me that there was a short window of opportunity to apply for this grant and I have been working with them to supply the needed information. Apparently this JAG grant fund still had some end of the year monies that had not yet been appropriated for this type of equipment purchase.

At some point I will most likely need to provide documentation that the city is aware the police department is seeking this grant and it is to be used to purchase a marked police cruiser. A resolution from Council would certainly meet this requirement. Again, I may have a limited time to respond to their request so that is why I would like the resolution already in hand.

If we are fortunate to be chosen, this grant could provide up to approximately \$25,000.00 to help pay for a cruiser. The grant will not require any matching funds by the city.

Respectfully submitted,

Michael J. Grimes  
Chief of Police

Copy: Finance Director Loretto  
File



## City of North Canton, Ohio



MICHAEL J. GRIMES  
Chief of Police

POLICE DEPARTMENT – CITY HALL  
145 N. Main Street  
North Canton, Ohio 44720-2501  
Phone 330-499-5911  
Fax 330-966-3731  
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Respectfully submitted,

Michael J. Grimes  
Chief of Police

Copy: Finance Director Loretto  
File

**Office of Criminal Justice Services  
Subgrant Application Title Page**

Form available for download at  
[www.ocjs.state.oh.us](http://www.ocjs.state.oh.us)

Subgrant Number (OCJS Use Only)	Receipt Date
-----	

<b>A. Program Area</b>	OCJS-JAG Special Solicitation Grant			
<b>B. Title of Project</b>	JAG-Vehicle Acquisition (maximum of 35 characters and spaces)			
<b>C. Project Period</b>	03/01/11 to 09/01/11			
<b>D. Type of Application</b>	<input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation of Subgrant Number:			
<b>E. Focus of Application</b>	<input checked="" type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Township <input type="checkbox"/> Village			
<b>F. Budget Summary</b>	OCJS Funds \$ 26,074.00 Cash Match \$ 0 Inkind Match \$ 0 Total Budget \$ 26,074.00			
<b>G. Project Director</b> <i>The project director listed must be the main contact for this project and the person with whom OCJS can regularly communicate.</i>	Prefix	First Name	MI	Last Name
	Mr.	Michael	J	Grimes
	Title		Agency	
	Police Chief		North Canton Police Dept.	
	Address		City	Zip
	145 N. Main Street		North Canton	44720
Phone		Fax		
330-499-5911		330-966-3731		
Email		County		
chief@northcantonpolice.org		Stark		
<b>H. Implementing Agency</b> <i>Please list the agency that will implement the project.</i>  <i>The representative listed must be the chief executive officer for the agency.</i>	Prefix	First Name	MI	Last Name
	Mr.	Michael	J	Grimes
	Title		Agency	
	Police Chief		North Canton Police Dept.	
	Address		City	Zip
	145 N. Main Street		North Canton	44720
Phone		Fax		
330-499-5911		330-966-3731		
Email		County		
chief@northcantonpolice.org		Stark		
<b>I. Subgrantee</b> <i>Please list the agency that will serve as the fiduciary agent for the subgrant.</i>  <i>The representative listed must be the chief executive officer for the agency.</i>  See Directives for Eligibility	Prefix	First Name	MI	Last Name
	Mr.	Michael	J	Grimes
	Title		Agency	
	Police Chief		North Canton Police Dept.	
	Address		City	Zip
	145 N. Main Street		North Canton	44720
Phone		Fax		
330-499-5911		330-966-3731		
Email		County	Subgrantee Tax I.D.	
chief@northcantonpolice.org		Stark	34-6002037	
<b>J. Application Prepared by:</b> Name: Gatchell Grant Resources, LLC				
<b>K. Budget Pages Prepared by:</b> Name: Gatchell Grant Resources, LLC				
<b>L. Quarterly Financial Reports will be Prepared by:</b> Name: Michael J. Grimes				
<b>M. Quarterly Performance Reports will be Prepared by:</b> Name: Michael J. Grimes				

An ordinance authorizing the Mayor of the City of North Canton to apply for, accept and utilize a grant through the Office of Criminal Justice Services, Justice Assistance Grant – Vehicle Acquisition, for the purchase a marked patrol cruiser for use by the North Canton Police Department 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, be, and is hereby authorized to apply for, accept and utilize a grant through the Office of Criminal Justice Services, Justice Assistance Grant – Vehicle Acquisition, for the purchase a marked patrol cruiser for use by the North Canton Police Department.
- 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 for the timely application, acceptance and utilization of the grant monies, and to ensure the continued efficient operation of the Police Department; 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, OH  
Passed:



145 North Main St. · North Canton, OH 44720  
Phone: 330-499-8223 Fax: 330-305-0603

## CITY OF NORTH CANTON

**James J. Benekos, P.E., P.S.**  
Director of Administration/City Engineer

### Legislation Request

December 9, 2010

To: Daryl Revoldt  
Council President

Re: **Renewal of Contract with the Stark County Public Defender.**

Please place the following legislative request on the next Committee of the Whole agenda. This request is to authorize the Mayor to exercise the option to renew the City's existing contract with the Stark County Public Defender's Office for the term January 11, 2011 through December 31, 2011. The contract engages the Stark County Public Defender to provide legal counsel in Canton Municipal Court for indigent persons charged with violations of North Canton City Ordinances.

EMERGENCY REQUESTED        X   YES             NO

Respectfully,

James J. Benekos, P.E., P.S.

c: Director of Finance

**RECEIVED**

DEC 09 2010

COUNCIL OFFICE  
NORTH CANTON, OHIO

# STARK COUNTY PUBLIC DEFENDER OFFICE

## ATTORNEYS

APRIL R. BIBLE  
BARRY T. WAKSER  
KRISTINA R. POWERS  
STEVEN A. REISCH  
KENNETH W. FRAME  
BETH A. LIGGETT  
MATTHEW S. KUHN  
SHAWN F. BURNS  
ERICA VOORHEES  
JOY M. DONHAM  
KIMBERLY L. STOUT  
CRISTIN A. ROUSH  
ANTHONY C. WOLTERS  
JOHN A. DANKOVICH  
EUNBIN RII  
DAVID E. OESCHGER JR.  
MELODY L. BRIAND

200 West Tuscarawas St.  
Suite 200  
Canton, Ohio 44702-2202

(330) 451-7200  
(330) 451-7227 FAX

TAMMI R. JOHNSON  
Public Defender

RECEIVED  
OHIO  
NORTH CANTON  
COMMISSION

JOHN NICODEMO  
Chairman

BRADLEY R. IAMS  
Vice-Chairman

FRANK L. BEANE  
Secretary

SAMUEL J. FERRUCCIO, JR.

HON. W. DON READER

December 2, 2010

E.J. Wise  
Director of Administration  
City of North Canton  
145 N. Main Street  
North Canton, Ohio 44720

Dear Mr. Wise:

Enclosed is the proposed Memorandum of Agreement to exercise your option to renew the Contract for Municipal Ordinance Representation for an additional one year period commencing January 11, 2011 and terminating December 31, 2011.

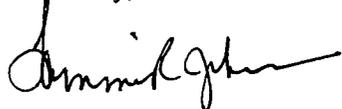
The State Public Defender requires a copy of the resolution approving the renewal and a copy of the appropriating funding for 2011.

Enclosed is the proposed Memorandum of Agreement. Please return three (3) signed agreements and the aforementioned resolution and appropriating funding for 2011.

Upon receipt, we will sign the agreement and forward the necessary paperwork to the Ohio Public Defender Commission in Columbus and return an executed copy to you.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



TAMMI R. JOHNSON  
PUBLIC DEFENDER  
TRJ/dc

Enclosure

MEMORANDUM OF AGREEMENT

It is agreed among the City of North Canton, the Stark County Public Defender Commission and the Ohio Public Defender Commission that Section 3 of the Contract for Municipal Ordinance Representation, dated November 25, 2009 shall be exercised to renew the Contract for an additional one year period commencing January 1, 2011 and terminating December 31, 2011.

IN WITNESS WHEREOF, the parties have hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY OF NORTH CANTON

STARK COUNTY PUBLIC  
DEFENDER COMMISSION

BY: \_\_\_\_\_

CITY OF NORTH CANTON, OHIO

BY: \_\_\_\_\_

OHIO PUBLIC DEFENDER  
COMMISSION

BY: \_\_\_\_\_

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WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

STARK COUNTY PUBLIC  
DEFENDER COMMISSION

BY: \_\_\_\_\_

CITY OF NORTH CANTON, OHIO

BY: \_\_\_\_\_

OHIO PUBLIC DEFENDER  
COMMISSION

BY: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY OF NORTH CANTON

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It is agreed among the City of North Canton, the Stark County Public Defender Commission and the Ohio Public Defender Commission that Section 3 of the Contract for Municipal Ordinance Representation, dated November 25, 2009 shall be exercised to renew the Contract for an additional one year period commencing January 1, 2011 and terminating December 31, 2011.

IN WITNESS WHEREOF, the parties have hereunto set their hands this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ .

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

STARK COUNTY PUBLIC DEFENDER COMMISSION

BY: \_\_\_\_\_

CITY OF NORTH CANTON, OHIO

BY: \_\_\_\_\_

OHIO PUBLIC DEFENDER COMMISSION

BY: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
CITY OF NORTH CANTON

## CONTRACT FOR MUNICIPAL ORDINANCE REPRESENTATION

This Agreement is entered into by the Stark County Public Defender Commission, hereinafter the **COMMISSION**, and the City of North Canton, Ohio, hereinafter the **CITY**.

**WHEREAS**, the **CITY** recognizes its responsibilities under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with loss of liberty offenses in Municipal Court; and

**WHEREAS**, the **CITY** in furtherance of the execution of its legal responsibilities desires that the legal services of the Public Defender Office be delivered to the **CITY'S** indigent citizens and others so situated;

**NOW THEREFORE**, the parties do mutually agree to bind themselves as follows:

### 1. Scope of Work

The **COMMISSION** shall in a satisfactory and proper manner under the terms and conditions contained herein, perform the services set out in the "Work Plan" explained in Item 9, herein.

### 2. Compensation

The **CITY** shall pay to the Commission a fee of **\$200** per City of North Canton Ordinance case assigned to the Stark County Public Defender Office.

Payments shall be made in the following manner:

The **COMMISSION** will bill the **CITY** four (4) times per year (March 31, June 30, September 30, December 31) for the amount of City of North Canton Ordinance cases assigned to the Public Defender Office during that quarter. Payments shall be made by the **CITY** to the **COMMISSION** within thirty (30) days of the date of the invoice. If payment is not made within thirty (30) days of the date of the invoice, then interest shall accrue at the rate of ten per cent (10%) (per annum). The interest shall accrue beginning with the first day after the thirty (30) day period and continue to be calculated on any unpaid balance until full payment is received. The formula for computation of any interest shall be the same as that in the 1990-1991 contract and is incorporated herein by reference.

### 3. Term of Service

The duration of this contract shall be for the period commencing January 1, 2010 and shall terminate December 31, 2010 with an option to renew this contract for a period of one (1) year, commencing January 1, 2011 and terminating December 31, 2011.

4. The **COMMISSION** shall not assign all or any part of this Agreement without the prior written consent of the **CITY**, which consent shall not be unreasonably withheld.

5. If either party shall fail to fulfill in reasonable, timely, and proper manner, its obligations under this Agreement, or if either party should substantially violate any of the covenants, agreements or stipulations of this Agreement, the other party shall thereupon have the right to terminate this Agreement by giving written notice to the party violating this Agreement of such termination and specifying an effective date thereof at least sixty (60) days before the effective date of said termination. However, notwithstanding the above clause, the **COMMISSION** shall have the separate and additional right to discontinue the service provided by the Public Defender Office under this contract, without notice, if payment of a quarterly invoice is not received within thirty (30) days of invoice. The decision to suspend or continue service under the contract upon non-payment of an invoice within thirty (30) days is discretionary with the **COMMISSION**. The suspension or continuation of service by the **COMMISSION** shall have no effect upon the payment of an invoice or the calculation of interest as set forth elsewhere in this contract. In the absence of a written notification of intent to continue service from the **COMMISSION** to the **CITY**, the **CITY** shall presume that service will be discontinued upon the first day after the expiration of the thirty (30) day grace period, if payment has not been received. If service is suspended, it shall be provided again when payment plus interest is received.

6. All amendments to this Agreement agreed upon by the parties shall be in writing and made a part of this Agreement.

7. There shall be no discrimination against any employee who is employed in the work covered by this Agreement or against any application for such employment because of race, color, religion, sex, or national origin. This provision shall apply to, but not be limited to, employment, promotion or transfer, recruitment or recruitment advertising, lay-offs or termination, raises of pay or other forms of compensations, and selection of training. The **COMMISSION** shall insert a similar provision in any sub-contract for services covered by this Agreement.

8. The **COMMISSION** covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner with the performance of services required under this Agreement. No resident commissioner shall share in any part of this contract or any benefits to arise herefrom.

#### 9. Work Plan

The **COMMISSION** shall provide for the **CITY** attorneys of the Stark County Public Defender Office to be available in the Canton Municipal Court to represent indigents charged under the **CITY** Ordinances for the City of North Canton, thus allowing the **City of North Canton** continuing representation in conformance with Chapter 120 of the Ohio Revised Code. It is understood by both parties that the representation presently provided to indigents charged under the Ohio Revised Code

will be continued by the Stark County Public Defender Office and is in no way affected by this Agreement.

10. Determination of Indigency

The Standards of Indigency and other rules and standards as established by the Ohio Public Defender Commission and the State Public Defender shall be used in determining an individual's indigent status and the appointment of the services of the Public Defender shall be in conformity with those standards.

11. Upon a thirty (30) day written notice either party may re-negotiate the contract or accompanying "Work Plan quarterly for good cause.

IN WITNESS WHEREOF, the parties have hereunto set their hands:

CITY OF NORTH CANTON, OHIO

STARK COUNTY PUBLIC DEFENDER COMMISSION

BY [Signature]

BY [Signature]

TITLE Mayor

TITLE Chairman

WITNESS [Signature]

WITNESS [Signature]

DATE 11-25-09

DATE 1/11/10

APPROVE AS TO FORM:

\_\_\_\_\_

OHIO PUBLIC DEFENDER COMMISSION

BY [Signature]

TITLE Ohio Public Defender

WITNESS [Signature]

DATE 1-28-10



# City of NORTH CANTON, OHIO

145 NORTH MAIN STREET  
NORTH CANTON, OHIO 44720-2587  
www.northcantonohio.com

## CHIEF FINANCIAL OFFICER'S CERTIFICATION OF LOCAL FUNDS

Date: December 1, 2009

I, Alexander A. Zumbar, Finance Director of the City of North Canton, hereby certify that the City of North Canton will have available the amount of \$1,200, subject to appropriation by City Council, in the treasury of the City, or in process of collection to the credit of the appropriate fund, free from any previous encumbrances, and that this amount will be used to pay the local share for Professional Services for Indigents when it is required, only upon approval of the services.

Alexander A. Zumbar  
Director of Finance  
City of North Canton

Ordinance No. 105-09

Passed November 23, 2009

11/3/09-gmk  
(Finance & Property)

Ordinance No. 105-09

An ordinance authorizing the Mayor of the City of North Canton to enter into a contract by and between the City of North Canton and the Stark County Public Defender Commission for the purpose of providing legal counsel to indigent persons in Canton Municipal Court for a period of one (1) year beginning January 1, 2010 and ending December 31, 2010, 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 contract by and between the City of North Canton and the Stark County Public Defender Commission for the purpose of providing legal counsel to indigent persons in Canton Municipal Court

Section 2. That the contract by and between the City of North Canton and the Stark County Public Defender Commission shall be effective for a period of one (1) year beginning January 1, 2010 and ending December 31, 2010.

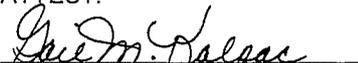
Section 4. That the Director of Finance of the City of North Canton, Ohio, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the applicable appropriation upon receipt of vouchers duly approved by the proper departmental authority.

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 necessary for the timely effectiveness of the contract; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH  
Passed: 11/23/09

  
MAYOR

SIGNED: 11/25, 2009

ATTEST:  
  
CLERK OF COUNCIL



**CITY OF NORTH CANTON**  
**MAYOR DAVID J. HELD**

145 North Main St. • North Canton, OH 44720  
E-Mail: [mayor@northcantonohio.com](mailto:mayor@northcantonohio.com)

December 1, 2009

Jean A. Madden  
Stark County Public Defender Office  
200 West Tuscarawas St.  
Suite 200  
Canton, OH 44702-2202

Dear Ms. Madden,

Enclosed are the three signed copies of the 2010 contract between the City of North Canton and the Stark County Public Defender Commission, a copy of Ordinance 105-09 and a Chief Financial Officer's Certification of Local Funds as requested by your office.

If there are any questions, please feel free to contact me at (330) 499-5081.

Sincerely,

A handwritten signature in black ink, appearing to read "Teresa M. Dolan", with a stylized flourish at the end.

Teresa M. Dolan  
Administrative Assistant

An ordinance authorizing the Mayor of the City of North Canton to enter into a contract by and between the City of North Canton and the Stark County Public Defender Commission for the purpose of providing legal counsel to indigent persons in Canton Municipal Court for a period of one (1) year beginning January 11, 2011 and ending December 31, 2011, and declaring the same to be an emergency.

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Section 4. 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 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 necessary for the timely effectiveness of the contract; 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, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2011

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL