



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 and Director of Administration **Monday, October 24, 2011 at 6:15 p.m.** in the Council Chamber 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.

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, October 24, 2011 at 6:45 p.m.** in the Council Chamber at North Canton City Hall.

The purpose of the meeting will be to consider authorizing legislation to approve two collective bargaining agreements. The committee meeting **will be** open to the public.

Council Meeting Agenda Monday, October 24, 2011- 7:00 p.m.

1. Call to Order: 7:00 p.m.
2. Opening Prayer:
3. Pledge of Allegiance
4. Roll Call
5. Consideration

Special Council Meeting Minutes – October 3, 2011
Council Meeting Minutes – October 10, 2011
Financial Statement – September, 2011
Mayor's Court Receipts – August, 2011

6. Committee Minutes
7. Recognition of Visitors

OLD BUSINESS:

8. **Ordinance No. 84-11 – 2nd Reading – Water, Sewer & Rubbish
(Tabled prior to the 2nd reading 10/10/11)**
An ordinance authorizing the Shuffel Drive NW (Frank Avenue easterly 300 feet) Waterline Extension, located in Jackson Township, Stark County, Ohio, in accordance with plans and specifications approved by the North Canton City Engineer, and accepting any necessary easement associated with said waterline extension, and declaring the same to be an emergency.

NEW BUSINESS:

9. **Ordinance No. 91-11 – 1st Reading – Finance & Property**
An ordinance authorizing the Mayor of the City of North Canton upon concurrence by Council, through the Board of Control, to enter into a contract for administering a self-insured health insurance program for the period December 1, 2011, through November 30, 2012, for the employees of the City of North Canton and declaring the same to be an emergency.
10. **Resolution No. 92-11 – 1st Reading – Finance & Property**
A resolution adopting an amended Section 125 Premium Only Cafeteria Plan (“the Plan”) for the City of North Canton for the period January 1, 2012 through December 31, 2012 and declaring the same to be an emergency.
11. **Resolution No. 93-11 – 1st Reading – Finance & Property**
Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and declaring the same to be an emergency.
12. **Ordinance No. 94-11 – 1st Reading – Water, Sewer & Rubbish**
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 Fairways Golf Improvements Project (Salway Avenue SW area) at a cost not to exceed \$100,000, and declaring the same to be an emergency.

REPORTS:

Director of Law
Mayor

Director of Finance
City Engineer

Director of Administration
Clerk of Council

**Council Meeting
Agenda**

**October 24, 2011
Page 3**

REPORTS – COUNCIL:

Pat DeOrio	At Large	Doug Foltz	Ward 1
Marcia Kiesling	At Large	Daniel Peters	Ward 2
Mark Cerreta	At Large	Jeff Davies	Ward 3
		Jon Snyder	Ward 4

FINAL CALL FOR NEW BUSINESS:

ADJOURN:

Gail M. Kalpac
Clerk of Council

c: Council, Director of Law
Mayor, Director of Administration
Director of Finance, City Engineer
Supt., P&I, Police Chief
Fire/EMS Chief, Press



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EXECUTIVE SESSION MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met Monday, October 10, 2011 at 6:30 p.m. in the Council Chambers at North Canton City Hall.

Present for the Meeting were: Chairman Peters, Vice Chairman Snyder, Member Cerreta, Council Members Davies, DeOrio, Foltz and Kiesling.

Also present were: Mayor Held and Director of Administration Grimes.

Upon a roll call vote of Council, all present moved into an executive session at 6:30 p.m. for the purpose of discussing personnel matters pertaining to dismissal, demotion or compensation of a public employee. Subsequent to the discussion, the executive session adjourned at 7:14 p.m.

Respectfully submitted,

Daniel Peters, Chairman

Jon Snyder, Vice Chairman

Mark Cerreta, Member

10/11/11-gmk

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
Supt., P&I, Police Chief
Fire/EMS Chief Press

g:\2011 committee report minutes\10-10-11 exec session p&s.docx



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FINANCE & PROPERTY COMMITTEE MEETING MINUTES

The Finance & Property Committee of North Canton City Council met as part of the Committee of the Whole Monday, October 17, 2011 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Snyder, Vice Chairman Davies, Member DeOrio, Council Members Cerreta, Foltz, Kiesling and Peters.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Alger and City Engineer Benekos.

Items discussed:

- a. Financial Statement – September, 2011: The Financial Statement was reviewed and will be placed on the October 24, 2011 council agenda for formal approval.
- b. Mayor's Court Receipts – August, 2011: The Mayor's Court Receipts were reviewed and will be placed on the October 24, 2011 council agenda for formal approval.
- c. Renewal of the City of North Canton's Health Insurance: The Committee authorized legislation authorizing the Mayor, upon concurrence by Council, through the Board of Control, to enter into a contract for administering a self-insured health insurance program for the period December 1, 2011, through November 30, 2012, for the employees of the City of North Canton.

Legislation to contain an emergency clause.

- d. Adopting Amended Section 125 Plan for 2012: The Committee authorized legislation, on an emergency basis, adopting an amended Section 125 Premium Only Cafeteria Plan for the City of North Canton for the period January 1, 2012 through December 31, 2012.

- e. Resolution Accepting/Certifying Property Tax Rates: The Committee authorized legislation, on an emergency basis, accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies.

Respectfully submitted,

Jon Snyder, Chairman

Jeff Davies, Vice Chairman

Pat DeOrio, Member

10/19/11-gmk

c: Council
Director of Law
Mayor
Director of Administration
Director of Finance
City Engineer
Supt., P&I
Police Chief
Fire/EMS Chief
Press



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WATER, SEWER & RUBBISH COMMITTEE MEETING MINUTES

The Water, Sewer & Rubbish Committee of North Canton City Council met as part of the Committee of the Whole Monday, October 17, 2011 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Davies, Vice Chairman DeOrio, Member Snyder, Council Members Cerreta, Foltz, Kiesling and Peters. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Alger and City Engineer Benekos.

Item discussed:

- a. Fairways Golf Course Drainage Improvements Project: The Committee authorized legislation, on an emergency basis, 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 Fairways Drainage Improvements Project (Salway Avenue SW area) at a cost not to exceed \$100,000.

Respectfully submitted,

Jeff Davies, Chairman

Pat DeOrio, Vice Chairman

Jon Snyder, Member

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

10/18/11-gmk
(Finance & Property)

Ordinance No. 91-11

An ordinance authorizing the Mayor of the City of North Canton upon concurrence by Council, through the Board of Control, to enter into a contract for administering a self-insured health insurance program for the period December 1, 2011, through November 30, 2012, for the employees of the City of North Canton 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, upon concurrence by Council, through the Board of Control, to enter into a contract for administering a self-insured health insurance program for the period December 1, 2011, through November 30, 2012, for the employees of the City of North Canton.

Section 2. 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 upon receipt of vouchers duly approved by proper departmental authority from appropriations applicable thereto.

Section 3. That, if any 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 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 timely renewal of the health insurance policy; 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

RECORD OF ORDINANCES

Ordinance No. _____

Passed _____, 20____

10/18/11-gmk
(Finance & Property)

Resolution No. 92-11

A resolution adopting an amended Section 125 Premium Only Cafeteria Plan ("the Plan") for the City of North Canton for the period January 1, 2012 through December 31, 2012 and declaring the same to be an emergency.

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

- Section 1. That the Director of Finance of the City of North Canton, be, and shall serve as the Plan Administrator.
- Section 2. That the Director of Finance of the City of North Canton, be, and shall take such actions that are deemed necessary and proper in order to implement the Plan and to set up adequate accounting and administrative procedures to provide benefits under the Plan.
- Section 3. That the Director of Finance of the City of North Canton, be, and shall act as soon as possible to notify the employees of the City of North Canton of the adoption of the Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description.
- Section 4. That if a provision of this resolution is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this resolution.
- Section 5. That this resolution 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 aforementioned program upon passage of the labor contracts in order to provide eligible employees with pre-tax benefits pursuant to the Internal Revenue Code; 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

ALAN HAROLD
STARK COUNTY AUDITOR
Resolution # 93-11

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING SAME TO BE AN EMERGENCY
Revised Code, Secs. 5705.34-5705.35

The (Council of the) NORTH CANTON CITY,

Of Stark County, Ohio, met in _____ Session on the ____ day of
_____ at the office of _____ with the following members present:

Mr./Ms. _____ moved the adoption of the following Resolution:

WHEREAS, This council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2012: and

WHEREAS, The Budget Commission of Stark County, Ohio, has certified its action thereon to this council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this (Council/Board), and what part thereof is without, and what part within the ten mill limitation; there be it

RESOLVED, by the (Council) of _____ City/Village, Stark County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted: and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said (Village/City) the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED
BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

<u>FUND</u>	Amount to be derived from Levies outside 10 mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside	Outside
General Fund		28,353	2.40 (NCCSD)	
		0	2.40 (NCCSD)	
		1,761	1.90 (JLSD)	
		595,536	2.00 (JLSD)	
		8,012	1.90 (PLSD)	
		126,341	2.00 (PLSD)	
Street Improvement Fund	370,811			1.00
Fire Fund	93,886			0.50
Ambulance Fund	734,452			1.00
Storm Sewer	377,638			1.00
Total	1,576,787	760,003	12.60	3.50

SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

<u>FUND</u>	<u>Maximum Rate Authorized to be Levied</u>	<u>County Auditor's Estimate of Yield of Levy</u>
GENERAL FUND:		
Current expense levy authorized by voters on for not to exceed Continued years.		
Emergency Current expense levy authorized by voters on for not to exceed 5 years.		
Emergency Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed 5 years.		
Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed 5 years.		
Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed 5 years.		
Fire Fund: Levy authorized by voters on 11/8/83 for not to exceed Continued years.	0.50	93,886
Street Improvement Fund: Levy authorized by voters on 5/4/10 for not to exceed 5 years.	1.00	370,811
Ambulance Fund: Levy authorized by voters on 11/2/82 for not to exceed Continued years.	1.00	167,995
Ambulance Fund: Levy authorized by voters on 5/4/10 for not to exceed Continued years.	1.50	566,457
Storm Sewer Fund: Levy authorized by voters on 11/3/09 for not to exceed 5 years.	1.00	377,638

And be it further

Resolved, That the clerk of this Board be and he is hereby directed to certify a copy of this resolution to the County Auditor of said County.

Mr./Ms. _____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr./Ms. _____

Mr./Ms. _____

Mr./Ms. _____

Mr./Ms. _____

Mr./Ms. _____

Mr./Ms. _____

Adopted the _____ day of _____, 20_____.

Clerk

City/Village

County, Ohio.

CERTIFICATE TO COPY
ORIGINAL ON FILE

The State of Ohio, Stark County, Ss.

I, _____ Clerk City/Village of _____

Within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the Original

_____ now on file, that the foregoing has been compared by me with said original document, and that the same is true and correct copy thereof.

Witness my signature, this _____ day of _____, _____.

_____ Clerk

No. _____

City/Village _____, Stark County Ohio.

Resolution

Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Adopted _____, _____

_____ Clerk

Filed _____, _____

_____ County Auditor

By _____ Deputy Auditor

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

10/18/11-gmk
(Water, Sewer & Rubbish)

Ordinance No. 94-11

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 Fairways Golf Course Drainage Improvements Project (Salway Avenue SW area) 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 Fairways Golf Course Drainage Improvements Project (Salway Avenue SW area).

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 Fairways Golf Course Drainage Improvements Project (Salway Avenue SW area) 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:

209	STORM SEWER IMPROVEMENT LEVY FUND	
209.745.5229	Contract Payments	\$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 Fairways Golf Course Drainage Improvements Project (Salway Avenue SW area); 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