



City of North Canton, Ohio

Council Office
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North Canton, Ohio 44720-2587
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NOTICE OF MEETINGS

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

North Canton City Council will meet as a Committee of the Whole **Monday, October 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: Mark Cerreta
Vice Chairman: Doug Foltz
Member: Marcia Kiesling

- a. Discussion - North Canton Community Disaster Relief Fund Ordinance No. 89-11 (tabled prior to the 1st reading 9/26/11)
Mark Cerreta

2. Street & Alley Committee

Chairman: Pat DeOrio
Vice Chairperson: Marcia Kiesling
Member: Doug Foltz

- a. Petition to Vacation a Portion of Alley No. 12
Pat DeOrio

3. Water, Sewer & Rubbish Committee

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

- a. Glenwood Water Main Replacement
Jeff Davies

4. Finance & Property Committee

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

- a. Resolution Supporting the Stark County Sales Tax Increase
Jon Snyder

SPECIAL COUNCIL MEETING AGENDA
Monday, October 3, 2011

Notice is hereby given that a Special Meeting of the Council of the City of North Canton will be held **Monday, October 3, 2011 immediately following the Committee of the Whole meeting** in the Council Chamber at North Canton City Hall, pursuant to a roll call vote taken at the regular council meeting held September 26, 2011, for consideration of the following:

1. Call to Order
2. Roll Call
3. **Ordinance No. 90-11 – 1st Reading – Water, Sewer & Rubbish Committee**
An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the emergency waterline replacement on Glenwood Street SW (Hillcrest Avenue SW to Woodland Avenue SW), without advertisement and competitive bidding, at a cost not to exceed \$160,000, and declaring the same to be an emergency.

Legislation is subject to authorization and suspension of the rules of council requiring a committee report.

4. Adjourn

Gail M. Kalpac
Clerk of Council

I have gotten more information on the do disaster relief fund.

Anyone can donate to state and local governments and take a tax deduction as long as the ultimate usage of the funds donated is for a charitable or governmental [that is, not a private] purpose. You don't need to establish a 501 c 3 organization; localities are already exempt under section 115 of the internal revenue code.

The way the city is intending to operate this fund would make it a governmental sponsored private purpose trust fund, requiring AOS approval.

Private Purpose Trust Fund: Accounts for trust arrangements under which principal and income from the trust may only be used for the benefit of those individuals, private organizations, or other governments.

Any donation of \$250 or more would require that the donor be given a receipt conforming with IRS's rules. Donation information would have to be maintained for a certain minimum number of years in case the donor is audited [or, much less likely, the city].

The city would not have to file a form 990 or do anything other than establishing the fund and the additional requirements I've indicated. The resolution or ordinance would have to define what cost would be paid from the new fund ie Direct cost printing, copying or Indirect cost employees time tracking, reconciling, posting etc.

Karen

MEMO

from the City of North Canton Council Office

September 28, 2011

To: Pat DeOrio, Chairman
Street & Alley Committee

Re: Alley Vacation

Pursuant to ORC §723.04 thru §723.08; and §713.02, and as confirmed by Director of Law Nilges, following is the procedure for vacating an alley:

INITIATED BY PROPERTY OWNER(S)

1. Petition submitted to Council executed by all abutting property owners. (ORC §723.04). See attached.
2. Council forwards petition to the Planning Commission for recommendation. (ORC §713.02)
 - A. To avoid necessity of publication of notice the petition language should provide that the petitioners are all of the owners abutting the proposed vacated area and that they consent to the vacation. (ORC §723.06)
 - B. If all applicable property owners do not sign the petition, it is necessary to publish notice of the proposed vacation for six weeks prior to the public hearing it shall be the petitioners who absorb the cost of the publication. (ORC §723.07)
 - C. Proposed vacation is placed on agenda of the Street & Alley Committee. (ORC §723.04)

INITIATED BY COUNCIL

1. Street & Alley Committee of Council – no petition required. (ORC §723.05)
2. As there is no petition required, notice of the proposed vacation must be published once a week for six consecutive weeks prior to a public hearing. (ORC §723.07)

PUBLIC HEARING AND LEGISLATION

1. Public hearing may be scheduled for the same evening that the legislation is considered. (ORC §723.04)

PETITION TO VACATE A PORTION OF
ALLEY NO. 12

TO THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

We the undersigned, being the owners of Parcels Numbered 9200877, 9201222, 9203111, 9280251, 9280267, and 9280223 located within the corporate limits of the city of North Canton, hereby respectfully petition this honorable body that a portion of Alley No. 12, a 15 foot wide alley located approximately 145 feet north of West Maple Street and parallel herewith and beginning at the east side of Mohler Court N.W. and running easterly for approximately 156 feet to Part Lot #23, and there terminating, may be vacated between the points named for the reason that it is not needed by the public and that its vacation will not be detrimental to the general interest.

The undersigned further represent that they are the owners of all the lands abutting on the portion of the street requested to be vacated; and further say that they do give their consent to the vacation of said street as required by Section 723.06 of the OHIO REVISED CODE; and further request the Council of the City of North Canton, Ohio, to waive publication of notice under Section 723.07 of the OHIO REVISED CODE.

Note: If the property is listed in both the husband's name and the wife's name, both must sign the petition. Signature must be legal name; i.e., Mary Smith not Mrs. John Smith.

Parcel No.

Owners of Parcels Numbered

9200877

* 9201222

K. A. Smith

9204868, 9203111, 9280251,
9280267, and 9280223

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OF OHIO:

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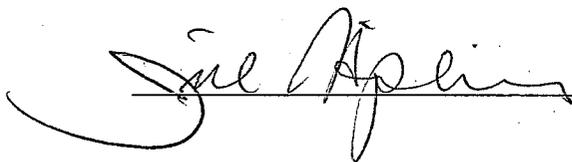
The undersigned further represent that they are the owners of all the lands abutting on the portion of the street requested to be vacated; and further say that they do give their consent to the vacation of said street as required by Section 723.06 of the OHIO REVISED CODE; and further request the Council of the City of North Canton, Ohio, to waive publication of notice under Section 723.07 of the OHIO REVISED CODE.

Note: If the property is listed in both the husband's name and the wife's name, both must sign the petition. Signature must be legal name; i.e., Mary Smith not Mrs. John Smith.

Parcel No.

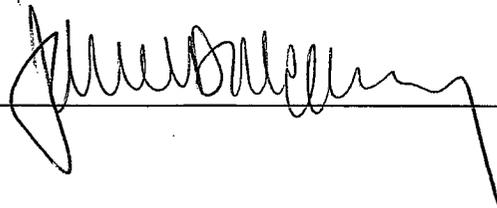
Owners of Parcels Numbered

* 9200877



9201222

9204868, 9203111, 9280251,
9280267, and 9280223 Northminster



RECEIVED

SEP 26 2011



City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587

ADMINISTRATION
NORTH CANTON, OHIO

LEGISLATION REQUEST

September 27, 2011

To: *Jon Snyder, President*
City Council

Subject: **GLENWOOD ST. WATERLINE REPLACEMENT**
(Hillcrest Avenue SW to Woodland Avenue SW)

Requested By: *[Signature]* Date: 9-26-11
City Engineer

Approved By: *[Signature]* Date: 9/27/11
Director of Administration

An ordinance authorizing the Mayor, through the Board of Control, to enter into a contract for the emergency waterline replacement on Glenwood Street SW without advertisement and competitive bidding in an amount not to exceed \$160,000.

The replacement of the line is requested as an emergency due to low water pressure and poor water quality (high iron and low chlorine levels).

EMERGENCY REQUESTED: Yes X No

RECEIVED

SEP 27 2011

COUNCIL OFFICE
NORTH CANTON, OHIO

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

City of North Canton
GLENWOOD WATERLINE REPLACEMENT PROJECT - 2011
 Bid Opening: 2011

Item No.	Description	Quantity	Unit	Unit Price	Total Price
1	202 ABANDON EXISTING WATERLINE, INCL. COMPLETELY PULLING VALVE BOXES & PLUGGING TEES - AS DIRECTED	1	LUMP	124.00	312.00
2	202 HYDRANT REMOVED - RETURNED TO CITY	2	EA	0.00	14.00
3	301 ASPHALT CONCRETE BASE @ 6" - STREET/TRENCH REPAIR	285	TON	24.40	6,954.00
4	448 ASPHALT CONCRETE SURFACE @ 1-1/2" -	75	TON	48.30	3,615.00
5	609 CURB & GUTTER, TYPE 2 (REMOVE AND REPLACE) - AS DIRECTED	110	LF	6.50	715.00
6	614 MAINTENANCE OF TRAFFIC	1	LUMP	130.00	330.00
7	624 MOBILIZATION	1	LUMP	279.00	695.00
8	638 8" DUCTILE IRON PIPE (CLASS 52), PUSH-ON JOINT, INCL. BEDDING, GRANULAR BACKFILL & POLYETHYLENE ENCASUREMENT - TAPED	1320	LF	34.50	45,540.00
9	638 6" DUCTILE IRON PIPE (CLASS 52), PUSH-ON JOINT, INCL. BEDDING, GRANULAR BACKFILL & POLYETHYLENE ENCASUREMENT - TAPED	20	LF	35.30	706.00
10	638 8" GATE VALVE, VALVE BOX & COVER	6	EA	107.00	642.00
11	638 HYDRANT ASSEMBLY, INCL. TEE, ANCHORING COUPLING, 6" GATE VALVE/BOX & COVER - RED W/ WHITE BONNET & WHITE CAPS	2	EA	3242.00	6,484.00
12	638 1" WATER SERVICE CONNECTION, INCL. 1" CORP. STOP, 90° BEND, 1" CURB STOP/BOX & COVER AND RECONNECTION TO EXISTING WATER SERVICE LINE	15	EA	422.00	6,330.00
13	638 1" COPPER (TYPE K) WATER SERVICE LINE	275	LF	6.50	1,787.50
14	638 8" X 14" REDUCER	1	EA	327.00	327.00
15	638 14" CAP	1	EA	149.00	149.00
					79,488.00
					10,305.00
					35,715.00
					504.00
					353.00

Unit Prices have been computed in accordance with paragraph 11.03.B of the General Conditions.

City of North Canton
GLENWOOD WATERLINE REPLACEMENT PROJECT - 2011 (continued)

Item No.	Description	Unit	Quantity	Unit Price	Total Price	Material Price	Labor Price	Overhead & Profit	Subtotal
16	638 8" - 22-1/2" BEND - AS DIRECTED	EA	2	122.00	244.00	194.00	72.00	194.00	388.00
17	638 8" - 45" BEND - AS DIRECTED	EA	14	122.00	1708.00	1350.00	73.00	195.00	2,130.00
18	638 8" X 6" REDUCER	EA	3	149.00	447.00	201.00	52.00	201.00	603.00
19	638 8" X 8" TEE	EA	4	252.00	1008.00	384.00	132.00	384.00	1536.00
20	638 6" CAP	EA	4	110.00	440.00	184.00	74.00	184.00	736.00
21	638 8" CAP	EA	1	112.00	112.00	88.00	88.00	250.00	250.00
22	638 8" SLEEVE	EA	2	341.00	682.00	483.00	142.00	483.00	914.00
23	638 6" SLEEVE	EA	3	289.00	867.00	623.00	123.00	623.00	1234.00
24	638 2" TEMPORARY BLOWOFF ASSEMBLY - AS DIRECTED	EA	1	399.00	399.00	192.00	192.00	591.00	591.00
25	653 TOPSOIL @ 4" - SCREENED	CY	12	6.50	78.00	5.50	5.50	12.00	144.00
26	659 SEEDING AND MULCHING (ODOT CLASS 1 LAWN)	LUMP	100	0.60	60.00	0.70	0.70	1.30	130.00
27	SPEC CONTINGENCY	LUMP	1						\$10,000.00

TOTAL BID AMOUNT \$ 108,689.00

Wenger Excavating, Inc. Howard J. Wenger, President
 Authorized Representative Name, Print

[Signature]
 Authorized Representative Name, Signature

Bidder acknowledges estimated quantities are not guaranteed, and are solely for the purpose of the comparison of Bids, and final payment for all Unit Price Bid items will be based on actual quantities provided, determined as provided in the Contract Documents.

QUOTE:

Underground Services

5.01 Bidder will complete the Work in accordance with the Contract Documents for the following price(s):

City of North Canton
GLENWOOD WATERLINE REPLACEMENT PROJECT - 2011
 Bid Opening: , 2011

Item	Spec No	Item Description	Est. Qty	Unit	Separate Unit Prices		Total Unit Price	Total for Item
					Material	Labor		
1	202	ABANDON EXISTING WATERLINE, INCL. COMPLETELY PULLING VALVE BOXES & PLUGGING TEES - AS DIRECTED	1	LUMP	\$100.00	\$975.00	\$1,075.00	\$1,075.00
2	202	HYDRANT REMOVED - RETURNED TO CITY	2	EA	\$88.00	\$503.00	\$591.00	\$1,182.00
3	301	ASPHALT CONCRETE BASE @ 6" - STREET/TRENCH REPAIR	296	TON	\$68.00	\$41.00	\$99.00	\$29,205.00
4	448	ASPHALT CONCRETE SURFACE @ 1-1/2" -	75	TON	\$75.00	\$50.00	\$125.00	\$9,375.00
5	609	CURB & GUTTER, TYPE 2 (REMOVE AND REPLACE) - AS DIRECTED	110	LF	\$8.50	\$30.50	\$39.00	\$4,290.00
6	614	MAINTENANCE OF TRAFFIC	1	LUMP	\$0.00	\$1,250.00	\$1,250.00	\$1,250.00
7	624	MOBILIZATION	1	LUMP	\$0.00	\$750.00	\$750.00	\$750.00
8	638	8" DUCTILE IRON PIPE (CLASS 52), PUSH-ON JOINT, INCL. BEDDING, GRANULAR BACKFILL & POLYETHYLENE ENCASEMENT - TAPED	1320	LF	\$45.25	\$15.75	\$61.00	\$80,520.00
9	638	6" DUCTILE IRON PIPE (CLASS 52), PUSH-ON JOINT, INCL. BEDDING, GRANULAR BACKFILL & POLYETHYLENE ENCASEMENT - TAPED	20	LF	\$35.00	\$22.00	\$57.00	\$1,140.00
10	638	8" GATE VALVE, VALVE BOX & COVER	6	EA	\$1,055.00	\$468.00	\$1,523.00	\$9,138.00
11	638	HYDRANT ASSEMBLY, INCL. TEE, ANCHORING COUPLING, 6" GATE VALVE/BOX & COVER - RED W/ WHITE BONNET & WHITE CAPS	2	EA	\$3,278.00	\$899.00	\$4,177.00	\$8,354.00
12	638	1" WATER SERVICE CONNECTION, INCL. 1" CORP. STOP, 90° BEND, 1" CURB STOP/BOX & COVER AND RECONNECTION TO EXISTING WATER SERVICE LINE	15	EA	\$140.00	\$422.00	\$562.00	\$8,430.00
13	638	1" COPPER (TYPE K) WATER SERVICE LINE	275	LF	\$16.90	\$34.10	\$51.00	\$14,025.00
14	638	8" X 14" REDUCER	1	EA	\$583.00	\$185.00	\$768.00	\$768.00
15	638	14" CAP	1	EA	\$319.00	\$300.00	\$619.00	\$619.00

Unit Prices have been computed in accordance with paragraph 11.03.B of the General Conditions.

City of North Canton
GLENWOOD WATERLINE REPLACEMENT PROJECT - 2011 (continued)

Item	Spec No	Item Description	Est. Qty	Unit	Separate Unit Prices		Total Unit Price	Total for Item
					Material	Labor		
16	638	8" - 22-1/2° BEND - AS DIRECTED	2	EA	\$181.00	\$300.00	\$481.00	\$962.00
17	638	8" - 45° BEND - AS DIRECTED	14	EA	\$184.00	\$300.00	\$484.00	\$6,776.00
18	638	8" X 6" REDUCER	3	EA	\$154.00	\$300.00	\$454.00	\$1,362.00
19	638	8" X 8" TEE	4	EA	\$330.00	\$450.00	\$780.00	\$3,120.00
20	638	6" CAP	4	EA	\$65.00	\$300.00	\$365.00	\$1,460.00
21	638	8" CAP	1	EA	\$94.00	\$300.00	\$394.00	\$394.00
22	638	8" SLEEVE	2	EA	\$182.00	\$300.00	\$482.00	\$964.00
23	638	6" SLEEVE	3	EA	\$132.00	\$300.00	\$432.00	\$1,296.00
24	638	2" TEMPORARY BLOWOFF ASSEMBLY - AS DIRECTED	1	EA	\$506.00	\$600.00	\$1,106.00	\$1,106.00
25	653	TOPSOIL @ 4" - SCREENED	12	CY	\$20.00	\$102.00	\$122.00	\$1,464.00
26	659	SEEDING AND MULCHING (ODOT CLASS 1 LAWN)	100	LUMP	\$3.75	\$5.25	\$9.00	\$900.00
27	SPEC	CONTINGENCY	1	LUMP				\$10,000.00

TOTAL BID AMOUNT \$ \$199,925.00

Authorized Representative Name, Print _____

Authorized Representative Name, Signature _____

Bidder acknowledges estimated quantities are not guaranteed, and are solely for the purpose of the comparison of Bids, and final payment for all Unit Price Bid items will be based on actual quantities provided, determined as provided in the Contract Documents.

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the emergency waterline replacement on Glenwood Street SW (Hillcrest Avenue SW to Woodland Avenue SW), without advertisement and competitive bidding, at a cost not to exceed \$160,000, 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. Pursuant to Section 4.05 of the Charter of the Municipality of North Canton, Council hereby finds that an emergency exists due to low water pressure and poor water quality (high iron and low chlorine levels) necessitating the replacement of the waterline.

Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized and directed to enter into a contract for emergency waterline replacement on Glenwood Street SW (Hillcrest Avenue SW to Woodland Avenue SW), without advertisement and competitive bidding, at a cost not to exceed \$160,000.

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 appropriations:

651	WATER EXP., REP & IMPROVEMENTS	
651.767-5502	Facilities – Inside Waterlines	\$160,000

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 replacement of the waterline to prevent low water pressure and poor water quality (high iron and low chlorine levels); 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.

Memo

from the City of North Canton Council Office

September 29, 2011

To: Council Members

From: Jon Snyder
President of Council

Re: Resolution Supporting the Stark County Sales Tax Increase

If the failure of Issue 29 should happen, it would put an unattainable burden upon our Police Department. It would virtually prohibit our ability to process and incarcerate arrested criminals. Therefore, I feel it incumbent upon us as responsible elected officials to support the passage of Issue 29.

JFS:gk

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

RESOLUTION OF SUPPORT

A Resolution by North Canton City Council expressing their support and endorsement of passage of the proposed sales tax issue for Stark County, Issue 29.

Whereas: Due to revenue decreases County government including primarily the jail, courts, prosecutor and other offices providing criminal justice services have been cut by 15%; and major additional cuts of up to 40% to these offices need to be made in 2012; and,

Whereas: Stark County voters are being asked to vote for a one-half percent sales tax (Issue 29) on the November 8, 2011 ballot to pay for Criminal and Administrative Justice services for a period of 8 years; and,

Whereas: Without the sales tax the county jail with a capacity of 501 beds will be reduced to as few as 122 beds, which means that only the most serious criminals will be held in jail; and,

Whereas: The impact will be felt across Stark County regardless of where you live and regardless of whether your own community has its own police department, police can still arrest but there will be no place to house criminals beyond the 122 limit; and,

Whereas: The sales tax rate in Stark County is 5.75%; 5.5% goes to the State of Ohio and .25% goes to SARTA, none goes to Stark County Government; and,

Whereas: Stark is the only county in Ohio without a sales tax for county operations, if the sales tax is passed in November Stark County will still have the lowest sales tax rate in Ohio; and,

Whereas: The sales tax is needed for continued public services, public safety and quality of life in Stark County.

Resolution of Support
Page 2

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

Section 1. That the Council of the City of North Canton supports and endorses passage of the proposed sales tax issue for Stark County, Issue 29.

Respectfully submitted,

Jon Snyder, President of Council

Daniel Peters, Ward 2

Doug Foltz, Vice President of Council

Jeff Davies, Ward 3

Mark Cerreta, Council-At-Large

Pat DeOrio, Council-At-Large

Marcia Kiesling, Council-At-Large