



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, Director of Finance and Police Chief on **Monday, February 28, 2011 at 6:30 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 conducting interviews for the position of Director of Finance. The executive session **will not be open** to the public.

Council Meeting Agenda Monday, February 28, 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

Financial Statement – January, 2011

6. Committee Minutes
7. Recognition of Visitors

OLD BUSINESS:

8. **Ordinance No. 13-11 – 2nd Reading – Personnel & Safety**

An ordinance amending Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances of the City of North Canton, for of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

9. **Ordinance No. 15-11 – 2nd Reading – Ordinance, Rules & Claims**
An ordinance amending Chapter 907 Street Excavations, Section 907.02 STREET OPENING PERMIT; FEE; EXCEPTIONS, and to establish Section 907.99 PENALTY of the Codified Ordinance of the City of North Canton and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.
10. **Ordinance No. 16-11 – 2nd Reading – Ordinance, Rules & Claims**
An ordinance amending Chapter 1303 Razing of Buildings, specifically 1303.07 FEE FOR PERMITS of the Codified Ordinances of the City of North Canton, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.
11. **Ordinance No. 17-11 – 2nd Reading – Ordinance, Rules & Claims**
An ordinance amending Chapter 1501 Ohio Fire Code, specifically Section 1501.13 FEE SCHEDULE, of the Codified Ordinances of the City of North Canton to establish fees for inspections for the issuance and enforcement of underground storage tanks permits, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.
12. **Ordinance No. 18-11 – 2nd Reading – Ordinance, Rules & Claims**
An ordinance amending Chapter 1507 Open Burning, specifically Section 1507.04 PERMIT, of the Codified Ordinances of the City of North Canton to establish an open burning permit fee for all recreational fires and declaring the same to be an emergency.
13. **Ordinance No. 19-11 – 2nd Reading – Park & Recreation**
An ordinance establishing recreational rental rates and policies for rental of the City of North Canton Ball Fields known as Price Park; Dogwood; Knights of Columbus; Clearmount; and Witwer Ball Fields and declaring the same to be an emergency.

NEW BUSINESS:

14. **Ordinance No. 20-11 – 1st Reading – Water, Sewer & Rubbish**
An ordinance amending Chapter 937 WATER RATES of the Codified Ordinances of the City of North Canton, Ohio, specifically sections providing for the billing and collection of water rentals; repealing any and all legislation inconsistent herewith, and declaring the same to be an emergency.
15. **Ordinance No. 21-11 – 1st Reading – Finance & Property**
An ordinance establishing policies and procedures for the use of purchase orders by City of North Canton employees and declaring the same to be an emergency.

**Council Meeting
Agenda**

**February 28, 2011
Page 3**

REPORTS:

Director of Law	Director of Finance	Administrator/Engineer	Mayor
Director of Economic Development		Clerk of Council	

REPORTS – COUNCIL:

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

FINAL CALL FOR NEW BUSINESS:

ADJOURN:

Gail M. Kalpac
Clerk of Council



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EXECUTIVE SESSION MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met Monday, February 14, 2011 at 6:00 p.m. in the Council Chambers at North Canton City Hall.

Present for the Meeting were: Chairman Peters, Vice Chairman Snyder, Member Revoldt, Council Members Davies, Foltz and Kiesling. Also present for the meeting was: Director of Finance Loretto. Council Member DeOrio was not present for the meeting.

Upon a roll call vote of Council, all present moved into an executive session at 6:00 p.m. for the purpose of conducting interviews for the position of Director of Finance. Subsequent to the discussion, the executive session adjourned at 7:10 p.m.

Respectfully submitted,

Jeff Peters, Chairman

Jon Snyder, Vice Chairman

Daryl Revoldt, Council Member

2/24/11-gmk

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



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EXECUTIVE SESSION MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met Wednesday, February 16, 2011 at 6:15 p.m. in the Council Chambers at North Canton City Hall.

Present for the Meeting were: Chairman Peters, Vice Chairman Snyder, Member Revoldt, Council Members Davies, Foltz and Kiesling. Also present for the meeting was: Director of Finance Loretto. Council Member DeOrio was not present for the meeting.

Upon a roll call vote of Council, all present moved into an executive session at 6:15 p.m. for the purpose of conducting interviews for the position of Director of Finance. Subsequent to the discussion, the executive session adjourned at 6:47 p.m.

Respectfully submitted,

Jeff Peters, Chairman

Jon Snyder, Vice Chairman

Daryl Revoldt, Council Member

2/24/11-gmk

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

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EXECUTIVE SESSION MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met Tuesday, February 22, 2011 at 6:30 p.m. in the North Canton Civic Center Mack Room located at 845 West Maple Street, North Canton, Ohio.

Present for the Meeting were: Chairman Peters, Vice Chairman Snyder, Member Revoldt, Council Members Davies, DeOrio, Foltz and Kiesling. Also present for the meeting were: Administrator/Engineer Benekos, Director of Law Nilges and Director of Finance Loretto.

Upon a roll call vote of Council, all present moved into an executive session at 6:30 p.m. for the purpose of conducting interviews for the position of Director of Finance. Subsequent to the discussion, the executive session adjourned at 7:05 p.m.

Respectfully submitted,

Jeff Peters, Chairman

Jon Snyder, Vice Chairman

Daryl Revoldt, Council Member

2/24/11-gmk

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

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COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE MEETING MINUTES

The Community & Economic Development Committee of North Canton City Council met as part of the Committee of the Whole, Tuesday, February 22, 2011 in the North Canton Civic Center located at 845 West Maple Street, North Canton, Ohio.

Present for the meeting were: Chairperson Kiesling, Vice Chairman Peters, Member Davies, Council Members DeOrio, Foltz, Revoldt and Snyder. Also present were: Director of Administration/Engineer Benekos, Director of Law Nilges, Director of Finance Loretto, Director of Economic Development Bowles, Fire/EMS Chief Bacon and Superintendent of Streets & Utilities Chufar. Mayor Held and Police Chief Grimes were not present for the meeting.

Items discussed:

- a. ICAN Home Solutions – Proposed Renovations to Harleigh Inn: A lengthy discussion was had by all. ICAN Home Solutions Representative, Maryellen Cameron, was present and answered questions regarding the proposed renovations and occupancy for the Harleigh Inn. Item to be placed on the March 7, 2011 Committee of the Whole Agenda for further discussion.
- b. Establish a Public Hearing Date and Time re Zoning Amendment for the 500 Block of Applegrove NW from R-2F to GB-A: The Committee established Monday, April 4, 2011 at 6:45 p.m. as the date and time for a public hearing on the proposed zoning amendment for the 500 block of Applegrove NW from R-2F to GB-A.

Respectfully submitted,

Marcia Kiesling, Chairperson

Daniel Peters, Vice Chairman

Jeff Davies, Member



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PERSONNEL & SAFETY COMMITTEE MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met as part of the Committee of the Whole Tuesday, February 22, 2011 in the North Canton Civic Center located at 845 West Maple Street, North Canton, Ohio.

Present for the meeting were: Chairperson Peters, Vice Chairman Snyder, Member Revoldt, Council Members Davies, DeOrio, Foltz and Kiesling. Also present were: Administrator/Engineer Benekos, Director of Law Nilges, Director of Finance Loretto, Director of Economic Development Bowles, Fire/EMS Chief Bacon and Superintendent of Streets & Utilities Chufar. Mayor Held and Police Chief Grimes were not present for the meeting.

Item discussed:

- a. Amendment to Ordinance No. 13-11 re Zoning Inspector: Item was tabled.

Respectfully submitted,

Daniel Peters, Chairman

Jon Snyder, Vice Chairman

Daryl Revoldt, Member

2/23/11-gmk



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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 Tuesday, February 22, 2011 in the North Canton Civic Center located at 845 West Maple Street, North Canton, Ohio.

Present for the meeting were: Chairman Davies, Vice Chairman DeOrio, Member Snyder, Council Members Foltz, Kiesling, Peters, and Revoldt. Also present were: Administrator/Engineer Benekos, Director of Law Nilges, Director of Finance Loretto, Director of Economic Development Bowles, Fire/EMS Chief Bacon and Superintendent of Streets & Utilities Chufar. Mayor Held and Police Chief Grimes were not present for the meeting.

Item discussed:

- a. Amendment to Chapter 937 re Billing & Collection of Water Rentals: The Committee authorized legislation, on an emergency basis, amending Chapter 937 WATER RATES, specifically sections providing for the billing and collection of water rentals and repealing any and all legislation inconsistent herewith.

Respectfully submitted,

Jeff Davies, Chairman

Pat DeOrio, Vice Chairman

Jon Snyder, Member

2/23/11-gmk



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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 Tuesday, February 22, 2011 in the North Canton Civic Center located at 845 West Maple Street, North Canton, Ohio.

Present for the meeting were: Chairman Snyder, Vice Chairman Davies, Member DeOrio, Council Members Foltz, Kiesling, Peters and Revoldt. Also present were: Administrator/Engineer Benekos, Director of Law Nilges, Director of Finance Loretto, Director of Economic Development Bowles, Fire/EMS Chief Bacon and Superintendent of Streets & Utilities Chufar. Mayor Held and Police Chief Grimes were not present for the meeting.

Items discussed:

- a. Financial Statement – January, 2011: The Financial Statement was reviewed and will be placed on the February 28, 2011 council agenda for formal approval.

- b. Discussion – City Hall Roof Replacement: The Committee authorized Administrator/Engineer Benekos to proceed with the design of a replacement roof for North Canton City Hall, in an amount not to exceed \$25,000.

Legislation not necessary at this time.

- c. Discussion Restricting Purchase Orders without Requisition: The Committee authorized legislation establishing policies and procedures for the use of purchase orders by City employees.

Legislation to contain an emergency clause.

- d. Discussion – Appraisal of the Fairways Property: The Committee requested the City consider obtaining a current appraisal of the Fairways property.

Respectfully submitted,

Jon Snyder, Chairman

Jeff Davies, Vice Chairman

Pat DeOrio, Member

2/24/11-gmk

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

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 20-11

Passed _____, 20____

That monthly minimum billings for water service shall be based on the size of the meter installed. When more than one single premises, as hereinafter defined, is being served by a single meter, the minimum monthly charge shall be as follows:

(a) Multiple Residential:

The minimum monthly charge for a 5/8 inch meter multiplied by the number of single premises serviced or the calculated water bill for the actual consumption measured, whichever is greater.

(b) Converted Residential Buildings:

For computing minimum bills, a residential building converted to commercial usage that retains a 5/8 inch meter and that houses any of the following: office rooms and/or business rooms and/or apartments then each of the following shall constitute a single premise: each room or suite of rooms located on the first floor of the building used for single occupancy by a person or persons in the conduct of a single enterprise.

The minimum monthly charge multiplied by the number of single premises serviced or the calculated water bill for the actual consumption measured, whichever is greater.

In the event of a fire, the City shall estimate the water usage and shall bill for the water usage based on the current rate. This estimate shall be provided by the Director of Finance and shall be based on the number of sprinkler heads activated during the fire and based on the amount of discharge each head permits.

Premises Located Inside Corporate Limits of the City

<u>Size of Meter</u>	<u>Minimum Monthly Consumption in Gallons</u>
5/8 inch	2,000
1 inch	8,000
1 1/2 inch	17,000
2 inch	25,000
3 inch	33,000
4 inch	50,000
6 inch	75,000
8 inch	125,000
10 inch	210,000
12 inch	375,000

Premises Located Outside Corporate Limits of the City

<u>Size of Meter</u>	<u>Minimum Monthly Consumption in Gallons</u>
5/8 inch	3,000
1 inch	8,000
1 1/2 inch	17,000
2 inch	25,000
3 inch	33,000
4 inch	50,000
6 inch	75,000
8 inch	125,000
10 inch	210,000
12 inch	375,000

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 20-11

Passed _____, 20____

(d) In the event of any dispute as to charges or any dispute as failure to comply with rules and regulations concerning the use of the City's waterworks system shall upon written request by the party aggrieved be referred to a Board consisting of the Director of Law, Director of Finance and Director of Administration for review. Said Board shall hear said dispute within thirty days receipt of said notice and shall make a written decision to the party aggrieved within a reasonable time thereafter.

937.04 WATER TURN ON CHARGE.

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

(b) 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.

(c) Whenever water service has been turned off, the past due amount, in addition to applicable turn on charge, shall be paid in full before water service will be turned on.

937.05 BULK WATER CHARGE

Bulk or construction water shall be sold at a cost of \$3.60 per thousand gallons. Water shall be sold with the consent and approval of the Director of Administration. Where a meter installation is required, there shall be an additional charge of \$25.00.

937.06 COMMERCIAL FIRE HYDRANT CHARGE ON PRIVATE PROPERTY

In respect to commercial establishments having fire hydrants located on private property connected to the North Canton water system and not being regularly billed for water consumption on their premises, said establishments shall pay \$24.00 per month for each hydrant.

937.07 METER REGULATIONS

(a) All new services shall be one (1") inch or larger.

(b) All new installations shall have touchpad, radio or telephone read dials.

(c) All new tap-in installations shall be meter cost plus labor, equipment and material cost inside the City limits and cost plus one-half for installation outside the City limits.

(d) Owners shall deposit the amount of estimated cost of meter and tap when permit is issued, unless the following is authorized by the Director of Administration and Director of Finance. A payment plan may be established for the connection and tap-in fees for residential single family owner occupied premises connecting to preexisting waterlines of the water system of the City of North Canton, as provided at Section 937.02 of the Codified Ordinances.

(e) Remote meter dials are available from the City at the cost of material and labor.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 20-11

Passed _____, 20____

- (f) Water users, either business or residential, connected to the North Canton water distribution system shall be required by the City to install an outside remote register at the user's expense in the event the meter reader is unable to make a reading on the existing water meter for a period of three consecutive months. For the purpose of the within Subsection (f), the inability of the meter reader to read the existing meter on the day and time he or she attempts to read the meter in the regular course of his or her duties shall be deemed inability to make a reading; the meter reader shall not be required to make any call backs or return calls during any meter reading period.
- (g) In the event the meter reader is unable to make a reading on the existing water meter for a period of three consecutive months as provided in Subsection (f), the City shall notify the user of its intention to install an outside remote register at the user's expense.

This notice shall request that the user make arrangements with the City for the installation of an outside remote register within thirty (30) days from receipt of the notice. The notice provided for herein shall be given to the user by registered or certified mail, return receipt requested, or by delivering the notice personally to the user.

In the event the user fails to contact the City to make arrangements for the installation of an outside remote register within the thirty (30) day period provided, the City shall have the right to discontinue service of such premises of water supplied by the City's waterworks system until such time as an outside remote register is installed.

937.08 WATER TURN ON

- (a) All property owners or their designated agent shall be required to execute an application to the City of North Canton for water and/or sewer service to premises owned by the applicant and thereby agree to pay all rentals and other charges for service at the due dates and to conform to all rules and regulations of the City of North Canton now or hereafter in force, pertaining to such water and/or sewer service.
- (b) That the residential property owners of the premises shall be responsible for the water supplied by the City's waterworks systems. The City of North Canton will send a courtesy bill to the residential property owners' lessees.

937.09 DEPOSIT FOR BUSINESSES

Upon the effective date of this legislation, all new businesses on the North Canton Water System will be required to make a deposit that equals an estimated forty-five (45) day usage. Said deposit may be applied to the amount due in case of business bankruptcy or any time the Director of Finance deems that it is necessary for payment of water consumed."

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

Section 3. 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. 20-11 Passed _____, 20____

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary to ensure the continued efficient operation of the Utility 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:

MAYOR

SIGNED: _____, 2011

ATTEST:

CLERK OF COUNCIL

g:\2011 legislation\20-11 chapter 937 re water billing & collection.docx

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 21-11

Passed _____, 20____

2/23/11-gmk
(Finance & Property)

Ordinance No. 21-11

An ordinance establishing policies and procedures for the use of purchase orders by City of North Canton employees 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 policies and procedures for the use of purchase orders by City of North Canton employees, be, and the same are hereby established.

(A) That prior to submission of a requisition for a purchase order there shall be verification that adequate appropriations are available in the applicable line item.

(B) That a requisition shall be submitted to the Director of Finance for approval; upon approval the purchase order will be prepared and distributed.

(C) Prior to the issuance of a purchase order, goods and/or services shall not be obtained.

(D) That said policies and procedures will not apply to emergency purchases.

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 implementation of the policies and procedure and to ensure the continued efficient operation of the City; 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