



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 MEETING Council Meeting Agenda Monday, March 28, 2011 7:00 p.m.

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

Council Meeting Minutes – March 14, 2011

6. Committee Minutes
7. Election – Vice President of Council
8. Recognition of Visitors

OLD BUSINESS:

9. **Ordinance No. 21-11 – 2nd Reading – Finance & Property Committee**
(Tabled prior to the 2nd reading 3/14/11)
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.
10. **Ordinance No. 22-11 – 2nd Reading – Personnel & Safety Committee**
An ordinance amending and consolidating the rules, regulations, policies, and penalties of the City of North Canton Personnel Handbook, and declaring the same to be an emergency.

NEW BUSINESS:

11. **Ordinance No. 29-11 – 1st Reading – Park & Recreation Committee**
An ordinance amending Ordinance No. 10-09 to increase the rates to be charged for season membership and daily admission for the City of North Canton Municipal Swimming Pool, rate for swimming lessons, and repealing any and all legislation inconsistent herewith and declaring the same to be an emergency.

12. **Ordinance No. 30-11 – 1st Reading – Street & Alley Committee**
An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Street Improvement Levy and Sanitary Sewer Operating Funds to the Contract Payments and Facilities – Sewer Lines Accounts in the amount of \$120,000 for the current expenses during the fiscal year ending December 31, 2011, and declaring the same to be an emergency.
13. **Ordinance No. 31-11 – 1st Reading – Street & Alley Committee**
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 resurfacing, repaving, replacement, repair and preventative maintenance of certain streets, alleys and city parking lots, at a cost not to exceed \$420,000 and declaring the same to be an emergency.
14. **Ordinance No. 32-11 – 1st Reading – Water, Sewer & Rubbish Committee**
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 Hines Street SW Waterline Replacement Project (South Main Street to Castlewood Avenue SW), at a cost not to exceed \$160,000, and declaring the same to be an emergency.
15. **Ordinance No. 33-11 – 1st Reading – Water, Sewer & Rubbish Committee**
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 Farview Drive SW Waterline Replacement Project (Westfield Avenue SW to cul de sac), at a cost not to exceed \$100,000, and declaring the same to be an emergency.
16. **Ordinance No. 34-11 – 1st Reading – Water, Sewer & Rubbish Committee**
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 Lynbrook Street Sanitary Sewer Project (Clearmount Avenue to Pineview Avenue SE), at a cost not to exceed \$357,000, and declaring the same to be an emergency.
17. **Ordinance No. 35-11 – 1st Reading – Water, Sewer & Rubbish Committee**
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 Northfield Avenue SE Waterline Replacement Project (Easthill Street to Knoll Street and Greenway Road SE to Meadowlane Drive SE), at a cost not to exceed \$255,000, and declaring the same to be an emergency.

18. **Ordinance No. 36-11 – 1st Reading – Water, Sewer & Rubbish Committee**
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 Promway Avenue NW Waterline Extension Project (North of Promler to Portage Street), at a cost not to exceed \$300,000, and declaring the same to be an emergency.
19. **Ordinance No. 37-11 – 1st Reading – Water, Sewer & Rubbish Committee**
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 Sanitary Sewer Lining Project – 2011, in an amount not to exceed \$500,000, and declaring the same to be an emergency.
20. **Ordinance No. 38-11 – 1st Reading – Water, Sewer & Rubbish Committee**
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 Valley Drive Sanitary Sewer Project, in an amount not to exceed \$200,000, and declaring the same to be an emergency.
21. **Ordinance No. 39-11 – 1st Reading – Finance & Property Committee**
An ordinance amending Chapter 191 Administrative Code, specifically Section 191.04 IMPOSITION OF A TAX ON RESIDENTS and 191.05 IMPOSITION OF TAX ON NON-RESIDENTS, of the Codified Ordinances of the City of North Canton, and declaring the same to be an emergency.
22. **Ordinance No. 40-11 – 1st Reading – Finance & Property Committee**
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 replacement of the roof at North Canton City Hall, at a cost not to exceed \$185,000, and declaring the same to be an emergency.
23. **Ordinance No. 41-11 – 1st Reading – Finance & Property Committee**
An ordinance authorizing the Director of Administration of the City of North Canton to advertise bids 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 North Canton Civic Center Roofing Project, at a cost not to exceed \$85,000, and declaring the same to be an emergency.
24. **Ordinance No. 42-11 – 1st Reading – Finance & Property Committee**
An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Agreement for the purchase of Radio Equipment for use by the Fire/EMS Departments, within the purview of the Ohio Cooperative Purchase Act and declaring the same to be an emergency.

25. Ordinance No. 43-11 – 1st Reading – Finance & Property Committee

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Use Agreement by and between the City of North Canton ("City") and the Ohio Office of Information Technology, Multi-Agency Radio Communications System Program Office ("MARCS") for subscription to the statewide radio coverage system for use by the Fire/EMS Department, and declaring the same to be an emergency.

26. Ordinance No. 44-11 – 1st Reading – Finance & Property Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into an Agreement for the purchase of two (2) Marked Cruisers for use by the Police Department from a vendor or, in the alternative, pursuant to the Ohio Cooperative Purchase Act and declaring the same to be an emergency.

REPORTS:

Director of Law	Director of Finance	Administrator	Mayor
City Engineer	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, March 14, 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 Revoldt, Council Members Davies, Foltz and Kiesling. Council Member DeOrio was not present for the meeting.

Upon a roll call vote of Council, all present moved into an executive session at 6:30 p.m. for the purpose of conducting interviews for the position of Director of Finance. Subsequent to the discussion, the executive session adjourned at 7:00 p.m.

Respectfully submitted,

Daniel Peters, Chairman

Jon Snyder, Vice Chairman

Daryl Revoldt, Council Member

3/25/11-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, Monday, March 21, 2011 in Council Chamber at North Canton City Hall.

Present for the meeting were: Chairperson Kiesling, Vice Chairman Peters, Member Davies, Council Members DeOrio, Foltz, Revoldt and Snyder. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Loretto, City Engineer Benekos, Director of Economic Development Bowles, Police Chief Wurgler, Fire/EMS Chief Bacon, Operations Manager Rhodes and Clerk of Council Kalpac.

Item discussed:

- a. Zoning – Luzio Property: At the request of the Committee, establishment of zoning for the recently annexed Luzio Property will be sent to the Planning Commission for a recommendation.

Respectfully submitted,

Marcia Kiesling, Chairperson

Daniel Peters, Vice Chairman

Jeff Davies, Member

3/23/11-gmk

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

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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, March 21, 2011 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Snyder, Vice Chairman Davies, Member DeOrio, Council Members Foltz, Kiesling, Peters and Revoldt. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Loretto, City Engineer Benekos, Director of Economic Development Bowles, Police Chief Wurgler, Fire/EMS Chief Bacon, Operations Manager Rhodes and Clerk of Council Kalpac.

Items discussed:

- a. Discussion – Possible Amendment to the Income Tax Ordinance: The Committee Authorized, legislation, on an emergency basis, amending Chapter 191 Administrative Code, specifically, Section 191.04 IMPOSITION OF TAX ON RESIDENTS and 191.05 IMPOSITION OF TAX ON NON-RESIDENTS, of the Codified Ordinances of the City of North Canton, Ohio.
- b. City Hall Roof Replacement: 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 replacement of the roof at North Canton City Hall, at a cost not to exceed \$185,000.
- c. Civic Center Roof: 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 North Canton Civic Center Roofing Project, at a cost not to exceed \$85,000.
- d. Salt Shed: Item was tabled. The Committee requested City Engineer provide information on possible alternative site locations.

- e. Radio Equipment Agreement: The Committee authorized legislation, on an emergency basis, authorizing the Mayor, through the Board of Control, to enter into an Use Agreement for the purchase of Radio Equipment for use by the Fire/EMS Departments, within the purview of the Ohio Cooperative Purchase Act.
- f. MARCS Radio Use Agreement: The Committee authorized legislation, on an emergency basis, authorizing the Mayor, through the Board of Control, to enter into an Use Agreement by and between the City of North Canton and the Ohio Office of Information Technology, Multi-Agency Radio Communications System Program Office for subscription to the statewide radio coverage system for use by the Fire / EMS Departments.
- g. Purchase of Two (2) Marked Cruisers: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids according to specifications now on file in the office of the Director of Administration and for the Mayor, through the Board of Control, to enter into an Agreement for the purchase of two (2) Marked Cruisers for use by the Police Department from a vendor or, in the alternative, pursuant to the Ohio Cooperative Purchase Act.

Respectfully submitted,

Jon Snyder, Chairman

Jeff Davies, Vice Chairman

Pat DeOrio, Member

3/24/11-gmk

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

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ORDINANCE, RULES & CLAIMS COMMITTEE MEETING MINUTES

The Ordinance, Rules & Claims Committee of the North Canton City Council met as part of the Committee of the Whole Monday, March 21, 2011 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Revoldt, Vice Chairman Foltz, Member Kiesling, Council Members Davies, DeOrio, Peters and Snyder. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Loretto, City Engineer Benekos, Director of Economic Development Bowles, Police Chief Wurgler, Fire/EMS Chief Bacon, Operations Manager Rhodes and Clerk of Council Kalpac.

Items discussed:

- a. Transfer of Liquor Permit – Washington Square Restaurant Inc. to Lake Cable Restaurant: There are no objections to the permit transfer and Council does not request a hearing. Minutes will suffice to allow permits to be renewed.
- b. Transfer of Liquor Permit – Battershell Brother LLC to Shiramanuj LLC: There are no objections to the permit transfer and Council does not request a hearing. Minutes will suffice to allow permits to be renewed.

Respectfully submitted,

Daryl Revoldt, Chairman

Doug Foltz, Vice Chairman

Marcia Kiesling, Member



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PARK & RECREATION COMMITTEE MINUTES

The Park & Recreation Committee of North Canton City Council met as part of the Committee of the Whole Monday, March 21, 2011 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Foltz, Vice Chairman Revoldt, Member Peters, Council Members Davies, DeOrio, Kiesling and Snyder. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Loretto, City Engineer Benekos, Director of Economic Development Bowles, Police Chief Wurgler, Fire/EMS Chief Bacon, Operations Manager Rhodes and Clerk of Council Kalpac.

Item discussed:

- a. Proposed Increase – Swimming Pool Memberships: The Committee authorized legislation, on an emergency basis, amending Ordinance No. 10-09 to increase the rates to be charged for season membership and daily admission for the City of North Canton Municipal Swimming Pool, rate for swimming lessons, and repealing any and all legislation inconsistent herewith.

Respectfully submitted,

Doug Foltz, Chairman

Daryl Revoldt, Vice Chairman

Daniel Peters, Member



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STREET & ALLEY COMMITTEE MEETING MINUTES

The Street & Alley Committee of North Canton City Council met as part of the Committee of the Whole Monday, March 21, 2011 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman DeOrio, Vice Chairperson Kiesling, Member Foltz, Council Members Davies, Peters, Revoldt and Snyder. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Loretto, City Engineer Benekos, Director of Economic Development Bowles, Police Chief Wurgler, Fire/EMS Chief Bacon, Operations Manager Rhodes and Clerk of Council Kalpac.

Items discussed:

- a. 2011 Street Maintenance/Paving Program: The Committee authorized legislation, on an emergency basis, authorizing the supplemental appropriation to be appropriated from the unappropriated resources of the Street Improvement Levy and Sanitary Sewer Operating Funds to the Contract Payments and Facilities – Sewer Lines Accounts in the amount of \$120,000 for the current expenses during the fiscal year ending December 31, 2011.

The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration advertise and receive bids; and authorizing the Mayor, through the Board of Control, to enter into a contract for the resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots, at a cost not to exceed \$420,000.

- b. Main Street Resurfacing: The Committee authorized legislation, authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional services Agreement by and between the City of North Canton and Omnipro Services LLC for construction inspection services for the Main Street Resurfacing Project, in an amount not to exceed \$120,000.

Legislation to be considered at a special meeting held this date, will contain an emergency clause and is subject to suspension of the rules of Council requiring a committee report.

Respectfully submitted,

Pat DeOrio, Chairman

Marcia Kiesling, Vice Chairman

Doug Foltz, Member

3/23/11-gmk

- c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
D/Community & Economic Development
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, March 21, 2011 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Davies, Vice Chairman DeOrio, Member Snyder, Council Members Foltz, Kiesling, Peters, and Revoldt. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Loretto, City Engineer Benekos, Director of Economic Development Bowles, Police Chief Wurgler, Fire/EMS Chief Bacon, Operations Manager Rhodes and Clerk of Council Kalpac.

Items discussed:

- a. Hines Waterline Replacement Project: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids and for the Mayor, through the Board of Control, to be authorized to enter into a contract for the Hines Street SW Waterline Replacement Project (South Main Street to Castlewood Avenue SW), at a cost not to exceed \$160,000.
- b. Farview Waterline Replacement Project: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids and for the Mayor, through the Board of Control, to be authorized to enter into a contract for the Farview Drive SW Waterline Replacement Project (Westfield Avenue SW to cul de sac), at a cost not to exceed \$100,000.
- c. Lynbrook Sanitary Sewer Project – OPWC Loan: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids and for the Mayor, through the Board of Control, to be authorized to enter into a contract for the Lynbrook Street Sanitary Sewer Project (Clearmount Avenue SE to Pineview Avenue SE), at a cost not to exceed \$357,000.
- d. Northfield Waterline Replacement Project: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids and for the Mayor, through the Board of Control, to be authorized to enter into a contract for the Northfield Avenue SE Waterline Replacement Project (Easthill Street to Knoll Street and Greenway Road SE to Meadowlane Drive SE), at a cost not to exceed \$255,000.

- e. Promway Avenue NW Waterline Extension: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids and for the Mayor, through the Board of Control, to be authorized to enter into a contract for the Promway Avenue NW Waterline Extension Project (North of Promler to Portage Street), at a cost not to exceed \$300,000.
- f. Sanitary Sewer Lining Project – 2011: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids and for the Mayor, through the Board of Control, to be authorized to enter into a contract for the Sanitary Sewer Lining Project – 2011, at a cost not to exceed \$500,000.
- g. Valley Drive Sanitary Sewer Project: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids and for the Mayor, through the Board of Control, to be authorized to enter into a contract for the Valley Drive Sanitary Sewer Project, at a cost not to exceed \$200,000.

Respectfully submitted,

Jeff Davies, Chairman

Pat DeOrio, Vice Chairman

Jon Snyder, Member

3/23/11-gmk

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
D/Community & Economic Development
Police Chief, Fire/EMS Chief, Press

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 29-11 Passed _____, 20____

~~3/22/11 gmk~~
(Park & Recreation)

Ordinance No. 29-11

An ordinance amending Ordinance No. 10-09 to increase the rates to be charged for season membership and daily admission for the City of North Canton Municipal Swimming Pool, rate for swimming lessons, and repealing any and all legislation inconsistent herewith 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 daily rates for admission to the North Canton Municipal Swimming Pool, be, and are hereby adopted:

DAILY RATE

Per Person	\$ 8.00
After 5:00 p.m.	\$ 6.00
One child under 6 admitted free with each paid adult	

GIFT CERTIFICATES

Gift Certificates may be purchased for Daily Admission and Season Memberships and are nonrefundable. Daily passes are \$8.00; Season Memberships are available at the applicable rates for Single, Family, Additional, Buddy, and Senior (62) passes.

Section 2. That the season membership rates commencing the day after the tax filing deadline and terminating on the opening date of the municipal pool, be, and are hereby adopted:

"RESIDENT OF CITY OF NORTH CANTON"

Single	\$ 65.00
Family (up to four)	160.00
(Additional)	25.00
Buddy Pass	100.00
Senior (62)	20.00

SCHOOL DISTRICT/TAXES/OWN PROPERTY (Outside City Rates)

Single	\$ 100.00
Family (up to four)	265.00
(Additional)	35.00
Buddy Pass	100.00
Senior (62)	30.00

NONRESIDENT FAMILY PASS (Limited to 100 Family Memberships)

Family (up to four)	\$400.00
(Additional)	50.00
Buddy Pass	100.00

Section 3. That the season membership rates commencing the opening date of the municipal pool, be, and are hereby adopted:

RESIDENT OF CITY OF NORTH CANTON

Single	\$ 70.00
Family (up to four)	175.00
(Additional)	30.00
Buddy Pass	100.00
Senior (62)	25.00

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 29-11

Passed _____, 20____

SCHOOL DISTRICT/TAXES/OWN PROPERTY (Outside City Rates)

Single	\$ 120.00
Family (up to four)	300.00
(Additional)	40.00
Buddy Pass	100.00
Senior (62)	35.00

NONRESIDENT FAMILY PASS (Limited to 100 Family Memberships)

Family (up to four)	\$425.00
(Additional)	50.00
Buddy Pass	100.00

- Section 4. That a Buddy Pass will be limited to one per family purchasing a single or family season membership. Buddy Pass can be used by a babysitter, relative or friend accompanying the season membership holder to the pool. A Buddy Pass is not limited to a specific person.
- Section 5. That to qualify for a season membership based on outside city rates for payment of city income tax, the minimum amount of taxes paid must be \$100 per year, based on the previous year's W-2 or estimated taxes.
- Section 6. That there will be rate of \$25.00 per session for swimming lessons and they will be offered to members only. "
- Section 7. That all collections received from the rates established herein shall be deposited with the Director of Finance and the Director of Finance shall deposit all such receipts to the credit of the General Fund.
- Section 8. That any and all legislation inconsistent herewith, be, and the same are hereby repealed.
- Section 9. 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 in order to have the new rates in effect when pool passes go on sale and to allow for press releases on new rates in a timely manner, 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:

MAYOR

SIGNED: _____, 2009

ATTEST:

CLERK OF COUNCIL

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 30-11

Passed _____, 20____

3/22/11-gmk
(Street & Alley)

Ordinance No. 30-11

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Street Improvement Levy and Sanitary Sewer Operating Funds to the Contract Payments and Facilities – Sewer Lines Accounts in the amount of \$120,000 for the current expenses during the fiscal year ending December 31, 2011, 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. To provide for the current expenses and other expenditures of the City of North Canton, Ohio, during the fiscal year ending December 31, 2011, the following funds, be, and are hereby set aside and appropriated as follows:

Appropriate From:

The unappropriated resources of the 210 Fund -
STREET IMPROVEMENT LEVY FUND \$100,000

The unappropriated resources of the 652 Fund -
SANITARY SEWER OPERATING FUND \$ 20,000

Appropriate To:

210 STREET IMPROVEMENT LEVY FUND
210.543.5229 Contract Payments \$100,000

652 SANITARY SEWER OPERATING FUND
652.779.5501 Facilities – Sewer Lines \$ 20,000
\$120,000

Section 2. That the Director of Finance of the City of North Canton, be, and is hereby authorized to issue warrants from appropriations established herein for the payment of vouchers duly approved by the proper departmental authority.

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.

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 timely funding of the 2011 Street Maintenance Program; 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

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 31=11

Passed _____, 20____

3/22/11-gmk
(Street & Alley)

Ordinance No. 31-11

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 resurfacing, repaving, replacement, repair and preventative maintenance of certain streets, alleys and city parking lots, at a cost not to exceed \$420,000, 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 resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots.
- 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 resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots, at a cost not to exceed \$420,000.
- 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:
- | | | |
|--------------|-------------------------------|------------|
| 652 | SANITARY SEWER OPERATING FUND | |
| 652.779.5501 | Facilities – Sewer Lines | \$ 20,000 |
| 210 | STREET IMPROVEMENT LEVY | |
| 210.543.5229 | Contract Payments | \$ 400,000 |
| | | \$ 420,000 |
- 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 in order to maintain the city streets in the proper condition for safe travel; 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

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 32-11 Passed _____, 20____

3/22/11-gmk
(Water, Sewer & Rubbish)

Ordinance No. 32-11

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 Hines Street SW Waterline Replacement Project (South Main Street to Castlewood), 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. 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 Hines Street SW Waterline Replacement Project (South Main Street to Castlewood Avenue SE).

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 Hines Street SW Waterline Replacement Project (South Main Street to Castlewood Avenue SE), 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 appropriation:

651 WATER EXP., REPL. & IMPROVEMENT FUND	
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 completion of the Hines Street SW Waterline Replacement Project (South Main Street to Castlewood Avenue SE); 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

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 34-11

Passed _____, 20____

3/22/11-gmk
(Water, Sewer & Rubbish)

Ordinance No. 34-11

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 Lynbrook Street Sanitary Sewer Project (Clearmount Avenue SE to Pineview Avenue SE), at a cost not to exceed \$357,000, 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 Lynbrook Street Sanitary Sewer Project (Clearmount Avenue SE to Pineview Avenue SE).

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 Lynbrook Street Sanitary Sewer Project (Clearmount Avenue SE to Pineview Avenue SE), at a cost not to exceed \$357,000.

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:

652 SEWER REVENUE	
652.779.5501 Facilities – Sewer Lines	\$357,000

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 Lynbrook Street Sanitary Sewer Project; 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

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RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 35-11

Passed _____, 20____

3/22/11-gmk
(Water, Sewer & Rubbish)

Ordinance No. 35-11

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 Northfield Avenue SE Waterline Replacement Project (Easthill Street to Knoll Street and Greenway Road SE to Meadowlane Drive SE), at a cost not to exceed \$255,000, 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 Northfield Avenue SE Waterline Replacement Project (Easthill Street to Knoll Street and Greenway Road SE to Meadowlane Drive SE).

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 Northfield Avenue SE Waterline Replacement Project, at a cost not to exceed \$255,000,

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	\$ 50,000
651	WATER EXP, REPL AND IMPROVEMENT FUND	
651.767.5502	Facilities - Inside Waterlines	<u>\$205,000</u>
		\$255,000

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.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 35-11 Passed _____, 20____

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 Northfield Avenue SE Waterline Replacement Project (Easthill Street to Knoll Street and Greenway Road SE to Meadowlane Drive SE); 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

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RECORD OF ORDINANCES

Form No. 30043

Dayton Legal Blank, Inc.

Ordinance No. 36-11

Passed _____, 20____

3/22/11-gmk
(Water, Sewer & Rubbish)

Ordinance No. 36-11

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 Promway Avenue NW Waterline Extension Project (North of Promler to Portage Street), at a cost not to exceed \$300,000, 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 Promway Avenue NW Waterline Extension Project (North of Promler to Portage Street).

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 Promway Avenue NW Waterline Extension Project (North of Promler to Portage Street), at a cost not to exceed \$300,000,

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	\$300,000

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 Promway Avenue NW Waterline Extension Project (North of Promler to Portage Street); wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, Ohio
Passed:

MAYOR

SIGNED: _____, 2011

ATTEST:

CLERK OF COUNCIL

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 37-11

Passed _____, 20____

3/22/11-gmk
(Water, Sewer & Rubbish)

Ordinance No. 37-11

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 Sanitary Sewer Lining Project - 2011, at a cost not to exceed \$500,000, 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 Sanitary Sewer Lining 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 Sanitary Sewer Lining Project - 2011, at a cost not to exceed \$500,000.

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:

652 SEWER REVENUE	
652.779.5501 Facilities - Sewer Lines	\$500,000

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 Sanitary Sewer Lining 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.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2011

ATTEST:

CLERK OF COUNCIL

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RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 38-11

Passed _____, 20____

3/22/11-gmk
(Water, Sewer & Rubbish)

Ordinance No. 38-11

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 Valley Drive Sanitary Sewer Project, at a cost not to exceed \$200,000, 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 Valley Drive Sanitary Sewer Project.

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 Valley Drive Sanitary Sewer Project, at a cost not to exceed \$200,000.

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:

652 SEWER REVENUE	
652.779.5501 Facilities – Sewer Lines	\$200,000

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 Valley Drive Sanitary Sewer Project; 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

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RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 39-11

Passed _____, 20____

3/22/11-gmk
(Finance & Property)

Ordinance No. 39-11

An ordinance amending Chapter 191 Administrative Code, specifically, Section 191.04 IMPOSITION OF TAX ON RESIDENTS and 191.05 IMPOSITION OF TAX ON NON-RESIDENTS, of the Codified Ordinances of the City of North Canton, Ohio 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 Chapter 191 Administrative Code, specifically, Section 191.04 IMPOSITION OF TAX ON NON-RESIDENTS and 191.05 IMPOSITION OF TAX ON NON-RESIDENTS, of the Codified Ordinances of the City of North Canton, be, and the same are hereby amended to read as follows:

"191.04 IMPOSITION OF TAX ON RESIDENTS

(a) In the case of residents of the City an annual tax of one and one-half percent (1.5%) is imposed on all salaries, qualifying wages, commissions, other compensation, and other income (including earnings deposited by the employee into deferred compensation or medical coverage plans) earned or received during the effective period of the Ordinance. For the purpose of determining the tax on the income of resident taxpayers, the source of the income and the place or places in or at which the services were rendered or the income was earned or received, are immaterial. All such income wherever earned or received is taxable.

(b) The following are items which are subject to the tax:

(1) Gross income, including but not limited to income, salaries, qualifying wages, bonuses and incentive payments earned by an individual, whether directly or through an agent, and whether in cash or in property for services rendered during the tax period as an officer, director or employee of a corporation (including charitable and other nonprofit organizations), or association or any other entity or person; an officer or employee (whether elected, appointed, or commissioned) of the United States Government or any of its agencies or of the State of Ohio or any of its political subdivisions or agencies thereof; or any foreign country or dependency. For clarification, effective January 1, 2005, "income" includes lottery, gambling and sports winnings, and games of chance. No deductions shall be allowed against income from lottery, gambling and sports winnings, and games of chance unless the taxpayer is considered a professional gambler for federal income tax purposes, in which case related deductions as permitted by the Internal Revenue Code shall be allowed against gambling and sports winnings.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 39-11

Passed _____, 20____

- (2) Commissions earned or received by a taxpayer, whether directly or through an agent, and whether in cash or in property for services rendered during the effective period of the Ordinance, regardless of how computed or by whom or wheresoever paid.
 - A. If amounts received as a drawing account exceed the commissions earned and the excess is not subject to the demand of the employer for repayment, the tax is payable on the amounts received as a drawing account.
 - B. Amounts received from an employer for expenses and used as such by the individual receiving them are not deemed to be compensation if the employer deducts such expenses or advances as such from his gross income for the purpose of determining his net profits taxable under federal law, and the employee is not required to include such receipts as income on his federal income tax return.
 - C. If commissions are included in the net earnings of the trade, business, profession, enterprise or activity, carried on by an unincorporated entity or association of which the individual receiving such commissions is owner or part owner and therefore subject to Section 191.06 and/or 191.07, they shall not be subject to Section 191.04.
- (3) Fees, unless such fees are properly includible as part of the net profits of a trade, business, profession, or enterprise regularly carried on by an unincorporated entity or association owned or partly owned by said individual and such net profits are subject to Section 191.06 and/or 191.07.
- (4) Other compensation and income, as reported on W-2's or 1099's, including but not limited to tips, bonuses, lump sum distribution from qualified pension and profit sharing trusts not made pursuant to employee's retirement, profit sharing, "non-competition" covenants, portions of stock options that are not considered capital gains by the City, lottery winnings, including the Ohio State Lottery and Multi-State Lotteries, sports winnings, gambling winnings of any type, or gifts of any type in connection with services rendered.
- (5) Payments made to an employee by an employer as sick leave, vacation pay, or any other types of payments made under a wage or salary continuation plan, "including sub" pay (such as pay received from unions by individuals in lieu of wages), during periods of absence from work are taxable when paid.
- (6) Payments made to an employee by an employer as separation or severance payouts (including but not limited to separation pay, termination pay, and early retirement incentives) and reportable as earned income (including, but not limited to, sick pay and vacation pay) are taxable when paid if applicable tax has not previously been paid. Ongoing retirement benefits, such as pension payments, are exempt from North Canton income tax.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 39-11

Passed _____, 20____

- (7) Moving expenses, to the extent that they are reimbursed by employers, are not taxable if deducted on federal return.
- (8) For taxable years 2004 and later, if any of the items listed in subsections (b)(1)-(7) hereof are not considered taxable for Internal Revenue Code Section 3121(a) withholding, those items shall not be considered taxable for North Canton.
- (9) Effective for tax years 2004 and later, the distributive share of income paid to an S corporation shareholder shall be taxable in the following manner:
 - (A) If no portion of the net profits of the S corporation are allocated or apportioned to the State of Ohio, the distributive share is taxable only to the extent that it represents wages or net earnings from self-employment.
 - (B) If any portion of the net profits of the S corporation are allocated or apportioned to the State of Ohio, the full amount of the distributive share is taxable.
- (c) Domestic employees are not subject to employer withholding under North Canton Income Tax, but such employees shall be subject to all of the requirements of the ordinance regarding individual filing.
- (d) When a resident receives compensation for services for sales of real estate or insurance from an employer whose sit-as is the City, that total compensation is taxable at City's tax rate and is payable to the City. The site of the property sold or residence of the purchaser of insurance has no bearing on the taxing of the compensation.

191.05 IMPOSITION OF TAX ON NON-RESIDENTS

- (a) In the case of individuals who are non-residents of North Canton, there is imposed an annual tax at the rate of one and one-half (1.5%) per annum on all qualifying wages, commissions, other compensation and other income (including earnings deposited by the employee into deferred compensation or medical coverage plans) earned or received during the effective period of the Ordinance for work done or services performed or rendered within the City, whether such compensation or remuneration is received or earned directly or through an agent and whether paid in cash or in property. The location of the place from which payment is made is immaterial.
- (b) The items subject to tax under this section are the same as those listed and defined in Section 191.04. For methods of computing the extent of such work or services performed within the City, and cases involving compensation for personal services partly within and partly outside the City.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 39-11

Passed _____, 20____

- (c) 12-day occasional entry rule:
- (1) A non-resident individual who works in the City twelve (12) or fewer days per year shall be considered an occasional entrant, and shall not be subject to North Canton municipal income tax for those 12 days. For the purposes of the 12-day calculation, any portion of a day worked in North Canton shall be counted as one day worked in North Canton.
 - (2) Beginning with the thirteenth day, the employer of said individual shall begin withholding North Canton income tax from remuneration paid by the employer to the individual, and shall remit the withheld income tax to North Canton in accordance with Section 191.16. Since the individual can no longer be considered to have been occasional entrant, the employer is further required to remit taxes on income earned in North Canton by the individual for the first twelve days.
 - (3) If the individual is self-employed, it shall be the responsibility of the individual to remit the appropriate income tax to the City.
 - (4) The 12-day occasional entry rule does not apply to entertainers or professional athletes, their employees or individuals who perform services on their behalf, or to promoters and booking agents of such entertainment events and sporting events.
- (d) When a non-resident receives compensation for services for sales of real estate or insurance, and the real estate sold or purchaser of the insurance are resident to North Canton, the total compensation related to the sales is taxable at North Canton's tax rate and is payable to the City of North Canton.
- (e) On all qualifying wages earned by persons employed by the City of North Canton, whether residents or non-residents of the City of North Canton, for work done or services performed or rendered for the City of North Canton.

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 changes to the City's income tax 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

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 40-11

Passed _____, 20____

3/22/11-gmk
(Finance & Property)

Ordinance No. 40-11

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 replacement of the roof at North Canton City Hall, at a cost not to exceed \$185,000, 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 replacement of the roof at North Canton City Hall.

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 replacement of the roof at North Canton City Hall, at a cost not to exceed \$185,000.

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:

330 CAPITAL IMPROVEMENT FUND		
330.627.5600	Municipal Improvements – Bonds	\$185,000

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 roof at North Canton City Hall; 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

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 41-11

Passed _____, 20____

3/22/11-gmk
(Finance & Property)

Ordinance No. 41-11

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 North Canton Civic Center Roofing Project, at a cost not to exceed \$85,000, 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 North Canton Civic Center Roofing Project.

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 North Canton Civic Center Roofing Project, at a cost not to exceed \$85,000.

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:

330 CAPITAL IMPROVEMENT FUND	
330.309.5501 Facilities	\$85,000

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 roofing project at North Canton Civic Center; 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

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 42-11

Passed _____, 20____

3/22/11-gmk
(Finance & Property)

Ordinance No. 42-11

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Agreement for the purchase of Radio Equipment for use by the Fire/EMS Departments, within the purview of the Ohio Cooperative Purchase Act 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 an Agreement for the purchase of Radio Equipment for use by the Fire/EMS Departments, within the purview of the Ohio Cooperative Purchase Act.

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 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 purchase of the radio equipment and to ensure the continued efficient operation of the Fire/EMS Departments; 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

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 43-11

Passed _____, 20____

3/22/11-gmk
(Finance & Property)

Ordinance No. 43-11

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Use Agreement by and between the City of North Canton ("City") and the Ohio Office of Information Technology, Multi-Agency Radio Communications System Program Office ("MARCS") for subscription to the statewide radio coverage system for use by the Fire/EMS 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, through the Board of Control, be, and is hereby authorized to enter into an Use Agreement by and between the City of North Canton ("City") and the Ohio Office of Information Technology, Multi-Agency Radio Communications System Program Office ("MARCS") for subscription to the statewide radio coverage system for use by the Fire/EMS 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 effectiveness of the Use Agreement and to ensure the continued efficient operation of the Fire/EMS Departments; 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

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 44-11

Passed _____, 20____

3/22/11-gmk
(Finance & Property)

Ordinance No. 44-11

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into an Agreement for the purchase of two (2) Marked Cruisers for use by the Police Department from a vendor or, in the alternative, pursuant to the Ohio Cooperative Purchase Act 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 purchase two (2) Marked Cruisers, for use by the Police Department, within the purview of the Ohio Cooperative Purchase Act.
- Section 2. In the event a purchase through the Ohio Cooperative Purchase Act is not feasible in the discretion of the Director of Administration of the City of North Canton, that the Director of Administration, be, and is hereby authorized to advertise and receive bids according to specifications now on file in the Office of the Director of Administration and for the Mayor, to be authorized, through the Board of Control, to enter into an Agreement for the purchase of two (2) Marked Cruisers for use by the Police Department.
- Section 3. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to purchase two (2) Marked Cruisers for use by the Police Department, from a vendor if they are at a lower price than state bid contract and if they are at equivalent terms, conditions, and specifications as authorized by Ohio Revised Code 125.04.
- Section 4. 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 agreement from the following appropriation:
- | | |
|------------------------------|----------|
| 330 CAPITAL IMPROVEMENT FUND | |
| 330.101.5500 Equipment | \$50,000 |
- upon receipt of vouchers duly approved by the proper departmental authority.
- Section 5. 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 6. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City North Canton and further necessary for the timely purchase of the cruisers and to ensure 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:

MAYOR

SIGNED: _____, 2011

ATTEST:

CLERK OF COUNCIL

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