



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

Committee of the Whole Meeting Agenda Monday, May 16, 2011 – 7:00 p.m.

North Canton City Council will meet as a Committee of the Whole **Monday, May 16, 2011 at 7:00 p.m.** in the Council Chamber at North Canton City Hall.

Items will be discussed as time allows; not necessarily in the order indicated.

1. Water, Sewer & Rubbish Committee

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

- a. Akron-Canton Regional Airport Waterline Extension
Jeff Davies

2. Finance & Property Committee

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

- a. Financial Statement – April, 2011
Jon Snyder
- b. Supplemental Appropriation re Capital Improvements
Jon Snyder
- c. Supplemental Appropriation re Water
Jon Snyder
- d. Discussion - Collection of Fees
Jon Snyder

Gail M. Kalpac
Clerk of Council



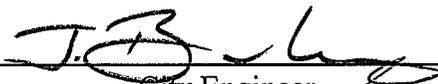
City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587

LEGISLATION REQUEST

To: **Jon Snyder, President**
City Council

Subject: **Akron-Canton Regional Airport Waterline Extension**

Requested By:  Date: May 5, 2011
City Engineer

Approved By:  Date: 5/5/11
Director of Administration

Request: Attached is a waterline extension request received by the Engineer's office for Council's consideration in accordance with the City code section 935.01(h). The plans have been reviewed by this office and are acceptable.

Also accepting any necessary easement(s).

EMERGENCY REQUESTED: Yes No

RECEIVED
MAY 05 2011
COUNCIL OFFICE
NORTH CANTON, OHIO



City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587

WATERLINE EXTENSION REQUEST

(Submit to the City Engineer's Office)

NAME OF DEVELOPMENT:

DEVELOPER:

ENGINEER:

COMPANY	AKRON-CANTON REGIONAL AIRPORT AUTHORITY	COMPANY	FLOYD BROWNE GROUP
AGENT	RICHARD MCQUEEN	CONTACT	BRAD BENDLE
ADDRESS	5400 LAUBY RD NW PO BOX 9 NORTH CANTON OH 44720	ADDRESS	450 GRANT ST AKRON OH 44311
PHONE	330 896 2376	PHONE	330 375 1390
E-MAIL	rmcqueen@akroncantonairport.com	E-MAIL	bbendle@floydbrowne.com

LOCATION/DESCRIPTION: Southeast portion of Akron-Canton Airport property. Connect to existing water main at the deicer treatment plant and run across undeveloped Airport property to the proposed Airport Rescue and Fire Fighting (ARFF) building. Water main will be in a 20 ft wide easement.

PROPOSED SIZE: 8 INCH ESTIMATED LENGTH: 1640 LF ESTIMATED COST: \$ 84,000
ESTIMATED WATER DEMAND (GPD): 550 GPM IS THE LARGEST DEMAND FOR SPRINKLER FIRE FLOW

I, Richard McQueen, being the agent for the developer, hereby request the City Council of the City of North Canton approve the extension of a waterline outside the city corporation limit as described above.

All costs associated with this extension will be born by the developer, including but not limited to plan review fees, inspection fees, pipes, valves, hydrants, booster pumps, etc. The engineer for the developer will be required to certify that the design of the waterline extension will supply the required flows and pressures for the intended purpose at this extension.

The developer is required to furnish "as-built" mylars (4 mil thick) and digital drawing files in PDF format.

Signed: Richard McQueen Date: 5/4/2011
Developer / Agent *President & CEO*

Reviewed By: [Signature] Date: 5-4-11
City Engineer

An ordinance authorizing the Akron-Canton Regional Airport Waterline Extension, located in the Southeast portion of the Akron-Canton Airport property, approximately 1640 +/- feet, Lake Township, Stark County, Ohio, in accordance with plans and specifications approved by the North Canton City Engineer, and accepting any necessary easement associated with said waterline extension, and declaring the same to be an emergency.

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

- Section 1. That the Administration of the City of North Canton, be, and is hereby authorized to extend the Akron-Canton Regional Airport Waterline Extension, located in the Southeast portion of the Akron-Canton Airport property, approximately 1640 +/- feet, Lake Township, Stark County, Ohio, in accordance with plans and specifications approved by the North Canton City Engineer, and accepting any necessary easements associated with said water main extension.
- Section 2. That payment of the full cost of said water main extension shall be the responsibility of the applicant-developer.
- Section 3. That pursuant to Section 925.01(e) of the Codified Ordinances, Council hereby authorizes the extension of the aforementioned waterline located outside the corporate limits of the City of North Canton.
- Section 4. That said waterline extension shall be pursuant to Section 935.08, Nonresident's Use of Water or Sanitary Sewer Service, Agreement, of the Codified Ordinances of the City of North Canton.
- Section 5. That the engineer for the developer shall be required to certify that the design of the water main extension will supply the required flows and pressures for the intended purpose at this extension.
- Section 6. 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 7. 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 installation of the water main; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

CITY OF NORTH CANTON
 FUND CASH POSITION
 FOR THE MONTH ENDING April 30, 2011

	Beginning Year Balance	MTD Receipts	YTD Receipts	MTD Exp'd/Exp	YTD Exp'd/Exp	Unexpended Balance
101 GENERAL FUND	\$ 638,159.14	1,443,311.19	3,517,481.40	\$ 510,979.22	3,016,963.98	1,138,676.56
TOTAL GENERAL FUND	638,159.14	1,443,311.19	3,517,481.40	510,979.22	3,016,963.98	1,138,676.56
SPECIAL REVENUE FUNDS:						
203 INCOME TAX FUND	272,028.79	632,336.99	2,228,195.15	33,648.23	1,387,533.93	1,112,690.01
204 FIRE OPERATING FUND	165,237.98	45,331.82	145,977.66	78,524.87	230,861.24	80,354.40
205 EMS OPERATING FUND	155,133.59	373,836.90	528,591.68	140,929.99	505,116.53	178,608.74
206 COMPUTER TRUST FUND	22,112.66	311.00	665.00	1,298.73	3,793.92	18,983.74
207 ENFORCEMENT AND EDUCATION FUND	10,794.92	123.60	1,079.00	0.00	0.00	11,873.92
208 STREET CONST M & R FUND	346,921.20	58,636.34	283,930.05	80,196.26	530,150.98	100,700.27
209 STORM SEWER IMPROVE LEVY FUND	623,231.33	177,212.88	178,148.32	29,987.51	249,702.00	551,677.65
210 STREET IMPROVE LEVY FUND	626,035.56	174,222.15	175,290.99	16,861.32	258,153.33	543,173.22
211 MUNICIPAL ROAD FUND	7,252.46	0.00	150,636.00	0.00	150,636.00	7,252.46
212 GENERAL TRUST FUND	16,890.38	0.00	3,500.00	0.00	172.48	20,217.90
213 LAW ENFORCEMENT TRUST FUND	12,770.57	0.00	10,752.48	0.00	0.00	23,523.05
214 COMPENSATED ABSENCES FUND	608,436.75	0.00	0.00	128,639.71	250,860.20	357,576.55
215 CONTINUING PROF EDUCATION FUND	326.99	0.00	540.00	0.00	326.99	540.00
TOTAL SPECIAL REVENUE	2,867,173.18	1,462,011.68	3,707,306.33	510,086.62	3,567,307.60	3,007,171.91
CAPITAL PROJECT FUNDS:						
330 CAPITAL IMPROVEMENT FUND	1,636,233.06	0.00	2,354,615.25	62,543.00	504,211.54	3,486,636.77
331 PARK DEVELOPMENT FUND	144.43	0.00	0.00	0.00	0.00	144.43
332 ISSUE 2 IMPROVEMENT FUND	181,972.70	0.00	493,372.76	0.00	462,324.48	213,020.98
333 HOOVER DISTRICT IMP. FUND	12,981.80	0.00	0.00	0.00	16,507.68	<3,525.88>
TOTAL CAPITAL PROJECT FUNDS	1,831,331.99	0.00	2,847,988.01	62,543.00	983,043.70	3,696,276.30
ENTERPRISE FUNDS:						
650 WATER REVENUE FUND	1,990,736.45	470,465.12	3,475,169.34	273,579.77	2,785,906.86	2,679,998.93
651 WATER EXP, REPLACE & IMP FUND	861,588.63	114,380.80	495,630.80	149,572.57	251,291.41	1,105,928.02
652 SEWER REVENUE FUND	1,544,773.52	232,208.08	899,060.33	168,039.36	638,357.17	1,805,476.68
654 GARBAGE SERVICE FUND	234,738.11	67,589.99	293,727.92	74,126.96	288,760.19	239,705.84
TOTAL ENTERPRISE FUNDS	4,631,836.71	884,643.99	5,163,588.39	665,318.66	3,964,315.63	5,831,109.47
INTERNAL SERVICE FUND:						
761 INSURANCE FUND	605,488.59	10,010.30	310,610.90	86,021.36	318,433.53	597,665.96
TOTAL INTERNAL SERVICE FUNDS	605,488.59	10,010.30	310,610.90	86,021.36	318,433.53	597,665.96
TRUST & AGENCY FUNDS						
870 NORTH CANTON CIC ESCROW FUND	757,000.00	0.00	0.00	0.00	0.00	757,000.00
871 PERMIT FEE FUND	38.11	332.61	558.42	176.22	351.30	245.23
873 REQUIRED DEPOSITS FUND	45,977.21	<301.89>	1,673.79	98.11	537.79	47,113.21
TOTAL TRUST & AGENCY FUNDS	803,015.32	30.72	2,232.21	274.33	889.09	804,358.44
TOTAL ALL FUNDS	11,377,004.93	3,800,007.88	15,549,207.24	1,835,223.19	11,850,953.53	15,075,258.64

CITY OF NORTH CANTON
 FUND BALANCE RECONCILIATION

APRIL 30, 2011

Consolidated Fund Balance		\$15,075,258.64
Less Treasury Investments Held at Cost:		
	<u>INTEREST</u>	<u>PRINCIPAL</u>
StarOhio	\$560.76	\$8,595,023.87
Federal Gov't Securities (UBS)	0.00	10,026.34
North Canton CIC Escrow	28.62	757,000.00
Sweep Account	<u>57.73</u>	<u>0.00</u>
	\$647.11	
Total Treasury Investments		<u>9,362,050.21</u>
Checking Account Balance		<u>\$5,713,208.43</u>
Bank Balance:	Checking Account:	<u>\$6,200,994.29</u>
		6,200,994.29
Minus:	Outstanding Checks:	(\$120,300.98)
		(120,300.98)
Plus:	CIC Escrow Int - In Transit	\$28.62
	ACH Check Free	(74.12)
	ACH Check Free	(186.30)
	ACH HUNTINGTON	(25.98)
	ACH METAVANTE	(95.56)
	ACH ON LINE RESOURCES	(51.46)
	ACH Deposits In Transit	754.24
	ACH Deposits In Transit	1,443.12
	ACH Deposits In Transit	2,421.91
	ACH Deposits In Transit	22.30
	ACH Deposits In Transit	(371,692.65)
	DEBIT & CREDIT Cards	(617.27)
	Income Tax Correction	50.00
	Reconciling Item	262.88
	NSF Check Balance	<u>275.39</u>
		(\$367,484.88)
		<u>(367,484.88)</u>
Adjusted Bank Balance		<u>\$5,713,208.43</u>

Respectfully submitted,

Karen S. Alger
 Karen S. Alger
 Director of Finance

CITY OF NORTH CANTON
 INVESTMENT REGISTER
 FOR THE CALENDAR YEAR 2011

PURCHASE DATE	FINANCIAL INSTITUTION	SECURITY/ACCOUNT NUMBER	INTEREST RATE	PAR AMT/ CARRYING VALUE	JAN. 1, 2010 BOOK VALUE	PURCHASED 2010	REDEEMED 2010 PRINCIPAL	INTEREST MATURE	DATE OF MATURE	DAYS HELD	REVENUE /PAY-IN ORDER NUMBER	BALANCE
12/31/10	PAIN WEBBER, INC.	CLM9153J	7.00	27,026.34		10,026.34	0.00	0.00		60		
12/31/11	STAROHIO	12794	VARIOUS	8,992,936.49		8,992,936.49	400,000.00	848.14		30	13811	
6/24/10	INVESTMENT IN NOTES (MATURE 6/23/11)		4.50	700,000.00		700,000.00	0.00	0.00				
1/31/11	NORTH CANTON CIC ESCROW	5922003646	VARIOUS	757,000.00		757,000.00	0.00	29.57		30	13811	
1/31/11	FIRSTMERIT BANK	1080 4424	VARIOUS	0.00		0.00	0.00	54.73		30	13811	
1/31/11	BALANCE			\$10,476,962.83		\$10,459,962.83	\$400,000.00	\$932.44				\$10,459,962.83
2/28/11	PAIN WEBBER, INC.	CLM9153J	7.00	27,026.34		10,026.34	0.00	0.00		60		
2/11/11	STAROHIO	12794	VARIOUS	8,593,690.44		8,593,690.44	0.00	753.95		30	23311	
6/24/10	INVESTMENT IN NOTES (MATURE 6/23/11)		4.50	700,000.00		700,000.00	0.00	0.00				
2/28/11	NORTH CANTON CIC ESCROW	5922003646	VARIOUS	757,000.00		757,000.00	0.00	26.71		30	23311	
2/28/11	FIRSTMERIT BANK	1080 4424	VARIOUS	0.00		0.00	0.00	39.68		30	23311	
2/28/11	BALANCE			\$10,077,716.78		\$10,060,716.78	\$0.00	\$820.34				\$10,060,716.78
3/31/11	PAIN WEBBER, INC.	CLM9153J	7.00	27,026.34		10,026.34	0.00	181.60		60	30311	
3/31/11	STAROHIO	12794	VARIOUS	8,594,463.11		8,594,463.11	0.00	772.67		30	34611	
6/24/10	INVESTMENT IN NOTES		4.50	700,000.00		700,000.00	700,000.00	25,717.40		298	33411	
3/31/11	NORTH CANTON CIC ESCROW	5922003646	VARIOUS	757,000.00		757,000.00	0.00	29.57		30	34611	
3/31/11	FIRSTMERIT BANK	1080 4424	VARIOUS	0.00		0.00	0.00	161.34		30	34611	
3/31/11	BALANCE			\$10,078,489.45		\$10,061,489.45	\$700,000.00	\$26,862.58				\$9,360,716.78
3/31/11	PAIN WEBBER, INC.	CLM9153J	7.00	27,026.34		10,026.34	0.00	0.00		60		
4/30/11	STAROHIO	12794	VARIOUS	8,595,023.87		8,595,023.87	0.00	560.76		30		
4/30/11	NORTH CANTON CIC ESCROW	5922003646	VARIOUS	757,000.00		757,000.00	0.00	28.62		30		
4/30/11	FIRSTMERIT BANK	1080 4424	VARIOUS	0.00		0.00	0.00	57.73		30		
4/30/11	BALANCE			\$9,379,050.21		\$9,362,050.21	\$0.00	\$647.11				\$10,061,489.45



City of NORTH CANTON, OHIO

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

May 11, 2011

TO: Jon Snyder
President of Council

RE: Supplemental Appropriation Request

I am requesting that Council consider legislation appropriating funds in the amount of **\$260,339.17 for the calendar year payment of principle and interest of the 2011 General Obligation Bonds Series 2011A & 2011B debt**. I am requesting a supplemental appropriation as follows:

- \$95,000 from the Unappropriated Resources of the Capital Project Fund to A/C 330.801.5800. (BOND/NOTE REPAYMENT PRINCIPAL).
- \$48,058.61 from the Unappropriated Resources of the Capital Project Fund to A/C 330.801.5810. (INTEREST PAYMENT).
- \$75,000 from the Unappropriated Resources of the Water Revenue Fund to A/C 650.766.5800. (BOND/NOTE REPAYMENT PRINCIPAL).
- \$42,280.56 from the Unappropriated Resources of the Water Revenue Fund to A/C 650.766.5810. (INTEREST PAYMENT).

This legislation is necessary because the expenditure relates to the March 23, 2011 bond issuance. The original budget was not setup this interest and principle payment for the current year due to the fact traditionally there are no payments made in the year the bonds are issued.

I would request that the legislation be passed on an emergency.

Respectfully submitted,

Karen S. Alger
Director of Finance

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of Capital Improvement Fund to the Bond/Note Repayment and Bond/Note Interest Payment Accounts in the amount of \$143,058.61 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 330 Capital Improvement Fund	\$143,058.61
--	--------------

Appropriate To:

Capital Improvement Fund 330		
330.801.5800	Bond/Note Repayment	\$ 95,000.00
330.801.5810	Bond/Interest Payment	\$ 48,058.61
		<u>\$143,058.61</u>

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 for the timely note/bond repayment and interest payment and to ensure the continued efficient operation of the City of North Canton; 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.

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of Water Revenue Fund to the Bond/Note Repayment and Bond/Note Interest Payment Accounts in the amount of \$117,280.56 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 650 Water Revenue Fund	\$117,280.56
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Appropriate To:

Water Revenue Fund 650		
650.766.5800	Bond/Note Repayment	\$ 75,000.00
650.766.5810	Bond/Note Interest Payment	<u>\$ 42,280.56</u>
		\$117,280.56

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 for the timely note/bond repayment and interest payment and to ensure the continued efficient operation of the City of North Canton; 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.



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

CITY OF NORTH CANTON

Michael J. Grimes
Director of Administration

Legislation Request

To: Jon Snyder, Council President
Date: May 9, 2011
Subject: Road Salt Cooperative Purchase Program 2011-2012

Authorization for the Mayor of the City of North Canton through the Board of Control to enter into an agreement with the Ohio Department of Transportation to participate in the Sodium Chloride/Rocksalt Cooperative Purchasing Program as stated in the attached sample contract.

EMERGENCY REQUESTED YES NO

Respectfully,

Michael J. Grimes
c: Director of Finance

RECEIVED

MAY 10 2011

COUNCIL OFFICE
NORTH CANTON, OHIO



City of NORTH CANTON, OHIO

7300 FREEDOM AVENUE
NORTH CANTON, OH 44720-2587
SERVICE CENTER
SANITARY SEWER DEPARTMENT
(330) 499-1528

RECEIVED

MAY 02 2011

ADMINISTRATION
NORTH CANTON, OHIO

To: Mike Grimes -- Administrator

May 2, 2011

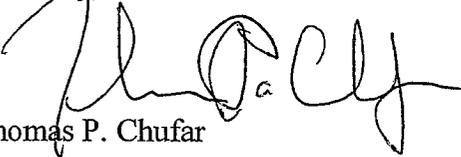
From: Thomas P. Chufar -- Superintendent of Utilities, Services and Recreation.

Re: Road Salt Cooperative Purchase Program 2011-2012

Mike,

Attached you will find the 2011-2012 Cooperative Purchasing Program for rock salt. This contract enables the City of North Canton to purchase at a lower cost. Our needs typically have run approx. at 5,400 to 7,000 tons. We have adjusted some of our routes to be more efficient as we have added lanes and subdivisions to the city since the 1990's. At this time I have applied for 7,200 tons with a 80/120% min max. This will allow us to purchase at either 5,760 tons to 8,640 tons. With the anticipated addition of a new salt storage facility with a 10,000 ton capacity we will be able to purchase with no storage concerns that will enable us to work jointly with the North Canton City Schools. Next year we could take advantage of the summer time fill-up to have us ready and stockpiled prior to the season.

Sincerely,



Thomas P. Chufar

OHIO DEPARTMENT OF TRANSPORTATION - Office of Contracts, Purchasing Services
 Cooperative Purchasing Program - Sodium Chloride (Rock Salt)

DATE SUBMITTED: May 2, 11

RESOLUTION/ORDINANCE as adopted for sodium chloride/rock salt requirements for purchase. Effective period: _____ months from date of award, inclusive, or on an effective date as determined by the Director at the time of bid.

Whereas, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Political Subdivisions including Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Boards and others to participate in contracts of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles;

Now Therefore, Be it Ordained, Intending to Be Legally Bound That Thomas P. Chutkan

Hereby Requests Authority in The Name of City of North Canton
(Agent)
(Political Subdivision)

To participate in the Ohio Department of Transportation's Contract for Rock Salt and Agrees:

- 1) To purchase an estimated salt tonnage, indicated below, exclusively from the vendor awarded the rock salt contract for the county in which said political subdivision is located;

018 NOTE: By executing this agreement and providing an estimated tonnage the Political Subdivision recognizes that Contract 018 will contain a min/max tonnage provision, as determined by the Director at the time of bid but will not exceed 80/120% respectively, for which the Political Subdivision will be responsible.

318 NOTE: By executing this agreement and providing tonnage to purchase the Political Subdivision recognizes that Contract 318 will contain a 100% tonnage provision for which the Political Subdivision will be responsible.

- 2) To be bound by the terms and conditions of the contract;
- 3) To be responsible for payment directly to the vendor for the quantities purchased under the contract; and
- 4) To be responsible for resolving all disputes arising out of participation in the contract and agree to release the Director of Transportation and the Ohio Department of Transportation from liability for all loss or damage, and from any and every claim or damage resulting from or arising out of participation in the contract pursuant to Ohio Revised Code Section 5513.01(b).

MINIMUM ORDER = 1 TRUCKLOAD / 22 TONS WITHOUT PILER OR 200 TONS WITH PILER

018 Salt Winter Use Contract - 80/120% (Min/Max Tonnage)		
STOCKPILE LOCATIONS	STOCKPILE CAPACITY	TONS REQUIRED (ESTIMATED)
4300 Freedom Ave North Canton, OH 44720	1,200 TONS	7,200 TONS
318 Summer Fill-Up - 100% Tonnage Provision		
STOCKPILE LOCATIONS	STOCKPILE CAPACITY	TONS REQUIRED (ESTIMATED)

OHIO DEPARTMENT OF TRANSPORTATION - Office of Contracts, Purchasing Services
Cooperative Purchasing Program - Sodium Chloride (Rock Salt)
Continued

Participating Political Subdivisions are intended beneficiaries under this contract and are real parties in interest with the capacity to sue and be sued in their own name without joining the state of Ohio, Ohio Department of Transportation. By signing and returning this agreement, you will be bound to participate in this contract during the upcoming winter season, upon award of the contract to a successful vendor. A participating Political Subdivision cannot change its position during this contract period. Termination of participation is effective upon the expiration date of the contract. Failure of a Political Subdivision to purchase its requirements from the awarded vendor or comply with the terms of this contract may invalidate participation for the following winter season.

Political subdivisions will be required to submit a new participation agreement form every year, indicating storage capacity and stating salt needs for the contract period.

Thomas P. Chufar Superintendent May 2, 11
(Authorized Signature and Title) (Date)

Thomas P. Chufar
(Print Exactly as Signed Above)

Stark
(County Location)

City of North Canton
(Political Subdivision)

45 North Main St
(Street)

North Canton OH 44720-2587
(City) (State) (P.O. Box) (Zip plus 4)

Thomas P. Chufar (or) Richard L. Rhodes 330-499-1528
(Contact Name Responsible for Ordering Salt) (Phone Number)

TCHUFAR@northcantonohio.com
(E-Mail Address)

Note: This Participation Agreement must be received by the Ohio Department of Transportation, Office of Contracts, Purchasing Services prior to the mailing of the Invitation to bid.

Upon receipt of the agreement each political subdivision will get added to a list that will be maintained on the Office of Contracts web site. This list will be updated daily on the Contracts web site located at ->

<http://www.dot.state.oh.us/Divisions/ContractAdmin/Contracts/Purchase/salt.doc>

Email the completed resolution to contracts.purchasing@dot.state.oh.us.

A ordinance authorizing the Mayor of the City of North Canton to submit a Participation Agreement and request authority for the City of North Canton to participate in the Ohio Department of Transportation's ("ODOT") Contract for the purchase of Sodium Chloride (Rock Salt) for the 2011-2012 winter season and declaring the same to be an emergency.

WHEREAS, Section 5513.01(B) of the Ohio Revised Code provides the opportunity for Counties, Townships, Municipal Corporations, Port Authorities, Regional Transit Authorities, State Colleges/Universities and County Transit Board to participate in contract of the of the Ohio Department of Transportation for the purchase of machinery, material, supplies, or other articles.

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

- Section 1. That the Mayor of the City of North Canton, be, and is hereby authorized to submit and request authority for the City of North Canton to Participate in the Ohio Department of Transportation's Contract for the purchase of Sodium Chloride (Road Salt) for the 2011-2012 winter season.
- Section 2. That the Mayor is hereby authorized to agree in the name of the City of North Canton to be bound by all terms and conditions as the Director of Transportation prescribes.
- Section 3. That the Mayor is hereby authorized to agree in the name of the City of North Canton to directly pay vendors, under each such contract of the ODOT in which the City of North Canton participates.
- Section 4. That the City of North Canton agrees to be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Ohio Revised Code. The City of North Canton releases and forever discharges the Director of Transportation and ODOT from all such claims, actions, expenses, or other damages arising out of its participation in the cooperative purchase program which the City of North Canton may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.
- 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 7. 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 meet the submission deadline of the application for the 2011-2012 season; 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.