



City of North Canton, Ohio

Council Office
145 North Main Street
North Canton, Ohio 44720-2587
330.499.3986 - 330.499.2960 Fax

www.northcantonohio.com
email: citycouncil@northcantonohio.com

NOTICE OF MEETINGS

Committee of the Whole Meeting Agenda Monday, November 5, 2012 – 7:00 p.m.

North Canton City Council will meet as a Committee of the Whole **Monday, November 5, 2012 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. Finance & Property Committee

Chairman: Jon Snyder
Vice Chairman: Marcia Kiesling
Member: Mark Cerreta

- a. Renewal of North Canton City Health Insurance
Jon Snyder
- b. Section 125 Premium Only Cafeteria Plan
Jon Snyder
- c. Purchase of Drinking Water Plant Chemicals
Jon Snyder
- d. Stark County Public Defender Contract
Jon Snyder
- e. Community Development Block Grant Program
Jon Snyder

**Special Council Meeting
Monday, November 5, 2012**

Notice is hereby given that a Special Meeting of the Council of the City of North Canton will be held **Monday, November 5, 2012 immediately following the Committee of the Whole meeting** in the Council Chamber at North Canton City Hall, pursuant to a written request from President of Council Jon Snyder, for consideration of the following:

1. Call to Order:
2. Roll Call
3. An ordinance authorizing the Mayor of the City of North Canton to prepare and submit applications for the Fiscal Year 2013-2014 Stark County Community Development Block Grant Program ("CDBG Program") for a grant for the Hillcrest Avenue NW and Royer Avenue NW Waterline Replacement Project (5th Street NW to 7th Street NW) and declaring the same to be an emergency.

Legislation to contain an emergency clause and is subject to waiving the rules of council requiring a committee report.

4. Adjourn

Gail M. Kalpac
Clerk of Council

11/1/12

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

g:\2012 agenda\11-5-12 cw meeting.docx



CW: 11/5/12
Item 1a

145 North Main St. · North Canton, OH 44720
Phone: 330-499-3466 Fax: 330-499-2960
karen@northcantonohio.com

CITY OF NORTH CANTON

Karen Alger
Director of Finance

October 29, 2012

TO: Jon Snyder
President of Council

RE: Renewal of North Canton City Health Insurance

I am requesting that the above subject matter on the Council of the Whole agenda for Monday, November 5, 2012, the discussion of legislation to authorize the Mayor, through the Board of Control to enter into the necessary contract(s) for the City's Health Insurance policy/policies. I would request that the legislation be passed on an emergency basis in order to have the funding in place as soon as possible to make payment. Our health care consultant, Bob Fisher will be present at the meeting to review the proposals with Council and provide his recommendation regarding the selection of a health insurance provider.

Respectfully submitted,

Karen Alger
Director of Finance

RECEIVED

OCT 29 2012

COUNCIL OFFICE
NORTH CANTON, OHIO

An ordinance authorizing the Mayor of the City of North Canton upon concurrence of Council, through the Board of Control, to enter into a contract for administering a self-insured health insurance program for the of period December 1, 2012, through November 30, 2013, for the employees of the City of North Canton and declaring the same to be an emergency.

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

- Section 1. That the Mayor of the City of North Canton, through the Board of Control, and upon concurrence by Council, is hereby authorized to enter into a contract for administering a self-insured health insurance program for the period of December 1, 2012, through November 30, 2013, for the employees of the City of North Canton.
- Section 2. That the Director of Finance of the City of North Canton is hereby authorized to draw funds necessary for the payment of the above-specified contract upon receipt of vouchers duly approved by proper departmental authority from appropriations applicable thereto.
- Section 3. That, if any provision of this Ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this Ordinance.
- Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary for timely renewal of the health insurance policy; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2012

ATTEST:

CLERK OF COUNCIL



CW: 11/5/12
Item 1b

145 North Main St. · North Canton, OH 44720
Phone: 330-499-3466 Fax: 330-499-2960
karen@northcantonohio.com

CITY OF NORTH CANTON

Karen Alger
Director of Finance

October 26, 2012

TO: Jon Snyder
President of Council

RE: Adopting Amended Section 125 Plan for 2013

Please place on the agenda for the next Council of the Whole the discussion of authorizing a resolution adopting an Amended Section 125 Cafeteria Plan effective January 1, 2013. As you remember, the City established a Section 125 Plan to enable City employees to make contributions to our health care plan on a pre-tax basis. However, the Plan must be approved and adopted each year. I have attached a certificate of resolution which outlines what needs to be included in the legislation. I have also included copies of the Plan Document, Adoption Agreement and Summary Plan Description which will be referenced in the legislation. In order to have the Resolution in place by January 1st, I would request that this be passed as an emergency after the third reading.

Respectfully submitted,

Karen Alger

Karen Alger
Director of Finance

**SUMMARY OF MEETING
NORTH CANTON CITY COUNCIL
CITY OF NORTH CANTON, OHIO**

A meeting of the Council of City of North Canton, County of Stark, State of Ohio, met in Regular Session on the _____ day of November, 2012, at the office of Council Chambers with the following members present:

The meeting was called to Order by President of Council Jon Snyder.

The following resolution was approved:

RESOLVED, that City of North Canton, Ohio (the "City") makes a Section 125 Premium Conversion Plan benefit available to its employees and shall pay a portion of those premiums as set forth in the attached Plan. The City wishes to adopt such Plan as it complies with the Internal Revenue Code, enabling City employees to elect to pay their share of the group insurance premiums on a pre-tax salary reduction basis. The Plan, as presented at this meeting, is hereby approved and adopted. The City Director of Finance is hereby appointed as the Plan Administrator and is authorized and directed to take such actions that are deemed necessary and proper in order to implement the Plan.

RESOLVED, that the Plan Administrator shall be instructed to take such actions that are deemed necessary and proper in order to implement the Plan.

RESOLVED, that the Plan Administrator shall act as soon as possible to notify the employees of the City its adoption of the Premium Conversion Plan by delivering to each employee a copy of the Summary Description of the Plan in the form of the Summary Plan Description presented at this meeting, which form is hereby approved.

Jon Snyder
President of Council

A Resolution adopting an Amended Section 125 Premium Only Cafeteria Plan (the "Plan") for the City of North Canton for the period January 1, 2013 through December 31, 2013 and declaring the same to be an emergency.

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

- Section 1. That the City of North Canton, Ohio ("City") makes an Amended Section 125 Premium Conversion Plan benefit available to its employees and shall pay a portion of those premiums as set forth in the Plan. The City wishes to adopt such Plan as it complies with the Internal Revenue Code enabling City employees to elect to pay their share of the group insurance premiums on a pre-tax salary reduction basis.
- Section 2. That the City Director of Finance be and shall serve as the Plan Administrator.
- Section 3. That the Plan Administrator shall take such actions that are deemed necessary and proper in order to implement the Plan.
- Section 4. That the Plan Administrator shall act as soon as possible to notify City employees of the City's adoption of the Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description.
- Section 5. That if a provision of this resolution is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this resolution.
- Section 6. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City and further necessary for the timely implementation of the aforementioned Plan upon passage of certain labor contracts, thereby providing eligible employees with pre-tax benefits pursuant to the Internal Revenue Code; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this resolution 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.



C/W: 11/5/12
Item 1c

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

CITY OF NORTH CANTON
Michael J. Grimes
Director of Administration

Legislation Request

October 29, 2012

To: Jon Snyder
Council President

Re: Purchase of Chemicals for use by North Canton City Drinking Water Plant

Please place the above subject matter on the next available Council of the Whole agenda to authorize the Director of Administration to advertise and receive bids, and to authorize the Mayor, through the Board of Control, to enter into the necessary contract(s) for the purchase of chemicals for use by the North Canton Drinking Water Plant.

The current contracts are set to expire December 31, 2012.

EMERGENCY REQUESTED YES NO

Respectfully,

Michael J. Grimes

c: Director of Finance
Chief Operator Drinking Water Plant

RECEIVED

OCT 29 2012

COUNCIL OFFICE
NORTH CANTON, OHIO

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 for the purchase of North Canton Drinking Water Plant ("DWP") chemicals for use by the DWP, and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a contract for a two (2) year period commencing January 1, 2013 and ending December 31, 2014, the purchase of said DWP chemicals 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 purchase of DWP chemicals for use by the DWP.
- Section 2. That the Mayor of the City of North Canton, be, and is hereby authorized, through the Board of Control, to enter into a contract for a two (2) year period commencing January 1, 2013 and ending December 31, 2014, for the purchase of said DWP chemicals.
- 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 applicable appropriations 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 purchase of said DWP chemicals and to ensure continued efficient operation of the DWP; 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.



C/W: 11/5/12
Item 1d

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

October 29, 2012

To: Jon Snyder
Council President

Re: **Stark County Public Defender Contract**

Please place the following legislative request on the next Committee of the Whole agenda. This request is to authorize the Mayor to enter into a contract with the Stark County Public Defender's Office for the term January 1, 2013 through December 31, 2013. (There is a renewal clause in the contract for the year of 2014.) The contract engages the Stark County Public Defender to provide legal counsel in Canton Municipal Court for indigent persons charged with violations of North Canton City Ordinances.

EMERGENCY REQUESTED X YES NO

Respectfully,

Michael J Grimes, City Administrator
c: Director of Finance

RECEIVED

OCT 29 2012

COUNCIL OFFICE
NORTH CANTON, OHIO

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a Memorandum of Agreement to exercise the option to extend the existing contract by and between the City of North Canton and the Stark County Public Defender Commission for the purpose of providing legal counsel to indigent persons in Canton Municipal Court for a period of one (1) year beginning January 1, 2013 and ending December 31, 2013, 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 a Memorandum of Agreement to exercise the option to extend the existing contract by and between the City of North Canton and the Stark County Public Defender Commission for the purpose of providing legal counsel to indigent persons in Canton Municipal Court for a period of one (1) year beginning January 1, 2013 and ending December 31, 2013.
- Section 2. That the Director of Finance of the City of North Canton, Ohio, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the applicable appropriation upon receipt 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 necessary for the timely effectiveness of the extension of the existing contract; 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: _____, 2012

ATTEST:

CLERK OF COUNCIL

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 10043

Ordinance No. 10-12

Passed January 30, 20 12

1/24/12-gmk
(Finance & Property)

Ordinance No. 10-12

An ordinance authorizing the Mayor of the City of North Canton to enter into a contract by and between the City of North Canton and the Stark County Public Defender Commission for the purpose of providing legal counsel to indigent persons in Canton Municipal Court for a period of one (1) year beginning January 1, 2012 and ending December 31, 2012, 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:

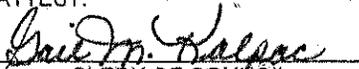
- Section 1. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a contract by and between the City of North Canton and the Stark County Public Defender Commission for the purpose of providing legal counsel to indigent persons in Canton Municipal Court.
- Section 2. That the contract by and between the City of North Canton and the Stark County Public Defender Commission shall be effective for a period of one (1) year beginning January 1, 2012 and ending December 31, 2012.
- Section 3. That the Director of Finance of the City of North Canton, Ohio, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the applicable appropriation 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 necessary for the timely effectiveness of the contract; 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: 1/30/12


MAYOR

SIGNED: 1/30, 2012

ATTEST:


CLERK OF COUNCIL

STARK COUNTY PUBLIC DEFENDER OFFICE

RECEIVED

OCT 31 2012

ATTORNEYS

APRIL R. BIBLE
BARRY T. WAKSER
KRISTINA R. POWERS
STEVEN A. REISCH
KENNETH W. FRAME
BETH A. LIGGETT
MATTHEW S. KUHN
KIMBERLY L. STOUT
CRISTIN A. ROUSH
MELODY L. BRIAND
DION P. ROMERO
SAMANTHA LISY
STACEY M. ZIPAY
NANCY MORRISON
REGINA M. FRANK
EMILY R. TRETTEL
KEVIN J. ANKNEY
MARK OSTROWSKI

200 Tuscarawas St. W.
Suite 200
Canton, Ohio 44702-2202

(330) 451-7200
(330) 451-7227 FAX

TAMMI R. JOHNSON
Public Defender

COMMISSION
NORTH CANTON, OHIO
JOHN NICODEMO
Chairman

BRADLEY R. IAMS
Vice-Chairman

FRANK L. BEANE
Secretary

SAMUEL J. FERRUCCIO, JR.

HON. W. DON READER

October 29, 2012

Jane C. Housos
City of North Canton
145 N. Main Street
North Canton, Ohio 44720

RE: Ordinance Representation Contract Resolution

Dear Ms. Housos:

Enclosed is the proposed Memorandum of Agreement to exercise your option to renew the Contract for Municipal Ordinance Representation for an additional one year period commencing January 1, 2013 and terminating December 31, 2013.

The State Public Defender requires a copy of the resolution approving the renewal and a copy of the appropriating funding for 2013.

Enclosed are three (3) copies of the proposed Memorandum of Agreement. Please return all three (3) signed agreements and the aforementioned resolution and appropriating funding for 2013.

Upon receipt, we will sign the agreements and forward the necessary paperwork to the Ohio Public Defender Commission in Columbus and return an executed copy to you.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,



TAMMI R. JOHNSON
PUBLIC DEFENDER
TRJ/dc

Enclosure

MEMORANDUM OF AGREEMENT

It is agreed among the City of North Canton, the Stark County Public Defender Commission and the Ohio Public Defender Commission that Section 3 of the Contract for Municipal Ordinance Representation, dated January 5, 2012 shall be exercised to renew the Contract for an additional one year period commencing January 1, 2013 and terminating December 31, 2013.

IN WITNESS WHEREOF, the parties have hereunto set their hands this _____ day of _____, 20____.

WITNESSES:

STARK COUNTY PUBLIC
DEFENDER COMMISSION

BY: _____

CITY OF NORTH CANTON, OHIO

BY: _____

OHIO PUBLIC DEFENDER
COMMISSION

BY: _____

APPROVED AS TO FORM:

CITY OF NORTH CANTON

CONTRACT FOR MUNICIPAL ORDINANCE REPRESENTATION

This Agreement is entered into by the Stark County Public Defender Commission, hereinafter the **COMMISSION**, and the City of North Canton, Ohio, hereinafter the **CITY**.

WHEREAS, the **CITY** recognizes its responsibilities under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with loss of liberty offenses in Municipal Court; and

WHEREAS, the **CITY** in furtherance of the execution of its legal responsibilities desires that the legal services of the Public Defender Office be delivered to the **CITY'S** indigent citizens and others so situated;

NOW THEREFORE, the parties do mutually agree to bind themselves as follows:

1. Scope of Work

The **COMMISSION** shall in a satisfactory and proper manner under the terms and conditions contained herein, perform the services set out in the "Work Plan" explained in Item 9, herein.

2. Compensation

The **CITY** shall pay to the Commission a fee of **\$200** per City of North Canton Ordinance case assigned to the Stark County Public Defender Office.

Payments shall be made in the following manner:

The **COMMISSION** will bill the **CITY** four (4) times per year (March 31, June 30, September 30, December 31) for the amount of City of North Canton Ordinance cases assigned to the Public Defender Office during that quarter. Payments shall be made by the **CITY** to the **COMMISSION** within thirty (30) days of the date of the invoice, then interest shall accrue at the rate of ten per cent (10%) (per annum). The interest shall accrue beginning with the first day after the thirty (30) day period and continue to be calculated on any unpaid balance until full payment is received. The formula for computation of any interest shall be the same as that in the 1990-1991 contract and is incorporated herein by reference.

This amount whether by contractual amount or fee schedule does not exceed the fee schedule in effect and adopted by the Stark County Commissioners.

3. Term of Service

The duration of this contract shall be for the period commencing January 1, 2012 and shall terminate December 31, 2012 with an option to renew this contract for a period of one (1) year, commencing January 1, 2013 and terminating December 31, 2013.

4. The **COMMISSION** shall not assign all or any part of this Agreement without the prior written consent of the **CITY**, which consent shall not be unreasonably withheld.

5. If either party shall fail to fulfill in reasonable, timely, and proper manner, its obligations under this Agreement, or if either party should substantially violate any of the covenants, agreements or stipulations of this Agreement, the other party shall thereupon have the right to terminate this Agreement by giving written notice to the party violating this Agreement of such termination and specifying an effective date thereof at least sixty (60) days before the effective date of said termination. However, notwithstanding the above clause, the **COMMISSION** shall have the separate and additional right to discontinue the service provided by the Public Defender Office under this contract, without notice, if payment of a quarterly invoice is not received within thirty (30) days of invoice. The decision to suspend or continue service under the contract upon non-payment of an invoice within thirty (30) days is discretionary with the **COMMISSION**. The suspension or continuation of service by the **COMMISSION** shall have no effect upon the payment of an invoice or the calculation of interest as set forth elsewhere in this contract. In the absence of a written notification of intent to continue service from the **COMMISSION** to the **CITY**, the **CITY** shall presume that service will be discontinued upon the first day after the expiration of the thirty (30) day grace period, if payment has not been received. If service is suspended, it shall be provided again when payment plus interest is received.

6. All amendments to this Agreement agreed upon by the parties shall be in writing and made a part of this Agreement.

7. There shall be no discrimination against any employee who is employed in the work covered by this Agreement or against any application for such employment because of race, color, religion, sex, or national origin. This provision shall apply to, but not be limited to, employment, promotion or transfer, recruitment or recruitment advertising, lay-offs or termination, raises of pay or other forms of compensations, and selection of training. The **COMMISSION** shall insert a similar provision in any sub-contract for services covered by this Agreement.

8. The **COMMISSION** covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner with the performance of services required under this Agreement. No resident commissioner shall share in any part of this contract or any benefits to arise herefrom.

9. Work Plan

The **COMMISSION** shall provide for the **CITY** attorneys of the Stark County Public Defender Office to be available in the Canton Municipal Court to represent indigents charged under the **CITY** Ordinances for the City of North Canton, thus allowing the **City of North Canton** continuing representation in conformance with Chapter 120 of the Ohio Revised Code. It is understood by both

parties that the representation presently provided to indigents charged under the Ohio Revised Code will be continued by the Stark County Public Defender Office and is in no way affected by this Agreement.

10. Determination of Indigency

The Standards of Indigency and other rules and standards as established by the Ohio Public Defender Commission and the State Public Defender shall be used in determining an individual's indigent status and the appointment of the services of the Public Defender shall be in conformity with those standards. ✓

11. Upon a thirty (30) day written notice either party may re-negotiate the contract or accompanying "Work Plan quarterly for good cause.

IN WITNESS WHEREOF, the parties have hereunto set their hands:

CITY OF NORTH CANTON, OHIO

STARK COUNTY PUBLIC DEFENDER COMMISSION

BY [Signature]

BY [Signature]

TITLE Mayor

TITLE Chairman

WITNESS [Signature]

WITNESS [Signature]

DATE 1-5-2012

DATE 2-16-12

APPROVE AS TO FORM:

OHIO PUBLIC DEFENDER COMMISSION

BY [Signature]

TITLE Director

WITNESS _____

DATE 2/22/12



City of NORTH CANTON, OHIO

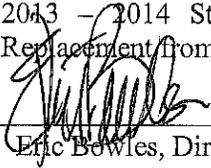
145 NORTH MAIN STREET
NORTH CANTON, OHIO 44720-2587
PERMITS & INSPECTION
330-499-5557

C/W: 11/5/12
Item 1e

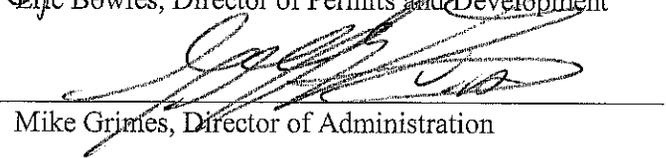
LEGISLATION REQUEST

To: Jon Snyder, President
North Canton City Council

Subject: Community Development Block Grant (CDBG) program application for the Fiscal Year 2013 - 2014 Stark County CDBG Program for the Hillcrest & Royer Waterline Replacement from Fifth to Seventh Street.

Requested by: 
Eric Bowles, Director of Permits and Development

Date: October 30, 2012

Approved by: 
Mike Grimes, Director of Administration

Date: October 30, 2012

Background: Stark County is a CDBG Entitlement County and approximately every three years communities within Stark County can submit (HUD) CDBG eligible project applications during a competitive application round. Since 2005 the City has submitted successful applications for CDBG funding receiving almost \$1,000,000 in funding to replace streets, waterlines, and sanitary sewer lines in specific qualifying census tracts/block groups within the City. This application round the City has identified one project that meets the eligible activities requirement. At this time we are requesting permission for the Mayor to apply, accept, and utilize a grant for the waterline.

Request: Requesting permission to apply, accept, and utilize a grant application to the Stark County CDBG program for the Fiscal Year 2013 - 2014 Stark County CDBG Program. The grant is being requested for the Hillcrest & Royer Waterline Replacement project from Fifth to Seventh Street. The waterlines being replaced are older six (6) inch and eight (8) cast iron waterlines and considered a high priority for replacement by the City. The estimated cost of the replacement is \$299,000.00 with the City contributing approximately a fifty (50%) match of \$149,000.00 if the grant is funded.

EMERGENCY REQUESTED: Yes No

If Yes, Reason: City Staff investigated several possible grant opportunities over the last several months and only recently determined that the City did have a project to submit to the County. Inasmuch as the Grant deadline is Wednesday November 7, 2012 we are requesting this request be approved as an emergency.

Here is the additional information for the CDBG Application Request:

- We are making application to Stark County for the 2013-2014 competitive Community Development Block Grant (CDBG) Program;
- The Agency that handles the CDBG Program is the Stark County Regional Planning Commission;
- We are making application for funding for Infrastructure Improvements;
- The name of the project is the Hillcrest & Royer Waterline Replacement Project;
- The cost estimate provide by Mr. Benekos is \$299,000 to replace the waterlines from Fifth Street to Seventh Street;
- The City needs to commit to a \$149,000 match (about 50%) in order for our application to be competitive;
- Initially we did not think we had a project but Mr. Benekos and Mr. Hill (about two weeks ago) did find waterlines that needed to be replaced so we need to have this item placed on the agenda as an emergency and then a Council Meeting to authorize the Mayor to submit the application on behalf of the City;
- The deadline for submission of the application is Wednesday, November 7, 2012 at 12:00 Noon.

I hope this helps with the ordinance.

Eric

An ordinance authorizing the Mayor of the City of North Canton to prepare and submit applications for the Fiscal Year 2013-2014 Stark County Community Development Block Grant Program ("CDBG Program") for a grant for the Hillcrest Avenue NW and Royer Avenue NW Waterline Replacement Project (5th Street NW to 7th Street NW) and declaring the same to be an emergency.

WHEREAS, the Board of Stark County Commissioners participates in the federal CDBG Program of the U.S. Department of Housing and Urban Development ("HUD"); and

WHEREAS, the City desires to make application to the CDBG Program for the Hillcrest Avenue NW and Royer Avenue NW Waterline Replacement Project (5th Street NW to 7th Street NW) to be funded under the CDBG's Program.

NOW, THEREFORE, BE IT ORDINANCE 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 prepare and submit applications for the CDBG Program for a grant for the Hillcrest Avenue NW and Royer Avenue NW Waterline Replacement Project (5th Street NW to 7th Street NW).
- Section 2. That, if any provision of this Ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this Ordinance.
- Section 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 in order to meet the deadline for submission of applications for the CDBG Program for a grant for the Hillcrest Avenue NW and Royer Avenue NW Waterline Replacement Project (5th Street NW to 7th Street NW); 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: _____, 2012

ATTEST:

CLERK OF COUNCIL