



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 Tuesday, May 29, 2012 - 7:00 p.m.

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

Financial Statement – April, 2012

6. Committee Minutes
7. Recognition of Visitors

OLD BUSINESS:

8. **Ordinance No. 43-12 – 2nd Reading – Water, Sewer & Rubbish**
An ordinance approving, confirming and accepting a Perpetual Public Utility Waterline Easement, known as Parcel No. 16-19961, by and between the City of North Canton, an Ohio Charter Municipal Corporation and any Public Utility regulated by the Public Utility Commission of Ohio (“PUCO”) its successors and assigns (collectively “Grantees”), and JSG Investment Group, Ltd., an Ohio limited liability company, (“Grantor”) in accordance with the Belden-Whipple Plaza No. 2, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration.
9. **Ordinance No. 44-12 – 2nd Reading – Water, Sewer & Rubbish**
An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Supplemental Sewer Agreement by and between the City of North Canton (“North Canton”) and the City of Canton (“Canton”) for improvements to the Canton Water Reclamation Facility, and to amend the March 22, 1974 Agreement and the series of supplements thereafter, and declaring the same to be an emergency.

10. **Ordinance No. 45-12 – 2nd Reading – Water, Sewer & Rubbish**
An ordinance appointing Jake Tovissi to a three (3) year term; Marcy Klee to a four (4) year term; Ronald Reolfi to a five (5) year term; and designating the Chairperson of the Water, Sewer & Rubbish Committee as the Council Representative on the North Canton Community Disaster Relief Fund Committee for the City of North Canton and declaring the same to be an emergency.
11. **Resolution No. 46-12 – 2nd Reading – Water, Sewer & Rubbish**
A resolution establishing a Neighbors Helping Neighbors Program for the City of North Canton to assist the greater North Canton community when special needs present themselves, and declaring the same to be an emergency.
12. **Ordinance No. 48-12 – 2nd Reading – Community & Economic Development**
An ordinance amending Personal Services (b)(83) of Section 1125.02 Definitions of CHAPTER 1125 DEFINITIONS and Land Use Category (d)(2) of Section 1137.03 SCHEDULE OF PERMITTED USES of CHAPTER 1137 Business District Regulations of Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to exclude tattoos and/or body piercing businesses and the like.

NEW BUSINESS:

13. **Ordinance No. 49-12 – 1st Reading – Community & Economic Development**
An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated with frontage on Applegrove Street NW and known as Parcels 9208676, 9208743, and 9204594 and located in the City of North Canton from R2F, Two Family District, to GB-A, General Business District.
14. **Ordinance No. 50-12 – 1st Reading – Ordinance, Rules & Claims**
An ordinance amending PART 17 – HOUSING CODE – of the Codified Ordinances of the City of North Canton, by the addition of Chapter 1705 – Unsafe Buildings.
15. **Ordinance No. 51-12 – 1st Reading – Street & Alley**
An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an application to the Federal Highway Administration (“FHWA”) through the Stark County Area Transportation Study (“SCATS”) for a grant for the Portage/Charlotte Streets Improvements Project (from Wise Avenue NW to North Main Street); and, authorizing the Mayor, through the Board of Control, to enter into an agreement for said grant, and declaring the same to be an emergency.

16. **Ordinance No. 52-12 – 1st Reading – Street & Alley**
An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Professional Services and Contract Payments Accounts in the amount of \$275,000 for the current expenses during the fiscal year ending December 31, 2012, and declaring the same to be an emergency.

17. **Ordinance No. 53-12 – 1st Reading – Street & Alley**
An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an application to the Federal Highway Administration (“FHWA”) through the Stark County Area Transportation Study (“SCATS”) for a grant for the West Maple Street Widening Project (from North Main Street to Ream Avenue NW); and, authorizing the Mayor, through the Board of Control, to enter into an agreement for said grant, and declaring the same to be an emergency.

18. **Ordinance No. 54-12 – 1st Reading – Street & Alley**
An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Professional Services and Contract Payments Accounts in the amount of \$150,000 for the current expenses during the fiscal year ending December 31, 2012, and declaring the same to be an emergency.

19. **Ordinance No. 55-12 – 1st Reading – Finance & Property**
An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional services agreement to develop a Geographic Information Systems (“GIS”) Model, at a cost not to exceed \$210,000.

20. **Resolution No. 56-12 – 1st Reading – Finance & Property**
A Resolution on submission of request to the Stark County Auditor pursuant to Ohio Revised Code Section 5705.03(B) to certify to the City of North Canton, Stark County, Ohio, as taxing authority for the City of North Canton, Stark County, Ohio the total current tax valuation of the City of North Canton, Stark County, Ohio, as a subdivision and the dollar amount of revenue that would be generated for a renewal tax of one and one-half (1.5) mills pursuant to Ohio Revised Code Sections 5705.19, 5705.191 and 5705.25 for the purpose of providing ambulance service, emergency medical service or both, in the City of North Canton, for a period of five (5) years, tax years 2012, 2013, 2014, 2015 and 2016, commencing 2012, first due in calendar year 2013 and declaring the same to be an emergency.

REPORTS:

Director of Law
Mayor

Director of Finance
City Engineer

Director of Administration
Dir. of Administrative Services

**Council Meeting
Agenda**

**May 29, 2012
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REPORTS – COUNCIL:

Mark Cerreta	At Large	Doug Foltz	Ward 1
Dan Griffith	At Large	Daniel Peters	Ward 2
Marcia Kiesling	At Large	Tim Fox	Ward 3
		Jon Snyder	Ward 4

FINAL CALL FOR NEW BUSINESS:

ADJOURN:

Gail M. Kalpac
Clerk of Council

5/24/12-gmk

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
D/Permits & Development
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 Monday, May 14, 2012 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairperson Kiesling, Vice Chairman Cerreta, Member Fox, Council Members Foltz, Griffith, Peters and Snyder.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Administrative Services Bartos, City Engineer Benekos, Director of Finance Loretto and Clerk of Council Kalpac.

Items discussed:

- a. Applegrove Property Zone Change from R2F to GB-A: Item was discussed and will be placed on the May 21, 2012 Committee of the Whole agenda for further consideration.
- b. Text Amendment to Section 1125.02(b)(83) and 1137.03(d)(2) to Exclude Tattoo and / or Body Piercing Businesses and the Like: The Committee authorized legislation amending Personal Services (b)(83) of Section 1125.02 DEFINITIONS of CHAPTER 1125 DEFINITIONS and Land Use Category (d)(2) of Section 1137.03 SCHEDULE OF PERMITTED USES of CHAPTER 1137 Business District Regulations of Ordinance No. 50-03, Zoning Ordinance to exclude tattoos and/or body piercing businesses and the like.

Legislation is subject to waiving the rules of council requiring committee minutes.

Respectfully submitted,

Marcia Kiesling, Chairperson

Mark Cerreta, Vice Chairman

Tim Fox, Member

5/22/12-gmk



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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, May 21, 2012 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairperson Kiesling, Vice Chairman Cerreta, Member Fox, Council Members Foltz, Griffith, Peters and Snyder.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Administrative Services Bartos, City Engineer Benekos and Director of Finance Loretto.

Item discussed:

- a. Applegrove Property Zone Change from R2F to GB-A: The Committee authorized legislation, amending Ordinance No. 50-03, Zoning Ordinance to change the zoning district of the premises situated with frontage on Applegrove Street NW and known as Parcels 9208676, 9208743, and 9204594 and located in the City of North Canton from R2F, Two Family District, to GB-A, General Business District.

Respectfully submitted,

Marcia Kiesling, Chairperson

Mark Cerreta, Vice Chairman

Tim Fox, Member

5/22/12-gmk



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FINANCE & PROPERTY COMMITTEE MEETING MINUTES

The Finance & Property Committee of North Canton City Council met as part of the Committee of the Whole Monday, May 21, 2012 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Snyder, Vice Chairperson Kiesling, Member Cerreta, Council Members Foltz, Fox, Griffith, and Peters.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Loretto, City Engineer Benekos, and Director of Administrative Services Bartos.

Item discussed:

- a. Financial Statement - April, 2012: The Financial Statement was reviewed and will be placed on the May 29, 2012 council agenda for formal approval.
- b. Geographic Information System (GIS) Model Update: The Committee authorized legislation, authorizing the Mayor, through the Board of Control, to enter into a professional services agreement to develop a Geographic Information Systems ("GIS") Model, at a cost not to exceed \$210,000.
- c. EMS Levy Renewal: The Committee authorized legislation on submission of request to the Stark County Auditor pursuant to Ohio Revised Code Section 5705.03(B) to certify to the City of North Canton, Stark County, Ohio, as taxing authority for the City of North Canton, Stark County, Ohio the total current tax valuation of the City of North Canton, Stark County, Ohio, as a subdivision and the dollar amount of revenue that would be generated for a renewal tax of one and one-half (1.5) mills pursuant to Ohio Revised Code Sections 5705.19, 5705.191 and 5705.25 for the purpose of providing ambulance service, emergency medical service or both, in the City of North Canton, for a period of five (5) years, tax years 2012, 2013, 2014, 2015 and 2016, commencing 2012, first due in calendar year 2013.

Legislation to contain an emergency clause.

- d. Street Sweepings: Item was discussed. Committee Chairman Snyder requested Director of Administration Grimes report back to Council once he has obtained quotes for the removal project.

Respectfully submitted,

Jon Snyder, Chairman

Marcia Kiesling, Vice Chairperson

Mark Cerreta, Member

5/24/12-gmk

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



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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, May 21, 2012 in the Council Chamber at North Canton City Hall.

Present for the meeting were: Chairman Fox, Vice Chairman Peters, Member Foltz, Council Members Cerreta, Griffith, Kiesling and Snyder.

Also present were: Mayor Held, Director of Administration Grimes, Director of Finance Loretto, Director of Law Nilges, City Engineer Benekos and Director of Administrative Services Bartos.

Items discussed:

- a. Portage / Charlotte Streets Improvement Grant: The Committee authorized legislation, authorizing the Mayor to prepare and submit an application to the Federal Highway Administration through the Stark County Area Transportation Study for a grant for the Portage/Charlotte Streets Improvements Project (from Wise Avenue NW to North Main Street); and, authorizing the Mayor, through the Board of Control, to enter into an agreement for said grant.

Legislation to contain an emergency clause.

- b. Supplemental Appropriation re Portage / Charlotte Streets Improvements: The Committee authorized legislation, authorizing the supplemental appropriation of funds to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Professional Services and Contract Payments Accounts in the amount of \$275,000 for the current expenses during the fiscal year ending December 31, 2012.

Legislation to contain an emergency clause.

- c. West Maple Street Widening Project Grant: The Committee authorized legislation, authorizing the Mayor to prepare and submit an application to the Federal Highway Administration through the Stark County Area Transportation Study for a grant for the West Maple Street Widening Project (from North Main Street to Ream Avenue NW); and, authorizing the Mayor, through the Board of Control, to enter into an agreement for said grant.

Legislation to contain an emergency clause.

- d. Supplemental Appropriation re West Maple Street Widening Project: The Committee authorized legislation, authorizing the supplemental appropriation of funds to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Professional Services and Contract Payments Accounts in the amount of \$150,000 for the current expenses during the fiscal year ending December 31, 2012.

Legislation to contain an emergency clause.

Respectfully submitted,

Tim Fox, Chairman

Daniel Peters, Vice Chairman

Doug Foltz, Member

5/24/12-gmk

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
Supt. P&I, 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, May 21, 2012 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Griffith, Vice Chairman Foltz, Member Kiesling, Council Members Cerreta, Fox, Peters, and Snyder.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Nilges, Director of Finance Loretto, City Engineer Benekos and Director of Administrative Services Bartos.

Item discussed:

- a. Amendment to PART 17 – HOUSING CODE re Unsafe Buildings: The Committee authorized legislation, amending PART 17 – HOUSING CODE – of the Codified Ordinances, by the addition of Chapter 1705 - Unsafe Buildings.

Respectfully submitted,

Dan Griffith, Chairman

Doug Foltz, Vice Chairman

Marcia Kiesling, Member

5/22/12-gmk

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RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

5/22/12-gmk
(Comm. & Econ. Dev.)

Ordinance No. 49-12

An ordinance amending Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, to change the zoning district of the premises situated with frontage on Applegrove Street NW and known as Parcels 9208676, 9208743, and 9204594 and located in the City of North Canton from R2F, Two Family District, to GB-A, General Business District.

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

Section 1. That Ordinance No. 50-03, Zoning Ordinance of the City of North Canton, be, and the same is hereby amended to change the zoning district of the premises situated with frontage on Applegrove Street NW and known as Parcels 9208676, 9208743, and 9204594 and located in the City of North Canton from R2F, Two Family District, to GB-A, General Business District.

Section 2. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2012

ATTEST:

CLERK OF COUNCIL

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RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

5/22/12-smd
(Ordinance, Rules & Claims)

Ordinance No. 50-12

An ordinance amending PART 17 – HOUSING CODE – of the Codified Ordinances of the City of North Canton, by the addition of Chapter 1705 - Unsafe Buildings.

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

Section 1. That PART 17 – HOUSING CODE of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

"Chapter 1705. UNSAFE BUILDINGS

1705.01 BUILDING OR STRUCTURE CONSTITUTING PUBLIC NUISANCES.

The phrase "buildings or structures constituting public nuisances" as used in this Chapter shall mean buildings or other structures which are unsafe, insecure, structurally defective, unstable or unsanitary; those buildings and structures which are inadequately provided with exit facilities; those buildings and structures which constitute a fire hazard; those buildings or structures unsuitable or improper for the use or occupancy to which they are put; those buildings or structures which constitute a hazard to health or safety because of inadequate maintenance, dilapidation or damage by fire or other cause; those buildings and structures which are obsolescent, abandoned, or contain inadequate or unsafe equipment or are otherwise dangerous to life and property; those buildings or structures which for any of the foregoing reasons or by reason of continued vacancy thereby resulting in lack of reasonable or adequate maintenance of structure or grounds are causing deterioration and a blighting influence on nearby properties and thereby depreciating the enjoyment and use of the property in the immediate vicinity to such an extent that it is harmful to the community in which such structure is situated.

1705.02 INSPECTION; WRITTEN REPORT

Upon receipt of information that a building or other structure constitutes a public nuisance for any one or more of the reasons set forth herein, the Superintendent of Permits and Inspections, shall cause to be made an inspection thereof. If after said inspection it is found that said building or structure constitutes a public nuisance for any one or more of the reasons herein contained, he shall cause to be filed a detailed written report of the condition in the office of the Mayor which shall be a matter of public record and he shall cause a written notice thereof to be served as hereinafter provided.

1705.03 NOTICE ORDERING ABATEMENT; CONTENT OF NOTICE; SERVICE OF NOTICE

(A) Whenever the Superintendent of Permits and Inspections finds any building or structure or portion thereof to be a public nuisance for any one or more of the reasons set forth herein, the Superintendent of Permits and Inspections shall give written notice to the owner or owners of record or holders of legal or equitable liens on the premises. The notice shall be written and specifically state the defects that cause the building to be unsafe and shall require the owner within a stated time to either complete the specified repairs or improvements or to demolish and remove the building or structure or portion thereof, leaving the premises in a clean, safe and sanitary condition being subject to the approval of the Superintendent of Permits and Inspections.

RECORD OF ORDINANCES

Dayton Legal Blunk, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

(B) Proper service of the notice set forth in 1705.03(A) shall be made by personal service, residence service or by certified mail; provided, however, that such notice shall be deemed to be properly served if a copy thereof is sent by certified mail to the owner's last known address. If a party cannot be located, nor his address ascertained, this notice shall be deemed to be properly served if a copy thereof is placed in a conspicuous place in or about the building or structure affected by such notice and further, a copy of this notice shall be published in a newspaper of general circulation in this county for a period of three consecutive days. If such notice is by certified mail, the time period within which the owner is required to comply with the notice of the Superintendent of Permits and Inspections shall begin as of the date he receives such notice.

(C) No action to demolish any structure or building shall be commenced sooner than thirty (30) days after the service of the notice described in Section (B) or thirty (30) days of the last date of publication of the notice.

(D) Within thirty (30) days of the receipt of the notice or last date of publication, the owners or holders of any legal or equitable liens of record may enter an agreement with the City to repair or demolish the structure or building provided that all agreements to repair or demolish shall be full performed within sixty (60) days or the agreement shall be void and the City may proceed as described below.

1705.04 RIGHT TO APPEAL

The owner or holder of any legal or equitable lien of record or agents thereof shall have the right to appeal from the notice and decision of the Superintendent of Permits and Inspections by a written notice of appeal to the Superintendent of Permits and Inspections within thirty (30) days of the receipt of the notice or last day of publication. The appeal shall be heard at a meeting of Zoning and Building Standards Board of Appeals not less than seven (7) nor more than twenty-one (21) days after the notice of appeal is received and shall be limited to a determination of whether the structure or building in question constitutes a nuisance for one or more of the reasons herein described or whether a proposed agreement to repair the structure or building rejected by the Superintendent of Permits and Inspections should be approved. At the hearing, the petitioner shall be given the opportunity to be heard and present evidence as to why the notice should be modified or withdrawn. The Zoning and Building Standards Board of Appeals shall then affirm, modify or reverse the decision of the Superintendent of Permits and Inspections at the end of the hearing. The petitioner shall have the right to appeal the decision of the Zoning and Building Standards Board of Appeals to the Stark County Court of Common Pleas within twenty-one (21) days after the decision of the Zoning and Building Standards Board of Appeals.

1705.05 POSTING OF SIGNS

The Superintendent of Permits and Inspections shall cause to be posed at each entrance to any building or structure found to be a nuisance for any one or more reasons set forth herein a notice to read: "THIS BUILDING IS UNFIT FOR OCCUPANCY AND ITS USE HAS BEEN PROHIBITED"

Such notice shall remain posted until the required repairs are made or demolition is completed. No person shall remove such notice without permission of the Superintendent of Permits and Inspections, or enter the building or structure, except for the purposes of making the required repairs or demolishing same.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

1705.06 FAILURE TO COMPLY WITH NOTICE

If the persons served with a notice to repair or demolish and remove such building, structure or portion thereof which has been determined to be a public nuisance for one or more reasons set forth herein should fail within the time stated in said notice, such party shall be subject to the penal provisions of this Chapter and the Superintendent of Permits and Inspections shall proceed to have the building or structure or portion thereof, repaired or demolished and removed from the premises, leaving the premises in a clean, safe and sanitary condition and the cost of such work shall be paid by the City. If the City is not immediately reimbursed for such costs, the amount thereof shall be certified to the County Treasurer and levied as a special assessment against the property on which the building or structure is located and shall be collected in such a manner provided for special assessments. Such certification shall not, however, preclude other methods of recovery of such cost as may be authorized by general law.

1705.99 PENALTY

Whoever violates any provision of this Housing Code or any rule or regulation promulgated thereunder or fails to comply therewith or with any written notice or written order issued thereunder, or refuses to permit lawful entry by the Superintendent of Permits and Inspection or other City department heads or their representatives or interferes with, obstructs or hinders such Superintendent of Permits and Inspection, other City department heads or their representatives while attempting to make such inspection is guilty of a misdemeanor of the first degree for each offense. Each day such violation occurs or continues shall constitute a separate offense. "

Section 2. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2012

ATTEST:

CLERK OF COUNCIL

g:\2012 legislation\50-12 unsafe building code.doc

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

5/22/12-gmk
(Street & Alley)

Ordinance No. 51-12

An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an application to the Federal Highway Administration ("FHWA") through the Stark County Area Transportation Study ("SCATS") for a grant for the Portage/Charlotte Streets Improvements Project (from Wise Avenue NW to North Main Street); and, authorizing the Mayor, through the Board of Control, to enter into an agreement for said grant, 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, be, and is hereby authorized to prepare and submit an application to the FHWA through SCATS for a grant for the Portage/Charlotte Streets Improvements Project (from Wise Avenue NW to North Main 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 an agreement for said grant.
- 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 in order to meet the deadline for the submission of applications for the Portage/Charlotte Streets Improvements 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: _____, 2012

ATTEST:

CLERK OF COUNCIL

g:\2012 legislation\51-12 portage charlotte grant.docx

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

5/22/12-gmk
(Street & Alley)

Ordinance No. 52-12

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Professional Services and Contract Payments Accounts in the amount of \$275,000 for the current expenses during the fiscal year 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. To provide for the current expenses and other expenditures of the City of North Canton, Ohio, during the fiscal year ending December 31, 2012, the following funds, be, and are hereby set aside and appropriated as follows:

Appropriate From:

The unappropriated resources of the 330 Fund -
CAPITAL IMPROVEMENT FUND \$275,000

Appropriate To:

330 CAPITAL IMPROVEMENT FUND
330.549.5225 Professional Services \$ 75,000

330 CAPITAL IMPROVEMENT FUND
330.549.5229 Contract Payments \$200,000
\$275,000

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 preliminary/design engineering and construction of the Portage/Charlotte Streets Improvements 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: _____, 2012

ATTEST:

CLERK OF COUNCIL

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

5/22/12-gmk
(Street & Alley)

Ordinance No. 53-12

An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an application to the Federal Highway Administration ("FHWA") through the Stark County Area Transportation Study ("SCATS") for a grant for the West Maple Street Widening Project (from North Main Street to Ream Avenue NW); and, authorizing the Mayor, through the Board of Control, to enter into an agreement for said grant, 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, be, and is hereby authorized to prepare and submit an application to the FHWA through SCATS for a grant for the West Maple Street Widening Project (from North Main Street to Ream Avenue NW).
- Section 2. 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 said grant.
- 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 in order to meet the deadline for the submission of applications for the West Maple Street Widening 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: _____, 2012

ATTEST:

CLERK OF COUNCIL

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RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

5/22/12-gmk
(Street & Alley)

Ordinance No. 54-12

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Improvement Fund to the Professional Services and Contract Payments Accounts in the amount of \$150,000 for the current expenses during the fiscal year 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. To provide for the current expenses and other expenditures of the City of North Canton, Ohio, during the fiscal year ending December 31, 2012, the following funds, be, and are hereby set aside and appropriated as follows:

Appropriate From:

The unappropriated resources of the 330 Fund - CAPITAL IMPROVEMENT FUND	\$150,000
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Appropriate To:

330 CAPITAL IMPROVEMENT FUND	
330.550.5225 Professional Services	\$ 50,000
330 CAPITAL IMPROVEMENT FUND	
330.550.5229 Contract Payments	<u>\$100,000</u>
	\$150,000

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 preliminary/design engineering and construction of the West Maple Street Widening 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: _____, 2012

ATTEST:

CLERK OF COUNCIL

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

5/22/12-gmk
(Finance & Property)

Ordinance No. 55-12

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a professional services agreement to develop a Geographic Information Systems ("GIS") Model, at a cost not to exceed \$210,000.

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 professional services agreement to develop a GIS Model, at a cost not to exceed \$210,000.

Section 2. 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 LEVY		
209.745.5229	Contract Payments		\$ 70,000
651	WATER EXP., REPL. & IMPROVEMENTS		
651.767.5229	Contract Payments		\$ 70,000
652	SEWER REVENUE		
652.779.5225	Professional Services		\$ 70,000
			\$210,000

Section 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2012

ATTEST:

CLERK OF COUNCIL

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RECORD OF ORDINANCES

Duylon Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

5/22/12-han
(Finance & Property)

Resolution No. 56-12

A Resolution on submission of request to the Stark County Auditor pursuant to Ohio Revised Code Section 5705.03(B) to certify to the City of North Canton, Stark County, Ohio, as taxing authority for the City of North Canton, Stark County, Ohio the total current tax valuation of the City of North Canton, Stark County, Ohio, as a subdivision and the dollar amount of revenue that would be generated for a renewal tax of one and one-half (1.5) mills pursuant to Ohio Revised Code Sections 5705.19, 5705.191 and 5705.25 for the purpose of providing ambulance service, emergency medical service or both, in the City of North Canton, for a period of five (5) years, tax years 2012, 2013, 2014, 2015 and 2016, commencing 2012, first due in calendar year 2013 and declaring the same to be an emergency.

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

WHEREAS, upon due investigation and consideration the Council of the City of North Canton has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for the City of North Canton, Stark County, Ohio, will be insufficient to provide an adequate amount for the necessary requirements for said City of North Canton, Stark County, Ohio for the purpose of providing additional funds for the City's portion of ambulance service, emergency medical service or both, in the City of North Canton, for a period of five (5) years, tax years 2012, 2013, 2014, 2015, and 2016, commencing in 2012, first due in calendar year 2013.

WHEREAS, by reason thereof, this Council has determined that it will be necessary to tax one and one-half (1.5) mills which is in excess of such limitation, for the purpose of providing additional funds for the City's portion of ambulance service, emergency medical service or both, in the City of North Canton, for a period of five (5) years, tax years 2012, 2013, 2014, 2015 and 2016, commencing in 2012, first due in calendar year 2013.

WHEREAS, pursuant to the requirements of Ohio Revised Code Section 5705.03(B), this Council, as taxing authority for City of North Canton, Stark County, Ohio, is required to certify to the Stark County Auditor a Resolution requesting that the Stark County Auditor certify to this Council as taxing authority for the City of North Canton, Stark County, Ohio, the total current tax valuation of the City of North Canton, Stark County, Ohio as a subdivision, and the dollar amount of revenue that would be generated by a specified number of mills. In addition, this Council as said taxing authority of said City of North Canton is required to state the purpose of the tax, whether the tax is an additional levy or a renewal or a replacement of an existing tax and identify the section of the Ohio Revised Code authorizing submission of the question of the tax to the Stark County Board of Elections for determination as provided by law.

NOW THEREFORE, BE IT RESOLVED THAT the Council of the City of North Canton, Stark County, Ohio, on behalf of City of North Canton and as taxing authority for said City, does hereby determine that it is necessary to levy a tax, outside the ten (10) mill limitation for the purpose of providing additional funds for the City's portion of ambulance service, emergency medical service or both, in the City of North Canton, for a period of five (5) years, tax years 2012, 2013, 2014, 2015 and 2016, commencing in 2012, first due in calendar year 2013.

BE IT FURTHER RESOLVED THAT the Council of the City of North Canton, Stark County, Ohio, as taxing authority for the City of North Canton, Stark County, Ohio, pursuant to the requirements of Ohio Revised Code Section 5705.03(B), does hereby certify to the Stark County Auditor this Resolution requesting that the Stark County Auditor certify to this taxing authority, the total current tax valuation of the City of North Canton, Stark County, Ohio, as a subdivision, and the dollar amount of revenue that would be generated by a renewal tax of one and one-half (1.5) mills for the purpose of providing additional funds for

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

the City's portion of ambulance service, emergency medical service or both, in the City of North Canton, commencing in 2012, first due in calendar year 2013, pursuant to Ohio Revised Code Sections 5705.19(U), 5705.191 and 5705.25 authorizing submission of the question of the renewal of an existing tax at the November 6, 2012 general election.

BE IT FURTHER RESOLVED THAT the Clerk of Council, be, and is hereby directed and authorized to certify this Resolution to the Stark County Auditor pursuant to the provisions of Section 5705.03(B) of the Ohio Revised Code, and to proceed with all things necessary to be done in order to accomplish the purpose of this Resolution and the requirements of Section 5705.03(B) of the Ohio Revised Code.

BE IT FURTHER RESOLVED THAT it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of the Council and that all deliberations of the Council that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

BE IT FURTHER RESOLVED 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 ordinance.

That this resolution 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 submit the question on the ballot of the November general election; 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