



City of North Canton, Ohio

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NOTICE OF MEETINGS

Mr. Daniel Peters, Chairman of the Personnel & Safety Committee of North Canton City Council, has requested a meeting of said Committee Members, Council, Mayor, Director of Administration, Director of Law, Director of Finance, Director of Administrative Services, and Fire/EMS Chief **Monday, January 14, 2013 at 5:45 p.m.** in the Council Chambers at North Canton City Hall.

The meeting will be called to order and then moved into **executive session** for the purpose of discussing personnel matters pertaining to the employment of a public employee. The executive session **will not be** open to the public.

Chuck Keiper, Executive Director of Northeast Ohio Public Energy Council, will be present to discuss electrical aggregation and answer questions, **Monday, January 14, 2013 at 6:30 p.m.** in the Council Chambers at North Canton City Hall.

The meeting **will be** open to the public.

Council Meeting Agenda Monday, January 14, 2013 - 7:00 p.m.

1. Call to Order: 7:00 p.m.
2. Opening Prayer: Rev. Melvin Lindberg (Retired) United Methodist Church
3. Pledge of Allegiance
4. Roll Call
5. Consideration

Council Meeting Minutes – December 10, 2012
Special Council Meeting Minutes – December 19, 2012
Financial Statement – November, 2012
Mayor's Court Receipts – November, 2012

6. Committee Minutes
7. Voice Vote – Appointment of Mr. Terrance Seeberger as North Canton's Representative to the Stark County Board of Health

8. Recognition of Visitors

OLD BUSINESS:

9. **Ordinance No. 105-12 – 3rd 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 on the rear part of Parcel No. 9208743 on Applegrove Street NW and located in the City of North Canton from R-2F, Two Family District, to R-70, Single Family District.
10. **Ordinance No. 106-12 – 3rd 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 at 234-236 West Maple Street and known as Parcel No. 9200578 and located in the City of North Canton from GB-A, General Business District to R-2F, Two Family District.
11. **Ordinance No. 107-12 – 3rd 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 Parcel No. 9208717 and located in the City of North Canton from R-2F, Two Family District, to GB-A, General Business District.

NEW BUSINESS:

12. **Ordinance No. 1-13 – 1st Reading – Water, Sewer & Rubbish**
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 collection of residential garbage, rubbish, recyclables, and yard waste in the City of North Canton for a three (3) year period commencing July 1, 2013 and terminating June 30, 2016, and declaring the same to be an emergency.
13. **Ordinance No. 2-13 – 1st Reading – Water, Sewer & Rubbish**
An ordinance amending Section 3. of Ordinance No., 18-12, Rosewood Circle Sanitary and Street Project (from Westview to the cul de sac), by an increase in the amount of the allocations for the project, at a total cost not to exceed \$351,784, and declaring the same to be an emergency.
14. **Ordinance No. 3-13 – 1st Reading – Finance & Property**
An ordinance amending Ordinance No. 70-12, thereby authorizing the Director of Administration ("Director) of the City of North Canton to advertise a request for proposals according to specifications now on file in the office of the Director, and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a proposed lease or purchase agreement for the installation and lease or purchase of a telephone system and related communication equipment to establish (and/or enhance) a data and voice network throughout the City, at a cost not to exceed \$100,000, and declaring the same to be an emergency.

15. Ordinance No. 4-13 – 1st Reading – Finance & Property

An ordinance authorizing the Mayor of the City of North Canton (“Mayor”) 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 2013-2014 winter season, and declaring the same to be an emergency.

16. Ordinance No. 5-13 – 1st Reading – Finance & Property

An ordinance authorizing the Mayor of the City of North Canton to enter into a Second Addendum to the Lease by and between the City of North Canton (“Lessor”) and the North Canton Little League (“Lessee”), executed on December 26, 1998, and the Addendum to the Lease executed on June 28, 2010, to permit lighting only on the most northeastern field, as indicated by the crosshatched field displayed on the Exhibit to the Second Addendum, and security lighting to the concession stand, 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

REPORTS – COUNCIL:

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

FINAL CALL FOR NEW BUSINESS:

ADJOURN:

Gail M. Kalpac
Clerk of Council

1/10/13-gmk

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 10 7:00 p.m. 20 12

Call to Order:

- 1. The council meeting was called to order Monday, December 10, 2012 at 7:00 p.m. by President of Council Jon Snyder.

Opening Prayer:

- 2. The opening prayer was delivered by Fr. Jay Clarke, St. Paul's Catholic Church.

Pledge of Allegiance:

- 3. All present recited the Pledge of Allegiance.

Roll Call:

- 4. Mr. Snyder: Madam Clerk, please call the roll.

The following members of council responded to roll call: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder and Werren.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, City Engineer Benekos, Director of Permits & Development Bowles and Clerk of Council Kalpac. Director of Finance Alger and Director of Administrative Services Bartos were not present for the meeting.

Recognition of Visitors:

- 5. Mr. Snyder: At this time, the Council will recognize anyone wishing to speak. Please step forward and state your name and address for the record.

Barbara McCallan, Hi, I'm Barbara McCallan. I live at 411 Woodside Avenue NE, North Canton, Ohio. I was here, what two weeks ago, I guess it was and presented some questions I had. I received those this morning, hand delivered by Eric. And I really haven't had an opportunity to go over them too much, but I do have some concerns. We are both going to ask the attorney some questions I have about - I've been told that the business or home occupation, however you want to look at it, at 506 Woodside Avenue NE was in fact home occupation. Well then it's been changed to a total business, which they have had the business up on Main Street in North Canton, I believe probably as long as the vehicles have been over there. But if there is a compromise in that position, I want to say that I didn't know that. However, I'm still not going to put up with their cars parked in our neighborhood. Their employees coming in and picking up these cars, leaving their cars and going to give their I imagine, driving instructions. Then they come back and they drop the cars off. And as a resident of North Canton and a business owner, I understand that possibly you may feel that it's necessary for you to bring home a company car or vehicle in transit, I guess, with - for the lack of a better word. But there are three or four cars up there sitting with the name of their business on. There's only two people that live there, it's impossible for them to get those to the work force up on Main Street. So that's a problem that I'm still concerned about. And the other thing that I brought before everyone last time I addressed all of you, was the variance or easement at the former 423 Woodside Avenue address. The house has been razed as I had mentioned before. And the easement was run through in I think like '94 or '95, I'm not even sure, but I have asked specifically how wide that easement is, what kind of chunk does it take out of a 57.99 feet frontage? Is it in fact a buildable lot? Eric Bowles, at this time, believes it is. I just don't see how it possibly can be. I had a circumstance up on Woodside where a sewer was dug up. I do have photos of it. And you've got a three foot shovel digging out for men to get in and work. You've got a bunch of dirt going out. And it takes up anywhere from 12 to 15 feet. So, I just don't know how it's going to fit in there and have - you know I don't want anybody digging if I had a brand new home there, I don't want them digging beside my foundation for this. So I am concerned about that matter. And there's also another matter ...inaudible... 5th Street allowance, on the - that would be the east side of Woodside, has been sort of taken over by the owner of the residence at 431. He has no proper entrance into his own property without using this access. And he has taken back in '90, applied for a permit through Engineering, which was granted, for him to put a concrete driveway on this property. It's owned by the City. So I'm just not sure how that was done. I do want an answer for that. Those are the three things I want addressed. And I will work with Eric and anyone here that can help me on this. Like I said, I have to apologize. I just got it this morning and - well actually at noon, about noon, and I just didn't have the opportunity to go over everything. So, I appreciate it so very much. Thank you.

Mr. Snyder: Thanks, Mrs. McCallan, we appreciate it. Any members of Council? Thank you. Sir.

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COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

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Jeff Weltman: Good evening, I'm Jeff Weltman, 910 Clearmount Avenue SE. I've been a resident of North Canton for more than fifty years. I'm here today to address the **Repository** article of February 30, 2012, "A political campaign will not reimburse the city". Now at first this incensed me, but I had the benefit of seeing the movie this past spring - "The Ides of March". Now, I know that George Clooney produced it, he starred in it, but everyone, all citizens ought to see it because you get a real feel for the way political campaigns, especially presidential political campaigns operate. They take advantage of whomever they need to take advantage of and then you're gone like yesterday's newspaper. So, I realize the dilemma that the Administration found itself in this situation. But what we have here in effect, is somewhere between fifteen and twenty thousand dollars of an involuntary contribution by the taxpayers to a political campaign. That bothers me a great deal. I'd liked Congressman Snyder's statement, it wasn't quoted in the newspaper, but to the effect the City needs a firm policy on this because if we have a firm policy then we do not have people hanging out in the wind answering to a bigger political power about what they can and can't do to help. So I would urge Council to strongly consider having a policy limited to political campaigns and political causes as to what the City will and will not contribute. When I was ready to get started on this back on November 30th, my blood pressure was high, it's a lot better now. Please, get the movie, "Ides of March", watch it and think about it and watch the mechanizations that happen and let's not become a part of that if we can avoid it. Thanks.

Mr. Snyder: Thank you sir. Appreciate your comments. Any member of Council? Mayor...

Mayor Held: If I could just - Mr. Weltman, first off, I appreciate you taking the time to share your thoughts with us. And you know just to kind of summarize how this took place. It was really something fairly new to the City because it's not often that we have presidential candidates coming to the City of North Canton. And we do appreciate that. It's nice to see that you know, the candidates for presidency are actually coming to the City of North Canton. And we have learned a number of things through this whole process, but when you look - when you take a look back as far as the decision making that went into this, what happens is the Secret Service contacts initially the Police Chief, and then at that point contacts - he contacts the City Administrator who contacts myself. And really it was within like a few hours that we had to make a decision. And at that time we really didn't even have an assessment as far as what role the City would play or what type of services we had to have in place for that. And because it is largely the responsibility of the Secret Service to provide the protection for the presidential candidate; in this case it was Mr. Romney and his staff. And so we decided to move ahead with it with the understanding that the campaign was going to be charged for the services, which was stated in the paper, specifically in the **Canton Repository**. This was on Thursday and we made the decision on Wednesday, and then on Thursday we made that determination. When you're looking at the costs, it seems like the cost continues to go up when it's discussed. And when you look at the costs, there are out-of-pocket costs that the City has, and then there is Administrative costs. It's not that we are hiding numbers. People can say that you're presenting numbers in a multitude of different ways, but we do have overtime costs. But at the same time, I made sure, and I shared this with our Council President and also our Administrator, Mr. Grimes, that anything that even remotely was connected to this event we were going to identify a cost to that. So there was not necessarily an outlay of City expenses. For example if we have salaried employees - the managers that were putting in their time, there was no cost to the City on that. But that's just one example. But the point is that we do welcome presidential candidates in the future. If you look back historically - when you look back at municipalities, particularly in Stark County, the thing that's been understood, and also throughout the rest of the country, I think that it is just been understood, that it's the obligation of the municipality to protect and serve the residents and their visitors. And I think that in the City of North Canton we've taken it one step further by billing the campaign. I'm sure that if we would have said no, people said well didn't you have a contract? Well no, we operate in good faith. And I'm sure that if we would have said no we're not going to do it unless we have an assured contract, which wouldn't have happened, then people would have criticized, how can you disrupt the election process. I mean, that's really what our country is built on. So I do not regret making the decision. I do regret that we didn't get reimbursed because I was - we were with the understanding that we were operating in good faith. The City did not grant formal approval because we didn't have time. We didn't know until Wednesday before the campaign. And it was not on our property. It was on school property. So it didn't require the City's approval to hold the rally on school property. That was an issue with the - certainly with the school district. But again, we've learned from it. I've spoken with our Council Members and our Council President on this and we don't have a real quick answer, but I'm sure that in the future, with the next presidential campaign, we have four years to really formulate our position as far as how we're going to manage this. And hopefully we do have an opportunity where we have other presidential candidates coming to town. I was asked if President Barack Obama came to the City would we do the same thing and of course. And I'm sure it would have been the same situation, you know, whereas you know we want to provide service and we want to have an open and free election and do what we can in that effort. But at the same time we certainly don't want to be taken advantage of by a campaign whether it's on the Republican or Democratic side. So I hope that helps to clarify it a little bit, Mr. Weltman.

Mr. Weltman: It gives me your political outlook on it. I don't mean political as in presidential or democratic. It gives me your political outlook on it. But if there's not sufficient time to plan an event, maybe that event ought not be held. The cost ought to be checked first. There were other local

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governments that provided similar services. As you said, an understanding is not a contract. We would have found from other governments - entities that you're not going to get reimbursed. If we have a policy that will give us a basis on which to deny or put some pressure on that political campaign to contribute to the cost of hosting it. You didn't need that fireworks display.

Mayor Held: Yeah, but we didn't pay for that.

Mr. Weltman (speaking from the audience): We didn't need that fireworks display. We didn't need a country western band. Okay, that's entertainment. That could have gone to providing services, which the presidential campaign with enough force against it, might have come up with. So, please don't give me political reasons. Let's get a policy together and let's not wait four years. Thank you.

Mayor Held: Okay. And if I can just clarify something real quick...

Mr. Cerreta: Jeff, if I may say something...

Mr. Snyder: One minute.

Mayor Held: One quick point, first off the only thing that the City approved - what we approved was the safety services for the event. So if we have a football game that we expect that there's going to be a larger crowd that could be difficult to manage or any event that we have in the City, we have an obligation to provide the safety and security for our residents and also for the visitors. Now we could sit back and say, well let's just put the minimum amount of police out there or let's not add any, we're not going to bring in any additional safety services. Same thing with the, with the - you know, the marathon that was coming through town. How many safety services do you have available? How many ambulances? There's no handbook for that. And so what we always do here in the City, is we are always, in the City of North Canton, we will always err on the side of being prepared to for the worst case scenario. The City did not pay for fireworks. The City did not pay for the event. We didn't pay for the country western band. That was at no cost to us. The decision that we had to make: Number 1, we couldn't stop it. We can't say, you're not having it. We can only say whether or not we're going to have a certain level of police officers at the event. And I think it was really specific to the police officers. And so - and then even that was a dynamic situation because we weren't sure how many people were going to show up. There's only an estimate. Is there going to be 2,000? Is there going to be 10,000? How many people can the event hold? So again, it really wasn't our position whether this Council or myself didn't want the event, we didn't have the authority to say, you can't have it. That was a decision the School Board had made to allow the event to happen on their property. But what we did - we made the decision to provide the safety services to make sure that everybody, the visitors and the residents, were kept safe. And so it really wasn't a - it wasn't a political decision. It really was an Administrative decision.

Mr. Cerreta: I want to make a comment if that's okay.

Mr. Snyder: Please.

Mr. Cerreta: Jeff, the way you brought it up, thank you for bringing it up that way. I think we all get what you are saying with that. On the other side of things, from a master plan business side of it, that really puts us out there as a City. All those people came into our town, going to our businesses, our restaurants, whatever they did to come into our town, that's great for our town. Now there is a different cost that we have to look at, but anytime we want to bring something, especially on a national level, I'm all for that, but we do have to look at the costs. And we'll just look at that next time. So I appreciate it and I think everybody else with the way that you brought it up, and we will look at that. I mean I'll really think much harder on it after you presented it, but I really do think the Mayor did the right thing at the right time with that. And I think it's good for our City to bring in that kind of thing to help us. Hopefully, you'll agree with that.

Mr. Weltman (speaking from the audience): I believe our Mayor was put in a very difficult position ...

Mr. Cerreta: Yes.

Mr. Weltman: by much stronger powers than he could muster at the time. And he made probably the best decision he could make at the time. But you would have to agree, Mr. Mayor, if you said we can't provide that police protection, that event would not have occurred.

Mayor Held: And that's true.

Committee Minutes:

Mr. Snyder: Thank you, Mr. Weltman. Anybody else wishing to speak to the Council? Okay, thank you. May I have a motion and a second to approve as presented the following Committee Report Minutes: Finance and Property; Ordinance, Rules and Claims, both held December 3, 2012.

Mr. Foltz moved and Mr. Peters seconded to approve the committee report minutes as presented.

All members present voting:

Yes: Foltz, Griffith, Klesling, Peters, Snyder, Werren, Cerreta

No: 0

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Finance & Property Committee: Please refer to the minutes on file in the Council Office of the Finance & Property Committee meeting held December 3, 2012.

Ordinance, Rules & Claims Committee: Please refer to the minutes on file in the Council Office of the Ordinance, Rules & Claims Committee meeting held December 3, 2012.

Consideration:

7. Council Meeting Minutes – November 25, 2012
Organizational Meeting Minutes – December 3, 2012

Mr. Snyder: Thank you. May I have a motion and second to approve, as presented the Council Meeting Minutes November 26, 2012; the Organizational Minutes December 3, 2012?

Mr. Foltz moved and Mr. Peters seconded to approve the council and organizational meeting minutes as presented. All members present voting:

Yes: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, Foltz
No: 0

Old Business:

8. Mr. Snyder: Thank you. May I have a motion to read the second reading of - on Community & Economic Development of Ordinance No. 105-12?

Mrs. Kiesling moved and Mr. Cerreta seconded to **read by title only, second reading** of Ordinance No. 105-12. All members present voting:

Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith
No: 0

Ordinance No. 105-12 – 2nd 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 on the rear part of Parcel No. 9208743 on Applegrove Street NW and located in the City of North Canton from R-2F, Two Family District, to R-70, Single Family District.

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: Yes, I think that sounds correct ...inaudible... time. Any questions? Any comment? I motion that we adopt.

Mrs. Kiesling moved and Mr. Peters seconded to adopt the second reading of Ordinance No. 105-12. All members present voting:

Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith
No: 0

9. Mr. Snyder: May I have a motion and second to read by title only the second reading of Ordinance No. 106-12?

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, second reading** of Ordinance No. 106-12. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling
No: 0

Ordinance No. 106-12 – 2nd 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 at 234-236 West Maple Street and known as Parcel No. 9200578 and located in the City of North Canton from GB-A, General Business District to R-2F, Two Family District.

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: Any questions on this one? It's the property on West Maple. Okay. I motion we adopt.

Mrs. Kiesling moved and Mr. Peters seconded to **read by title only, second reading** of Ordinance No. 106-12. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters
No: 0

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DAYTON LEGAL BLANK, INC., FORM NO. 1014B

Held Monday, December 10 7:00 p.m. 20 12

10. Mr. Snyder: May I have a motion and second to read by title only second reading of Ordinance No. 107-12. Mrs. Kiesling: Jon, hold on. What's up Gail? Mrs. Kalpac: We have to amend that one. Mr. Snyder: Pardon. Mrs. Kalpac: We have to amend 107, don't we?

Mr. Peters: Yes, the language wasn't right at the last meeting.

Mr. Snyder: Let me have a motion and second to amend as - on Ordinance No. 107-12.

Mr. Foltz moved and Mr. Peters seconded to amend Ordinance No. 107-12 to remove the duplication of verbiage pertaining to the zoning classification. All members present voting: Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder No: 0

Mr. Fox: An ordinance amending Ordinance No. 50-03... Mr. Snyder: Hold it. Timeout ... Mrs. Kiesling: Hold on. Now we need...

Mr. Snyder: Now we need a motion and a second to read as amended Ordinance No. 107-12.

Mr. Peters moved and Mrs. Werren seconded to read by title only, second reading, as amended, Ordinance No. 107-12. All members present voting: Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren No: 0

Ordinance No. 107-12 - 2nd 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 Parcel No. 9208717 and located in the City of North Canton from R-2F, Two Family District, to GB-A, General Business District.

Mr. Snyder: Chairman Kiesling.

Mrs. Kiesling: Yes. This one looks correct. Any questions? I motion we adopt.

Mrs. Kiesling moved and Mrs. Werren seconded to adopt the second reading, as amended, of Ordinance No. 50-03. All members present voting: Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta No: 0

11. Mr. Snyder: May I have a motion to read by title only, second reading of Ordinance No. 109-12?

Mrs. Kiesling moved and Mr. Peters seconded to read by title only, second reading of Ordinance No. 109-12. All members present voting: Yes: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, No: 0

Ordinance No. 109-12 - 2nd Reading - Finance & Property An ordinance to make temporary appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2013 and ending December 31, 2013 and declaring the same to be an emergency.

Mr. Snyder: We've taken about twenty-five (25%) percent of our projected budget and put it in as a temporary budget to keep the City running while we do continue budget hearings on the main budget through January. This is that number as well as some maintenance for equipment in this budget, which you normally don't do. And are there any questions from Committee or Council? If not I'll entertain a motion to adopt Ordinance No. 109-12.

Mr. Cerreta moved and Mr. Peters seconded to adopt the second reading of Ordinance No. 109-12. All members present voting: Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith No: 0

Mr. Snyder: As time is of the essence for the health and welfare of the City, please can we suspend the rules of Council for Ordinance No. 109-12?

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Mrs. Kiesling moved and Mr. Cerreta seconded to **suspend the rules** of for Ordinance No. 109-12. All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling

No: 0

Mr. Snyder: May we adopt, under the suspension of the rules Ordinance No. 109-12.

Mrs. Kiesling moved and Mrs. Werren seconded to **adopt under suspension of the rules** Ordinance No. 109-12. All members present voting:

Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters

No: 0

New Business:

12. Mr. Snyder: May I have a motion to read by title only, first reading of Ordinance No. 111-12?

Mrs. Kiesling moved and Mr. Cerreta seconded to read by title only, first reading of Ordinance No. 111-12. All members present voting:

Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder

No: 0

Ordinance No. 111-12 – 1st Reading – Finance & Property

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Fire Operating Fund to the Salaries and Wages Account in the amount of \$60,000 for the current expenses during the fiscal year ending December 31, 2012, and declaring the same to be an emergency.

Mr. Snyder: That's 2012, but that's ok. And we need to transfer \$60,000 into the Fire accounts for our fiscal year ending this year to make the salaries and that's what that number is for.

Mr. Foltz: Do we need to amend the ordinance, because it does say 2011.

Mr. Snyder: So, we need to amend that to say...all right. May we have a motion to amend Ordinance No. 111-12 to read December 31, 2012.

Mr. Foltz moved and Mr. Peters seconded to **amend Ordinance No. 111-12 to read December 31, 2012**. All members present voting:

Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren

No: 0

Mr. Snyder: It has been read, and now I'd like a motion to adopt Ordinance No. 111-12, as amended.

Mrs. Kiesling moved and Mr. Cerreta seconded to **adopt the first reading, as amended**, of Ordinance No. 111-12. All members present voting:

Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerreta

No: 0

Mr. Snyder: As time is of the essence, we'd like to suspend the rules of Council for Ordinance No. 111-12.

Mrs. Kiesling moved and Mr. Peters seconded to **suspend the rules, as amended**, for Ordinance No. 111-12. All members present voting:

Yes: Griffith, Kiesling, Peters, Snyder, Werren, Cerreta, Foltz

No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 111-12.

Mr. Foltz moved and Mrs. Kiesling seconded to **adopt under suspension of the rules, as amended** Ordinance No. 111-12.

Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith

No: 0

Mr. Snyder: Do you think we could get another ordinance so we have 12-12-12

(Laughter)

Mr. Snyder: We could think something up. We missed a golden opportunity.

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Minutes of COUNCIL OF THE CITY OF NORTH CANTON REGULAR Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10148

Held Monday, December 10 7:00 p.m. 20 12

Reports:

Mr. Snyder: Director of Law.

Mr. Fox: Yes. Continued success on obtaining overdue income taxes, in fact we had several scheduled for Mayor's Court this evening, but we worked out either the payments in full or reasonable payment plans. So those are coming along very well. And in fact we have a one-third (1/3) savings on those because we don't have to send those out to a law firm, we're doing those in-house. Also, we've been meeting with Mr. Benekos and the Administrator looking at timelines and so forth for the JRS (Job Ready Site) Grant. So we're making sure we map those out to get that done timely by the end of next year. And since this is our last meeting of the year, Happy Holidays to all.

Mr. Snyder: Thank you. Administrator Grimes.

Mrs. Grimes: We're hoping not for snow, but if we do, we've got the salt trucks ready and the salt bins pretty full with salt so we can get out there and on it. And also we were talking about people that ask our services, the Canton Marathon did make first payment, they're making payments back to us on that. So it appears that the Romney campaign is the only people that never paid us. So...

Mr. Snyder: Mr. Mayor:

Mayor Held: Yes. First off, I'd like to thank Mr. Weltman and also Mrs. McCallan for coming up to Public Speaks, because really it's, you know, we open it up at every Council meeting, but we are here to serve you and we do appreciate your input. And sometimes we don't always have the right answer for you, but we're trying to do the best we can to serve your folks. We appreciate that. Also, if you take a look at our new Main Street Project, we've had a very positive response from the signs, the street signs that are located on the traffic lights at the intersection of Main Street and Orion. So, if you're in that part of town and you drive and you see the name of the street, it's our goal to put them all the way down Main Street because it certainly helps visitors that are coming to town. They can look right up at the traffic light. And of course, they are very inexpensive to put those up. They are reflective. And more importantly they match the City signs that are throughout North Canton which is the black and white; it's somewhat like our trademark. And so the City Engineer and the Administrator shared with me that we're going to be putting them up along Main Street. And so hopefully it's going to be helpful for our residents and our visitors. And that's all I have.

Mr. Snyder: Thank you, Mr. Mayor. Mr. Engineer.

Mr. Benekos: Merry Christmas.

Mr. Snyder: Thank you.

Mr. Benekos: See you next year.

Reports - Council:

Mr. Snyder: Thank you. Member Foltz.

Mr. Foltz: Yes. Merry Christmas, Happy New Year. And thanks for bringing up the signs. My father-in-law lives on Wilbur. I think that size is great. It identifies our cross arteries here in town because how many towns do you go to that you know you can't find where you're looking for? I mean we have all this modern technology to show us, but it's nice if you can just see a visible sign before you get right on top of the intersection to make the turn. I think that's great. That size is wonderful. And, the turn lanes there, just even going to where Pizza Oven is and the Dollar Store, I think that just shows you how we should do things in North Canton. Get the traffic flow the right way, give people the opportunity to visit some of our merchants, and to be able to get out on a major artery. I think that was well done. So I compliment Jim on that, and the Mayor and Administration. But I'd also like to thank the comments that were made earlier in public speaks. I think we need to work on a policy and put something in place so Democrat, Independent, Republican; this is going to be some costs involved. Sign something or maybe you're not going to have your event here. I think that is fair. It really is because it did involve an evening situation. It doesn't matter when it is. It's going to tie up some resources. So what do we do with this? And all cities, all townships, you know - all government entities have to bear the brunt of this where really we just don't have the money to do so as we did before. So I think it's good that we revisit this and put something in place that we're all protected down the line. So, thank you.

Mr. Snyder: Thank you for your comments. Member Peters.

Mr. Peters: No report, sir.

Mr. Snyder: Member Werren

RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

REGULAR

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 10 7:00 p.m. 20 12

Mrs. Werren: I just want to say thank you to all of you for answering my questions and meeting with me and talking with me. And I still have a lot to learn, but it's been a pleasure working with you all so far and I look forward to next year.

Mr. Snyder: Well good, thank you for those nice comments. Member Griffith.

Mr. Griffith: There are a lot of great people on this dais who do a lot of great things. But I think celebrating people like Doc tonight reminds us that there are a lot of great leaders in this town that do a lot of work outside of the traditional leadership roles. And I'm really glad that we've taken time this year to celebrate a lot of those folks. And I don't think we do it enough. But if there was ever a true disaster in town, I don't think it would be City Council I'd call, it would be Little League folks, they'd be able to get the most accomplished.

(Laughter)

Mr. Griffith: Not that our City services wouldn't also do a wonderful job. But at any rate, I just appreciate that we did that tonight and I think that's a wonderful thing. And I look forward to being able to celebrate at some point myself in that sense. So ...

Mr. Snyder: Good - good for you. Thank you. Mr. Cerreta

Mr. Cerreta: A couple of things. Dave mentioned about the signs. Thank you for keeping those with the group, with the look of our neighborhoods. Because it could of easily been that highway green, which you see in a lot of other cities. So, I think that's going to go real nice with everything. The directional signs, I'll just give you a quick updates on ... inaudible... the directional signs, the one that says "Waish College this way", "Price Park this way", they're being printed right now. So we have fifteen to sixteen of those that we'll probably look at putting those all up the first of the year on the poles. And they look terrific. They really do. So I'm really excited about those. I think everybody will like those. The Gateway signs, we're up to thirteen out of fifteen now. So we're getting there slowly. We have about twenty-five people involved in actually sponsoring. So, you know, whether it's this in there, so wonderful turnout for the Community with that. A couple of things here, Gail, I want to thank you throughout the year, all the stuff you've done for us - good stuff. We're going to try to put on, I think we all talked, but somewhat of a review of what we've done over the year and Gail's going to be a big part of that of putting that together. So thank you for that. Have a nice holiday. We won't see you probably too much. And then that's it. And Merry Christmas to everybody; Happy New Year.

Mr. Snyder: Thank you. Mrs. Kiesling.

Mrs. Kiesling: Merry Christmas and Happy New Year.

Mr. Snyder: Relative to that, we've established January 28th, we don't have a time yet, but that's the night, that's a Council Meeting Night that we will do the State of the Council. And that is chaired by Member Cerreta. And basically as an ad hoc chairman he'll have each committee chairman report. And I think he has a little something - he has a little printout of what we've accomplished over the year. And sometimes you blow your own horn, it feels good. So that's the way we intend to do that night. So appreciate you that for that. This will be the last meeting of this year, and I think we don't meet again until the 8th - 7th - isn't the of 7th of January a Monday evening; the night of the National Championship, Collegiate Championship. That will be a short meeting beginning at 7 and ending at 7:10. So be prepared for that one. Hopefully it's not a very large agenda. So we'll be moving out quickly on that. But I wish everybody a blessed and Merry Christmas, good New Year. It's always a pleasure being with you. And if I see you over the holidays, I'll extend that. With that, any other business to come before this body? If not I'll entertain a motion to adjourn.

Adjourn:

Mr. Foltz moved and Mrs. Werren seconded to adjourn the Council Meeting.

All members present voting:

Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling

No: 0

The council meeting adjourned at 7:41 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

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RECORD OF PROCEEDINGS

Minutes of

COUNCIL OF THE CITY OF NORTH CANTON

SPECIAL

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

Held Monday, December 19 7:00 p.m. 20 12

Call to Order:

- 1. The special council meeting was called to order Wednesday, December 19, 2012, immediately following the special Finance & Property Committee meeting, at 5:38 p.m. by President of Council Jon Snyder.

Roll Call:

- 2. Mr. Snyder: Clerk, please call the roll.

The following members of council responded to roll call: Griffith, Kiesling, Peters, Snyder Werren, Cerreta, and Foltz.

Also present were: Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos and Clerk of Council Kalpac. Mayor Held and Director of Administrative Services Bartos were not present for the special meeting.

- 3. Mr. Snyder: Now may I have a motion to waive the rules of council requiring a committee report for Ordinance No. 112-12.

Mr. Kiesling moved and Mr. Cerreta seconded to **waive the rules of council requiring a committee report** for Ordinance No. 112-12. All members present voting:
Yes: Kiesling, Peters, Snyder, Werren, Cerreta, Foltz, Griffith
No: 0

Mr. Snyder: Good. May I have a motion to read by title only, first reading of Ordinance No. 112-12?

Mrs. Kiesling moved and Mrs. Werren seconded to **read by title only first reading of Ordinance No. 112-12**. All members present voting:
Yes: Peters, Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling
No: 0

Ordinance No. 112-12 – 1st Reading – Finance & Property Committee
An ordinance amending Attachment "A" of Ordinance No. 21-12, Appropriation Ordinance of the City of North Canton, to reduce the appropriations in the 330 Capital Improvement Fund by \$1,707,250.00; 333 Hoover District Improvement Fund by \$2,600,000.00; and 332 Issue II Improvement Fund by \$774,166.38, and declaring the same to be an emergency.

Mr. Snyder: Any questions of Council? If not, I'll entertain a motion to adopt the first reading of Ordinance No. 112-12.

Mr. Griffith moved and Mr. Peters seconded to **adopt the first reading** of Ordinance No. 112-12. All members present voting:
Yes: Snyder, Werren, Cerreta, Foltz, Griffith, Kiesling, Peters
No: 0

Mr. Snyder: May we have a motion, as time is of the essence, to suspend the rules of Council for Ordinance No. 112-12.

Mrs. Kiesling moved and Mr. Peters seconded to **suspend the rules** for Ordinance No. 112-12. All members present voting:
Yes: Werren, Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder
No: 0

Mr. Snyder: May we adopt under the suspension of the rules Ordinance No. 112-12.

Mr. Griffith moved and Mr. Peters seconded to **adopt under suspension of the rules** Ordinance No. 112-12. All members present voting:
Yes: Cerreta, Foltz, Griffith, Kiesling, Peters, Snyder, Werren
No: 0

Mr. Snyder: Thank you to the council members for coming out for this special meeting. We appreciate it. Thanks to the Clerk for her extra time and Director Alger for bringing it to our attention, and everybody, we appreciate it. And if I may, extend a Merry Christmas to everybody. And at that time I'll entertain a motion to adjourn.

RECORD OF PROCEEDINGS

Minutes of COUNCIL OF THE CITY OF NORTH CANTON SPECIAL Meeting

DAYTON LEGAL BLANK, INC. FORM NO. 10146

Held Monday, December 19 7:00 p.m. 2012

Adjourn:

- 4. Mr. Foltz moved and Mr. Peters seconded to adjourn the special council meeting.
 All members present voting:
 Yes: Foltz, Griffith, Kiesling, Peters, Snyder, Werren, Cerrata
 No: 0

 The special council meeting adjourned at 5:41 p.m.

PRESIDENT OF COUNCIL

ATTEST:

CLERK OF COUNCIL

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City of North Canton, Ohio

Council Office
145 North Main Street
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email: citycouncil@northcantonohio.com

EXECUTIVE SESSION MEETING MINUTES

The Personnel & Safety Committee of North Canton City Council met Monday, January 7, 2013 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairperson Peters, Vice Chairman Snyder, Member Cerreta, Council Members Foltz, Griffith, and Werren. Council Member Kiesling was not present for the meeting.

Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger and Director of Administrative Services Bartos.

Upon a roll call vote of Council, all present moved into an executive session at 6:45 p.m. for the purpose of discussing personnel matters pertaining to the employment of a public employee or official. Subsequent to the discussion, the executive session adjourned at 7:40 p.m.

Respectfully submitted,

Jeff Peters, Chairman

Jon Snyder, Vice Chairman

Mark Cerreta, Member

1/8/13-gmk



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FINANCE & PROPERTY COMMITTEE MEETING MINUTES

There was a special meeting of the Finance & Property Committee of North Canton City Council Wednesday, December 19, 2012 at 5:30 p.m. in the Council Chambers at North Canton City Hall.

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

Also present were: Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, and Clerk of Council Kaipac. Mayor Held and Director of Administrative Services Bartos were not present for the meeting.

Item discussed:

- a. Amend Attachment "A" for Reduction in 330, 333 and 332 Funds: The Committee authorized legislation, amending Attachment "A" of Ordinance No. 21-12, Appropriation Ordinance of the City of North Canton, to reduce the appropriations in the 330 Capital Improvement Fund by \$1,707,250.00; 333 Hoover District Improvement Fund by \$2,600,000.00; and 332 Issue II Improvement Fund by \$774,166.38.

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

Respectfully submitted,

Jon Snyder, Chairman

Marcia Kiesling, Vice Chairperson

Dan Griffith, Member



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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, January 7, 2013 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Snyder, Member Griffith, Council Members Cerreta, Foltz, and Werren. Committee Vice Chairperson Kiesling and Council Member Peters were not present for the meeting.

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

Items discussed:

- a. Amendment to Ordinance No. 70-12 re City Telephone System: The Committee authorized legislation, on an emergency basis, amending Ordinance No. 70-12, thereby authorizing the Director of Administration to advertise a request for proposals, and for the Mayor to be authorized, through the Board of Control, to enter into a proposed lease or purchase agreement for the installation and lease or purchase of a telephone system and related communication equipment to establish (and/or enhance) a data and voice network throughout the City, at a cost not to exceed \$100,000.
- b. Ohio Department of Transportation Sodium Chloride Participation Agreement 2013-14 Season: The Committee authorized legislation, on an emergency basis, authorizing the Mayor to submit a Participation Agreement 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 (rock salt) for the 2013-2014 winter season.
- c. Financial Statement – November, 2012: The Financial Statement was reviewed and will be placed on the January 14, 2013 council agenda for formal approval.
- d. Mayor's Court Receipts – November, 2012: The Mayor's Court Receipts were reviewed and will be placed on the January 14, 2013 council agenda for formal approval.

- e. Amendment to Ordinance No. 134-06 re Estate Tax Transfer: Item was discussed. No action required at this time.

- f. Second Addendum to the Little League Lease Agreement: The Committee authorized legislation, authorizing the Mayor to enter into a Second Addendum to the Lease by and between the City of North Canton and the North Canton Little League, executed on December 26, 1998, and the Addendum to the Lease executed on June 28, 2010, to permit lighting only on the most northeastern field, as indicated by the crosshatched field displayed on the Exhibit to the Second Addendum, and security lighting to the concession stand.

Legislation to contain an emergency clause.

Respectfully submitted,

Jon Snyder, Chairman

Marcia Kiesling, Vice Chairperson

Dan Griffith, Member

1/8/13-gmk

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



City of North Canton, Ohio

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WATER, SEWER & RUBBISH COMMITTEE MEETING MINUTES

The Water, Sewer & Rubbish Committee of North Canton City Council met as part of the Committee of the Whole Monday, January 7, 2013 in the Council Chambers at North Canton City Hall.

Present for the meeting were: Chairman Cerreta, Vice Chairman Griffith and Member Snyder, Council Members Foltz and Werren. Council Members Kiesling and Peters were not present for the meeting. Also present were: Mayor Held, Director of Administration Grimes, Director of Law Fox, Director of Finance Alger, City Engineer Benekos, Director of Permits & Development Bowles, and Director of Administrative Services Bartos.

Item discussed:

- a. Residential Garbage, Rubbish, Recyclables & Yard Waste Contract: The Committee authorized legislation, on an emergency basis, authorizing the Director of Administration to advertise and receive bids for the collection of residential garbage, rubbish, recyclables, and yard waste in the City of North Canton for a three (3) year period commencing July 1, 2013 and terminating June 30, 2016.
- b. Rosewood Circle Sanitary Sewer Project – Increase in Allocation: The Committee authorized legislation, on an emergency basis, amending Section 3. of Ordinance No., 18-12, Rosewood Circle Sanitary and Street Project (from Westview to the cul de sac), by an increase in the amount of the allocations for the project, at a total cost not to exceed \$351,784.

Respectfully submitted,

Mark Cerreta, Chairman

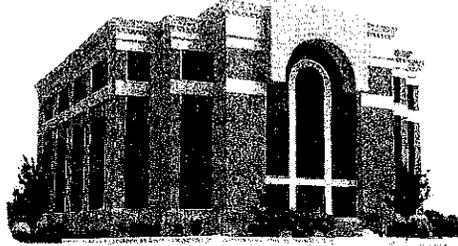
Dan Griffith, Vice Chairman

Jon Snyder, Member

RECEIVED

DEC 17 2012

ADMINISTRATION
NORTH CANTON, OHIO



**STARK COUNTY
HEALTH DEPARTMENT**

Health Commissioner:
Kirkland K. Norris, MPH
Medical Director:
Maureen Ahmann, D.O.
President-Board of Health:
Philip Francis

Board Members:
P.S. Murthy, M.D.
Cary Feller
Karen Hiltbrand
Connie Holmes
Terrence Seeberger
Michael Lancaster
David Benner

December 12, 2012

Mayor David J. Held
City of North Canton
145 North Main Street
North Canton, Ohio 44720

Dear Mayor Held:

In March of 2008, the city of North Canton appointed Mr. Terrance Seeberger as North Canton's representative to the Stark County Board of Health for a five year term. Mr. Seeberger's term expires in March of 2013 and the city must make an appointment to the board of health. Mr. Seeberger has indicated that he is willing to serve another five year term on the board. I would like you and City Council to know that Mr. Seeberger has served your community with diligence, commitment, and dedication.

The Ohio Revised Code requires that the Mayor appoint the representative to the Board of Health with the approval of the City Council. Please respond to this letter with North Canton's appointed representative to the Board of Health for the term beginning March of 2013 and ending in March of 2018. Please include a copy of the meeting minutes in which City Council approved the appointment of the City's representative to the board.

Please feel free to contact me at 330-493-9904 or at norrisk@starkhealth.org if you have any questions regarding this letter.

Respectfully,

A handwritten signature in cursive script that reads "Kirkland K. Norris".

Kirkland K. Norris, MPH
Health Commissioner

cc: Michael Grimes

RECEIVED

DEC 20 2012

COUNCIL OFFICE
NORTH CANTON, OHIO

RECORD OF ORDINANCES

Davison Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

1/8/13-gmk
(Water, Sewer & Rubbish)

Ordinance No. 1-13

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 collection of residential garbage, rubbish, recyclables, and yard waste in the City of North Canton for a three (3) year period commencing July 1, 2013 and terminating June 30, 2016, 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 the Director of Administration for the collection of residential garbage, rubbish, recyclables, and yard waste for a three (3) year period commencing July 1, 2013 and terminating June 30, 2016.

Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary for the timely advertisement of receipt of bids; 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: _____, 2013

ATTEST:

CLERK OF COUNCIL

g:\2013 legislation\1-13 refuse contract.docx

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

1/8/13-gmk
(Water, Sewer & Rubbish)

Ordinance No. 2-13

An ordinance amending Section 3. of Ordinance No., 18-12, Rosewood Circle Sanitary and Street Project (from Westview to the cul de sac), by an increase in the amount of the allocations for the project, at a total cost not to exceed \$351,784, 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 Section 3. of Ordinance No. 29-12, Rosewood Circle Sanitary and Street Project (from Westview to the cul de sac), be, and the same is hereby amended to read as follows:

"Section 3.

That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw fund necessary for the payment of the above specified contract from the following appropriations:

209	STORM WATER LEVY	
209.745.5229	Contract payments	\$ 25,000
330	CAPITAL IMPROVEMENT	
330.543.5229	Contract Payments	\$ 75,000
652	SEWER REVENUE	
652.779.5501	Facilities – Sewer Lines	<u>\$251,784</u>
		\$351,784

upon receipt of vouchers duly approved by the proper departmental authority."

Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely completion of the Rosewood Circle Sanitary and Street 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: _____, 2013

ATTEST:

CLERK OF COUNCIL

g:\2013 legislation\2-13 rosewood circle project increase in allocation.docx

RECORD OF ORDINANCES

Davison Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

1/8/13-tlf
(Finance & Property)

Ordinance No. 3-13

An ordinance amending Ordinance No. 70-12, thereby authorizing the Director of Administration ("Director") of the City of North Canton to advertise a request for proposals according to specifications now on file in the office of the Director, and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a proposed lease or purchase agreement for the installation and lease or purchase of a telephone system and related communication equipment to establish (and/or enhance) a data and voice network throughout the City, at a cost not to exceed \$100,000, and declaring the same to be an emergency.

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

Section 1. That the Director of Administration of the City of North Canton is hereby authorized to advertise a request for proposals according to specifications now on file in the Director's office.

Section 2. That the Mayor of the City of North Canton, through the Board of Control, is hereby authorized to enter into a proposed lease or purchase agreement for the installation and purchase or lease of a telephone system and related communication equipment to establish (and/or enhance) a data and voice network throughout the City, at a cost not to exceed \$100,000.

Section 3. 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 agreement or lease from the following appropriations:

330	CAPITAL IMPROVEMENT FUND		
330.627.5500	Equipment		\$ 50,000
650	WATER REVENUE FUND		
650.765.5500	Equipment		\$ 25,000
652	SEWER REVENUE FUND		
652.778.5500	Equipment		<u>\$ 25,000</u>
			\$100,000

upon receipt of vouchers duly approved by the proper departmental authority.

Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary for the timely purchase or lease and installation of said telephone/data equipment and to ensure the continued efficient operation of the City; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2013

ATTEST:

CLERK OF COUNCIL

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 300d3

Ordinance No. _____ Passed _____, 20____

1/8/13-tlf
(Finance & Property)

Ordinance No. 4-13

An ordinance authorizing the Mayor of the City of North Canton ("Mayor") 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 2013-2014 winter season, and declaring the same to be an emergency.

WHEREAS, Section 5513.01(B) of the Ohio Revised Code permits any political subdivision to participate in contracts which ODOT's director has entered 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, AND STATE OF OHIO:

- Section 1. That the Mayor is hereby authorized to submit and request authority for the City of North Canton to participate in ODOT's contract for the purchase of sodium chloride (rock salt) for the 2013-2014 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 ODOT's director 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 ODOT contract 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 ODOT and its director 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 6. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and peace of the City of North Canton, Ohio and further necessary to meet the submission deadline of the application for the 2013-2014 season; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2013

ATTEST:

CLERK OF COUNCIL

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____ Passed _____, 20____

1/8/13-tlf
(Finance & Property)

Ordinance No. 5-13

An ordinance authorizing the Mayor of the City of North Canton to enter into a Second Addendum to the Lease by and between the City of North Canton ("Lessor") and the North Canton Little League ("Lessee"), executed on December 26, 1998, and the Addendum to the Lease executed on June 28, 2010, to permit lighting only on the most northeastern field, as indicated by the crosshatched field displayed on the Exhibit to the Second Addendum, and security lighting to the concession stand, and declaring the same to be an emergency.

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

- Section 1. That the Mayor of the City of North Canton is hereby authorized to enter into a Second Addendum to the Lease by and between the Lessor and the Lessee, executed on December 26, 1998, and the Addendum to the Lease executed on June 28, 2010, to provide lighting only on the most northeastern field, as indicated by the crosshatched field displayed on the Exhibit to the Second Addendum, and security lighting to the concession stand.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and peace of the City of North Canton, Ohio and further necessary for the timely installation of lighting by the start of the baseball season; wherefore, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2013

ATTEST:

CLERK OF COUNCIL