



City of North Canton

Council Office

145 North Main Street - North Canton, Ohio 44720-7587
330.499.3986 – 330.499.2060 Fax
citycouncil@northcantonohio.com

NOTICE OF MEETINGS

President of Council
Jon Snyder

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 Finance, and Director of Law on **Monday, May 20, 2013 at 6:40 p.m.** in the Council Chambers at North Canton City Hall.

Vice President of Council
Marcia Kiesling

The meeting will be called to order and then moved into **executive session** for the purpose of reviewing collective bargaining sessions with public employees concerning their compensation. The executive session will not be open to the public.

Council at Large
Mark Cerreta

Council at Large
Dan Griffith

Councilman, Ward 1
Doug Foltz

Mr. Jon Snyder, Chairman of the Finance & Property Committee of North Canton City Council, has requested a meeting of said Committee Members, Council, Mayor, Director of Administration, Director of Law, and Director of Finance, **Monday, May 20, 2013 immediately following the Executive Session for Personnel & Safety** in the Council Chambers at North Canton City Hall.

Councilman, Ward 2
Daniel Peters

The meeting will be called to order and then moved into **executive session** for the purpose of discussing the sale of property at competitive bidding. The executive session will not be open to the public.

Councilwoman, Ward 3
Stephanie Werren

Committee of the Whole Meeting Agenda

Monday, May 20, 2013 – 7:00 p.m.

North Canton City Council will meet as a Committee of the Whole **Monday, May 20, 2013 at 7:00 p.m.** in the Council Chambers at North Canton City Hall.

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

1. Ordinance, Rules & Claims Committee

Chairperson: Stephanie Werren
Vice Chairman: Doug Foltz
Member: Marcia Kiesling

Discussion – Proposed Amendments to Chapter 111 Council; Repeal of Chapter 115 Rules of Council
Stephanie Werren

2. Street & Alley Committee

Chairman: Dan Griffith
Vice Chairman: Daniel Peters
Member: Doug Foltz

Amendment to Ordinance 9-13 re 2013 Street Maintenance Program
Dan Griffith

3. Water, Sewer & Rubbish Committee

Chairman: Mark Cerreta
Vice Chairman: Dan Griffith
Member: Jon Snyder

- a. Discussion re Residential Garbage, Rubbish, Recyclables & Yard Waste Contract
Mark Cerreta
- b. Amendment to Chapter 937.05 re Bulk Water Charge
Mark Cerreta
- c. Amendment to Chapter 935.02 and 935.07 re Water Lines and Hydrants
Mark Cerreta

4. Finance & Property Committee

Chairman: Jon Snyder
Vice Chairperson: Marcia Kiesling
Member: Dan Griffith

- a. Mayor's Court Receipts – April, 2013
Jon Snyder
- b. Financial Statement – April, 2013
Jon Snyder
- c. Supplemental Appropriation re Street Maintenance Program
Jon Snyder
- d. Community Development Block Grant re Hillcrest/Royer Water Line Replacement
Jon Snyder

Gail M. Kalpac
Clerk of Council

Ordinance No. 33-13 Passed _____, 2013

5/7/13-tf
(Ordinance, Rules & Claims)

Ordinance No. 33-13

An ordinance amending TITLE THREE – LEGISLATION, of the Codified Ordinances of the City of North Canton, specifically CHAPTER 111 – COUNCIL and to repeal CHAPTER 115 – RULES OF COUNCIL, 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 TITLE THREE – Legislation, of the Codified Ordinances of the City of North Canton, specifically CHAPTER 111 - COUNCIL, be, and the same is hereby amended to read as follows:

CHAPTER 111 – COUNCIL

111.01 MEETINGS: TIME, PLACE, AND RECORDING PROCEDURE.

(a) Council of the City of North Canton, Ohio, ("Council") shall meet on the second and fourth Monday of each month at 7:00 p.m. in Council chambers, located in City Hall, 145 North Main Street, with the exception of the months of July and August when Council will meet on the second Monday in July and the fourth Monday in August.

(b) If a Council meeting date falls on a holiday recognized by the City, the meeting date shall be rescheduled or canceled.

(c) The starting time of a Council meeting or a public hearing may be set by motion of Council.

(d) Special Council meetings may be called as provided by the Charter of the Municipality of North Canton, Ohio ("Charter").

(e) Pursuant to the Charter, the Clerk of Council ("Clerk") shall keep a complete and accurate journal of all Council proceedings, which shall be authenticated by the Clerk's signature.

(f) Council shall meet as a Committee of the Whole on the first, third, and the fifth Monday, as applicable, of each month at 7:00 p.m. in Council chambers, located in City Hall, 145 North Main Street, with the exception of the months of July and August when the Committee of the Whole shall meet on the first Monday in July and the third Monday in August.

(g) The date and/or time of a Council or Committee of the Whole meeting may be changed or cancelled by a favorable vote of the majority of those members present at a prior Council or Committee of the Whole meeting, or upon the written request of four members of Council.

(h) All Council and Committee of the Whole meetings, with the exception of executive sessions, shall be recorded.

(i) All Council meetings that have been recorded shall be transcribed verbatim. Upon the committee chairperson's request and the President of Council's concurrence, a recorded Committee of the Whole meeting shall be transcribed verbatim.

111.02 COUNCIL STRUCTURE.

(a) As provided in the Charter, Council is composed of four ward and three at large council members. The President of Council and Vice President of Council are elected from all Council members.

(b) The President of Council shall assign seats at the Council dais.

RECORD OF ORDINANCES

Ordinance No. 33-13 Passed _____, 2013

b) Council shall designate a portion of its meeting, Recognition of Visitors, to provide its guests with a venue in which they may be heard in a fair, impartial, and respectful manner, which is open and welcoming to diverse viewpoints, and yet free from disruptions, and impertinent behavior. Therefore, with the exception of the amount of time permitted to speak, and the rule that Recognition of Visitor's is the only portion of Council meetings that a guest may speak, Council shall not limit a guest's message that appears free of impertinence, slander, profanity, obscenity, intimidation, threats of violence, or those spoken words or actions likely to invite a beach of the peace.

(c) In the interest of its guests, City employees, and Council Members, and to help prevent the disruption of its meetings that delay or cease the legislative process, Council rules shall be strictly and equally enforced. The President of Council shall promptly issue a warning to those that violate the Rules of Decorum, Courtesy, and Propriety to cease the disruptive behavior. Because a disruptive individual waives his or her right to remain at a meeting, and to prevent the further delay or cessation of the legislative process, the President of Council shall expel from the meeting those individuals that persist despite the President's warning to cease the disruptive behavior. If the disruptive individual fails to immediately leave the meeting upon the President of Council's demand, the President shall have the individual removed from the Council, Committee of the Whole, or special meeting by a law enforcement officer in the course of enforcing the laws of the State of Ohio. A person who disrupts a Council, Committee of the Whole, or special meeting may be prosecuted for disturbing a lawful meeting, R.C. 2917.12, a fourth degree misdemeanor, and obstructing official business, a second degree misdemeanor. R.C. 2921.31.

111.11 RECOGNITION OF VISITORS.

(a) Guests of Council meetings are permitted to speak only during the Recognition of Visitors portion of the Council meeting. Guests shall observe the Rules of Decorum, Courtesy, and Propriety described above. See 111.10. There shall be no shouting or other types of disruptive behavior during a Council, Committee of the Whole, or special meeting.

(b) Each speaker shall first acknowledge that the speaker has read and understands Council's Rules of Decorum, Courtesy, and Propriety, and Recognition of Visitors. If the speaker does not acknowledge having read and understanding the aforementioned rules, the Director of Law shall provide the individual with the necessary information so that the speaker may conduct itself accordingly during the Recognition of Visitor's portion of the Council meeting. The speaker shall begin by first identifying themselves by name, home address, and stating the subject matter on which he or she intends to speak.

(c) Each speaker's comments are limited to a maximum of five minutes and shall be directed only to the President of Council. There shall be no debate between the speaker and guests, City employees, or Council Members. Other guests, City employees, or Council members shall not interrupt or otherwise engage the speaker during the speaker's five minutes. Only after the speaker has completed speaking and returned to her or his seat may a Council member, or City employee, who is seated at the Council dais, respond to the speaker's comments.

(d) When the speaker's five minutes have expired, as indicated by both an audible alarm and a timer visible to all of those in attendance of the meeting, the speaker shall promptly cease speaking and shall return to his or her seat or shall exit the meeting. Council members and City employees at the dais are available following the meeting if the speaker wishes to continue the speaker's comments. The speaker may also resume at the next Recognition of Visitor portion of a Council meeting.

(e) A speaker that continues beyond the allocated five minutes, and who continues to speak despite receiving notice that the speaker's time limit has expired, disrupts the meeting and waives his or her right to remain. To prevent the disruptive individual's further delay or cessation of the legislative process, the President of Council shall expel from that meeting those that persist despite the President's warning to cease the disruptive behavior. If the disruptive individual fails to immediately leave the meeting upon the President of Council's demand, the President shall have the individual removed from the Council, Committee of the Whole, or special meeting by a law enforcement officer in the course of enforcing the laws of the State of Ohio. A person who disrupts a Council, Committee of the Whole, or special meeting may be prosecuted for disturbing a lawful meeting, R.C. 2917.12, a fourth degree misdemeanor, and obstructing official business, a second degree misdemeanor. R.C. 2921.31.

RECORD OF ORDINANCES

Ordinance No. 33-13 Passed _____, 2013

(f) Speakers, and all of those in attendance of Council, Committee of the Whole, and special meetings, shall strictly follow all Rules of Decorum, Courtesy, and Propriety, as described above.

111.12 SALARIES AND BONDS.

Salaries and bonds for all elected and appointed officials and City employees shall be as established by Council and all ordinances pertaining thereto are hereby saved by reference.

Section 2. That TITLE THREE – Legislation, of the Codified Ordinances of the City of North Canton, specifically CHAPTER 115 – RULES OF COUNCIL, be, and the same is hereby amended to read as follows:

CHAPTER 115 – RULES OF COUNCIL – Repealed

Section 3. That any and all legislation inconsistent herewith, be, and the same is hereby repealed.

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

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary for the timely amendment to the CHAPTER 111- COUNCIL and repeal of CHAPTER 115 - RULES OF COUNCIL; 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

RECEIVED

MAY 15 2013



City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587

ADMINISTRATION
NORTH CANTON, OHIO

LEGISLATION REQUEST

May 14, 2013

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

Subject: **2013 Street Maintenance Program**

Requested By: [Signature]
City Engineer

Date: 5/14/13

Approved By: [Signature]
Director of Administration

Date: 5/15/13

A Request to Amend Section 3 of Ordinance No. **9-13** as follows:

208.543.5227	\$ 10,000
208.543.5229	30,000
209.745.5229	25,000
210.543.5229	300,000
330.546.5229	240,000
651.767.5229	15,000
652.779.5501	<u>25,000</u>
TOTAL	\$ 645,000

This project was bid on May 10, with the lowest bid being \$549,710

EMERGENCY REQUESTED: Yes No

RECEIVED

MAY 14 2013

COUNCIL OFFICE
NORTH CANTON, OHIO

An ordinance amending Section 3. of Ordinance No. 9-13 for the resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots, to increase the allocation in an amount not to exceed \$645,000, 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 Section 3. of Ordinance No. 9-13 for the resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots, be, and the same is hereby amended to read as follows;

208	STREET CONST, MAINT, & REPAIR FUND	
208.543.5227	Contract Payments – Concrete	\$ 10,000
208	STREET CONST, MAINT, & REPAIR FUND	
208-543.5229	Contract Payments	\$ 30,000
209	STORM SEWER LEVY	
209.745.5229	Contract Payments	\$ 25,000
210	STREET IMPROVEMENT LEVY	
210.543.5229	Contract Payments	\$ 300,000
330	CAPITAL IMPROVEMENT FUND	
330.546.5229	Contract Payments	\$ 240,000
651	WATER, EXP, REP & IMPROVEMENT	
651.767.5229	Contract Payments	\$ 15,000
652	SANITARY SEWER OPERATING FUND	
652.779.5501	Facilities – Sewer Lines	<u>\$ 25,000</u>
		\$ 645,000

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

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

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary in order to maintain the city streets in the proper condition for safe travel; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

RECORD OF ORDINANCES

Dixson Legal Bank, Inc.

Form No. 30041

Ordinance No. 9-13

Passed February 11, 2013

2/5/13-gmk
(Street & Alley)

Ordinance No. 9-13

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids and authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract for the resurfacing, repaving, replacement, repair and preventative maintenance of certain streets, alleys and city parking lots, at a cost not to exceed \$365,000, and declaring the same to be an emergency.

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

Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids according to specifications now on file in the office of the Director of Administration for the resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots.

Section 2. That the Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a contract for the resurfacing, repaving, replacement, repair, and preventative maintenance of certain streets, alleys, and city parking lots, at a cost not to exceed \$365,000.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriations:

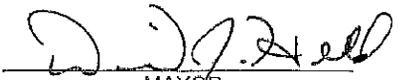
652	SANITARY SEWER OPERATING FUND	
652.779.5501	Facilities - Sewer Lines	\$ 25,000
651	WATER, EXP, REP & IMPROVEMENT	
651.767.5229	Contract Payments	\$ 15,000
209	STORM SEWER LEVY	
209.745.5229	Contract Payments	\$ 25,000
210	STREET IMPROVEMENT LEVY	
210.543.5229	Contract Payments	\$ 300,000
		\$ 365,000

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

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

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary in order to maintain the city streets in the proper condition for safe travel; wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH
Passed: 2/11/13


MAYOR

SIGNED: 2-11, 2013

ATTEST:


CLERK OF COUNCIL



MEMO: From MIKE GRIMES – Director of Administration

CURRENT GARBAGE / REFUSE INFORMATION

City North Canton

Population (approximate)	17,488
Household Units (approximate)	7,557
Garbage Customers	5,322
Curbside Pickup	5,212
Backyard Pickup	110

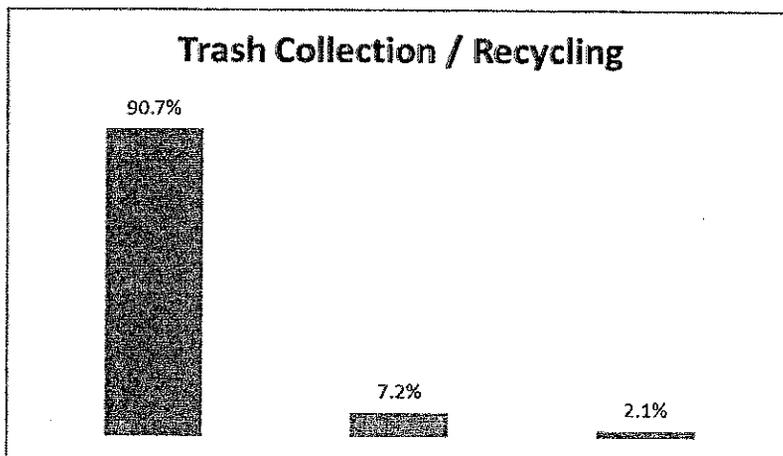
Current Vendor: Kimble Recycling & Disposable Inc.

Current Contract: July 1, 2008 – June 30, 2013

Current Contract Matches OPTION 2 in Bid Specifications Attached

Current Residential Charge: Curbside = \$13.17 per month
Backyard Pickup = \$14.67 per month

RECENT CITY SURVEY RESULT



Excellent & Good Fair & Poor Don't Know

Mike

5/6/13

28

Bid Tabulation Sheet for Collection of Residential Garbage, Rubbish, Recyclables Yard Waste.
Bid Opening: May 2, 2013
11:00 A.M.

Kimble
Repbulic
Rumpke
Bid Bond Bid Bond Bid Bond

Item	Item No	Item Description	Curbside	Backyard	Curbside	Backyard	Curbside	Backyard
Option 1	A	Garbage, Rubbish, Yard Waste.	\$12.49	\$14.99	\$9.55	\$2.00	\$12.00	\$15.00
	B	Recyclables Option	0*	0*	\$2.04	XXX	\$2.00	XXX
	C	Six-Week Leaf Recycling Program Option	0*	0*	0.35*	XXX	\$0.95	XXX
			\$12.49	\$14.99	\$11.94	\$13.94	\$14.95	\$17.95

Option 2	Item No	Item Description	Curbside	Backyard	Curbside	Backyard	Curbside	Backyard
Option 2	A	Garbage, Rubbish, Yard Waste.	\$12.73	\$15.23	\$9.55	\$2.00	\$12.00	\$15.00
	B	Recyclables Option	0*	XXX	\$2.04	XXX	\$2.00	XXX
	C	Six-Week Leaf Recycling Program (Fall)	0*	XXX	.17*	XXX	\$0.95	XXX
	D	Six-Week Leaf Recycling Program (Spring/Summer)	0*	XXX	.16*	XXX	\$0.50	XXX
			\$12.73	\$15.23	\$11.94	\$13.94	\$15.45	\$18.45

Option 3	Item No	Item Description	Curbside	Backyard	Curbside	Backyard	Curbside	Backyard
Option 3	A	Garbage, Rubbish, Yard Waste & Misc.	\$13.75	\$16.25	\$9.55	\$2.00	\$12.25	\$15.25
	B	Recyclables Option	\$0.00	XXX	\$2.04	XXX	\$2.00	XXX
	E	Nine-Month Yard Waste Recycling Program Option	\$0.00	XXX	\$0.35	XXX	\$2.70	XXX
			\$13.75	\$16.25	\$11.94	\$13.94	\$16.95	\$19.95

Option 4	Item No	Item Description	Curbside	Backyard	Curbside	Backyard	Curbside	Backyard
Option 4	A	Garbage, Rubbish, Yard Waste & Misc.*	\$10.38	\$12.88	\$9.55	\$2.00	\$13.50	\$16.50
	AZ	Garbage, Rubbish, Yard Waste & Misc.*	\$10.38	\$12.88	\$11.05	\$4.00	\$16.50	\$19.50
	B	Recyclables Option	\$3.14	XXX	\$2.05	XXX	\$3.25	XXX
	B2	Recyclables Option	\$3.14	XXX	\$3.54	XXX	\$5.00	XXX
	C	Six-Week Leaf Recycling Program (Fall)	\$0.50	XXX	.17*	XXX	no bid	XXX
	D	Six-Week Leaf Recycling Program (Spring/Summer)	\$0.40	XXX	.16*	XXX	no bid	XXX
E	Nine-Month Yard Waste Recycling Program Option	\$1.98	XXX	.35*	XXX	no bid	XXX	



MEMO: From MIKE GRIMES – Director of Administration

REMARKS, MODIFICATIONS & EXCEPTIONS PAGE

NOTE: The Bid Specifications provided a "REMARKS, MODIFICATIONS & EXCEPTIONS TO BE LISTED BELOW" page (S19 of Bid Specification Packet) if bidders wished to use it. Bidders were not required to make additional remarks.

REPUBLIC WASTE did not choose to list anything on this page.

RUMPKE listed remarks (attached)

KIMBLE listed remarks with Alternative Proposals (attached)

[Handwritten signature]
5/6/2013

REMARKS, MODIFICATIONS & EXCEPTIONS TO BE LISTED BELOW:

1. See ALTERNATE BIDS "2A", "2B", AND "2C", provided under tab #5 of this proposal, which offer the City best available pricing for a specific combination of requested services.
2. Under Option Four, all bid prices provided for yardwaste, leaf recycling, and recyclables, are contingent upon Kimble also being awarded the contract for rubbish removal. Kimble's price for rubbish removal in Option Four is not contingent upon Kimble being awarded a contract for other materials.
3. All pricing provided is monthly pricing and based upon the City being invoiced for all 12 months of the year, despite some yardwaste services being provided less than 12 months.
4. All pricing provided is based upon the City selecting just one hauler to provide the desired combination of services.
5. For any recycling option requiring a 65-gallon tote, Kimble is responsible for providing the totes. For any other recycling option, the City will remain responsible for supplying the 18-gallon bins.
6. For Option Four (A.2.), Kimble will provide a 95-gallon tote for rubbish rather than a 65-gallon tote, for added refuse storage capacity and convenience for the residents. The larger 95-gallon tote is also proposed for refuse collection in each of the ALTERNATE BID options.
7. If awarded a contract by the City, Kimble will extend an offer to the City to include a contract extension clause whereby the City may extend the contract for up to three years upon the mutual agreement of pricing and terms by both parties. Kimble's bid is in no way contingent upon this offer of an extension clause, and the City is free to accept or reject this offer for an extension clause.

COPY (6)

OFFICIAL BID SHEET
(To Be Read At Bid Opening)

ALL PRICES BID MUST INCLUDE THE TEN PERCENT (10%) COLLECTION FEE!!!

ALL BID LINES MUST BE COMPLETE EVEN IF FIGURE IS ZERO (0)!!!

OPTION TWO

ALTERNATIVE OPTION 2-A

This option describes the services as set out in Items A, B, C, and D on pages 7 and 8. Please submit a price for each individual line as well as the total bid price. This bid will be accepted or rejected on the basis of the total price for the four (4) items listed.

ITEM NO. DESCRIPTION COST PER MONTH PER CUSTOMER

	Curbside	Back Yard
A. <u>GARBAGE, RUBBISH, YARD WASTE & MISC.*</u> *Misc. includes the pick up of Christmas trees, leaves, appliances, furniture, carpet, grass, and sticks bundled and no longer than 36 inches.	\$ <u>12.69</u>	\$ <u>15.19</u>
	\$ <u>0</u>	\$ <u>0</u>
B. <u>RECYCLABLES OPTION</u>	included \$ <u>0</u>	XXX
C. <u>SIX-WEEK LEAF RECYCLING PROGRAM OPTION (Fall)</u>	included \$ <u>0</u>	XXX

66 (7)

D. <u>SIX-WEEK YARD WASTE RECYCLING PROGRAM OPTION</u> (Spring/Summer)	included \$ <u>0</u>	XXX
TOTAL:	\$ <u>12.69</u>	\$ <u>15.19</u>

EXPLANATION OF ALTERNATIVE OPTION 2-A

Alternative Option 2-A is identical to Option Two in every way, except:

- All residents will be provided with a 95-gallon refuse tote at no additional cost in order to facilitate the use of an automated collection truck and more efficient collection.

(8)
 00011

OFFICIAL BID SHEET
 (To Be Read At Bid Opening)

ALL PRICES BID MUST INCLUDE THE TEN PERCENT (10%) COLLECTION FEE!!!

ALL BID LINES MUST BE COMPLETE EVEN IF FIGURE IS ZERO (0)!!!

OPTION TWO

ALTERNATIVE OPTION 2-B

This option describes the services as set out in Items A, B, C, and D on pages 7 and 8.
Please submit a price for each individual line as well as the total bid price. This bid will be accepted or rejected on the basis of the total price for the four (4) items listed.

ITEM NO. DESCRIPTION COST PER MONTH PER CUSTOMER

	Curbside	Back Yard
A. <u>GARBAGE, RUBBISH, YARD WASTE & MISC.*</u> *Misc. includes the pick up of Christmas trees, leaves, appliances, furniture, carpet, grass, and sticks bundled and no longer than 36 inches.	\$ <u>13.17</u>	\$ <u>15.67</u>
	\$ <u>0</u>	\$ <u>0</u>
B. <u>RECYCLABLES OPTION</u>	included \$ <u>0</u>	XXX
C. <u>SIX-WEEK LEAF RECYCLING PROGRAM OPTION (Fall)</u>	included \$ <u>0</u>	XXX

D. <u>SIX-WEEK YARD WASTE RECYCLING PROGRAM OPTION</u> (Spring/Summer)	included \$ <u>0</u>	XXX
TOTAL:	\$ <u>13.17</u>	\$ <u>15.67</u>

EXPLANATION OF ALTERNATIVE OPTION 2-B

Alternate Option 2-B is identical to Option Two in every way, except:

- All residents will be provided with a 95-gallon refuse tote in order to facilitate the use of an automated collection truck and more efficient collection.
- All residents will be provided with a 65-gallon recycling cart to store recyclables, and to facilitate the use of an automated collection truck and more efficient collection.

(10)

SPECIFICATIONS – continued

OFFICIAL BID SHEET
(To Be Read At Bid Opening)

ALL PRICES BID MUST INCLUDE THE TEN PERCENT (10%) COLLECTION FEE!!!

ALL BID LINES MUST BE COMPLETE EVEN IF FIGURE IS ZERO (0)!!!

OPTION TWO ALTERNATIVE OPTION 2-C

This option describes the services as set out in Items A, B, C, and D on pages 7 and 8.
Please submit a price for each individual line as well as the total bid price. This bid will be accepted or rejected on the basis of the total price for the four (4) items listed.

ITEM NO. DESCRIPTION COST PER MONTH PER CUSTOMER

	Curbside	Back Yard
A. <u>GARBAGE, RUBBISH, YARD WASTE & MISC.*</u> *Misc. includes the pick up of Christmas trees, leaves, appliances, furniture, carpet, grass, and sticks bundled and no longer than 36 inches.	\$ <u>13.02</u>	\$ <u>15.52</u>
	\$ <u>0</u>	\$ <u>0</u>
B. <u>RECYCLABLES OPTION</u>	<i>included</i> \$ <u>0</u>	XXX
C. <u>SIX-WEEK LEAF RECYCLING PROGRAM OPTION (Fall)</u>	<i>included</i> \$ <u>0</u>	XXX

60

(11)

D. <u>SIX-WEEK YARD WASTE RECYCLING PROGRAM OPTION</u> (Spring/Summer)	EXCLUDED \$ <u>NA</u>	XXX
TOTAL:	\$ <u>13.02</u>	\$ <u>15.52</u>

EXPLANATION OF ALTERNATIVE OPTION 2-C

Alternate Option 2-C is identical to Option Two in every way, except:

- All residents will be provided with a 95-gallon refuse tote, in order to facilitate the use of an automated collection truck and more efficient collection.
- All residents will be provided with a 65-gallon recycling cart to store recyclables and to facilitate the use of an automated collection truck and more efficient collection.
- The 6-week yard waste recycling program in the spring/summer has been eliminated.



CITY OF NORTH CANTON

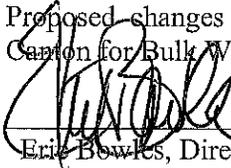
145 North Main St. North Canton, OH 44720
 (330) 499-5557 Fax: (330) 966-3630

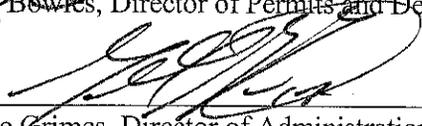
DEPARTMENT OF PERMITS AND DEVELOPMENT

LEGISLATION REQUEST

To: Jon Snyder, President
 North Canton City Council

Subject: Proposed changes to Chapter 937.05 of the Codified Ordinance of the City of North Canton for Bulk Water Charge.

Requested by: 
 Eric Bowles, Director of Permits and Development **Date:** May 14, 2013

Approved by: 
 Mike Grimes, Director of Administration **Date:** May 14, 2013

Background: The City's current bulk water charges do not require the installation of a meter and backflow device. Because of the potential of water theft and contamination of the City's water system, it is proposed to change Chapter 937.05 "Bulk Water Charge" to require the installation of a meter and backflow device for all bulk water customers using water from a city hydrant plus a charge of one hundred dollars (\$100.00) for the cost of the meter and an one thousand two hundred and fifty (\$1,250.00) dollar refundable equipment damage deposit. The proposed language also addresses the legal responsibility of the user if they damage the City's equipment or contaminate the water system.

Request: Approve the proposed changes to Chapter 937.05 Bulk Water Charge (see attached)

EMERGENCY REQUESTED: Yes _____ No _____

If Yes, Reason: None

An ordinance amending CHAPTER 937 – WATER RATES, specifically Section 937.05, Bulk Water Charge, of the Codified Ordinances of the City of North Canton, to require the installation of a meter and backflow device for all bulk water customers using water from a City hydrant, to establish a meter fee and a refundable equipment damage deposit, 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 CHAPTER 937 – WATER RATES, specifically Section 937.05, Bulk Water Charge, the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

937.05 Bulk Water Charge

- (a) Bulk or construction water may be sold only with the consent and approval of the Director of Administration and at the current rate, as may be amended from time to time.
- (b) All bulk water purchases require a meter installation to measure the amount of water purchased together with a backflow prevention device to protect the City of North Canton's water system. The equipment rental fee for the meter and backflow prevention device, which includes installation and removal, is \$100.00, together with a \$1,250.00 equipment security deposit, which shall be returned if the equipment is returned timely without damage beyond normal wear and tear and has not been removed or altered by other than a City employee or its contractor.
- (c) The bulk water purchaser is responsible to protect the meter and backflow prevention device from harm until it is removed by a City employee or its contractor. If said equipment is removed or altered by someone other than a City employee or its contractor, the bulk water purchaser shall be wholly responsible for the resulting damages to the equipment and City water supply, which may exceed the amount of the security deposit.
- (d) Prior to purchasing the bulk water, the purchaser must sign an agreement to pursue no claims or actions of any kind against the City that result from the purchaser's defective equipment, construction, negligence, or intentional acts, in conjunction the purchase and use of the bulk water, and to hold the City harmless, and to defend and indemnify it against all forms of liability and expense for injury, losses, harm, or damages resulting from the same.

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 shall take effect and be in full force from and after the earliest period allowed by law.

Upon failure to do so, the City shall have the right, through its duly authorized officers and employees, to sever the connection into the waterworks system of the City from the property in question, and such connection shall not thereafter be reestablished, except in accordance with the terms of this and all rules and regulations then in effect and upon payment of all fees and charges, both present and delinquent, including any disconnection costs.

(d) In the event of any dispute as to charges or any dispute as failure to comply with rules and regulations concerning the use of the City's waterworks system shall upon written request by the party aggrieved be referred to a Board consisting of the Director of Law, Director of Finance and Director of Administration for review. Said Board shall hear said dispute within thirty days receipt of said notice and shall make a written decision to the party aggrieved within a reasonable time thereafter.
(Ord. 20-11. Passed 2-28-11.)

937.04 WATER TURN ON CHARGE.

(a) Whenever water service has been turned off, there shall be a charge of fifty dollars (\$50.00) to be paid before the water service will be turned on during the standard working day.

(b) Whenever water service has been turned off, there shall be a charge of seventy-five dollars (\$75.00) to be paid before water service will be turned on whenever it is not the standard working day.

(c) Whenever water service has been turned off, the past due amount, in addition to applicable turn on charge, shall be paid in full before water service will be turned on.
(Ord. 20-11. Passed 2-28-11.)

937.05 BULK WATER CHARGE.

Bulk or construction water shall be sold at a cost of three dollars and sixty cents (\$3.60) per thousand gallons. Water shall be sold with the consent and approval of the Director of Administration. Where a meter installation is required, there shall be an additional charge of twenty-five dollars (\$25.00).
(Ord. 20-11. Passed 2-28-11.)

937.06 COMMERCIAL FIRE HYDRANT CHARGE ON PRIVATE PROPERTY.

In respect to commercial establishments having fire hydrants located on private property connected to the North Canton water system and not being regularly billed for water consumption on their premises, said establishments shall pay twenty-four dollars (\$24.00) per month for each hydrant. (Ord. 20-11. Passed 2-28-11.)

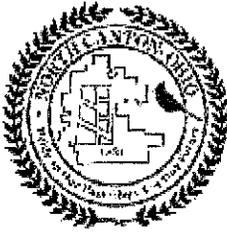
937.07 METER REGULATIONS.

(a) All new services shall be one (1") inch or larger.

(b) All new installations shall have touchpad, radio or telephone read dials.

(c) All new tap-in installations shall be meter cost plus labor, equipment and material cost inside the City limits and cost plus one-half for installation outside the City limits.

(d) Owners shall deposit the amount of estimated cost of meter and tap when permit is issued, unless the following is authorized by the Director of Administration and Director of Finance. A payment plan may be established for the connection and tap-in fees for residential single family owner occupied premises connecting to preexisting waterlines of the water system of the City of North Canton, as provided at Section 937.02 of the Codified Ordinances.



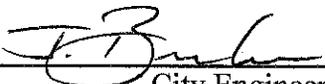
City of NORTH CANTON, OHIO

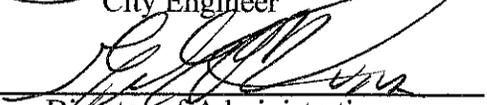
145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587

LEGISLATION REQUEST

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

Subject: CHAPTER 935 - Water Lines and Hydrants

Requested By:  Date: 2/8/13
City Engineer

Approved By:  Date: 2/11/13
Director of Administration

Request: An ordinance amending **Section 935.02 CONNECTION CHARGE OTHER THAN BY ASSESSMENT** and **Section 935.07(b) USE OF WATER FROM HYDRANTS** of the Codified Ordinances as shown:

935.02 CONNECTION CHARGE OTHER THAN BY ASSESSMENT.

(a) Fee Where Connection Cost is not Paid by Assessment.

(1) ~~Where a connection is made into a waterline, the cost of which is not by assessment, the following fee~~ *front foot cost of \$25.00* shall be paid into the City Treasury before the connection may be permitted:

~~A. For waterlines construction prior to 1-1-2006, the front foot cost shall be \$25.00.~~

~~B. For waterlines constructed after 1-1-2006, the front foot cost shall be based on the cost of labor and material for the waterline divided by the total street frontage divided by 2.~~

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~~(2) This fee shall be adjusted annually on February 1st based on the National Construction Cost Index of the Engineering News Record for January of that year. The base index used for waterlines constructed prior to 1-1-2006, shall be from January of 2006, which is 7660. The base index used for waterlines constructed after 1-1-2006 shall be the index of the month and year the waterline is completed.~~

(2) (3) Upon authority of the Director of Finance and the Director of Administration, on a case by case basis, a payment plan or payment plans may be established for the connection and tap-in fees for residential single owner occupied premises connecting to preexisting waterlines of the water system of the City, located within the corporate limits of the City, and with said payment plans not to exceed one year.

935.07 (b)

USE OF WATER FROM FIRE HYDRANTS.

(b) Whoever wishes to use water from a fire hydrant connected to the North Canton water supply system shall apply to the Director of Administration for written permission to use water. Water must be used under the supervision of a member of the Water Department after a meter and a backflow preventer are is attached to the hydrant

EMERGENCY REQUESTED: Yes _____ No X

An ordinance amending CHAPTER 935 – WATER LINES AND HYDRANTS, specifically Section 935.02 Connection Charge Other than by Assessment and Section 935.07 Use of Water from Fire Hydrants, of the Codified Ordinances of the City of North Canton, to establish fees and usage policies.

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

Section 1. That CHAPTER 935 – WATER LINES AND HYDRANTS, specifically Section 935.02 Connection Charge Other than by Assessment, of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

935.02 CONNECTION CHARGE OTHER THAN BY ASSESSMENT.

(a) Fee Where Connection Cost is not Paid by Assessment.

(1) Where a connection is made into a waterline, the front foot cost of \$25.00 shall be paid into the City Treasury before the connection may be permitted.

(2) Upon authority of the Director of Finance and the Director of Administration, on a case by case basis, a payment plan or payment plans may be established for the connection and tap-in fees for residential single owner occupied premises connecting to preexisting waterlines of the water system of the City, located within the corporate limits of the City, and with said payment plans not to exceed one year.

(b) Water Tap-In Fees.

(1) Water tap-in fees for City water Customers, are hereby established as follows:

<u>Meter Size</u>	<u>Inside City</u>	<u>Outside City</u>
5/8"	\$ 205.00	\$ 258.00
1"	305.00	408.00
1½"	555.00	783.00
2"	750.00	1,075.00
3"	1,098.00	1,597.00
4" Compound	2,860.00	4,240.00

<u>Small Taps</u>	<u>Inside City</u>	<u>Outside City</u>
1" Tap w/ 5/8" meter	\$ 970.00	\$1,275.00
2" Tap no meter	1,275.00	1,675.00

<u>Large Taps</u>	<u>Inside the City</u>
4" Tap on 6" line	\$1,435.00
4" Tap on 8" line	1,440.00
4" Tap on 12" line	1,520.00
6" Tap on 6" line	1,625.00
6" Tap on 8" line	1,650.00
6" Tap on 12" line	1,700.00
8" Tap on 8" line	1,850.00
8" Tap on 12" line	1,895.00
8" Tap on 16" line	2,280.00
12" Tap on 12" line	2,800.00

Large Taps

Outside the City

4" Tap on 6" line	\$2,053.00
4" Tap on 8" line	2,060.00
4" Tap on 12" line	2,180.00
6" Tap on 6" line	2,338.00
6" Tap on 8" line	2,375.00-
6" Tap on 12" line	2,450.00
6" Tap on 16" line	2,455.00
8" Tap on 8" line	2,675.00
8" Tap on 12" line	2,743.00
8" Tap on 16" line	3,320.00
12" Tap on 12" line	4,100.00

(2) Costs for large taps are based on six hours labor. If there is extra time involved, there is an extra cost of \$95.00 per hour inside the City and \$115.00 per hour outside the City.

(3) The contractor shall do the road opening and road repair on all taps and is responsible for all digging and backfilling on taps.

(4) The City shall provide one tap or tapping sleeve, whichever it deems appropriate, per water service. The contractor shall be responsible for the cost of all material and labor and other costs associated with water service from the water main to the meter.

Section 2. That CHAPTER 935 – WATERLINES AND HYDRANTS, specifically Section 935.07 Use of Water from Fire Hydrants, of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

935.07 USE OF WATER FROM FIRE HYDRANTS.

(a) No person except an authorized agent of the Water Department or the North Canton Fire Department or a person with a special permit issued by the Director of Administration shall disturb or tamper with any fire hydrant or any part thereof or take any water from hydrants under any circumstances. This section applies to all hydrants connected to the North Canton water supply system.

(b) Installation of a meter and backflow device for all bulk water customers using water from a City hydrant, meter fees and refundable equipment damage deposit can be found under the provisions of Section 937.05 Bulk Water Charge.

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 shall take effect and be in full force from and after the earliest period allowed by law.

Bank.	Account	Description.....	Beg-Mo-Bal..	Mtd-Receipts	Mtd-Withdr..	Mtd-Adjust..	Balance.....
CS	10%B	10% BOND	0.00	0.00	0.00	0.00	0.00
CS	B	BOND	0.00	0.00	0.00	0.00	0.00
CS	BC	BANK CHARGES	0.00	0.00	0.00	0.00	0.00
CS	CC	COURT COSTS	0.00	6856.25	6891.25	35.00	0.00
CS	COMP	COMPUTER ACCOUNT	0.00	629.00	629.00	0.00	0.00
CS	CTCOP	CERTIFIED COURT COPY	0.00	0.00	0.00	0.00	0.00
CS	EXP	CITY EXPUNGEMENT ACCT	0.00	0.00	0.00	0.00	0.00
CS	EXPS	EXPUNGEMENT TO STATE	0.00	0.00	0.00	0.00	0.00
CS	GR	GENERAL REVENUE	0.00	30.00	30.00	0.00	0.00
CS	IDAC	INDIGENT ALCOHOL	0.00	145.65	145.65	0.00	0.00
CS	IDSF	Indigent Defense Support Fund	0.00	2565.50	2565.50	0.00	0.00
CS	INT	MONTHLY BANK INTEREST	0.00	0.42	0.42	0.00	0.00
CS	LOCDFT	LOCAL DEFAULT	0.00	0.00	0.00	0.00	0.00
CS	MVCC	MOVING VIOLATION COURT COST	0.00	339.85	339.85	0.00	0.00
CS	OF	ORDNCE FINE	0.00	3548.00	3548.00	0.00	0.00
CS	OP	OVERPAYMENTS	0.00	0.00	0.00	0.00	0.00
CS	OTHDFT	OTHER DEFAULT	0.00	35.00	0.00	-35.00	0.00
CS	PHONE	AT & T STMT	0.00	0.00	0.00	0.00	0.00
CS	RELFBEE	FORFEITURE RELEASE FEE	0.00	0.00	0.00	0.00	0.00
CS	SBD	SEAT BELT DRIVER STATE FINE	0.00	555.00	555.00	0.00	0.00
CS	SBP	SEAT BELT PASSENGER STATE FINE	0.00	60.00	60.00	0.00	0.00
CS	SC	NSF SERVICE CHG	0.00	0.00	0.00	0.00	0.00
CS	SF	STATE FINE CHILD RESTRAINT	0.00	31.00	31.00	0.00	0.00
CS	STDFT	STATE DEFAULT	0.00	0.00	0.00	0.00	0.00
CS	VC	VICTIM CRIME	0.00	990.00	990.00	0.00	0.00
***			0.00	15785.67	15785.67	0.00	0.00
***			0.00	15785.67	15785.67	0.00	0.00

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Trans#..	Name.....	Date....	Check...	Bank.	Amount....	Accts Dist.	Amts
	CMC CANTON MUNICIPAL COURT	05-08-13	001990	CS	145.65	IDAC	145.65
	CITY CITY OF NORTH CANTON	05-08-13	001991	CS	11068.67	OF	3548.00
						CC	6891.25
						INT	0.42
						COMP	629.00
	ST STATE	05-08-13	001992	CS	4571.35	SBD	555.00
						SBP	60.00
						IDSF	2565.50
						MVCC	339.85
						GR	30.00
						VC	990.00
						SF	31.00
***					15785.67		15785.67

ACCOUNT	NAME	AMOUNT
CC	COURT COSTS	6,856.25
COMP	COMPUTER ACCOUNT	629.00
GR	GENERAL REVENUE	30.00
IDAC	INDIGENT ALCOHOL	145.65
IDSF	Indigent Defense Support Fund	2,565.50
MVCC	MOVING VIOLATION COURT COST	339.85
OF	ORDNCE FINE	3,548.00
OTHDFE	OTHER DEFAULT	35.00
SBD	SEAT BELT DRIVER STATE FINE	555.00
SBP	SEAT BELT PASSENGER STATE FINE	60.00
SF	STATE FINE CHILD RESTRAINT	31.00
VC	VICTIM CRIME	990.00
	TOTAL	15,785.25

Bank. Beg-Mo-Bal.. Mtd-Receipts Mtd-Withdr.. Mtd-Adjust.. Balance.....

CS	0.00	15785.67	15785.67	0.00	0.00
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***	0.00	15785.67	15785.67	0.00	0.00
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FirstMerit Bank, N.A.
 295 FirstMerit Circle
 Akron Ohio 44307-2359

FIRSTMERIT
 Bank

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ADMINISTRATION
 NORTH CANTON, OHIO

Statement Period
 Apr 1, 2013 to
 Apr 30, 2013
 Primary Account

MAYOR CITY OF NORTH CANTON
 145 N MAIN ST
 N CANTON OH 44720-2501

Questions?
 1-888-554-4362

0

94353 - 33

Summary of Accounts

Deposit Accounts

INTEREST CHECKING		11,628.95
Total Deposit Accounts		11,628.95

INTEREST CHECKING

MAYOR CITY OF NORTH CANTON

Account Summary

Beginning Balance as of Apr 1, 2013	15,730.55
12 Deposits and Credits	13,284.50
3 Withdrawals and Debits	17,386.52
Interest Paid	0.42
Ending Balance as of Apr 30, 2013	11,628.95

Checks

Date	Number	Amount	Date	Number	Amount
Apr 12	1987	184.50	Apr 9	1988	11,973.02
Total Checks		12,157.52			
Total Number of Checks		2			

Indicates there is a gap between check numbers

Other Transactions

Date	Description	Withdrawals	Deposits
Apr 2	DEPOSIT		2,852.50
Apr 4	PAYPAL TRANSFER		795.00
Apr 5	DEPOSIT		1,605.00
Apr 8	PAYPAL TRANSFER		520.00
Apr 8	PAYPAL TRANSFER		140.00
Apr 8	8201OHOTOSREPT REPROT EFT	5,229.00	
Apr 9	DEPOSIT		1,641.00
Apr 11	PAYPAL TRANSFER		400.00
Apr 16	DEPOSIT		1,223.00
Apr 17	PAYPAL TRANSFER		260.00

Other Transactions (continued)				
Date	Description		Withdrawals	Deposits
Apr 23	DEPOSIT			2,687.00
Apr 25	PAYPAL	TRANSFER		856.00
Apr 29	PAYPAL	TRANSFER		305.00
Apr 30	Interest Paid			.42

Daily Balance Information					
Date	Balance	Date	Balance	Date	Balance
Mar 31	15,730.55	Apr 9	6,082.03	Apr 23	10,467.53
Apr 2	18,583.05	Apr 11	6,482.03	Apr 25	11,323.53
Apr 4	19,378.05	Apr 12	6,297.53	Apr 29	11,628.53
Apr 5	20,983.05	Apr 16	7,520.53	Apr 30	11,628.95
Apr 8	16,414.05	Apr 17	7,780.53		

Interest Detail			
Interest Paid Year-to-Date	2.19	Annual Percentage Yield Earned	0.05%
Interest Paid this Period	0.42	Days in this Period	30
Interest Earned this Period	0.42		

NOTE

ALL CHECKS ARE LISTED AS PAID AS OF THE POSTING DATE. IN THE EVENT A CHECK IS RETURNED, THE REVERSING ENTRY WILL SHOW AS A CREDIT ON THE NEXT POSTING DATE.

Failure to report discrepancies, forgeries, or alterations within 14 days may result in forfeiture of any claims.

IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS

Telephone the number listed on Page 1 of this statement or write using the address listed on Page 1 of this statement as soon as possible, if you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt. We must hear from you no later than 60 days after we sent you the FIRST statement on which the error or problem appeared.

- (1) Tell us your name and account number.
- (2) Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- (3) Tell us the dollar amount of the suspected error.

We will investigate your complaint and will correct any error promptly. For consumer accounts only, if we take more than 10 business days to do this, we will recredit your account for the amount you think is in error, so that you will have use of the money during the time it takes us to complete our investigation.

*Thank you for choosing FirstMerit as your financial partner.
We appreciate your business.*

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NORTH CANTON, OHIO
Include Inactive Accounts: No

City of North Canton Statement of Cash from Revenue and Expense

As Of: 1/1/2013 to 4/30/2013
Funds: 101 to 873

C/W: 5/20/13
Item 44b

Code	Description	Beginning Bal.	YTD Net Rev.	YTD Net Exp.	UnExp. Balance	YTD Encumb.	Ending Bal. Message
101	GENERAL FUND	\$1,958,225.60	\$1,866,827.37	\$2,293,290.35	\$1,531,762.62	\$702,974.90	\$828,787.72
203	INCOME TAX FUND	\$1,172,072.34	\$2,795,464.98	\$1,571,779.90	\$2,395,757.42	\$9,697.31	\$2,386,060.11
204	FIRE OPERATING FUND	\$49,952.99	\$193,294.09	\$218,600.70	\$24,646.38	\$51,781.68	(\$27,135.30)
205	EMS OPERATING FUND	\$200,964.52	\$615,645.88	\$450,935.10	\$365,675.30	\$81,261.90	\$284,413.40
206	COMPUTER TRUST FUND	\$12,560.60	\$2,683.00	\$4,665.43	\$10,578.17	\$1,746.78	\$8,831.39
207	ENFORCEMENT AND EDUCATION FUND	\$11,821.63	\$483.00	\$0.00	\$12,304.63	\$0.00	\$12,304.63
208	STREET CONST M & R FUND	\$456,447.34	\$283,510.82	\$395,951.55	\$344,006.61	\$125,890.79	\$218,115.82
209	STORM SEWER IMPROVE LEVY FUND	\$519,539.51	\$156,922.21	\$102,583.19	\$573,878.53	\$286,811.81	\$287,066.72
210	STREET IMPROVE LEVY FUND	\$411,495.48	\$156,529.39	\$9,394.54	\$558,630.33	\$139,803.30	\$418,827.03
211	MUNICIPAL ROAD FUND	\$1,780.23	\$0.00	\$0.00	\$1,780.23	\$0.00	\$1,780.23
212	GENERAL TRUST FUND	\$41,534.38	\$7,350.00	\$18,323.15	\$30,561.23	\$500.00	\$30,061.23
213	LAW ENFORCEMENT TRUST FUND	\$29,140.57	\$273.00	\$0.00	\$29,413.57	\$0.00	\$29,413.57
214	COMPENSATED ABSENCES FUND	\$590,911.50	\$0.00	\$8,632.09	\$582,279.41	\$0.00	\$582,279.41
215	CONTINUING PROF EDUCATION FUND	\$540.00	\$0.00	\$0.00	\$540.00	\$0.00	\$540.00
216	COMMUNITY DISASTER RELIEF CAPITAL IMPROVEMENT FUND	\$1,160.00	\$755.00	\$0.00	\$1,915.00	\$0.00	\$1,915.00
330	PARK DEVELOPMENT FUND	\$3,798,618.16	\$1,146,121.98	\$765,969.73	\$4,178,770.41	\$1,769,579.13	\$2,409,191.28
331	ISSUE 2 IMPROVEMENT FUND	\$53.03	\$0.00	\$0.00	\$53.03	\$0.00	\$53.03
332	HOOPER DISTRICT IMP. FUND	\$202,578.21	\$0.00	\$0.00	\$202,578.21	\$0.00	\$202,578.21
333	WATER REVENUE FUND	(\$20,444.94)	\$168,478.79	\$12,561.09	\$135,472.76	\$75,045.48	\$60,427.28
650	WATER EXP, REPLACE & IMP FUND	\$2,629,721.06	\$2,047,274.81	\$2,166,036.56	\$2,510,959.31	\$1,891,459.42	\$619,499.89
651	SEWER REVENUE FUND	\$1,079,767.15	\$462,500.00	\$65,203.65	\$1,477,063.50	\$432,403.61	\$1,044,659.89
652	GARBAGE SERVICE FUND	\$2,238,428.44	\$982,569.65	\$791,172.81	\$2,429,825.28	\$1,491,327.33	\$938,497.95
654	INSURANCE FUND	\$253,271.42	\$305,390.11	\$313,477.28	\$245,184.25	\$546,055.10	(\$300,870.85)
761	NORTH CANTON CIC ESCROW FUND	\$813,883.85	\$407,584.23	\$302,299.16	\$919,168.92	\$635,400.86	\$283,788.06
870	PERMIT FEE FUND	\$557,000.00	\$0.00	\$0.00	\$557,000.00	\$0.00	\$557,000.00
871	REQUIRED DEPOSITS FUND	\$2,089.10	\$1,039.06	\$2,565.34	\$662.82	\$1,416.10	(\$953.28)
873	PERMIT FEE FUND	\$55,695.75	\$8,776.00	\$933.46	\$63,538.29	\$0.00	\$63,538.29
Grand Total:		\$17,068,807.92	\$11,609,473.37	\$9,494,375.08	\$19,183,906.21	\$8,243,155.50	\$10,940,750.71

CITY OF NORTH CANTON

FUND BALANCE RECONCILIATION

April 30, 2013

Consolidated Fund Balance		\$19,183,906.21
Less Treasury Investments Held at Cost:		
	<u>INTEREST</u>	<u>PRINCIPAL</u>
Federal Gov't Securities (UBS)	0.00	\$10,026.34
StarPlus	103.06	597,666.53
Chase Money Market	183.60	3,003,847.68
Huntington Bank (CDARS)	0.00	1,000,000.00
Huntington Bank (CDARS)	0.00	1,000,000.00
Huntington Bank (CDARS)	0.00	5.02
Huntington Bank Money Market	0.00	1,700,000.00
North Canton CIC Escrow	0.00	557,000.00
First Merit Money Market	544.14	4,565,753.70
Sweep Account	206.33	0.00
	<u>\$1,037.13</u>	<u>\$12,434,299.27</u>
Total Treasury Investments		<u>12,434,299.27</u>
Checking Account Balance		<u>\$6,749,606.94</u>
Bank Balance:	Checking Account:	\$3,718,364.05
	SWEEP	<u>3,140,000.00</u>
		6,858,364.05
Minus:	Outstanding Checks:	(\$95,887.02)
Misc Adjustments		(95,887.02)
	NSF CHECK IN TRANSIT	\$35.02
	AR BOX IN TRANSIT	(\$1,147.78)
	AR BOX STOP PYMNT IN TRANSIT	(\$271.90)
	PAYPAL IN TRANSIT	2,320.97
	OP&F ADJUSTMENT	(12,324.64)
	MISC RECONCILING ITEM	<u>(1,481.76)</u>
		(\$12,870.09)
		<u>(12,870.09)</u>
Adjusted Bank Balance		<u>\$6,749,606.94</u>

Respectfully submitted,



Karen S. Alger
Director of Finance

CITY OF NORTH CANTON
INVESTMENT REGISTER

FOR THE CALENDAR YEAR 2013

PURCHASE DATE	FINANCIAL INSTITUTION	SECURITY/ACCOUNT NUMBER	INTEREST RATE	PAR AMT/ CARRYING VALUE	BEGINNING VALUE	Analysis Settle Charge Domestic Wire	PURCHASE (REDEEMED)	INTEREST	REVENUE NUMBER	DAYS HELD	ENDING BALANCE
1/1/2013	Paine Webber, Inc.	CLM91531	7.00	\$ 28,774.16	\$ 10,026.34		\$ -	\$ -		60	\$ 10,026.34
1/1/2013	Star Ohio	12794	Various	\$ -	\$ -		\$ -	\$ -		30	\$ -
1/1/2013	Star Plus	104790896880	0.22	\$ 597,554.99	\$ 597,342.76		\$ 111.50	\$ 111.50	84	30	\$ 597,454.26
1/1/2013	Chase Bank - Money Market	3003159104	0.10	\$ 3,003,681.31	\$ 3,003,342.85	\$ -	\$ 177.83	\$ 177.83	84	30	\$ 3,003,520.68
3/29/2012	Huntington (CDARS)	1013641826	0.30	\$ 1,000,000.00	\$ 1,000,000.00		\$ -	\$ -		365	\$ 1,000,000.00
9/27/2012	Huntington (CDARS)	1013642733	0.30	\$ 1,000,000.00	\$ 1,000,000.00		\$ -	\$ -		365	\$ 1,000,000.00
5/21/2012	Huntington (CDARS)	1013980221	0.20	\$ 500,000.00	\$ 500,000.00		\$ -	\$ -	84	183	\$ 500,498.84
12/19/2012	Huntington - Money Market	1041005179	0.20	\$ 1,200,000.00	\$ 1,200,000.00		\$ -	\$ -		30	\$ 1,200,000.00
1/1/2013	N.Canton CIC Escrow Account	5922003646	Various	\$ 557,000.00	\$ 557,000.00		\$ -	\$ -		30	\$ 557,000.00
1/1/2013	First Merit Bank - Money Market	58490000040	0.10	\$ 4,564,752.52	\$ 4,564,252.95		\$ 499.57	\$ 499.57	84	30	\$ 4,564,752.52
1/1/2013	First Merit Bank - Sweep	1080 4424	Various	\$ -	\$ -		\$ -	\$ 98.02	84	30	\$ -
1/31/2013	Balance			\$ 12,450,703.72	\$ 12,431,964.90	\$ -	\$ 1,287.74	\$ 1,385.76			\$ 12,433,252.64
2/1/2013	Paine Webber, Inc.	CLM91531	7.00	\$ 28,774.16	\$ 10,026.34		\$ -	\$ -		60	\$ 10,026.34
2/1/2013	Star Ohio	12794	Various	\$ -	\$ -		\$ -	\$ -		30	\$ -
2/1/2013	Star Plus	104790896880	0.22	\$ 597,454.26	\$ 597,454.26		\$ 100.73	\$ 100.73	178	30	\$ 597,554.99
2/1/2013	Chase Bank - Money Market	3003159104	0.10	\$ 3,003,520.68	\$ 3,003,520.68	\$ -	\$ 160.63	\$ 160.63	178	30	\$ 3,003,681.31
3/29/2012	Huntington (CDARS)	1013641826	0.30	\$ 1,000,000.00	\$ 1,000,000.00		\$ -	\$ -		365	\$ 1,000,000.00
9/27/2012	Huntington (CDARS)	1013642733	0.30	\$ 1,000,000.00	\$ 1,000,000.00		\$ -	\$ -		365	\$ 1,000,000.00
6/21/2012	Huntington (CDARS)	1013980221	0.20	\$ 500,498.84	\$ 500,498.84		\$ -	\$ -		183	\$ 500,498.84
12/19/2012	Huntington - Money Market	1041005179	0.20	\$ 1,200,000.00	\$ 1,200,000.00		\$ -	\$ -		30	\$ 1,200,000.00
2/1/2013	N.Canton CIC Escrow Account	5922003646	Various	\$ 557,000.00	\$ 557,000.00		\$ -	\$ -		30	\$ 557,000.00
1/1/2013	First Merit Bank - Money Market	58490000040	0.15	\$ 4,564,752.52	\$ 4,564,752.52		\$ 438.97	\$ 438.97	178	30	\$ 4,565,191.49
2/1/2013	First Merit Bank - Sweep	1080 4424	Various	\$ -	\$ -		\$ -	\$ 90.58	178	30	\$ -
2/28/2013	Balance			\$ 12,451,997.46	\$ 12,433,252.64	\$ -	\$ 700.33	\$ 790.91			\$ 12,433,952.97
3/1/2013	Paine Webber, Inc.	CLM91531	7.00	\$ 28,899.03	\$ 10,026.34		\$ 127.87	\$ 127.87	213	60	\$ 10,154.21
3/1/2013	Star Ohio	12794	Various	\$ -	\$ -		\$ -	\$ -		30	\$ -
3/1/2013	Star Plus	104790896880	0.22	\$ 597,554.99	\$ 597,554.99		\$ 111.54	\$ 111.54	260	30	\$ 597,666.53
3/1/2013	Chase Bank - Money Market	3003159104	0.10	\$ 3,003,681.31	\$ 3,003,681.31	\$ -	\$ 166.37	\$ 166.37	260	30	\$ 3,003,847.68
3/29/2012	Huntington (CDARS)	1013641826	0.30	\$ 1,000,000.00	\$ 1,000,000.00		\$ 2,996.18	\$ 2,996.18	260	365	\$ 1,002,996.18
9/27/2012	Huntington (CDARS)	1013642733	0.30	\$ 1,000,000.00	\$ 1,000,000.00		\$ -	\$ -		365	\$ 1,000,000.00
3/12/2013	Huntington Checking	1030182370	0.30	\$ 498.84	\$ 498.84		\$ -	\$ -		183	\$ 498.84
12/19/2012	Huntington - Money Market	1041005179	0.20	\$ 1,700,000.00	\$ 1,700,000.00		\$ -	\$ -		30	\$ 1,700,000.00
3/1/2013	N.Canton CIC Escrow Account	5922003646	Various	\$ 557,000.00	\$ 557,000.00		\$ -	\$ -		30	\$ 557,000.00
3/1/2013	First Merit Bank - Money Market	58490000040	0.15	\$ 4,565,191.49	\$ 4,565,191.49		\$ 562.21	\$ 562.21	260	30	\$ 4,565,753.70
3/1/2013	First Merit Bank - Sweep	1080 4424	Various	\$ -	\$ -		\$ -	\$ 90.75	260	30	\$ -
3/31/2013	Balance			\$ 12,452,825.66	\$ 12,433,952.97	\$ -	\$ 3,964.17	\$ 4,054.92			\$ 12,437,917.14
4/1/2013	Paine Webber, Inc.	CLM91531	7.00	\$ 28,899.03	\$ 10,026.34		\$ -	\$ -		60	\$ 10,026.34
4/1/2013	Star Ohio	12794	Various	\$ -	\$ -		\$ -	\$ -		30	\$ -
4/1/2013	Star Plus	104790896880	0.22	\$ 597,666.53	\$ 597,666.53		\$ 103.06	\$ 103.06	381	30	\$ 597,769.59
4/1/2013	Chase Bank - Money Market	3003159104	0.10	\$ 3,003,847.68	\$ 3,003,847.68	\$ -	\$ 183.60	\$ 183.60	381	30	\$ 3,004,031.28
3/29/2012	Huntington (CDARS)	1013641826	0.30	\$ 1,002,996.18	\$ 1,000,000.00		\$ -	\$ -		365	\$ 1,000,000.00
9/27/2012	Huntington (CDARS)	1013642733	0.30	\$ 1,000,000.00	\$ 1,000,000.00		\$ -	\$ -		365	\$ 1,000,000.00
12/19/2012	Huntington - Money Market	1041005179	0.20	\$ 1,700,000.00	\$ 1,700,000.00		\$ -	\$ -		30	\$ 1,700,000.00

CITY OF NORTH CANTON
 INVESTMENT REGISTER
 FOR THE CALENDAR YEAR 2013

PURCHASE DATE	FINANCIAL INSTITUTION	SECURITY/ACCOUNT NUMBER	INTEREST RATE	PAR AMTY/ CARRYING VALUE	BEGINNING VALUE	Analysis Stable Change Domestic Wire	PURCHASE (REDEEMED)	INTEREST	REVENUE NUMBER	DAYS HELD	ENDING BALANCE
3/12/2013	Huntington Checking	1030182370		\$ 5.02	\$ 5.02		\$ -	\$ -		183	\$ 5.02
4/1/2013	N.Canton CIC Escrow Account	5922003646	Various	\$ 557,000.00	\$ 557,000.00		\$ -	\$ -		30	\$ 557,000.00
4/1/2013	First Merit Bank - Money Market	58490000040	0.15	\$ 4,565,753.70	\$ 4,565,753.70		\$ 544.14	\$ 544.14	381	30	\$ 4,566,297.84
4/1/2013	First Merit Bank - Sweep	1080 4424	Various	\$ -	\$ -		\$ -	\$ 206.33	381	30	\$ -
3/31/2013	Balance			\$ 12,456,168.74	\$ 12,434,299.27	\$ -	\$ 830.80	\$ 1,037.13			\$ 12,435,130.07



C/W: 5/20/13
Item 4c

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

CITY OF NORTH CANTON
Karen Alger
Director of Finance

May 14, 2013

To: Jon Snyder
President of Council

Re: Legislative Request; Supplemental Appropriation

I am requesting that Council consider authorizing legislation to appropriate funds in the amount of \$240,000 from the **Capital Improvement Fund**. I am requesting a supplemental appropriation as follows:

\$240,000 from the Unappropriated Resources of the Capital Improvement Fund to the
330.546.5229 Paving/Curb/Gutter – Contract Payments Account

This legislation is necessary to increase the street paving allocation. I would ask that this be passed on an emergency basis.

Respectfully submitted,

Karen S. Alger
Director of Finance

KSA:gk

c: Director of Law
Director of Administration

g:\director of finance correspondence\5-14-13 legislative request re westfield repaving.docx

RECEIVED

MAY 14 2013

COUNCIL OFFICE
NORTH CANTON, OHIO

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 Paving/Curb/Gutter – Contract Payments Account in the amount of \$240,000 for the current expenses during the fiscal year ending December 31, 2013, and declaring the same to be an emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND 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, 2013, 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	\$240,000
--	-----------

Appropriate To:

330 CAPITAL IMPROVEMENT FUND 330.546.5229 Contract Payments	\$240,000
--	-----------

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 2013 Street Maintenance Program, wherefore, provided it receives the affirmative vote of six (6) or more members of Council elected thereto, this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

North Canton, OH
Passed:

MAYOR

SIGNED: _____, 2013

ATTEST:

CLERK OF COUNCIL



CITY OF NORTH CANTON

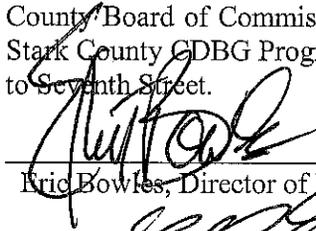
145 North Main St. North Canton, OH 44720
(330) 499-5557 Fax: (330) 966-3630

DEPARTMENT OF PERMITS AND DEVELOPMENT

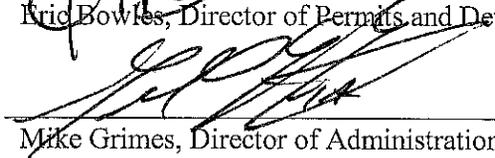
LEGISLATION REQUEST

To: Jon Snyder, President
North Canton City Council

Subject: Community Development Block Grant (CDBG) program agreement between the Stark County Board of Commissioners and The City of North Canton for the Fiscal Year 2013 Stark County CDBG Program for the Hillcrest & Royer Waterline Replacement from Fifth to Seventh Street.

Requested by: 
Eric Bowles, Director of Permits and Development

Date: May 14, 2013

Approved by: 
Mike Grimes, Director of Administration

Date: May 14, 2013

Background: Stark County is a CDBG Entitlement County and approximately every three years communities within Stark County can submit (HUD) CDBG eligible project applications during a competitive application round. Since 2005 the City has submitted successful applications for CDBG funding receiving almost \$1,000,000 in funding to replace streets, waterlines, and sanitary sewer lines in specific qualifying census tracts/block groups within the City. The City submitted its application in October 2012 and, after a competitive review of all applications, the application received a high score and was recommended for funding.

Request: The Stark County Regional Planning Commission (SCRPC) has asked that the North Canton City Council **legislatively approve the Hillcrest & Royer Waterline Replacement Project Agreement at North Canton's next Council Meeting and that the approval authorize the Mayor to sign all three copies of the agreement.** The waterlines being replaced are older six (6) inch and eight (8) cast iron waterlines considered a high priority for replacement by the City. The estimated cost of the replacement is \$299,000.00 with the City contributing approximately a fifty (50%) match of \$149,000.00 of the project funding.

EMERGENCY REQUESTED: Yes X No _____

If Yes, Reason: The Staff of the Stark County Planning Commission would like City Council's approval as soon as possible so they can obtain the Board of County Commissioners signatures/approval and start working with the City to develop the project. Because of the fast turnaround time we are requesting this request be approved as an emergency.

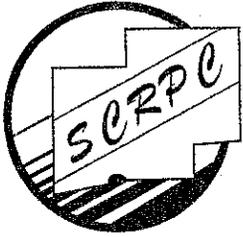
An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Agreement by and between the City of North Canton and the Board of Stark County Commissioners in conjunction with Community Development Block Grant funding in an amount not to exceed \$150,000, for the Hillcrest Avenue NW & Royer Avenue NW Waterline Replacement (5th Street NW to 7th Street NW), 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, through the Board of Control, be, and is hereby authorized to enter into an Agreement by and between the City of North Canton and the Stark County Commissioners for Community Development Block Grant funding in an amount not to exceed \$150,000 for the Hillcrest Avenue NW & Royer Avenue NW Waterline Replacement (5th Street NW to 7th Street NW).

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 execution of the Agreement and completion of the 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.



Stark County Regional Planning Commission Stark County Area Transportation Study

201 3rd Street NE, Suite 201, Canton, Ohio 44702-1211

Phone: 330-451-7389

Fax: 330-451-7990

Website: www.rpc.co.stark.oh.us

May 1, 2013

Mr. Eric Bowles, Director of Economic Development
City of North Canton
145 North Main Street
North Canton, OH 44720

COPY

Dear Eric:

RE: CITY OF NORTH CANTON – HILLCREST AND ROYER AVENUES WATERLINE
REPLACEMENT PROJECT – FY '13

Enclosed please find three copies of the funding agreement for the above-referenced project. The funding for this project will come from the Stark County Community Development Block Grant (CDBG) program. Please have your City Council approve the agreement at their next meeting. **Have all three of the agreements signed by the proper person(s) and have their signature(s) witnessed by two persons.**

Based upon the grant application submitted by the City of North Canton this past fall, CDBG funding, \$150,000, will be utilized to help pay for the construction cost only of the replacement of waterline on both Hillcrest Avenue and Royer Avenue (parallel streets) from 7th Street, NW to 5th St., NW in the City of North Canton. This information has been outlined in "Exhibit A – Scope of Services", which accompanies the funding agreement; it provides a description of the use of CDBG funding.

Return all three copies of the signed agreement, including Exhibit A, and the Ordinance approving it. After their return, our office will submit the agreements to the Board of Stark County Commissioners for their approval and signatures. After the agreements are completely executed, we will return one for your files.

At this time, our office will gladly begin working with the city to help develop this project; please feel free to contact us in this regard. If you have any questions, please call me at 330-451-7774. Thank you for your attention to this matter.

Sincerely,

Lynn Carlone
Community Development Administrator

Enclosures

Cc: Mr. Jim Benekos, Engineer, City of North Canton w/o enclosures

EXHIBIT "A"

COPY

PROJECT DESCRIPTION

City of North Canton – Hillcrest & Royer Avenues Waterline Replacement Project

FY '13 Stark County Community Development Block Grant (CDBG) funding , \$150,000.00, will be utilized to pay for the **construction cost only** of the replacement of waterline on both Hillcrest Avenue and Royer Avenue (parallel streets) from 7th Street, NW to 5th St., NW in the City of North Canton.

The City of North Canton will pay for all engineering costs associated with this project and any construction costs exceeding the amount of CDBG funding allocated to this project.

COPY

Agreement

Journal
File
North Canton
RPC/Lynn Carlone

Stark County Commissioners

With City of North Canton

Dated _____

Subject

AGREEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT –
CITY OF NORTH CANTON – HILLCREST & ROYER AVENUES
WATERLINE REPLACEMENT PROJECT

THIS AGREEMENT, entered into this day by and between the Board of Stark County Commissioners of Stark County, Ohio, hereinafter referred to as the "County" and duly authorized through an Ordinance of the Board of Stark County Commissioners adopted this day, and the City of North Canton, hereinafter referred to as the "City", and duly authorized through an Ordinance of the City enacted on _____, 2012.

WITNESSETH: WHEREAS, the Board of Stark County Commissioners participates in the federal Community Development Block Grant (CDBG) program of the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the City has made application to the County for activities or projects to be funded under the County's CDBG program; and

WHEREAS, by Resolution of April 17, 2013, the Board of Stark County Commissioners approved the FY 2013 Statement of Objectives and Use of Funds which included funding the North Canton – Hillcrest & Royer Avenues Waterline Replacement project hereinafter referred to as "project", in the amount of \$150,000.00; and

WHEREAS, it is necessary that the County and the City enter into an Agreement for the implementation of the project with a funding amount of \$150,000.00.

NOW, THEREFORE, in consideration of the provisions hereinabove and hereinafter contained, it is mutually agreed as follows:

SECTION 1. PROJECT IMPLEMENTATION AND ADMINISTRATION

The City hereby authorizes the County to undertake on its behalf any and all work necessary for the implementation of said project. The Stark County Regional Planning Commission will administer the project on behalf of the Board of Stark County Commissioners as delineated in the contract for Administration of the CDBG program. This includes but is not limited to the following:

- A) Undertake the necessary work to complete an environmental review of the project described in Section 570.604 of the HUD regulations;

COPY

- B) Implement the necessary procedures for the Intergovernmental Review (IGR) review process as specified under Executive Order 12372, as described at Section 570.612;
- C) Prepare bidding specifications, advertise for bids, receive and open bids;
- D) Award and enter into a contract with the lowest and best bidder;
- E) Make payments directly to the contractor based upon invoices approved by the County or their authorized representative;
- F) Keep all financial, payroll, and administrative records;
- G) Follow all applicable local, state, and federal requirements and regulations in carrying out the project.

SECTION 2. SCOPE OF SERVICES

- A) The County hereby agrees to utilize funds made available under the CDBG program for the purpose of implementing the above mentioned activity as described in Exhibit A – Project Description which is attached hereto and made a part hereof the same as though rewritten herein in full.
- B) Changes to the Scope of Services may be requested by either the County or the City and shall be incorporated by fully executed amendments to this Agreement.

SECTION 3. ALLOCATION/METHOD OF PAYMENT

- A. Allocation of CDBG funds:
 - 1) The County shall allocate funding from its FY 2013 CDBG program (B-13-UC-39-0005) in the amount of \$150,000.00 (one hundred fifty thousand dollars) for the payment of eligible project expenditures incurred by the County carrying out the project.
 - 2) The County may, at its discretion, either with or without the concurrence of the City, amend the project funding allocation for payment of costs in excess of the allocation of funds as specified in Section 3(a)1 above, if determined necessary for project implementation.
 - 3) The County may, at its sole discretion, reallocate any funding remaining upon completion of the project as described in Exhibit A. attached.
- B) Method of Payment
The County may make all payments on behalf of the City to the contractors, engineers, etc., based on invoices approved by the County or its authorized representatives. At no time shall payment be made to the City for payment of project invoices.

SECTION 4. TERMINATION

A. The County may terminate this Agreement at any time by giving at least thirty (30) days notice in writing to the City for the following reasons:

- 1) In the event the Secretary of HUD shall:
 - a) Withdraw funds allocated to the County under its application for program activities which substantially prevent performance of the Community Development program in the County;
 - b) Terminate the county's funding allocation pursuant to an act of Congress; or
 - c) Fail to approve a grant application by the County.
- 2) In the event that the County is unable to undertake the project due to physical barriers (i.e. unable to obtain easements, etc.)

SECTION 5. CONFLICT OF INTEREST

No officer, employee, or agent of the County who exercises any functions or responsibilities in connection with the planning or carrying out of the program, nor any immediate family member, close business associate or organization which is about to employ any such person, shall have any personal financial interest, direct or indirect in this contract, and the County will take appropriate steps to assure compliance.

IN WITNESS WHEREOF, the parties have hereunto set their hands this day.

WITNESSED BY:

BOARD OF STARK COUNTY
COMMISSIONERS,
STARK COUNTY, OHIO

WITNESSED BY:

CITY OF NORTH CANTON

Title

Approved as to legal form and sufficiency

David Thorley, Attorney-At-Law

COPY