



145 North Main St. · North Canton, OH 44720

Phone: 330-499-3986 Fax: 330-499-2080

citycouncil@northcantonohio.com

## CITY OF NORTH CANTON COUNCIL OFFICE

### Committee of the Whole Meeting Agenda Monday, June 3, 2013 – 7:00 p.m.

*President of Council*  
Jon Snyder

*Vice President of Council*  
Marcia Kiesling

*Council at Large*  
Mark Cerreta

*Council at Large*  
Dan Griffith

*Councilman, Ward 1*  
Doug Foltz

*Councilman, Ward 2*  
Daniel Peters

*Councilwoman, Ward 3*  
Stephanie Werren

North Canton City Council will meet as a Committee of the Whole  
**Monday, June 3, 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. Personnel & Safety Committee

Chairman: Daniel Peters

Vice Chairman: Jon Snyder

Member: Mark Cerreta

Memorandum of Agreement re Wage Reopener for Clerical,  
Fiscal & Accounting Specialists' Collective Bargaining  
Agreement

Daniel Peters

2. Street & Alley Committee

Chairman: Dan Griffith

Vice Chairman: Daniel Peters

Member: Doug Foltz

a. Agreement re Applegrove Street/Whipple Avenue  
Improvements  
Dan Griffith

b. Perpetual Entry Sign Easement re McKinley Development  
Dan Griffith

c. Perpetual Entry Sign Easement re Sheraton Towne  
Apartments, LTD  
Dan Griffith

3. Water, Sewer & Rubbish Committee

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

Discussion re Dogwood Signage  
Mark Cerreta

4. Finance & Property Committee

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

a. Acceptance of North Canton Veterans Memorial Funds  
Jon Snyder

b. Reclassification of an Advancement of Funds re JRS Grant to Inter-Fund  
Transfer  
Jon Snyder

Gail M. Kalpac  
Clerk of Council

5/30/13-gmk

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

RECEIVED

MAY 21 2013



# City of NORTH CANTON, OHIO

ADMINISTRATION  
NORTH CANTON, OHIO

145 NORTH MAIN STREET  
NORTH CANTON OHIO 44720-2587

## LEGISLATION REQUEST

May 23, 2013

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

Subject: Applegrove Street/Whipple Ave. Agreement

Requested By: [Signature]  
City Engineer

Date: 5/21/13

Approved By: [Signature]  
Director of Administration

Date: 5/21/13

An ordinance authorizing the Mayor, through the Board of Control to enter into a project agreement with Stark County for the improvement of Applegrove Street and Whipple Avenue. The project is primarily a resurfacing project; the County will apply for a joint OPWC Grant that will pay 74% and be distributed proportionately inside and outside of the City.

The limits of the project are on Applegrove St. from North Main St. to Whipple Ave. and on Whipple Ave. from Applegrove St. to Wise Ave.

The City will be responsible to fund the share of the cost only within the City and not covered by the grant. The total project cost is estimated to be \$871,000 and the City's share after the grant funding should be approximately \$75,000.

EMERGENCY REQUESTED: Yes X No \_\_\_\_\_

RECEIVED

MAY 21 2013

COUNCIL OFFICE  
NORTH CANTON, OHIO

**APPLEGROVE STREET/WHIPPLE AVENUE PROJECT AGREEMENT  
BETWEEN  
STARK COUNTY BOARD OF COMMISSIONERS  
AND  
CITY OF NORTH CANTON, OHIO  
("AGREEMENT")**

**COPY**

This Agreement is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2013, by and between the Board of Stark County Commissioners, hereinafter referred to as the COUNTY, duly authorized by Resolution No. \_\_\_\_ adopted on the \_\_\_\_ day of \_\_\_\_\_, 2013, and the City of North Canton, hereinafter referred to as the CITY, duly authorized by Resolution No. \_\_\_\_ adopted on the \_\_\_\_ day of \_\_\_\_\_, 2013.

WHEREAS, there is currently located on Applegrove Street/Whipple Avenue in Stark County and the City of North Canton, Ohio, a highway, which the parties believe is in need of improvement; and

WHEREAS, the COUNTY and CITY wish to improve this highway; and

WHEREAS, inasmuch as the highway currently lies within the CITY and within the COUNTY, and the COUNTY and the CITY will each have certain responsibilities toward the improvement Project ("Project"), which will need to be agreed upon between them; and

WHEREAS, the parties wish to resolve their respective liabilities and obligations with respect to the design and construction of the Project at said location; and

WHEREAS, it is in the best interests of the COUNTY and the CITY to cooperate in the improvement of Applegrove Street/Whipple Avenue; and

WHEREAS, pursuant to RC Sections 307.15, 5557.02, and 5557.03, the COUNTY and CITY have the authority to enter into said Agreement and the CITY may pay its portion of the above-described Project to the COUNTY; and

WHEREAS, the County and City mutually recognize the need for a formal Agreement regarding the maintenance of sections of road wherein mutual responsibilities exist; and

WHEREAS, it is agreed that general maintenance responsibility should be defined for the full width of road right-of-way for each section of roadway maintained; and

WHEREAS, it is agreed that a policy and system for the issuance of highway related permits is in the best interest of public health and welfare; and

WHEREAS, the COUNTY and the CITY mutually agree this Agreement regarding the maintenance of portions of said road by the other constitutes adequate consideration for entering into this agreement.

NOW THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. The COUNTY shall prepare plans and specifications for the Project.
2. The COUNTY will supervise and pay for the construction of the Project. The cost for construction supervision shall be included in the Ohio Public Works Commissions ("OPWC") application for the Project as a local contribution. The COUNTY shall provide an inspector for the portion of the Project outside the CITY. The CITY will document all expenses for the CITY inspection of the Project inside the CITY and submit these costs to the COUNTY for inclusion in the OPWC payment application.
3. The COUNTY will apply for OPWC funds to pay for a portion of the construction of the Project with the CITY as a joint sponsor. The remaining funding necessary for construction beyond that received from the OPWC funds shall be borne by the COUNTY and CITY with the COUNTY to pay for the portion of Applegrove Street/Whipple Avenue resurfacing that is currently outside the corporation limits of the CITY, and the CITY to pay for the portion of the resurfacing and reconstruction of Applegrove Street/Whipple Avenue that is currently inside the corporation limits of the CITY. The CITY will reimburse the COUNTY by payment into the county treasury for the CITY'S share of the construction costs within thirty (30) days of receipt of an invoice from the COUNTY.
4. Upon completion of the Project, maintenance responsibilities for Applegrove Street/Whipple Avenue shall be borne by the CITY within the corporation limits of the CITY, and by the COUNTY outside the corporation limits of the CITY.
5. This Agreement contains the entire Agreement by and between the parties and the terms contained herein are contractual and are not a mere recital.

IN WITNESS WHEREOF, we have hereunto set our hands to this instrument this \_\_\_\_\_  
day of \_\_\_\_\_, 2013.

STARK COUNTY COMMISSIONERS

\_\_\_\_\_  
Janet Creighton, Commissioner

\_\_\_\_\_  
Richard S. Regula, Commissioner

\_\_\_\_\_  
Tom Bernabei, Commissioner

Approved as to form  
and legal sufficiency:

\_\_\_\_\_  
Assistant Prosecuting Attorney  
Stark County, Ohio

CITY OF NORTH CANTON, OHIO

BY: \_\_\_\_\_  
David Held, Mayor

Approved as to form  
and legal sufficiency:

\_\_\_\_\_  
Timothy L. Fox, Law Director  
City of North Canton, Ohio

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a Project Agreement by and between the City of North Canton and the Board of Stark County Commissioners for the improvement of Applegrove Street (from North Main Street to Whipple Avenue) and Whipple Avenue (from Applegrove Street to Wise Avenue) at a total cost not to exceed \$75,000, 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 Mayor of the City of North Canton, through the Board of Control, be, and is hereby authorized to enter into a Project Agreement by and between the City of North Canton and the Board of Stark County Commissioners for the improvement of Applegrove Street (from North Main Street to Whipple Avenue) and Whipple Avenue (from Applegrove Street to Wise Avenue) at a total cost not to exceed \$75,000.
- Section 2. That the City of North Canton shall be responsible to fund the share of the cost for said improvements only for areas located within the City and not covered by the OPWC Grant.
- Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary for the timely improvement of the Applegrove Street and Whipple Avenue; 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 force immediately upon its adoption by Council and approval by the Mayor.

RECEIVED

MAY 20 2013

ADMINISTRATION  
NORTH CANTON, OHIO



# City of NORTH CANTON, OHIO

145 NORTH MAIN STREET  
NORTH CANTON OHIO 44720-2587

## LEGISLATION REQUEST

May 20, 2013

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

Subject: **PERPETUAL ENTRY SIGN EASEMENTS**

Requested By:   
City Engineer

Date: 5/20/13

Approved By:   
Director of Administration

Date: 5/20/13

Requesting legislation for the acceptance of two (2) Perpetual Entry Sign Easements.

(See Attached)

EMERGENCY REQUESTED: Yes X No       

RECEIVED

MAY 21 2013

COUNCIL OFFICE  
NORTH CANTON, OHIO

**PERPETUAL ENTRY SIGN EASEMENT**  
**Parcel No. 5503025**

For and in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration, **McKinley Development Company, LTD.**, GRANTORS, do hereby give and grant unto **THE CITY OF NORTH CANTON, an Ohio Municipality**, GRANTEES, the perpetual easement to, construct and maintain, alter, inspect, repair, remove, and replace at will a concrete block and brick masonry Entry Sign with the right of ingress and egress at any time through the following property:

**SEE ATTACHED EXHIBIT "A"**

It is agreed by and between Grantors and Grantees as follows:

1. The Grantees shall be responsible to restore the surface area of the easement, which was disturbed by Grantees, to as closely as possible to its condition at the time of construction or maintenance. The Grantees will pay damages for items which cannot be restored or repaired. If the amount of said damages cannot be mutually agreed upon, the same shall be ascertained and determined by three disinterested persons; one appointed by the Grantors, one by the Grantees, and the third by the two so appointed. The award of such three persons shall be final and conclusive.
2. That no building or structure of any kind shall or will be erected within the easement area by Grantors, nor shall anything be placed in the vicinity of the easement which might be injurious to the Entry Sign. Grantors shall not change the ground elevation, within the easement area, without approval of Grantees.
3. Grantors may extend across, or grant easements to others to extend across said easement area to minimum acceptable clearances as determined by the Grantees.
4. If the Entry Sign is removed, the easement shall be restored as closely as possible to its then condition at the time of removal and Easement shall be vacated.
5. That this grant shall be binding upon the Grantors and Grantees and shall inure to the benefit of their respective heirs, executors, administrators, successors and assigns forever.
6. This easement is subject to all matters of record.

IN WITNESS WHEREOF, the undersigned have caused their name to be subscribed to this Perpetual Entry Sign Easement this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

**GRANTOR:**

**McKinley Development Company, LTD.**

By: \_\_\_\_\_

(Signed Name)

\_\_\_\_\_  
(Title)

**NOTARY:**

STATE OF OHIO )

) SS:

COUNTY OF STARK )

Before me, a Notary Public in and for said County, personally appeared \_\_\_\_\_, representing McKinley Development Company, LTD., who acknowledged that they did sign the foregoing instrument and that it is their free act and deed.

IN THE TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal a this \_\_\_\_\_ Day of \_\_\_\_\_, 20 \_\_\_\_

\_\_\_\_\_  
Notary Public

Seal

This instrument prepared by: City of North Canton  
145 North Main Street  
North Canton, OH 44720

**EXHIBIT "A"**

**Description of an Entry Sign Easement**

**S.E. Quarter of Section 5, Plain Twp., Stark Co., Ohio**

**Being Part of Stark County Tax Parcel No. 5503025**

Situated in the S.E. Quarter Section of Section 5, Plain Township (T-11N, R-8W), County of Stark, State of Ohio.

**COMMENCING** at a point at the southeast corner of the southeast quarter section 5 being a Stark County Monument (PLA-035);

**THENCE** N 88° 18' 36" W, along the south line of section 5, said line also being the center line of Applegrove Street NW (80 foot wide), a distance of 400.00 feet to a point being on the centerline of Applegrove Street NW;

**THENCE** N 01° 41' 24" E a distance of 35.00 feet to a point on the north right-of-way of Applegrove Street NW said point being the **True Point Of Beginning** for the herein described Entry Sign Easement;

**THENCE** N 88° 18' 36" W along the north right-of-way line of Applegrove Street NW a distance of 5.00 feet to a point;

**THENCE** N 01° 41' 24" E a distance of 5.00 feet to a point;

**THENCE** S 88° 18' 36" E a distance of 5.00 feet to a point;

**THENCE** S 01° 41' 24" W a distance of 5.00 feet to the **True Point Of Beginning** for the herein described Entry Sign Easement.

The above described land contains 25.00 square feet ( ±0.0006 Acres ) as determined by James J. Benekos, P.E., P.S., North Canton City Engineer.

The Basis of Bearings for this description is the centerline of Applegrove Street NW as shown on the Plat of Applegrove Street Widening – Phase I as recorded in Instrument No. 200704060018555 of the Stark County Records, and being S 88° 18' 36" E.

The above description was developed from surveys and plats of record. No survey field work was performed for this description.



# EXHIBIT "A"

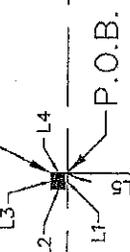
## Map Of Entry Sign Easement

McKinley Development Company, LTD.  
Parcel No. 5503025

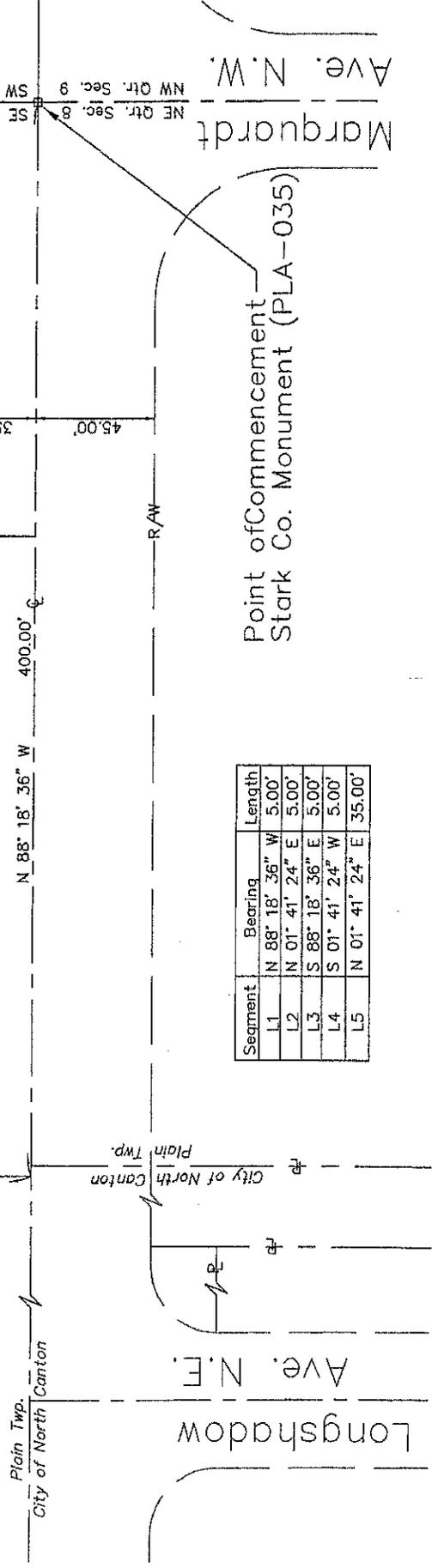
McKinley Development  
Company, LTD.  
Parcel No. 5502756

SCALE: 1" = 60'

Proposed  
Entry Sign  
Easement



Applegrove Street N.W. - 80'



Segment	Bearing	Length
L1	N 88° 18' 36" W	5.00'
L2	N 01° 41' 24" E	5.00'
L3	S 88° 18' 36" E	5.00'
L4	S 01° 41' 24" W	5.00'
L5	N 01° 41' 24" E	35.00'

Point of Commencement  
Stark Co. Monument (PLA-035)

An ordinance approving, confirming and accepting a Perpetual Entry Sign Easement Agreement, located in the Southeast Quarter of Section 5, Plain Township, County of Stark, State of Ohio, and known as being part of Parcel No. 5503025, from McKinley Development Company, LTD., to the City of North Canton, for and in consideration of One Dollar, necessary to construct and maintain, alter, inspect, repair, remove, and replace at will a concrete block and brick masonry entry sign with the right of ingress and egress at any time through said property, 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 a Perpetual Entry Sign Easement Agreement, located in the Southeast Quarter of Section 5, Plain Township, County of Stark, State of Ohio, and known as being part of Parcel No. 5503025, from McKinley Development Company, LTD. to the City of North Canton, for and in consideration of One Dollar, necessary to construct and maintain, alter, inspect, repair, remove, and replace at will a concrete block and brick masonry entry sign with the right of ingress and egress at any time through said property, be, and the same is hereby approved, confirmed, and accepted.
- 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 approval, confirmation and acceptance of the Easement Agreement; 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 force immediately upon its adoption by Council and approval by the Mayor.

**PERPETUAL ENTRY SIGN EASEMENT**  
**Parcel No. 9205243**

For and in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration, **Sheraton Towne Apartments, LTD.**, GRANTORS, do hereby give and grant unto **THE CITY OF NORTH CANTON**, an Ohio Municipality, GRANTEES, the perpetual easement to, construct and maintain, alter, inspect, repair, remove, and replace at will a concrete block and brick masonry Entry Sign with the right of ingress and egress at any time through the following property:

**SEE ATTACHED EXHIBIT "A"**

It is agreed by and between Grantors and Grantees as follows:

1. The Grantees shall be responsible to restore the surface area of the easement, which was disturbed by Grantees, to as closely as possible to its condition at the time of construction or maintenance. The Grantees will pay damages for items which cannot be restored or repaired. If the amount of said damages cannot be mutually agreed upon, the same shall be ascertained and determined by three disinterested persons; one appointed by the Grantors, one by the Grantees, and the third by the two so appointed. The award of such three persons shall be final and conclusive.
2. That no building or structure of any kind shall or will be erected within the easement area by Grantors, nor shall anything be placed in the vicinity of the easement which might be injurious to the Entry Sign. Grantors shall not change the ground elevation, within the easement area, without approval of Grantees.
3. Grantors may extend across, or grant easements to others to extend across said easement area to minimum acceptable clearances as determined by the Grantees.
4. If the Entry Sign is removed, the easement shall be restored as closely as possible to its then condition at the time of removal and Easement shall be vacated.
5. That this grant shall be binding upon the Grantors and Grantees and shall inure to the benefit of their respective heirs, executors, administrators, successors and assigns forever.
6. This easement is subject to all matters of record.

IN WITNESS WHEREOF, the undersigned have caused their name to be subscribed to this Perpetual Entry Sign Easement this 17 day of May, 2013.

**GRANTOR:**

**SHERATON TOWNE APARTMENTS, LTD.**

By: *Garry L. Oakes*  
Garry L. Oakes  
Member, Sheraton Towne Apartments, LTD.  
(Title)

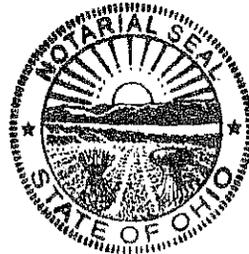
**NOTARY:**

STATE OF OHIO )  
) SS:  
COUNTY OF STARK )

Before me, a Notary Public in and for said County, personally appeared Garry L. Oakes, representing Sheraton Towne Apartments, LTD., who acknowledged that they did sign the foregoing instrument and that it is their free act and deed.

IN THE TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal a this 17 Day of May, 2013

*Daniene Fleming*  
Notary Public



Seal  
Daniene Fleming  
Notary Public, State of Ohio  
My Commission Expires 04-01-2017

This instrument prepared by: City of North Canton  
145 North Main Street  
North Canton, OH 44720

## **EXHIBIT "A"**

### **Description of an Entry Sign Easement**

**In The City of North Canton, Stark Co., Ohio**

**Being Part of Stark County Tax Parcel No. 9205243**

Situated in the City of North Canton, County of Stark, State of Ohio, and being part of City of North Canton Lot 3270 as recorded in Brentwood Hills Allotment #2 (P.B. 34, Pg. 153 of the Stark County Records).

**COMMENCING** at a point being the northeast corner of said Lot 3270;

**THENCE** N 80°-39' W, along the northerly line of Lot 3270, said line also being the southerly right-of-way line of Portage Street NW (60 foot wide), a distance of 100.00 feet to the **True Point Of Beginning** for the herein described Entry Sign Easement;

**THENCE** S 9°-21' W a distance of 5.00 feet to a point;

**THENCE** N 80°-39' W a distance of 5.00 feet to a point;

**THENCE** N 9°-21' E a distance of 5.00 feet to a point. Said point being along the northerly line of Lot 3270 and also being along the southerly right-of-way line of Portage Street NW (60 foot wide);

**THENCE** S 80°-39' E along the northerly line of Lot 3270, also being along the southerly right-of-way line of Portage Street NW (60 foot wide) a distance of 5.00 feet to the **True Point Of Beginning** of the herein described Entry Sign Easement.

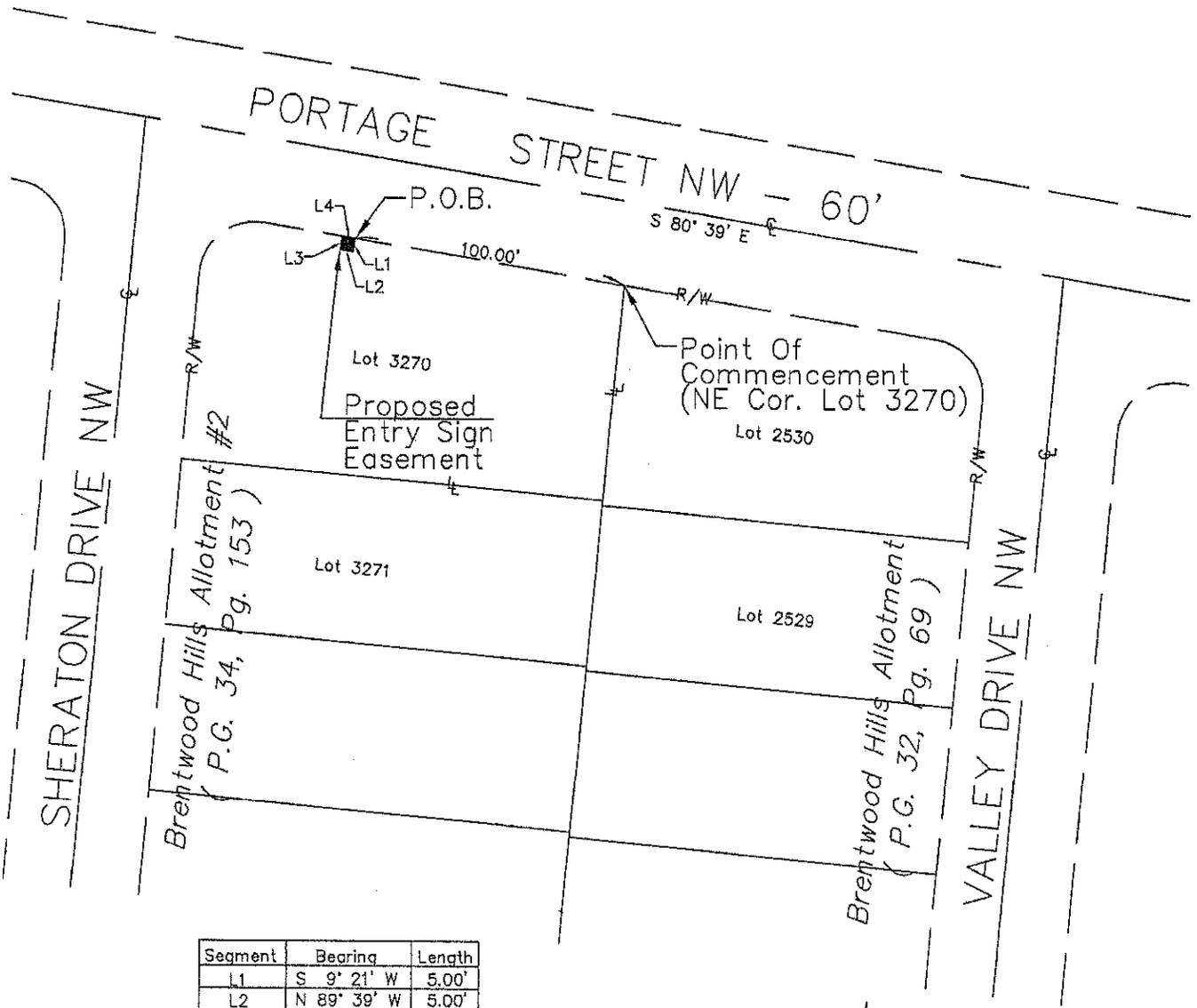
The above described land contains 25.00 square feet ( ±0.0006 Acres ) as determined by James J. Benekos, P.E., P.S., North Canton City Engineer.

The Basis of Bearings for this description is the centerline of Portage Street NW (60 foot wide) as shown on Brentwood Hills Allotment #2 ( P.B. 34, Pg. 153 of the Stark County Records), and being S 80°-39' E.

The above description was developed from surveys and plats of record. No survey field work was performed for this description.

# EXHIBIT "A"

## Map Of Entry Sign Easement



Segment	Bearing	Length
L1	S 9° 21' W	5.00'
L2	N 89° 39' W	5.00'
L3	N 9° 21' E	5.00'
L4	S 89° 39' E	5.00'



SCALE: 1" = 60'

An ordinance approving, confirming and accepting a Perpetual Entry Sign Easement Agreement, located in the City of North Canton, County of Stark, State of Ohio, and known as being part of Lot 3270, Parcel No. 9205243, as recorded in Brentwood Hill Allotment #2 (P.B. 34, Page 153 of the Stark county Records), from Sheraton Towne Apartments, LTD., to the City of North Canton, for and in consideration of One Dollar, necessary to construct and maintain, alter, inspect, repair, remove, and replace at will a concrete block and brick masonry entry sign with the right of ingress and egress at any time through said property, 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 a Perpetual Entry Sign Easement Agreement, located in the City of North Canton, County of Stark, State of Ohio, and known as being part of Lot 3270, Parcel No. 9205243, as recorded in Brentwood Hill Allotment #2 (P.B. 34, Page 153 of the Stark county Records), from Sheraton Towne Apartments, LTD., to the City of North Canton, for and in consideration of One Dollar, necessary to construct and maintain, alter, inspect, repair, remove, and replace at will a concrete block and brick masonry entry sign with the right of ingress and egress at any time through said property, be, and the same is hereby approved, confirmed, and accepted.
- 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 approval, confirmation and acceptance of the Easement Agreement; 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 force immediately upon its adoption by Council and approval by the Mayor.



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

**CITY OF NORTH CANTON**  
**Michael J. Grimes**  
Director of Administration

**Discussion and/or Legislation Request**

✓  
To: Jon Snyder, Council President  
Date: May 21, 2013  
Subject: Acceptance of North Canton Veterans Memorial Funds

I am requesting that the following be placed on a Council Agenda for discussion.

President James Dansizen of the North Canton Veterans Memorial Committee has requested that the City of North Canton accept the remaining Memorial funds and place same in a restricted account that would be used by the City only for repairs, replacement and maintenance of the current memorial and its appurtenances including the memorial plaques, soldier statue, brick and cement work. The funds requested to be turned over are \$12,186.00.

EMERGENCY REQUESTED    \_\_\_ YES     X  NO

Respectfully submitted,

  
Michael J. Grimes

c: Law Director  
Finance Director  
File

**RECEIVED**

**MAY 22 2013**

**COUNCIL OFFICE  
NORTH CANTON, OHIO**

Tom Chufar  
Jim Dansizen (Chairman)  
Ken Dansizen  
Joel Datz  
Kathy Fernandez (Treasurer)  
Larry Hoover  
David Johnson  
Don Lundstrom  
Dottie McGrew (Co-Chair)  
Donna Nickel (Secretary)  
Jim Repace (Project Coordinator)



**NORTH CANTON  
WORLD WAR II  
VETERANS MEMORIAL**

502 South Main Street  
North Canton, Ohio 44720



**RECEIVED**

MAY 21 2013

ADMINISTRATION  
NORTH CANTON, OHIO

Michael Grimes  
City Administrator  
City of North Canton  
141 North Main St.  
North Canton, OH 44720

Dear Mr. Grimes:

Now that the North Canton Veterans Memorial has been finished, we would like to find a home for the remaining funds contributed. We currently have \$12,186.60 in our accounts. We wish to have the city create a separate restricted perpetual maintenance fund for these monies.

We wish the following restrictions be placed on the fund: it shall be used only for repairs, replacements and maintenance of the current memorial and its appurtenances, including the memorial plaques, the soldier statue, the brickwork memorial, brick walks and cement work. We do not wish these funds to be used for general operations of the park grounds, including mowing, landscaping, etc.

Once this fund is established, a check for the \$12,186.60 will be presented to the city.

The committee, at its last meeting in August, 2012, authorized the North Canton Heritage Society to continue to sell commemorative bricks for the memorial, with all the proceeds going to the Society, and the Heritage Society reserves this right. Any arrangements for installation of new commemorative bricks will be made with the City Parks Superintendent.

I look forward to hearing back from you about this new fund. Please let me know if you have further questions.

Sincerely yours,

A handwritten signature in cursive script that reads "James Dansizen". The signature is written in dark ink and is positioned above the printed name.

James Dansizen

President, North Canton Veterans Memorial Committee



**MEMO:** From MIKE GRIMES – Director of Administration

**To:** Mr. Jim Dansizen

**CC:** Mayor David Held  
Council President Jon Snyder  
Finance Director Karen Alger

**Date:** October 4, 2012

**Re:** Discussion about Veterans' Memorial

Thanks so much for meeting with us last earlier this week. It's always a pleasure to have you and Mayor Johnson in a discussion.

In regards to your inquiry, I would humbly suggest the following:

- 1). Have the Committee send a request by letter to me making your wishes known that the Memorial be turned over to the City's care.
  - a). Include the check or amount that would be turned over to the City from the funds.
  - b). State the restrictions you would request such as the money be restricted to be in a separate fund; be used only for capital improvements to the Memorial, or repairs to the Memorial, plaques, statues, brick, flags or cement work.
  - c). You may want to specify the funds not be used for operations of the grounds so as to make sure there is no chance to "bleed" off any funds for something other than what the Committee desires.
- 2). I will present this to City Council for their discussion and consideration.
- 3). In the past, Council has used the "voice vote" procedure to accept these types of funds. Obviously that would be up to our Council President's prerogative on what procedure he decides to utilize.
- 4). If accepted, Finance Director Alger would set up a separate line item in the budget, most likely named Fund 212 General Trust Fund for the Veterans' Memorial - 212.0000,4610 CONTRIBUTIONS – VETERANS MEMORIAL.
- 5). This procedure has passed muster in past audits of our City accounts.

Mike

An ordinance authorizing the Mayor of the City of North Canton to accept and utilize memorial funds from the North Canton Veterans Memorial Committee, in an amount not to exceed \$12,186, for the repairs, replacement and maintenance of the current Veterans Memorial and its appurtenances including memorial plaques, soldier statue, brick and cement work, 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, be, and is hereby authorized to accept and utilize memorial funds from the North Canton Veterans Memorial Committee, in an amount not to exceed \$12,186, for the repairs, replacement and maintenance of the current Veterans Memorial and its appurtenances including memorial plaques, soldier statue, brick and cement work.

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 repairs, replacement and maintenance of the current Veterans Memorial and its appurtenances including memorial plaques, soldier statue, brick and cement work upon receipt of vouchers duly approved by the proper departmental authority, from appropriations applicable hereto.

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 ensure the maintenance of the Veterans Memorial, 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.

North Canton, OH  
Passed:

\_\_\_\_\_  
MAYOR

SIGNED: \_\_\_\_\_, 2013

ATTEST:

\_\_\_\_\_  
CLERK OF COUNCIL



C/W: 6/3/13  
Item 4b

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

## CITY OF NORTH CANTON

**Karen Alger**  
Director of Finance

May 21, 2013

TO: Jon Snyder  
President of Council

RE: Reclassification of an Advancement of Funds in Regard to JRS Grant to an Inter-Fund Transfer

Because of the untimely way the State refunds the payments to the City of North Canton, I am requesting that Council consider an ordinance rescinding the previous ordinance number 101-10 stating that the \$163,000 advance to the Hoover District Fund 333 be reclassified as a transfer from the General Fund which in turn would be a transfer of \$163,000 to the City Income Tax Fund. This new ordinance would state that upon completion of the project in the Hoover District Fund that the entire residual amount will be refunded to the General Fund with the understanding that the residual amount not to exceed \$163,000 would then be transferred to the City Income Tax Fund.

I am making this request because the late payments do not leave me with a sufficient balance to make this advance payment back to the General Fund. Even without making this payment, I have the Hoover District Fund 333 in a negative fund balance much of the time which is not allowed by the State law.

I would request that this legislation be passed on an emergency basis in order to have the funding in place as soon as possible.

Respectfully submitted,

Karen S. Alger  
Director of Finance

**RECEIVED**

**MAY 21 2013**

**COUNCIL OFFICE  
NORTH CANTON, OHIO**

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 101-10

Passed December 13, 2010

12/7/10-gmk  
(Finance & Property)

## Ordinance No. 101-10

An ordinance authorizing certain transfers in the 2010 appropriations for the advancement of funds from within the unappropriated resources of the Income Tax Fund to the Hoover District Improvement Fund for the fiscal year ending December 31, 2010, and declaring the same to be an emergency.

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

Section 1. To provide for the advancement of funds of the City of North Canton, Ohio, during the fiscal year ending December 31, 2010, the following funds, be, and are hereby set aside and appropriated as follows:

Advanced to 203 Income Tax Fund:  
203.631.5601 Transfers General Fund \$163,000

Advanced to 101 General Fund:  
101.628.5633 Transfers Hoover District Improvement Fund \$163,000

Section 2. That when sufficient funds become available, said funds will be returned to the Income Tax Fund.

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 immediate preservation of the health, safety, and peace of the City of North Canton, Ohio, and immediately necessary for the timely advancement of funds in the specific accounts to pay obligations of the City of North Canton during the fiscal year ending December 31, 2011; 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: 12/13/10

  
MAYOR

SIGNED: 12/13, 2010

ATTEST:

  
CLERK OF COUNCIL



# City of NORTH CANTON, OHIO

145 NORTH MAIN STREET  
NORTH CANTON, OHIO 44720-2587

November 24, 2010

TO: Daryl Revoldt  
President of Council

RE: Supplemental Appropriation Request and Inter-Fund Transfer from Income Tax Fund to the General Fund.

I am requesting that Council consider legislation appropriating funds for an advancement to the Hoover District Improvement Fund and authorizing an inter-fund transfer from the Income Tax Fund to the General Fund and then from the General Fund to the Hoover District Improvement Fund for the same amount. The City received a citation last year from the State Auditor due to the reimbursement not arriving on time. We are presently awaiting on reimbursement from the JRS Grant, however a shortfall remains and I am requesting this as a precaution to prevent the code from being negative at year end.

Therefore, I am requesting a supplemental appropriation for the advancement of funds to the Hoover District Improvement Fund as follows:

- \$163,000 from the Unappropriated Resources of the Income Tax Fund to A/C 203.631.5601 Transfers – General Fund.
- \$163,000 from the Unappropriated Resources of the General Fund to A/C 101.628.5633 Transfers – Hoover District Improvement Fund

I would request that this legislation be passed on an emergency basis in order to have the funding in place as soon as possible. **This is an advancement of funds which is to be paid back to the General Fund upon reimbursement from the JRS Grant.**

Respectfully submitted,

A handwritten signature in cursive script that reads "Alexander A. Zumbar".

Alexander A. Zumbar  
Director of Finance

**RECEIVED**

NOV 29 2010

COUNCIL OFFICE  
NORTH CANTON, OHIO

An ordinance amending Attachment A of Ordinance No. 7-13, permanent budget for the fiscal year 2013, to reclassify the \$163,000 for the Hoover District improvements from an advancement to a transfer within the General (101), Income Tax (203), and Hoover District (333) Funds, repealing Ordinance 101-10, 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 as authorized in Sections 5705.14 to 5705.16 of the Ohio Revised Code, Attachment A of Ordinance No. 7-13, permanent budget for fiscal year 2013, be, and is hereby amended to reclassify the \$163,000 for the Hoover District improvements from an advancement to a transfer within the General (101), Income Tax (203), and Hoover District (333) Funds.
- Section 2. That upon completion of the project in the Hoover District Fund that the entire residual amount will be refunded to the General Fund, and that the residual amount, not to exceed \$163,000, shall be transferred to the City Income Tax Fund.
- Section 3. That Ordinance No. 101-10, 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 reclassification and to ensure compliance with Sections 5705.14 and 5705.16 of the Revised Code; 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.