

**North Canton City Council
Special Council Meeting Agenda
Monday, December 1, 2014**

Mr. Daniel Peters, President of North Canton's City Council, has requested a Special Council Meeting of Council Members, the Director of Administration, Director of Finance, and the Director of Law, for **Monday, December 1, 2014, immediately following the 7:00 p.m. Committee of the Whole meeting** in Council Chambers at North Canton City Hall, to consider the following:

1. Call to Order
2. Roll Call
3. Recognition of Visitors
4. Old Business:
5. **Ordinance No. 83 - 2014 – 3rd Reading – Water, Sewer and Rubbish Committee**

An ordinance authorizing the Mayor of the City of North Canton to enter into a two-year extension of the contract, Ordinance No. 41 – 2012, with Southside Environmental Group for the cleaning of five sludge lagoons and one wash water lagoon at North Canton's Drinking Water Plant.

6. **Ordinance No. 85 - 2014 – 3rd Reading – Finance and Property Committee**

An ordinance authorizing the Director of Finance of the City of North Canton to establish a fund entitled Indoor Firearms Training Range Improvement Fund (Fund #334) for the purpose of accounting for the related revenue and expenditures associated with the updates to the indoor firearms training range.

7. **Ordinance No. 86 - 2014 – 2nd Reading – Finance and Property Committee**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Permit Fee Fund to the State Building Permit Fees Account in the amount of \$600.00 for the current expenses during the fiscal year ending December 31, 2014.

8. **Ordinance No. 87 - 2014 – 2nd Reading – Finance and Property Committee**

An ordinance repealing and replacing Ordinance No. 55 – 14 thereby authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated resources of the Capital Project Fund to the Facilities Account in the amount of \$625,000.00 for the current expenses during the fiscal year ending December 31, 2014.

9. **Ordinance No. 89 - 2014 – 2nd Reading – Finance and Property Committee**

An ordinance to make appropriations for current expenses and other expenditures of the City of North Canton, Ohio, for the period beginning January 1, 2015 and ending December 31, 2015.

10. New Business:

11. Ordinance No. 90 - 2014 – 1st Reading – Personnel and Safety Committee

An ordinance amending Section 20, COMPENSATION OF Chapter 155 Personnel Regulations of Part One-Administrative Code of the Codified Ordinances of the City of North Canton, to change the rates of compensation for the Fire Department Paid Part Time (“PPT”) and Special Duty Personnel (SDP”).

12. Ordinance No. 91 - 2014 – 1st Reading – Water, Sewer and Rubbish Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration for the purchase of Water Treatment Plant chemicals for use by the City of North Canton Drinking Water Treatment Plant, and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a contract for the purchase of said Water Treatment Plant chemicals, and declaring the same to be an emergency.

13. Ordinance No. 92 - 2014 – 1st Reading – Finance and Property Committee

An ordinance establishing the court costs for the City of North Canton, Ohio’s Mayor’s Court, and declaring the same to be an emergency.

14. Resolution No. 93 - 2014 – 1st Reading – Personnel and Safety Committee

A resolution accepting/rejecting the Fact Finding Report dated November 28, 2014, regarding the City of North Canton, Ohio, Employer, and Ohio Patrolmen’s Benevolent Association, Full-Time Dispatchers and Lead Dispatcher, Union, Case No. 2014-MED-05-0753, by Fact Finder Martin R. Fitts, and declaring the same to be an emergency.

15. Resolution No. 94 - 2014 – 1st Reading – Community and Economic Development Committee

A resolution transferring from North Canton City Council to North Canton’s Zoning and Building Standard Board of Appeals (“ZBOA”) a November 7, 2014, appeal of North Canton’s Planning Commission’s approval of a conditional use permit for the expansion of the Hoover District’s south parking lot, PC403-14CU, and declaring the same to be an emergency.

16. Adjourn

Mary Beth Bailey
Clerk of Council

North Canton City Council
Personnel and Safety Committee

Ordinance No. 90 – 2014

An ordinance amending Section 20 COMPENSATION, of Chapter 155 Personnel Regulations of Part One - Administrative Code of the Codified Ordinances of the City of North Canton, to change the rates of compensation for North Canton Fire Department Paid Part Time ("PPT") and Special Duty Personnel ("SDP").

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

Section 1: That Section 20 COMPENSATION, of Chapter 155 Personnel Regulations of Part One - Administrative Code of the Codified Ordinances of the City of North Canton, is hereby amended to change the rates of compensation for Fire Department PPT and SDP to read as follows:

Section 20. COMPENSATION

Full-Time Schedule of Compensation: Full-time employees shall be paid an amount equal to or less than the amount set forth in the following schedule:

Position	Bi-Weekly Compensation
<u>Public Safety – FIRE / EMS</u>	
Assistant Fire Chief	\$ 14.96
Fire Captain	\$ 14.60
Fire Captain / EMT - Paramedic	\$ 14.60
Fire Captain / EMT - Basic	\$ 14.60
EMT – Paramedic	\$ 14.60
Firefighter / EMT - Paramedic	\$ 14.60
Firefighter / EMT - Basic	\$ 14.13
Firefighter	\$ 14.13
EMT – Basic	\$ 14.13
EMT personnel on standby at station: PPT or SDP	\$ 2.21
Fire/Medic	\$ 13.30
Paramedic	\$ 13.30
Firefighter	\$ 12.30
Basic	\$ 12.30

Part-time employees staffed at station shall not receive standby wages and shall work a minimum of four hours.

Section 2. That any and all legislation inconsistent herewith, be, and the same is hereby repealed.

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 force from and after the earliest period allowed by law.

Passed by Council this _____ day of _____, 2014

David Held, Mayor

Signed: _____, 2014

ATTEST:

Mary Beth Bailey, Clerk of Council

North Canton City Council
Water, Sewer and Rubbish Committee

Ordinance No. 91 – 2014

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration for the purchase of Water Treatment Plant chemicals for use by the City of North Canton Drinking Water Treatment Plant, and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a contract for the purchase of said Water Treatment Plant chemicals, and declaring the same to be an emergency.

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

- Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids according to specifications now on file in the office of the Director of Administration for the purchase of Water Treatment Plant chemicals for use by the City of North Canton Drinking Water Treatment Plant.
- Section 2. That the Mayor of the City of North Canton, be, and is hereby authorized, through the Board of Control, to enter into a contract for the purchase of said Water Treatment Plant chemicals.
- Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from applicable appropriations upon receipt of vouchers duly approved by the proper departmental authority.
- Section 4. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely purchase of said Water Treatment Plant chemicals and to ensure continued efficient operation of the Water Treatment Plant; wherefore, provided it receives the affirmative vote of six 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.

Passed in Council this _____ day of _____, 2014

David Held, Mayor

Signed: _____, 2014

ATTEST:

Mary Beth Bailey, Clerk of Council

North Canton City Council
Finance and Property Committee

Ordinance No. 92 - 2014

An ordinance establishing the court costs for the City of North Canton, Ohio's Mayor's Court and declaring the same to be an emergency.

WHEREAS, the amount of court costs the City of North Canton charges for Mayor's Court has remained unchanged for nearly five years; and

WHEREAS, the cost to operate and maintenance this court has increased each year; and

WHEREAS, Ohio Revised Code sections 1901.26 and 1901.261 permit the court to charge small additional fees to computerize the court and the office of the clerk; and

WHEREAS, the City of North Canton is in need of purchasing computer equipment including, but not limited to, software, printers, copiers, and Internet service to properly provide and maintain its Mayor's Court operations.

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

Section 1. That the City of North Canton hereby establishes effective January 1, 2015, the following Mayor's Court costs and fees:

A. Basic court costs (includes \$13.00 computerization fund):	\$68.00
B. State Reparations Fund - Victim Amount:	\$ 9.00
C. Indigent Defense Support Fund:	\$25.00
D. MVCC - Drug Law Enforcement:	\$ 3.50
E. Indigent Alcohol:	\$ 1.50
F. Seat belt: State of Ohio portion: Driver:	\$30.00
Passenger:	\$20.00
G. Ordinance/fine, waiverable citation:	\$31.00
H. Nonsufficient fund check:	\$30.00

Section 2. That this ordinance shall supersede all previously adopted legislation in conflict herewith.

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 resolution.

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 implementation of revised costs and fees for the operation and maintenance of North Canton's Mayor's Court; wherefore, provided it receives the affirmative vote of six 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.

Passed in Council this _____ day of _____ 2014.

David Held, Mayor

SIGNED: _____, 2014

ATTEST:

Mary Beth Bailey, Clerk of Council

North Canton City Council
Personnel and Safety Committee

Resolution No. 93 – 2014

A resolution rejecting the Fact Finding Report dated November 28, 2014, regarding the City of North Canton, Ohio, Employer, and Ohio Patrolmen's Benevolent Association, Full-Time Dispatchers and Lead Dispatcher, Union, Case No. 2014-MED-05-0753, by Fact Finder Martin R. Fitts, and declaring the same to be an emergency.

WHEREAS, the City of North Canton and Ohio Patrolmen's Benevolent Association, Full-Time Dispatchers and Lead Dispatcher reached an impasse in their efforts to enter into a new labor agreement; and

WHEREAS, as a result of the impasse, the State Employment Relations Board ("SERB") appointed Martin R. Fitts to serve as a fact finder; and

WHEREAS, after a hearing between the parties, the fact finder issued his findings and recommendations as to the unresolved issues presented for fact finding; and

WHEREAS, R.C. 4117.14(C)(6)(a) provides that within seven days after the findings and recommendations are sent, the legislative body, by a three-fifths vote of its total membership, may reject the recommendations; otherwise, if neither party rejects the recommendations, they are to be deemed agreed upon as the final resolution of the issues submitted and a collective bargaining agreement shall be executed; and

WHEREAS, the Council of the City of North Canton rejects the fact finder's findings and recommendations:

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

- Section 1. That the Council of the City of North Canton, Ohio hereby rejects the Fact Finding Report dated November 28, 2014, regarding the City of North Canton, Ohio, Employer, and Ohio Patrolmen's Benevolent Association, Union, Full-Time Dispatchers and Lead Dispatcher, Union, Case No. 2014-MED-05-0753, by Fact Finder Martin R. Fitts.
- Section 2. That within 24-hours of the vote count herein, the Director of Law for the City of North Canton be, and hereby is, authorized and directed to submit to SERB and the appropriate Union representative a certified copy of this resolution together with the SERB required certification form.
- Section 3. That if a provision of this resolution is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this resolution.
- Section 4. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary to timely reject, according to law, the aforementioned Fact Finding Report; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this resolution shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed by Council this _____ day of _____, 2014

David Held, Mayor

Signed: _____, 2014

ATTEST:

Mary Beth Bailey, Clerk of Council

North Canton City Council
Personnel and Safety Committee

Resolution No. 94 – 2014

A resolution transferring from North Canton City Council to North Canton's Zoning and Building Standard Board of Appeals ("ZBOA") a November 7, 2014, appeal of North Canton's Planning Commission's approval of a conditional use permit for the expansion of the Hoover District's south parking lot, PC403-14CU, and declaring the same to be an emergency.

WHEREAS, the City of North Canton's charter provides that it is the duty of the ZBOA to hear and decide appeals regarding, amongst other things, decisions of administrative agencies governing building and zoning within the municipality, and such other duties that Council may designate; and

WHEREAS, the Planning Commission is a City of North Canton administrative agency governing building and zoning within the municipality; and

WHEREAS, Council has determined that the ZBOA is the most appropriate agency to hear and decide the aforementioned appeal;

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

- Section 1. That it is the duty of the ZBOA to hear and decide appeals regarding decisions of administrative agencies governing building and zoning within the municipality, and such other duties that Council may designate.
- Section 2. That the Planning Commission is an administrative agency governing building and zoning within the municipality.
- Section 3. That the ZBOA is North Canton's most appropriate agency to hear the appeal of the Planning Commission's approval of a conditional use permit for the expansion of the Hoover District's south parking lot, PC403-14CU.
- Section 4. That City Council hereby transfers the abovementioned appeal to the ZBOA for it to hear and decide the appeal.
- Section 5. That because the appeal was timely filed with the City, the ZBOA shall consider the appeal as timely filed.
- Section 6. That the ZBOA shall set a schedule for a hearing on the matter allowing for proper notice of the proceedings.
- Section 7. That if a provision of this resolution is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this resolution.
- Section 8. That this resolution is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary to timely hear an appeal regarding a major construction project that has been stayed pending the decision of the appeal; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this resolution shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed by Council this _____ day of _____, 2014

David Held, Mayor

Signed: _____, 2014

ATTEST:

Mary Beth Bailey, Clerk of Council