

NOTICE OF NORTH CANTON CITY COUNCIL MEETING
Monday, September 15, 2014, 7:00 p.m., City Hall
Amended Agenda

1. Call to Order
2. Opening Prayer - Rev. Eli Klingensmith, Zion United Church of Christ
3. Pledge of Allegiance
4. Roll Call
5. Consideration:
 - Mayor's Court Receipts – August 2014
 - Financial Statement – August 2014 Month & Year-to-Date General Fund Revenue Analysis
 - Committee of the Whole Meeting Minutes – August 18, 2014
 - Council Meeting Minutes – August 25, 2014
6. Recognition of Visitors
7. Old Business:
8. **Ordinance No. 61 - 2014 – 2nd Reading – Community and Economic Development Committee**

An ordinance authorizing the Mayor of the City of North Canton to enter into an Industrial and Commercial Occupancy Grant Agreement with Sanctuary Media Group.
9. New Business:
10. **Ordinance No. 69 - 2014 - 1st Reading – Ordinance, Rules and Claims Committee**

An ordinance to approve and adopt current replacement pages to the Codified Ordinances, and declaring the same to be an emergency.
11. **Ordinance No. 70 - 2014 - 1st Reading - Street & Alley Committee**

An ordinance amending Ordinance No. 45 – 2014, the 2014 Street Maintenance Program in the City of North Canton, increasing the appropriation from not to exceed \$460,000.00 to not to exceed \$640,000.00, and declaring the same to be an emergency.
12. **Ordinance No. 71 - 2014 - 1st 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 Capital Project Fund to the Contract Payments Account in the amount of \$182,500.00 for the current expenses during the fiscal year ending December 31, 2014, and declaring the same to be an emergency.

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13. Reports - Council:

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

14. Reports:

Director of Law Mayor	Director of Finance City Engineer	Director of Administration Clerk of Council
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15. Final Call for New Business

16. Adjourn

Mary Beth Bailey
Clerk of Council

An ordinance to approve and adopt current replacement pages to the Codified Ordinances, and declaring the same to be an emergency.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council in the form of replacement pages to the Codified Ordinances.

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

SECTION 1. That, in accordance with Ohio R.C. 731.23, the ordinances of the City of North Canton, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2014 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

SECTION 2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

- 301.04 Bicycle. (Amended)
- 301.161 Highway Maintenance Vehicle. (Added)
- 301.162 Highway Traffic Signal. (Added)
- 303.04 Road Workers, Motor Vehicles and Equipment Excepted. (Amended)
- 303.041 Emergency, Public Safety and Coroner's Vehicles Exempt. (Amended)
- 313.03 Traffic Signal Indications. (Amended)
- 333.01 Driving or Physical Control While Under the Influence. (Amended)
- 333.03 Maximum Speed Limits. (Amended)
- 333.031 Approaching a Stationary Public Safety, Emergency or Road Service Vehicle. (Amended)
- 337.16 Number of Lights; Limitations on Flashing. (Amended)
- 337.17 Focus and Aim of Headlights. (Amended)
- 339.01 Oversize or Overweight Vehicle on State Routes. (Amended)
- 339.03 Maximum Width, Height and Length. (Amended)
- 341.01 Commercial Vehicle Definitions. (Amended)
- 341.03 Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)
- 351.04 Parking Near Curb; Handicapped Parking. (Amended)

General Offenses Code

- 505.071 Cruelty to Companion Animals. (Amended)
- 517.01 Gambling Definitions. (Amended)
- 517.02 Gambling. (Amended)
- 525.01 Law Enforcement and Public Office Definitions. (Amended)
- 525.02 Falsification. (Amended)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
- 529.01 Liquor Control Definitions. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 537.03 Assault. (Amended)
- 537.12 Misuse of 9-1-1 System. (Amended)
- 537.16 Illegal Distribution of Cigarettes, Other Tobacco Products or Alternate Nicotine Products. (Amended)
- 537.17 Criminal Child Enticement. (Amended)
- 545.01 Theft and Fraud Definitions. (Amended)
- 545.05 Petty Theft. (Amended)
- 545.18 Receiving Stolen Property. (Amended)

SECTION 3. That the complete text of the sections of the Codified Ordinances listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. Any summary publication of this ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety for the reason that there exists an imperative necessity for the earliest publication and distribution of the current replacement pages to the Codified Ordinances to the officials and residents of the Municipality, so as to facilitate administration, daily operation and avoid legal entanglements including conflict with general State law; wherefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed:

MAYOR

SIGNED: _____

ATTEST:

CLERK OF COUNCIL

P.

North Canton City Council
Street and Alley Committee

Ordinance No. 70 - 2014

An ordinance amending Ordinance No. 45 - 2014, the 2014 Street Maintenance Program in the City of North Canton, increasing the appropriation from not to exceed \$460,000.00 to not to exceed \$640,000.00, 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 Ordinance No. 45 - 2014, 2014 Street Maintenance Program, be, and the same is hereby amended to increase its appropriation from not to exceed \$460,000.00 to not to exceed \$640,000.00.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely completion of the 2014 Street Maintenance Program, which will improve the flow of traffic and increase the safety for motorists and pedestrians; 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

LIMITS AND SCOPE OF WORK

The following streets shall be treated by grinding and removing approximately 1-1/2" of existing pavement surface. Dig out repairs, if required, shall be done at this time. The milled surface shall be broom cleaned, and item #407 applied at a rate of .07 gallon per square yard. An asphalt surface course shall be installed and compacted to 1-1/2". Manholes shall be set to finish grade using the "MR. MANHOLE" procedure including new frames and new City logo lids.

AFTON CIR. SW – Mabry Mill to End

ASHFORD CIR NE - Orion to End

BENNINGTON CIR. SW - Mabry Mill to End

BURKSHIRE DR. SW - Mabry Mill to End

CHARLOTTE ST. NE – N. Main to Orchard

LANCASTER GATE – Easthill at Intersection

ORION ST. NE – Brittany to Ashley

SCHNEIDER ST. SE – S. Main to Corp. Line

TURNBERRY CIR. SW - Mabry Mill to End

VALLEY DRIVE – Terrace to Valleyview

The following streets shall be treated by grinding and removing approximately 2-1/4" of existing concrete pavement surface. Dig out repairs, if required, shall be done at this time. The milled surface shall be cleaned, and a 3/4" asphalt intermediate course shall be placed. Glaspave 25 shall be installed the full width. A 1-1/2" asphalt surface shall then be placed.

IRONDALE CIR. NE – Marquardt to Cul-de-sac

ORION ST. NE – Concrete Section within Paving Limits

North Canton City Council
Finance and Property Committee

Ordinance No. 71 - 2014

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 Project Fund to the Contract Payments Account in the amount of \$182,500.00 for the current expenses during the fiscal year ending December 31, 2014, and declaring the same to be an emergency.

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

Section 1. To provide for the current expenses and other expenditures of the City of North Canton, Ohio, during the fiscal year ending December 31, 2014, the following funds, be, and are hereby set aside and appropriated as follows:

Appropriate From:

The unappropriated resources of the Capital Project Fund \$182,500.00

Appropriate To:

330 CAPITAL IMPROVEMENT FUND
330.546.5229 Contract Payments \$182,500.00

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 appropriate the funds to cover the cost of the 2014 Street Maintenance Project in the City of North Canton, which will improve the flow of traffic and increase safety for motorists and pedestrians; 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