

**North Canton City Council Notice
Committee of the Whole Agenda
Monday, June 6, 2016 – 7:00 p.m.**

North Canton City Council will meet as a Committee of the Whole **Monday, June 6, 2016 at 7:00 p.m.** in Council chamber at North Canton City Hall.

Items to be discussed.

1. Street and Alley Committee

Chairperson: Dominic Fonte
Vice Chairperson: Daniel Peters
Mark Cerreta
Doug Foltz
Dan Griffith
Marcia Kiesling
Stephanie Werren

- (a) An ordinance accepting a record plat of The Sanctuary No. 3 located within the corporate limits of the City of North Canton.
- (b) An ordinance approving, confirming and accepting a perpetual public utility easement, known as Parcel No. 9202359, and being part of Lot No. 2470, by and between the City of North Canton, an Ohio charter municipal corporation ("City"), and Patricia D. Fuller, Grantor, and declaring the same to be an emergency.
- (c) An ordinance approving, confirming and accepting a perpetual public utility easement, known as Parcel No. 9206384, and being part of Lot No. 2471, by and between the City of North Canton, an Ohio charter municipal corporation ("City"), and Charles Cramer, Grantor, and declaring the same to be an emergency.

2. Finance and Property Committee

Chairperson: Dan Griffith
Vice Chairperson: Marcia Kiesling
Mark Cerreta
Doug Foltz
Dominic Fonte
Daniel Peters
Stephanie Werren

- (a) An ordinance repealing and replacing Ordinance No. 32 – 2013 establishing rates and policies for rental of the North Canton Civic Center and gazebo, repealing any and all legislation passed previously and inconsistent with this ordinance, and declaring the same to be an emergency.
 - (b) An ordinance permitting the City of North Canton to accept certain Sanctuary lots as collateral for a performance bond in the amount of \$97,823.00, and a maintenance bond in the amount of \$103,706.00, between the City and McKinley Development Corporation for The Sanctuary No. 3 construction project, and declaring the same to be an emergency.
3. Upon a majority roll call vote Council and the Director of Law will move into executive session for the purpose of discussing a dispute that is the subject of an imminent court action.

Mary Beth Bailey
Clerk of Council

North Canton City Council
Street and Alley Committee

Ordinance No. - 2016

An ordinance accepting a record plat of The Sanctuary No. 3 located within the corporate limits of the City of North Canton.

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

- Section 1. That the record plat of The Sanctuary No. 3, known as being part of Out Lot 401 in the City of North Canton, and being situated in the Northeast Quarter of Section 8, Township 11 (Plain), Range 8, Stark County, Ohio, be, and is hereby accepted.
- Section 2. That the City of North Canton does hereby accept the dedication of Lauren Green Drive NE., Pickforde Drive NE., (50 feet in width), Royal Oak Ave NE., (50 feet in width), Dunway Ave NE., and various sanitary sewer, storm sewer, drainage and landscape easements along with various blocks and open space as more fully described in the plat attached hereto and incorporated herein.
- Section 3. That this acceptance is contingent upon the owner and the developer complying with all requirements imposed by law and further contingent upon the approval and signature of the City Engineer and the Director of Law.
- Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

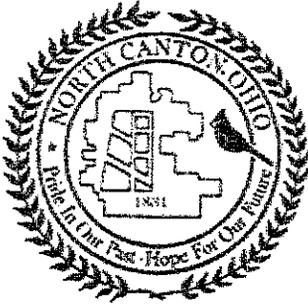
Passed in Council this _____ day of _____, 2016

David Held, Mayor

Signed: _____, 2016

ATTEST:

Mary Beth Bailey, Clerk of Council



City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587

RECEIVED

MAY 24 2016

ADMINISTRATION
NORTH CANTON, OHIO

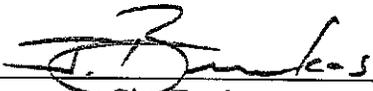
LEGISLATION REQUEST

May 24, 2016

To: **Daniel Jeff Peters, President**
City Council

Subject: **The Sanctuary No. 3 – Plat Approval**

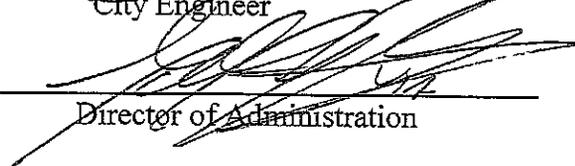
Requested By:



City Engineer

Date: 5/24/2016

Approved By:



Director of Administration

Date: 5/24/2016

Requesting legislation accepting the record plat for The Sanctuary No. 3.

Situated in the Township of Plain and the City of North Canton, County of Stark, State of Ohio and known as being part of the northeast quarter of Section No. 8, Township 11 (Plain) Range No. 8, and also being part of Out Lot 401 in the City of North Canton. Plat will include the dedication of Laurel Green Drive N.E., Pickforde Drive N.E. (50' in width), Royal Oak Avenue N.E. (50' in width), Dunway Ave. N.E. and various sanitary sewer, storm sewer, drainage and landscape easements, along with various blocks and open space.

EMERGENCY REQUESTED: Yes X No _____

RECEIVED

MAY 24 2016

COUNCIL OFFICE
NORTH CANTON, OHIO

North Canton City Council
Street and Alley Committee

Ordinance No. - 2016

An ordinance approving, confirming and accepting a perpetual public utility easement, known as Parcel No. 9202359, and being part of Lot No. 2470, by and between the City of North Canton, an Ohio charter municipal corporation ("City"), and Patricia D. Fuller, Grantor, and declaring the same to be an emergency.

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

- Section 1. That a perpetual public utility easement, known as Parcel No. 9202359, by and between the City, and Patricia D. Fuller, be, and the same is hereby approved, confirmed and accepted.
- Section 2. That attachments regarding this easement are attached hereto and incorporated herein as if fully rewritten herein.
- 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 City to have prompt access to the utility as well as sanitary sewer pipes and lines; 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 _____ 2016

David Held, Mayor

Signed: _____, 2016

ATTEST:

Mary Beth Bailey, Clerk of Council

PERPETUAL UTILITY EASEMENT
Parcel No.: 9202359

For and in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Patricia D. Fuller, GRANTOR, does hereby give and grant unto THE CITY OF NORTH CANTON, an Ohio municipal corporation, GRANTEE, a perpetual utility easement to lay, re-lay, construct, install, maintain, operate, alter, inspect, repair, remove, replace, and renew at will a public storm sewer, and to perform any other tasks GRANTEE deems necessary or advisable in order to operate or maintain said storm sewer conduit, connections, pipes and appurtenances in accordance with the ordinances, rules, and regulates of Grantee, which are now in effect or may be adopted hereafter, including the right of ingress and egress at any time to and from such utility and all appurtenances thereto on, under and through the following property, a/k/a the "Easement Area":

SEE ATTACHED EXHIBITS "A and B"

It is agreed by and between Grantor and Grantee as follows:

1. That the Grantee shall have the right to remove fences, shrubbery, plants, trees, landscaping, lawns, driveways, walkways, and paving within the Easement Area during initial construction or future maintenance of the utility and all appurtenances thereto. The Grantee shall be responsible to restore the surface area of the easement, disturbed by Grantee, to as closely as possible to its condition at the time of construction or maintenance. The Grantee will pay reasonable 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 Grantor, one by the Grantee, 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 Grantor, nor shall anything be placed in the vicinity of the easement which might be injurious to the utility. However, nothing herein shall interfere with the right of Grantor to place driveways, parking areas, or walkways in said easement. Grantor shall not change the ground elevation, within the easement area, without approval of Grantee.
3. That the Grantor may extend across, or grant easements to others to extend across said easement area to minimum acceptable clearances as determined by the Grantee.
4. That Grantor shall indemnify, defend and hold harmless Grantee from any and all claims, liabilities, damages, actions, costs and expenses or complaints, including reasonable attorney fees, arising out of Grantor's use of the Easement Area.
5. That upon removal of said utility and all appurtenances thereto, the Easement Area shall be restored as closely as possible to its then condition at the time of removal.
6. That this grant shall be binding upon the Grantor and Grantee and shall inure to the benefit of their respective heirs, executors, administrators, successors, and assigns forever.

7. That Grantor covenants with Grantee that it is well seized of the Easement Area as a good and indefeasible estate in fee simple and has the right to grant and convey the Easement Area in the manner and form described above. Grantor further covenants that it will warrant and defend the premises with the appurtenances thereunto belonging to Grantee against all lawful claims and demands whatsoever for the purposes described herein.
8. That this easement is subject to all matters of record.

IN WITNESS WHEREOF, the undersigned grantor(s) have caused their name to be subscribed to this Perpetual Utility Easement this 9 day of May, 2016.

GRANTOR(S):

Patricia D. Fuller

Patricia D. Fuller

(Signed Name)

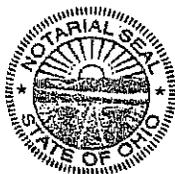
NOTARY:

STATE OF OHIO)
) SS:
 COUNTY OF STARK)

Before me, a Notary Public in and for said County, personally appeared Patricia D. Fuller, owner of Lot 2470 in the City of North Canton, 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 9 Day of May, 2016.

Linda J Teis
 Notary Public



Linda J Teis
 Notary Public, State of Ohio
 My Commission Expires 10-31-2017

Seal

This instrument prepared by: City of North Canton
 145 North Main Street
 North Canton, OH 4720

EXHIBIT A
DESCRIPTION OF A 0.0336 ACRE UTILITY EASEMENT

Situated in the City of North Canton, County of Stark, State of Ohio, and being part of North Canton City Lot 2470 as conveyed to Patricia D. Fuller (hereinafter known as the "Grantor") by Inst. No. 201111150046011 of the records of said county and being more fully described as follows:

Beginning at the northwest corner of City Lot 2465 as conveyed to Christine M. Schoenberg (Inst. No. 201002230006474), the southwest corner of City Lot 2469 as conveyed to Linda L. Miday (Inst. No. 201105270020406), and on the east line of City Lot 2464 as conveyed to Anthony R. McLaughlin & Jennifer M. McLaughlin (Inst. No. 201210190048181), said corner being witnessed by a 1 inch rebar found bearing South 11 Degrees 34 Minutes 19 Seconds West, a distance of 0.15 feet; thence North 01 Degrees 31 Minutes 40 Seconds East along the division line of City Lots 2464 and 2469 and partially along the Grantor's west line, a distance of 87.53 feet to the **TRUE PLACE OF BEGINNING** for the parcel hereinafter described, thence in a clockwise direction along the following three (3) courses and distances;

1. Thence **North 01 Degrees 31 Minutes 40 Seconds East** along the Grantor's west line and partially along the east line of City Lot 2464 and a parcel conveyed to the City of North Canton, Ohio (Vol. 2721, Pg. 421), a distance of **72.47 feet** to the Grantor's northwest corner and the southwest corner of City Lot 2471 as conveyed to the City of North Canton (Vol. 4164, Pg. 425);
2. Thence **South 88 Degrees 19 Minutes 59 Seconds East** along the Grantor's north line and the south line of said City Lot 2471, a distance of **40.40 feet** to a point;
3. Thence **South 30 Degrees 42 Minutes 06 Seconds West**, a distance of **82.89 feet** to the **TRUE PLACE OF BEGINNING**.

The above described parcel contains 0.0336 acres, more or less, and subject to all easements, restrictions and covenants of record.

The above described area is contained within Stark County Parcel Number 9202359.

The Basis of Bearing is Grid North of the Ohio State Plane Coordinate System, North Zone, NAD83(2011).

This description was prepared and reviewed under the supervision of Steven L. Mullaney, Professional Surveyor No. 7900 from a survey completed in September 2015.



Glaus, Pyle, Schomer, Burns, & DeHaven, Inc.
dba GPD Group

Steven L. Mullaney 03/16/16
Steven L. Mullaney, P.S.
Professional Surveyor No. 7900

BASIS FOR BEARINGS:

ALL BEARINGS SHOWN ARE FOR PROJECT USE ONLY.
 GRID NORTH OF THE OHIO STATE PLANE COORDINATE
 SYSTEM, NORTH ZONE, NAD83 (2011)

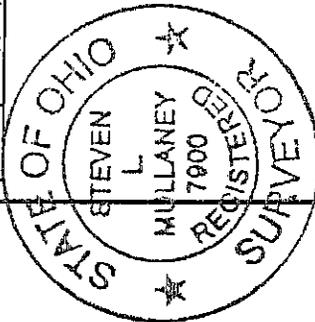
NOTE: THE EXISTING R/W WIDTH AND PROPERTY
 LINE LOCATION WERE DETERMINED USING
 DEEDS, ROAD RECORDS, AND PLATS ON
 FILE AT THE STARK COUNTY RECORDER'S
 OFFICE.

I, Steven L. Mullaney, P. S. have conducted a survey of the existing conditions for the City of North Canton in
 September, 2015. The results of that survey are contained herein. The horizontal coordinates expressed herein
 are in grid values and based on the Ohio State Plane Coordinate System, North Zone on NAD 83 (2011) datum. As a part
 of this project I have reestablished the locations of the existing property lines for the property takes contained
 herein. All of my work contained herein was conducted in accordance with Ohio Administrative Code 4733-37 commonly
 known as "A Minimum Standards for Boundary Surveys in the State of Ohio" unless noted. The words I and my as used
 herein are to mean either myself or someone working under my direct supervision.

Steven L. Mullaney
 Steven L. Mullaney, Professional Land Surveyor No. 7900

Date: 03/16/16

LINE	BEARING	DISTANCE
L1	N 1° 31' 40" E	72.47'
L2	S 88° 19' 59" E	40.40'
L3	S 30° 42' 6" W	82.89'



CITY OF NORTH CANTON
 COUNTY OF STARK
 STATE OF OHIO
 PART OF NORTH CANTON CITY LOT 2470

THE CITY OF NORTH CANTON, OHIO
 VOL. 2721, PG. 421
 PN: 9280118
 PART OF O.L. 108 & 127

CITY OF NORTH CANTON
 VOL. 4164, PG. 425
 PN: 9280197
 PT. LOT #2471

PN: 9280176
 PT. LOT #2472

PN: 9201862
 PT. LOT #2472

CHARLES CRAMER
 INST. NO. 20070110002162
 PN: 9206384
 LOT #2471

PATRICIA D. FULLER
 INST. NO. 2011150046011
 PN: 9202359
 LOT #2470

LINDA L. MIDAY
 INST. NO. 201105270020406
 PN: 9204097
 LOT #2469

CHRISTINE M.
 SCHOENBERG
 INST. NO.
 201002230006474
 PN: 9204251
 LOT #2465

ANTHONY R. McLAUGHLIN &
 JENNIFER M. McLAUGHLIN
 INST. NO. 201210190048181
 PN: 9204679
 LOT #2464

P.O.B.
 1" Rebar (found)
 S 71° 34' 19" W
 0.15'

0.0336 AC.
 1464 Sq. Ft.

S 25° 25' 40" W

N 31° 10' 53" E

S 88° 19' 59" E

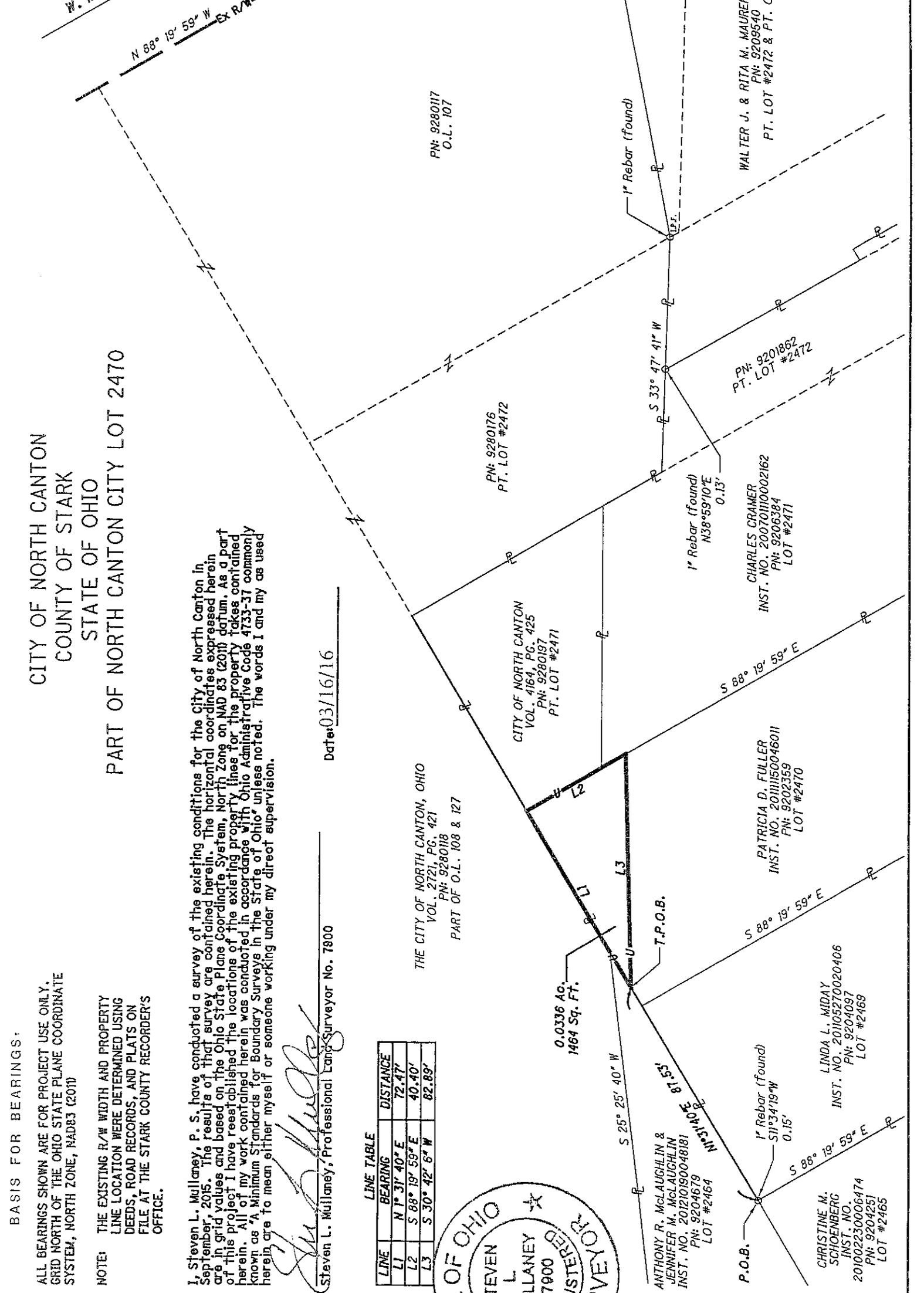
S 88° 19' 59" E

1" Rebar (found)
 N 38° 59' 10" E
 0.13'

S 33° 47' 41" W

1" Rebar (found)

WALTER J. & RITA M. MAURER - TRUSTEES
 PN: 9209540
 PT. LOT #2472 & PT. O.L. 107





City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587

RECEIVED

MAY 17 2016

ADMINISTRATION
NORTH CANTON, OHIO

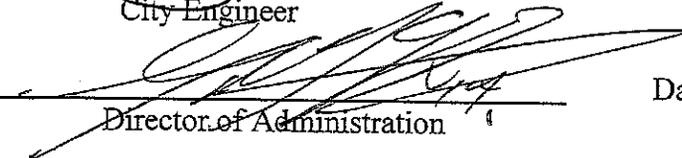
LEGISLATION REQUEST

May 16, 2016

To: **Daniel Jeff Peters, President**
City Council

Subject: **Perpetual Utility Easements** (Price Park Culvert Project)

Requested By:  Date: 5/16/16
City Engineer

Approved By:  Date: 5/16/16
Director of Administration

Requesting legislation accepting two (2) Perpetual Utility Easements.

Parcel No. 9202359 (Patricia Fuller)
Parcel No. 9206384 (Charles Cramer)
(See Attached)

EMERGENCY REQUESTED: Yes X No

RECEIVED

MAY 17 2016

COUNCIL OFFICE
NORTH CANTON, OHIO

North Canton City Council
Street and Alley Committee

Ordinance No. - 2016

An ordinance approving, confirming and accepting a perpetual public utility easement, known as Parcel No. 9206384, and being part of Lot No. 2471, by and between the City of North Canton, an Ohio charter municipal corporation ("City"), and Charles Cramer, Grantor, and declaring the same to be an emergency.

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

- Section 1. That a perpetual public utility easement, known as Parcel No. 9206384, by and between the City, and Charles Cramer, be, and the same is hereby approved, confirmed and accepted.
- Section 2. That attachments regarding this easement are attached hereto and incorporated herein as if fully rewritten herein.
- 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 City to have prompt access to the utility as well as sanitary sewer pipes and lines; 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 _____ 2016

David Held, Mayor

Signed: _____, 2016

ATTEST:

Mary Beth Bailey, Clerk of Council

PERPETUAL UTILITY EASEMENT
Parcel No.: 9206384

For and in consideration of ONE DOLLAR (\$1.00) and other good and valuable consideration, the sufficiency of which is hereby acknowledged, the Charles Cramer, GRANTOR, does hereby give and grant unto THE CITY OF NORTH CANTON, an Ohio municipal corporation, GRANTEE, a perpetual utility easement to lay, re-lay, construct, install, maintain, operate, alter, inspect, repair, remove, replace, and renew at will a public storm sewer, and to perform any other tasks GRANTEE deems necessary or advisable in order to operate or maintain said storm sewer conduit, connections, pipes and appurtenances in accordance with the ordinances, rules, and regulates of Grantee, which are now in effect or may be adopted hereafter, including the right of ingress and egress at any time to and from such utility and all appurtenances thereto on, under and through the following property, a/k/a the "Easement Area":

SEE ATTACHED EXHIBITS "A and B"

It is agreed by and between Grantor and Grantee as follows:

1. That the Grantee shall have the right to remove fences, shrubbery, plants, trees, landscaping, lawns, driveways, walkways, and paving within the Easement Area during initial construction or future maintenance of the utility and all appurtenances thereto. The Grantee shall be responsible to restore the surface area of the easement, disturbed by Grantee, to as closely as possible to its condition at the time of construction or maintenance. The Grantee will pay reasonable 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 Grantor, one by the Grantee, 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 Grantor, nor shall anything be placed in the vicinity of the easement which might be injurious to the utility. However, nothing herein shall interfere with the right of Grantor to place driveways, parking areas, or walkways in said easement. Grantor shall not change the ground elevation, within the easement area, without approval of Grantee.
3. That the Grantor may extend across, or grant easements to others to extend across said easement area to minimum acceptable clearances as determined by the Grantee.
4. That Grantor shall indemnify, defend and hold harmless Grantee from any and all claims, liabilities, damages, actions, costs and expenses or complaints, including reasonable attorney fees, arising out of Grantor's use of the Easement Area.
5. That upon removal of said utility and all appurtenances thereto, the Easement Area shall be restored as closely as possible to its then condition at the time of removal.
6. That this grant shall be binding upon the Grantor and Grantee and shall inure to the benefit of their respective heirs, executors, administrators, successors, and assigns forever.

7. That Grantor covenants with Grantee that it is well seized of the Easement Area as a good and indefeasible estate in fee simple and has the right to grant and convey the Easement Area in the manner and form described above. Grantor further covenants that it will warrant and defend the premises with the appurtenances thereunto belonging to Grantee against all lawful claims and demands whatsoever for the purposes described herein.
8. That this easement is subject to all matters of record.

IN WITNESS WHEREOF, the undersigned grantor(s) have caused their name to be subscribed to this Perpetual Utility Easement this 27 day of APRIL, 2016.

GRANTOR(S):

Charles Cramer

Charles Cramer
 (Signed Name)

NOTARY:

STATE OF OHIO)
) SS:
 COUNTY OF STARBUCK)

Before me, a Notary Public in and for said County, personally appeared Charles Cramer, owner of Part of Lot 2471 in the City of North Canton, 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 27 Day of APRIL, 2016.

Linda J. Tols
 Notary Public

Seal



Linda J Tols
 Notary Public, State of Ohio
 My Commission Expires 10-31-2017

This instrument prepared by: City of North Canton
 145 North Main Street
 North Canton, OH 4720

EXHIBIT A
DESCRIPTION OF A 0.0045 ACRE UTILITY EASEMENT

Situated in the City of North Canton, County of Stark, State of Ohio, and being part of North Canton City Lot 2471 as conveyed to Charles Cramer (hereinafter known as the "Grantor") by Inst. No. 200701110002162 of the records of said county and being more fully described as follows:

Beginning at the northwest corner of City Lot 2465 as conveyed to Christine M. Schoenberg (Inst. No. 201002230006474), the southwest corner of City Lot 2469 as conveyed to Linda L. Miday (Inst. No. 201105270020406), and on the east line of City Lot 2464 as conveyed to Anthony R. McLaughlin & Jennifer M. McLaughlin (Inst. No. 201210190048181), said corner being witnessed by a 1 inch rebar found bearing South 11 Degrees 34 Minutes 19 Seconds West, a distance of 0.15 feet; thence North 01 Degrees 31 Minutes 40 Seconds East along the west line of City Lots 2469, 2470, 2471 and the east line of City Lot 2464 and a parcel conveyed to the City of North Canton, Ohio (Vol. 2721, Pg. 421), a distance of 240.00 feet to the northwest corner of City Lot 2471 as conveyed to City of North Canton (Vol. 4164, Pg. 425) and the southwest corner of City Lot 2472 as conveyed to the City of North Canton, Ohio (Vol. 2721, Pg. 421); thence South 88 Degrees 19 Minutes 59 Seconds East along the north line of said City Lot 2471 and the south line of said City Lot 2472, a distance of 78.00 feet to the Grantor's northwest corner and the northeast corner of said City of North Canton (Vol. 4164, Pg. 425) parcel, said corner being the **TRUE PLACE OF BEGINNING** for the parcel hereinafter described, thence in a clockwise direction along the following three (3) courses and distances;

1. Thence **South 88 Degrees 19 Minutes 59 Seconds East** along the Grantor's north line and the south line of said City Lot 2472, a distance of **11.83 feet** to a point;
2. Thence **South 45 Degrees 14 Minutes 54 Seconds West**, a distance of **45.52 feet** to a point on the Grantor's west line and the east line of that portion of City Lot 2471 as conveyed to City of North Canton (Vol. 4164, Pg. 425);
3. Thence **North 32 Degrees 19 Minutes 28 Seconds East** along said line, a distance of **38.33 feet** to the **TRUE PLACE OF BEGINNING**.

The above described parcel contains 0.0045 acres, more or less, and subject to all easements, restrictions and covenants of record.

The above described area is contained within Stark County Parcel Number 9206384.

The Basis of Bearing is Grid North of the Ohio State Plane Coordinate System, North Zone, NAD83(2011).

This description was prepared and reviewed under the supervision of Steven L. Mullaney, Professional Surveyor No. 7900 from a survey completed in September 2015.

Glaus, Pyle, Schomer, Burns, & DeHaven, Inc.
Odessa GPD Group



Steven L. Mullaney 03/16/16
Steven L. Mullaney, P.S.
Professional Surveyor No. 7900

Closure Report

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Parcel 2-U: RW4 RW5 RW6 RW4

RW4 to RW5: South 88 Degrees 19 Minutes 59 Seconds East Dist. 11.83

RW5 to RW6: South 45 Degrees 14 Minutes 54 Seconds West Dist. 45.52

RW6 to RW4: North 32 Degrees 19 Minutes 28 Seconds East Dist. 38.33

Perimeter: 95.68

Area: 195.1 sq. ft., Acres: 0.0045

Error North: -0.00 Error East: -0.01

Error bearing: North 74 Degrees 48 Minutes 01 Seconds East Total Dist. Error: 0.01

Error of Closure: 1:14974

North Canton City Council
Finance and Property Committee

Ordinance No. - 2016

An ordinance repealing and replacing Ordinance No. 32 – 2013 establishing rental rates and policies for rental of the North Canton Civic Center and gazebo, repealing any and all legislation passed previously and inconsistent with this ordinance, 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 following rental rates and policies for the rental of the North Canton Civic Center located at 845 West Maple Street, be, and the same are hereby established as follows:

	Events Hall
Friday	\$ 600.00
Saturday	900.00
Sunday	600.00
Weekdays	325.00
Holiday Weekdays	900.00
Weekdays AM*	225.00

That the weekday morning rate shall apply to rentals that vacate the premises by 1:00 noon.

Section 2. That there be, and are hereby established the following discount rates for rental of the third day of the North Canton Civic Center:

	Events Hall
Friday	\$ 500.00
Saturday	700.00
Sunday	500.00
Weekdays	275.00
Weekdays AM*	200.00

Said rates shall be applicable after rental of two days at the regular rate.

Section 3. That there be, and are hereby established the following discount rates for rental of the fourth day of the North Canton Civic Center:

	Events Hall
Friday	\$ 450.00
Saturday	600.00
Sunday	400.00
Weekdays	250.00
Weekdays AM*	150.00

Said rates shall be applicable after rental of two days at the regular rate and the third day at the discount rate listed above.

Section 4. That there be, and is hereby established the following damage security deposit amounts for the Civic Center.

Events Hall \$ 400.00

The rate schedule for the damage security deposit is not the maximum amount for which a renter may be held responsible.

Section 5. That there be, and is hereby established the following rental rates for outdoor chairs for use at the Civic Center Gazebo.

Rental Chairs \$ 150.00

Said rates shall be applicable for a single day's rental for up to and including fifty (50) chairs.

Section 6. That at any event where alcoholic beverages are to be provided, the renter pay an additional amount of \$300.00 to the City of North Canton, which amount shall be applied to the cost of providing security services.

Section 7. That there be and is hereby established a contract rate of ten (10%) percent discount for five up to nine weekly reservations, excluding Friday nights and Saturdays, in a twelve month period.

That there be and is hereby established a contract rate of twenty-five (25%) percent discount for ten or more weekly reservations, excluding Friday nights and Saturdays, in a twelve month period.

Said discount shall be applicable to reservations made prior to the effective date of this ordinance, but be used in part subsequent to the effective date of this ordinance.

Section 8. That there be and is hereby established the following refund policy for cancellation of a reservation for the North Canton Civic Center: a reservation confirmation requires that one-half of the applicable rental rate be paid at the time of confirmation.

Cancellation 120 days prior to reservation	Full Refund
Cancellation 90 to 120 days prior to reservation	Fifty (50%) Percent Refund
Cancellation less than 90 days	No Refund

Section 9. That there be and is hereby established a procedure whereby governmental and school entities shall have the option of renting the North Canton Civic Center through a purchase order.

Section 10. That the Mayor, be, and is hereby authorized to establish a security policy for the North Canton Civic Center.

- Section 11. That games of chance shall be permitted at the Civic Center if the renter complies with the laws of the State of Ohio.
- Section 12. That Ordinance No. 32 - 2013 and any and all legislation passed previously and inconsistent with this ordinance, be, and the same is hereby repealed.
- Section 13. 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 14. 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 the North Canton Civic Center and gazebo rental rates; 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 _____, 2016

David Held, Mayor

SIGNED: _____, 2016

ATTEST:

Mary Beth Bailey, Clerk of Council



7300 Freedom Ave · North Canton, OH 44720
Phone: 330-499-1528 Fax: 330-966-3617

CITY OF NORTH CANTON
JAMES M. DAVIS SR.
Superintendent of City Services

Legislation Request

To: Jeff Peters, Council President

Date: May 12, 2016

Subject: **Revision of Ordinance 32-13**

Please place the above subject matter on the next available Committee of the Whole agenda for consideration of a revision to Ordinance 32-13 authorizing a revision for the weekday rental times and the addition of rental chairs at the Civic Center gazebo.

In Ordinance 32-13 Section 1, the proposed revision is to change the weekday rental rate from 12:00pm to 1:00pm to allow corporate renters more time during morning sessions.

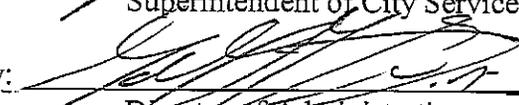
The addition to the Ordinance is to allow the City of North Canton to rent out event chairs at the Civic Center Gazebo at a flat rate of \$150.00 for 50 chairs. This would provide an added benefit to the renters and facilitate the rental process for weddings and events at the Civic Center gazebo. All aforementioned items have been approved by the City of North Canton Park Board.

EMERGENCY REQUESTED YES NO

Time is of the essence as the wedding and event season is rapidly approaching and our customers need to plan for their event.

Requested by: 
Superintendent of City Services

Date: 5/12/2016

Approved by: 
Director of Administration

Date: 5-12-2016

RECEIVED

MAY 12 2016

COUNCIL OFFICE
NORTH CANTON, OHIO

RECORD OF ORDINANCES

Ordinance No. 32-13

Passed

May 13

2013

5/7/13-gmk
(Park & Recreation)

Ordinance No. 32-13

An ordinance establishing rental rates and policies for rental of the North Canton Civic Center, repealing Ordinance No. 37-10 and any and all legislation passed previously and inconsistent with this ordinance, 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 following rental rates and policies for the rental of the North Canton Civic Center located at 845 West Maple Street, be, and the same are hereby established as follows:

	Events Hall
Friday	\$ 600.00
Saturday	900.00
Sunday	600.00
Weekdays	325.00
Holiday Weekdays	900.00
Weekdays AM*	225.00

CHANGE TIME →

*That the weekday morning rate shall apply to rentals that vacate the premises by ~~12:00~~ *1:00pm* noon.

Section 2. That there be, and are hereby established the following discount rates for rental of the third day of the North Canton Civic Center:

	Events Hall
Friday	\$ 500.00
Saturday	700.00
Sunday	500.00
Weekdays	275.00
Weekdays AM*	200.00

Said rates shall be applicable after rental of two days at the regular rate.

Section 3. That there be, and are hereby established the following discount rates for rental of the fourth day of the North Canton Civic Center:

	Events Hall
Friday	\$ 450.00
Saturday	600.00
Sunday	400.00
Weekdays	250.00
Weekdays AM*	150.00

Said rates shall be applicable after rental of two days at the regular rate and the third day at the discount rate listed above.

Section 4. That there be, and is hereby established the following damage security deposit amounts for the Civic Center.

Events Hall \$ 400.00

The rate schedule for the damage security deposit is not the maximum amount for which a renter may be held responsible.

Section 5. That at any event where alcoholic beverages are to be provided, the renter pay an additional amount of \$300.00 to the City of North Canton, which amount shall be applied to the cost of providing security services.

RECORD OF ORDINANCES

Draft Legal Blank, Inc.

Form No. 3413

Ordinance No. 32-13

Passed May 13

2013

Section 6. That there be and is hereby established a contract rate of ten (10%) percent discount for five up to nine weekly reservations, excluding Friday nights and Saturdays, in a twelve month period.

That there be and is hereby established a contract rate of twenty-five (25%) percent discount for ten or more weekly reservations, excluding Friday nights and Saturdays, in a twelve month period.

Said discount shall be applicable to reservations made prior to the effective date of this ordinance, but be used in part subsequent to the effective date of this ordinance.

Section 7. That there be and is hereby established the following refund policy for cancellation of a reservation for the North Canton Civic Center: a reservation confirmation requires that one-half of the applicable rental rate be paid at the time of confirmation.

Cancellation 120 days prior to reservation	Full Refund
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Cancellation 90 to 120 days prior to reservation	Fifty (50%) Percent Refund
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Cancellation less than 90 days	No Refund
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Section 8. That there be and is hereby established a procedure whereby governmental and school entities shall have the option of renting the North Canton Civic Center through a purchase order.

Section 9. That the Mayor, be, and is hereby authorized to establish a security policy for the North Canton Civic Center.

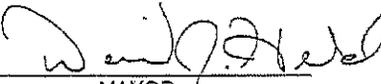
Section 10. That games of chance shall be permitted at the Civic Center if the renter complies with the laws of the State of Ohio.

Section 11. That Ordinance No. 37-10 and any and all legislation passed previously and inconsistent with this ordinance, be, and the same is hereby repealed.

Section 12. 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.

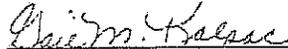
Section 13. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety, and peace of the City of North Canton and further necessary for the timely implementation of the North Canton Civic Center rental rates; wherefore, provided it receives 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: 5/13/13


MAYOR

SIGNED: 5-13, 2013

ATTEST:


CLERK OF COUNCIL

Ordinance 32-13 addition

That there be, and hereby established the following rental rates for outdoor chairs for use at the Civic Center Gazebo.

Rental Chairs	\$ 150.00
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Said rates shall be applicable for a single day's rental for up to and including fifty (50) chairs.

North Canton City Council
Finance and Property Committee

Ordinance No. - 2016

An ordinance permitting the City of North Canton to accept certain Sanctuary lots as collateral for a performance bond in the amount of \$97,823.00, and a maintenance bond in the amount of \$103,706.00, between the City and McKinley Development Corporation for The Sanctuary No. 3 construction project, and declaring the same to be an emergency.

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

- Section 1. That the McKinley Development Corporation shall secure a performance bond in the amount of \$97,823.00, and a maintenance bond in the amount of \$103,706.00, by offering certain Sanctuary lots as collateral, as more fully described in the deeds attached hereto and incorporated herein, thereby guaranteeing the timely installation of necessary public utilities and other improvements as described in North Canton Codified Ordinance 1107.07, for The Sanctuary No. 3 construction project.
- Section 2. That the Mayor be, and is hereby authorized to sign deeds for the above-described performance bond and maintenance bonds.
- 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 assuring necessary construction obligations are timely completed for The Sanctuary No. 3 project; 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 _____ 2016

David Held, Mayor

Signed: _____, 2016

ATTEST:

Mary Beth Bailey, Clerk of Council