

**NOTICE OF NORTH CANTON SPECIAL CITY COUNCIL MEETING
EXECUTIVE SESSION**

Monday, July 11, 2016, 6:15 p.m., prior to the Council Meeting

Mr. Daniel Peters, President, North Canton City Council, has requested a special Council meeting, together with the Director of Law, for Monday, July 11, 2016, at 6:15 p.m., prior to the regularly scheduled 7:00 p.m. Council Meeting in Council chambers at North Canton City Hall.

The meeting's purpose, and upon motions and favorable roll call votes, shall be for Council to move into executive session with the Director of Law to discuss the employment of a public employee and a dispute involving the City that is the subject of imminent court action. The executive session will not be open to the public.

**NOTICE OF NORTH CANTON CITY COUNCIL MEETING
Monday, July 11, 2016, 7:00 p.m., City Hall
Agenda**

1. Call to Order
2. Opening Prayer
3. Pledge of Allegiance
4. Roll Call
5. Consideration

Council Meeting Minutes - June 27, 2016

Special Committee of the Whole Meeting Minutes - June 27, 2016

Transfer of Liquor License from NEETU LLC DBA AVNEET, 1406 N Main St., North Canton, Ohio 44720, to J VAS INC, 1406 N Main St., North Canton, Ohio 44720

6. Recognition of Karen Alger for her service as Director of Finance
7. Recognition of Visitors
8. Old Business
9. **Ordinance No. 42 - 2016 - 3rd Reading - Street and Alley Committee**

An ordinance accepting a record plat of The Sanctuary No. 3 located within the corporate limits of the City of North Canton, and declaring the same to be an emergency.

10. **Ordinance No. 43 - 2016 - 3rd Reading - Street and Alley Committee**

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.

11. Ordinance No. 44 - 2016 - 3rd Reading - Street and Alley Committee

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.

12. Ordinance No. 45 - 2016 - 3rd Reading - Finance and Property Committee

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.

13. Ordinance No. 46 - 2016 - 3rd Reading - Finance and Property Committee

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.

14. New Business

15. Discussion on the appointment of the new Director of Finance led by Councilman Griffith

16. Ordinance No. 47 - 2016 - 1st Reading - Community and Economic Development Committee

An ordinance authorizing the vacation of a portion of Orchard Street NE and Witwer Street NE, located within the corporate limits of the City of North Canton.

17. Ordinance No. 48 - 2016 - 1st Reading - Community and Economic Development Committee

An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an Application, and to accept and utilize a Stark County Community Development Block Grant Program ("CDBG Program") Fiscal Year 2016, for a grant for the 7th Street NW Reconstruction Project, and declaring the same to be an emergency.

18. Ordinance No. 49 - 2016 - 1st Reading - Ordinance, Rules and Claims Committee

An ordinance amending CHAPTER 1133 - SINGLE FAMILY AND TWO FAMILY RESIDENTIAL DISTRICT REGULATIONS, of the Codified Ordinances of the City of North Canton, specifically Section 1133.08(c)(3) Additional Regulations for Garages, Parking Areas, Driveways and Vehicles.

19. Ordinance No. 50 - 2016 - 1st Reading – Personnel and Safety Committee

An ordinance amending Section 3 of Ordinance No. 38 - 2016 allowing the appointing authority to grant up to four weeks of vacation to include the Director of Law and the Clerk of Council, and declaring the same to be an emergency.

20. Ordinance No. 51 - 2016 - 1st Reading - Finance and Property Committee

An ordinance amending Ordinance No. 11 - 2013, the Price Park Culvert Rehabilitation Project in the City of North Canton, increasing the appropriation from not to exceed \$175,000.00 to not to exceed \$325,000.00.

21. 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		

22. Reports

Director of Law	Director of Finance	Director of Administration
Mayor	City Engineer	Clerk of Council

23. Final Call for New Business

24. Adjourn

Mary Beth Bailey
Clerk of Council

North Canton City Council
Community and Economic Development Committee

Ordinance No. 47 - 2016

An ordinance authorizing the vacation of a portion of Orchard Street NE and Witwer Street NE, located within the corporate limits of the City of North Canton.

WHEREAS, the parcel owners, pursuant to Ohio Revised Code 723.04, initiated said vacation of a portion of Orchard Street NE and Witwer Street NE; and

WHEREAS, North Canton City Council, upon public hearing, is convinced there is a good cause for such vacation, the portion vacated is no longer needed by North Canton, and the vacation will not be detrimental to the general interest.

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

- Section 1. That said portions of Orchard Street NE and Witwer Street NE, from Witwer Street NE to Hower Street NE, and a portion of Witwer Street NE from North Main Street to Orchard Street NE, located within the corporate limits of the City of North Canton, be, and the same are hereby vacated.
- Section 2. That the vacation plat is on file in the Engineer's Office, who shall record the vacation at the Stark County Recorder's Office upon the effective date of this ordinance.
- Section 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this _____ day of _____, 2016

David Held, Mayor

Signed: _____, 2016

ATTEST:

Mary Beth Bailey, Clerk of Council

North Canton City Council
Community and Economic Development Committee

Ordinance No. 48 – 2016

An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an application, and to accept and utilize a Stark County Community Development Block Grant Program ("CDBG Program") for Fiscal Year 2016, for a grant for the 7th Street NW Reconstruction Project, and declaring the same to be an emergency.

WHEREAS, the Board of Stark County Commissioners participates in the U.S. Department of Housing and Urban Development CDBG Program; and

WHEREAS, the City desires to prepare and submit an application, and accept and utilize a CDBG Program grant to fund the 7th Street NW Reconstruction Project.

NOW, THEREFORE, BE IT ORDINANCE 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 prepare and submit an application, and to accept and utilize the CDBG Program for the 7th Street NW Reconstruction Project, from North Main Street to Emerson Avenue. The estimated cost of the street reconstruction project is \$350,000.00, with the City contributing approximately 45%, \$157,000.00, and the remaining 55%, \$192,500.00, covered by the CDBG Program.
- Section 2. That, if any 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 in order to meet the deadline to submit the application for the CDBG Program to obtain a grant for the 7th Street NW Reconstruction 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. 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

North Canton City Council
Ordinance, Rules and Claims Committee

Ordinance No. 49 - 2016

An ordinance amending CHAPTER 1133 – SINGLE FAMILY AND TWO FAMILY RESIDENTIAL DISTRICT REGULATIONS, of the Codified Ordinances of the City of North Canton, specifically Section 1133.08(c)(3) Additional Regulations for Garages, Parking Areas, Driveways and Vehicles.

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

Section 1. That CHAPTER 1133 – SINGLE FAMILY AND TWO FAMILY RESIDENTIAL DISTRICT REGULATIONS, Specifically Section 1133.08(c)(3) Additional Regulations for Garages, Parking Areas, Driveways and Vehicles, of the Codified Ordinances of the City of North Canton, be, and is hereby amended to read as follows:

Section 1133.08(c) Additional Regulations for Garages, Parking Areas, Driveways and Vehicles.

(3) Accessory off-street parking spaces located in the front yard shall adjoin the driveway between the driveway and the nearest side lot line. No accessory parking spaces are to be located directly in front of the dwelling unless the following specific conditions exist.

- (a) The property the dwelling is located on is an interior lot.
- (b) The dwelling has no access for a rear alley for accessory parking.
- (c) The dwelling does not have sufficient width between the existing driveway and the nearest side lot line to widen the existing driveway or extend the driveway into the rear yard.
- (d) If all of the above conditions exist, the Director of Permits and Development may permit one accessory parking space, not to exceed 240 square feet, in a front yard between the existing driveway and the farthest side yard lot line of the front yard. The maximum front yard coverage of all accessory parking spaces, existing sidewalks, porches or other paved areas (excluding the existing driveway) cannot exceed forty percent of the area of the front yard between the existing driveway and farthest side yard lot line and cannot be any closer than three feet from the right-of-way.

Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this ordinance.

Section 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this _____ day of _____, 2016

David Held, Mayor

ATTEST:

SIGNED: _____, 2016

Mary Beth Bailey, Clerk of Council

North Canton City Council
Personnel and Safety Committee

Ordinance No. 50 - 2016

An ordinance amending Section 3 of Ordinance No. 38 – 2016 allowing the appointing authority to grant up to four weeks of vacation to include the Director of Law and the Clerk of Council, 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 Section 3 of Ordinance No. 38 – 2016, be and is hereby amended to read as follows:

The appointing authority may grant up to four weeks of vacation for the positions of Director of Administration, Director of Finance, Deputy Director of Finance, City Engineer, Director of Economic Development, Department Chief or Superintendent, Director of Law and Clerk of Council.

Section 2. That a true and accurate copy of Ordinance No. 38 – 2016 is attached hereto and incorporated herein.

Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that it 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 due to an oversight to include the Director of Law and Clerk of Council with other exempt employees with the update in the vacation levels; 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

ATTEST:

SIGNED: _____, 2016

Mary Beth Bailey, Clerk of Council

North Canton City Council
Finance and Property Committee

Ordinance No. 51 – 2016

An ordinance amending Ordinance No. 11 - 2013, the Price Park Culvert Rehabilitation Project in the City of North Canton, increasing the appropriation from not to exceed \$175,000.00 to not to exceed \$325,000.00.

WHEREAS, it is necessary for the City to increase the appropriation from not to exceed \$175,000.00 to not to exceed \$325,000.00 in order for work to begin on the Price Park Culvert Rehabilitation Project.

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

- Section 1. That Ordinance No. 11 - 2013, the Price Park Culvert Rehabilitation Project, be, and the same is hereby amended to increase its appropriation from not to exceed \$175,000.00 to not to exceed \$325,000.00; copy of Ordinance No. 11 – 2013 is attached hereto and is incorporated herein.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this ordinance shall take effect and be in full force 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