

NOTICE OF NORTH CANTON CITY COUNCIL MEETING
Monday, September 26, 2016, 7:00 p.m., City Hall
Agenda

1. Call to Order
2. Opening Prayer – Reverend Steve Stultz-Costello – Faith United Methodist Church
3. Pledge of Allegiance
4. Roll Call
5. Presentation by IRG
6. Consideration

Council Meeting Minutes - September 12, 2016

Committee of the Whole Meeting Minutes – September 19, 2016

7. Presentation by Mayor Held to North Canton YMCA, Kathy Yaros – Character Counts
8. Recognition of Visitors
9. Old Business
10. **Ordinance No. 52 - 2016 - 2nd Reading - Community and Economic Development Committee**

An ordinance repealing ordinances 5-10 and 107-09, reviving ordinances 71-04, 22-99, and 106-00, and implementing sections 3735.65 through 3735.70 of the Revised Code, thereby reducing and dividing the North Canton Community Reinvestment Area (“CRA”) into the former and now revived Main Street CRA established under ordinances 22-00 and 106-00 and the former and now revived Valley View CRA under ordinance in 71-04, within the City of North Canton, re-designating a Housing Officer to administer the programs, reestablishing a Community Reinvestment Housing Council and a Tax Incentive Review Council (“TIRC”), repealing any and all legislation inconsistent herewith, and declaring the same to be an emergency.

11. **Ordinance No. 62 - 2016 - 2nd Reading - Finance and Property Committee**

An ordinance authorizing the Mayor of the City of North Canton, pursuant to Ohio Revised Code 9.48, to participate in joint purchasing programs with other political subdivisions for the purchase of machinery, materials and supplies used by various City departments, and specifically, to join the National Joint Purchasers Alliance for said purpose.

12. New Business

**Resolution No. - 2016 - 1st Reading - Community and Economic Development
Committee**

A resolution amending certain requirements for the City of North Canton's two Community Reinvestment Areas ("CRA"), the North Canton CRA (described in ordinances and 22-99 and 106-00), and the Valley View CRA (described in ordinance 71-04), more specifically, amending each of those three ordinances as such: (1) to define, for CRA purposes, "residential property," "residential dwellings", or "dwellings" as "those residential properties or dwellings containing not more than four units"; (2) to declare that new construction of residential dwellings shall no longer constitute a public purpose for which real property exemptions may be granted; (3) to cease the housing officer's authority to approve applications for tax exemptions for new construction of residential dwellings; (4) to standardize the threshold cost of remodeling and rehabilitation necessary to qualify for an exemption for two or fewer residential units; (5) to reduce the period of real property tax exemption for the remodeling and rehabilitation of residential dwellings containing three or four units from 12 to eight years; and (6) to require the Housing Officer to provide prompt notice to City Council of the Housing Officer's approval or denial of residential CRA applications.

13. **Ordinance No. 63 - 2016 - 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.

14. **Ordinance No. 64 - 2016 - 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, in accordance with North Canton Ordinance No. 54 - 2016, to include the position of Plans Examiner previously omitted and to add the duties of the Chief Building Officer to said position, and declaring the same to be an emergency.

15. **Ordinance No. 65 - 2016 - 1st Reading - Ordinance, Rules and Claims Committee**

COUNCIL PRESIDENT SHALL MOVE TO TABLE ORDINANCE 65-2016 FOR THE NEXT AVAILABLE CITY COUNCIL MEETING TO PROVIDE COUNCIL ADDITIONAL TIME TO DISCUSS THE ABOVE PROPOSED COMMUNITY REINVESTMENT AREA LEGISLATION.

A resolution, pursuant to North Canton Codified Ordinance 1181.04, recommending the amendment of CHAPTER 1177 - CONDITIONAL USE PERMITS AND SIMILAR USES, of the City's Planning and Zoning Code.

16. 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		

17. Reports

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

19. Adjourn

Mary Beth Bailey
Clerk of Council

North Canton City Council
Community and Economic Development Committee

Resolution No. - 2016

A resolution amending certain requirements for the City of North Canton's two Community Reinvestment Areas ("CRA"), the North Canton CRA (described in ordinances and 22-99 and 106-00), and the Valley View CRA (described in ordinance 71-04), more specifically, amending each of those three ordinances as such: (1) to define, for CRA purposes, "residential property," "residential dwellings", or "dwellings" as "those residential properties or dwellings containing not more than four units"; (2) to declare that new construction of residential dwellings shall no longer constitute a public purpose for which real property exemptions may be granted; (3) to cease the housing officer's authority to approve applications for tax exemptions for new construction of residential dwellings; (4) to standardize the threshold cost of remodeling and rehabilitation necessary to qualify for an exemption for two or fewer residential units; (5) to reduce the period of real property tax exemption for the remodeling and rehabilitation of residential dwellings containing three or four units from 12 to eight years; and (6) to require the Housing Officer to provide prompt notice to City Council of the Housing Officer's approval or denial of residential CRA applications.

WHEREAS, the General Assembly of the State of Ohio, by the enactment of Ohio Revised Code ("R.C.") 3735.65 through 3735.70 (herein sometimes referred to as the "Community Reinvestment Area Program") has heretofore authorized municipal corporations to designate CRAs within the state in order to provide an incentive for residential, commercial, or industrial development and/or rehabilitation in such areas by making available real property tax exemptions for development or rehabilitation; and

WHEREAS, a housing survey has been prepared and submitted to this City Council, which is on file with the Housing Officer, which describes the two aforementioned CRAs, and which shows the facts and conditions relating to existing structures and undeveloped areas in the CRAs, including, among other things, continued evidence of deterioration in residential areas and the lack of remodeling or rehabilitation of substantial portions of the areas in the CRAs, and similar conditions together with the lack of new construction of commercial or industrial projects; the two CRAs are more fully described and designated in Exhibit A, attached hereto and made a part hereof; and

WHEREAS, City Council has received recommendations to continue the North Canton CRA and the Valley View CRA described in Exhibit A, but with the amendments described herein, and has determined that rehabilitation of residential properties, as described herein, together with new construction, remodeling, and rehabilitation for commercial and industrial properties would serve to encourage economic stability, maintain real property values, generate new employment opportunities, and be in the City's best interest;

WHEREAS, the City desires to retain its two existing CRAs, contingent upon the amendments described herein; and

WHEREAS, the City intends that the existing CRAs shall continue to encourage reinvestment in the existing housing, commercial, and industrial districts; and

WHEREAS, for CRA purposes, "residential property," "residential dwellings", or "dwellings" are defined as "those residential properties, residential dwellings, or dwellings containing not more than four units; those containing more than four units shall be deemed a commercial property and be subject to the applicable statutory Community Reinvestment Area Program and North Canton CRA requirements for commercial properties.

WHEREAS, the remodeling and rehabilitation of existing residential properties in the CRAs constitute a public purpose for which real property exemptions may be granted.

WHEREAS, new construction of residential properties in the CRAs does not constitute a public purpose for which real property exemptions may be granted.

WHEREAS, the Housing Officer shall have no authority to approve CRA applications for tax exemptions for new construction of residential dwellings;

WHEREAS, to standardize the two CRAs, the threshold cost of remodeling and rehabilitation necessary to qualify for an exemption for two or fewer residential units shall be \$15,000.

WHEREAS, to encourage the purchase, remodeling, and rehabilitation of one and two-unit dwellings, the period of real property tax exemption for remodeling and rehabilitation of residential dwellings containing three or four units shall be reduced from 12 to eight years.

WHEREAS, new construction, remodeling, and rehabilitation of commercial and industrial properties in the CRAs constitute a public purpose for which real property exemptions may continue to be granted.

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

- Section 1. Based upon the aforesaid recommendations, the housing survey, and on this Council's own knowledge of the facts and conditions existing in the North Canton CRA and the Valley View CRA, this City Council hereby finds and determines that those CRAs continue to constitute areas in which dwellings are located and the remodeling and rehabilitation of existing structures continues to be discouraged.
- Section 2. Pursuant to R.C. Section 3735.65, et seq., the North Canton CRA and the Valley View CRA continue to meet the statutory requirements to remain community reinvestment areas.
- Section 3. Within the North Canton CRA and the Valley View CRA, remodeling, and rehabilitation of existing residential properties, and new construction, remodeling, and rehabilitation of commercial and industrial structures continue to be public purposes and eligible for exemptions from real property taxation. New construction of residential properties, defined as those residential properties, residential dwellings, or dwellings with four or less units, are not public purposes and are not eligible for exemptions from real property taxation. Only residential, commercial, and industrial improvements consistent with the applicable zoning regulations within the North Canton CRAs are eligible for exemptions, and applicants shall permit representatives from the Stark County Auditor's office to have access to property both before

and after construction, remodeling, or rehabilitation has been completed so that a full and fair valuation may be completed.

Section 4. Within the North Canton CRA and the Valley View CRA, the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial and industrial real property and the period of those exemptions shall continue to be negotiated on a case-by-case basis in advance of the commencement of construction, remodeling, or rehabilitation consistent with R.C. 3735.67, et seq. The results of such negotiations, as approved by this Council, shall be set forth in writing in CRA Agreements as described in R.C. 3735.671.

Section 5. For residential property, a tax exemption is hereby authorized on 100% of the increase in the assessed valuation resulting from remodeling or rehabilitation as described in R.C. 3735.67, and shall be granted upon proper application by the property owner and certification thereof by the City's designated Housing Officer. Residential applications must be filed with the Housing Officer no later than six months after completion of construction, unless the Housing Officer, for good cause shown, extends the filing period. The following periods of real property tax exemption shall apply to residential property as described below:

(a) Ten years for the remodeling or rehabilitation of dwellings containing not more than two units, and upon which the cost of remodeling or rehabilitation is at least \$15,000, as further described in R.C. 3735.67.

(b) Eight years, for the remodeling or rehabilitation of dwellings containing three or four units, and upon which the cost of remodeling or rehabilitation is at least \$50,000, as further described in R.C. 3735.67.

(c) Dwellings containing more than four units shall be deemed commercial properties and shall comply with the commercial requirements provided in Section 6 herein, and R.C. 3735.671, et seq.

(d) Real property tax exemption is not available for new construction of any residential dwelling.

Section 6. All commercial and industrial properties shall continue to comply with the application fee requirements described in R.C. 3735.672(C). This Council hereby determines that the City shall continue to waive collection of the local annual monitoring fee of one percent of the amount of taxes exempted in connection with the North Canton Citywide CRA Program. When, in the sole discretion of the City's Housing Officer, an inequity exists between the local annual monitoring fee of 1% of the amount of taxes exempted and the amount of taxes exempted in connection with the CRA, the Housing Officer may continue to waive the annual monitoring fee.

Section 7. To administer and implement the provisions of the North Canton CRA and Valley View CRA in accordance with R.C. 3735.65 through 3735.70, the City's Director of Economic Development shall continue to serve as the City's Housing Officer. The Housing Officer is authorized and directed to continue to

receive applications and grant real property tax exemptions for remodeling and rehabilitation of residential dwellings completed after the date of passage of this resolution and is further authorized and directed to continue to conduct annual inspections of properties within the two CRAs for which exemptions have been granted, to continue to keep the Housing Council and TIRC (as defined below) apprised of any revocations of CRA tax exemption made for lack of adequate property maintenance or compliance with a CRA agreement in accordance with R.C. 3735.68, and to provide City Council with prompt notice of the approval or denial of residential applications.

- Section 8. The North Canton Community Reinvestment Area Housing Council (the "Housing Council") shall continue as established, consisting of two members appointed by the Mayor, two members appointed by City Council, one member appointed by the Planning Commission, and two City residents, appointed by a majority of the first five members, which appointments are hereby authorized to be made. Terms of the members of the Housing Council shall be for three years. An unexpired term resulting from a vacancy in the Housing Council shall be filled in the same manner in which the initial appointment was made. The Mayor, City Council, and Planning Commission are hereby authorized and directed to continue to make their respective appointments to the Housing Council and those five appointed members are authorized to appoint the final two members. The Housing Council shall continue to make an annual inspection of the properties within the CRAs for which an exemption has been granted and shall hear appeals under R.C. 3735.70 from property owners whose CRA applications have been denied or tax exemptions revoked by the Housing Officer.
- Section 9. A North Canton Tax Incentive Review Council (the "TIRC") has been established pursuant to R.C. 5709.85. The TIRC shall continue to consist of three representatives appointed by the Board of County Commissioners, two representatives appointed by the Mayor with concurrence of City Council, the County Auditor (or designee) and a representative of each affected board of education located in the CRAs. At least two members of the TIRC shall be residents of the City. The TIRC shall continue to review annually the compliance of all agreements involving the grant of exemptions for commercial or industrial real property improvements under R.C. 3735.67, et seq., and shall continue make written recommendations to City Council as to the continuation, modification, or termination of said agreements based upon the performance of those agreements.
- Section 10. City Council continues to reserve the right to re-evaluate the designation of the CRAs on a biennial basis after enacting this resolution and subsequent ordinance, at which time it may direct the Housing Officer to not accept new applications for exemptions as described in R.C. 3735.67, with respect to any additional construction, remodeling, or rehabilitation thereafter commenced.
- Section 11. The Mayor is hereby authorized and directed to petition the Ohio Director of Development to confirm the findings contained within this resolution.
- Section 12. A copy of the subsequent ordinance to this resolution shall be sent to the Stark County Auditor; a copy of this resolution shall also be published in a newspaper of general circulation in the City once a week for two consecutive weeks immediately following its passage.

Section 13. It is found and determined that all formal actions of this City Council and of any of its committees concerning and relation to the passage of this ordinance were adopted in an open meeting of Council or of any of its committees, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including R.C. Section 121.22.

Section 14. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this _____ day of _____ 2016

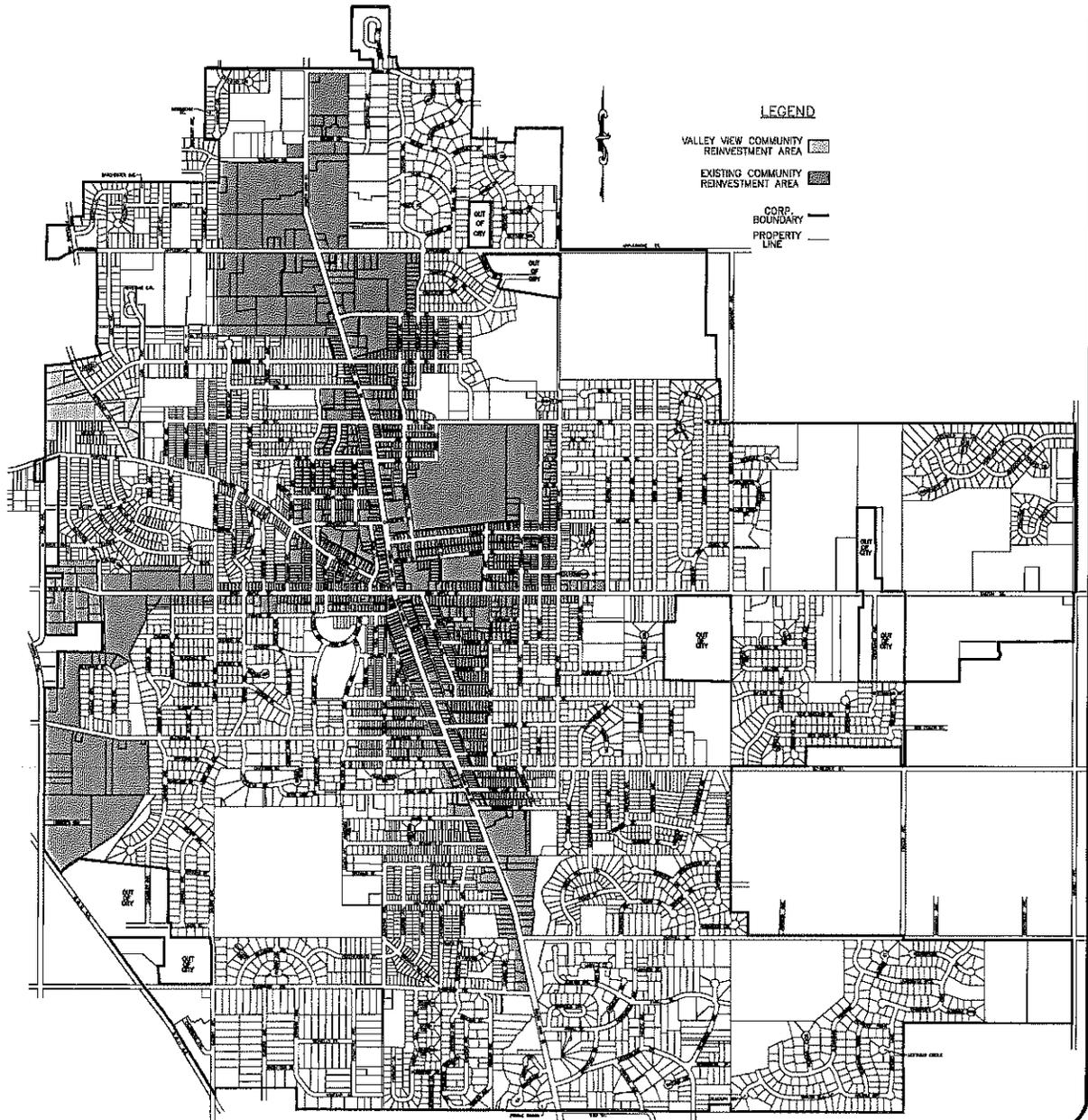
David Held, Mayor

Signed: _____, 2016

ATTEST:

Mary Beth Bailey, Clerk of Council

CITY OF NORTH CANTON COMMUNITY REINVESTMENT AREA



North Canton City Council
Ordinance, Rules and Claims Committee

Ordinance No. 63 - 2016

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, AND 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 2016 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

- 335.021 Ohio Driver's License Required for In State Residents. (Added)
335.12 Stopping After Accident Upon Streets. (Amended)
335.13 Stopping After Accident Upon Property Other Than Street.
(Amended)

General Offenses Code

- 505.071 Cruelty to Companion Animals. (Amended)
513.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
525.15 Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
529.01 Liquor Control Definitions. (Amended)
529.07 Open Container Prohibited. (Amended)
537.051 Menacing by Stalking. (Amended)
537.10 Telecommunications Harassment. (Amended)
1519.04 Fireworks Possession, Sale or Discharge Prohibited. (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 in Council this _____ day of _____ 2016

David Held, Mayor

Signed: _____, 2016

ATTEST:

Mary Beth Bailey, Clerk of Council

North Canton City Council
Personnel and Safety Committee

Ordinance No. 64 - 2016

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, in accordance with North Canton Ordinance No. 54 – 2016, to include the position of Plans Examiner previously omitted and to add the duties of the Chief Building Officer to said position, 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 Chapter 155 Personnel Regulations of Part One, Administrative Code, specifically, Section 1. GENERAL PERSONNEL REGULATIONS of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

Section 2. **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
Director of Administration	\$4,423.08
Director of Law	\$4,423.08
Director of Finance	\$4,423.08
City Engineer	\$4,423.08
Chief of Police	\$3,269.23
Chief of Fire & EMS	\$3,269.23
Supt., Permits & Inspection	\$3,269.23
Director of Permits & Development	\$3,269.23
Supt., Utilities & Services	\$2,884.62
Supt., Streets & Parks	\$2,884.62
Superintendent – Drinking Water Plant	\$2,884.62
Supt., Recreation, Buildings & Grounds	\$2,884.62
Operations Managers:	
Recreation, Buildings & Grounds	
Streets & Parks	
Water & Sanitary Sewer	
Drinking Water Plant	\$2,884.62
Chief Building Officer	\$2,884.62

Clerk of Council/Law Dept.	\$2,468.82
Deputy Director of Finance	\$2,146.82
Administrative Assistant/Payroll Clerk	\$1,730.00
Administrative Assistant	\$1,730.00

At all times the position of Director of Permits & Development is filled, the person serving in the capacity shall also hold the title of Superintendent, Permits & Inspection at no additional compensation.

Public Safety – FIRE / EMS

Assistant Fire Chief	\$ 14.96
Fire Captain	\$ 14.60
Fire Captain / EMT – Paramedic	\$ 14.60
Fire Captain / EMT – Basic	\$ 14.60
<u>Public Safety – FIRE / EMS (Cont.)</u>	

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	\$ 2.21
Manned at Station: PPT or SDP	
Fire/Medic	\$ 13.30
Paramedic	\$ 13.30
Firefighter	\$ 12.30
Basic	\$ 12.30

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

Public Safety – Police

Dispatcher C	\$ 12.21
School Crossing Guard	\$ 11.77
Auxiliary Police	\$ 11.04
Special Patrolman	\$ 14.96

Financial & Clerical

Fiscal/Clerical Specialist	\$ 11.88
Payroll Manager/Admin. Assist.	\$ 19.47

Department of Engineering

Engineering Clerk	\$ 11.88
Special Project Inspector	\$ 16.82

Engineering Clerk, Special Project Inspector, and Nuisance Officer shall be paid an amount equal to or less than the amount set forth in the schedule listed above

Building & Permits

Building Inspector	\$ 24.08
Nuisance Officer	\$ 17.06
Plans Examiner/Chief Building Officer	\$ 60.00

General Government

Summer I	Minimum Wage
Summer II	Minimum Wage + 7.3%
Intern	Minimum Wage + 25.3%
Skilled Worker	\$ 14.50
Laborer	\$ 13.00

Laborer shall be paid an amount equal to or less than the amount set forth in the schedule listed above

Recreation

Class "A" Instructor	\$ 11.00
Senior Program Director**	\$ 203.50

**Paid bi-weekly

A. In the event the Senior Program Director works less than 20 hours in a bi-weekly pay period, the actual hours worked will be paid at the Senior Program Director's applicable hourly rate.

B. That there be and is hereby established an overtime rate of time and one-half after a scheduled eight (8) hours or working a holiday for part-time police officers and part-time radio dispatchers.

C. Effective January 1 of each year, any employee receiving minimum wage shall have their hourly compensation automatically adjusted to reflect the applicable Federal or State minimum wage, whichever is higher.

Section 3. That any and all legislation inconsistent herewith, be, and 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 to include the position of Plans Examiner

that was omitted and include the duties of the Chief Building Officer and thereby permit the City to utilize the expertise of a highly trained and experience individual to perform such duties of said position; wherefore provided it receives the affirmative vote of six or more members of Council elected thereto, this ordinance shall take effect and be in force immediately upon its adoption by Council and approval of the Mayor. Otherwise, it shall effect and be in full force immediately upon its adoption by Council and approval of the Mayor. Otherwise it shall take effect and be in full force from and after the earliest period allowed by law.

Passed by Council this _____ day of _____, 2016

David Held, Mayor

Signed: _____, 2016

ATTEST:

Mary Beth Bailey, Clerk of Council