NOTICE OF NORTH CANTON CITY COUNCIL MEETING
Monday, October 10, 2016, 7:00 p.m., City Hall
Agenda

1. Call to Order

2. Opening Prayer - Reverend Sarah Taylor-Peck - North Canton Community Christian Church

3. Pledge of Allegiance

4. Roll Call

5. Consideration

   Council Meeting Minutes - September 26, 2016
   Special Committee of the Whole Meeting Minutes – September 26, 2016
   Committee of the Whole Meeting Minutes – October 3, 2016
   Mayor's Court Receipts for August 2016
   Financial Statement – August 2016 Month End Reports

6. Recognition of Visitors

7. Old Business

8. **Ordinance No. 62 - 2016 - 3rd 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.

9. New Business

10. **Ordinance No. 66 - 2016 - 1st Reading - Community and Economic Development Committee**

    An ordinance revoking the designating of all City of North Canton Community Reinvestment Areas ("CRA"), terminating the City's CRA program for new residential, commercial, and industrial tax exemption applications for new structures, rehabilitation, and remodeling, as may be permitted under Ohio law, specifically Ohio Revised Code ("R.C.") Sections 3735.65 through 3735.70, thereby repealing all local legislative provisions inconsistent herewith, as may be described in North Canton Ordinances 22-99, 106-00, 71-04, 107-09, and 5-10.

11. **Ordinance No. 67 - 2016 - 1st Reading - Street and Alley Committee**

    An ordinance approving, confirming, and accepting a perpetual culvert and drainage easement known as Parcel No. 5609242, and being part of Open Space "C", by and between the City of North Canton, an Ohio charter municipal corporation ("City"), Grantee, and The Sanctuary Owners Association, Inc., Grantor, and declaring the same to be an emergency.

12. **Ordinance No. 68 - 2016 - 1st Reading - Street and Alley Committee**

    An ordinance approving, confirming, and accepting a perpetual culvert and drainage easement known as Parcel No. 1007844, and being part of Out Lot 401, by and between the City of North Canton, an Ohio charter municipal corporation ("City"), Grantee, and McKinley-Applegrove LTD., Grantor, and declaring the same to be an emergency.

13. **Ordinance No. 69 - 2016 - 1st Reading - Street and Alley Committee**

    An ordinance amending North Canton Codified Ordinance 911.01(b), Criteria for Name Change, in order to minimize pedestrian and traffic confusion and to optimize safety and the efficiency of traffic flow, and declaring the same to be an emergency.

14. **Ordinance No. 70 - 2016 - 1st Reading - Water, Sewer and Rubbish Committee**

    An ordinance authorizing the Mayor of the City of North Canton to enter into an Agreement of Cooperation with the City of Canton for the purpose of permitting Canton to locate a monitoring water well on the property known as the Oster Property owned by the City of North Canton, and declaring the same to be an emergency.

15. **Ordinance No. 71 - 2016 - 1st Reading - Finance and Property Committee**

    An ordinance authorizing the Director of Finance of the City of North Canton to make payment to Plain Township in the amount of $4,540.03 for annexation property tax reparations due through tax year 2015, and declaring the same to be an emergency.

16. **Resolution No. 6 - 2016 - 1st Reading - Ordinance, Rules and Claims Committee**

    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.

17. **Resolution No. 7 - 2016 - 1st Reading - Community and Economic Development Committee**

    A resolution in support of a county-wide study, which may lead to a collaborative plan and support for next generation broadband infrastructure.

18. **Resolution No. 8 - 2016 - 1st Reading - Finance and Property Committee**

    A resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

19. 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		

20. Reports

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

21. Final Call for New Business

22. Adjourn

Mary Beth Bailey
Clerk of Council

North Canton City Council
Community and Economic Development Committee

Ordinance No. 66 - 2016

An ordinance revoking the designation of all City of North Canton Community Reinvestment Areas ("CRA"), terminating the City's CRA program for new residential, commercial, and industrial tax exemption applications for new structures, rehabilitation, and remodeling, as may be permitted under Ohio law, specifically Ohio Revised Code ("R.C.") Sections 3735.65 through 3735.70, thereby repealing all local legislative provisions inconsistent herewith, as may be described in North Canton Ordinances 22-99, 106-00, 71-04, 107-09, and 5-10.

WHEREAS, at the behest of North Canton's Board of Education, see Exhibit A attached hereto and incorporated herein, and those residents in accordance therewith, this Council declares the City's CRA program no longer constitutes a public purpose for which new applications for real property exemptions may be granted. Council enacted the CRA program to provide incentives for residential, commercial, and industrial new construction, remodeling, and rehabilitation with the expectation that the program would increase economic stability by maintaining real property values and generating new employment opportunities. However, in its current statutory form, the CRA program, albeit temporarily, significantly reduces potential tax benefits that may accrue to the City school system's benefit, and therefore, no longer constitutes a public purpose for which real property exemptions may be granted; and

WHEREAS, in accordance with Ohio law, provided the applicants continue to comply with the terms, conditions, and obligations of their applications, and agreements, this ordinance shall not diminish real property tax exemptions previously granted under the CRA program; and

WHEREAS, pursuant to past CRA legislation, residential applicants shall have up to six months from construction, rehabilitation, or remodeling completion to file a tax exemption application with the Housing Officer, therefore, the Housing Officer shall continue to receive residential applications for a period of six months from the date this ordinance becomes law. The Housing Officer shall deny, however, residential CRA applications filed more than six months from the date this ordinance becomes law, and deny any commercial or residential application beginning the date this ordinance becomes law. Accordingly, City Council shall not enter into any CRA agreements with those applying for commercial or industrial CRA applications beginning the date this ordinance becomes law; and

WHEREAS, so that it made aware of new applications, City Council requires the Housing Officer to provide its members with prompt notice of the approval or denial of residential CRA applications.

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

Section 1. Because City Council believes that Community Reinvestment Area programs, in their current statutory form, significantly reduce potential tax benefits that may accrue to area school systems, it hereby finds and determines its CRA program no longer constitutes a public purpose for which real property exemptions may be granted.

Section 2. This ordinance revokes the designation of all North Canton Community Reinvestment Areas, thus terminating the City's CRA program for new residential, commercial, and industrial tax exemption applications for new structures, rehabilitation, and remodeling, as may be permitted under Ohio law, specifically R.C. Sections 3735.65 through 3735.70, and thereby repeals all local legislative provisions inconsistent herewith, as may be described in North Canton Ordinances 22-99, 106-00, 71-04, 107-09, and 5-10.

Section 3. This ordinance shall not diminish real property tax exemptions previously granted under a CRA program provided the applicants continue to comply with the terms, conditions, and obligations of their applications, and agreements.

Section 4. Pursuant to past CRA legislation, residential applicants shall have up to six months from construction, rehabilitation, or remodeling completion to file a tax exemption application with the Housing Officer; therefore, the Housing Officer shall continue to accept residential applications for a period of six months from the date this ordinance becomes law. The Housing Officer shall deny residential CRA applications filed more than six months from the date this ordinance becomes law, and deny any commercial or residential application beginning the date this ordinance becomes law. Accordingly, beginning the date this ordinance becomes law, City Council shall not enter into any CRA agreements with those applying for commercial or industrial CRA applications.

Section 5. To administer the winding up of North Canton's CRA program, the Housing Officer is authorized and directed to continue to receive applications and grant real property tax exemptions only as strictly described herein, and is further authorized and directed to continue to conduct annual inspections of properties until those tax emption periods have been completed, and which proper exemptions have been granted, to continue to keep the Housing Council and Tax Incentive Review Council ("TIRC") apprised of any revocations of CRA tax exemptions 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 6. 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 7. 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 8. A copy of this ordinance shall be sent to the Stark County Auditor and be published in a newspaper of general circulation in the City once a week for two consecutive weeks immediately following its enactment.

Section 9. 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 10. 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 SCHOOLS

ADMINISTRATION
330-497-5600
Fax 330-497-5618
525 Seventh St NE
North Canton OH 44720

TREASURER
330-497-5610
Fax 330-497-2557
525 Seventh St NE
North Canton OH 44720

HOOVER HIGH SCHOOL
330-497-5620
Fax 330-497-5606
525 Seventh St NE
North Canton OH 44720

NORTH CANTON MIDDLE SCHOOL
330-497-5635
Fax 330-497-5659
605 Fair Oaks Ave SW
North Canton OH 44720

GREENTOWN INTERMEDIATE
330-497-5645
Fax 330-966-1603
3330 State St NW
North Canton OH 44720

ORCHARD HILL INTERMEDIATE
330-497-5655
Fax 330-966-1701
1305 Jonathan Ave SW
North Canton OH 44720

CLEARMOUNT ELEMENTARY
330-497-5640
Fax 330-966-0801
150 Clearmount Ave SE
North Canton OH 44720

NORTHWOOD ELEMENTARY
330-497-5650
Fax 330-966-1503
1500 School Ave NE
North Canton OH 44720

MARY L. EVANS EARLY CHILDHOOD CENTER
330-497-5608
Fax 330-966-0703
301 Portage St NW
North Canton OH 44720

SPECIAL SERVICES
330-497-5665
Fax 330-305-2056
239 Portage St NW
North Canton OH 44720

September 26, 2016

Mayor David Held
North Canton City Council Members
North Canton City Hall
145 North Main Street
North Canton, Ohio 44720

Dear Mayor Held and City Council Members,

The Board has asked that I address the city's pending resolution on the CRA tax abatement issue and explain their position on the effects of abatement on both them and their schools.

The Board absolutely believes economic development is important. However, the issue is "whose job is economic development?" While the job of schools is to educate our children, the job of the city is economic development. When a city gives a tax abatement, only a small portion of the total property tax is the City's. In the case of North Canton, nearly 70% belongs to the schools and only 12% to the city.

Perhaps the worst part of tax abatements is the lack of transparency for the voters. The ballot language for the last school levy in North Canton stated: *"An additional tax for the benefit of the North Canton City School District for the purpose of current expenses..."* Our voters thought the money from that levy and all others would be used for our children. Then, without a vote, that money is diverted to enrich private developers through abatement.

The North Canton City Schools Board of Education wants to be clear about the following.

1. The Board of Education does not support any kind of CRA or Abatement as it reduces precious revenue from educating our students that was properly raised by public vote.
2. The North Canton City Schools should be reimbursed any and all monies owed due to illegal or improper CRA/Abatements in the past.

3. The Board of Education of the North Canton City Schools vigorously supports economic development in our city and school district, but are adamant that taxes raised for schools should actually be used to operate the district and educate our students. The City of North Canton should fund economic development with city dollars and/or resources.

We thank you for your support of our community and our schools.

Respectfully,

Jeff Wendorf
Superintendent

C: Todd Tolson, Treasurer
North Canton Board of Education

North Canton City Council
Street and Alley Committee

Ordinance No. 67 - 2016

An ordinance approving, confirming, and accepting a perpetual culvert and drainage easement known as Parcel No. 5609242, and being part of Open Space "C", by and between the City of North Canton, an Ohio charter municipal corporation ("City"), Grantee, and The Sanctuary Owners Association, Inc., 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 culvert and drainage easement known as Parcel No. 5609242, by and between the City, and The Sanctuary Owners Association, Inc., be, and the same is hereby approved, confirmed, and accepted.

Section 2. That attachments regarding this easement more fully describing the parcel and 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 culvert and drainage lines for ongoing development; 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

ALAN HAROLD
Stark County Auditor
FEE_____

SEP 0 9 2016

TRANSFERRED
TRANSFER NOT NECESSARY
DEPUTY_____
IN COMPLIANCE WITH ORC 319.202

Instr:201609090035708
P: 1 of 4 F:$44.00 9/9/2016
Rick Campbell 1:59 PM EASE
Stark County Recorder T20160031997

PERPETUAL CULVERT & DRAINAGE EASEMENT

Parcel No. 5609242

For and in consideration of ONE DOLLAR ($1.00) and other good and valuable consideration, the sufficiency of which is hereby acknowledged, **Sanctuary Owners Association, Inc.**, GRANTOR, does hereby give and grant unto **THE CITY OF NORTH CANTON**, an Ohio municipal corporation, GRANTEE, a perpetual culvert & drainage easement to own and maintain all storm sewer conduits and associated 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 & 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.

EASEMENT ONLY

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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 area is subject to all matters of record.

IN WITNESS WHEREOF, the undersigned grantor(s) have caused their name to be subscribed to this Perpetual Culvert & Drainage Easement document this 2nd day of September, 2016.

GRANTOR(S):

Sanctuary Owners Association, Inc.
By: William J. Lemmon, Authorized Representative

(Signed Name)

NOTARY:

STATE OF OHIO)
) SS:
COUNTY OF Stark)

Before me, a Notary Public in and for said County, personally appeared William J. Lemmon, authorized representative for Sanctuary Owners Association, Inc., 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 2nd Day of September, 2016.

Notary Public

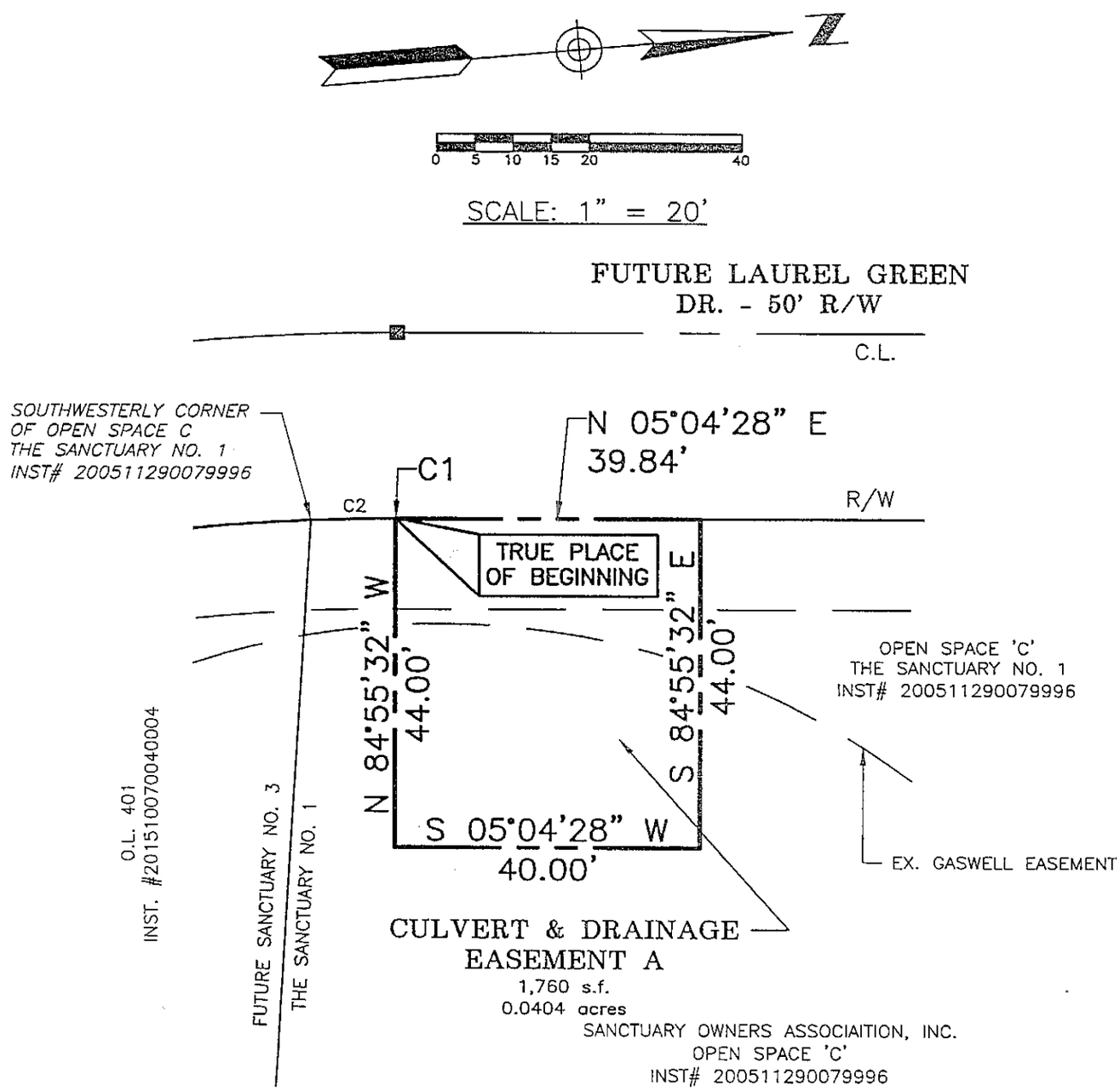
NOTARIAL SEAL STATE OF OHIO

MOLLY R. RYAN
Notary Public, State of Ohio
My Commission Expires April 29, 2017

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

CURVE TABLE						
CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C1	0.16'	255.00'	0°02'09"	0.08'	0.16'	N 05°03'24" E
C2	11.00'	255.00'	2°28'15"	5.50'	11.00'	N 03°48'12" E

SITUATED IN THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO AND KNOWN AS BEING PART OF OPEN SPACE "C" AS SHOWN ON THE PLAT ENTITLED "THE SANCTUARY NO. 1", AS RECORDED IN INST. #200511290079996 OF THE STARK COUNTY RECORDS



CULVERT & DRAINAGE EASEMENT

EXHIBIT A

PREPARED BY:

GBC DESIGN, INC.

565 White Pond Dr.
Phone 330-836-0228

Akron, OH 44320
Fax 330-836-5782

DATE: AUG. 08, 2016

PROJECT No.31135BB

GBC DESIGN, INC.
565 White Pond Drive • Akron, OH 44320-1123 • Phone 330-836-0228 • Fax 330-836-5782 • www. GBCdesign.com

August 5, 2016

EXHIBIT "B"
Sanctuary Owners Association, Inc. Property
City of North Canton
Culvert & Drainage Easement
Area = 0.0404 Acres

Situated in the City of North Canton, County of Stark, and State of Ohio and known as being part of Open Space 'C' as shown on the Plat entitled "The Sanctuary No. 1", as recorded in Inst. #200511290079996 of the Stark County records, and more fully described as follows:

Beginning at a 1" rebar found at a southwesterly corner of said Open Space 'C';

Thence along an easterly line of future Laurel Green Drive, also being the westerly line of said Open Space 'C', along the arc of a circle curving to the right, having a central angle of 02° 28' 15", a radius of 255.00 feet, a tangent of 5.50 feet, a chord of 11.00 feet, a chord bearing N 03° 48' 12" E, and an arc length of 11.00 feet to a point, said point being the True Place of Beginning for the parcel of land herein described in the following five (5) courses;

1. Thence, continuing along an easterly line of future Laurel Green Drive, also being the westerly line of said Open Space 'C', along the arc of a circle curving to the right, having a central angle of 00° 02' 09", a radius of 255.00 feet, a tangent of 0.08 feet, a chord of 0.16 feet, a chord bearing N 05° 03' 24" E, and an arc length of 0.16 feet to a point;
2. Thence N 05° 04' 28" E, continuing along an easterly line of future Laurel Green Drive, also being the westerly line of said Open Space 'C', a distance of 39.84 feet to a point;
3. Thence S 84° 55' 32" E, along a new line of easement, a distance of 44.00 feet to a point;
4. Thence S 05° 04' 28" W, along a new line of easement, a distance of 40.00 feet to a point;
5. Thence N 84° 55' 32" W, along a new line of easement, a distance of 44.00 feet to a point to the True Place of Beginning and containing 0.0404 Acres of land, more or less, as determined in August, 2016 by Louis J. Giffels, P.S. Reg. No. 7790, with GBC Design, Inc., but subject to all legal highways and any restrictions, reservations, or easements of record.

*The Basis of Bearing for this legal description is the plat of Sancuary No. 1 as recorded in Instrument No. 200511290079996 of the Stark County records.

Louis J. Giffels, P.S. Reg. No. 7790

STATE OF OHIO
LOUIS J. GIFFELS
7790
REGISTERED PROFESSIONAL SURVEYOR

North Canton City Council
Street and Alley Committee

Ordinance No. 68 - 2016

An ordinance approving, confirming, and accepting a perpetual culvert and drainage easement known as Parcel No. 10007844, and being part of Out Lot 401, by and between the City of North Canton, an Ohio charter municipal corporation ("City"), Grantee, and McKinley-Applegrove LTD., 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 culvert and drainage easement known as Parcel No. 10007844, by and between the City, and McKinley-Applegrove LTD., be, and the same is hereby approved, confirmed, and accepted.

Section 2. That attachments regarding this easement more fully describing the parcel and 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 culvert and drainage lines for ongoing development; 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

ALAN HAROLD
Stark County Auditor
FEE

SEP 0 9 2016

TRANSFERRED
TRANSFER NOT NECESSARY
DEPUTY
IN COMPLIANCE WITH ORC 319.202

Instr:201609090035707
P: 1 of 4 F:$44.00 9/9/2016
Rick Campbell 1:59 PM EASE
Stark County Recorder T20160031997

PERPETUAL CULVERT & DRAINAGE EASEMENT

Parcel No. 10007844

For and in consideration of ONE DOLLAR ($1.00) and other good and valuable consideration, the sufficiency of which is hereby acknowledged, **McKinley-Applegrove LTD., an Ohio limited liability company,** GRANTOR, does hereby give and grant unto **THE CITY OF NORTH CANTON**, an Ohio municipal corporation, GRANTEE, a perpetual culvert & drainage easement to own and maintain all storm sewer conduits and associated 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 & 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.

EASEMENT ONLY

1 10087

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 area is subject to all matters of record.

IN WITNESS WHEREOF, the undersigned grantor(s) have caused their name to be subscribed to this Perpetual Culvert & Drainage Easement document this 2nd day of September, 2016.

GRANTOR(S):

McKinley-Applegrove LTD.
An Ohio limited liability company

By: McKinley-Sanctuary Development, Inc., its Sole Member

William J. Lemmon, President

NOTARY:

STATE OF OHIO)
) SS:
COUNTY OF Stark)

Before me, a Notary Public in and for said County, personally appeared William J. Lemmon, President of McKinley-Sanctuary Development, Inc., for McKinley-Applegrove LTD., 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 2nd Day of September, 2016.

Notary Public

NOTARIAL SEAL STATE OF OHIO

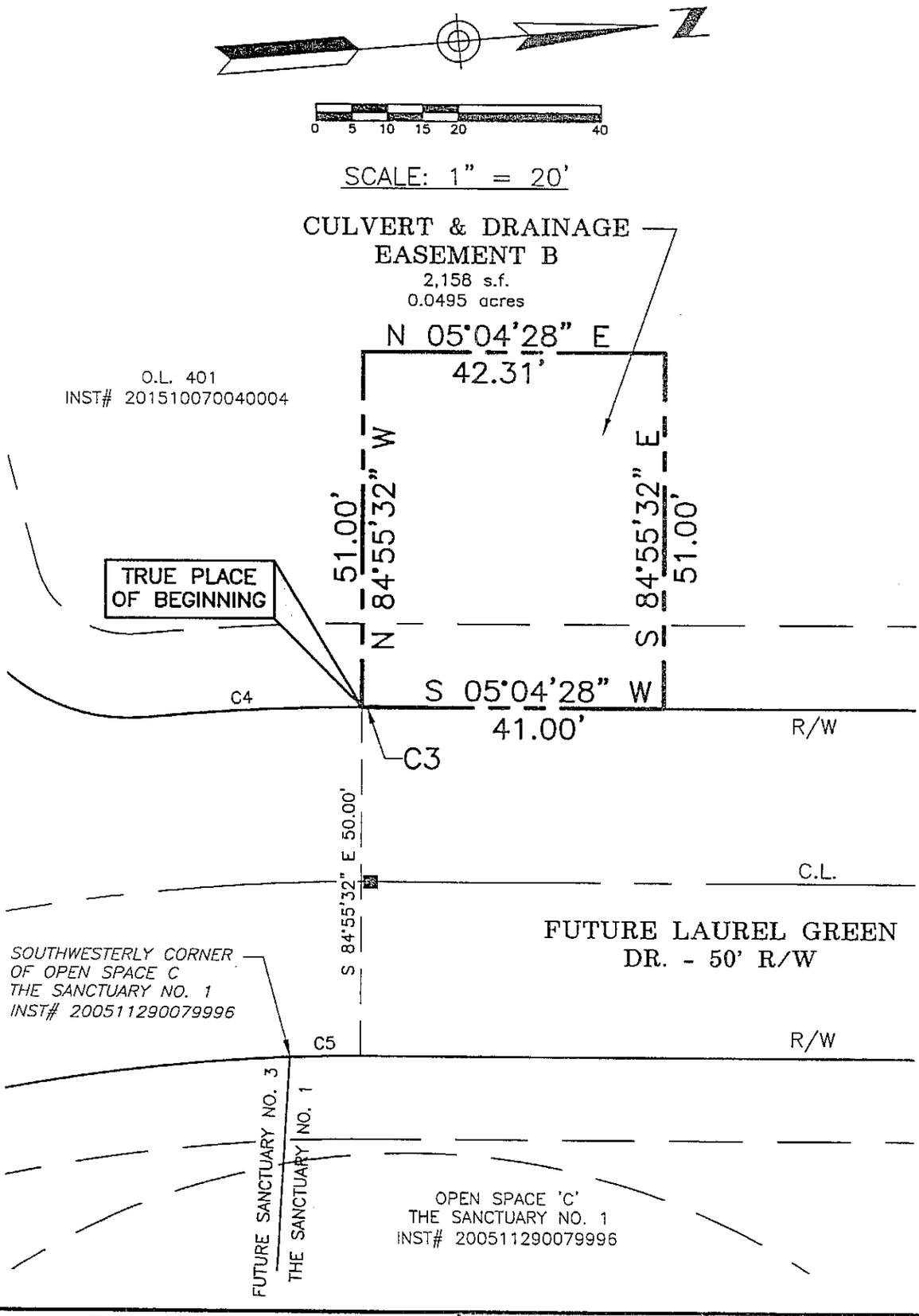
MOLLY R. RYAN
Notary Public, State of Ohio
My Commission Expires April 29, 2017

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

CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	TANGENT	CHORD LENGTH	CHORD BEARING
C3	1.32'	305.00'	0°14'50"	0.66'	1.32'	S 04°57'03" W
C4	30.08'	305.00'	5°39'02"	15.05'	30.07'	S 02°00'07" W
C5	9.84'	255.00'	2°12'39"	4.92'	9.84'	S 03°40'24" W

SITUATED IN THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO AND KNOWN AS BEING PART OF OUT LOT 337 AS RECORDED IN INST. #200412280090569 OF THE STARK COUNTY RECORDS



CULVERT & DRAINAGE EASEMENT

EXHIBIT A

PREPARED BY:

GBC DESIGN, INC.

565 White Pond Dr.
Phone 330-836-0228

Akron, OH 44320
Fax 330-836-5782

DATE: AUG. 08, 2016

PROJECT No.31135BB

GBC DESIGN, INC.
565 White Pond Drive • Akron, OH 44320-1123 • Phone 330-836-0228 • Fax 330-836-5782 • www.GBCdesign.com

August 5, 2016

EXHIBIT "B"
McKinley-Applegrove, LTD. Property
City of North Canton
Culvert & Drainage Easement
Area = 0.0495 Acres

Situated in the City of North Canton, County of Stark, and State of Ohio and known as being part of Out Lot 401 as recorded in Inst. #201510070040004 of the Stark County records, and more fully described as follows:

Beginning at a 1" rebar found at a southwesterly corner of said Open Space 'C';

Thence along an easterly line of future Laurel Green Drive, also being the westerly line of said Open Space 'C', along the arc of a circle curving to the right, having a central angle of 02° 12' 39", a radius of 255.00 feet, a tangent of 4.92 feet, a chord of 9.84 feet, a chord bearing N 03° 40' 24" E, and an arc length of 9.84 feet to a point,

Thence N 84° 55' 32" W, a distance of 50.00 feet to a point, said point being the True Place of Beginning for the parcel of land herein described in the following five (5) courses;

1. Thence, continuing N 84° 55' 32" W, along a new line of easement, a distance of 51.00 feet to a point;
2. Thence N 05° 04' 28" E, along a new line of easement, a distance of 42.31 feet to a point;
3. Thence S 84° 55' 32" E, along a new line of easement, a distance of 51.00 feet to a point;
4. Thence S 05° 04' 28" W, along the westerly line of future Laurel Green Drive, a distance of 41.00 feet to a point;
5. Thence continuing along an westerly line of future Laurel Green Drive, along the arc of a circle curving to the left, having a central angle of 00° 14' 50", a radius of 305.00 feet, a tangent of 0.66 feet, a chord of 1.32 feet, a chord bearing S 04° 57' 03" W, and an arc length of 1.32 feet to the True Place of Beginning and containing 0.0495 Acres of land, more or less, as determined in August, 2016 by Louis J. Giffels, P.S. Reg. No. 7790, with GBC Design, Inc., but subject to all legal highways and any restrictions, reservations, or easements of record.

*The Basis of Bearing for this legal description is the plat of Sancuary No. 1 as recorded in Instrument No. 200511290079996 of the Stark County records.

Louis J. Giffels. P.S. Reg. No. 7790

STATE OF OHIO
LOUIS J. GIFFELS
7790
REGISTERED
PROFESSIONAL SURVEYOR

North Canton City Council
Street and Alley Committee

Ordinance No. 69 - 2016

An ordinance amending North Canton Codified Ordinance 911.01(b), Criteria for Name Change, in order to minimize pedestrian and traffic confusion and to optimize safety and the efficiency of traffic flow, and declaring the same to be an emergency.

WHEREAS, City Council recognizes that the location of certain parcels and the streets and alleys that serve those parcels may cause confusion for pedestrians and traffic; and

WHEREAS, City Council also recognizes that identifying said streets and/or alleys with distinctive names may reduce pedestrian and traffic confusion and optimize safety and the efficiency of traffic flow; and

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

Section 1. That Chapter 911, Street Names, of the Codified Ordinances of the City of North Canton, specifically Section 911.01(b), Criteria for Name Change, be and the same is hereby amended to read as follows:

911.01 CRITERIA FOR NAME CHANGE.

Council may, by an affirmative vote of its members, change the name of any existing street or alley within the corporate limits of the City when it is designated by Council that any of the following conditions exist:

(a) That two or more streets and/or alleys within the corporate limits of the City have the same name;

(b) *That changing the name of a street and/or alley would minimize pedestrian and traffic confusion and optimize safety and the efficiency of traffic flow;*

(c) That a street and/or alley continues outside the corporate limits of the City by another name outside such corporate limits.

Section 2. City Council wishes to minimize pedestrian and traffic confusion and optimize safety and the efficiency of traffic flow by, when warranted, changing the designation identifying a street and/or alley to a distinctive, more recognizable name.

Section 3. 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 4. 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 minimize pedestrian and traffic confusion and

optimize safety and the efficiency of traffic flow; 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
Water, Sewer and Rubbish Committee

Ordinance No. 70 - 2016

An ordinance authorizing the Mayor of the City of North Canton to enter into an Agreement of Cooperation with the City of Canton for the purpose of permitting Canton to locate a monitoring water well on the property known as the Oster Property owned by the City of North Canton, and declaring the same to be an emergency.

WHEREAS, North Canton and Canton wish to enter into an agreement to locate a monitoring well in North Canton for the benefit of each of the cities.

NOW, THEREFORE, BE IT RESOLVED 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 enter into an Agreement of Cooperation with the City of Canton for the purpose of permitting Canton to install a monitoring water well on the property known as the Oster Property, Parcel No. 5280106. The City of Canton is developing a Source Water Protection Plan, which would ensure the quality of its domestic water supply. The Oster Property would be an optimal location for one of the monitoring water wells would be on the Oster Property owned by the City of North Canton. The costs to install and maintain the monitoring well shall be the responsibility of the City of Canton. Both municipalities shall have access to the well to draw water samples.

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, it would be essential for the timely implementation of the agreement so installation of the monitoring well be completed before the winter weather is upon us; wherefore, provided it receives the affirmative vote of six or more members of Council elected thereto, this resolution shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this _____day of _____2016.

_____
David Held, Mayor

Signed:_____, 2016

ATTEST:

_____
Mary Beth Bailey, Clerk of Council

CANTON - NORTH CANTON
AGREEMENT OF COOPERATION

SOURCE WATER PROTECTION PLAN - MONITORING WELL

This agreement is made and entered into this _____ day of _____, 2016, by and between the **CITY OF CANTON, OHIO**, a municipal corporation, organized and existing under the laws of the State of Ohio, hereinafter referred to as **"CANTON"**, and the **CITY OF NORTH CANTON, OHIO**, a charter corporation organized and existing under the laws of the State of Ohio, hereinafter referred to as **"NORTH CANTON"**.

WHEREAS, Canton and North Canton are fully authorized to enter into this agreement; and

WHEREAS, Canton is developing a Source Water Protection Plan to ensure the quality of its domestic water supply. One of the recommendations of said plan is to provide monitoring wells at various locations near Canton's well fields. The optimal location for one of these monitoring wells is on a North Canton owned parcel. This location is near a well supplying water to Canton and another well supplying water to North Canton. Information obtained from water samples from this monitoring well will be useful to both Canton and North Canton; and

WHEREAS, it is necessary to provide for Canton's and North Canton's responsibilities and obligations for said monitoring well;

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth, and of other good and valuable considerations, the parties do hereby agree as follows:

Section 1.0 INSTALLATION COSTS
The costs to install and maintain the monitoring well shall be the responsibility of Canton.

Section 2.0 ACCESS TO SITE OF WELL
North Canton shall ensure that Canton has full access to the well site for installation, maintenance, and use of the well. The site parcel number is #5280106 and is located at the northern terminus of Salway Avenue, N.W., in Plain Township. The location of the well shall be in the southeast corner of the parcel, 10 feet north of the south property line of the parcel and 10 feet east of the eastern edge of the access drive that extends northward from Salway Ave., N.W. This location is approximate. The exact location shall be determined by the site conditions.

Canton shall ensure that North Canton has full access to the well to draw water samples.

Section 3.0 SHARING OF INFORMATION
Canton and North Canton shall provide each other all information of any kind that is obtained from water samples drawn from said monitoring well.

Section 4.0 TERM
This Agreement shall remain valid as long as the monitoring well is capable of, or can be made to be capable of, providing useable water samples.

Section 5.0 NOTIFICATION
North Canton shall notify Canton in writing at least 90 days in advance if it intends to sell or otherwise convey or lease the above described parcel, and to whom if known in advance. Both cities will use their best efforts to ensure continued access to the monitoring well under said circumstances.

IN WITNESS WHEREOF, Canton and North Canton have caused this Agreement to be executed by their respective officers thereunto duly authorized and the Agreement shall be in effect as of the day and year first above written.

APPROVED AS TO FORM:

Law Director, Canton, Ohio	By: Public Service Director of Canton

APPROVED AS TO FORM:

Director of Law, North Canton	By: Mayor of North Canton

North Canton City Council
Finance and Property Committee

Ordinance No. 71 - 2016

An ordinance authorizing the Director of Finance of the City of North Canton to make payment to Plain Township in the amount of $4,540.03 for annexation property tax reparations due through tax year 2015, and declaring the same to be an emergency.

WHEREAS, North Canton is required to pay certain reparations to Plain Township for annexed real property.

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 Director of Finance of the City of North Canton, be, and is hereby authorized to make payment to Plain Township in the amount of $4,540.03 for annexation property tax reparations due through tax year 2015 from the following appropriations:.

101 GENERAL FUND
101.627.5403 Property Tax Reimbursement $4,540.03

upon receipt of vouchers duly approved by the proper departmental authority.

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 necessary for the timely payment to Plain Township of annexation property tax reparations; 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

Resolution No. 6 - 2016

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.

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

Section 1. That to comply with Ohio law, and more specifically delineate duties and responsibilities involving a conditional use or permitted use permit application, that TITLE FIVE - Administration, of the Codified Ordinances of the City of North Canton, specifically CHAPTER 1177 - CONDITIONAL USE PERMITS AND SIMILAR USES, be amended to read as follows:

CHAPTER 1177 CONDITIONS USE AND SIMILAR USE PERMITS

1177.01 Conditional Use Permit.

When a proposed use is permitted in a zoning district as a conditional use, as set forth in the district regulations, a conditional use permit is required and the application for such conditional use permit shall be submitted and reviewed according to the guidelines outlined in this chapter

1177.02 Conditional Use Permit Pre-application Meeting Encouraged.

The conditional use permit applicant is encouraged to meet with the Planning Commission or Superintendent of Permits and Inspection, or designee, prior to submitting an application. The purpose of this meeting is to discuss early and informally the reasons and effect of these zoning regulations and the criteria and standards contained within. No action shall be taken at such a meeting and the applicant may not rely upon the Planning Commission or Superintendent of Permits and Inspection's opinions, suggestions, or recommendations to indicate subsequent approval or disapproval of the application.

1177.03 Conditional Use Permit application.

The owner, or agent thereof, of property for which such conditional use is proposed shall file with the Superintendent of Permits and Inspection an application for a conditional use permit accompanied by payment of the required fee established by Council. The application for a conditional use permit shall disclose all uses proposed for the development, their locations, extent and characteristics, and shall include the following:

(a) A development plan and associated documentation as required in Section 1175.06; however, the Superintendent of Permits and Inspection may determine, in

writing, that specific items required in Section 1175.06 are inapplicable or unnecessary for an application, and thereby waive those items; and

(b) A list of all property owners lying within 200 feet of any part of the property on which the conditional use is proposed, including their addresses and permanent parcel number, as shown on the current tax duplicate in the Office of the Stark County Treasurer.

1177.04 Review of Conditional Use Permit Application.

The Planning Commission shall review the proposed conditional use, as presented on the submitted plans and specifications, to determine whether or not the proposed use is appropriate and in keeping with the purpose and intent of this Zoning Ordinance.

(a) The Planning Commission shall review the development plan for the proposed conditional use according to the development plan review procedures and criteria set forth in Chapter 1175, as applicable;

(b) The Planning Commission shall review the application to determine if the establishment and operation of the proposed use complies with the general criteria established for all conditional uses and the specific requirements established for that particular use, as set forth in Chapter 1145 of this Zoning Ordinance; and

(c) The Planning Commission may require the applicant to submit such additional information as deemed necessary including obtaining special studies and documented expert opinions.

1177.05 Planning Commission Adjudicatory Hearing and Service of Notice.

The Planning Commission shall hold an adjudicatory hearing on the proposed conditional use. Service of the notice of the adjudicatory hearing shall be provided by first class mail to the applicant and property owners lying within 200 feet of the property on which the use is proposed. Service of notice shall also be made by publication in a newspaper of general circulation within North Canton. All notices shall be mailed or published at least seven days before the date of the adjudicatory hearing. All notices shall set forth the time and place of the adjudicatory hearing and the nature of the proposed conditional use. Failure of delivery of such notice shall not invalidate action taken on such application.

1177.06 Action by Planning Commission.

(a) The Planning Commission shall take one of the following actions upon the application of a conditional use permit:

(1) If the Planning Commission determines the proposed conditional use is appropriate and in conformance with the criteria outlined in Section 1175.08, it shall:

A. Approve the conditional use application as submitted; or

B. Approve the conditional use application subject to specific conditions not included in the application as submitted. The Planning Commission may prescribe appropriate conditions, stipulations, safeguards, and limitations on the duration of the

conditional use, as it may deem necessary and in conformance with the intent and purposes of Chapter 1145. The Planning Commission may require the applicant to revise and resubmit the application and/or the development plan to respond to the Planning Commission's condition(s) prior to issuing a final decision on the application.

(2) If the Planning Commission finds the proposed conditional use is not in compliance with the specifications of this Zoning Ordinance, it shall deny the application.

(b) If the Planning Commission fails to act within 60 days from the date the Superintendent of Permits and Inspection deems the application complete, or for the extended period as may be agreed upon, in writing, between the applicant and the Superintendent, the application shall be deemed denied.

1177.07 Terms and duration of conditional use permit.

A conditional use permit shall authorize a particular conditional use on a specific parcel for which it was approved. The conditional use permit shall expire one year from the date of enactment, unless substantial progress is accomplished or as otherwise specifically approved by the Planning Commission. A conditional use permit issued pursuant to this Chapter shall be valid only for the use and operation of such use as specified in the document indicating the Planning Commission's approval of the application. The breach of any condition, safeguard or requirement shall constitute a violation of this Zoning Ordinance.

1177.08 Reapplication.

The Superintendent of Permits and Inspection shall not accept a conditional use re-application until the expiration of one year after the denial of the original application. However, if the re-application reflects changes to the operation, design, layout, or other aspect of the proposed conditional use in response to the Planning Commission's reasons for denying of the previous application, or the Planning Commission determines the re-application reflects a change in circumstances sufficient to justify another adjudicatory hearing, the Superintendent shall accept the re-application. The re-application shall comply with all the requirements of this Chapter, including payment of the required fee.

1177.09 Similar Use Permit.

Within each zoning district established by the Zoning Ordinance and amendments thereto, uses of land or structures that are compatible with each other are permitted in the district. To the extent that new types of uses are created and are not addressed by this Zoning Ordinance, this section provides the process by which the Planning Commission may determine that a proposed new use is sufficiently similar to a permitted use such that the proposed new use warrants inclusion.

(a) Determination. A proposed new use may be permitted as a similar use when the Planning Commission determines that such proposed new use complies with the following provisions:

(1) The proposed new use is not prohibited in any other district;

(2) The proposed new use is not listed as a permitted building or use in any other district;

(3) The proposed new use conforms more, and is more consistent with, the purpose statement of the proposed district than in any other district; or

(4) The proposed new use is of the same general character as the permitted uses in the district to which it is proposed or is similar to a specific use permitted in that district.

(b) Procedure. The Planning Commission shall review the proposed new use according to the conditional use procedures set forth in Sections 1177.02 through 1177.08, with the exception that public hearings shall be held instead of adjudicatory hearings.

(c) Action by Planning Commission. Within 10 business days of the public hearing, unless the similar use application is tabled or withdrawn, the Planning Commission shall forward its recommendation and rationale to City Council. The Planning Commission shall recommend that Council:

(1) Approve the similar use application; or

(2) Approve the similar use application with modifications; or

(3) Deny the similar application.

(d) At a regular meeting, Council shall take action on the Planning Commission's recommendation for a similar use permit by:

(1) Adopting the Planning Commission's recommendation; or

(2) Adopting some modification of the Planning Commission's recommendation; or

(3) Rejecting the Planning Commission's recommendation.

(e) Required vote for adoption, adoption with modification, or rejection:

(1) A majority vote of Council members is required to adopt the Planning Commission's recommendation of a similar use permit;

(2) A positive vote of not less than six Council members is required to adopt some modification of the Planning Commission's recommendation or to reject the Planning Commission's recommendation of a similar use permit.

(f) If Council adopts the Planning Commission's recommendation for a similar use permit, the similar use shall be included in those districts that permit a principal or conditional use most similar as identified in the Planning Commission's recommendation.

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

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

Section 4. That at the time this resolution takes effect, it shall be delivered to the Planning Commission according to the process set forth in Sections 1181.05 through 1181.08.

Passed in Council this _____ day of _____, 2016

_____
David Held, Mayor

ATTEST:

SIGNED: _____, 2016

_____
Mary Beth Bailey, Clerk of Council

North Canton City Council
Community and Economic Development Committee
Resolution No. 7 - 2016

A resolution in support of a county-wide study, which may lead to a collaborative plan and support for next generation broadband infrastructure.

WHEREAS, North Canton City Council has determined that a comprehensive, robust and competitively priced next generation broadband fiber infrastructure would benefit the City as follows:

1. Enhance and sustain quality of life economically, educationally and culturally in our current information economy by increasing affordable digital access;

2. Support technology-driven business, with new transformative technologies that can offer opportunity and rewarding careers attractive to our youth, retaining our most precious resource;

3. Provide more cost-effective and efficient county services to our citizens;

4. Attract and retain small businesses, start-ups and entrepreneurial initiatives reliant on affordable high-speed connectivity;

5. Support our City's largest employers with competitive Internet access, local fiber inter-connections and secure, robust platforms;

6. Position the City to participate as a partner for the development of transformative technologies like cloud computing, autonomous factories, software development and artificial intelligence;

7. Provide for a potential new revenue stream to support City services and aspirational projects;

8. Provide a framework for regional partnerships and planning with an intelligent network as its foundation;

WHEREAS, a vibrant, diverse marketplace, with transparency in offerings, pricings, and policies may spur innovation, increase investment, and lower prices.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, AND STATE OF OHIO, THAT COUNCIL HEREBY ADOPTS THIS RESOLUTION IN SUPPORT OF:

Section 1. Joining a regional effort encouraging public and private stakeholders to support and collaborate on county-wide solutions for robust and

affordable high-speed connectivity that is industry-leading, future-leaning and aspirational.

Section 2. Investigating opportunities to change engineering specifications to allow for additional capacity in current and future infrastructure projects.

Section 3. 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

ALAN HAROLD
STARK COUNTY AUDITOR

Resolution No. 8 - 2016

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

Revised Code, Secs. 5705.34-5705.35

The (Council of the) NORTH CANTON CITY,

Of Stark County, Ohio, met in_____Session on the _____day of _____at the office of_____with the following members present:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Mr./Ms._____ moved the adoption of the following Resolution:

WHEREAS, This council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2017: and

WHEREAS, The Budget Commission of Stark County, Ohio, has certified its action thereon to this council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this (Council/Board), and what part thereof is without, and what part within the ten mill limitation; there be it

RESOLVED, by the (Council) of _____ City/Village, Stark County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted: and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said (Village/City) the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to be derived from Levies outside 10 mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside	Outside
General Fund		39,667	2.40 (NCCSD)	
		736,918	2.40 (NCCSD)	
		156	1.90 (JLSD)	
		5,582	2.00 (JLSD)	
		1,927	1.90 (PLSD)	
		135,255	2.00 (PLSD)	
Street Improvement Fund	364,037			1.00
Fire Fund	182,018			0.50
Ambulance Fund	910,092			1.00
Storm Sewer	364,037			1.00
Total	1,820,184	919,505	12.60	3.50

SCHEDULE B

LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to be Levied	County Auditor's Estimate of Yeild of Levy
GENERAL FUND:		
Current expense levy authorized by voters on for not to exceed Continued years.		
Emergency Current expense levy authorized by voters on for not to exceed 5 years.		
Emergency Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed 5 years.		
Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed Continued years.		
Current expense levy authorized by voters on for not to exceed years.		
Fire Fund: Levy authorized by voters on 3/6/12 for not to exceed **Continued** years.	0.50	182,018
Street Improvement Fund: Levy authorized by voters on 11/4/14 for not to exceed **5** years.	1.00	364,037
Ambulance Fund: Levy authorized by voters on 3/6/12 for not to exceed **Continued** years.	1.00	364,037
Ambulance Fund: Levy authorized by voters on 11/6/12 for not to exceed **5** years.	1.50	546,055
Storm Sewer Fund: Levy authorized by voters on 11/4/14 for not to exceed **5** years.	1.00	364,037

And be it further

Resolved, That the clerk of this Board be and he is hereby directed to cerfity a copy of this resolution to the County Auditor of said County.

Mr./Ms._____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr/Ms. _____ ____,_____

Mr/Ms. _____ ____,_____

Mr/Ms. _____ ____,_____

Mr/Ms. _____ ____,_____

Mr/Ms. _____ ____,_____

Mr/Ms. _____ ____,_____

Adopted the _____ day of _____, 20_____.

_____
Clerk

_____ City/Village

_____ County, Ohio.

CERTIFICATE TO COPY
ORIGINAL ON FILE

The State of Ohio, Stark County, Ss.

I, _____Clerk City/Village of_____

Within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the Original _____ now on file, that the foregoing has been compared by me with said original document, and that the same is true and correct copy thereof.

Witness my signature, this_____day of_____, _____.

_____Clerk

_____

No._____

City/Village_____, Stark County Ohio.

Resolution

Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Adopted_____, _____

_____
Clerk

Filed_____, _____

_____
County Auditor

By_____
Deputy Auditor