

**North Canton City Council Notice
Special Committee of the Whole Agenda
Monday, April 3, 2017**

North Canton City Council will meet as a Committee of the Whole **Monday, April 3, 2017 immediately following the 7:00 p.m. Special Council Meeting** in Council chambers at North Canton City Hall.

Items to be discussed:

1. Ordinance, Rules and Claims Committee

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

An ordinance amending North Canton Ordinance No. 50 - 1977, specifically Sections 159.01, 159.02, and 159.03 to reflect the current Ohio Revised Code updates to the North Canton Record Retention Policy and Procedures.

2. Personnel and Safety Committee

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

An ordinance amending the current Collective Bargaining Agreement ("CBA") by and between the City of North Canton ("City") and the North Canton Fiscal, Clerical, and Accounting Specialists ("Union"), collectively, (the "Parties"), which has an effective date of July 1, 2015, and expires June 30, 2018.

3. Finance and Property Committee

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

(a) An ordinance amending Ordinance No. 8 - 2017, the 2017 Sanitary Sewer Rehabilitation Project in the City of North Canton, increasing the appropriation from not to exceed \$400,000.00 to not to exceed \$500,000.00.

(b) An ordinance amending Ordinance No. 26 - 20167, Regional Income Tax Agency ("RITA") Regional Council of Governments Delegates, to omit the names of individuals and appoint the Director of Finance as the City's Delegate and the Director of Administration as the Alternate Delegate.

4. Adjourn.

North Canton City Council
Ordinance, Rules and Claims Committee

Ordinance No. - 2017

An ordinance amending North Canton Ordinance No. 50 - 1977, specifically Sections 159.01, 159.02, and 159.03 to reflect the current Ohio Revised Code updates to the North Canton Record Retention Policy and Procedures.

WHEREAS, the City desires to update Ordinance No. 50 - 1977, specifically Sections 159.01, 159.02, and 159.03 of the North Canton Record Retention Policy and Procedures; and

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

Section 1. That North Canton Ordinance No. 50 - 1977 be, and hereby is amended to reflect the followings updates to the North Canton Record Retention Policy and Procedures:

159.01 COMMISSION CREATED; MEMBERS.

The North Canton Records and Archives Commission is hereby established to be composed of the Mayor, or the Mayor's appointed representative, as chairperson, the Finance Director, the President of Council, the Law Director and a citizen appointed by the Mayor, who shall be a member of the North Canton Heritage Society. The Commission shall appoint a secretary, who may or may not be a member of the Commission and who shall serve at the pleasure of the Commission. The Commission shall meet at least once every six months and upon the call of the chairperson.

159.02 DUTIES OF COMMISSION.

The duties of the Commission shall be to review and examine antique documents and records created or received by or coming under the jurisdiction or control of the City which serve to document the organization, history, functions, policies, decisions, procedures, operations or other activities of the City or its predecessors, to identify those documents and records which the Commission deems to be of continuing historical value, provide rules for retention and disposal of records of the municipal corporation, and to review applications for one-time disposal of obsolete records and schedules of records retention and disposition submitted by municipal offices. The Commission, at any time, may review any schedule it has previously approved and, for good cause shown, may revise that schedule under the procedure outlined in that section.

159.03 DISPOSITION OF RECORDS.

The Commission may dispose of records pursuant to the procedure outlined in Section 149.381 of the Revised Code.

- Section 2. That Ordinance No. 50 - 1977, be, and the same is hereby amended.
- Section 3. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 4. That this ordinance 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 _____, 2017

David Held, Mayor

ATTEST:

SIGNED: _____, 2017

Mary Beth Bailey, Clerk of Council



145 North Main St. · North Canton, OH 44720
Phone: 330-499-8223 Fax: 330-305-0603
mgrimes@northcantonohio.gov

CITY OF NORTH CANTON

Michael J. Grimes
Director of Administration

Legislation Request

To: Daniel J. Peters, Council President
Date: March 28, 2017
Subject: Revisions to Record retention Ordinances

I am requesting that Council consider revising and updating city ordinance #50-77 Sections 159.01, 159.02 and 159.03 concerning record retention, subject to the Law Director's approval and recommendation.

Administration is currently working on reviewing and analyzing our record retention practices, policies and procedures and believes updating these ordinances passed in 1977 would better and more completely reflect current Ohio Revised Code.

I have attached the ordinances with red in color additions and strikethroughs for your consideration.

EMERGENCY REQUESTED YES NO

Respectfully Submitted,

Michael J. Grimes
Director of Administration

RECEIVED

MAR 29 2017

COUNCIL OFFICE
NORTH CANTON, OHIO

159.01 COMMISSION CREATED; MEMBERS.

The North Canton Records and Archives Commission is hereby established to be composed of the Mayor, or the Mayor's appointed representative, as chairperson, the Finance Director, the President of Council, the Law Director and a citizen appointed by the Mayor, who shall be a member of the North Canton Heritage Society. The Commission shall appoint a secretary, who may or may not be a member of the Commission and who shall serve at the pleasure of the Commission. The Commission shall meet at least once every six months and upon the call of the chairperson. (Ord. 50-77. Passed 4-11-77.)

159.02 DUTIES OF COMMISSION.

The ~~function~~ duties of the Commission shall be to review and examine antique documents and records created or received by or coming under the jurisdiction or control of the City which serve to document the organization, history, functions, policies, decisions, procedures, operations or other activities of the City or its predecessors, to identify those documents and records which the Commission deems to be of continuing historical value, provide rules for retention and disposal of records of the municipal corporation, and to review applications for one-time disposal of obsolete records and schedules of records retention and disposition submitted by municipal offices. The Commission, at any time, may review any schedule it has previously approved and, for good cause shown, may revise that schedule under the procedure outlined in that section. (Ord. 50-77. Passed 4-11-77.)

159.03 DISPOSITION OF RECORDS.

The Commission may dispose of records pursuant to the procedure outlined in section 149.381 of the Revised Code. ~~Documents and records deemed by the Commission to be of continuing historical value and of no current administrative, legal or fiscal value to the City or its residents may be turned over to the custody of the North Canton Heritage Society for the purpose of indexing and preservation for the benefit of the public.~~ (Ord. 50-77. Passed 4-11-77.)

159.01 COMMISSION CREATED; MEMBERS.

The North Canton Records and Archives Commission is hereby established to be composed of the Mayor, the President of Council, the Law Director and a member of the North Canton Heritage Society.
(Ord. 50-77. Passed 4-11-77.)

159.02 DUTIES OF COMMISSION.

The function of the Commission shall be to review and examine antique documents and records created or received by or coming under the jurisdiction or control of the City which serve to document the organization, history, functions, policies, decisions, procedures, operations or other activities of the City or its predecessors, to identify those documents and records which the Commission deems to be of continuing historical value.

(Ord. 50-77. Passed 4-11-77.)

159.03 DISPOSITION OF RECORDS.

Documents and records deemed by the Commission to be of continuing historical value and of no current administrative, legal or fiscal value to the City or its residents may be turned over to the custody of the North Canton Heritage Society for the purpose of indexing and preservation for the benefit of the public.
(Ord. 50-77. Passed 4-11-77.)

149.381 Review of applications for disposal of records or schedules of records retention and disposition by history connection.

(A) As used in this section, "records commission" means a records commission created under section 149.39 of the Revised Code, a school district records commission and an educational service center records commission created under section 149.41 of the Revised Code, a library records commission created under section 149.411 of the Revised Code, a special taxing district records commission created under section 149.412 of the Revised Code, and a township records commission created under section 149.42 of the Revised Code.

(B) When a records commission has approved an application for one-time disposal of obsolete records or any schedule of records retention and disposition, the records commission shall send that application or schedule to the Ohio history connection for its review. The Ohio history connection shall review the application or schedule within a period of not more than sixty days after its receipt of it. During the sixty-day review period, the Ohio history connection may select for its custody from the application for onetime disposal of obsolete records any records it considers to be of continuing historical value, and shall denote upon any schedule of records retention and disposition the records for which the Ohio history connection will require a certificate of records disposal prior to their disposal.

(C) Upon completion of its review, the Ohio history connection shall forward the application for one-time disposal of obsolete records or the schedule of records retention and disposition to the auditor of state for the auditor of state's approval or disapproval. The auditor of state shall approve or disapprove the application or schedule within a period of not more than sixty days after receipt of it.

(D) Before public records are to be disposed of pursuant to an approved schedule of records retention and disposition, the records commission shall inform the Ohio history connection of the disposal through the submission of a certificate of records disposal for only the records required by the schedule to be disposed of, and shall give the Ohio history connection the opportunity for a period of fifteen business days to select for its custody those public records, from the certificate submitted, that it considers to be of continuing historical value.

(E) The Ohio history connection may not review or select for its custody any of the following:

(1) Records the release of which is prohibited by section 149.432 of the Revised Code.

(2) Records containing personally identifiable information concerning any pupil attending a public school other than directory information, as defined in section 3319.321 of the Revised Code, without the written consent of the parent, guardian, or custodian of each such pupil who is less than eighteen years of age, or without the written consent of each pupil who is eighteen years of age or older.

(3) Records the release of which would, according to the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232g, disqualify a school or other educational institution from receiving federal funds.

Amended by 131st General Assembly File No. TBD, HB 141, §1, eff. 9/29/2015.

Added by 129th General Assembly File No. 28, HB 153, §101.01, eff. 9/29/2011.

Effective Date: 10-19-1959 .

North Canton City Council
Personnel and Safety Committee

Ordinance No. - 2017

An ordinance amending the current Collective Bargaining Agreement ("CBA") by and between the City of North Canton ("City") and the North Canton Fiscal, Clerical, and Accounting Specialists ("Union"), collectively, (the "Parties"), which has an effective date of July 1, 2015, and expires June 30, 2018.

WHEREAS, the State Employment Relations Board ("SERB") certified the Clerical, Fiscal, and Accounting Specialists' bargaining unit in 1994 with five job classifications; and

WHEREAS, over time, all of the members of the Union transferred into only one of the five job classifications: Fiscal Specialists; and

WHEREAS, to better align and describe the Union members' duties and responsibilities, the City and Union jointly petitioned SERB to amend the Union's certification, thereby changing the Union's name from "Clerical, Fiscal, and Accounting Specialists" to "North Canton Utility Specialists", and to amend the bargaining unit such that the sole job classification is Utility Specialists.

WHEREAS, on March 9, 2017, by unanimous vote, SERB approved the Parties' petition as described above. A copy of SERB's certification is attached hereto and incorporated herein. SERB Case #2017-REP-01-0013.

WHEREAS, the Parties shall memorialize the certification and amendment to the current CBA in a memorandum of agreement, which shall be on file in the Clerk of Council's office.

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

- Section 1. That pursuant to SERB Case #2017-REP-01-0013, and as a result of the Union and City's joint petition, the Union's name is changed from "Clerical, Fiscal, and Accounting Specialists" to "North Canton Utility Specialists".
- Section 2. That the current CBA between the City and Union is hereby amended such that each reference to "Clerical, Fiscal, and Accounting Specialists" shall be a reference to "North Canton Utility Specialists".
- Section 3. That each reference to "Fiscal Specialist(s) I, II, or III" shall be to "Utility Specialist(s) I, II, or III".
- Section 4. That each reference to a member of the Union other than Utility Specialist I, II, or III is void.

Section 5. 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 6. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this _____ day of _____ 2017.

David Held, Mayor

ATTEST:

Signed: _____, 2017

Mary Beth Bailey, Clerk of Council

North Canton City Council
Finance and Property Committee

Ordinance No. - 2017

An ordinance amending Ordinance No. 8 - 2017, the 2017 Sanitary Sewer Rehabilitation Project ("Project") in the City of North Canton, increasing the appropriation from not to exceed \$400,000.00 to not to exceed \$500,000.00, to include Greenway Road SE to the Project, and declaring the same to be an emergency.

WHEREAS, the City wishes to include Greenway Road SE to the 2017 Sanitary Rehabilitation Project; and

WHEREAS, the addition of Greenway Road SE to the Project will increase the necessary appropriation from not to exceed \$400,000.00 to not to exceed \$500,000.00.

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

- Section 1. That Ordinance No. 8 - 2017, the 2017 Sanitary Sewer Rehabilitation Project, be, and the same is hereby amended to include Greenway Road SE, which shall increase the appropriation from not to exceed \$400,000.00 to not to exceed \$500,000.00; a copy of Ordinance No. 8 - 2017 is attached hereto and is incorporated herein.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this ordinance 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 maintain the City's sanitary sewers during weather conditions favorable toward construction; 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 from and after the earliest period allowed by law.

Passed in Council this _____ day of _____ 2017.

David Held, Mayor

Signed: _____, 2017

ATTEST:

Mary Beth Bailey, Clerk of Council



City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587

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MAR 21 2017

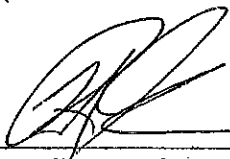
LEGISLATION REQUEST

ADMINISTRATION
NORTH CANTON, OHIO

March 21, 2017

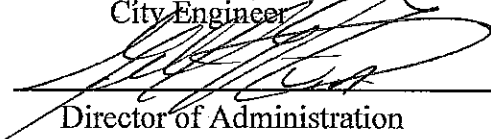
To: **Daniel Jeff Peters, President**
City Council

Subject: **2017 Sanitary Sewer Rehabilitation Project**
(Ordinance No. 8-2017)

Requested By: 

City Engineer

Date: 3/21/2017

Approved By: 

Director of Administration

Date: 3/22/2017

An ordinance amending Section 3 of Ord. No. 8-2017 for **2017 Sanitary Sewer Rehabilitation Project** as follows:

| | <u>Current</u> | <u>Amend To</u> |
|--------------|----------------|-----------------|
| 651.767.5502 | \$ 400,000 | \$ 500,000 |

EMERGENCY REQUESTED: Yes X No _____

Emergency legislation is being requested in to construct this project in a timely manner.

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MAR 22 2017

COUNCIL OFFICE
NORTH CANTON, OHIO

North Canton City Council
Street and Alley Committee

Ordinance No. 8 - 2017

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the Director's office, and authorizing the Mayor of the City of North Canton, upon Board of Control approval, to enter into a contract for the 2017 Sanitary Sewers Rehab Project, at a cost not to exceed \$400,000, and declaring the same to be an emergency.

WHEREAS, certain City sanitary sewers require replacement; and

WHEREAS, the City desires to enter into a contract for the 2017 Sanitary Sewers Rehab Project.

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

Section 1. That the Director of Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids according to specifications now on file in the Director's office for the 2017 Sanitary Sewers Rehab Project.

Section 2. That the Mayor of the City of North Canton, upon Board of Control approval, be, and is hereby authorized to enter into a contract for the 2017 Sanitary Sewers Rehab Project, at a cost not to exceed \$400,000.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above specified contract from the following appropriations:


| | | |
|--------------|--------------------------|-----------|
| 652 | SEWER REVENUE FUND | |
| 652.779.5501 | Facilities – Sewer Lines | \$400,000 |

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

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 for the timely bidding process and to enter into a contract in order for the 2017 Sanitary Sewers Rehab Program to begin in a timely manner; 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 from and after the earliest period allowed by law.

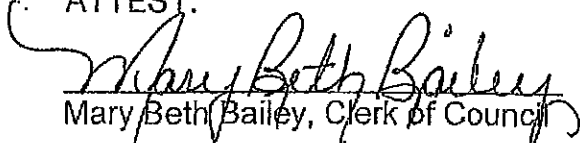
Passed in Council this 16th day of February, 2017



David Héld, Mayor

Signed: 2/16, 2017

ATTEST:



Mary Beth Bailey, Clerk of Council

North Canton City Council
Finance and Property Committee

Ordinance No. - 2017

An ordinance amending Ordinance No. 26 - 2016, Regional Income Tax Agency ("RITA") Regional Council of Governments Delegates, to omit the names of specific individuals and appoint the Director of Finance as the City's Delegate and the Director of Administration as its Alternate.

WHEREAS, a personnel change requires the City to update its Delegate and Alternate to RITA's Regional Council of Governments;

WHEREAS, the City wishes to appoint its Delegate and Alternate by position, not by name.

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

- Section 1: That Ordinance No. 26 - 2016, the RITA Regional Council of Government Designees Appointments be, and the same is hereby amended to appoint the Director of Finance as the City's Delegate, and Director of Administration as its Alternate.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this ordinance shall take effect and be in full force immediately upon its adoption by Council and approval by the Mayor.

Passed in Council this _____ day of _____ 2017.

David Held, Mayor

Signed: _____, 2017

ATTEST:

Mary Beth Bailey, Clerk of Council



145 North Main St. · North Canton, OH 44720
Phone: 330-499-8223 Fax: 330-305-0603
mgrimes@northcantonohio.gov

CITY OF NORTH CANTON

Michael J. Grimes
Director of Administration

Legislation Request

To: Daniel J. Peters, Council President
Date: March 29, 2017
Subject: Update Ordinance No. 29-2016 – RITA Council Delegates

I am respectfully suggesting that City Council review and consider updating previously passed Ordinance No. 29-2016 naming previous Finance Director Karen Alger as Delegate and me as Alternate Delegate to the Regional Income Tax Agency (RITA) Council of Governments.

As we all are aware, Karen Alger has retired and we now have Finance Director Laura Brown serving as our city Finance Director. Perhaps the Law Director can suggest if it is proper naming holders of specific positions and not specific names of individuals, so that a change in ordinance is not required when someone moves on from city employment.

EMERGENCY REQUESTED YES NO

Respectfully Submitted,

Michael J. Grimes

Copy; Law Director Fox
Finance Director Brown
File

Attachment: City Ordinance No. 29-2016

RECEIVED

MAR 29 2017

COUNCIL OFFICE
NORTH CANTON, OHIO

North Canton City Council
Finance and Property Committee

Ordinance No. 29 -- 2016

An ordinance appointing Director of Finance, Karen Alger, as Delegate and Director of Administration, Michael Grimes, as Alternate Delegate to the Regional Income Tax Agency (RITA) Regional Council of Governments, and declaring the same to be an emergency.

WHEREAS, the Agreement for Participation entered into by all Member Municipalities of RITA provides that each municipal corporation that is a party to the Agreement has one representative to a Council of Governments, who shall be appointed by the Chief Executive with the approval of City Council, and that each municipal corporation shall similarly designate an alternate who may act in place of the representative in the representative's absence.

WHEREAS, North Canton's Mayor has appointed the City's Director of Finance, Karen Alger, and Director of Administration, Michael Grimes, as the City's Delegate and Alternate, respectively, to RITA's Regional Council of Governments.

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

- Section 1: That Director of Finance, Karen Alger, be and is hereby appointed to be the Delegate to the RITA Regional Council of Governments, with Director of Administration, Michael Grimes acting as the Alternate Delegate should the Delegate be unable to attend the Regional Council of Governments meetings.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely appointments of the Delegate and the Alternate Delegate to the Regional Income Tax Agency Regional Council of Governments on behalf of the City of North Canton; 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.