

**Special Council Meeting  
Monday, April 3, 2017**

Mr. Daniel Peters, President of North Canton's City Council, has requested a Special Council Meeting of Council Members, the Mayor, Director of Administration, Director of Finance, and the Director of Law, for **Monday, April 3, 2017, at 7:00 p.m.**, in Council chambers at North Canton City Hall, to consider the following:

1. Call to Order
2. Roll Call
3. Jeff Weber of the Knights of Columbus presenting a check to the Special Olympics represented by the North Canton Jaycees, President Colin Riley.
4. Recognition of Visitors
5. Old Business
6. **Ordinance No. 26 - 2017 - 3<sup>rd</sup> Reading - Finance and Property Committee**

An ordinance permitting the City of North Canton to sign the Satisfaction of Mortgage for a performance bond in the amount of \$97,823.00, and a maintenance bond in the amount of \$103,706.00, between the City and McKinley Development Corporation for The Sanctuary No. 3 construction project, as set forth in Ordinance No. 46 – 2016.

7. **Ordinance No. 27 - 2017 - 3<sup>rd</sup> Reading - Finance and Property Committee**

An ordinance permitting the City of North Canton to enter into a sidewalk performance bond in the amount of \$52,179.00, and a maintenance bond in the amount of \$51,853.00, between the City and McKinley Development Corporation for The Sanctuary No. 3 construction project.

8. **Ordinance No. 28 - 2017 - 3<sup>rd</sup> Reading - Finance and Property Committee**

An ordinance permitting the City of North Canton to enter into two mortgages in the amounts of \$52,179.00, and \$51,853.00 between the City and McKinley Development Corporation for The Sanctuary No. 3 construction project.

9. New Business

10. **Ordinance No. 30 - 2017 - 1<sup>st</sup> Reading - Street and Alley Committee**

An ordinance declaring, that for traffic control purposes only, the portion of Main Street in the City of North Canton, Ohio, from the intersection of Charlotte Street NW, south to the intersection of Bachtel Street SE, shall be known as North Canton's Business District, and as a consequence, the maximum speed limit permitted thereon shall be twenty-five miles per hour.

11. **Ordinance No. 31 - 2017 - 1<sup>st</sup> Reading - Street and Alley Committee**

An ordinance declaring, for traffic control purposes only, that because the length of Charlotte Street NW, within the City of North Canton, Ohio, from its beginning at the intersection of Orchard Ave NE, to its merger into Portage Ave NW, is significantly less than one mile, it is

hereby designated not as a "through highway", but as a "street", and therefore shall have a maximum speed limit thereon of twenty-five miles per hour, R.C. 4511.21 (B)(2).

**12. Ordinance No. 32 - 2017 - 1<sup>st</sup> Reading - Street and Alley Committee**

An ordinance declaring, for traffic control purposes only, that because the length of Portage Street NW, within the City of North Canton, Ohio, from its stop at Charlotte Street NW, to its stop at Pittsburg Ave NW, is less than one mile, that portion of Portage Street NW shall hereby designated not as a "through highway", but as a "street", and therefore shall have a maximum speed limit thereon of twenty-five miles per hour, R.C. 4511.21(B)(2).

**13. Ordinance No. 33 - 2017 - 1<sup>st</sup> Reading - Finance and Property Committee**

An ordinance authorizing the Mayor of the City of North Canton to enter into a contract for professional auction services for the sale of equipment and miscellaneous items which are no longer required for municipal purposes and for the disposition of unclaimed property in the custody of the Police Department, and declaring the same to be an emergency.

**14. Ordinance No. 34 - 2017 - 1<sup>st</sup> Reading - Finance and Property Committee**

An ordinance authorizing the Mayor of the City of North Canton to enter into an agreement between the City and the United States Department of Agriculture to participate in the Forest Service Grant Award, managed by the Ohio Department of Natural Resources, and declaring the same to be an emergency.

**15. Resolution No. 5 - 2017 - 1<sup>st</sup> Reading - Finance and Property Committee**

A resolution of submission of question of a renewal of a tax levy for the purpose of providing additional funds for the City's portion of ambulance service, emergency medical service or both, in the City of North Canton, Stark County, Ohio, and declaring the same to be an emergency.

**16. Adjourn**

North Canton City Council  
Street and Alley Committee

Ordinance No. 30 - 2017

An ordinance declaring, that for traffic control purposes only, the portion of Main Street in the City of North Canton, Ohio, from the intersection of Charlotte Street NW, south to the intersection of Bachtel Street SE, shall be known as North Canton's Business District, and as a consequence, the maximum speed limit permitted thereon shall be twenty-five miles per hour.

WHEREAS, 100 percent of the frontage on Main Street between the intersection of Charlotte Street NW, south to the intersection of Bachtel Street SE, is occupied by buildings in use for business (R.C. 4511.01); and

WHEREAS, the prima facie speed limit with a municipal business district is twenty-five miles per hour (R.C. 4511.21(B)(2)); and

WHEREAS, because the City wishes to preserve the health, safety and peace of its residents and guests, reducing the speed limit in its business district—perhaps the most traveled and congested portion of the City—shall serve that purpose; and

WHEREAS, for traffic control purposes only, the portion of Main Street in the City of North Canton, Ohio, from the intersection of Charlotte Street NW, south to the intersection of Bachtel Street SE, shall henceforth be known as North Canton's Business District, and as a consequence, the maximum speed limit permitted by law within the business district shall be twenty-five miles per hour.

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

- Section 1. That 100 percent of the frontage on Main Street in the City of North Canton, Ohio, from the intersection of Charlotte Street NW, south to the intersection of Bachtel Street SE, is occupied by buildings in use for business (R.C. 4511.01).
- Section 2. That the prima facie speed limit with a municipal business district is twenty-five miles per hour (R.C. 4511.21(B)(2)).
- Section 3. That the City wishes to preserve of the health, safety and peace of its residents and guests by reducing the speed limit in its business district, perhaps the most traveled and congested portion of the City.

- Section 4. That for traffic control purposes only, the portion of Main Street, from the intersection of Charlotte Street NW, south to the intersection of Bachtel Street SE, shall henceforth be known as North Canton's Business District, and as a consequence, the maximum speed limit permitted by law within the business district shall be twenty-five miles per hour.
- 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

Signed: \_\_\_\_\_, 2017

ATTEST:

\_\_\_\_\_  
Mary Beth Bailey, Clerk of Council

North Canton City Council  
Street and Alley Committee

Ordinance No. 31 - 2017

An ordinance declaring, for traffic control purposes only, that because the length of Charlotte Street, within the City of North Canton, Ohio, from its beginning at the intersection of Orchard Ave NE, to its merger into Portage Ave NW, is significantly less than one mile, it is hereby designated not as a "through highway", but as a "street", and therefore shall have a maximum speed limit thereon of twenty-five miles per hour, R.C. 4511.21(B)(2).

WHEREAS, amongst other things, a through highway must have a continuous length of at least one mile (R.C. 4511.65); and

WHEREAS, the length of Charlotte Street, from its beginning at the intersection of Orchard Ave NE, to its merger into Portage Ave NW, is significantly less than one mile; and

WHEREAS, because the length of Charlotte Street NW is significantly less than one mile, it is hereby designated not as a "through highway", but as a "street"; and

WHEREAS, the prima facie speed limit of a "street" with a municipal corporation is twenty-five miles per hour (R.C. 4511.21(B)(2)); and

WHEREAS, because the City wishes to preserve the health, safety and peace of its residents and guests, properly designating municipal streets as such to thereby reduce the speed limits thereon shall serve that purpose; and

WHEREAS, for traffic control purposes only, Charlotte Street shall hereby be designated as a not as a "through highway", but as a "street", and as a consequence, the maximum speed limit permitted by law thereon shall be twenty-five miles per hour. (R.C. 4511.21(B)(2)).

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 length of Charlotte Street, from its beginning at the intersection of Orchard Ave NE, to its merger into Portage Ave NW, is significantly less than one mile.
- Section 2. That amongst other things, a "through highway" must have a continuous length of at least one mile (R.C. 4511.65).

- Section 3. That because the length of Charlotte Street is significantly less than one mile, it is hereby designated not as a "through highway", but as a "street".
- Section 4. That because the City wishes to preserve the health, safety and peace of its residents and guests, properly designating municipal streets as such to thereby reduce the speed limits thereon shall serve that purpose.
- Section 5. That for traffic control purposes only, Charlotte Street shall hereby be designated not as a "through highway", but as a "street", and as a consequence, the maximum speed limit permitted by law thereon shall be twenty-five miles per hour. (R.C. 4511.21(B)(2)).
- Section 6. 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 7. 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

Signed: \_\_\_\_\_, 2017

ATTEST:

\_\_\_\_\_  
Mary Beth Bailey, Clerk of Council

North Canton City Council  
Street and Alley Committee

Ordinance No. 32 - 2017

An ordinance declaring, for traffic control purposes only, that because the length of Portage Street NW, within the City of North Canton, Ohio, from its stop at Charlotte Street NW, to its stop Pittsburgh Ave NW, is less than one mile, that portion of Portage Street NW shall hereby designated not as a "through highway", but as a "street", and therefore shall have a maximum speed limit thereon of twenty-five miles per hour, R.C. 4511.21(B)(2).

WHEREAS, amongst other things, a through highway must have a continuous length of at least one mile (R.C. 4511.65); and

WHEREAS, the portion of Portage Street NW from its stop at Charlotte Street NW, to its stop Pittsburgh Ave NW, is less than one mile; and

WHEREAS, because the portion of Portage Street NW from its stop at Charlotte Street NW to its stop Pittsburgh Ave NW is less than one mile less, that portion of Portage Street NW is hereby designated not as a "through highway", but as a "street"; and

WHEREAS, the prima facie speed limit of a "street" with a municipal corporation is twenty-five miles per hour (R.C. 4511.21(B)(2)); and

WHEREAS, because the City wishes to preserve the health, safety and peace of its residents and guests, properly designating municipal streets as such to thereby reduce the speed limits thereon shall serve that purpose; and

WHEREAS, for traffic control purposes only, the portion of Portage Street NW, from its stop at Charlotte Street NW, to its stop Pittsburgh Ave NW, shall hereby be designated not as a "through highway", but as a "street", and as a consequence, the maximum speed limit permitted by law thereon shall be twenty-five miles per hour. (R.C. 4511.21(B)(2)).

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 length of the length of Portage Street NW, from its stop at Charlotte Street NW, to its stop Pittsburgh Ave NW, is less than one mile.
- Section 2. That amongst other things, a "through highway" must have a continuous length of at least one mile (R.C. 4511.65).

- Section 3. That because the portion of Portage Street NW, from its stop at Charlotte Street NW, to its stop Pittsburgh Ave NW, is less than one mile, that portion of Portage Street NW is hereby designated not as a "through highway", but as a "street".
- Section 4. That because the City wishes to preserve the health, safety and peace of its residents and guests, properly designating municipal streets as such to thereby reduce the speed limits thereon shall serve that purpose.
- Section 5. That for traffic control purposes only, the portion of Portage Street NW, from its stop at Charlotte Street NW, to its stop Pittsburgh Ave NW, shall hereby be designated not as a "through highway", but as a "street", and as a consequence, the maximum speed limit permitted by law thereon shall be twenty-five miles per hour. (R.C. 4511.21(B)(2)).
- Section 6. 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 7. 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

Signed: \_\_\_\_\_, 2017

ATTEST:

\_\_\_\_\_  
Mary Beth Bailey, Clerk of Council

North Canton City Council  
Finance and Property Committee

Ordinance No. 33 - 2017

An ordinance authorizing the Mayor of the City of North Canton to enter into a contract for professional auction services for the sale of equipment and miscellaneous items which are no longer required for municipal purposes and for the disposition of unclaimed property in the custody of the Police Department, and declaring the same to be an emergency.

WHEREAS, the City desires to enter into a contract for professional auction services to sell equipment and miscellaneous items no longer need in the custody of the Police Department.

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 Mayor of the City of North Canton, be, and is hereby authorized to enter into a contract for professional auction services for the sale of equipment and miscellaneous items which are no longer required for municipal purposes and for the sale of equipment, miscellaneous items and unclaimed property in the custody of the Police Department.
- Section 2. That the equipment and miscellaneous items, no longer required for municipal purposes, listed on the roster on file in the office of the Director of Administration, used by the respective departments, be, and is hereby authorized to be sold.
- Section 3. That the Director of Finance of the City of North Canton, be, and is hereby directed to deposit the proceeds of the auction sale contract to the credit of the applicable City funds.
- 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 to meet the auctioneer's strict scheduling and advertising timelines to maximize the auction's potential of success; 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 effect and be 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

North Canton City Council  
Finance and Property Committee

Ordinance No. 34 - 2017

An ordinance authorizing the Mayor of the City of North Canton to enter into an agreement between the City and the United States Department of Agriculture to participate in the Forest Service Grant Award, managed by the Ohio Department of Natural Resources, and declaring the same to be an emergency.

WHEREAS, the City of North Canton is interested in participating in the Forest Service Grant Award managed by the Ohio Department of Natural Resources for the purpose of planting trees in certain areas prone to flooding within the city.

WHEREAS, the United States Department of Agriculture Forest Service Grant will provide the City's share of \$10,000 in tree planting in certain areas within the city that are prone to flooding.

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 Mayor of the City of North Canton, be, and is hereby authorized to enter into an agreement with the United States Department of Agriculture, and utilize a Forest Service Grant Award, for the purpose of planting trees in areas most impacted by flooding.
- 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 participation and utilization of the grant monies for the planting of trees in areas that are most impacted by frequent flooding; 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 effect and be 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

North Canton City Council  
Finance and Property Committee

Resolution No. 5 - 2017

A resolution of submission of question of a renewal of a tax levy for the purpose of providing additional funds for the City's portion of ambulance service, emergency medical service or both, in the City of North Canton, Stark County, Ohio, and declaring the same to be an emergency.

WHEREAS, the City of North Canton upon due investigation and consideration has determined that the amount of taxes which may be raised within the ten (10) mill limitation in and for the City of North Canton, Stark County, Ohio, for the next five (5) years, will be insufficient to provide an adequate amount for the purpose of providing additional funds for the City's portion of ambulance service, emergency medical service or both, in the City of North Canton, Stark County, Ohio, and

WHEREAS, by reason of the facts above set forth, the Council has determined that it should, and hereby does declare itself to submit to the electors of the City of North Canton for the August 8, 2017 special election, the question of replacing a tax of one and one-half (1.5) mills outside the ten (10) mill limitation for the purpose of providing ambulance service, emergency medical service or both, in the City of North Canton, Stark County, Ohio, for a period not to exceed five (5) years, tax years 2017, 2018, 2019, 2020 and 2021, said renewal levy to be a rate not to exceed one and one-half (1.5) mills for each one dollar of valuation which amounts to fifteen (15) cents for each one hundred dollars of valuation.

NOW, THEREFORE, BE IT RESOLVED that there shall be submitted to the electors of said subdivision for the August 8, 2017 special election, the question of renewal tax levy outside the ten (10) mill limitation in and for said subdivision in the amount of one and one-half (1.5) mills, for the purpose of providing additional funds for the City's portion of providing ambulance service, emergency medical service or both, in the City of North Canton, Stark County, Ohio; and that said additional one and one-half (1.5) mills shall be levied for five years 2017, 2018, 2019, 2020 and 2021.

BE IT FURTHER RESOLVED that the submission of said proposal, the notice of election, the form of ballot, the certificate of the levy as voted outside the ten (10) mill limitation, and the levying of such additional millage shall be in accordance with the provisions of Section 5705.19, 5705.191 and 5705.25 and other related sections of the OHIO REVISED CODE, in accordance with the statutes in such cases made and provided; and

BE IT FURTHER RESOLVED that the form of the ballot cast at such election shall be:

(A majority affirmative vote is necessary for passage)

"A renewal of a tax for the benefit of the City of North Canton, Stark County, Ohio, for the purpose of providing additional funds for the City's portion of providing ambulance service, emergency medical service or both, in the City of North Canton, Stark County, Ohio, at a rate not exceeding one and one half (1.5) mills for each one dollar of valuation which amounts to fifteen (15) cents for each one hundred dollars of valuation, for five (5) years, commencing with tax year 2017, first due in calendar year 2018."

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

BE IT FURTHER RESOLVED THAT the Clerk of Council, be, and is hereby directed and authorized to proceed forthwith with the certification hereof to the Board of Elections of Stark County Ohio, pursuant to the provisions of Section 5705.19, 5705.191 and 5705.25 and to proceed with all things necessary to be done in order to accomplish the purpose of this resolution.

That this Resolution is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary in order to submit the question on the ballot for the August 8, 2017 special election; 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 \_\_\_\_\_, 2017

\_\_\_\_\_  
David Held, Mayor

Signed: \_\_\_\_\_, 2017

ATTEST:

\_\_\_\_\_  
Mary Beth Bailey, Clerk of Council