

**North Canton City Council Notice  
Committee of the Whole Agenda  
Monday, April 17, 2017 – 7:00 p.m.**

North Canton City Council will meet as a Committee of the Whole **Monday, April 17, 2017 at 7:00 p.m.** in Council chamber at North Canton City Hall.

Items to be discussed.

1. The Administration will present to Council discussion and consideration of the state of the city hall building portico and the unsightly contaminated aggregate to the upper portion of the building.

2. Ordinance, Rules and Claims Committee

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

- (a) An ordinance continuing Community Reinvestment Area ("CRA") agreements between the City of North Canton and LMD Realty, LLC and Insight Realty, LLC.
- (b) An ordinance repealing Ordinance No. 23 – 2016, which authorized the Director of Administration to seek bids for police and fire department dispatch services for the City of North Canton

3. Street and Alley Committee

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

- (a) An ordinance approving, confirming and accepting additional right-of-way on the east side for Alley 57, from Harmon Street (south) to West Maple Street (north), for the West Maple Street Widening Project, including the St. Paul Church parking lot.
- (b) An ordinance repealing Ordinance No. 14 – 2017 that authorized the City of North Canton to enter into an agreement to participate in the Ohio Department of Transportation's ("ODOT") sodium chloride (rock salt) purchasing program for the 2017-2018 winter season, and declaring the same to be an emergency.
- (c) A resolution authorizing the participation in the Ohio Department of Transportation Winter Contract (018-18) for road salt, and declaring the same to be an emergency.

4. Adjourn.

Mary Beth Bailey  
Clerk of Council

North Canton City Council  
Community and Economic Development Committee

Ordinance No. – 2017

An ordinance continuing Community Reinvestment Area ("CRA") agreements between the City of North Canton and LMD Realty, LLC and Insight Realty, LLC.

WHEREAS, the North Canton Tax Incentive Review Council ("TIRC") has analyzed applicable historical data, and as a result, recommends the City continue the CRA agreements between the City and LMD Realty, LLC and Insight Realty, LLC.

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

- Section 1. That based upon the TIRC's recommendations, the City shall continue the CRA agreements between the City and LMD Realty, LLC and Insight Realty, LLC.
- Section 2. That a copy of this ordinance shall be forwarded to the Ohio Department of Development.
- Section 3. That 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**  
**Tax Incentive Review Council Recommendations**  
**For Projects Reviewed in 2017 for the 2016 Tax Year**

**TIRC Recommendations to City Council**

<b>Business/Agreement</b>	<b>Address</b>	<b>Original Date Approved</b>	<b>Incentive Percentage</b>	<b>Incentive Start</b>	<b>Incentive End</b>	<b>Incentive Term</b>	<b>Tax Incentive Review Council Recommendations to North Canton City Council</b>
LMD Realty, LTD	881 S Main St	9/16/2005	50%	2008	2020	12 Years	Agreement in Compliance - Continue Agreement
Insight Realty, LLC	1605 Portage St NW	5/12/2014	50%	2015	2030	15 Years	Agreement in Compliance - Continue Agreement

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APR 07 2017

ADMINISTRATION  
NORTH CANTON, OHIO



# City of NORTH CANTON, OHIO

145 NORTH MAIN STREET  
NORTH CANTON OHIO 44720-2587

## LEGISLATION REQUEST

April 6, 2017

**To:** Jeff Peters, Council President

**Subject:** Tax Incentive Review Council (TIRC) recommendations for monitoring of active tax incentive agreements for the FY 2016 Tax Year reviewed in 2017.

**Requested by:**

*Nancy K. Fry*  
Gary K. Fry, Director of Permits & Development

**Date:** April 6, 2017

**Approved by:**

*[Signature]*  
Mayor/Director of Administration

**Date:** 4/7/2017

**Background:**

The Tax Incentive Review Council (TIRC) met on Monday, March 21, 2017 to review two (2) active commercial/industrial Community Reinvestment Area Tax Incentive Agreements located in the City of North Canton's Community Reinvestment Areas. Attached, please find a spreadsheet that lists the agreements reviewed and the recommendations from the TIRC.

**Request:**

City Council to accept the recommendations of the TIRC.

**EMERGENCY REQUESTED:** Yes \_\_\_\_\_ No X

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COUNCIL OFFICE  
NORTH CANTON, OHIO

North Canton City Council  
Ordinance, Rules and Claims Committee

Ordinance No. - 2017

An ordinance repealing ordinance 23 - 2016, which authorized the Director of Administration to seek bids for police and fire department dispatch services for the City of North Canton.

WHEREAS, North Canton City Council wishes to repeal ordinance 23 - 2016, which authorized the Director of Administration to seek bids for police and fire dispatch services and obtain information on how collaborating with other municipalities may benefit North Canton residents and other collaborating communities through sharing dispatch information, equipment, technology, and services.

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 23 - 2016, be, and is hereby repealed.
- 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. This ordinance shall take effect 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. - 2017

An ordinance approving, confirming and accepting additional right-of-way on the east side for Alley 57, from Harmon Street (south) to West Maple Street (north), for the West Maple Street Widening Project, including the St. Paul Church parking lot.

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

- Section 1. That additional right-of-way on the east side for Alley 57, from Harmon Street (south) to West Maple Street (north) for the West Maple Street Widening Project, including the St. Paul Church parking lot, be, and the same is hereby approved, confirmed and accepted.
- Section 2. That attachments regarding this right-of-way 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 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

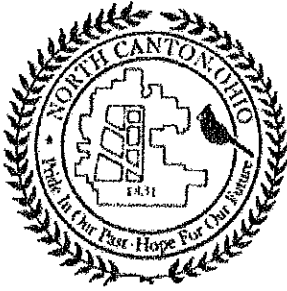
ATTEST:

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

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APR 07 2017

ADMINISTRATION  
NORTH CANTON, OHIO



# City of NORTH CANTON, OHIO


145 NORTH MAIN STREET  
NORTH CANTON OHIO 44720-2587

## LEGISLATION REQUEST

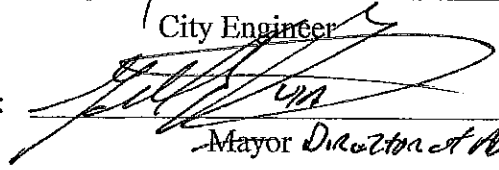
April 6, 2017

To: **Daniel J. Peters, President**  
City Council

Subject: **Acceptance of Right-of-Way – Alley 57**

Requested By:   
City Engineer

Date: 4/6/17

Approved By:   
Mayor *Director of Administration*

Date: 4/7/17

An ordinance accepting additional right-of-way on the east side for Alley 57, from Harmon Street (south) to West Maple Street (north). This is being done in conjunction with the improvements to the St. Paul Church's parking lot and with the West Maple Street Widening Project. See Attached Dedication Plat.

EMERGENCY REQUESTED: Yes X No \_\_\_\_\_

An emergency is requested because of the need to proceed with the federal funding for the West Maple Street Project.

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APR 07 2017

COUNCIL OFFICE  
NORTH CANTON, OHIO

North Canton City Council  
Street and Alley Committee

Ordinance No. – 2017

An ordinance repealing Ordinance No. 14 – 2017 that authorized the City of North Canton to enter into an agreement to participate in the Ohio Department of Transportation's ("ODOT") sodium chloride (rock salt) purchasing program for the 2017-2018 winter season, 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 Ordinance No. 14 – 2017 authorizing the City of North Canton to enter into an agreement to participate in the Ohio Department of Transportation's ("ODOT") sodium chloride (rock salt) purchasing program for the 2017-2018 winter season, be, and the same is hereby repealed.
- Section 2. That any and all legislation inconsistent herewith, be, and the same is hereby repealed.
- 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 timely repeal of Ordinance No. 14 – 2017; 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 \_\_\_\_\_ 2017

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

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

ATTEST:

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



North Canton City Council  
Street and Alley Committee

Resolution No. - 2017

A resolution authorizing participation in the Ohio Department of Transportation Winter Contract (018-18) for road salt, and declaring the same to be an emergency.

Whereas, the City of North Canton, Stark County, Ohio, (hereinafter referred to as the "Political Subdivision") hereby submits this written resolution to participate in the Ohio Department of Transportation's ("ODOT") annual winter road salt bid (018-18) in accordance with Ohio Revised Code Section 5513.01(B), and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by the Director of ODOT, it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the winter road salt contract; and
- d. The Political Subdivision hereby requests through this participation agreement a total of 2,000 tons of Sodium Chloride (Road Salt) of which the Political Subdivision agrees to purchase from its award salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its award salt supplier during the contract's effective period of October 1, 2017 through April 30, 2018; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement, it shall do so by written, emailed request no later than Thursday, June 1, 2017. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political

Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

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 above stated participation agreement for the ODOT winter road salt contract be, and is hereby approved, with funding being authorized, and the City of North Canton agreeing to the above terms and conditions regarding participation with the ODOT winter salt contract.

Section 2. 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 for the City to participate in the Winter Salt program; ODOT requires the resolution to be uploaded to its website by May 10, 2017; 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 \_\_\_\_\_ 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: April 10, 2017  
Subject: Amend Language in Ordinance #14-2017

City Council earlier at my request passed city ordinance #14-2017 to authorize the participation in the Ohio Department of Transportation's (ODOT) cooperative purchasing program to contract for the purchase of sodium chloride (rock salt) for the 2017-2018 winter season.

We have done this same process for many years but I received word today that ODOT now is requiring the exact or all the same wording in a resolution / ordinance before a city can participate in their contract program. Ordinance # 14-2017 did not contain the same wording that they are now stating is mandatory. I did not request or know about this change at that time of original submission.

I am requesting Council approve or amend at their earliest convenience an Ordinance or Resolution that would contain the now required wording so that the city can participate in the cooperative sodium chloride purchasing program. I have attached a copy of previous Ordinance # 14-2017 and a copy of ODOT's required wording.

EMERGENCY REQUESTED  YES  NO

This Resolution / Ordinance must be submitted before the May 10, 2017 deadline in order to participate in the purchasing program. Our failure to participate in this program will most likely lead to much higher salt costs and negatively impact our city budget.

Respectfully Submitted,

Michael J. Grimes

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APR 10 2017

Copy; Director of Law / Superintendent of Services & Utilities / File

COUNCIL OFFICE  
NORTH CANTON, OHIO

*MUST CONTAIN ALL THESE WORDS*

**RESOLUTION AUTHORIZING PARTICIPATION  
IN THE ODOT WINTER CONTRACT (018-18) FOR ROAD SALT**

WHEREAS, the (INSERT POLITICAL SUBDIVISION NAME, COUNTY LOCATION) (hereinafter referred to as the "Political Subdivision") hereby submits this written agreement to participate in the Ohio Department of Transportation's (ODOT) annual winter road salt bid (018-18) in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon of award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT's signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision's participation in the winter road salt contract; and
- d. The Political Subdivision hereby requests through this participation agreement a total of (INSERT TOTAL NUMBER OF TONS REQUESTED) *2000 TONS* tons of Sodium Chloride (Road Salt) of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract's effective period of October 1, 2017 through April 30, 2018; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Thursday, June 1, 2017. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: [Contracts.Purchasing@dot.ohio.gov](mailto:Contracts.Purchasing@dot.ohio.gov) by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision's participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision's participation agreement and/or a Political Subdivision's request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT winter road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT winter salt contract:

\_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date

\_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date

\_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date

\_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date

\_\_\_\_\_ (Authorized Signature) \_\_\_\_\_ Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE WINTER SALT PARTICIPATION WEBSITE  
BY NO LATER THAN WEDNESDAY, MAY 10, 2017.**

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.

North Canton City Council  
Street and Alley Committee

Ordinance No. 14 - 2017

An ordinance authorizing the Mayor of the City of North Canton, upon Board of Control approval, and on behalf of the City of North Canton, to enter into an agreement to participate in the Ohio Department of Transportation's (ODOT) cooperative purchasing program to contract for the purchase of sodium chloride (rock salt) for the 2017-2018 winter season, and declaring the same to be an emergency.

WHEREAS, Section 5513.01(B) of the Revised Code provides the opportunity for the Ohio turnpike and infrastructure commission, any political subdivision, and any state university or college to participate in contracts with ODOT for the purchase of machinery, material, supplies, or other articles; and

WHEREAS, the City of North Canton is in need of rock salt for the 2017-2018 winter season.

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, upon Board of Control approval, and on behalf of the City of North Canton, to enter into an agreement to participate in the ODOT contract for the purchase of rock salt for the 2017-2018 winter season.
- Section 2. That the Mayor is hereby authorized to agree in the name of the City of North Canton to be bound by all terms and conditions as the Director of Transportation prescribes.
- Section 3. That the Mayor is hereby authorized to agree in the name of the City of North Canton to directly pay vendors, under each such contract of the Ohio Department of Transportation in which the City of North Canton participates.
- Section 4. That the City of North Canton shall be responsible for resolving all claims or disputes arising out of its participation in the cooperative purchasing program under Section 5513.01(B) of the Revised Code. The City of North Canton releases and forever discharges the Director of Transportation and ODOT from all such claims, actions, expenses, or other damages arising out of its participation in the cooperative purchase program that the City of North Canton may have or claim to have against ODOT or its employees, unless such liability is the result of negligence on the part of ODOT or its employees.

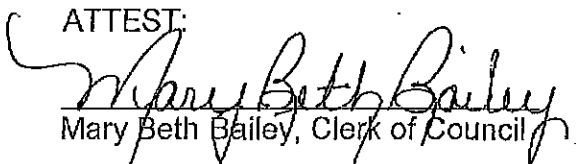
Section 5. That if a provision of this ordinance is or becomes illegal, invalid or unenforceable, that it shall not affect the validity or enforceability of any other provision of this ordinance.

Section 6. 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 ensure the City is able to take advantage of the cost saving measures through the ODOT cooperative purchasing program before the price of rock salt would increase; 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 16<sup>th</sup> day of February, 2017

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

Signed: 2/16, 2017

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