

**North Canton City Council Notice
Committee of the Whole Agenda (Amended)
Monday, May 15, 2017 – 7:00 p.m.**

North Canton City Council will meet as a Committee of the Whole **Monday, May 15, 2017 at 7:00 p.m.** in Council chambers at North Canton City Hall.

Items to be discussed.

1. Community and Economic Development Committee

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

An ordinance accepting the application for the annexation of certain territory in Plain Township, known as the Walsh/Philzer Annexation, containing 0.8992 acres of land, more or less to the City of North Canton.

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 amending Chapter 145 - Planning Commission, specifically 145.01 TRANSCRIPTION/DISTRIBUTION OF MINUTES, of the Codified Ordinances of the City of North Canton.

(b) An ordinance amending Chapter 147 - Zoning and Building Standards Board of Appeals, specifically 147.01 TRANSCRIPTION/DISTRIBUTION OF MINUTES, of the Codified Ordinances of the City of North Canton.

(c) Further discussion on the proposed charter amendments.

3. Water, Sewer and Rubbish Committee

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

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and authorizing the Mayor, upon Board of Control approval, to enter into a contract for the Water Tower II Exterior Painting Project, at a cost not to exceed \$600,000, and declaring the same to be an emergency.

4. Finance and Property Committee

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

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, to be appropriated from the unappropriated resources of the General Fund to the Professional Services Account in the amount of \$21,000.00 for the current expenses during the fiscal year ending December 31, 2017.

5. Adjourn.

Mary Beth Bailey
Clerk of Council

North Canton City Council
Community and Economic Development Committee

Ordinance No. - 2017

An ordinance accepting the application for the annexation of certain territory in Plain Township, known as the Walsh/Philzer Annexation, containing 0.8992 acres of land, more or less to the City of North Canton.

WHEREAS, a petition for the annexation of certain territory in Plain Township was duly filed by the property owners through their agent, Christopher J. Goldthorpe, on December 15, 2016; and,

WHEREAS, as required by law, a public hearing on such annexation was held by the Board of County Commissioners of Stark County on February 14, 2017, and all parties in attendance had an opportunity to testify; and

WHEREAS, the Board of County Commissioners of Stark County had an opportunity to examine the arguments both for and against said annexation; and,

WHEREAS, the Board of County Commissioners of Stark County on February 14, 2017, by a unanimous vote, granted the annexation.

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 proposed annexation as applied for in the petition of Christopher J. Goldthorpe, agent for the property owners, and filed with the Board of County Commissioners of Stark County on December 9, 2016, and which petition prayed for annexation to the City of North Canton, Ohio, of certain territory adjacent thereto as hereinafter described, be, and the same is hereby accepted. The territory is described as follows:

Known as and being part of Lots 102 and 103 in Clearview Allotment, as recorded in Plat Book 30; Page 118 of the Stark County Plat Records and as currently owned by Walsh University and recorded in Stark County Record's Instrument Numbers 2004/11180081989 and 2006/01060000945 respectively. Subject tract is located in the the Northeast Quarter of Section 16, Township 11 North (Plain Township), Range 8, West, Stark County, Ohio, and being more particularly bounded and described as follows:

Beginning for the same point at the northwest corner of Lot 104 in said Clearview Allotment and being the True Place of Beginning for the tract of land herein to be described as follows:

(1) Thence S05°20'00"W, along the west line of said Lot 104, a distance of 166.00 feet, to a point on the north line of Philzer Street NW, a 50 foot wide public roadway as recorded in the Record Plat of said Clearview Allotment;

(2) Thence N85°34'00"W, along a portion of the north line of said Philzer Street NW, a distance of 236.00 feet, to a point at the southeast corner of previously stated Lot 101;

(3) Thence N05°20'00"E, along the east line of said Lot 101, a distance of 166.00 feet, to a point at the northeast corner of Lot 101;

(4) Thence S85°34'00"E, along the north line of Lots 102 and 103 in said Clearview Allotment, said line also being a portion of the present City of North Canton Corporation line, a distance of 236.00 feet to a point, terminating at the true place of beginning and containing a total area of 0.8992 acre of land more or less.

Section 2. That the certified transcript of the proceedings for annexation with an accurate map of the territory, together with the petition for its annexation, and other papers relating to the proceedings thereto of the County Commissioners and the Courts are all on file with the Clerk of Council of the City of North Canton.

Section 3. That the Clerk of Council, be, and is hereby authorized and directed to make three copies of this ordinance to each of which shall be attached a copy of the map accompanying the petition of annexation relating thereto and a certificate as to the correctness thereof. The Clerk of Council shall then forthwith deliver one copy to the County Auditor, one copy to the County Recorder and one copy to the Secretary of State and shall send one certified copy of this ordinance to the Board of County Commissioners of Stark County and shall file notice of this annexation with the Board of Elections within thirty days after it becomes effective and the Clerk shall do all other things required by law. No action of Council shall be enacted unless public notice has been fulfilled at least seven days before the final enactment of Council.

Section 4. 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

DESCRIPTION

shown as and being all of Lots 102 and 103 in Clearview Allotment, as recorded in Plat Book 30, Page 118 of the Stark County Plat Records and as currently owned by Walsh University and recorded in Stark County Records Instrument Numbers 2004/11180081988 and 2006/0105000945 respectively. Subject tract is located in the Northeast Quarter of Section 16, Township 11 North (Plain Township), Range 8 West, Stark County, Ohio and being more particularly bounded and described as follows.

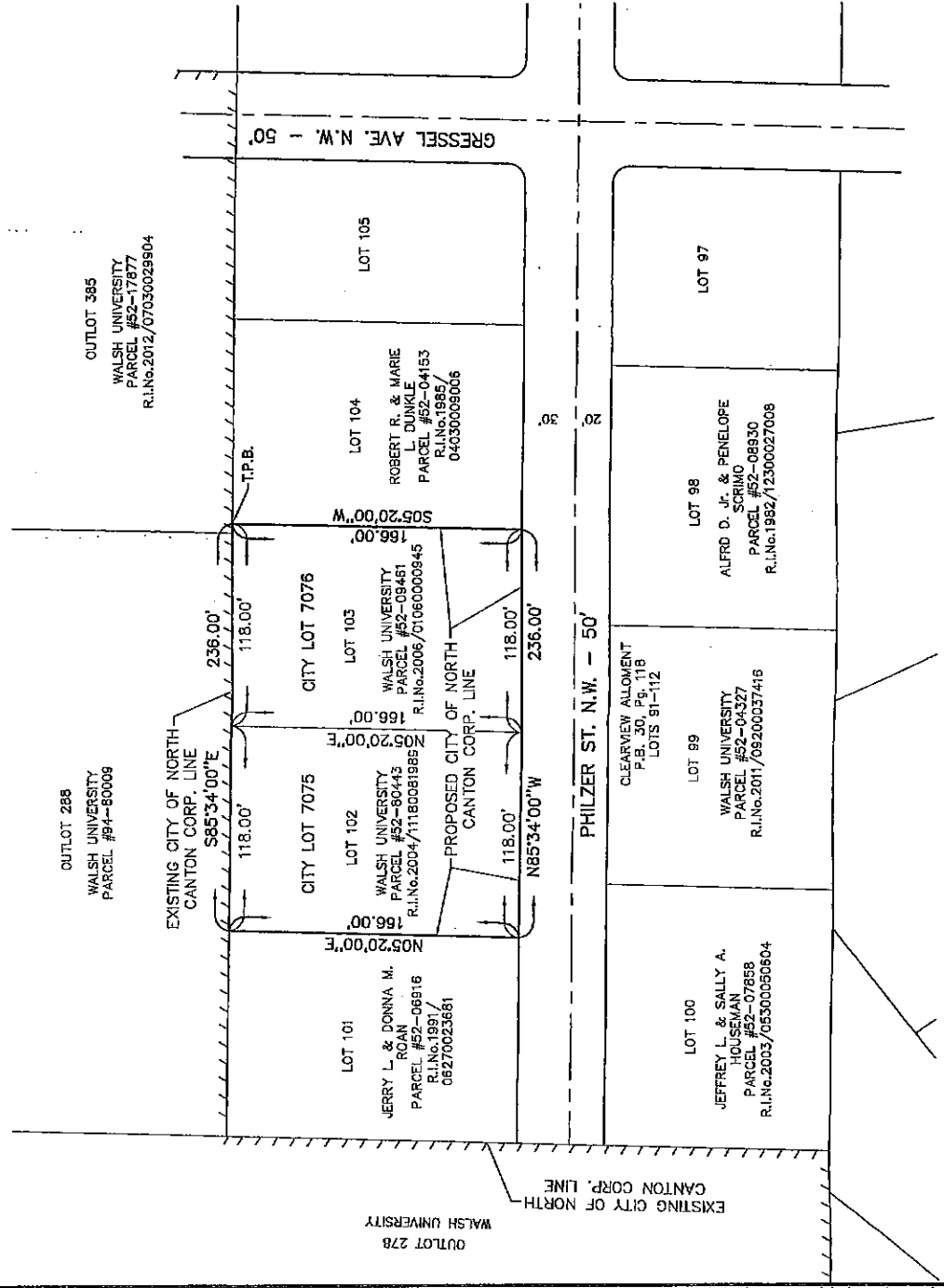
Beginning for the same at a point, at the northwest corner of Lot 104 in said Clearview Allotment and being the True Place of Beginning for the tract of land herein to be described

1. Thence S05°20'00"W, along the west line of said Lot 104, a distance of 166.00 feet, to a point on the north line of Philzer Street NW, a 50 foot wide public roadway as recorded in the Record Plat of said Clearview Allotment;
2. Thence N85°34'00"W, along a portion of the north line of said Philzer Street NW, a distance of 236.00 feet, to a point at the southeast corner of previously stated Lot 101;
3. Thence N05°20'00"E, along the east line of said Lot 101, a distance of 166.00 feet, to a point at the northeast corner of Lot 101;
4. Thence S85°34'00"E, along the north line of Lots 102 and 103 in said Clearview Allotment, said line also being a portion of the present City of North Canton Corporation line, a distance of 236.00 feet to a point, terminating at the true place of beginning and containing a total area of 0.8992 acre of land more or less.



VICINITY MAP

AREA SUMMARY			
CITY LOT	LOT 7075	LOT 7076	TOTAL
AREA	0.4486 Ac.	0.4486 Ac.	0.8982 Ac.



PERTINENT DOCUMENTS:

R.I.No.2004/11180081989 - DEED OF RECORD
 OWNER: WALSH UNIVERSITY PARCEL #52-80443
 R.I.No.2006/01060000945 - DEED OF RECORD
 OWNER: WALSH UNIVERSITY PARCEL #52-09461
 R.I.No.2011/09200037416 - DEED OF RECORD
 OWNER: WALSH UNIVERSITY PARCEL #52-04327
 P.B. 30, Pg. 118
 P.B. 34, Pg. 213
 D.V. 4351, Pg. 574
 R.I.No.1997/050900025287
 R.I.No.2010/06250023962
 R.I.No.2012/07030029904
 R.I.No.1982/12300027008
 R.I.No.2003/05300050604
 R.I.No.1985/04030008005
 R.I.No.1991/06270023681

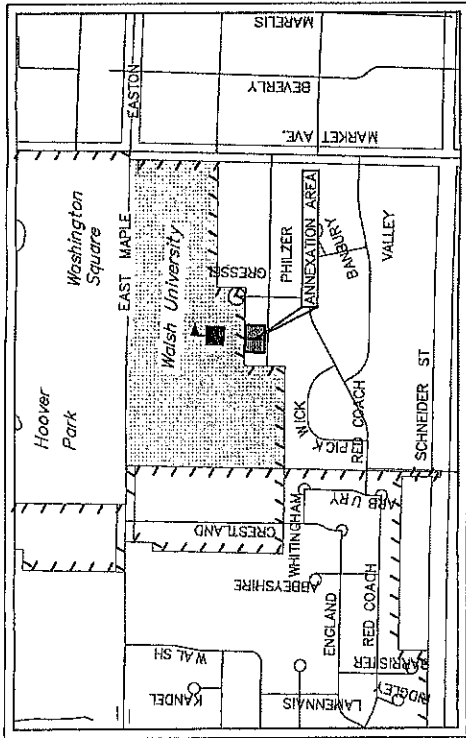
DESCRIPTION

Known and being all of Lots 102 and 103 in Clearview Allotment, as recorded in Plat Book 30, Page 118 of the Stark County Plat Records and as currently owned by Walsh University and recorded in Stark County Record's Instrument Numbers 2004/11180081989 and 2006/01060000945 respectively. Subject tract is located in the Northeast Quarter of Section 16, Township 11 North (Plain Township), Range 8 West, Stark County, Ohio and being more particularly bounded and described as follows:

Beginning for, the same at a point, at the northwest corner of Lot 104 in said Clearview Allotment and being the True Place of Beginning for the tract of land herein to be described

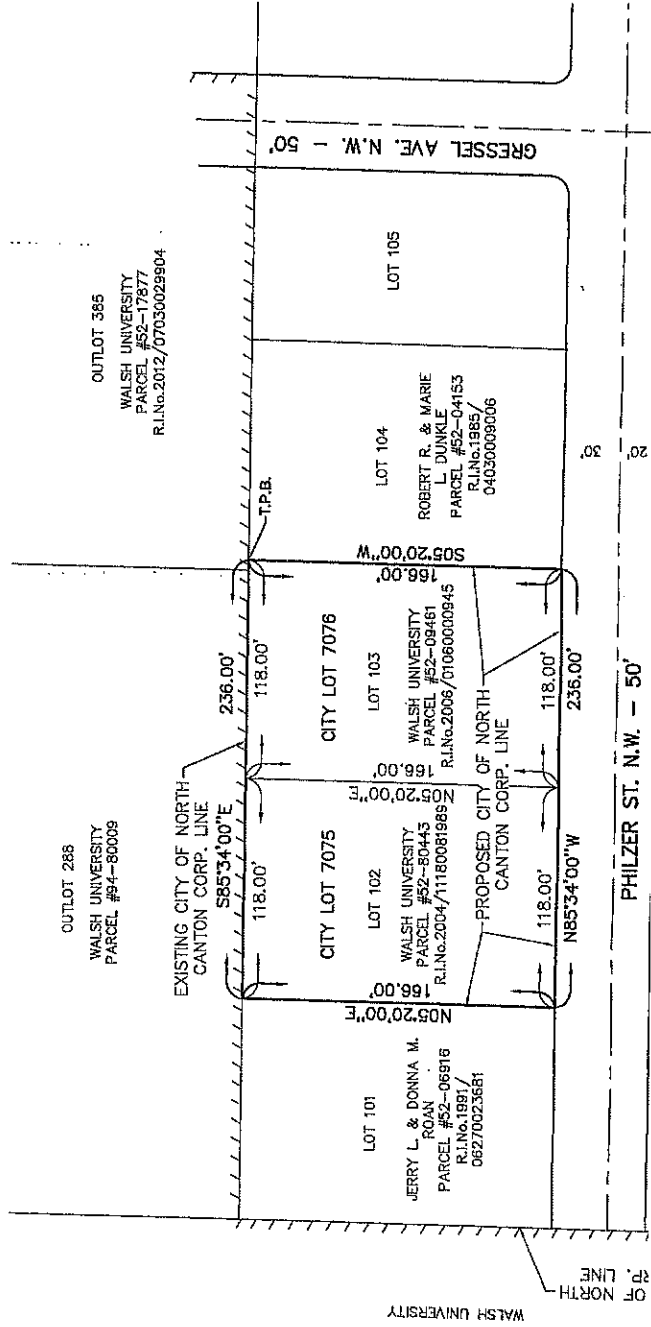
1. Thence S05°20'00"W, along the west line of said Lot 104, a distance of 166.00 feet, to a point on the north line of Philzer Street NW, a 50 foot wide public roadway as recorded in the Record Plat of said Clearview Allotment;
2. Thence N85°34'00"W, along a portion of the north line of said Philzer Street NW, a distance of 236.00 feet, to a point at the southeast corner of previously stated Lot 101;
3. Thence N05°20'00"E, along the east line of said Lot 101, a distance of 166.00 feet, to a point at the northeast corner of Lot 101;
4. Thence S85°34'00"E, along the north line of Lots 102 and 103 in said Clearview Allotment, said line also being a portion of the present City of North Canton Corporation line, a distance of 236.00 feet to a point, terminating at the true place of beginning and containing a total area of 0.8992 acre of land more or less.

OUTLOT 385
 WALSH UNIVERSITY
 PARCEL #52-17877
 R.I.No.2012/07030029904



VICINITY MAP

AREA SUMMARY			
CITY LOT	LOT 7075	LOT 7076	TOTAL
AREA	0.4496 Ac.	0.4496 Ac.	0.8992 Ac.



North Canton City Council
Ordinance, Rules and Claims Committee

Ordinance No. - 2017

An ordinance amending Chapter 145 - Planning Commission, specifically 145.01 TRANSCRIPTION/DISTRIBUTION OF MINUTES, of the Codified Ordinances of the City of North Canton.

WHEREAS, the City of North Canton wishes to increase public access to its legislative and administrative meetings; and

WHEREAS, technological advances in audio and video recording have increased ease of use and decreased costs; and

WHEREAS, City Hall's council chambers is equipped to live stream audio/video and record audio/video digitally together with a cassette tape backup; and

WHEREAS, to increase public access and accurate reporting, Planning Commission meetings shall be digitally recorded by audio/video together with a cassette tape backup;

WHEREAS, given the accuracy and availability of recording methods, together with the redundancy of those described and utilized herein, the Clerk shall promptly prepare, file, and make available for public inspection, an accurate summary of Planning Commission meeting minutes.

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

Section 1. That Chapter 145 - Planning Commission, specifically 145.01 TRANSCRIPTION/DISTRIBUTION OF MINUTES, of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

145.01 RECORDING MEETINGS AND CONTENT OF MINUTES.

(a) Planning Commission meetings, with the exception of executive sessions, shall be audio and video recorded.

(b) The Clerk shall promptly prepare, file, and make available for public inspection, an accurate summary of Planning Commission meeting minutes.

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 from and after the earliest period allowed by law.

Passed in Council this _____ day of _____ 2017.

David Held, Mayor

ATTEST:

Mary Beth Bailey, Clerk of Council

Signed: _____, 2017

North Canton City Council
Ordinance, Rules and Claims Committee

Ordinance No. - 2017

An ordinance amending Chapter 147 - Zoning and Building Standards Board of Appeals, specifically 147.01 TRANSCRIPTION/DISTRIBUTION OF MINUTES, of the Codified Ordinances of the City of North Canton.

WHEREAS, the City of North Canton wishes to increase public access to its legislative and administrative meetings; and

WHEREAS, technological advances in audio and video recording have increased ease of use and decreased costs; and

WHEREAS, City Hall's council chambers is equipped to live stream audio/video and record audio/video digitally together with a cassette tape backup; and

WHEREAS, to increase public access and accurate reporting, Zoning and Building Standard Board of Appeals meetings shall be digitally recorded by audio/video together with a cassette tape backup;

WHEREAS, given the accuracy and availability of recording methods, together with the redundancy of those described and utilized herein, the Clerk shall promptly prepare, file, and make available for public inspection, an accurate summary of Zoning and Building Standards Board of Appeals meeting minutes.

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

Section 1. That Chapter 147 - Zoning and Building Standards Board of Appeals, specifically 147.01 TRANSCRIPTION / DISTRIBUTION OF MINUTES, of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

147.01 RECORDING MEETINGS AND CONTENT OF MINUTES.

(a) Zoning and Building Standards Board of Appeals meetings, with the exception of executive sessions, shall be audio and video recorded.

(b) The Clerk shall promptly prepare, file, and make available for public inspection, an accurate summary of Zoning and Building Standards Board of Appeals meeting minutes.

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 from and after the earliest period allowed by law.

Passed in Council this _____ day of _____ 2017.

David Held, Mayor

ATTEST:

Mary Beth Bailey, Clerk of Council

Signed: _____, 2017

North Canton City Council
Water, Sewer and Rubbish Committee

Ordinance No. - 2017

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and authorizing the Mayor, upon Board of Control approval, to enter into a contract for the Water Tower II Exterior Painting Project, at a cost not to exceed \$600,000, 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 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 office of the Director of Administration for the Water Tower II Exterior Painting 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 Water Tower II Exterior Painting project, at a cost not to exceed \$600,000.

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 appropriation:

650	WATER REVENUE FUND	
650.768.5230	Maintenance of Equipment	\$600,000

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 to expedite the bidding process in order for the timely completion of the exterior painting of Water Tower II to take place during a weather permitting season; 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 _____ 2017.

David Held, Mayor

Signed: _____, 2017

ATTEST:

Mary Beth Bailey, Clerk of Council

RECEIVED

MAY 11 2017

ADMINISTRATION
NORTH CANTON, OHIO



City of NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587

LEGISLATION REQUEST

May 10, 2017

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

Subject: **WATER TOWER 2 EXTERIOR PAINTING PROJECT**

Requested By: [Signature]
City Engineer

Date: 5/10/2017

Approved By: [Signature]
Director of Administration

Date: 5/10/2017

An ordinance authorizing the Director of Administration to advertise and receive bids, and authorizing the Mayor, through the Board of Control to enter into a contract for Water Tower 2 Exterior Painting Project.

Funds have been allocated in account 650.768.5230 in an amount not to exceed \$600,000.

EMERGENCY REQUESTED: Yes X No _____

Emergency requested so project can be completed in a timely manner and while weather provides proper painting temperatures.

RECEIVED

MAY 11 2017

COUNCIL OFFICE
NORTH CANTON, OHIO

North Canton City Council
Finance and Property Committee

Ordinance No. - 2017

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, to be appropriated from the unappropriated resources of the General Fund to the Professional Services Account in the amount of \$21,000.00 for the current expenses during the fiscal year ending December 31, 2017.

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

Section 1. To provide for the current expenses and other expenditures of the City of North Canton, during the fiscal year ending December 31, 2017, the following funds, be, and are hereby set aside and appropriated as follows:

Appropriate From:

The unappropriated resources of the 101 Fund GENERAL FUND	\$21,000.00
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Appropriate To:

101 GENERAL FUND 101.621.5225 Professional Services	\$21,000.00
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Section 2. That the Director of Finance of the City of North Canton, be, and is hereby authorized to issue warrants from appropriations established herein for the payment of vouchers duly approved by the proper departmental authority.

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 necessary to appropriate these dollars to complete the ongoing informational and technological projects. 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



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: May 11, 2017
Subject: Supplemental Appropriation

I am requesting Council authorize the supplemental appropriation of funds from the unappropriated resources of the General Fund Account in the amount of \$21,000.00 to Professional Services – Information / Technology # 101.621.5225.

EMERGENCY REQUESTED YES NO

Some of our current ongoing projects will be on hold until or if this request is granted.

Respectfully Submitted,

Michael J. Grimes

Copy; Patrick De Orio, Director of Administrative Services
File

RECEIVED

MAY 11 2017

COUNCIL OFFICE
NORTH CANTON, OHIO