

**Special Council Meeting
Thursday, July 13, 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 **Thursday, July 13, 2017, at 7:30 a.m.**, in Council chambers at North Canton City Hall, to consider the following:

1. Call to Order
2. Roll Call
3. Recognition of Visitors
4. Old Business
5. **Ordinance No. 72 - 2017 - 2nd Reading - Finance and Property Committee**

An ordinance permitting the Mayor of the City of North Canton to authorize the partial satisfaction of an open-end mortgage with AMC Land Company, Ltd., dated March 19, 2010, for \$165,000.00, which has been satisfied as to Sublot 238, Monticello Subdivision, Phase 7, Parcel 94-01005, Stark County, Ohio, but retaining in full force and effect the remaining lien and mortgage of \$68,865.00 for Sublots 187 and 209, also known as Parcels 94-00949 and 94-00976, and declaring the same to be an emergency.

6. **Ordinance No. 73 - 2017 - 2nd Reading - Finance and Property Committee**

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, upon Board of Control approval, to enter into a contract for the rehabilitation construction work and improvements to City Hall's portico, and declaring the same to be an emergency.

7. **Ordinance No. 74 - 2017 - 2nd Reading - Finance and Property Committee**

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, upon Board of Control approval, to enter into a contract for the purchase and installation of an emergency generator for City Hall from a vendor or pursuant to the Ohio Cooperative Purchase Act, and declaring the same to be an emergency.

8. New Business
9. **Ordinance No. 75 - 2017 - 1st Reading - Finance and Property Committee**

An ordinance authorizing the reclassification and appropriation of City of North Canton funds for the purchase and installation of critical, complex municipal infrastructure equipment.

10. **Ordinance No. 76 - 2017 - 1st Reading - Finance and Property Committee**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement for the purchase and installation of critical, complex municipal infrastructure equipment, and given the critical and timely nature of this project, such that an emergency exists, to do so without advertising for bids as provided by Charter Section 4.05 Contracting and Purchasing, and declaring the same to be an emergency.

11. Adjourn

North Canton City Council
Finance and Property Committee

Ordinance No. 72 - 2017

An ordinance permitting the City of North Canton to enter into a modified mortgage in the amount from \$165,000.00 reduced to \$68,865.00, between the City and AMC Land Company for Monticello's Phase 7 construction project, 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 AMC Land Company request to modify the amount of the mortgage from \$165,000.00 to \$68,865.00 by agreeing to be responsible for the installation of sidewalks, curbs and gutter and the maintenance of the improvements within the development in accordance with the plans and specifications approved by the City, as more fully described in the deed attached hereto and incorporated herein, thereby guaranteeing the timely installation of necessary public utilities and other improvements as described in the performance bond, and the maintenance bond for Monticello's Phase 7 construction project.
- Section 2. That the Mayor be, and is hereby authorized to sign the deed for the above-described performance bond and maintenance bonds.
- Section 3. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary the developer has requested that the City of North Canton expedite the amended performance bond mortgage timely so the parcel of land may be transferred to a buyer; 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 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

PARTIAL SATISFACTION OF MORTGAGE

This is to certify that the conditions of a certain Open-End Mortgage given by AMC Land Company, LTD., an Ohio limited liability company, and dated March 19, 2010 has been satisfied as to Sublot Number 238 in the Monticello Subdivision, Phase 7, which Sublot is further identified as Parcel Number 94-01005 in the County of Stark and City of North Canton, Ohio.

Therefore, the Open-End Mortgage attaching to said Sublot 238 is fully satisfied and hereby released and discharged, provided, however, that the lien of said Open-End Mortgage attaching to the remaining real property within the Monticello Subdivision, Phase 7 (i.e. Sublots 187 and 209 also known as Parcel Numbers 94-00949 and 94-00976) remains in full force and effect.

Said Open-End Mortgage is recorded as Document Number 201003220009929 of the Stark County, Ohio Records.

City of North Canton

By: _____
Honorable David Held, Mayor
145 North Main Street
North Canton, Ohio 44720

Approved as to form and content:

Timothy L. Fox, Director of Law

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State of Ohio)
) SS
County of Stark)

BEFORE ME, a Notary Public in and for said County and State, personally appeared the above named David Held, in his official capacity as the Mayor of the City of North Canton, who acknowledged that he did sign the foregoing Partial Satisfaction of Mortgage, and that the same is his free act and deed, this _____ day of July, 2017.

In testimony Whereof, I have hereunto set my hand and official seal at North Canton, Ohio this _____ day of _____, 2017.

Notary Public
Commission Expiration Date: _____

This Instrument Prepared By:
Nicholas J. DeBaltzo, Jr., Esq.
Dinn, Hochman & Potter, LLC
5910 Landerbrook Drive, Suite 200
Mayfield Heights, Ohio 44124
(440) 446-1100

PROJECT SCHEMATIC
MONTICELLO NO. 7
FORM: AMC LAND COMPANY, LTD.

COOPER & ASSOCIATES, LLP
ENGINEERS AND SURVEYORS
BROWN & JARMAN
MCKINLEY, JR.
P.O. BOX 424211
DENVER, COLORADO 80242

DATE	12/1/03	
BY	J.M.	
CHKD	J.M.	
APP'D	J.M.	
REVISIONS		
NO.	DESCRIPTION	DATE
1	REVISED TO SHOW REVISIONS	12/1/03
2	REVISED TO SHOW REVISIONS	12/1/03
3	REVISED TO SHOW REVISIONS	12/1/03
4	REVISED TO SHOW REVISIONS	12/1/03
5	REVISED TO SHOW REVISIONS	12/1/03
6	REVISED TO SHOW REVISIONS	12/1/03
7	REVISED TO SHOW REVISIONS	12/1/03
8	REVISED TO SHOW REVISIONS	12/1/03
9	REVISED TO SHOW REVISIONS	12/1/03
10	REVISED TO SHOW REVISIONS	12/1/03

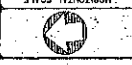
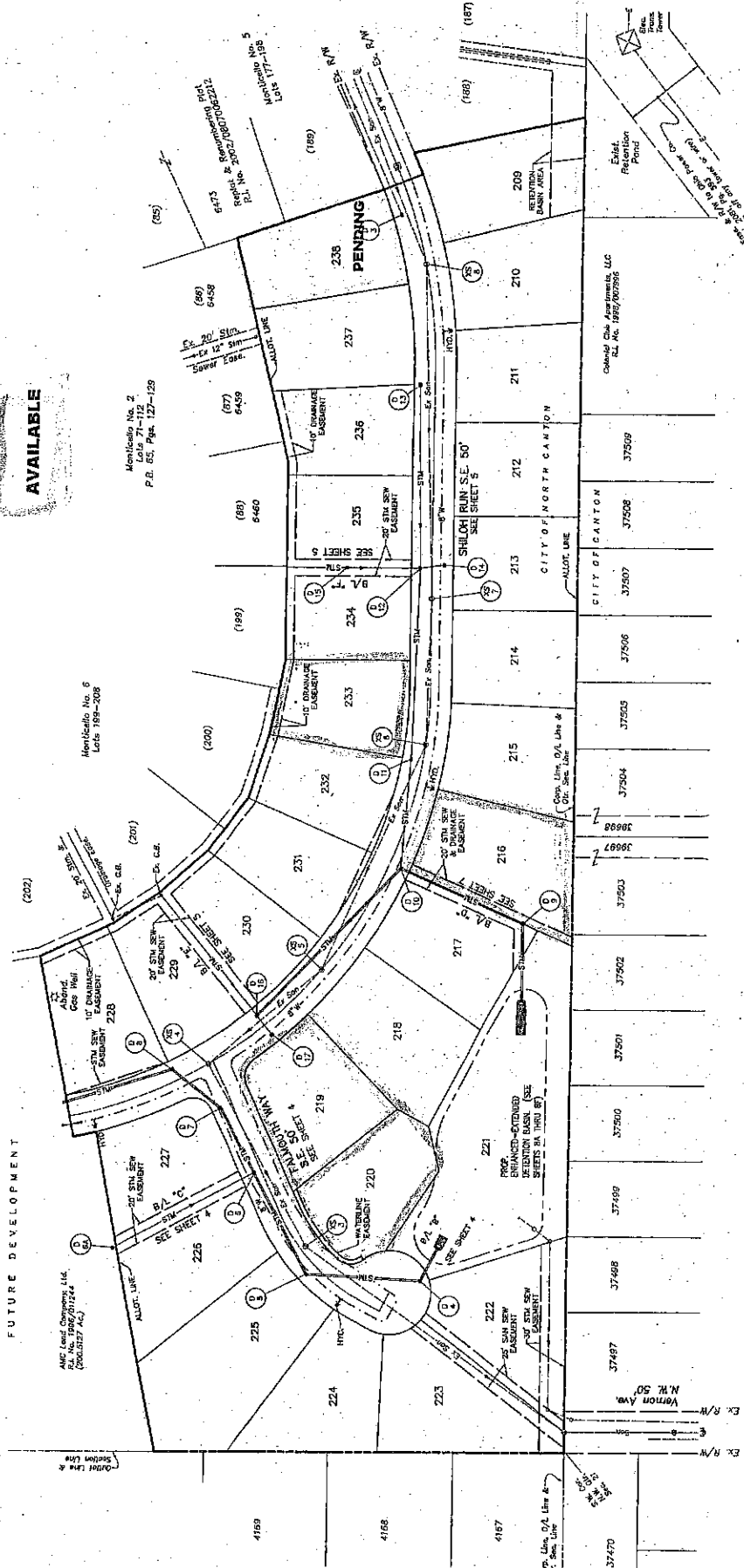


EXHIBIT "B"

MORTGAGE
AVAILABLE



37470	37487	37498	37499	37500	37501	37502	37503	37507	37508	37509	37555	37556	37567	37568	37569	37598	37599	37600	37601	37602	37603	37604	37605	37606	37607	37608	37609	37610	37611	37612	37613	37614	37615	37616	37617	37618	37619	37620	37621	37622	37623	37624	37625	37626	37627	37628	37629	37630	37631	37632	37633	37634	37635	37636	37637	37638	37639	37640	37641	37642	37643	37644	37645	37646	37647	37648	37649	37650	37651	37652	37653	37654	37655	37656	37657	37658	37659	37660	37661	37662	37663	37664	37665	37666	37667	37668	37669	37670	37671	37672	37673	37674	37675	37676	37677	37678	37679	37680	37681	37682	37683	37684	37685	37686	37687	37688	37689	37690	37691	37692	37693	37694	37695	37696	37697	37698	37699	37700	37701	37702	37703	37704	37705	37706	37707	37708	37709	37710	37711	37712	37713	37714	37715	37716	37717	37718	37719	37720	37721	37722	37723	37724	37725	37726	37727	37728	37729	37730	37731	37732	37733	37734	37735	37736	37737	37738	37739	37740	37741	37742	37743	37744	37745	37746	37747	37748	37749	37750	37751	37752	37753	37754	37755	37756	37757	37758	37759	37760	37761	37762	37763	37764	37765	37766	37767	37768	37769	37770	37771	37772	37773	37774	37775	37776	37777	37778	37779	37780	37781	37782	37783	37784	37785	37786	37787	37788	37789	37790	37791	37792	37793	37794	37795	37796	37797	37798	37799	37800	37801	37802	37803	37804	37805	37806	37807	37808	37809	37810	37811	37812	37813	37814	37815	37816	37817	37818	37819	37820	37821	37822	37823	37824	37825	37826	37827	37828	37829	37830	37831	37832	37833	37834	37835	37836	37837	37838	37839	37840	37841	37842	37843	37844	37845	37846	37847	37848	37849	37850	37851	37852	37853	37854	37855	37856	37857	37858	37859	37860	37861	37862	37863	37864	37865	37866	37867	37868	37869	37870	37871	37872	37873	37874	37875	37876	37877	37878	37879	37880	37881	37882	37883	37884	37885	37886	37887	37888	37889	37890	37891	37892	37893	37894	37895	37896	37897	37898	37899	37900	37901	37902	37903	37904	37905	37906	37907	37908	37909	37910	37911	37912	37913	37914	37915	37916	37917	37918	37919	37920	37921	37922	37923	37924	37925	37926	37927	37928	37929	37930	37931	37932	37933	37934	37935	37936	37937	37938	37939	37940	37941	37942	37943	37944	37945	37946	37947	37948	37949	37950	37951	37952	37953	37954	37955	37956	37957	37958	37959	37960	37961	37962	37963	37964	37965	37966	37967	37968	37969	37970	37971	37972	37973	37974	37975	37976	37977	37978	37979	37980	37981	37982	37983	37984	37985	37986	37987	37988	37989	37990	37991	37992	37993	37994	37995	37996	37997	37998	37999	38000	38001	38002	38003	38004	38005	38006	38007	38008	38009	38010	38011	38012	38013	38014	38015	38016	38017	38018	38019	38020	38021	38022	38023	38024	38025	38026	38027	38028	38029	38030	38031	38032	38033	38034	38035	38036	38037	38038	38039	38040	38041	38042	38043	38044	38045	38046	38047	38048	38049	38050	38051	38052	38053	38054	38055	38056	38057	38058	38059	38060	38061	38062	38063	38064	38065	38066	38067	38068	38069	38070	38071	38072	38073	38074	38075	38076	38077	38078	38079	38080	38081	38082	38083	38084	38085	38086	38087	38088	38089	38090	38091	38092	38093	38094	38095	38096	38097	38098	38099	38100	38101	38102	38103	38104	38105	38106	38107	38108	38109	38110	38111	38112	38113	38114	38115	38116	38117	38118	38119	38120	38121	38122	38123	38124	38125	38126	38127	38128	38129	38130	38131	38132	38133	38134	38135	38136	38137	38138	38139	38140	38141	38142	38143	38144	38145	38146	38147	38148	38149	38150	38151	38152	38153	38154	38155	38156	38157	38158	38159	38160	38161	38162	38163	38164	38165	38166	38167	38168	38169	38170	38171	38172	38173	38174	38175	38176	38177	38178	38179	38180	38181	38182	38183	38184	38185	38186	38187	38188	38189	38190	38191	38192	38193	38194	38195	38196	38197	38198	38199	38200	38201	38202	38203	38204	38205	38206	38207	38208	38209	38210	38211	38212	38213	38214	38215	38216	38217	38218	38219	38220	38221	38222	38223	38224	38225	38226	38227	38228	38229	38230	38231	38232	38233	38234	38235	38236	38237	38238	38239	38240	38241	38242	38243	38244	38245	38246	38247	38248	38249	38250	38251	38252	38253	38254	38255	38256	38257	38258	38259	38260	38261	38262	38263	38264	38265	38266	38267	38268	38269	38270	38271	38272	38273	38274	38275	38276	38277	38278	38279	38280	38281	38282	38283	38284	38285	38286	38287	38288	38289	38290	38291	38292	38293	38294	38295	38296	38297	38298	38299	38300	38301	38302	38303	38304	38305	38306	38307	38308	38309	38310	38311	38312	38313	38314	38315	38316	38317	38318	38319	38320	38321	38322	38323	38324	38325	38326	38327	38328	38329	38330	38331	38332	38333	38334	38335	38336	38337	38338	38339	38340	38341	38342	38343	38344	38345	38346	38347	38348	38349	38350	38351	38352	38353	38354	38355	38356	38357	38358	38359	38360	38361	38362	38363	38364	38365	38366	38367	38368	38369	38370	38371	38372	38373	38374	38375	38376	38377	38378	38379	38380	38381	38382	38383	38384	38385	38386	38387	38388	38389	38390	38391	38392	38393	38394	38395	38396	38397	38398	38399	38400	38401	38402	38403	38404	38405	38406	38407	38408	38409	38410	38411	38412	38413	38414	38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North Canton City Council
Finance & Property Committee

Ordinance No. 73 - 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, upon Board of Control approval, to enter into a contract for the rehabilitation construction work and improvements to City Hall's portico, and declaring the same to be an emergency.

WHEREAS, to preserve the integrity of the building, City Hall requires certain construction work and improvements to its portico; and

WHEREAS, the City desires to advertise, receive competitive bids, and enter into a contract for such construction work and improvements to City Hall's portico.

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, be, and is hereby authorized to advertise and receive bids according to specifications now on file in the Director's office for certain construction work and improvements to City Hall's portico;
- Section 2. That the Mayor, upon Board of Control approval, be, and is hereby authorized to enter into a contract for construction work and improvements to City Hall's portico.
- Section 3. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely bidding process and to enter into a contract in order to complete construction and improvements to City Hall's portico during favorable construction conditions, thereby preserving the structural integrity of the building; 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

North Canton City Council
Finance & Property Committee

Ordinance No. 74 - 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, upon Board of Control approval, to enter into a contract for the purchase and installation of an emergency generator for City Hall from a vendor or pursuant to the Ohio Cooperative Purchase Act, and declaring the same to be an emergency.

WHEREAS, to maintain critical city equipment and services during power outages, City Hall requires a new emergency generator; and

WHEREAS, the City desires to advertise, receive competitive bids, and enter into a contract from a vendor or pursuant to the Ohio Cooperative Purchase Act for the purchase and installation of an emergency generator.

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, be, and is hereby authorized to advertise and receive bids according to specifications now on file in the Director's office for the purchase and installation of an emergency generator from a vendor or pursuant to the Ohio Cooperative Purchase Act.
- Section 2. That the Mayor, upon Board of Control approval, be, and is hereby authorized to enter into a contract for the purchase and installation of an emergency generator at City Hall.
- Section 3. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary for the timely bidding process and to enter into a contract for the purchase and installation of an emergency generator at City Hall to maintain critical city equipment and services during power outages; 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

North Canton City Council
Finance and Property Committee

Ordinance No. 75 - 2017

An ordinance authorizing the reclassification and appropriation of City of North Canton funds for the purchase and installation of critical, complex municipal infrastructure equipment.

WHEREAS, the City of North Canton has found a deficiency in a portion of a critical, complex municipal infrastructure system, which must be replaced to permit the City to continue to provide vital services to its residents and guests; and

WHEREAS, time is of the essence and any delays in correcting the deficiency puts the City's infrastructure system at risk; and

WHEREAS, the purchase and installation of critical, complex municipal infrastructure equipment requires the reclassification of City of North Canton funds from the Capital Improvement Fund, Transportation, Contract Payments, and the Capital Improvement Fund, Storm Sewer, Contract Payments, to the Capital Improvement Fund, General Government, Contract Payments, an appropriation of funds in the Capital Improvement Fund, General Government, Contract Payments account.

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

Section 1. That to provide for reclassification and appropriation of funds for the purchase and installation of critical, complex municipal infrastructure equipment, the following funds, be, and are hereby reclassified as follows:

Reclassify from:

Capital Improvement Fund, Transportation, Contract Payments (\$135,000.00)
330.546.5229

Capital Improvement Fund, Storm Sewer, Contract Payments (\$173,000.00)
330.745.5229

Reclassify to:

Capital Improvement Fund, Gen. Gov. Contract Payments \$308,000.00
330.627.5229

Appropriate from the Unappropriated Balance of the Capital Improvement Fund to:

Capital Improvement Fund, Gen. Gov. Contract Payments \$12,000.00
330.627.5229

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.

Ordinance No. 75 - 2017

- 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 reclassify and appropriate funds to for the purchase and installation of critical, complex municipal infrastructure equipment, and 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

North Canton City Council
Finance and Property Committee

Ordinance No. 76 - 2017

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement for the purchase and installation of critical, complex municipal infrastructure equipment, and given the critical and timely nature of this project, such that an emergency exists, to do so without advertising for bids as provided by Charter Section 4.05 Contracting and Purchasing, and declaring the same to be an emergency.

WHEREAS, the City of North Canton has found a deficiency in a portion of a critical, complex municipal infrastructure system, which must be replaced to permit the City to continue to provide vital services to its residents and guests; and

WHEREAS, time is of the essence and any delays in correcting the deficiency puts the City's infrastructure system at risk; and

WHEREAS, the estimated cost of the purchase and installation of the aforementioned equipment would require a supplemental appropriation of 12,000.00; and

WHEREAS, the estimated total cost for the purchase and installation of the critical, complex municipal infrastructure equipment is \$320,000.

WHEREAS, North Canton's Charter, Section 4.05 Contracting and Purchasing, provides that the Board of Control may authorize purchases and enter into contracts involving an expenditure in excess of that established by Ohio Revised Code Section 745.05 without advertising for bids if Council determines and declares, by an affirmative vote of at least six members, that an emergency exists, sets forth the nature of the emergency in its minutes, and appropriates the necessary funds.

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

- Section 1. That City Council determines and declares that an emergency exists involving the City's critical, complex infrastructure system, and that time is of the essence to make a timely repair.
- Section 2. That, given the aforementioned circumstances, Council authorizes the Mayor, upon Board of Control approval, to enter into an agreement for the purchase and installation of critical, complex municipal infrastructure equipment with an estimated cost of \$320,000.
- Section 3. That, pursuant to North Canton's Charter, Section 4.05 Contracting and Purchasing, Council respectfully requests the Board of Control consider and authorize a contract involving the purchase and installation of critical, complex components of the City's infrastructure system without

advertising for bids, as established by Ohio Revised Code Section 745.05.

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 purchase and installation of critical, complex components of the City's infrastructure system; 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