

NOTICE OF NORTH CANTON CITY COUNCIL MEETING
Monday, August 28, 2017, 7:00 p.m., City Hall
Agenda

1. Call to Order
2. Opening Prayer
3. Pledge of Allegiance
4. Roll Call
5. Consideration

Council Meeting Minutes: August 14, 2017

Committee of the Whole Meeting Minutes: August 21, 2017

6. Recognition of Visitors
7. **Ordinance No. 77 - 2017 - 1st Reading - Ordinance, Rules and Claims Committee**

An ordinance to approve and adopt current replacement pages to the Codified Ordinances, and declaring the same to be an emergency.

8. **Ordinance No. 78 - 2017 - 1st Reading - Personnel and Safety Committee**

An ordinance amending Section 20 COMPENSATION, of Chapter 155 Personnel Regulations of Part One - Administrative Code of the Codified Ordinances of the City of North Canton, in accordance with North Canton Ordinance No. 5 - 2017, to rename the classification of "Director of Permits and Development" to "Director of Community Development."

9. **Ordinance No. 79 - 2017 - 1st Reading - Street and Alley Committee**

An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an application to the Ohio Public Works Commission ("OPWC") for the South Main Street Resurfacing Project, and authorizing the Mayor, upon Board of Control approval, to enter into an agreement for said grant, and declaring the same to be an emergency.

10. **Ordinance No. 80 - 2017 - 1st Reading - Finance and Property Committee**

An ordinance appropriating City of North Canton funds for the West Maple Street Widening Project.

11. Reports - Council

Doug Foltz	Ward 1	Mark Cerreta	At Large
Daniel Peters	Ward 2	Dan Griffith	At Large
Stephanie Werren	Ward 3	Marcia Kiesling	At Large
Dominic Fonte	Ward 4		

12. Reports

Director of Law
Mayor
Clerk of Council

Director of Finance
City Engineer

Director of Administration
Director of Administrative Services

13. Final Call for New Business

14. Next scheduled meetings for the month of August and September

Wednesday, August 30, 2017 - special Council meeting (at 6:00 p.m.)

No meeting the week of September 4, 2017 - Labor Day holiday

Monday, September 11, 2017 - Council meeting

Monday, September 18, 2017 - Committee of the Whole meeting

Monday, September 25, 2017 - Council meeting

15. Adjourn

North Canton City Council
Ordinance, Rules and Claims Committee

Ordinance No. 77 - 2017

An ordinance to approve and adopt current replacement pages to the Codified Ordinances, and declaring the same to be an emergency.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances; and

WHEREAS, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare and publish such revision which is before Council in the form of replacement pages to the Codified Ordinances.

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

- Section 1. That, in accordance with Ohio R.C. 731.23, the ordinances of the City of North Canton, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2017 Replacement Pages to the Codified Ordinances are hereby approved and adopted.
- Section 2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

- 301.04 Bicycle; Motorized Bicycle; Moped. (Amended)
- 301.19 Motorcycle. (Amended)
- 303.04 Road Workers, Motor Vehicles and Equipment Excepted. (Amended)
- 303.081 Impounding Vehicles on Private Residential Property. (Amended)
- 303.082 Tow Away Zones. (Amended)
- 313.09 Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
- 331.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
- 331.21 Right of Way of Public Safety or Coroner's Vehicle. (Amended)
- 331.211 Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Added)
- 333.01 Driving Under the Influence. (Amended)
- 335.09 Display of License Plates. (Amended)
- 335.111 Registration Within Thirty Days of Residency. (Added)
- 335.12 Stopping After Accident Upon Streets. (Amended)
- 335.13 Stopping After Accident Upon Property Other Than Street. (Amended)
- 351.07 Unattended Vehicles; Duties. (Amended)

373.02 Riding Upon Seats; Handlebars; Helmets and Glasses. (Amended)

General Offenses Code

- 501.01 General Definitions. (Amended)
- 501.06 Limitation of Criminal Prosecution. (Amended)
- 513.02 Gift of Marijuana. (Amended)
- 513.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
- 513.04 Possessing Drug Abuse Instruments. (Amended)
- 513.05 Permitting Drug Abuse. (Amended)
- 513.07 Possessing or Using Harmful Intoxicants. (Amended)
- 513.08 Illegally Dispensing Drug Samples. (Amended)
- 513.11 Possessing Nitrous Oxide in Motor Vehicle. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 513.121 Marijuana Drug Paraphernalia. (Amended)
- 513.13 Counterfeit Controlled Substances. (Amended)
- 525.15 Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
- 529.01 Liquor Control Definitions. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 537.17 Criminal Child Enticement. (Amended)
- 537.18 Contributing to Child Delinquency. (Amended)
- 541.02 Arson. (Amended)
- 541.04 Criminal Mischief. (Amended)
- 541.11 Vehicular Vandalism. (Amended)
- 549.01 Weapons Definitions. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.04 Improperly Handling a Firearm in a Motor Vehicle. (Amended)

Section 3. That the complete text of the sections of the Codified Ordinances listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. Any summary publication of this ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

Section 4: That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety for the reason that there exists an imperative necessity for the earliest publication and distribution of the current replacement pages to the Codified Ordinances to the officials and residents of the Municipality, so as to facilitate administration, daily operation and avoid legal entanglements including conflict with general State law; wherefore, this Ordinance shall be in full force and effect immediately upon its passage 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
Personnel and Safety Committee

Ordinance No. 78 - 2017

An ordinance amending Section 20 COMPENSATION, of Chapter 155 Personnel Regulations of Part One - Administrative Code of the Codified Ordinances of the City of North Canton, in accordance with North Canton Ordinance No. 5 - 2017, to rename the classification of "Director of Permits and Development" to "Director of Community Development."

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

Section 1. That Chapter 155 Personnel Regulations of Part One, Administrative Code, specifically, GENERAL PERSONNEL REGULATIONS, Section 20 COMPENSATION, of the Codified Ordinances of the City of North Canton, be, and the same is hereby amended to read as follows:

COMPENSATION

Full-Time Schedule of Compensation: Full-time employees shall be paid an amount equal to or less than the amount set forth in the following schedule:

Position	Bi-Weekly Compensation
Director of Administration	\$4,423.08
Director of Law	\$4,423.08
Director of Finance	\$4,423.08
Director of Administrative Services	\$2,884.62
City Engineer	\$4,423.08
Chief of Police	\$3,269.23
Chief of Fire & EMS	\$3,269.23
Supt., Permits & Inspection	\$3,269.23
Director of Community Development	\$3,269.23
Supt., Utilities & Services	\$2,884.62
Supt., Streets & Parks	\$2,884.62
Superintendent - Drinking Water Plant	\$2,900.62
Supt., Recreation, Buildings & Grounds	\$2,884.62
Operations Managers:	
Recreation, Buildings & Grounds	
Streets & Parks	
Water & Sanitary Sewer	
Drinking Water Plant	\$ 2,884.62

Chief Building Officer	\$ 2,884.62
Clerk of Council/Law Dept.	\$ 2,468.82
Deputy Director of Finance	\$ 2,146.82
Accountant	\$2,000.00
Administrative Assistant	\$1,730.00

At all times the position of Director of Permits & Development is filled, the person serving in that capacity shall also hold the title of Superintendent, Permits & Inspection with no additional compensation.

Part-Time Schedule of Compensation: Part-Time employees shall be paid an amount equal to or less than the amount set forth in the following schedule:

Position	Hourly Rate
<u>Public Safety - FIRE / EMS</u>	
Assistant Fire Chief	\$15.63
Fire Captain	\$15.26
Fire Captain / EMT - Paramedic	\$15.26
Fire Captain / EMT - Basic	\$15.26
EMT - Paramedic	\$15.26
Firefighter / EMT - Paramedic	\$15.26
Firefighter / EMT - Basic	\$14.77
Firefighter	\$14.77
EMT - Basic	\$14.77
Fire/Medic	\$13.90
Paramedic	\$13.90
Firefighter	\$12.85
Basic	\$12.85

Part-time employees staffed at station will not receive standby wages and will work a minimum of four hours.

<u>Public Safety - Police</u>	
Dispatcher C	\$12.76
School Crossing Guard	\$12.30
Auxiliary Police	\$11.54
Special Patrolman	\$15.63

<u>Financial & Clerical</u>	
Fiscal/Clerical Specialist	\$12.41
Payroll Manager/Admin. Assist.	\$19.47

<u>Department of Engineering</u>	
Engineering/Permit Clerk	\$12.41
Special Project Inspector	\$17.58

Building & Permits

Building Inspector	\$25.16
Nuisance Officer	\$17.77
Plans Examiner/Chief Building Officer	\$60.00

General Government

Summer I	Minimum Wage
Summer II	Minimum Wage +7.3%
Intern	Minimum Wage +25.3%
Skilled Worker	\$15.15
Laborer	\$13.59

Recreation

Class "A" Instructor	\$11.00
Senior Program Director**	\$203.50

**Paid bi-weekly

A. In the event the Senior Program Director works less than 20 hours in a bi-weekly pay period, the actual hours worked will be paid at the Senior Program Director's applicable hourly rate.

B. That there be and is hereby established an overtime rate of time and one-half after a scheduled eight hours or working a holiday for part-time police officers and part-time radio dispatchers.

C. Effective January 1 of each year, any employee receiving minimum wage shall have their hourly compensation automatically adjusted to reflect the applicable Federal or State minimum wage, whichever is higher.

Section 2. That any and all legislation inconsistent herewith, be, and is hereby repealed.

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 from and after the earliest period allowed by law.

Passed by 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. 79 - 2017

An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an application to the Ohio Public Works Commission ("OPWC") for the South Main Street Resurfacing Project, and authorizing the Mayor, upon Board of Control approval, to enter into an agreement for said grant, and declaring the same to be an emergency.

WHEREAS, the City desires to submit a grant application to the Ohio Public Works Commission for the South Main Street Resurfacing Project; and

WHEREAS, The Project's estimated total cost is \$760,000.00, which has already been awarded 80% federal funding as a result of the Stark County Area Transportation Study, and if successful with the OPWC grant, the City's cost for construction should be zero, except for ancillary costs.

NOW, THEREFORE, BE IT ORDINANCE 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 prepare and submit an application to the OPWC for a grant for the South Main Street Resurfacing Project, and, upon Board of Control approval, to enter into an agreement for said grant.
- Section 2. That, if any 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 in order to meet the September 15, 2017 deadline to submit the application to the Ohio Public Works Commission to obtain a grant for the South Main Street Resurfacing Project; 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

ATTEST:

Mary Beth Bailey, Clerk of Council

David Held, Mayor

SIGNED: _____, 2017

North Canton City Council
Finance and Property Committee

Ordinance No. 80 - 2017

An ordinance appropriating City of North Canton funds for the West Maple Street Widening Project.

WHEREAS, the Ohio Public Works Commission ("OPWC") has awarded the City a reimbursable grant for the West Maple Street Widening Project ("Project")

WHEREAS, reimbursable grants, such as the one described above, initially require the recipient to appropriate and advance its own funds; and

WHEREAS, time is of the essence for the City to meet the deadline to acquire rights-of-way for and begin the Project during favorable weather conditions; and

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

Section 1. That to provide for the advance and appropriation of funds for the West Maple Street Widening Project, which the City will be reimbursed through the Ohio Public Works Commission for said project, the following funds, be, and are hereby advanced and appropriated as follows:

Advance from:

General Fund	\$30,000.00
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Advance to:

332 ISSUE 2 IMPROVEMENT FUND 332.000.4901 OPWC Issue II Fund	\$30,000.00
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Appropriate from the Unappropriated Balance of the OPWC Issue II Fund to:

332 ISSUE 2 IMPROVEMENT FUND 332.543.5227 Contract Payment - Local	\$197,879.00
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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 funds to meet the deadline to acquire necessary rights-of-way for the West Maple Street Widening Project, and the Ohio Public Works Commission reimbursable grant, 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