

**North Canton City Council Notice
Committee of the Whole Agenda
Monday, October 16, 2017 - 7:00 p.m.**

North Canton City Council will meet as a Committee of the Whole **Monday, October 16, 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

Discuss the North Canton Planning Commission's recommendation to the North Canton City Council for the creation of the Fieldcrest District (Text Amendment & Map Amendment), PC711-17ZA.

2. Water, Sewer and Rubbish Committee

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

(a) An ordinance replacing the title of North Canton codified ordinance 935.08 NONRESIDENT'S USE OF WATER OR SANITARY SEWER SERVICE, AGREEMENT, to SALE OF WATER OR SANITARY SEWER SERVICE OUTSIDE CITY BOUNDARIES, together with a text amendment permitting the Water Board and the chair of the Water, Sewer and Rubbish Committee to negotiate water and sanitary service agreements in the City's best interest, and declaring the same to be an emergency.

(b) An ordinance authorizing the Mayor of the City of North Canton, upon Board of Control approval, to enter into a Supplemental Sewer Agreement by and between the City of North Canton and the City of Canton for the Sludge Processing Modifications Project located at the Canton Water Reclamation Facility.

3. Finance and Property Committee

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

A resolution accepting the amounts and rates as determined by the Budget Commission, and authoring the necessary tax levies and certifying them to the County Auditor.

4. Adjourn.

Mary Beth Bailey
Clerk of Council

North Canton City Council
Water, Sewer and Rubbish Committee

Ordinance No. - 2017

An ordinance authorizing the Mayor of the City of North Canton, upon Board of Control approval, to enter into a Supplemental Sewer Agreement by and between the City of North Canton and the City of Canton for the Sludge Processing Modifications Project located at the Canton Water Reclamation Facility.

WHEREAS, North Canton and Canton are fully authorized to enter into this agreement; and

WHEREAS, it is necessary for Canton to proceed with improvements to its Water Reclamation Facility which have been deemed necessary to replace aging and capacity deficient equipment and associated components, and

WHEREAS, North Canton and Canton have agreed to provide for its shared responsibilities and obligations for the project; and

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, upon Board of Control approval, be, and is hereby authorized to enter into a Supplemental Sewer Agreement by and between the City of North Canton and Canton for the Sludge Processing Modifications Project located at the Canton Reclamation Facility.
- Section 2. The City of Canton agrees to make all construction contract payments for the duration of the construction contract and seek reimbursement North Canton following completion of said project. The estimated cost of the project is to be \$5,398,700.00, with North Canton's share of the project being 2.5% or \$116, 072.05 which will be allocated in the 2018 budget.
- 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 in Council this _____ day of _____ 2017

David Held, Mayor

Signed: _____, 2017

ATTEST:

Mary Beth Bailey, Clerk of Council

RECEIVED

OCT 11 2017



City of NORTH CANTON, OHIO

ADMINISTRATION
NORTH CANTON, OHIO

145 NORTH MAIN STREET
NORTH CANTON OHIO 44720-2587

LEGISLATION REQUEST

October 11, 2017

To: **Daniel Jeff Peters, President**
City Council

Subject: **SUPPLEMENTAL SEWER AGREEMENT w/City of Canton for
Sludge Processing Modifications Project**

Requested By: [Signature]
City Engineer

Date: 10/11/2017

Approved By: [Signature]
Director of Administration

Date: 10/01/2017

An ordinance authorizing the Mayor, through the Board of Control, to enter into a Supplemental Sewer Agreement (see attached example agreement) with the City of Canton for the SLUDGE PROCESSING MODIFICATIONS PROJECT (extension of the previously agreed to MBR PROCUREMENT & CONSTRUCTION agreement) to the Canton Water Reclamation Facility.

Funds for this project will need to be allocated in the 2018 budget in accordance with the terms of the proposed agreement.

EMERGENCY REQUESTED: Yes No

RECEIVED

OCT 11 2017

COUNCIL OFFICE
NORTH CANTON, OHIO

**CANTON-NORTH CANTON
SEWER AGREEMENT
SUPPLEMENT**

SLUDGE PROCESSING MODIFICATIONS PROJECT

This agreement is made and entered into this ____ day of _____, 2017, by and between the **CITY OF NORTH CANTON, OHIO**, a charter municipal corporation, organized and existing under the laws of the State of Ohio, hereinafter referred to as “**NORTH CANTON**”, and the **CITY OF CANTON, OHIO**, a municipal corporation organized and existing under the laws of the State of Ohio, hereinafter referred to as “**CANTON**”. This agreement upon its signing by the respective executive authorities of North Canton and Canton shall supplement and amend the March 22, 1974, agreement and the series of supplements thereafter between **NORTH CANTON** and **CANTON**.

WHEREAS, Canton and North Canton are fully authorized to enter into this agreement; and

WHEREAS, the Canton is proceeding with improvements at its Water Reclamation Facility (WRF) dewatering facilities (the Project) which are necessary to replace aging and capacity deficient equipment and associated components, and

WHEREAS, it is necessary to provide for the North Canton’s and Canton’s responsibilities and obligations for the projects; and

NOW, THEREFORE, in consideration of the premises and of the mutual covenants hereinafter set forth, and of other good and valuable considerations, the parties do hereby agree to amend the basic agreements as follows:

Section 1.0 PROJECT COSTS

1.01 The project costs contemplated by this agreement include but are not limited to the following: engineering design, bid document preparation, advertising, bidding, all permits, easements, construction contracts including all change orders, claims, fees, penalties or other expenses resulting from the construction of this project, and construction engineering/management expenses.

1.02 Project costs for the project are estimated to be \$5,398,700 based upon project estimates provided by Arcadis U.S., Inc., Canton’s consultant for this project (see Exhibit “A”).

- 1.03 The parties agree that for the project contemplated herein North Canton's share of the project costs, as mutually agreed, is 2.15%. Canton may seek to secure payment of 48.00% of the total project costs from Stark County.
- 1.03 Upon completion and approval by Canton of the projects, Canton shall provide North Canton with certified costs, North Canton's share shall be adjusted accordingly, and Canton will invoice the North Canton for its share of the project.

Section 2.0 MISCELLANEOUS PROJECT RESPONSIBILITIES

- 2.01 Engineering Investigations and Evaluations: Prior to the execution of this Supplemental Agreement, Canton contracted for engineering investigations and evaluations of the aging and hydraulic deficient dewatering equipment and performed pilot testing of various dewatering technologies which will be used to generate construction plans. The cost of this work is specifically excluded from the cost allocation set forth above and shall not be the obligation of North Canton under this, or subsequent supplemental agreements.
- 2.02 Design, Bid Document Preparation, Advertising, Bidding, Bid Evaluation, Construction Engineering/Management/Inspection: Canton, as owner of the WRF, and contracting authority for the construction project, shall be responsible for design, bid document preparation, advertising, bidding, bid evaluation, construction engineering/management/inspection. All costs of these activities will be included in the cost allocation set forth above.
- 2.03 Canton agrees to make all construction contract payments for the duration of the construction contract and seek reimbursement from North Canton following completion of each project.

If and to the extent that this may be required, any and all other provisions of the Basic Agreements which may be inconsistent with the terms of this Supplemental Agreement, are hereby amended so as to conform hereto.

Except as amended hereby, the Basic Agreements are hereby confirmed in all other respects and shall remain in full force and effect.

IN WITNESS WHEREOF, North Canton and Canton have caused this Supplemental Agreement to be executed by their respective officers thereunto duly authorized and the Agreement shall be in effect as of the day and year first above written.

APPROVED AS TO FORM:

Law Director,
Canton, Ohio

By: Mayor of Canton

By: Public Service Director of Canton

APPROVED AS TO FORM:

Director of Law,
North Canton, Ohio

By: Mayor of North Canton

EXHIBIT "A"
Sludge Processing Modifications Project Components

Recommended improvements to the Canton Water Reclamation Facility in accordance with the "Canton WRF Sludge Dewatering Study July 2017 (Revised August 2017)" as prepared by Arcadis U.S., Inc.

Estimated Project Cost

Design, Bidding, Inspection, etc.	\$698,700
General Requirements	447,000
Sitework	96,000
Concrete	129,000
Masonry	3,000
Metals	106,000
Wood and Plastics	31,000
Doors & Windows	4,000
Finishes	53,000
Specialties	6,000
Equipment	1,845,000
Special Construction	250,000
Conveying Systems	4,000
Mechanical	43,000
Electrical	96,000
Instrumentation	<u>141,000</u>
Subtotal	3,951,700
Overhead, Profit & Contingencies	<u>1,447,000</u>
Total	\$5,398,700

ALAN HAROLD
STARK COUNTY AUDITOR

Resolution No. - 2017

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY AUDITOR

Revised Code, Secs. 5705.34-5705.35

The (Council of the) NORTH CANTON CITY,

Of Stark County, Ohio, met in Regular Session on the _____ day of
_____ October _____ at the office of _____ City Council _____ with the following members present:

Councilman Mark Cerreta

Councilman Doug Foltz

Councilman Dominic Fonte

Councilman Dan Griffith

Councilwoman Marcia Kiesling

Councilman Daniel Jeff Peters

Councilwoman Stephanie Werren

Mr./Ms. _____ moved the adoption of the following Resolution:

WHEREAS, This council in accordance with the provisions of law has previously adopted
a Tax Budget for the next succeeding fiscal year commencing January 1st, 2018: and

WHEREAS, The Budget Commission of Stark County, Ohio, has certified its action thereon to this council
together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this (Council/Board),
and what part thereof is without, and what part within the ten mill limitation; there be it

RESOLVED, by the (Council) of North Canton City/Village, Stark County, Ohio that the
amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted:
and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said (Village/City) the rate of each
tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED
BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

<u>FUND</u>	Amount to be derived from Levies outside 10 mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside	Outside
General Fund		52,286	2.40 (NCCSD)	
		739,484	2.40 (NCCSD)	
		154	1.90 (JLSD)	
		5,575	2.00 (JLSD)	
		1,965	1.90 (PLSD)	
		136,878	2.00 (PLSD)	
Street Improvement Fund	367,833			1.00
Fire Fund	183,916			0.50
Ambulance Fund	919,582			2.50
Storm Sewer	367,833			1.00
Total	1,839,164	936,342	12.60	5.00

CERTIFICATE TO COPY
ORIGINAL ON FILE

The State of Ohio, Stark County, Ss.

I, _____ Clerk City/Village of _____

Within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the Original

_____ now on file, that the foregoing has been compared by me with said original document, and that the same is true and correct copy thereof.

Witness my signature, this _____ day of _____, _____.

_____ Clerk

No. _____

City/Village _____, Stark County Ohio.

Resolution

Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Adopted _____, _____

_____ Clerk

Filed _____, _____

_____ County Auditor

By _____ Deputy Auditor

ALAN HAROLD
STARK COUNTY AUDITOR

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY AUDITOR

Revised Code, Secs. 5705.34-5705.35

The (Council of the) NORTH CANTON CITY,

Of Stark County, Ohio, met in _____ Session on the ____ day of
_____ at the office of _____ with the following members present:

Mr./Ms. _____ moved the adoption of the following Resolution:

WHEREAS, This council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2018: and

WHEREAS, The Budget Commission of Stark County, Ohio, has certified its action thereon to this council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this (Council/Board), and what part thereof is without, and what part within the ten mill limitation; there be it

RESOLVED, by the (Council) of _____ City/Village, Stark County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted: and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said (Village/City) the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED
BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	Amount to be derived from Levies outside 10 mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside	Outside
General Fund		52,286	2.40 (NCCSD)	
		739,484	2.40 (NCCSD)	
		154	1.90 (JLSD)	
		5,575	2.00 (JLSD)	
		1,965	1.90 (PLSD)	
		136,878	2.00 (PLSD)	
Street Improvement Fund	367,833			1.00
Fire Fund	183,916			0.50
Ambulance Fund	919,582			2.50
Storm Sewer	367,833			1.00
Total	1,839,164	936,342	12.60	5.00

SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND	Maximum Rate Authorized to be Levied	County Auditor's Estimate of Yeild of Levy
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GENERAL FUND:

Current expense levy authorized by voters on
for not to exceed Continued years.

Emergency Current expense levy authorized by voters on
for not to exceed 5 years.

Emergency Current expense levy authorized by voters on
for not to exceed Continued years.

Current expense levy authorized by voters on
for not to exceed Continued years.

Current expense levy authorized by voters on
for not to exceed Continued years.

Current expense levy authorized by voters on
for not to exceed 5 years.

Current expense levy authorized by voters on
for not to exceed Continued years.

Current expense levy authorized by voters on
for not to exceed Continued years.

Current expense levy authorized by voters on
for not to exceed Continued years.

Current expense levy authorized by voters on
for not to exceed years.

Fire Fund: Levy authorized by voters on 3/6/12 for not to exceed Continued years.	0.50	183,916
Street Improvement Fund: Levy authorized by voters on 11/4/14 for not to exceed 5 years.	1.00	367,833
Ambulance Fund: Levy authorized by voters on 3/6/12 for not to exceed Continued years.	1.00	367,833
Ambulance Fund: Levy authorized by voters on 8/8/17 for not to exceed 5 years.	1.50	551,749
Storm Sewer Fund: Levy authorized by voters on 11/4/14 for not to exceed 5 years.	1.00	367,833

And be it further

Resolved, That the clerk of this Board be and he is hereby directed to certify a copy of this resolution to the County Auditor of said County.

Mr./Ms. _____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr./Ms. _____

Mr./Ms. _____

Mr./Ms. _____

Mr./Ms. _____

Mr./Ms. _____

Mr./Ms. _____

Adopted the _____ day of _____, 20_____.

Clerk

City/Village

County, Ohio.

CERTIFICATE TO COPY
ORIGINAL ON FILE

The State of Ohio, Stark County, Ss.

I, _____ Clerk City/Village of _____

Within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the Original

_____ now on file, that the foregoing has been compared by me with said original document, and that the same is true and correct copy thereof.

Witness my signature, this _____ day of _____, _____.

_____ Clerk

No. _____

City/Village _____, Stark County Ohio.

Resolution

Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Adopted _____, _____

_____ Clerk

Filed _____, _____

_____ County Auditor

By _____ Deputy Auditor