

NOTICE OF NORTH CANTON CITY COUNCIL MEETING
Monday, October 9, 2017, 7:00 p.m., City Hall

Amended Agenda

1. Call to Order
2. Opening Prayer - Reverend Emil Gretarsson - Holy Cross Lutheran Church
3. Pledge of Allegiance
4. Roll Call
5. Consideration

Council Meeting Minutes: September 11 and 25, 2017

Mayor Court Receipts: September 2017

Financial Statements: September Month End Reports

6. Recognition of Visitors
7. Old Business
8. **Ordinance No. 81 - 2017 - 2nd Reading - Park and Recreation Committee**

An ordinance establishing rental rates and policies for the rental of City owned facilities or portions thereof, located within the municipal corporation limits of the City of North Canton, Ohio, repealing Ordinance Nos. 21-08, 47-10, 19-11, 31-13, and 45-16, and any and all legislation inconsistent herewith.

9. **Ordinance No. 82 - 2017 - 2nd 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 create the position of Client Coordinator in the Finance Department.

10. **Ordinance No. 85 - 2017 - 2nd Reading - Street and Alley Committee**

An ordinance approving, confirming and accepting a perpetual waterline utility easement known as Parcel No. 10007429, and being part of a 0.0402 acre tract of land, by and between the City of North Canton, an Ohio charter municipal corporation ("City"), Grantee, and Maple Street Commerce, ("Grantor").

11. New Business

12. **Ordinance No. 88 - 2017 - 1st Reading - Water, Sewer and Rubbish Committee**

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.

13. Ordinance No. 89 - 2017 - 1st Reading - Finance and Property Committee

An ordinance authorizing the Mayor of the City of North Canton, upon concurrence of Council and the Board of Control, to enter into a contract for administering a self-insured health insurance program for City employees, for the period of December 1, 2017 through November 30, 2018.

14. Resolution No. 9 - 2017 - 1st Reading - Community and Economic Development Committee

A resolution requesting the Planning Commission consider recommending to City Council implementation of the Main Street Business District on Main Street, from Orion Street to Everhard Road, to maintain and promote the central portion of Main Street as a core area for the retail sales and service.

15. 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		

16. Reports

Director of Law Mayor Clerk of Council	Director of Finance City Engineer	Director of Administration Director of Administrative Services
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17. Final Call for New Business

18. October's Meeting Schedule

Monday, October 16, 2017 - Committee of the Whole
Monday, October 23, 2017 - City Council
Monday, October 30, 2017 – Committee of the Whole

19. Upon a motion, second, a positive roll-call vote from a quorum of Council members, Council, the Mayor, and the Directors of Administration, Finance, and Administrative Services, shall hold an executive session to confer with the Director of Law concerning disputes involving the City that are the subject of imminent court action.

20. Adjourn

North Canton City Council
Water, Sewer & Rubbish Committee

Ordinance No. 88 - 2017

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.

WHEREAS, the City of North Canton wishes to increase public access to its water and sanitary sewer services; and

WHEREAS, current legislation places mandatory restrictions on the sale of water and sanitary sewer services to nonresidents;

WHEREAS, the City wishes to provide its Water Board and chair of the Water, Sewer and Rubbish Committee with the tools and authority to negotiate in the City's best interest, water and sanitary sewer service agreements to locations outside the City's boundaries.

WHEREAS, current, yet temporary opportunities are before the City such that without the ability to negotiate in the City's best interests, such opportunities shall promptly be directed to City competitors.

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

Section 1. That Section 935.08 of North Canton's codified ordinance shall be retitled SALE OF WATER OR SANITARY SEWER SERVICE OUTSIDE CITY BOUNDARIES.

Section 2. That the text of Section 935.08 be, and the same is hereby amended to read as follows:

(a) All applications for water or sewer service for locations outside City boundaries require the Water Board and chair of the Water, Sewer and Rubbish Committee's approval.

(b) The Water Board and chair of the Water, Sewer and Rubbish Committee shall evaluate each application, and while considering foremost the City's best interest, they may:

(1) reduce or waive the cost to place water and sanitary sewer lines, associated costs, and tap in fees;

(2) determine the applicability of inside or outside water rates;

(3) determine the necessity of an agreement between the City and applicant whereby the applicant shall, upon request, promptly sign a recordable annexation petition, creating a covenant running with the land and enforceable against all successors and assigns; and

(4) evaluate and approve or deny other applicable and negotiable considerations, that in their sole discretion, are in the City's best interest.

(c) Unless a separate, binding agreement is currently in place, all locations outside City boundaries presently receiving City water or sewer service, shall comply with the provisions of this ordinance.

Section 3. That a true and exact copy of codified ordinance 935.08 is attached hereto and incorporated herein.

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 permit the City to promptly act and negotiate, in its best interest, long-term agreements to provide City water and sanitary services outside City boundaries; wherefore, 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

ATTEST:

Mary Beth Bailey, Clerk of Council

Signed: _____, 2017

North Canton City Council
Finance and Property Committee

Ordinance No. 89 - 2017

An ordinance authorizing the Mayor of the City of North Canton, upon concurrence of Council and the Board of Control, to enter into a contract for administering a self-insured health insurance program for City employees, for the period of December 1, 2017 through November 30, 2018.

WHEREAS, the City of North Canton desires to provide a self-insured health insurance program for its employees; and

WHEREAS, having properly advertised its request for bids for a self-insured health insurance program, the City desires to select the lowest and best bidder and enter into a contract for such health care services for its employees.

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, upon concurrence of Council and the Board of Control, is hereby authorized to enter into a contract for administering a self-insured health insurance program for City employees for the period of December 1, 2017 through November 30, 2018.
- Section 2. That the Director of Finance is hereby authorized to draw funds necessary for the payment of the above-specified contract upon receipt of vouchers duly approved by proper departmental authority from appropriations applicable thereto.
- Section 3. 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 4. 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

Michael J. Grimes, Administrator
North Canton Charter, 3.01

Signed: _____, 2017

ATTEST:

Mary Beth Bailey, Clerk of Council

North Canton City Council
Community and Economic Development Committee

Resolution No. 9 - 2017

A resolution requesting the Planning Commission consider recommending to City Council implementation of the Main Street Business District on Main Street, from Orion Street to Everhard Road, to maintain and promote the central portion of Main Street as a core area for retail sales and service.

WHEREAS, business districts and their regulations are established in order to provide appropriate and convenient locations for business activities while protecting residential neighborhoods from traffic and pedestrian congestion, noise, and other objectionable consequences; and

WHEREAS, the Main Street Business District ("MSB") was created to maintain and promote the central portion of Main Street as a core area for retail sales and service by permitting buildings to be close to the street and to one another, and to acknowledge that zoning restrictions found in other business districts may be so severe that new businesses are unable to meet such standards and therefore are unable to replace those that have closed; and

WHEREAS, City Council respectfully requests the Planning Commission consider a text and map amendment to North Canton's Zoning Regulations to implement the MSB from Orion Street to Everhard Road, while protecting residential neighborhoods of the objectionable consequences described above, and excepting only those parcels that in the Planning Commission's judgment do not resemble the businesses described herein.

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

Section 1. That the Planning Commission consider recommending to City Council a text and map amendment of the City's Zoning Regulation to implement the Main Street Business District on Main Street, from Orion Street to Everhard Road, to maintain and promote the central portion of Main Street as a core area for retail sales and service.

Section 2. That the Planning Commission place special emphasis on recognizing the MSB was established in order to provide appropriate and convenient locations for business activities while protecting residential neighborhoods from traffic and pedestrian congestion, noise, and other objectionable consequences.

- Section 3. That the Main Street Business District shall maintain and promote the central portion of Main Street as a core area for retail sales and service by permitting buildings to be close to the street and to one another, and by providing additional discretion, on a case-by-case basis, in further modifying the parking, lighting, and other restrictive requirements for this district.
- Section 4. That if a provision of this resolution is or becomes illegal, invalid or unenforceable, that shall not affect the validity or enforceability of any other provision of this resolution.
- Section 5. That this resolution 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