



**NOTICE OF PUBLIC MEETING**

Notice is hereby given that:

Recent, and temporarily amended sections of Ohio’s Revised Code, specifically R.C. 121.22 Public meeting - exceptions, together with orders and directives from the Ohio Attorney General and the Ohio Department of Health, as well as the safety directives from the President and Center for Disease Control regarding health risks posed by COVID-19, compel the City of North Canton to take unprecedented actions to continue the business of government while limiting gatherings so as to prevent the spread of COVID-19. Accordingly, in this limited circumstance, where the Governor has declared a state of emergency and the Director of the Ohio Department of Health is limiting gatherings to prevent the spread of COVID-19, the City shall hold its public meetings via teleconference; all other requirements of Ohio’s Open Meetings Act, R.C. 121.22, shall be fulfilled.

Meeting notices shall provide instructions for the public on how they may hear the discussions and deliberations of all members of the public body, and in certain circumstances, address the public body themselves.

The Council of the City of North Canton shall hold the **Regular Council meeting on Monday July 13, 2020 at 7:00 PM** via teleconference. See attached agenda for matters to be discussed.

Instructions to hear and perhaps participate in the meeting described above are as follows:

**FOR THOSE WISHING TO WATCH THE MEETING:**

The meetings will be livestreamed via the City’s YouTube page. The livestream can be accessed at the link below and will begin at approximately 6:55 p.m., Monday, July 13, 2020.

<https://youtu.be/JLJbJWkf99c>

**THOSE WISHING TO PARTICIPATE IN RECOGNITION OF VISITORS** at the Council Meeting on Monday, July 13, 2020, must email a request to the Council Clerk at **citycouncil@northcantonohio.gov** with your **name, email, and telephone number** no later than **3:00 PM Monday, July 13, 2020**.

Once your email has been received, the clerk will contact you with information on how to join the meeting. Members of the public wishing to participate will be called to speak in the order requests are received by Council’s office.

Residents wishing to address Council may alternatively submit a written statement to the office of Council to be entered into the public record by **emailing such statements as a word or pdf attachment to byoung@northcantonohio.gov by 5:00 pm, July 13, 2020**. Statements must include the attributed party’s **name and address**.

BY THE ORDER OF THE COUNCIL OF THE CITY OF NORTH CANTON, COUNTY OF STARK, STATE OF OHIO:

07/08/2020

Date

  
Benjamin R. Young  
Clerk of Council

**NORTH CANTON CITY COUNCIL MEETING**  
**July 13, 2020, 7:00 p.m., via teleconference**  
**Agenda**

1. Call to Order
2. Opening Prayer
3. Pledge of Allegiance
4. Roll Call
5. Consideration
  - a. Minutes from June 10, 2020 Special Council Meeting.
  - b. Minutes from June 10, 2020 Special Committee of the Whole Meeting.
  - c. Minutes from June 15, 2020 Committee of the Whole Meeting.
  - d. Minutes from June 15, 2020 Special Council Meeting.
  - e. Minutes from June 22, 2020 Council Meeting.
  - f. Minutes from June 29, 2020 Committee of the Whole Meeting.
6. Recognition of Visitors
7. Old Business
  - a. **Ordinance No. 34-2020 – 3<sup>rd</sup> Reading, Community and Economic Development Committee**  
An ordinance amending Part Eleven, Planning and Zoning, of the Codified Ordinances of the City of North Canton, specifically, Chapter 1181, Amendments, as described below.
  - b. **Resolution No. 03-2020 – 3<sup>rd</sup> Reading, Personnel and Safety Committee**  
A resolution authorizing the pick-up of employee contributions for the voluntary purchase of military service credit for City of North Canton eligible, full-time employees of the City's Police and Fire/EMS Departments, who are members of the Ohio Police & Fire Pension Fund, through a payroll reduction pickup plan.
8. New Business
  - a. **Ordinance No. 40-2020 – 1<sup>st</sup> Reading, Park and Recreation Committee**  
An ordinance authorizing the Director of Administration to establish rental rates for City owned buildings, facilities, parks, sport fields, and portions thereof.
  - b. **Ordinance No. 41-2020 – 1<sup>st</sup> Reading, Water, Sewer, and Rubbish Committee**  
An ordinance authorizing the Director of Administration to develop, implement, and maintain administrative policies, guidelines, and fees governing the testing of backflow prevention devices pursuant to the provisions of Section 935.10, Backflow Prevention Device, of the Codified Ordinances of the City of North Canton.

9. Department Reports

Deputy Director of Administration  
Director of Administration  
Mayor Wilder  
Director of Law

Director of Finance  
City Engineer  
Council Clerk

10. Council Reports

Ward 1 - Doug Foltz  
Ward 2 - Daniel Peters  
Ward 3 - Stephanie Werren  
Ward 4 - Dominic Fonte

At Large - Daryl Revoldt  
At Large - Mark Cerreta  
At Large - Matthew Stroia

11. Final Call for New Business

12. Meetings Calendar

August 17, 2020 Committee of the Whole – Council Returns from Summer Break

13. Adjourn

North Canton City Council  
Community and Economic Development

ORDINACE 34 - 2020

An ordinance amending Part Eleven, Planning and Zoning, of the Codified Ordinances of the City of North Canton, specifically, Chapter 1181, Amendments, as described below.

WHEREAS, the City seeks to establish a more stable and consistent system for recommending zoning amendments based best practices.

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

Section 1. That Part Eleven, Planning and Zoning, of the Codified Ordinances of the City of North Canton, specifically, Chapter 1181, Amendments, be, and is hereby amended as follows:

1181.01 AUTHORITY FOR AMENDMENTS.

Whenever the public necessity, general welfare, or good zoning practices require, City Council may, by ordinance, amend, or revise Title One, Subdivision Control, and Title Three, Zoning Regulations, of this code, or amend, supplement, change, or repeal the boundaries or classification of property according to the procedures set forth in this Chapter and subject to the procedures provided by law.

City Council may, by ordinance, rearrange, renumber, or recodify any provision of the Planning and Zoning code or amend or revise any provisions of Title Five, Administration, of this Code through the regular legislative process as defined by the Charter and Rules of Council.

1181.02 INITIATION OF ZONING AMENDMENTS.

Amendments to the Zoning Ordinance, either Titles One, Subdivision Regulations, or Three, Zoning Regulations, or map, shall be initiated by filing an application to the Clerk of Council by:

- (a) at least one owner or lessee of the property or developer with an option on such property within the area proposed to be changed or affected by said amendment;
- (b) a Planning Commission motion;
- (c) a City Council resolution; or
- (d) a written request from the Mayor.

1181.03 AMENDMENT APPLICATIONS

An amendment initiated by any legal means shall be submitted and reviewed according to the following:

(a) Discussion with Planning Commission. An owner, lessee, or developer applicant must meet with the, Chief Building Official, or designee, prior to submitting an application for an amendment to the Zoning Ordinance. The purpose of this meeting is to discuss early and informally with the applicant the purpose and effect of these zoning regulations and the criteria and standards contained within. No action shall be taken at such a meeting, and no discussions, opinions, suggestions, or recommendations of the, Chief Building Official, or designee may be relied upon by the applicant to indicate subsequent approval or disapproval of the proposed amendment.

(b) Submission Requirements. Applications, motions, or resolutions for proposed amendments shall contain at least the following information:

- (1) The name, address, and phone number of the applicant and the property owner if other than the applicant;
- (2) A statement of the reason(s) for the proposed amendment;
- (3) A statement on the ways in which the proposed amendment relates to the Comprehensive Land Use Plan; and,
- (4) The payment of the application fee as established by Council.

(c) Amendments to the Zoning Map adopted as part of this Zoning Ordinance shall contain the following additional information:

- (1) Legal description of the parcel(s) to be rezoned, drawn by a registered surveyor;
- (2) Present use and zoning district;

(3) Proposed use and zoning district; and

(4) A vicinity map at a scale approved by the Chief Building Official showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Chief Building Officer may require;

(5) A list of all property owners lying within 200 feet of any part of the property on which the zoning amendment is requested, including the addresses, and permanent parcel number as shown upon the County auditor's current tax list;

(6) Existing topography at two-foot contour intervals of the property to be rezoned and extending at least 200 feet outside the proposed site, including property lines, easements, street rights-of-ways, existing structures, trees and landscaping features existing thereon;

(d) Referral to Planning Commission. After the filing of a completed application by an owner, lessee of property or developer with an option on such property, the planning commission, or City Council, the Clerk of Council shall transmit the application, motion or resolution to Council. Council may then, by voice vote, recommend transmission of the application to the Planning Commission to begin the adoption process set forth in Sections 1181.05 through 1181.08.

#### 1181.04 (REPEALED)

#### 1181.05 PUBLIC MEETING AND NOTICE BY PLANNING COMMISSION.

Upon the receipt of an application, motion, or resolution, to amend Titles One, Subdivision Regulations, or Three, Zoning Regulations, the Planning Commission shall set a date for a public meeting thereon. Notice of the public meeting shall comply with the following:

(a) Whenever a proposed map amendment involves 10 or fewer parcels, written notification of the meeting shall be given by first class mail to the applicant and to all owners of property located within 200 feet of the property proposed to be rezoned or redistricted as shown upon the records of the Stark County Auditor, or the list of property owners furnished by the applicant;

(b) Notice shall be given in one or more newspapers of general circulation in the City;

(c) All notices shall be made at least seven days prior to the date of the public meeting; and

(d) Notices shall include the time and place of the public meeting, a summary of the proposed amendment, and a statement that an opportunity to be heard will be afforded to any interested person. Failure of delivery of such notice shall not invalidate any such amendment.

#### 1181.06 RECOMMENDATION BY THE PLANNING COMMISSION.

(a) After the conclusion of the public meeting as required in Section 1181.05, the Planning Commission shall recommend one of the following to City Council:

(1) That the amendment to Title One or Three be granted as requested;

(2) That the amendment to Title One or Three be granted as modified by the Planning Commission; or

(3) That the amendment to Title One or Three be denied.

(b) The Planning Commission shall submit its recommendation in writing to the Clerk of Council who shall place it Council's docket.

(c) If the Planning Commission does not make a recommendation on the proposed amendment within 45 days of receipt of the application, or provide an extended period agreed by the applicant or City Council, the application shall be deemed denied.

#### 1181.07 PUBLIC MEETING AND NOTICE BY COUNCIL.

Upon receipt of the recommendation from the Planning Commission, or, if the planning Commission fails to make a recommendation on the proposed amendment within 15 days of its receipt of the application and has not extended this period, Council shall set a time for a public meeting on the proposed amendment.

(a) Notice of the public meeting shall be given by Council according to the following:

(1) Whenever a proposed map amendment proposes to rezone 10 or fewer parcels, written notification of the meeting shall be given by first class mail to the applicant and to all owners of property located within 200 feet of the property proposed to be rezoned or redistricted as shown upon the records of the Stark County Auditor, or the list of property owners furnished by the applicant;

(2) Notice of the proposed amendment shall be published at least 30 days prior to the date of the public meeting in one or more newspapers of general circulation in the City;

(3) Notices shall include the time and place of the public meeting, a summary of the proposed amendment, and a statement that an opportunity to be heard will be afforded to any interested person. Failure of delivery of such notice shall not invalidate any such amendment.

(b) During the 30 days prior to the public meeting, the text of the proposed amendment, maps or plans, if applicable, and the Planning Commission's recommendation, shall be on file for public examination in the office of the Clerk of Council or in such other office as is designated by Council.

1181.08 ACTION BY COUNCIL.

After the conclusion of the public meeting required in Section 1181.07, Council shall take action on the proposed amendment as follows:

- (a) Adopt the Planning Commission's recommendation;
- (b) Deny the Planning Commission's recommendation; or
- (c) Adopt some modification thereof.

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 \_\_\_\_\_ 2020.

Attest: \_\_\_\_\_  
Benjamin R. Young, Clerk of Council

\_\_\_\_\_  
Stephan B. Wilder, Mayor

Signed on: \_\_\_\_\_

North Canton City Council  
Personnel and Safety Committee

Resolution 3 - 2020

A resolution authorizing the pick-up of employee contributions for the voluntary purchase of military service credit for City of North Canton eligible, full-time employees of the City's Police and Fire/EMS Departments, who are members of the Ohio Police & Fire Pension Fund, through a payroll reduction pickup plan.

WHEREAS, certain full-time employees of the City's Police and Fire/EMS Departments participate in the Ohio Police and Fire Pension Fund ("OP&F"); and

WHEREAS, the City desires to offer a pick-up for the voluntary purchase of military service credit, as provided for in Section 742.56 of the Ohio Revised Code and 742-5-08 of the Ohio Administrative Code, for participating full-time employees of said departments, who are members of OP&F and members of the applicable bargaining units; and

WHEREAS, OP&F has adopted procedures for reporting picked up contributions in order to properly prepare 1099-R forms for its members pursuant to Section 742.32 of the Ohio Revised Code and Section 742-7-14 of the Ohio Administrative Code; and

WHEREAS, employers may pay all or a part of the voluntary contributions for the purchase of military service credit for eligible employees participating in OP&F.

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

- Section 1. That the City desires to offer to pick-up all or part of the voluntary contributions through a payroll deduction for the purchase of military service credit by employees who are members of OP&F and the applicable Police and Fire/EMS Departments' bargaining units. The bargaining units are described in Exhibit A, which is made a part of this resolution. No contributions made prior to the Council's action shall be picked-up.
- Section 2. That said picked up contributions paid through a payroll reduction, even though designated as employee contributions for state law purposes, are being paid by the City in lieu of said contributions by the participating employees.
- Section 3. That the pickup treatment does not apply to contributions made prior to the date the resolution is signed or effective.
- Section 4. That said employees shall not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by the City to OP&F.
- Section 5. That said employees must execute OP&F's Irrevocable Payroll Deduction Authorization form in order to have this pick-up treatment apply and that the applicable Departments must certify the authorization under Ohio Administrative Code 742-5-08.
- Section 6. 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 7. That this resolution shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_ 2020.

Attest: \_\_\_\_\_  
Benjamin R. Young, Clerk of Council

\_\_\_\_\_  
Stephan B. Wilder, Mayor

Signed on: \_\_\_\_\_

**Police & Fire Department Bargaining Units Eligible for Payroll Deduction for  
Picked Up Voluntary Contributions to OP&F for Military Service Credit**

- Fraternal Order of Police, Lieutenants & Sergeants;
- Ohio Patrolmen's Benevolent Association (Full-Time Patrolmen);
- Ohio Patrolmen's Benevolent Association (Full-Time and Lead Dispatcher); and
- North Canton Professional Firefighter and Paramedic Association

North Canton City Council  
Park and Recreation Committee

ORDINANCE 40 - 2020

An ordinance authorizing the Director of Administration to establish rental rates for City owned buildings, facilities, parks, sport fields, and portions thereof.

WHEREAS, the City desires to make the renting of public facilities, efficient and cost effective for the guests and residents of North Canton, and

WHEREAS, the Director of Administration and staff are best suited to monitor and regulate the rental rates of city facilities to ensure rates are affordable yet cover all City costs incurred and are available at such times as may be reasonable and most desired by guests and residents.

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 is authorized to establish rental rates for City owned buildings, facilities, parks, sport fields, and portions thereof.
- Section 2. That any changes to rental rates made by the Director of Administration must be announced at a public meeting of City Council at least 14 calendar days prior to such rate changes taking effect.
- Section 3. That the rentals rates as established by City Council in Ordinance 96-2017 shall continue to be until such time as new rates are hereby established.
- Section 4. That any and all legislation previously passed and inconsistent herewith, be, and the same are hereby repealed.
- Section 5. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, it shall not affect the validity or enforceability of any other provision of this ordinance.
- Section 6. 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 \_\_\_\_\_ 2020.

Attest: \_\_\_\_\_  
Benjamin R. Young, Clerk of Council

\_\_\_\_\_  
Stephan B. Wilder, Mayor

Signed on: \_\_\_\_\_

North Canton City Council  
Water, Sewer, and Rubbish Committee

ORDINANCE 41 - 2020

An ordinance authorizing the Director of Administration to develop, implement, and maintain administrative policies, guidelines, and fees governing the testing of backflow prevention devices pursuant to the provisions of Section 935.10, Backflow Prevention Device, of the Codified Ordinances of the City of North Canton.

WHEREAS, the City has a compelling interest in preventing the contamination of its drinking water; and

WHEREAS, the proper installation, use, and testing of backflow prevention devices is an important component to prevent the contamination of City drinking water.

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 is hereby authorized to develop, implement, and maintain administrative policies, guidelines, and fees governing the testing of backflow prevention devices pursuant to the provisions of Section 935.10, Backflow Prevention Device, of the Codified Ordinances of the City of North Canton.

Section 2. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, it 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 \_\_\_\_\_ 2020.

Attest: \_\_\_\_\_  
Benjamin R. Young, Clerk of Council

\_\_\_\_\_  
Stephan B. Wilder, Mayor

Signed on: \_\_\_\_\_