

**City of North Canton**

**NOTICE OF PUBLIC MEETING**

Notice is hereby given that:

The City Council of the City of North Canton shall hold a Committee of the Whole Meeting on Monday, August 15, 2022 at 7:00 PM at North Canton Civic Center 845 W Maple St. North Canton, OH.

See attached agenda for matters to be discussed.

Meetings are open to the public or may be livestreamed on the City of North Canton's YouTube page.

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

8/12/2022  
Date

Benjamin R. Young  
Clerk

**NORTH CANTON COMMITTEE OF THE WHOLE MEETING**  
**August 15, 2022, 7:00 PM**  
**Agenda**

**1. Call to Order**

**2. Roll Call**

**3. Finance and Property Committee**

Chairperson: Stephanie Werren

Vice Chairperson: Matthew Stroia

3.a 2021 Annual Audit

3.b An ordinance authorizing the Director of Finance of the City of North Canton to establish a fund entitled OneOhio Opioid Settlement (Fund Number 217) for the purpose of accounting for related revenue and expenditures associated with the OneOhio Opioid Settlement distributions.

3.c An ordinance authorizing the appropriation of funds of the City of North Canton to be appropriated for current expenses during the fiscal year ending December 31, 2022.

3.d An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to renew a personal services agreement for computer server, network, workstation monitoring, maintenance and support, remote and on-site support, malware protection, web browsing protection, patch management, Dark Web monitoring, and security awareness education for the City's critical, complex, municipal infrastructure equipment, and, given the critical nature of this agreement, 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.

**4. Street and Alley Committee**

Chairperson: Matthew Stroia

Vice Chairperson: David Metheney

4.a An ordinance authorizing the Mayor of the City of North Canton to release AMC Land Company, Ltd., from performance bond obligations established by a commercial bond as authorized by Ordinance 52-2021.

4.b An ordinance authorizing the Mayor of the City of North Canton to enter into an agreement with AMC Land Company, Ltd., thereby accepting its maintenance bond to guarantee certain maintenance improvements at the Monticello Phase 8 Development.

4.c 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 a grant for the Wise Avenue NE Reconstruction Project and, if awarded, authorizing the Mayor, upon Board of Control approval, to enter into an agreement for the receipt of said grant and declaring the same to be an emergency.

4.d 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 a grant for the East Maple Street Repaving Project and, if awarded, authorizing the Mayor, upon Board of Control approval, to enter into an agreement for the receipt of said grant and declaring the same to be an emergency.

**5. Ordinance and Rules Committee**

Chairperson: John Orr

Vice Chairperson: Daryl Revoldt

5.a Discussion of potential future Charter amendment in the event Ord. 47-2022 is adopted by voters relating to the procedure for filling vacancies.

**6. Adjourn**



# Item Cover Page

**CITY COUNCIL AGENDA ITEM REPORT**

**DATE:** August 15, 2022

**SUBMITTED BY:** Finance

**ITEM TYPE:** Non-Legislation Council Items

**AGENDA SECTION:** Finance and Property Committee

**SUBJECT:** 2021 Annual Audit

**DESCRIPTION:** Presentation of City's audited 2021 Annual Comprehensive Financial Report (ACFR) by Maria Richards of Perry & Associates

**ATTACHMENTS:**



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** August 15, 2022

**SUBMITTED BY:** Finance

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** Finance and Property Committee

**SUBJECT:** An ordinance authorizing the Director of Finance of the City of North Canton to establish a fund entitled OneOhio Opioid Settlement (Fund Number 217) for the purpose of accounting for related revenue and expenditures associated with the OneOhio Opioid Settlement distributions.

**DESCRIPTION:** Establish a new fund (*Fund 217 OneOhio Opioid Settlement*) per ORC 5709(F) and 5705.10(I) to segregate and ensure separate accountability of OneOhio Opioid Settlement distributions. Said funds shall be used only for the approved purposes as required by the OneOhio MOU, which include evidence-based forward-looking strategies, programming and services used to (i) expand the availability of treatment for individuals affected by substance use disorders, (ii) develop, promote and provide evidence-based substance use prevention strategies, (iii) provide substance use avoidance and awareness education, (iv) decrease the oversupply of licit and illicit opioids, and (v) support recovery from addiction services performed by qualified and appropriately licensed providers.

The Ohio Opioid Abatement Strategy includes three main components:

1. Strategies for Community Recovery: Included but not limited to prevention, treatment, recovery support and community recovery projects (examples include child welfare, law enforcement strategies and other infrastructure supports). These strategies have a hyper-local

focus that allows communities to collaborate and expand necessary services to their community.

2. Strategies for Statewide Innovation & Recovery: Included but not limited to strategies included in Community Recovery Component but also projects that promote statewide change and regional development for prevention, treatment, recovery supports and community recovery (examples include regional treatment hubs, drug task forces, data collection and dissemination). This component also includes research and development to understand how to better serve individuals and families in Ohio.

3. Strategies for Sustainability: Ohio's addiction and mental health epidemic was not created overnight, and it will not go away immediately. By collaborating to share resources and knowledge, Ohio's state and local communities can build a sustainable financing strategy and infrastructure to reverse the damage that has been done and prevent future epidemics and crises.

**ATTACHMENTS:**

[Ord. -2022 Establishing Opioid Settlement Fund.docx](#)

North Canton City Council  
Finance and Property Committee

ORDINANCE ## - 2022

An ordinance authorizing the Director of Finance of the City of North Canton to establish a fund entitled OneOhio Opioid Settlement (Fund Number 217) for the purpose of accounting for related revenue and expenditures associated with the OneOhio Opioid Settlement distributions.

WHEREAS, said funds shall be used only for the approved purposes as required by the OneOhio MOU, which include evidence-based forward-looking strategies, programming and services used to (i) expand the availability of treatment for individuals affected by substance use disorders, (ii) develop, promote and provide evidence-based substance use prevention strategies, (iii) provide substance use avoidance and awareness education, (iv) decrease the oversupply of licit and illicit opioids, and (v) support recovery from addiction services performed by qualified and appropriately licensed providers; and

WHEREAS, The Ohio Opioid Abatement Strategy includes three main components:

- a. Strategies for Community Recovery: Included but not limited to prevention, treatment, recovery support and community recovery projects (examples include child welfare, law enforcement strategies and other infrastructure supports). These strategies have a hyper-local focus that allows communities to collaborate and expand necessary services to their community.
- b. Strategies for Statewide Innovation & Recovery: Included but not limited to strategies included in Community Recovery Component but also projects that promote statewide change and regional development for prevention, treatment, recovery supports and community recovery (examples include regional treatment hubs, drug task forces, data collection and dissemination). This component also includes research and development to understand how to better serve individuals and families in Ohio.
- c. Strategies for Sustainability: Ohio's addiction and mental health epidemic was not created overnight, and it will not go away immediately. By collaborating to share resources and knowledge, Ohio's state and local communities can build a sustainable financing strategy and infrastructure to reverse the damage that has been done and prevent future epidemics and crises.

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 Finance of the City of North Canton be, and is hereby, authorized to establish an OneOhio Opioid Settlement Fund (Fund Number 217) for the purpose of accounting for related revenue and expenditures associated with the OneOhio Opioid Settlement distributions.
- 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 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 ensure proper accounting of funds to be received by the City 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 upon its adoption by Council, together with the Mayor's approval. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

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

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



# Item Cover Page

**CITY COUNCIL AGENDA ITEM REPORT**

**DATE:** August 15, 2022

**SUBMITTED BY:** Finance

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** Finance and Property Committee

**SUBJECT:** An ordinance authorizing the appropriation of funds of the City of North Canton to be appropriated for current expenses during the fiscal year ending December 31, 2022.

**DESCRIPTION:** Approve supplemental appropriations, totaling (\$3,262,225):

204 Fire Levy Fund (\$250,000)	Fire Operations	Other Operating
211 Municipal Road Fund (\$125,000)	Street Maintenance	Other Operating
212 General Trust Fund +\$ 250	Police Department	Other Operating
	Parks Department	Other Operating
+\$ 24,125		
217 OneOhio Opioid Sttlmt +\$ 4,550	Police/SRO Program	Other Operating
219 COVID-19 Relief Fund +\$ 3,600	Sewer Maintenance	Other Operating
330 Capital Improvements (\$116,750)	Street Maintenance	Other Operating
331 Parks Development +\$ 15,000	Parks Department	Other Operating
332 OPWC/Issue II (\$2,050,000)	Paving Program	Other Operating
	Street Resurfacing	Other Operating
(\$ 768,000)		



**ATTACHMENTS:**

[Ord. -2022 August Supplemental Appropriation.docx](#)

[2022 Cert of Res and Approps -ORD\\_\\_-2022 -08222022.pdf](#)

North Canton City Council  
Finance and Property Committee

ORDINANCE ## - 2022

An ordinance authorizing the appropriation of funds of the City of North Canton to be appropriated for current expenses during the fiscal year ending December 31, 2022.

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 current expenses and other expenditures of the City of North Canton, during the fiscal year ending December 31, 2022, the following funds, be, and are hereby, set aside and appropriated as follows:

FIRE LEVY FUND			
204.133	Fire Suppression	Other Operating	(\$ 250,000)
MUNICIPAL ROAD FUND			
211.543	Street Maintenance	Other Operating	(\$ 125,000)
GENERAL TRUST FUND			
212.103	Police SRO Program	Other Operating	\$ 250
ONEOHIO OPIOID SETTLEMENT FUND			
217.103	Police SRO Program	Other Operating	\$ 4,550
COVID-19 RELIEF FUND			
219.779	Sewer Maintenance	Other Operating	\$ 3,600
CAPITAL IMPROVEMENTS FUND			
330.543	Street Mnt. & Repair	Other Operating	(\$ 116,750)
PARKS DEVELOPMENT FUND			
331.309	Parks Capital	Other Operating	\$ 15,000
OPWC / ISSUE II FUND			
332.544	Street Mnt. & Repair	Other Operating	(\$2,050,000)
332.549	Street Mnt. & Repair	Other Operating	(\$768,000)
TOTAL SUPPLEMENTAL APPROPRIATIONS			(\$3,286,350)

Section 2. That the Director of Finance 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, it 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 \_\_\_\_\_, 2022.

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

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

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

**City of North Canton**  
Certificate of Resources, Appropriations, and Fund Balances

**Fiscal 2022**

Fund & Description	1/1/2022	less:	1/1/2022	2022 ORIGINAL	8/22/2022	Current Year	Total	2022 ORIGINAL	8/22/2022	Total Curr Yr	Curr Yr	*CANT BE NEG
	Beginning Cash Balance	12/31/2021 Carryover Encumbrances	ACTUAL Unenc Balance	PERMANENT REVENUE BUDGET	Amend Est Revenue	Revenue, Incl Amndmts	Resources Available for Approp	PERMANENT APPROPRIATIONS BUDGET	ORD xx-2022	Appropriations, Incl Amndmts	Excess/(Deficit)	Estimated Dec 31, 2022 Fund Balance
101 GENERAL FUND	2,985,883.58	161,153.58	2,824,730.00	14,900,000.00		20,156,800.00	22,981,530.00	16,746,500.00		21,602,250.00	(1,445,450.00)	1,379,280.00
<b>Special Revenue Funds</b>												
203 INCOME TAX FUND	4,755,755.32	450.00	4,755,305.32	8,344,000.00	418,000.00	8,762,000.00	13,517,305.32	9,055,300.00		9,055,300.00	(293,300.00)	4,462,005.32
204 FIRE LEVY FUND	291,893.59	15,251.99	276,641.60	1,072,800.00	(250,000.00)	822,800.00	1,099,441.60	1,097,100.00	(250,000.00)	847,100.00	(24,300.00)	252,341.60
205 EMS LEVY FUND	555,836.12	31,487.95	524,348.17	2,400,000.00		2,402,650.00	2,926,998.17	2,428,800.00		2,440,800.00	(38,150.00)	486,198.17
206 MAYOR'S COURT COMPUTER FUND	19,539.31	0.00	19,539.31	-		0.00	19,539.31	4,000.00		4,000.00	(4,000.00)	15,539.31
207 LAW ENFORCEMENT EDUCATION FUND	32,766.74	0.00	32,766.74	3,000.00		3,000.00	35,766.74	4,000.00		4,000.00	(1,000.00)	31,766.74
208 STREET MAINTENANCE & REPAIR FUND	1,411,773.28	203,925.00	1,207,848.28	1,402,000.00		1,402,000.00	2,609,848.28	1,438,800.00		1,533,025.00	(131,025.00)	1,076,823.28
209 STORM SEWER IMPROVEMENTS LEVY FUND	702,453.32	8,860.14	693,593.18	435,700.00		447,700.00	1,141,293.18	430,500.00		430,500.00	17,200.00	710,793.18
210 STREET IMPROVEMENTS LEVY FUND	352,004.87	40,607.30	311,397.57	435,700.00		435,700.00	747,097.57	438,300.00		438,300.00	(2,600.00)	308,797.57
211 MUNICIPAL ROAD FUND	165,431.55	4,066.60	161,364.95	125,000.00		168,900.00	330,264.95	125,000.00	(125,000.00)	0.00	168,900.00	330,264.95
212 GENERAL TRUST FUND	72,614.83	72,450.83	164.00	18,500.00	250.00	18,750.00	18,914.00	18,500.00	250.00	18,750.00	0.00	164.00
213 LAW ENFORCEMENT TRUST FUND	64,454.95	47,334.00	17,120.95	1,000.00		1,000.00	18,120.95	5,000.00		5,000.00	(4,000.00)	13,120.95
214 COMPENSATED ABSENCES FUND	1,169,061.37	0.00	1,169,061.37	-		0.00	1,169,061.37	75,000.00		75,000.00	(75,000.00)	1,094,061.37
215 LAW ENFORCEMENT EDUCATION FUND	9,535.00	0.00	9,535.00	5,500.00		10,225.00	19,760.00	5,500.00		15,725.00	(5,500.00)	4,035.00
216 COMMUNITY DISASTER RELIEF FUND	1,374.67	0.00	1,374.67	-		0.00	1,374.67	0.00		0.00	0.00	1,374.67
217 ONEOHIO OPIOID SETTLEMENT FUND	0.00	0.00	0.00	-	4,550.00	4,550.00	4,550.00	0.00	4,550.00	4,550.00	0.00	0.00
219 COVID-19 RELIEF (ARPA) FUND	899,602.10	0.00	899,602.10	899,600.00	3,600.00	906,800.00	1,806,402.10	1,799,200.00	3,600.00	1,806,400.00	(899,600.00)	2.10
<b>Capital Projects Funds</b>												
330 CAPITAL IMPROVEMENTS FUND	1,565,189.34	730,750.81	834,438.53	2,100,000.00		4,600,000.00	5,434,438.53	2,053,500.00	(116,750.00)	4,446,750.00	153,250.00	987,688.53
331 PARKS DEVELOPMENT FUND	1,090,730.28	1,083,735.45	6,994.83	800,000.00	38,300.00	1,570,100.00	1,577,094.83	800,000.00	15,000.00	1,546,800.00	23,300.00	30,294.83
332 ISSUE II/OPWC IMPROVEMENT FUND	1,800.00	-	1,800.00	2,818,000.00	(2,818,000.00)	0.00	1,800.00	2,818,000.00	(2,818,000.00)	0.00	0.00	1,800.00
334 INDOOR FIREARMS TRAINING FUND	224,000.00	0.00	224,000.00	-		0.00	224,000.00	0.00		0.00	0.00	224,000.00
336 DOGWOOD POOL CAPITAL IMPROVEMENTS FUND	52,467.20	0.00	52,467.20	-	27,500.00	27,500.00	79,967.20	0.00		0.00	27,500.00	79,967.20
<b>Enterprise Funds</b>												
650 WATER REVENUE FUND	4,118,982.52	433,513.61	3,685,468.91	7,450,000.00		7,450,000.00	11,135,468.91	7,474,000.00		7,532,675.00	(82,675.00)	3,602,793.91
651 WATER CAPITAL IMPROVEMENTS FUND	2,304,280.62	669,016.41	1,635,264.21	1,342,300.00		1,342,300.00	2,977,564.21	1,342,300.00		1,342,300.00	0.00	1,635,264.21
652 SEWER REVENUE FUND	2,412,918.60	29,098.10	2,383,820.50	4,785,000.00		4,265,600.00	6,649,420.50	4,831,000.00		4,850,750.00	(585,150.00)	1,798,670.50
654 GARBAGE SERVICE FUND	597,081.48	600.00	596,481.48	1,200,000.00		1,200,000.00	1,796,481.48	1,236,100.00		1,236,100.00	(36,100.00)	560,381.48
<b>Fiduciary Funds</b>												
761 INSURANCE FUND	1,287,454.17	0.00	1,287,454.17	1,900,000.00		1,900,000.00	3,187,454.17	1,900,000.00		1,900,000.00	0.00	1,287,454.17
871 PERMIT FEE FUND	3,407.12	0.00	3,407.12	5,000.00		5,000.00	8,407.12	5,000.00		5,000.00	0.00	3,407.12
873 REQUIRED DEPOSITS FUND	141,663.91	0.00	141,663.91	26,000.00		26,000.00	167,663.91	28,000.00		0.00	26,000.00	167,663.91
874 UNCLAIMED MONIES FUND	7,781.79	0.00	7,781.79	1,900.00		9,900.00	17,681.79	600.00		600.00	9,300.00	17,081.79
875 NORTHRIDGE DEVELOPER PAYMENTS	0.00	0.00	0.00	25,000.00		21,500.00	21,500.00	25,000.00		21,500.00	0.00	0.00
<b>Total</b>	<b>27,297,737.63</b>	<b>\$ 3,532,301.77</b>	<b>23,765,435.86</b>	<b>52,496,000.00</b>	<b>(2,575,800.00)</b>	<b># 57,960,775.00</b>	<b>81,726,210.86</b>	<b>56,185,000.00</b>	<b>(3,286,350.00)</b>	<b># 61,163,175.00</b>	<b>(3,202,400.00)</b>	<b>20,563,035.86</b>
			0.00			57,960,775.00 #	0.00	0.00		59,717,301.77	64,695,476.77 #	0.00
					Total Est Rev	Est Rev		Approp+PrYrEnc	Approp+PrYrEnc	Approp+PrYrEnc		

I, Jina E. Alaback, Finance Director of the City of North Canton, Stark County, Ohio, do hereby certify the above to be true and accurate as taken from the statements and accounts of the above named fund(s).



Ohio Revised Code Section 5705.36

# City of North Canton

Certificate of Resources, Appropriations, and Fund Balance

**Fiscal 2022**

Fund & Description	22-Aug
101 GENERAL FUND	
<b>Special Revenue Funds</b>	
203 INCOME TAX FUND	+\$110k state muni NP tax +\$479k inc tax (+10% trend)
204 FIRE LEVY FUND	no grants awarded
205 EMS LEVY FUND	
206 MAYOR'S COURT COMPUTER FUND	
207 LAW ENFORCEMENT EDUCATION FUND	
208 STREET MAINTENANCE & REPAIR FUND	
209 STORM SEWER IMPROVEMENTS LEVY FUND	
210 STREET IMPROVEMENTS LEVY FUND	
211 MUNICIPAL ROAD FUND	
212 GENERAL TRUST FUND	donations for k9 therapy dog
213 LAW ENFORCEMENT TRUST FUND	
214 COMPENSATED ABSENCES FUND	
215 LAW ENFORCEMENT EDUCATION FUND	
216 COMMUNITY DISASTER RELIEF FUND	
217 ONEOHIO OPIOID SETTLEMENT FUND	\$4550 Opioid stlmt to SRO supplies
219 COVID-19 RELIEF (ARPA) FUND	ARPA alloc R4207/E 779.5500
<b>Capital Projects Funds</b>	
330 CAPITAL IMPROVEMENTS FUND	salt dome rehab vs relocate
331 PARKS DEVELOPMENT FUND	ACH OCC grant reimb/donation + other donations
332 ISSUE II/OPWC IMPROVEMENT FUND	
334 INDOOR FIREARMS TRAINING FUND	
336 DOGWOOD POOL CAPITAL IMPROVEMENTS FUND	
<b>Enterprise Funds</b>	
650 WATER REVENUE FUND	
651 WATER CAPITAL IMPROVEMENTS FUND	
652 SEWER REVENUE FUND	
654 GARBAGE SERVICE FUND	
<b>Fiduciary Funds</b>	
761 INSURANCE FUND	
871 PERMIT FEE FUND	
873 REQUIRED DEPOSITS FUND	
874 UNCLAIMED MONIES FUND	
875 NORTHRIDGE DEVELOPER PAYMENTS	

*Total*



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** August 15, 2022

**SUBMITTED BY:** Administration

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** Finance and Property Committee

**SUBJECT:** An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to renew a personal services agreement for computer server, network, workstation monitoring, maintenance and support, remote and on-site support, malware protection, web browsing protection, patch management, Dark Web monitoring, and security awareness education for the City’s critical, complex, municipal infrastructure equipment, and, given the critical nature of this agreement, 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.

**DESCRIPTION:**

**ATTACHMENTS:**

[Ord. -2022 IT Services Contract Renewal.docx](#)

North Canton City Council  
Finance and Property Committee

ORDINANCE ## - 2022

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to renew a personal services agreement for computer server, network, workstation monitoring, maintenance and support, remote and on-site support, malware protection, web browsing protection, patch management, Dark Web monitoring, and security awareness education for the City's critical, complex, municipal infrastructure equipment, and, given the critical nature of this agreement, 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 must have its critical, complex municipal infrastructure system, maintained through a trusted partner to continue to provide vital emergency, as well as prompt, routine services to its residents and guests; and

WHEREAS, the City 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 735.05 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.
- Section 2. That given the increased efforts to compromise and hold hostage for ransom municipal governments databases, the City must maintain a heightened vigilance to the protected—and sometimes personal—data the City collects and maintains to perform necessary services without delay and with the confidence of utilizing a trusted partner.
- Section 3. That, pursuant to Charter, Section 4.05, Contracting and Purchasing, Council respectfully requests the Board of Control consider and authorize renewal of a personal services agreement for computer server, network, workstation monitoring, maintenance and support, remote and on-site support, malware protection, web browsing protection, patch management, Dark Web monitoring, and security awareness education for the City's critical, complex, municipal infrastructure equipment, and given the critical nature of this agreement, to do so without advertising for bids.
- Section 4. 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 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 continued service, maintenance, and monitoring 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 upon its adoption by Council, together with the Mayor's approval. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

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

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



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** August 15, 2022

**SUBMITTED BY:** Council's Office

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** Street and Alley Committee

**SUBJECT:** An ordinance authorizing the Mayor of the City of North Canton to release AMC Land Company, Ltd., from performance bond obligations established by a commercial bond as authorized by Ordinance 52-2021.

**DESCRIPTION:** This legislation would release the performance bond for Monticello Phase 8. The developer has submitted the maintenance bond which will take the place of the performance bond (see next item).

**ATTACHMENTS:**  
[Ord. -2022 Release Monticello Phase 8 Performance Bond.docx](#)

North Canton City Council  
Street and Alley Committee

ORDINANCE ## - 2022

An ordinance authorizing the Mayor of the City of North Canton to release AMC Land Company, Ltd., from performance bond obligations established by a commercial bond as authorized by Ordinance 52-2021.

WHEREAS, the City engineer has confirmed that AMC Land Company Ltd. has met its obligations for the installation and construction of streets, storm water management facilities, drainage improvements, and sewer improvements for Phase 8 of the Monticello Subdivision, and

WHEREAS, AMC Land Company Ltd. shall be required to provide a maintenance bond equivalent to 10% of the performance bond.

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

Section 1. That the Mayor be, and is hereby, authorized to release AMC Land Company, Ltd. from the bond obligations for the construction of streets, storm water management facilities, drainage improvements, and sewer improvements for Phase 8 of the Monticello Subdivision established by a commercial bond as authorized by Ordinance 52-2021.

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 \_\_\_\_\_, 2022.

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

Signed on: \_\_\_\_\_  
Stephan B. Wilder, Mayor





# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** August 15, 2022

**SUBMITTED BY:** Council's Office

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** Street and Alley Committee

**SUBJECT:** An ordinance authorizing the Mayor of the City of North Canton to enter into an agreement with AMC Land Company, Ltd., thereby accepting its maintenance bond to guarantee certain maintenance improvements at the Monticello Phase 8 Development.

**DESCRIPTION:** Ordinance would accept maintenance bond to replace performance bond. New bond is to be secured by a mortgage deed on an unsold lot.

**ATTACHMENTS:**  
[Ord. -2022 Accept Monticello Phase 8 Maintenance Bond.docx](#)

North Canton City Council  
Street and Alley Committee

ORDINANCE ## - 2022

An ordinance authorizing the Mayor of the City of North Canton to enter into an agreement with AMC Land Company, Ltd., thereby accepting its maintenance bond to guarantee certain maintenance improvements at the Monticello Phase 8 Development.

WHEREAS, AMC Land Company, Ltd., the “Developer” of the Monticello Phase 8 Development, whose plat is recorded in Instrument Number 202205190021969 of the Stark County officials records, requests the City accept a maintenance bond in the amount of \$53,990.97, which shall bind the Developer and guarantee its performance of the certain maintenance improvements, as described in the maintenance bond, which is secured by a mortgage deed, each of which is attached hereto and incorporated herein as Exhibits “A” and “B”.

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, be, and is hereby, authorized to enter into an agreement with AMC Land Company, Ltd., “Developer”, to accept a maintenance bond in the amount of \$53,990.97, which shall bind the Developer and guarantee its performance of certain maintenance improvements at the Monticello Phase 8 Development, as described in the maintenance bond, which is secured by a commercial bond, each of which is attached hereto and incorporated herein as Exhibits “A” and “B”.
- 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 \_\_\_\_\_, 2022.

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

Signed on: \_\_\_\_\_  
Stephan B. Wilder, Mayor

**MAINTENANCE BOND**  
**(Monticello No. 8)**

This Maintenance Bond is entered into on the date set forth herein by and between AMC Land Company, an Ohio limited liability company, (“Developer”) and the City of North Canton, Ohio, a municipal corporation of the State of Ohio, (“North Canton”).

WHEREAS, Developer is the owner and developer of an allotment located within the City of North Canton, which allotment is known as Monticello Phase 8 (the “Development”), as shown on the Plat recorded at Instrument No. 202205190021969 of the Stark County Records; and

WHEREAS, North Canton has requested that the Developer provide this Maintenance Bond, in accordance with the Montecello Phase 8 Performance Agreement dated September 9, 2021 (the “Performance Agreement”), which will allow North Canton to release the Performance Bond issued by Nationwide Mutual Insurance Company which was previously given by Developer pursuant to such Agreement; and

WHEREAS, Developer agrees to hold and firmly bind itself unto North Canton in the sum of Fifty Three Thousand, Nine Hundred Ninety and 97/100 Dollars (\$53,990.97), for which payment Developer binds itself by this instrument to perform the conditions and obligations set forth herein:

NOW THEREFORE, Developer agrees to undertake and complete as a condition of this to fulfill the maintenance obligations as provided in Section 1(d) and 1(e) of the Performance Agreement, namely to be responsible for the routine maintenance of the Improvements for a period of one (1) year after North Canton’s acceptance of the same, and to restore the Improvement at the end of the one (1) year period after the City has accepted the Improvements.

The Developer further agrees that a Mortgage Deed issued in accordance with Chapter 5301 of the Ohio Revised Code (attached as Exhibit A) shall be executed and delivered to North Canton, as security for the performance of the conditions of this agreement, which Mortgage Deed shall be enforceable in accordance with the terms and conditions stated therein.

In return North Canton agrees to release the performance bond which was required by the Performance Agreement.

Now, if Developer as a party to this instrument shall well and truly perform the obligations stated above, and as contained in the Performance Agreement, then this Agreement and obligation shall be void, otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the \_\_\_ day of August, 2022.

AMC LAND COMPANY  
By: Purple Tide, LLC, sole member

By: \_\_\_\_\_  
Matthew Tucker, Member

CITY OF NORTH CANTON, OHIO a  
municipal corporation of the State of Ohio

By: \_\_\_\_\_  
Print: \_\_\_\_\_  
Its: \_\_\_\_\_

APPROVED AS TO FORM BY:

\_\_\_\_\_  
Wayne Boyer, Esq.  
City of North Canton Law Director

This instrument prepared by:  
Adam M. Runkle, Esq.  
Starkey & Runkle, LLC  
638 W. Maple Street  
Hartville, OH 44634  
330.494.9077

**MORTGAGE DEED**  
**OHIO REVISED CODE SECTION 5302.12**

**AMC LAND COMPANY**, an Ohio limited liability company (hereinafter referred to as the “Mortgagor”) for Fifty Three Thousand, Nine Hundred Ninety and 97/100 Dollars (\$53,990.97), hereby grants, with mortgage covenants, to City of North Canton, Ohio, a municipal corporation of the State of Ohio (hereinafter referred to as “Mortgagee”), the following real property:

*See Exhibit “A” attached hereto and incorporated herein.*

This mortgage is given, upon the statutory condition, to secure the payment of Fifty Three Thousand, Nine Hundred Ninety and 97/100 Dollars (\$53,990.97) as provided in the Maintenance Bond of even date.

“Statutory condition” is defined in section 5302.14 of the Revised Code and provides generally that, if the Mortgagor pays the principal and interest secured by this mortgage, performs the other obligations secured by this mortgage and the conditions of any prior mortgage, pays all the taxes and assessments, maintains insurance against fire and other hazards, and does not commit or suffer waste, then this mortgage shall be void.

NOW THEREFORE, if Mortgagor shall honestly and faithfully honor its obligations in the Maintenance Bond executed herewith, then this obligation shall be void; otherwise, to remain in full force and effect.

Mortgagor does hereby pledge itself that during the life of this Mortgage Deed, it will not sell, dispose of, or convey its interest in the above property without the written consent of Mortgagee, which shall not be arbitrarily withheld.

IN WITNESS WHEREOF, the parties have executed this Mortgage Deed on the \_\_\_\_\_ day of August, 2022.

MORTGAGORS:

AMC LAND COMPANY  
By: Purple Tide, LLC, sole member

By: \_\_\_\_\_  
Matthew Tucker, Member

STATE OF OHIO            )  
  ) SS  
COUNTY OF STARK        )

Before me a notary public in and for said County and State personally appeared Matthew Tucker, Member of Purple Tide, LLC, an Ohio limited liability company, the sole member of AMC Land Company, an Ohio limited liability company, who acknowledged that he did sign the foregoing instrument and that the same is his free act and deed. No oath or affirmation was administered to the signers with regard to this notarial act.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at \_\_\_\_\_, Ohio this \_\_\_\_\_ day of August, 2022.

\_\_\_\_\_  
NOTARY PUBLIC

This Instrument Prepared by:  
Adam M. Runkle, Esq.  
Starkey & Runkle, LLC  
638 W. Maple Street  
Hartville, OH 44632

330.494.9077

EXHIBIT A (*Of Mortgage Deed*)  
Legal Description

**Situated in the City of North Canton, County of Stark and State of Ohio:  
Known as and being Lot Number 7196 in said City.  
Also known as and being Lot Number 268 in Monticello No. 8, as the same is recorded in  
Instrument Number 202205190021969 of the Stark County Records.**

DRAFT



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** August 15, 2022

**SUBMITTED BY:** Administration

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** Street and Alley Committee

**SUBJECT:** 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 a grant for the Wise Avenue NE Reconstruction Project and, if awarded, authorizing the Mayor, upon Board of Control approval, to enter into an agreement for the receipt of said grant and declaring the same to be an emergency.

**DESCRIPTION:** Pass via emergency due to grant due date of September 16, 2022.

**ATTACHMENTS:**  
[Ord. -2022 Grant Application for Wise Ave. NE Project.docx](#)

North Canton City Council  
Street and Alley Committee

ORDINANCE ## - 2022

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 a grant for the Wise Avenue NE Reconstruction Project and, if awarded, authorizing the Mayor, upon Board of Control approval, to enter into an agreement for the receipt of said grant and declaring the same to be an emergency.

WHEREAS, Wise Ave. NE is in need of complete reconstruction, and

WHEREAS, the City desires to submit an OPWC grant application for said project, the deadline for such submissions being September 16, 2022.

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 be, and is hereby, authorized to prepare and submit an Ohio Public Works Commission (OPWC) grant application for the Wise Avenue NE Reconstruction Project.
- Section 2. That the Mayor, upon Board of Control approval, be, and is hereby, authorized to enter into an agreement for said grant; if awarded to the City by OPWC.
- Section 3. 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 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 in order to meet the September 16, 2022 deadline for the submission of grant applications to OPWC, 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 upon its adoption by Council, together with the Mayor's approval. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

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

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



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** August 15, 2022

**SUBMITTED BY:** Administration

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** Street and Alley Committee

**SUBJECT:** 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 a grant for the East Maple Street Repaving Project and, if awarded, authorizing the Mayor, upon Board of Control approval, to enter into an agreement for the receipt of said grant and declaring the same to be an emergency.

**DESCRIPTION:** Pass via emergency as applications are due on September 16, 2022.

**ATTACHMENTS:**  
[Ord. -2022 Grant Application for East Maple Repaving Project.docx](#)



North Canton City Council  
Street and Alley Committee

ORDINANCE ## - 2022

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 a grant for the East Maple Street Repaving Project and, if awarded, authorizing the Mayor, upon Board of Control approval, to enter into an agreement for the receipt of said grant and declaring the same to be an emergency.

WHEREAS, the East Maple Street Repaving Project will repave East Maple Street between Taft Ave. NE and Marquardt Ave. NE, and

WHEREAS, the City desires to submit an OPWC grant application for said project, the deadline for such submissions being September 16, 2022.

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 be, and is hereby, authorized to prepare and submit an Ohio Public Works Commission (OPWC) grant application for the East Maple Street Repaving Project.
- Section 2. That the Mayor, upon Board of Control approval, be, and is hereby, authorized to enter into an agreement for said grant; if awarded to the City by OPWC.
- Section 3. 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 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 in order to meet the September 16, 2022 deadline for the submission of grant applications to OPWC, 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 upon its adoption by Council, together with the Mayor's approval. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

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

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

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



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** August 15, 2022

**SUBMITTED BY:** Council's Office

**ITEM TYPE:** Non-Legislation Council Items

**AGENDA SECTION:** Ordinance and Rules Committee

**SUBJECT:** Discussion of potential future Charter amendment in the event Ord. 47-2022 is adopted by voters relating to the procedure for filling vacancies.

**DESCRIPTION:** Councilmember Revoldt is requesting discussion of the procedure for filling Council vacancies in the event four-year terms are adopted by the public. For reference in the discussion member Revoldt would like to highlight ORC 503.24 which covers the procedure for filling vacancies in township offices.

**ATTACHMENTS:**