

**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 Regular Council Meeting on Monday, September 13, 2021 immediately following the Committee of the Whole 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:

9/10/2021  
Date

Benjamin R. Young  
Clerk

**NORTH CANTON REGULAR COUNCIL MEETING**  
**September 13, 2021, Immediately following the Committee of the Whole at 7:00 PM**  
**Agenda**

**1. Call to Order**

**2. Opening Prayer**

**3. Pledge of Allegiance**

**4. Roll Call**

**5. Consideration**

5.a Minutes from August 23, 2021 - City Council

5.b Minutes from August 23, 2021 - Public Hearing

5.c August 2021 Finance Report

5.d Stock Ownership Change for Liquor Permit at 1474 N Main St.

**6. Recognition of the Public**

**7. New Business**

**7.a Ordinance No. 53-2021, 1st Reading, Street and Alley Committee**

An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an application to the Ohio Public Works Commission (OPWC) for a grant for the Charlotte Street Improvement Project, further authorizing the Mayor to enter into an agreement with North Canton City Schools for said grant 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.

**7.b Ord. 54-2021, 1st Reading, Finance and Property Committee**

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, 2021.

**7.c Ord. 55-2021, 1st Reading, Ordinance and Rules Committee**

An ordinance to approve and adopt current replacement pages to the Codified Ordinances of the City of North Canton and declaring the same to be an emergency.

**7.d Ordinance No. 56-2021, 1st Reading, Personnel and Safety Committee**

An ordinance amending Chapter 135, Department of Fire and Emergency Medical Service, specifically Section 135.03, Personnel, of the Codified Ordinances of the City of North Canton to increase the position cap for Emergency Medical Technician/Paramedic/Firefighters.

**7.e Ord. 57-2021, 1st Reading, Personnel and Safety Committee**

An ordinance amending Chapter 155, Personnel Regulations, specifically Section 155.03, Hiring Practices, of the Codified Ordinances of the City of North Canton to eliminate the requirement that job postings be published in a newspaper.

**7.f Res. 13-2021, 1st Reading, Community and Economic Development Committee**

A resolution submitting amendments to the City of North Canton's Zoning Code, specifically Chapter 1133 Single-Family and Two-Family Residential District Regulations, subsection 1133.08(d), Swimming Pools, for consideration in accordance with Chapter 1181 of the Codified Ordinances, and declaring the same to be an emergency.

**8. Department Reports**

Deputy Director of Administration	Director of Finance
Director of Administration	City Engineer
Mayor	Clerk of Council

**9. Council Reports**

Ward 1 - Doug Foltz	At Large - Daryl Revoldt
Ward 2 - Daniel Peters	At Large - Mark Cerreta
Ward 3 - Stephanie Werren	At Large - Matthew Stroia
Ward 4 - Dominic Fonte	

**10. Final Call for New Business**

**11. Meetings Calendar**

September 20, 2021 - Committee of the Whole  
September 27, 2021 - City Council

**12. Adjourn**

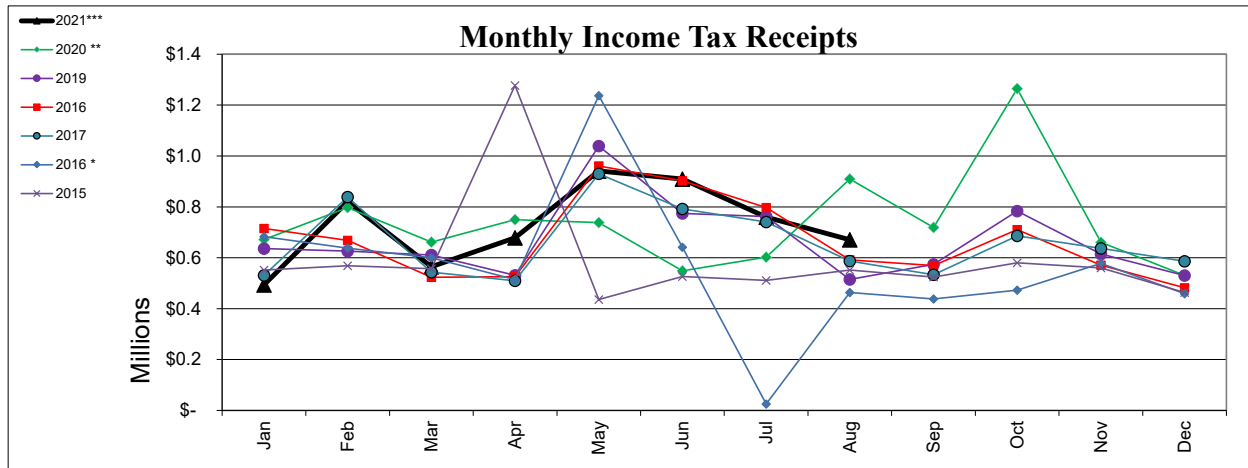
**City of North Canton**  
**Monthly Finance Report**  
**August 31, 2021**

<b>Elected Official</b>	<b>Elected Office</b>	<b>COMMITTEE</b>
Stephan B. Wilder	Mayor	
Daniel "Jeff" Peters	Council President; Council Member -Ward 2	Personnel and Safety Street and Alley
Daryl Revoldt	Council Vice President; Council Member -At-Large	Community and Economic Development Water, Sewer, and Rubbish
Doug Foltz	Council Member -Ward 1	Parks and Recreation Ordinance, Rules and Claims
Stephanie Werren	Council Member -Ward 3	Finance and Property Parks and Recreation
Domonic Fonte	Council Member - Ward 4	Street and Alley Personnel and Safety
Mark Cerreta	Council Member - At-Large	Water, Sewer and Rubbish Community and Economic Development
Matthew Stroia	Council Member - At-Large	Ordinance, Rules and Claims Finance and Property

**Administration**

Patrick De Orio, Director of Administration	Catherine Farina, Deputy Director of Administration
Jina E. Alaback, Director of Finance	Benjamin Young, Council Clerk
Robert Graham, City Engineer	Marty VanGundy IV, Chief Building Official
John Bacon, Chief of Fire/EMS	Drew Cramer, Fire Battalion Chief
Frank Kemp Jr., Chief of Police	
Brian Hill, Superintendent of Parks & Water Distribution	Steven Schenck, Operations Manager Parks & Bldg Maint.
Mark Leichtamer, Superintendent of Water Plant	John Hockensmith, Operations Manager Electrical Maintenance
Matthew Morrow, Operations Manager Streets and Sewer	Jamie Martin, Operations Manager Water Distribution

**City of North Canton  
Income Taxes  
8/31/2021**

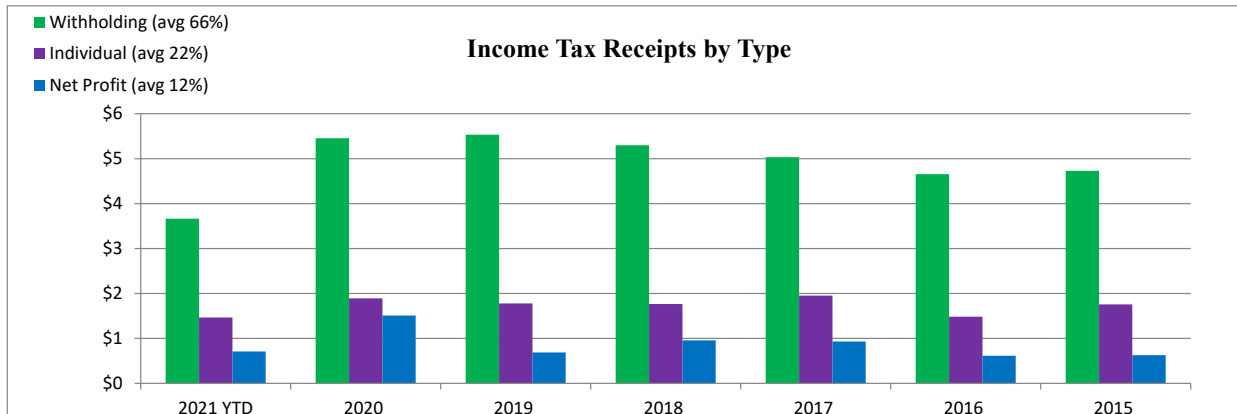


**MONTHLY INCOME TAX RECEIPTS**

MONTHLY RECEIPTS	2021***	2020**	2019	2018	2017	2016*	2015
Jan	\$ 493,796	\$ 671,654	\$ 636,399	\$ 715,518	\$ 531,258	\$ 683,231	\$ 551,522
Feb	\$ 820,663	\$ 797,613	\$ 626,122	\$ 668,305	\$ 838,525	\$ 637,606	\$ 568,781
Mar	\$ 565,141	\$ 661,222	\$ 610,750	\$ 523,707	\$ 543,567	\$ 600,270	\$ 557,095
Apr	\$ 678,121	\$ 750,022	\$ 531,283	\$ 525,512	\$ 509,619	\$ 514,543	\$ 1,277,424
May	\$ 941,281	\$ 738,056	\$ 1,038,959	\$ 960,748	\$ 929,857	\$ 1,237,300	\$ 435,938
Jun	\$ 909,124	\$ 548,412	\$ 774,709	\$ 902,172	\$ 792,405	\$ 641,557	\$ 526,777
Jul	\$ 760,167	\$ 602,158	\$ 762,472	\$ 797,548	\$ 740,332	\$ 25,457	\$ 510,834
Aug	\$ 670,416	\$ 909,766	\$ 514,930	\$ 592,066	\$ 586,883	\$ 463,551	\$ 551,958
Sep		\$ 718,990	\$ 573,922	\$ 569,328	\$ 533,379	\$ 438,025	\$ 523,934
Oct		\$ 1,264,479	\$ 783,669	\$ 710,770	\$ 686,230	\$ 472,670	\$ 580,381
Nov		\$ 660,983	\$ 614,458	\$ 570,753	\$ 636,957	\$ 577,660	\$ 559,890
Dec		\$ 530,840	\$ 530,211	\$ 482,323	\$ 586,107	\$ 458,990	\$ 463,834
<b>ANNUAL GROSS</b>	<b>\$ 5,838,708</b>	<b>\$ 8,854,196</b>	<b>\$ 7,997,885</b>	<b>\$ 8,018,750</b>	<b>\$ 7,915,117</b>	<b>\$ 6,750,861</b>	<b>\$ 7,108,368</b>
<b>ANNUAL % CHANGE</b>		<b>10.7%</b>	<b>-0.3%</b>	<b>1.3%</b>	<b>17.2%</b>	<b>-5.0%</b>	
<b>YTD -thru AUG</b>	<b>\$ 5,838,708</b>	<b>\$ 5,678,904</b>	<b>\$ 5,495,624</b>	<b>\$ 5,685,575</b>	<b>\$ 5,472,445</b>	<b>\$ 4,803,516</b>	<b>\$ 4,980,329</b>
<b>% change</b>	<b>2.8%</b>	<b>3.3%</b>	<b>-3.3%</b>	<b>3.9%</b>	<b>13.9%</b>	<b>-3.6%</b>	

\*\*\* 2021 COVID delayed tax filing deadline May 17  
 \*\* 2020 COVID delayed tax filing deadline July 15

\*7/2016 to RITA; cashflow delayed 1 month

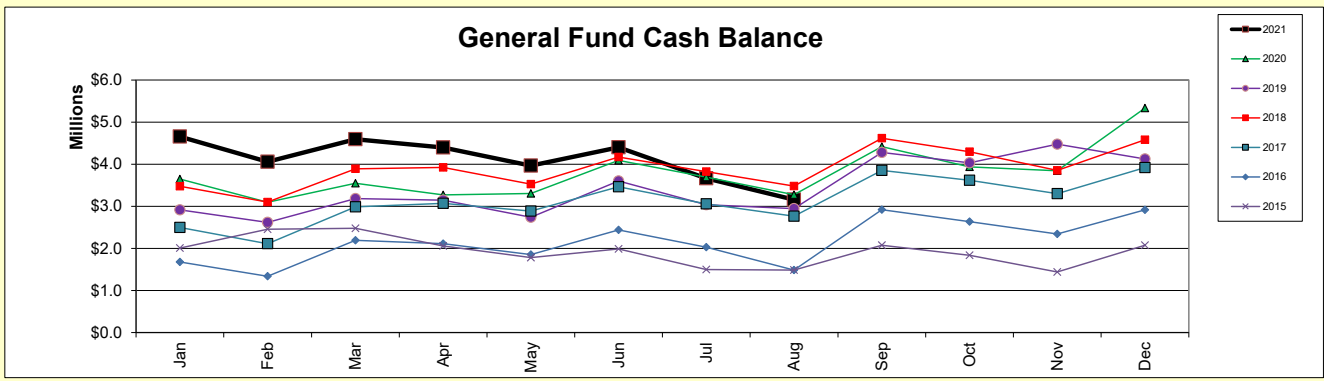


**ANNUAL INCOME TAX RECEIPTS**

Annual	%	2021 YTD	2020	2019	2018	2017	2016	2015
<b>Withholding (avg 66%)</b>	<b>63%</b>	<b>\$ 3,665,386</b>	<b>\$ 5,453,833</b>	<b>\$ 5,533,723</b>	<b>\$ 5,299,170</b>	<b>\$ 5,033,628</b>	<b>\$ 4,654,728</b>	<b>\$ 4,727,504</b>
<b>Individual (avg 22%)</b>	<b>25%</b>	<b>\$ 1,464,044</b>	<b>\$ 1,890,805</b>	<b>\$ 1,776,032</b>	<b>\$ 1,763,273</b>	<b>\$ 1,949,954</b>	<b>\$ 1,483,710</b>	<b>\$ 1,755,535</b>
<b>Net Profit (avg 12%)</b>	<b>12%</b>	<b>\$ 709,278</b>	<b>\$ 1,509,558</b>	<b>\$ 688,131</b>	<b>\$ 956,307</b>	<b>\$ 931,535</b>	<b>\$ 612,423</b>	<b>\$ 625,329</b>
<b>TOTAL Receipts</b>		<b>\$ 5,838,708</b>	<b>\$ 8,854,196</b>	<b>\$ 7,997,886</b>	<b>\$ 8,018,750</b>	<b>\$ 7,915,117</b>	<b>\$ 6,750,861</b>	<b>\$ 7,108,368</b>

**City of North Canton**  
**CASH ACTIVITY AND BALANCES**  
**August 31, 2021**

Fund & Description	Cash	Revenues	Expenditures	Cash	Outstanding	Unencumbered	PRIOR YEAR	
	Balance 1/1/2021	Year-to-Date	Year-to-Date	Balance 8/31/2021	Encumbrances	Fund Balance 8/31/2021	Cash Balance 8/31/2020	YTD % Increase/ (Decrease)
101 General Fund	5,333,876.44	9,366,885.81	11,543,727.93	3,157,034.32	1,330,390.63	1,826,643.69	3,277,198.95	-3.67%
<b>Special Revenue Funds</b>								
203 INCOME TAX FUND	4,734,766.32	5,838,708.34	4,222,770.40	6,350,704.26	4,631.08	6,346,073.18	5,688,266.26	11.65%
204 FIRE LEVY/OPERATING FUND	191,652.31	449,790.57	545,586.85	95,856.03	82,274.22	13,581.81	40,383.55	137.36%
205 EMS LEVY/OPERATING FUND	416,662.59	1,246,880.49	1,370,861.28	292,681.80	193,837.48	98,844.32	36,916.03	692.83%
206 COMPUTER TRUST FUND	22,394.72	-	2,855.41	19,539.31	-	19,539.31	22,394.72	-12.75%
207 ENFORCEMENT & EDUCATION FUND	30,317.74	1,569.00	-	31,886.74	-	31,886.74	26,550.37	20.10%
208 STREET CONST M & R FUND	1,049,551.26	891,384.78	627,566.80	1,313,369.24	623,056.07	690,313.17	967,397.12	35.76%
209 STORM SEWER LEVY FUND	475,466.77	203,553.88	154,619.08	524,401.57	96,912.37	427,489.20	388,480.51	34.99%
210 STREET IMPROVEMENTS/LEVY FUND	276,771.02	203,553.88	264,627.40	215,697.50	62,416.55	153,280.95	196,805.30	9.60%
211 MUNICIPAL ROAD FUND	324,185.98	162,322.32	117,176.75	369,331.55	4,966.60	364,364.95	114,935.72	221.34%
212 GENERAL TRUST FUND	59,903.27	48,935.35	27,244.18	81,594.44	15,809.50	65,784.94	61,228.43	33.26%
213 LAW ENFORCEMENT TRUST	74,561.99	-	11,850.00	62,711.99	49,334.00	13,377.99	70,978.06	-11.65%
214 COMPENSATED ABSENCES FUND	1,309,553.15	-	-	1,309,553.15	-	1,309,553.15	1,309,553.15	0.00%
215 LAW ENF CONT PROF EDUC FUND	9,535.00	-	-	9,535.00	-	9,535.00	9,535.00	0.00%
216 COMMUNITY DISASTER RELIEF FUND	1,374.67	-	-	1,374.67	-	1,374.67	1,374.67	0.00%
219 CORONAVIRUS RELIEF FUND	0.00	899,602.10	-	899,602.10	-	899,602.10	269,553.20	233.74%
<b>Capital Projects Funds</b>								
330 CAPITAL IMPROVEMENTS FUND	2,834,446.47	1,042,500.00	2,394,174.38	1,482,772.09	953,084.50	529,687.59	2,484,716.27	-40.32%
331 PARKS DEVELOPMENT FUND	588,211.71	103,444.11	590,195.78	101,460.04	812,919.32	(711,459.28)	591,953.54	-82.86%
332 ISSUE 2 IMPROVEMENT FUND	155,545.81	-	5,200.00	150,345.81	616,000.00	(465,654.19)	1,217,325.16	-87.65%
334 INDOOR FIREARMS TRAINING FUND	224,000.00	-	-	224,000.00	4,000.00	220,000.00	224,000.00	0.00%
<b>Enterprise Funds</b>								
650 WATER REVENUE FUND	3,847,402.10	4,463,221.22	4,087,107.19	4,223,516.13	1,559,255.96	2,664,260.17	3,453,753.19	22.29%
651 WATER EXP, REPLACE & IMP FUND	1,621,195.81	600,000.00	434,585.42	1,786,610.39	405,819.42	1,380,790.97	1,061,445.81	68.32%
652 SEWER REVENUE FUND	1,917,191.64	2,364,191.48	1,956,802.39	2,324,580.73	1,307,851.62	1,016,729.11	1,706,181.46	36.24%
654 GARBAGE SERVICE FUND	552,379.91	807,507.25	756,889.03	602,998.13	337,997.50	265,000.63	540,697.56	11.52%
<b>Fiduciary Funds</b>								
761 INSURANCE FUND	1,271,221.99	1,157,813.13	1,177,000.75	1,252,034.37	473,134.44	778,899.93	1,247,486.04	0.36%
871 PERMIT FEE FUND	3,248.45	3,159.60	2,978.93	3,429.12	2,021.07	1,408.05	3,538.14	-3.08%
873 REQUIRED DEPOSITS FUND	149,135.17	10,423.91	-	159,559.08	-	159,559.08	146,374.57	9.01%
874 UNCLAIMED MONIES FUND	4,569.16	420.78	-	4,989.94	-	4,989.94	7,155.67	-30.27%
875 NORTHRIDGE DEVELOPER PMTS FUND	0.00	21,578.88	21,578.88	-	-	-	-	0.00%
<b>Total</b>	<b>27,479,121.45</b>	<b>29,887,446.88</b>	<b>30,315,398.83</b>	<b>27,051,169.50</b>	<b>8,935,712.33</b>	<b>18,115,457.17</b>	<b>25,166,178.45</b>	<b>7.49%</b>

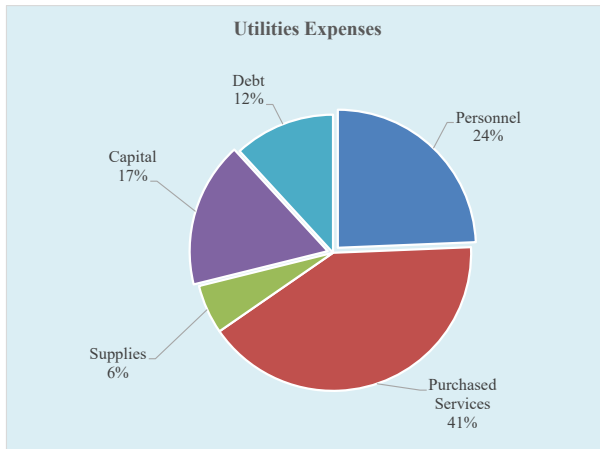
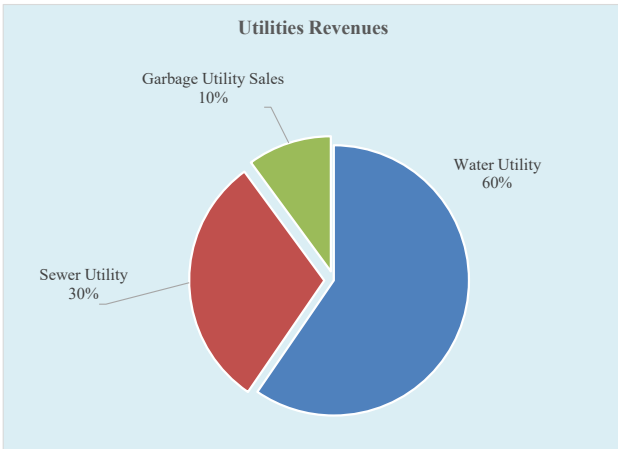
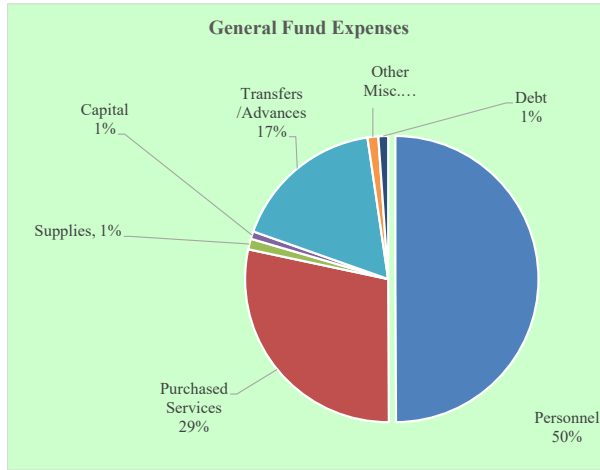
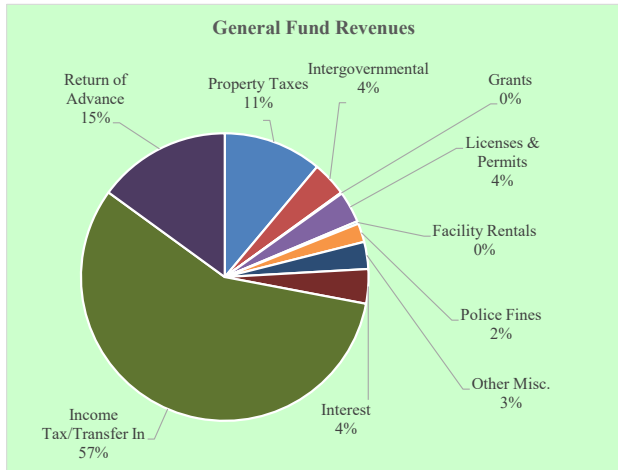


Month	2021	2020	2019	2018	2017	2016	2015
Jan	\$ 4,655,667	\$3,646,502	\$2,915,384	\$3,477,394	\$2,496,542	\$1,677,860	\$2,006,882
Feb	\$ 4,057,486	\$3,095,844	\$2,617,505	\$3,100,533	\$2,110,281	\$1,337,158	\$2,457,201
Mar	\$ 4,592,554	\$3,546,670	\$3,182,135	\$3,891,303	\$2,987,301	\$2,191,009	\$2,477,872
Apr	\$ 4,395,465	\$3,270,478	\$3,146,190	\$3,924,113	\$3,069,935	\$2,112,856	\$2,059,023
May	\$ 3,967,204	\$3,305,012	\$2,739,933	\$3,526,657	\$2,884,643	\$1,852,637	\$1,781,449
Jun	\$ 4,399,499	\$4,092,369	\$3,600,646	\$4,172,568	\$3,462,619	\$2,440,231	\$1,986,771
Jul	\$ 3,665,068	\$3,695,116	\$3,036,053	\$3,824,252	\$3,057,321	\$2,030,694	\$1,497,296
Aug	\$ 3,157,034	\$3,277,199	\$2,943,097	\$3,480,091	\$2,764,166	\$1,484,512	\$1,484,512
Sep		\$4,418,124	\$4,279,658	\$4,617,672	\$3,852,516	\$2,919,149	\$2,074,069
Oct		\$3,935,905	\$4,031,714	\$4,298,177	\$3,620,402	\$2,637,051	\$1,836,529
Nov		\$3,844,149	\$4,476,831	\$3,852,110	\$3,301,875	\$2,341,577	\$1,439,603
Dec		\$5,333,876	\$4,124,049	\$4,579,658	\$3,919,899	\$2,914,699	\$2,075,430

**City of North Canton  
2021 BUDGET**

Updated through 8/31/2021

Fund & Description	1/1/2021	12/31/2020	1/1/2021	2021	Total	2021	Curr Yr	*CANT BE NEG
	Beginning Cash Balance	Carryover Encumbrances	ACTUAL Unenc Balance	REVENUE BUDGET Incl Amndmts	Resources Available for Approp	EXPENSE BUDGET Incl Amndmts	Excess/(Deficit)	Estimated Dec 31, 2021 Fund Balance
101 General Fund	5,333,876.44	161,496.52	5,172,379.92	13,499,700.00	18,622,079.92	15,859,650.00	(2,359,950.00)	2,762,429.92
<b>Special Revenue Funds</b>								
203 INCOME TAX FUND	4,734,766.32	55.00	4,734,711.32	7,500,000.00	12,234,711.32	8,438,025.00	(938,025.00)	3,796,686.32
204 FIRE OPERATING FUND	191,652.31	9,303.87	182,348.44	1,002,750.00	1,185,098.44	996,600.00	6,150.00	188,498.44
205 EMS OPERATING FUND	416,662.59	6,818.72	409,843.87	2,247,000.00	2,656,843.87	2,239,375.00	7,625.00	417,468.87
206 COMPUTER TRUST FUND	22,394.72	0.00	22,394.72	0.00	22,394.72	4,000.00	(4,000.00)	18,394.72
207 ENFORCEMENT AND EDU	30,317.74	0.00	30,317.74	3,000.00	33,317.74	8,000.00	(5,000.00)	25,317.74
208 STREET CONST M & R FUND	1,049,551.26	241,963.00	807,588.26	1,302,000.00	2,109,588.26	1,267,025.00	34,975.00	842,563.26
209 STORM SEWER IMPROVE	475,466.77	32,000.00	443,466.77	374,000.00	817,466.77	340,600.00	33,400.00	476,866.77
210 STREET IMPROVE LEVY FUND	276,771.02	19,857.30	256,913.72	374,000.00	630,913.72	403,250.00	(29,250.00)	227,663.72
211 MUNICIPAL ROAD FUND	324,185.98	131,051.72	193,134.26	197,500.00	390,634.26	85,000.00	112,500.00	305,634.26
212 GENERAL TRUST FUND	59,903.27	1,000.00	58,903.27	51,655.36	110,558.63	104,380.36	(52,725.00)	6,178.27
213 LAW ENFORCEMENT TRUST	74,561.99	0.00	74,561.99	1,000.00	75,561.99	69,450.00	(68,450.00)	6,111.99
214 COMPENSATED ABSENCES	1,309,553.15	0.00	1,309,553.15	0.00	1,309,553.15	0.00	0.00	1,309,553.15
215 CONTINUING PROF EDUC	9,535.00	0.00	9,535.00	5,500.00	15,035.00	5,500.00	0.00	9,535.00
216 COMMUNITY DISASTER RELIEF	1,374.67	0.00	1,374.67	0.00	1,374.67	0.00	0.00	1,374.67
219 CARES ACT -CORONAVIRUS/COVID-	0.00	0.00	0.00	899,602.10	0.00	0.00	899,602.10	0.00
<b>Capital Projects Funds</b>								
330 CAPITAL IMPROVEMENT FUND	2,834,446.47	2,085,850.73	748,595.74	2,085,000.00	2,833,595.74	2,082,625.00	2,375.00	750,970.74
331 PARK DEVELOPMENT FUND	588,211.71	568,599.10	19,612.61	1,191,147.75	1,210,760.36	1,210,760.36	(19,612.61)	0.00
332 ISSUE 2 IMPROVEMENT FUND	155,545.81	7,000.00	148,545.81	768,000.00	916,545.81	768,000.00	0.00	148,545.81
334 INDOOR FIREARMS TRAINING	224,000.00	4,000.00	220,000.00	0.00	220,000.00	0.00	0.00	220,000.00
<b>Enterprise Funds</b>								
650 WATER REVENUE FUND	3,847,402.10	615,478.33	3,231,923.77	7,085,000.00	10,316,923.77	7,735,250.00	(650,250.00)	2,581,673.77
651 WATER EXP, REPLACE & IMP	1,621,195.81	406,453.09	1,214,742.72	1,200,000.00	2,414,742.72	1,420,000.00	(220,000.00)	994,742.72
652 SEWER REVENUE FUND	1,917,191.64	284,906.82	1,632,284.82	3,550,000.00	5,182,284.82	3,602,725.00	(52,725.00)	1,579,559.82
654 GARBAGE SERVICE FUND	552,379.91	60.00	552,319.91	1,154,000.00	1,706,319.91	1,134,900.00	19,100.00	571,419.91
<b>Fiduciary Funds</b>								
761 INSURANCE FUND	1,271,221.99	16,053.62	1,255,168.37	1,480,000.00	2,735,168.37	1,680,000.00	(200,000.00)	1,055,168.37
871 PERMIT FEE FUND	3,248.45	0.00	3,248.45	5,000.00	8,248.45	5,000.00	0.00	3,248.45
873 REQUIRED DEPOSITS	149,135.17	0.00	149,135.17	28,000.00	177,135.17	28,000.00	0.00	149,135.17
874 UNCLAIMED MONIES	4,569.16	0.00	4,569.16	2,000.00	6,569.16	5,000.00	(3,000.00)	1,569.16
875 NORTHRIDGE DEVELOPER PMTS	0.00	0.00	0.00	25,000.00	25,000.00	25,000.00	0.00	0.00
<b>Total</b>	<b>27,479,121.45</b>	<b>\$ 4,591,947.82</b>	<b>22,887,173.63</b>	<b>46,030,855.21</b>	<b>67,968,426.74</b>	<b>49,518,115.72</b>	<b>(3,487,260.51)</b>	<b>18,450,311.02</b>



**Bank Reconciliation**  
**FOR THE MONTH ENDING 8/31/2021**

Huntington National Bank -General Account	\$	5,047,458.05	
O/S checks/EFTs -General	\$	(61,197.86)	
Deposit in Transit	\$	40.00	
O/S checks/EFTs -Payroll			
OPF 08202021	\$	(4,696.22)	
OPERS 08202021	\$	(16,097.95)	
OP 08202021	\$	(9,037.15)	
July OPF due	\$	(2,000.00)	
<b>TOTAL DEPOSITORY BANK BALANCES</b>			\$ 4,954,468.87

STAROhio (0.07%)	24.86%	\$	5,492,693.25	
UBS Money Market	0.17%	\$	37,051.99	
UBS CDs	49.54%	\$	10,946,471.54	
UBS Federal Securities	24.21%	\$	5,350,483.85	
UBS Municipal Bonds	1.22%	\$	270,000.00	
UBS Commercial Paper	0.00%	\$	-	
<b>TOTAL INVESTMENTS</b>	<b>% Invested 82%</b>			\$ 22,096,700.63

**Adjustments:**

*Total Adjustments* \$ -

**ADJUSTED BANK BALANCE** **\$ 27,051,169.50**

**FUND BALANCE** \$ 27,051,169.50  
**Adjustments:**

**ADJUSTED FUND BALANCE** **\$ 27,051,169.50**

**UNADJUSTED DIFFERENCE** **\$ -**

Approved 

9/2/2021



**NOTICE TO LEGISLATIVE  
AUTHORITY**

**OHIO DIVISION OF LIQUOR CONTROL**  
6606 TUSSING ROAD, P.O. BOX 4005  
REYNOLDSBURG, OHIO 43068-9005  
(614)644-2360 FAX(614)644-3166

TO

290176900170 <small>PERMIT NUMBER</small>		STCK <small>TYPE</small>	FRED W ALBRECHT GROCERY COMPANY DBA ACME FRESH MARKET 16 EXCEPT BANK FRONT OF STORE & PATIO 1474 N MAIN ST NORTH CANTON OH 44720	
ISSUE DATE				
04 30 2021				
<small>FILING DATE</small>				
D1 D2 D6 D8 <small>PERMIT CLASSES</small>				
76	187	B	F25979	
<small>TAX DISTRICT</small>			<small>RECEIPT NO.</small>	

FROM 09/02/2021

AGENCY 843

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT		RECEIPT NO.

**RECEIVED**

SEP - 8 2021

COUNCIL OFFICE  
NORTH CANTON, OHIO



MAILED 09/02/2021

RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/04/2021

**IMPORTANT NOTICE**

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL  
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

**B STCK 2901769-00170**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT  
THE HEARING BE HELD  IN OUR COUNTY SEAT.  IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)-  Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

**CLERK OF NORTH CANTON CITY COUNCIL**  
145 N MAIN ST  
NORTH CANTON OHIO 44720

For Questions call  
 (614) 644-3162  
 Office Hours -  
 8:00 a.m. - 5:00 p.m.

Ohio Department of Commerce - Division of Liquor Control  
 6606 Tussing Road, Reynoldsburg, Ohio 43068-9005  
<http://www.com.ohio.gov/liqr>



**APPLICATION FOR CHANGE OF CORPORATE STOCK OWNERSHIP**  
**PROCESSING FEE \$100.00 CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING**

PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING TRANSFER(S) OF STOCK

Permit Holder Name Acme Fresh Market #16	Liquor Permit Number(s) 2901769-0050 00170 Jar
Permit Premises Address 1474 N. Main St, North Canton, Ohio 44720	<b>F025979AK</b>
Email Address:	2020 JAN 22 AM 11:51
Attorney's Name, Address and Telephone Number (If represented) Timothy J. Bechtold, 52 E. Gay Street, Columbus, Ohio 43216-1008 (614) 464-8257	
Is Stock Traded on a National Exchange? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If YES, give Name of Exchange and Symbol

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION A: PREVIOUS 5% OR MORE STOCKHOLDERS			Number of Shares Issued For Stock Transfer Only (NOT Percentages)
Name	BIRTHDATE	Social Security Number/FTI#	
1) F. Steven Albrecht Trust			176,392
2) Albrecht, Inc.			132,000
3) Fred I. & Francia A. Albrecht Trust			67,878
4)			
5)			
SECTION B: REVISED 5% OR MORE STOCKHOLDERS			Number of Shares Issued For Stock Transfer Only (NOT Percentages)
Name	BIRTHDATE	Social Security Number/FTI#	
1) F. Steven Albrecht Trust			98,274
2) AFB Trust			122,875
3) Albrecht, Inc.			132,000
4) F. Nicholas Albrecht			60,000
5)			

<b>NOTE: If any Stockholder is a business entity, that entity must list it's federal tax identification number (FTI #) above.</b>	<b>TOTAL NUMBER OF SHARES ISSUED</b> 760,851
---	---

LIST THE TOP FOUR OFFICERS OF THE CAPTIONED CORPORATION. IF AN OFFICE IS NOT HELD, PLEASE INDICATE BY WRITING "NONE"	Social Security Number	Birthdate
1) CEO/President F. Nicholas Albrecht		
2) Vice-President F. Steven Albrecht		
3) Secretary David J. Hicks		
4) Treasurer David J. Hicks		



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** September 13, 2021

**SUBMITTED BY:** Benjamin Young, Council's Office

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** New Business

**SUBJECT:** **Ordinance No. 53-2021, 1st Reading, Street and Alley Committee**  
 An ordinance authorizing the Mayor of the City of North Canton to prepare and submit an application to the Ohio Public Works Commission (OPWC) for a grant for the Charlotte Street Improvement Project, further authorizing the Mayor to enter into an agreement with North Canton City Schools for said grant 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:** EMERGENCY - Deadline is September 17th.  
  
 OPWC Grant for Charlotte Street improvements to be applied for in conjunction with the School District.

**ATTACHMENTS:**  
[Ord. 53-2021 Grant Application for Charlotte St. Road Project.docx](#)

North Canton City Council  
Street and Alley Committee

ORDINANCE 53 - 2020

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 Charlotte Street Improvement Project, further authorizing the Mayor to enter into an agreement with North Canton City Schools for said grant 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 Charlotte Street Improvement project will improve approximately 2,000 linear feet of Charlotte Street starting with the construction of a modern roundabout at the western termini at the 5-way Portage Street intersection then proceeding east with multiple turn lane additions through North Main Street to accommodate the additional traffic generated by the proposed North Canton City School's elementary school building, and

WHEREAS, the City desires to submit an OPWC grant application for said Project, the deadline for such submissions being September 17, 2021.

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 Charlotte Street Improvement Project.
- Section 2. That the Mayor be, and is hereby, authorized to enter into an agreement with the North Canton City School District for the joint submission of said grant application, a copy of which is attached hereto and incorporated herein as "Exhibit A".
- Section 3. 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 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 in order to meet the September 17, 2021 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 \_\_\_\_\_, 2021.

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

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

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

**AGREEMENT  
CHARLOTTE STREET IMPROVEMENT PROJECT JOINT GRANT  
APPLICATION TO OHIO PUBLIC WORKS COMMISSION**

This Agreement is made and entered into this 13th day of September, 2021, by and between the City of North Canton, Ohio, a municipal corporation, organized and existing under the laws of the State of Ohio, hereinafter referred to as the **CITY**, duly authorized by Ordinance No. 53-2021, passed by its City Council on the 13th day of September, 2021; and the North Canton City School District, a municipal school district organized and existing under the laws of the State of Ohio, hereinafter referred to as the **SCHOOL**, duly authorized by Resolution No. \_\_\_\_\_, passed by its Board of Education on the 8th day of September, 2021.

**WHEREAS**, there is currently located roadways in the City of North Canton which abuts the proposed location of the **SCHOOL**'s new pre-kindergarten through second-grade elementary school building; and

**WHEREAS**, the **CITY** wishes to improve approximately 2,000 linear feet of Charlotte Street starting with the construction of a modern roundabout at the western termini at the 5-way Portage Street intersection then proceeding east with multiple turn lane additions through North Main Street to accommodate the additional traffic generated by the proposed **SCHOOL**'S elementary school building; and

**WHEREAS**, it is in the best interests of the **SCHOOL** and the **CITY** to reconstruct the roadways and install a new roundabout; and

**WHEREAS**, the **CITY** and the **SCHOOL** wish to resolve their respective liabilities and/or obligations with respect to the design, right of way, and construction of said improvements.

**NOW, THEREFORE**, in consideration of the covenants and agreement contained herein, it is mutually agreed by and between the parties as follows:

1. The **CITY** will provide the design plans for the improvement of the roadways.
2. The **CITY** will provide and pay for construction supervision of the project.
3. The **CITY** will apply for Ohio Public Works Commission (OPWC) for the maximum allowable funding of \$1,500,000 for the project.
4. The **SCHOOL** will permit the **CITY**'s Charlotte Street Improvement Project to be incorporated as a change order into the **SCHOOL**'s existing Construction Manager at Risk contract for the construction of an elementary school at 200 Charlotte St. NW and the **CITY** shall pay for all costs associated with the road improvements.
5. The **SCHOOL** will donate to the **CITY** as much land as may be necessary and practicable, from their current property holdings along Charlotte Street. to ensure that the road may be widened and

the necessary improvements made without the need for eminent domain action where such improvements are adjacent to **SCHOOL** property.

- 6. Upon completion of the project, the **CITY** will maintain the new roadways.
- 7. This Agreement contains the entire agreement by and between the parties and the terms contained herein are contractual and are not a mere recital.

**IN WITNESS WHEREOF**, we have hereunto set our hand to this instrument this 13<sup>th</sup> day of September, 2021.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

THE NORTH CANTON CITY SCHOOL DISTRICT:

\_\_\_\_\_  
*TODD TOLSON, TREASURER*

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_

THE CITY OF NORTH CANTON:

\_\_\_\_\_  
*STEPHAN B. WILDER, MAYOR*

Approved as to legal form and sufficiency:

By: \_\_\_\_\_  
Legal Counsel  
North Canton City Schools

Approved as to legal Form and content:

By: \_\_\_\_\_  
City of North Canton Law Director



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** September 13, 2021

**SUBMITTED BY:** Benjamin Young, Finance

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** New Business

**SUBJECT:** **Ord. 54-2021, 1st Reading, Finance and Property Committee**  
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, 2021.

**DESCRIPTION:** Approve supplemental appropriations totaling \$13,275:

### GENERAL FUND

101.101	Police Department	Other Operating
---------	-------------------	-----------------

### SEWER FUND

652.778 66,575.00)	Sewer Administration	Personnel
-----------------------	----------------------	-----------

652.779 66,575.00	Sewer Maintenance	Personnel
----------------------	-------------------	-----------

### TOTAL SUPPLEMENTAL APPROPRIATIONS

Director of Finance requests that Council suspend the rules requiring three readings and pass this item on an expedited schedule.

**ATTACHMENTS:**





North Canton City Council  
Finance and Property Committee

ORDINANCE 54 - 2021

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, 2021.

WHEREAS, the North Canton Police Department received additional revenue from the auction of old police equipment; and

WHEREAS, a reallocation of current budgeted personnel funds in the sewer fund to correctly reflect personnel labor and benefits allocations.

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, 2021, the following funds, be, and are hereby, set aside and appropriated as follows:

GENERAL FUND			
101.101	Police Department	Other Operating	\$ 13,275.00
SEWER FUND			
652.778	Sewer Administration	Personnel	(\$66,575.00)
652.779	Sewer Maintenance	Personnel	\$ 66,575.00
TOTAL SUPPLEMENTAL APPROPRIATIONS			\$ 13,275.00

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, 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 \_\_\_\_\_ 2021.

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

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

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



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** September 13, 2021

**SUBMITTED BY:** Benjamin Young, Council's Office

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** New Business

**SUBJECT:** **Ord. 55-2021, 1st Reading, Ordinance and Rules Committee**  
An ordinance to approve and adopt current replacement pages to the Codified Ordinances of the City of North Canton and declaring the same to be an emergency.

**DESCRIPTION:** Annual update of Codified Ordinances in response to changes in State Laws that are incorporated into our Code.

**ATTACHMENTS:**  
[Ord. 55-2021 2021 ORC Codification updates.docx](#)  
[2021 Criminal Code Changes.docx](#)

North Canton City Council  
Ordinance, Rules, and Claims Committee

ORDINANCE 55 - 2021

An ordinance to approve and adopt current replacement pages to the Codified Ordinances of the City of North Canton and declaring the same to be an emergency.

WHEREAS, Ohio's Constitution requires certain provisions of the City's Codified Ordinances be amended to conform with state law; and

WHEREAS, City Council has passed various ordinances of a general and permanent nature that require codification into our current set of ordinances.

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

Section 1. That, in accordance with Ohio Revised Code Section 731.23, the ordinances of the City of North Canton, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2021 Replacement Pages to the Codified Ordinances are hereby approved and adopted.

Section 2. That the following sections and chapters are hereby added, amended, or repealed as respectively indicated in order to comply with current State law.

Traffic Code

- 331.38 Driving on Sidewalk. (Amended)
- 331.40 School Bus Operator to Report Violations. (Amended)
- 333.03 Speed Limits- Assured Clear Distance. (Amended)
- 335.03 Surrender of Foreign Driver's License. (Amended)
- 335.02 Permitting Operation of Unlicensed Driver- Surrender Out-of-State License. (Amended)
- 335.07 Prohibitions. (Amended)
- 335.10 Warning Letter- Notice of Suspension- Remedial Driving Course. (Amended)
- 335.16 Display of License Plate and Validation Sticker or Temporary Registration. (Amended)
- 351.03 Prohibited Acts. (Amended)

General Offenses Code

- 509.08 Making False Alarms. (Amended)
- 525.13 Interfering with Civil Rights. (Amended)
- 529.01 Liquor Controls Definitions. (Amended)
- 533.09 Soliciting- After HIV Test- Driver's License Suspension. (Amended)
- 537.02 Suspension of Driver's License for Violation of Municipal Ordinance Substantially Similar to Certain Criminal Offenses. (Amended)
- 541.04 Criminal Mischief. (Amended)
- 541.05 Criminal Trespass. (Amended)
- 541.06 Aggravated Trespass. (Amended)
- 545.03 Felony of Fifth Degree Regardless of the Value of the Property. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)

Section 3. That a succinct summary of changes to be made to the sections listed above as shall be set forth in full in the current codified ordinance replacement pages, is attached to and incorporated herein as "Exhibit A." Any summary publication of this ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

Section 4. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton, for the reason that there exists an imperative necessity for the earliest publication and distribution of the current replacement pages of the codified ordinances to City

officials and residents so as to facilitate administration, daily operation, and avoid legal entanglements including conflicts with general state law; 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 and approval by the Mayor. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

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

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

Changes proposed to NC Traffic and Criminal Codes to reflect ORC Changes

- 331.38 Added Exemption for law enforcement driving on sidewalks when necessary.
- 331.40 License plate definition updated.
- 333.03 Updated School Definition
- 335.02 Slight wording changes
- 335.03 learners permits added to documents to be surrendered upon moving to Ohio
- 335.07 Minor Wording Changes
- 335.16 “placard” changed to “registration”
- 351.03 Micro-mobility devices added
- 509.08 “cause a public inconvenience” changed to “impeded operation of critical infrastructure facility” and added definition for critical infrastructure facility.
- 525.13 Gender neutral pronouns for public servant.
- 529.01 Definitions condensed and simplified into ORC reference.
- 533.09 Soliciting no longer limited to individuals over 18.
- 537.02 Vehicular Homicide Penalty Changes
- 541.05 Added Critical infrastructure facilities to criminal trespass and added definitions for the same.
- 541.06 See changes from 541.05 and increased penalties for Aggravated Trespass
- 545.03 “placard” changed to “registration”
- 549.02 Rules for Concealed Carry when approached by Law Enforcement and updated definitions.



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** September 13, 2021

**SUBMITTED BY:** Benjamin Young, Administration

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** New Business

**SUBJECT:** **Ordinance No. 56-2021, 1st Reading, Personnel and Safety Committee**

An ordinance amending Chapter 135, Department of Fire and Emergency Medical Service, specifically Section 135.03, Personnel, of the Codified Ordinances of the City of North Canton to increase the position cap for Emergency Medical Technician/Paramedic/Firefighters.

**DESCRIPTION:**

**ATTACHMENTS:**

[Ord. 56-2021 Rasing FireEMS personnel Cap.docx](#)

North Canton City Council  
Personnel and Safety Committee

ORDINANCE 56 - 2021

An ordinance amending Chapter 135, Department of Fire and Emergency Medical Service, specifically Section 135.03, Personnel, of the Codified Ordinances of the City of North Canton to increase the position cap for Emergency Medical Technician/Paramedic/Firefighters.

WHEREAS, to provide more appropriate staffing levels and ensure the continued high performance of Fire and EMS services in the City of North Canton the maximum allowable number of personnel should be raised.

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

Section 1. That Chapter 135, Department of Fire and Emergency Medical Service, specifically Section 135.03, Personnel, of the Codified Ordinances of the City of North Canton be, and is hereby, amended to read as follows:

SECTION 135.03 PERSONNEL

(a) The Fire and Emergency Medical Service Department shall be comprised of the following ranks and positions:

- (1) One (1) full-time Chief of Fire and Emergency Medical Service Department;
- (2) One (1) full-time Fire Battalion Chief;
- (3) No more than three (3) full-time Firefighter/EMT/Fire Inspectors;
- (4) No more than three (3) full-time Captains-Emergency Medical Technician-Paramedics;
- (5) No more than twelve (12) full-time Emergency Medical Technician/Paramedic/Firefighters;
- (6) Together with those part-time volunteer personnel, as required, and that shall be designated by the Director of Administration.

(b) Effective January 1, 2005, if a full-time Emergency Medical Technician-Paramedic position becomes vacant, it shall be replaced with a full-time Emergency Medical Technician-Paramedic/Firefighter.

(c) Pursuant to Section 3.07(1) of the North Canton City Charter, full-time positions of the Fire and Emergency Medical Service Department are classified civil servants and covered by the City's civil service provisions.

Section 2. That the Clerk of Council and Mayor of the City of North Canton be, and are hereby, authorized to make such amendments as may be needed to the Codified Ordinances of the City of North Canton to accurately reflect this ordinance upon approval of such amended pages by a voice vote of Council.

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 \_\_\_\_\_, 2021.

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

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

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



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** September 13, 2021

**SUBMITTED BY:** Benjamin Young, Administration

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** New Business

**SUBJECT:** **Ord. 57-2021, 1st Reading, Personnel and Safety Committee**  
An ordinance amending Chapter 155, Personnel Regulations, specifically Section 155.03, Hiring Practices, of the Codified Ordinances of the City of North Canton to eliminate the requirement that job postings be published in a newspaper.

**DESCRIPTION:** Staff is seeking to eliminate the requirement that job postings be published in a newspaper as data gathered by the recent 2021 Community survey shows that this is not an effective method of advertising open positions. Instead a requirement to post on a job posting site such as LinkedIn or Indeed should be adopted.

To put the cost in context, each job posting costs \$500 to run in the newspaper once a week for two weeks. Promoting the job at \$10 a day everyday for two weeks on LinkedIn costs \$140.

**ATTACHMENTS:**  
[Ord. 57-2021 Amending Job Posting Requirements.docx](#)



North Canton City Council  
Personnel and Safety Committee

ORDINANCE 57 - 2021

An ordinance amending Chapter 155, Personnel Regulations, specifically Section 155.03, Hiring Practices, of the Codified Ordinances of the City of North Canton to eliminate the requirement that job postings be published in a newspaper.

WHEREAS, the biannual North Canton Community Survey conducted in 2021 has provided statistical data demonstrating that the newspaper does not circulate sufficiently to attract qualified job seekers for municipal positions; and

WHEREAS, publishing job posting ads in the newspaper carries a significant financial cost that could be better spent elsewhere to recruit top talent for municipal positions.

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

Section 1. That Chapter 155, Personnel Regulations, specifically Section 155.03, Hiring Practices, of the Codified Ordinances of the City of North Canton be, and is hereby, amended to read as follows:

SECTION 155.03 HIRING PRACTICES

To fill any position listed in the Full-Time Schedule of Compensation, the Mayor (or in the case of a Council/Law/Finance position, City Council) shall post the open position for a minimum of two weeks on the City's website, bulletin boards in each City facility, and on at least one publicly viewable hiring website. The posting may also be advertised on other websites and/or in trade publications relevant to the position.

Section 2. That the Clerk of Council and Mayor of the City of North Canton be, and are hereby, authorized to make such amendments as may be needed to the Codified Ordinances of the City of North Canton to accurately reflect this ordinance upon approval of such amended pages by a voice vote of Council.

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 \_\_\_\_\_, 2021.

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

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

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



# Item Cover Page

## CITY COUNCIL AGENDA ITEM REPORT

**DATE:** September 13, 2021

**SUBMITTED BY:** Benjamin Young, Administration

**ITEM TYPE:** Ordinance

**AGENDA SECTION:** New Business

**SUBJECT:** **Res. 13-2021, 1st Reading, Community and Economic Development Committee**

A resolution submitting amendments to the City of North Canton’s Zoning Code, specifically Chapter 1133 Single-Family and Two-Family Residential District Regulations, subsection 1133.08(d), Swimming Pools, for consideration in accordance with Chapter 1181 of the Codified Ordinances, and declaring the same to be an emergency.

**DESCRIPTION:** In response to several citizen complaints and the reality of standard fencing material sizes the Administration is requesting amending the minimum outdoor pool fence requirements from five feet to four feet.

This legislation will need to be considered by the Planning Commission as a zoning regulations change.

**ATTACHMENTS:**  
[Res. 13 -2021 Submitting Changes to 1133 to Planning Commission.docx](#)  
[Ord. 58-2021 Lowering Pool Fence Requirements.docx](#)

North Canton City Council  
Community and Economic Development Committee

RESOLUTION 13 - 2021

A resolution submitting amendments to the City of North Canton's Zoning Code, specifically Chapter 1133 Single-Family and Two-Family Residential District Regulations, subsection 1133.08(d), Swimming Pools, for consideration in accordance with Chapter 1181 of the Codified Ordinances, and declaring the same to be an emergency.

WHEREAS, the Council of the City of North Canton wishes to be more permissive of short pool fencing in recognition of commonly available standard fencing heights; and

WHEREAS, City Council has seen fit to initiate the zoning amendment process as laid out in Chapter 1181 to consider such new regulations.

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

Section 1. That this Council does hereby submit for considering amendments to North Canton's Zoning Code, specifically Chapter 1133 Single-Family and Two-Family Residential District Regulations, subsection 1133.08(d), Swimming Pools, for the purpose of allowing shorter pool safety fences of a minimum of four (4) ft in residential districts.

Section 2. That the text of such amendments as hereby submitted shall be as presented in Ordinance 58-2021 of this Council.

Section 3. That this Council believes that such amendments would enable homeowner to utilize standard and commonly available fencing and thereby save money due to the considerations of cost for custom fencing without causing significant or detrimental harm to residential zones in the City.

Section 4. That the Clerk of Council of the City of North Canton be, and is hereby, authorized to make application on behalf of this Council to the North Canton Planning Commission for consideration of such amendments.

Section 5. That if a provision of this resolution 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 resolution 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 promptly begin the formal zoning amendment consideration process 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 \_\_\_\_\_, 2021.

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

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

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

North Canton City Council  
Community and Economic Development Committee

ORDINANCE 58 - 2021

An ordinance amending Chapter 1133 Single-Family and Two-Family Residential District Regulations, specifically subsection 1133.08(d), Swimming Pools, and Chapter 1707, Swimming Pools, Spas, and Hot Tubs, specifically subsection 1707.01(b) of the Codified Ordinances of the City of North Canton to lower the minimum required height of fencing for swimming pools to four (4) feet.

WHEREAS, the International Swimming Pool and Spa Code published by the International Code Council is frequently used as the standard throughout the United States and recommends a minimum pool fencing height of four (4) feet; and

WHEREAS, fencing that is 5 feet tall is a non- standard fence height placing an undue burden on North Canton residents seeking to comply with pool fencing regulations.

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

Section 1. That Chapter 1133 Single-Family and Two-Family Residential District Regulations, specifically subsection 1133.08(d), Swimming Pools, of the Codified Ordinances of the City of North Canton be and is hereby, amended to read as follows:

(d) Swimming Pools. Private swimming pools for the exclusive use of residents of the premise may be located in any R Residential District provided they comply with the locational and coverage requirements of Schedules 1133.08(a) and 1133.08(b) and the supplemental regulations set forth below.

- (1) All swimming pools, together with adjacent walkways, shall be enclosed by a wall or fence having a minimum height of four (4) feet.
- (2) For aboveground pools, the height of the pool, from the surrounding grade to the top of the pool wall, may be used as credit to meet the minimum 4-foot height requirement.
- (3) All fences and other pool enclosures shall be constructed so as to have no openings, holes, or gaps larger than three inches in width, except for doors, gates or windows which shall be equipped with suitable locking devices to prevent unauthorized access. Access secured accessory buildings and walls of principal buildings may be used in place of, or as part of, the enclosure.
- (4) A living fence shall meet the requirements for enclosure when the plants are closely spaced so as to prevent unauthorized access to the pool area.
- (5) The construction and operation of a pool shall meet all other applicable City regulations.

Section 2. That Chapter 1707, Swimming Pools, Spas, and Hot Tubs, specifically subsection 1707.01(b), of the Codified Ordinances of the City of North Canton be and is hereby, amended to read as follows:

(b) Private swimming pools, hot tubs and spas, containing water more than twenty-four (24) inches in depth shall be completely surrounded by a fence or barrier not less than forty-eight (48) inches in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than forty (40) inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six (6) inches from the gatepost. An existing pool enclosure shall not be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Section 3. That the Clerk of Council and Mayor of the City of North Canton be, and are hereby, authorized to make such amendments as may be needed to the Codified Ordinances of the City of North Canton to accurately reflect this ordinance upon approval of such amended pages by a voice vote of Council.

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 shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

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

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

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