



NOTICE OF PUBLIC MEETING

Notice is hereby given that:

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

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

The Council of the City of North Canton shall hold the **regular council meeting** and **special committee of the whole meeting** on **Monday April 13, 2020 at 7:00 PM** via teleconference.

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

FOR THOSE WISHING TO WATCH THE MEETING:

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

<https://youtu.be/wzdgOF1cDyI>

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

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

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

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

Date

Benjamin R. Young
Interim Clerk of Council

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

AGENDA

1. Call to Order
2. Opening Prayer
3. Pledge of Allegiance
4. Roll Call
5. Consideration
 - a. Minutes of Special Committee of the Whole March 30, 2020
 - b. Minutes of Special Council March 30, 2020
6. Recognition of Visitors
7. Old Business
 - a. **Ordinance No. 15-2020 – 2nd Reading, Community and Economic Development Committee**
An ordinance amending North Canton’s Codified Ordinance, Chapter 1173 Procedures for Zoning Certificates and Certificates of Occupancy, specifically, Section 1173.02 Zoning Certificate Required, by exempting the requirement of a zoning certificate, as more fully described in Exhibit A, attached hereto and incorporated herein.
 - b. **Ordinance No. 18-2020 - 2nd Reading, Community and Economic Development Committee**
An ordinance authorizing the Mayor, on behalf of the City of North Canton, to enter into an agreement to amend the North Water Tower Lease Agreement between the City (“Landlord”) and New Cingular Wireless PCS, LLC (“Tenant”).
8. New Business
 - a. **Ordinance No. 20-2020 – 1st Reading, Street and Alley Committee**
An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and authorizing the Mayor, upon Board of Control approval, to enter into a contract for the enhancement of East Maple Street (“East Maple Street Enhancement Project”), from the intersection of Marquardt Avenue, east to the Hoover Trail connection at Washington Square, which shall include installation of approximately 4,700 linear feet of 8-foot wide, decorative multi-use sidewalk, 36 decorative street lights, decorative stamped concrete crosswalks, decorative roadway concrete pavement, treatments at both the Marquardt Avenue intersection and Washington Square/Walsh East Gate signaled intersections, pedestrian bridge railing enhancements,

rehabilitation of Stark County Engineer's roadway bridge, and retaining wall replacement, and declaring the same to be an emergency.

9. Department Reports

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

Director of Finance
City Engineer
Council Clerk

10. Council Reports

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

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

11. Final Call for New Business

12. April Meetings Calendar

- a. April 20, 2020 – Virtual Committee of the Whole
- b. April 27, 2020 – Virtual Council Meeting

13. Adjourn

North Canton City Council
Community and Economic Development Committee

Ordinance No. 15 - 2020

An ordinance amending North Canton's Codified Ordinance, Chapter 1173 Procedures for Zoning Certificates and Certificates of Occupancy, specifically, Section 1173.02 Zoning Certificate Required, by exempting the requirement of a zoning certificate, as more fully described in Exhibit A, attached hereto and incorporated herein.

WHEREAS, City Council wishes to remove unnecessary delays and fees in obtaining zoning certificates in areas that do not require professional oversight; and

WHEREAS, in keeping with similarly situated local governments, replacing patios located in the rear yard of single-family dwellings, private sidewalks consisting of concrete, and the replacement of legally established driveways not located in the public right of way, do not require the professional oversight provide by a zoning certificate.

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 wishes to remove unnecessary delays and fees in obtaining zoning certificates in areas that do not require professional oversight.
- Section 2. That, in keeping with similarly situated local governments, replacing patios located in the rear yard of single-family dwellings, private sidewalks consisting of concrete, and the replacement of legally established driveways not located in the public right of way, do not require the professional oversight provide by a zoning certificate.
- Section 3. That, North Canton Codified Ordinance, Chapter 1173 Procedures for Zoning Certificates and Certificates of Occupancy, specifically, Section 1173.02 Zoning Certificate Required, be, and is hereby amended by exempting the requirement of a zoning certificate, as more fully described in Exhibit A, attached hereto and incorporated herein.
- Section 4. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, that it shall not affect the validity or enforceability of any other provision of this resolution.
- Section 5. That this resolution shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this _____ day of _____ 2020

Stephan B. Wilder, Mayor

Attest:

Signed: _____, 2020

Benjamin Young, Clerk of Council

1173.02 ZONING CERTIFICATE REQUIRED.

No building or structure shall be erected, constructed, enlarged, structurally altered, or moved in whole or in part, and no use shall be established or changed in the City of North Canton prior to the issuance of a zoning certificate. A zoning certificate shall be issued only when the plans for the proposed use, building, or structure fully comply with the regulations set forth in this Zoning Ordinance.

(a) A zoning certificate shall be issued when:

(1) *Single-family Dwellings and Uses Accessory Thereto.* Provided the structures: are not located in the public right-of-way; have not exceeded the applicable maximum-coverage area; have not exceeded applicable setbacks; and the work is completed by a concrete contractor registered with the City of North Canton: patios located in the rear yard; private sidewalks; and lawfully established driveways, are exempt from the zoning certificate requirement. Accordingly, the Chief Building Official may approve an application for a single-family dwelling or use accessory thereto that has been reviewed and approved according to the procedures of this chapter. Those requesting a City inspection of concrete work may submit an application for a zoning certificate.

(2) Accessory Building in Nonresidential Districts. An application for an accessory building that has a gross floor area of 200 square feet or less has been reviewed and approved by the *Chief Building Official* according to the procedures of this Chapter.

(3) All Other Permitted Uses. An application for any other permitted use not described in subsection (a) above has been reviewed and approved by the Planning Commission according to the development plan procedures set forth in Chapter 1175.

(4) Conditional Uses. An application for a conditional use has been reviewed and approved by the Planning Commission according to the procedures set forth in Chapter 1177.

(5) Variance Requests. An application for which a variance from a requirement of this Zoning Ordinance is requested has been reviewed and approved by the Board of Zoning Appeals, according to the procedures set forth in Chapter 1179.

(6) Similar Uses. An application for any building or use not specifically listed in this Ordinance as a permitted or conditional use has been reviewed and approved by the Planning Commission and Council according to the procedures set forth in Section 1177.09.

(b) Applications for zoning certificates are available in the office of the *Chief Building Official*. A completed application form accompanied by all other applicable submission requirements shall be submitted to the *Chief Building Official*.

North Canton City Council
Community and Economic Development Committee

Ordinance No. 18 - 2020

An ordinance authorizing the Mayor, upon Board of Control approval, to enter into an agreement to amend the North Water Tower Lease Agreement between the City ("Landlord") and New Cingular Wireless PCS, LLC ("Tenant").

WHEREAS, Landlord and Tenant mutually desire to renew and amend the Lease as defined in the First Amendment to the North Water Tower Lease Agreement attached hereto and incorporated herein.

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, upon Board of Control approval, is hereby authorized, on behalf of the City of North Canton, to enter into the First Amendment to the North Water Tower Lease Agreement.
- Section 2. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, that it shall not affect the validity or enforceability of any other provision of this ordinance.
- 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.

Passed in Council this _____ day of _____ 2020

Stephan B. Wilder, Mayor

Signed: _____, 2020

Attest:

Benjamin R. Young, Clerk of Council

North Canton City Council
Street and Alley Committee

Ordinance No. 20 - 2020

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, and authorizing the Mayor, upon Board of Control approval, to enter into a contract for the enhancement of East Maple Street ("East Maple Street Enhancement Project"), from the intersection of Marquardt Avenue, east to the Hoover Trail connection at Washington Square, which shall include installation of approximately 4,700 linear feet of 8-foot wide, decorative multi-use sidewalk, 36 decorative street lights, decorative stamped concrete crosswalks, decorative roadway concrete pavement, treatments at both the Marquardt Avenue intersection and Washington Square/Walsh East Gate signaled intersections, pedestrian bridge railing enhancements, rehabilitation of Stark County Engineer's roadway bridge, and retaining wall replacement, and declaring the same to be an emergency.

WHEREAS, the City has received federal funding as administered by Ohio's Department of Transportation in the amount of \$1,524,000.00, for the East Maple Street Improvement Project; and

WHEREAS, the City has also applied for a 2020 municipal road funding estimated at \$75,000.00, and

WHEREAS, the Stark County Engineer's Office will reimburse the City for any roadway bridge costs that are City paid outside of the respective grants;

WHEREAS, the City wishes to take advantage of the grant offerings to improve the overall appearance of East Maple Street, which is one of its main arteries into the City, and to begin construction during the brief, weather-permitting conditions.

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 Administration of the City of North Canton, be, and is hereby authorized to advertise and receive bids for the East Maple Street Enhancement Project including enhancement from the intersection of Marquardt Avenue, east to the Hoover Trail connection at Washington Square, which shall include installation of approximately 4,700 linear feet of 8-foot wide, decorative multi-use sidewalk, 36 decorative street lights, decorative stamped concrete crosswalks, decorative roadway concrete pavement, treatments at both the Marquardt Avenue intersection and Washington Square/Walsh East Gate signaled intersections, pedestrian bridge railing enhancements, rehabilitation of Stark County Engineer's roadway bridge, and retaining wall replacement.

Section 2. That the Mayor, upon Board of Control approval, be, and is hereby authorized to enter into a contract for the East Maple Street Enhancement Project, at a total cost not to exceed \$2,049,000.00.

Section 3. That the Director of Finance of the City of North Canton, be, and is hereby authorized to draw funds necessary for the payment of the above-specified contract from the following appropriations:

332.542.5229	\$1,524,000.00
330.546.5229	450,000.00
211.543.5229	<u>75,000.00</u>
	\$2,049,000.00

upon receipt of vouchers duly approved by the proper departmental authority.

Section 4. That if a provision of this ordinance is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this ordinance.

Section 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton and further necessary to advertise, receive, and evaluate bids, determine the lowest and best bidder, and complete the Easthill Street SE Reconstruction Project during a brief, weather-permitting window; 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 immediately upon its adoption by Council and approval by the Mayor.

Passed in Council this ____ day of _____, 2020

Stephan B. Wilder, Mayor

Signed: _____, 2020

Attest:

Benjamin R. Young, Clerk of Council