



# City of North Canton, Ohio

Council Office  
145 North Main Street  
North Canton, Ohio 44720-2587  
330.499.3986 . 330.499.2960 Fax

*www.northcantonohio.com*  
*email: citycouncil@northcantonohio.com*

## **COUNCIL MEETING AGENDA JANUARY 24, 2005**

1. Call to Order: 7:00 pm by Jon Snyder, President of Council
2. Opening Prayer: Rev. Eli Klingensmith, Zion United Church of Christ
3. Pledge of Allegiance
4. Roll Call
5. Consideration of Minutes of Council Meeting: January 10, 2005  
Consideration of Minutes of Public Hearing: January 10, 2005  
Consideration of Financial Statements: November and December, 2004  
Consideration of Mayor's Court Receipts: November and December, 2004
6. Committee Reports
7. Recognition of Visitors

### OLD BUSINESS:

8. **Ordinance No. 1-05 – 2<sup>nd</sup> Reading - Personnel & Safety**

Ordinance No. 1-05, amending Ordinance No. 154-03, as amended, Collective Bargaining Agreement between the City of North Canton and The Ohio Patrolmen's Benevolent Association (OPBA) (Chief Dispatcher Unit) by the addition of ARTICLE XXXIX, DRUG TESTING.

9. **Ordinance No. 2-05 – 2<sup>nd</sup> Reading – Personnel & Safety**

Ordinance No. 2-05, amending Ordinance No. 153-03, as amended, Collective Bargaining Agreement between the City of North Canton and The Ohio Patrolmen's Benevolent Association (OPBA) (Patrolmen) by the addition of ARTICLE XXXIX, DRUG TESTING.

**10. Ordinance No. 3-05 – 2<sup>nd</sup> Reading – Personnel & Safety**

Ordinance No. 3-05, amending Ordinance No. 152-03, as amended, Collective Bargaining Agreement between the City of North Canton and The Ohio Patrolmen's Benevolent Association (OPBA) (Dispatcher Unit) by the addition of ARTICLE XXXIX, DRUG TESTING.

**11. Ordinance No. 4-05 – 2<sup>nd</sup> Reading – Personnel & Safety**

Ordinance 4-05 amending Ordinance 151-03, exempt personnel ordinance of the City of North Canton by the addition of a DRUG TESTING POLICY.

**12. Ordinance No. 5-05 – 2<sup>nd</sup> Reading – Personnel & Safety**

Ordinance 5-05 amending Ordinance 45-99, as amended, part-time, non-exempt classifications and part-time exempt classifications ordinance of the City of North Canton by the addition of a DRUG TESTING POLICY.

**13. Ordinance No. 6-05 – 2<sup>nd</sup> Reading – Community & Economic Development**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into a contract with McKinley Development Company, Ltd., modifying the terms of the CEDA dated June 17, 2003.

**14. Ordinance No. 7-05 – 2<sup>nd</sup> Reading – Ordinance, Rules & Claims**

An ordinance amending Chapter 1507, specifically Section 1507.04, of the Codified Ordinances of the City of North Canton and repealing any and all legislation inconsistent herewith.

**15. Ordinance No. 16-05 – 2<sup>nd</sup> Reading – Finance & Property**

An ordinance authorizing the Board of Control of the City of North Canton, through the Director of Administration, to advertise and receive bids according to specifications now on file in the office of the Director of Administration and the Mayor, through the Board of Control, to enter into a contract for the purchase of gasoline and diesel fuel for use by all city departments, for a one (1) year period commencing June 1, 2005 and terminating May 31, 2006.

16. **Ordinance No. 17-05 – 2<sup>nd</sup> Reading – Finance & Property**

An ordinance authorizing the Board of Control of the City of North Canton, through the Director of Administration, to advertise and receive bids according to specifications now on file in the office of the Director of Administration and the Mayor to enter into a contract for the purchase of fire hydrants for use by the City of North Canton.

NEW BUSINESS:

17. **Ordinance No. 139-04 – 1<sup>st</sup> Reading – Ordinance, Rules & Claims (Tabled 10/11/04 Prior to the 1<sup>st</sup> Reading)**

Ordinance No. 139-04 amending Section 1107.06, REQUIRED IMPROVEMENTS, of the Subdivision Regulations, Chapter 1107, of the Codified Ordinances of the City of North Canton, Ordinance No. 82-90, as amended, for the purpose of amending the regulations concerning the width of sidewalks and streets, specifically Subsection 1107.06 (c)(1)(E) and (F).

18. **Resolution No. 19-05 – 1<sup>st</sup> Reading - Ordinance, Rules & Claims**

A resolution adopting the City of North Canton Natural Gas Aggregation Program Plan of Operation and Governance pursuant to Sections 4929.26 and 4929.27, Ohio Revised Code, and declaring an emergency.

19. **Ordinance No. 20-05 – 1<sup>st</sup> Reading – Street & Alley**

An ordinance authorizing the Board of Control of the City of North Canton, through the Director of Administration, to advertise and receive bids according to specifications now on file in the office of the Director of Administration and the Mayor, through the Board of Control, to enter into a contract for the Valleyview Street Rehab project and declaring the same to be an emergency.

20. **Ordinance No. 21-05 – 1<sup>st</sup> Reading – Street & Alley**

An ordinance authorizing the Board of Control of the City of North Canton, through the Director of Administration, to advertise and receive bids according to specifications now on file in the office of the Director of Administration and the Mayor, through the Board of Control, to enter into a contract for the South Main/Everhard Road Widening (STA CR 66 6.30) project and declaring the same to be an emergency.

**21. Ordinance No. 22-05 – 1<sup>st</sup> Reading – Street & Alley**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement with Aristotle Maragas for the purchase of right of way (Parcel 1), within the corporation limits of the City of North Canton, necessary for the South Main/Everhard Project and declaring the same to be an emergency.

**22. Ordinance No. 23-05 – 1<sup>st</sup> Reading – Street & Alley**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement with Gentle Shepard Properties, Ltd. for the purchase of right of way (Parcel 2), within the corporation limits of the City of North Canton, necessary for the South Main/Everhard Project and declaring the same to be an emergency.

**23. Ordinance No. 24-05 – 1<sup>st</sup> Reading – Street & Alley**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement with DJ Realty Limited Partnership for the purchase of right of way (Parcel 3), within the corporation limits of the City of North Canton, necessary for the South Main/Everhard Project and declaring the same to be an emergency.

**24. Ordinance No. 25-05 – 1<sup>st</sup> Reading – Street & Alley**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement with R. L. Deville Enterprises, Ltd., an Ohio limited liability for the purchase of right of way (Parcel 4), within the corporation limits of the City of North Canton, necessary for the South Main/Everhard Project and declaring the same to be an emergency.

**25. Ordinance No. 26-05 – 1<sup>st</sup> Reading – Street & Alley**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement with Bentbrook Condominiums Homeowners Association, Inc. for the purchase of right of way (Parcel 6), within the corporation limits of the City of North Canton, necessary for the South Main/Everhard Project and declaring the same to be an emergency.

**26. Ordinance No. 27-05 – 1<sup>st</sup> Reading – Personnel & Safety**

Ordinance No. 27-05, amending Ordinance No. 150-03, as amended, Collective Bargaining Agreement between the City of North Canton and the North Canton Service & Clerical Employees by the addition of ARTICLE XXXI, DRUG TESTING, and declaring the same to be an emergency.

**27. Ordinance No. 28-05 – 1<sup>st</sup> Reading – Parks & Recreation**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an Agreement by and between the City of North Canton (“City”) and the Stark County Park District (“Park”) for the construction, maintenance and operation of the Hoover Connector Trail Phase 2 and its appurtenances in the City of North Canton on lands owned or leased by the City and/or the Park.

**28. Ordinance No. 29-05 – 1<sup>st</sup> Reading – Water, Sewer & Rubbish**

An ordinance amending Section 3. of Ordinance No. 24-04, Werstler Waterline Replacement project, by an increase in the amount of the allocation for the project and declaring the same to be an emergency.

**29. Ordinance No. 30-05 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the Mayor of the City of North Canton, through the Board of Control, to enter into an agreement for the purchase of four (4) marked cruisers, for use by the Police Department, within the purview of the Ohio Cooperative Purchase Act, or, in the alternative, authorizing the Board of Control, through the Director of Administration, to advertise and received bids according to specifications now on file in the office of the Director of Administration and the Mayor to enter into a contract for the purchase of four (4) marked cruisers, for use by the Police Department and declaring the same to be an emergency.

**30. Resolution No. 31-05 – 1<sup>st</sup> Reading – Finance & Property**

A resolution authorizing the Mayor of the City of North Canton, through the Board of Control, to file an application and enter into agreements between the City of North Canton and the Ohio Department of Natural Resources, for financial assistance for public recreation purposes, though the Clean Ohio Trails Fund, and declaring the same to be an emergency.

**31. Resolution No. 32-05 – 1<sup>st</sup> Reading – Finance & Property**

A resolution authorizing the Mayor of the City of North Canton, through the Board of Control, to file an application and enter into agreements between the City of North Canton and the Ohio Department of Natural Resources, for financial assistance for public recreation purposes, through Recreational Trails Program (RTP), and declaring the same to be an emergency.

**32. Ordinance No. 33-05 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated balance of the No. 332 Issue 2 Improvement Fund to two Contract Payments accounts in the aggregate amount of \$694,871.00 for the current expenses during the fiscal year ending December 31, 2005 and declaring the same to be an emergency.

**33. Ordinance No. 34-05 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated balance of the No. 203 Income Tax Fund to the Transfers – Capital Projects account in the aggregate amount of \$187,200.00, and authorizing the transfer of same funds from the Income Tax Fund to the Capital Improvement Fund for the current expenses during the fiscal year ending December 31, 2005.

**34. Ordinance No. 35-05 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated balance of the No. 330 Capital Improvement Fund to the Contract Payments account in the aggregate amount of \$187,200.00 for the current expenses during the fiscal year ending December 31, 2005.

**35. Ordinance No. 36-05 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance providing for the issuance and sale of \$350,000 notes in anticipation of the issuance of bonds, for the purpose of paying costs of improving the municipal waterworks system by replacing certain water lines, together with all necessary appurtenances thereto, and declaring an emergency.

**36. Ordinance No. 37-05 – 1<sup>st</sup> Reading – Finance & Property**

An ordinance providing for the issuance and sale of \$2,650,000 notes in anticipation of the issuance of bonds, for the purpose of paying costs of improving and expanding the municipal waterworks system by (a) rehabilitating and improving an existing water tower, together with all incidentals and appurtenances thereto and (b) constructing and installing water lines, together with all necessary appurtenances thereto, and declaring an emergency.

**REPORTS:**

Director of Law  
Mayor

Director of Finance  
City Engineer

Director of Administration  
Clerk of Council

**REPORTS – COUNCIL:**

Marcia Kiesling     At Large  
Daniel J. Peters     At Large  
Greg Sarbach         At Large

Doug Foltz             Ward 1  
Dave Lindower         Ward 2  
Doug Lane              Ward 3  
Jon Snyder              Ward 4

**FINAL CALL FOR NEW BUSINESS**

**ADJOURN**

Gail M. Kalpac  
Clerk of Council

1/21/05

c: Council  
Law Director  
Mayor  
D/Administration  
D/Finance  
City Engineer  
Supt., Permits & Inspection  
Press