



City of North Canton, Ohio

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NOTICE OF MEETINGS

Mr. Pat DeOrio, Chairman of the Finance & Property Committee of North Canton City Council has requested a meeting of said Committee Members, Council, Mayor, Director of Administration and Director of Law **Monday, June 4, 2007 at 5:30 p.m.** in the Council Chamber at North Canton City Hall.

The meeting will be called to order and then adjourned into **executive session** for the purpose of discussing imminent litigation. The meeting **will not** be open to the public.

LEGAL NOTICE OF PUBLIC HEARING

A public hearing will be held by the Council of the City of North Canton Monday, June 4, 2007 at 6:15 p.m. in the Council Chamber at North Canton City Hall to consider the following recommended revisions and amendments to the North Canton City Charter; submitted by the Charter Review Commission and the North Canton City Council.

CHARTER REVIEW COMMISSION RECOMMENDATIONS AND AMENDMENTS

Proposed Amendments:

ARTICLE II – THE COUNCIL

1. Section 2.04. – Meetings (paragraph 3):

Notice in writing of each such special meeting called at the request of the Mayor, President of Council, or by three (3) members of Council, shall state the date and time, subject or subjects to be considered, and no other subject or subjects shall be considered thereat. The Clerk of Council shall cause the written notice to be served either personally or by leaving a copy thereof at the member's usual place of residence, not less than twenty-four (24) hours preceding the time for the meeting. In the event that a special meeting is called by a vote of council taken at any regular meeting or special meeting from which any member of Council is absent, written notice of such special meeting shall be given such absentee in the manner and form hereinbefore provided.

2. Section 2.06. - Council Relationship to Administrative Officers:
Neither Council nor its committees, shall in any manner take part in the discipline nor give orders to any subordinates and employees in the administrative service of the municipality responsible to the Mayor, but must deal directly with the Mayor. Council as a body may inquire into the conduct of any office or department and into the performance of any contract or any of the affairs of the municipality.

ARTICLE III – EXECUTIVE AND ADMINISTRATIVE OFFICERS AND DEPARTMENTS

3. Section 3.01(5). - The Mayor:
(5) The Mayor shall be recognized as the official and ceremonial head of Government
by the Governor for military purposes.
4. Section 3.01(last paragraph) – The Mayor: When the Mayor is temporarily absent from the municipality or unable for good cause to perform his duties, the Director of Administration shall act as Mayor with the same powers and duties, except that all ceremonial powers shall be performed by the President of Council, and all judicial powers shall be performed by the President of Council, Magistrate or Judicial alternate.
5. Section 3.02 (2nd sentence) - The Director of Administration:
Recommendation is to delete the residency requirement.
6. Section 3.04. - Director of Law:
A Director of Law shall be appointed by Council as legal counsel for all divisions of the municipality in connection with municipal affairs and may be removed at any time by an affirmative vote of five (5) Council members.
7. Section 3.05. - Director of Finance:
A Director of Finance shall be appointed by Council as head of the Finance Department and fiscal officer of the municipality, and may be removed at any time by an affirmative vote of five (5) Council members.
8. Section 3.05 – Director of Finance:
The Director of Finance shall be a certified public accountant licensed by the state of his/her residence as of the date of his/her appointment.
9. Section 3.07(4). - Boards and Commissions:
(4) ECONOMIC DEVELOPMENT BOARD
The Economic Development Board shall consist of the Director of Economic Development of the municipality and five (5) qualified electors of the municipality to be appointed by the Mayor. The appointed Board members shall hold no other municipal office or employment, or membership on any board or commission established by this Charter or by ordinance. Initial appointments of the five (5) Board members shall be terms of one (1), two (2), three (3), four (4) and five (5) years with subsequent appointments for five (5) years, except vacancies shall be filled only for the remainder of the unexpired term of the Board member being replaced. The Director of Administration or designee, and a

member of Council, selected by Council, shall serve as nonvoting members of the Board in an advisory capacity and shall attend all meetings.

The Economic Development Board shall act in an advisory capacity to the Director of Economic Development, City Council and the Mayor in developing and implementing the economic development philosophy of the City of North Canton. The Board shall work with City government and the general community to maintain and enhance the economic base for the City. The Board shall act as a liaison to the business community in retaining and attracting businesses and enterprises which will benefit and enhance the community.

The Economic Development Board shall have such powers as may be conferred on it by ordinance of Council.

ARTICLE IV – TAXATION AND FINANCE

10. Section 4.05. - Contracts and Purchasing:

The Mayor may, within the amounts and items appropriated by the Council, make purchases and enter into contracts in behalf of the municipality involving expenditures not in excess of the amount established from time to time by Section 735.05 of the OHIO REVISED CODE. No contract involving expenditures in excess of the amount as shall be established from time to time by Section 735.05 of the OHIO REVISED CODE shall be entered into without prior approval of the Board of Control.

The Board of Control for consideration and awarding of contracts shall consist of the Mayor, Director of Administration, Director of Finance, and Director of Law. All meetings of the Board of Control shall be open to the public. All actions of the Board of Control shall be by a vote of a majority of the members of the Board of Control.

No purchase or contract involving an expenditure in excess of the amount as shall be established from time to time by Section 735.05 of the OHIO REVISED CODE shall be made except with a qualified, responsible bidder submitting the lowest and best bid as determined by the Board of Control after advertising for bids in a newspaper of general circulation within the municipality on two successive weeks. The decision of the Board of Control as to the qualifications and responsibility of the bidder shall be final, provided the Board of Control acts in good faith. The Board of Control may reserve the right to reject any and all bids.

It is further provided, however, that the Board of Control may authorize contracts for personal services without advertising for bids and may authorize purchases or enter into contracts involving an expenditure in excess of the amount as shall be established from time to time by Section 735.05 of the OHIO REVISED CODE without advertising for bids if Council determines and declares by an affirmative vote of at least six (6) members that an emergency exists, sets forth the nature of the emergency in its minutes, and appropriates the necessary funds. For the purpose of this section, any reference in the OHIO REVISED CODE or in the Ordinances of the City of North Canton to a "Certified Check" shall include a "Cashier's Check."

ARTICLE V - NOMINATIONS, ELECTIONS, QUALIFICATIONS

11. Section 5.06. - Removal from Office:

The decision of Council to remove an elective officer shall be made only upon concurrence of five (5) or more members of Council after public hearing upon the charge or charges brought; such hearing to be presided over by a neutral and experienced trial judge mutually agreed upon by both Council and the accused elected officer. In the event of an impasse, the trial judge shall be appointed by the presiding judge of the Stark County Common Pleas Court; and, provided further, that the accused elective officer shall have been notified, in writing, of the charge or charges against the elective officer at least fifteen (15) days in advance of such public hearing; and, provided further, that the accused elected officer's counsel shall have been given an opportunity to be heard, present evidence, and examine witnesses appearing in support of such charge or charges.

ARTICLE VII -TRANSITIONAL PROVISIONS

12. Recommendation is to delete Article VII in its entirety, as the Charter was long ago implemented according to this procedure.

**Committee of the Whole
Meeting Agenda**

There will be a meeting of the Committee of the Whole Monday, June 4, 2007 at 7:00 p.m. in the Council Chamber at North Canton City Hall.

Items will be discussed as time allows; not necessarily in the order indicated.

1. Ordinance, Rules & Claims Committee

Chairman: Jon Snyder
Vice Chairperson: Susie Hines
Member: Doug Lane

- a. Section 2.04. – Meetings (paragraph 3)
Jon Snyder
- b. Section 2.06. - Council Relationship to Administrative Officers
Jon Snyder
- c. Section 3.01(5). - The Mayor
Jon Snyder
- d. Section 3.01(last paragraph) – The Mayor
Jon Snyder
- e. Section 3.02 (2nd sentence) - The Director of Administration:
Jon Snyder

- f. Section 3.04. - Director of Law:
Jon Snyder
- g. Section 3.05. - Director of Finance:
Jon Snyder
- h. Section 3.05 – Director of Finance:
Jon Snyder
- i. Section 3.07(4). - Boards and Commissions
Jon Snyder
- j. Section 4.05. - Contracts and Purchasing
Jon Snyder
- k. Section 5.06. - Removal from Office
Jon Snyder
- l. ARTICLE VII -TRANSITIONAL PROVISIONS
Jon Snyder

2. Street & Alley Committee

Chairman: Doug Lane
Vice Chairman: Doug Foltz
Member: Jim Repace

- a. Applegrove Right-of-Way Acquisitions
Doug Lane

3. Water, Sewer & Rubbish Committee

Chairperson: Kathy Magel
Vice Chairman: Jon Snyder
Member: Susie Hines

- a. Source Water Assessment and Protection Program Committee
Kathy Magel

4. Finance & Property Committee

Chairman: Pat DeOrio
Vice Chairperson: Kathy Magel
Member: Doug Foltz

- a. Income Tax Increase
Pat DeOrio

- b. Purchase of Water Treatment Plant Chemicals
Pat DeOrio
- c. Employees' Life Insurance - Renewal
Pat DeOrio
- d. Employees' Health Insurance – Renewal
Pat DeOrio
- e. Purchase of Rock Salt
Pat DeOrio
- f. Supplemental Appropriation Request – Income Tax Fund to Refunds
Pat DeOrio

**Special Council Meeting
Monday, June 4, 2007**

Notice is hereby given that a **Special Meeting** of the Council of the City of North Canton will be held **Monday, June 4, 2007 immediately following the Committee of the Whole meeting** in the Council Chamber at the North Canton City Hall, pursuant to a roll call vote taken at the May 29, 2007 council meeting for consideration of the following:

- 1. Call to Order
- 2. Roll Call
- 3. **Ordinance No. 62-07 – 1st Reading – Water, Sewer & Rubbish**

An ordinance authorizing the Mayor of the City of North Canton to enter into an amended Agreement for residential garbage, rubbish, recyclables and yard waste by and between the City of North Canton and Republic Waste Systems, by the addition of a Yard Waste Recycling Program ("Program"), and declaring the same to be an emergency.

- 4. **Ordinance No. 63-07 – 1st Reading – Water, Sewer & Rubbish**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated balance of the Garbage Service Fund to the Contract Payments Account in the amount of \$20,000 for the current expenses during the fiscal year ending December 31, 2007, and declaring the same to be an emergency.

5. **Ordinance No. 64-07 – 1st Reading – Street & Alley**

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration for the Lipton Avenue SW (Orchard Hill to Hallum) Storm Sewer and Street Rehabilitation Project.

6. **Ordinance No. 65-07 – 1st Reading – Street & Alley**

An ordinance authorizing the supplemental appropriation of funds of the City of North Canton, Ohio, to be appropriated from the unappropriated balance of the Capital Improvement Fund to the Contract Payment Account in the amount \$291,422.00 for the current expenses during the fiscal year ending December 31, 2007, and declaring the same to be an emergency.

7. **Ordinance No. 66-07 – 1st Reading – Street & Alley**

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration, and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a contract for the 6th Street Avenue NE (North Main to Park) Rehabilitation Project, at a cost not to exceed \$220,000.00, and declaring the same to be an emergency.

8. **Ordinance No. 67-07 – 1st Reading – Street & Alley**

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids according to specifications now on file in the office of the Director of Administration, and for the Mayor of the City of North Canton to be authorized, through the Board of Control, to enter into a contract for the Grassmere Street SE Storm Sewer Replacement Project, at a cost not to exceed \$80,000.00, and declaring the same to be an emergency.

9. **Adjourn**

Gail M. Kalpac
Clerk of Council

5/30/07

c: Council, Director of Law
Mayor, D/Administration
D/Finance, City Engineer
Supt., P&I, Police Chief
Fire/EMS Chief, Press