



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 on Monday June 22, 2020 at 7:00 PM** via teleconference. See attached agenda for matters to be discussed.

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, June 22, 2020.

https://youtu.be/ig7_EAZmYfg

THOSE WISHING TO PARTICIPATE IN RECOGNITION OF VISITORS at the Council Meeting on Monday, June 22, 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, June 22, 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, June 22, 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:

06/19/2020

Date


Benjamin R. Young
Clerk of Council

NORTH CANTON CITY COUNCIL MEETING
June 22, 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 from June 1, 2020 Public Meeting on Ordinance 23-2020
 - b. Minutes from June 1, 2020 Special Committee of the Whole
 - c. Minutes from June 8, 2020 City Council Meeting
6. Recognition of Visitors
7. Old Business
 - a. **Ordinance No. 19-2020 – 3rd Reading, Community and Economic Development Committee**
An ordinance implementing sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of a community reinvestment area in the City of North Canton, designating a housing officer to administer the program, creating a community reinvestment area housing council, and a tax incentive review council.
 - b. **Ordinance No. 27-2020 – 3rd Reading, Personnel and Safety Committee**
An ordinance to amend Chapter 111, of the Codified Ordinances of the City of North Canton specifically Section 111.12 Salaries and Bonds in order to establish amounts for public officials surety bonds.
 - c. **Ordinance No. 30-2020 – 3rd 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, 2020.
 - d. **Ordinance No. 34-2020 – 2nd Reading, Community and Economic Development Committee**
An ordinance amending Part Eleven, Planning and Zoning, of the Codified Ordinances of the City of North Canton, specifically, Chapter 1181, Amendments, as described below.
 - e. **Resolution No. 03-2020 – 2nd Reading, Personnel and Safety Committee**
A resolution authorizing the pick-up of employee contributions for the voluntary purchase of military service credit for City of North Canton eligible, full-time employees of the City's Police and Fire/EMS Departments, who are members of the Ohio Police & Fire Pension Fund, through a payroll reduction pickup plan.

8. New Business

a. Ordinance No. 36-2020 – 1st Reading, Street and Alley Committee

An ordinance authorizing the Director of Administration of the City of North Canton to advertise and receive bids, according to specifications now on file in the Director’s office for the construction of sidewalk along the north side of 7th Street NE between Woodside Avenue and Weber Avenue (the “Project”), and declaring the same to be an emergency.

b. Resolution No. 05-2020 – 1st Reading, Finance and Property Committee

A resolutions declaring the City of North Canton’s necessity and intent, for the purpose of constructing a safety service center, to appropriate the fee simple title and interest in and to the premises described in the general warranty deed attached hereto and incorporated herein as Exhibit “A”, 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. Meetings Calendar

- a. June 29, 2020 – Committee of the Whole (Virtual)
- b. July 2, 2020 – Committee of the Whole (Virtual)
- c. July 13, 2020 – City Council (Virtual) (Last meeting before summer break)
- d. August 17, 2020 – Committee of the Whole (Council returns from summer break)

13. Council may hold an executive session if a majority of a quorum of its members determine, by a roll-call vote, to hold an executive session for the sole purpose of discussing with the Director of Law an ongoing legal dispute involving the public body that is subject to imminent court action.

14. Adjourn

North Canton City Council
Community and Economic Development Committee

ORDINANCE 19 - 2020

An ordinance implementing sections 3735.65 through 3735.70 of the Ohio Revised Code, establishing and describing the boundaries of a community reinvestment area in the City of North Canton, designating a housing officer to administer the program, creating a community reinvestment area housing council, and a tax incentive review council.

WHEREAS, North Canton City Council (hereinafter “City Council”) desires to pursue all reasonable and legitimate incentive measures to assist and encourage development in the City that have not enjoyed reinvestment for remodeling or new construction; and

WHEREAS, the Mayor and City Council desire to pursue all reasonable and legitimate incentive measures to assist and encourage development; and

WHEREAS, a survey of housing has been prepared for the area to be included in the proposed Community Reinvestment Area (“CRA”) and is incorporated herein by this reference; and

WHEREAS, the demolition and subsequent new construction of dwellings in the CRA would serve to encourage economic stability, maintain and grow real property values, and generate new employment opportunities; and

WHEREAS, the remodeling of existing commercial or industrial structures, and the construction of new commercial or industrial structures in the CRA would serve to encourage economic stability, maintain and grow real property values, and generate new employment opportunities; and

WHEREAS, the demolition and subsequent new construction of dwellings, the remodeling of existing commercial or industrial structures, and the construction of new commercial or industrial structures in the CRA constitute a public purpose for which real property exemptions may be granted.

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

- Section 1. That area designated as the North Canton Community Reinvestment Area constitutes an area in which housing facilities or structures of historical significance are located, and in which new construction or remodeling of existing structures has been discouraged.
- Section 2. That pursuant to ORC Section 3735.66, the North Canton Community Reinvestment Area is hereby established and shall consist of all parcels of land located within and bounded by the North Canton municipal corporation limits, as depicted in the outlined area on the map attached hereto as “Exhibit A” and incorporated herein by this reference, and wherein only those dwellings, and commercial or industrial properties, consistent with applicable zoning regulations, and otherwise satisfying the requirements of ORC Section 3735.67 and this ordinance, are eligible for incentives hereunder
- Section 3. That the classification of the structures or remodeling eligible for the CRA incentive shall at all times be consistent with zoning restrictions applicable to the area.
- Section 4. That this proposal is a public/private partnership intended to promote and expand conforming uses in the CRA, and the City intends to support the public improvements.
- Section 5. That the percentage of the tax exemption on the increase in the assessed valuation resulting from improvements to commercial or industrial real properties in the CRA and the term of those exemptions shall be negotiated on a case-by-case basis in advance of construction or remodeling occurring according to the rules outlined in ORC Section 3765.67. The results of the negotiation, as approved by City Council, shall be set in writing in a CRA agreement as outlined in ORC Section 3735.671.

For residential property, a tax exemption on the increase in the assessed valuation resulting from the demolition and new construction of a structure, as described in ORC Section 3735.67, shall be granted upon application by the property owner and certification thereof by the designated housing officer. The period of the tax exemption and the percentage of the tax exemption for the demolition and subsequent new construction of every dwelling, the tax exemption for the remodeling of existing commercial or industrial structures, or combination thereof, and for the construction of new commercial or industrial, or combination thereof, properties are as follows:

- a. For the demolition and subsequent new construction of every dwelling containing not more than four (4) family units, upon which the cost of the new construction is at least \$250,000 per unit, as described in ORC Section 3735.67, the tax exemption shall be granted for a period of twelve (12) years with such exemption being equal to one hundred percent (100%) of the increase in the assessed valuation resulting from such improvements for each of the twelve (12) years.
 1. The City may accept no more than ten (10) residential CRA abatement agreements per year unless specifically authorized by Council.
- b. For the demolition and subsequent new construction of every dwelling containing more than four (4) family units, upon which the cost of the new construction is at least \$1,000,000, as described in ORC Section 3735.67, the tax exemption shall be granted for a period of fifteen (15) years with such exemption being equal to one hundred percent (100%) of the increase in the assessed valuation resulting from such improvements for each of the fifteen (15) years.
- c. For the remodeling of existing commercial or industrial structures, or some combination thereof, and upon which the cost of remodeling is at least \$250,000, as described in ORC Section 3735.67, the term and percentage of the tax exemption shall be negotiated on a case-by-case basis in advance of the commencement of the remodeling, with the maximum term of such exemption being a period of fifteen (15) years and the maximum exemption being equal to one hundred percent (100%) of the increase in the assessed valuation resulting from such improvements.
- d. For the construction of new commercial or industrial structures, or some combination thereof, and upon which the cost of construction and remodeling is at least \$250,000 as described in ORC Section 3735.67, the term and percentage of the tax exemption shall be negotiated on a case-by-case basis in advance of the commencement of the construction, with the maximum term of such exemption being a period of fifteen (15) years and the maximum exemption being equal to one hundred percent (100%) of the increase in the assessed valuation resulting from such new construction.

For the purposes of the above-described CRA, dwellings containing not more than four (4) family units shall be classified as residential structures, and dwellings containing more than four (4) family units shall be classified as commercial structures.

If remodeling qualifies for an exemption during the period of the exemption, the exempted percentage multiplied by the dollar amount of the increase in the assessed valuation of the structure resulting from such improvements shall be exempt from real property taxation.

Exemptions beyond fifty percent (50%) of the increase on assessed valuation must also receive approval from the School Board in whose district the property sits in accordance with ORC Section 3735.671(A)(1).

When the City Council determines construction or remodeling of a commercial or industrial property may involve exemption from taxation pursuant to 3735.67 of the Ohio Revised Code it shall, at the earliest practical time, notify the appropriate Board of Education and shall assist in negotiations if the Superintendent of Schools deems it appropriate.

- Section 6. All residential projects are required to comply with the state application fee requirement of ORC Section 3735.672(C) and the local monitoring fee of \$50 annually, unless otherwise waived by the City Council.
- Section 7. That all commercial and industrial projects are required to comply with the state annual fee requirement of ORC Section 3735.671(D), and a local application fee of \$100.00 unless otherwise waived by the City Council.
- Section 8. To administer and implement the provisions of this Ordinance, the City Director of Administration is designated as the “Housing Officer” as described in ORC Sections 3735.65 through 3735.70.
- Section 9. That a CRA Housing Council (hereinafter “CRA Housing Council”) shall be created, and the City may designate the current Housing Council to serve in a dual role as the CRA Housing Council. Terms and appointments of the members of the CRA Housing Council shall be the same as the current City Housing Council. An unexpired term resulting from a vacancy in the CRA Housing Council shall be filled in the same manner as the initial appointment was made. ORC 3735.69.
- A Tax Incentive Review Council shall be established pursuant to ORC Section 5709.85 and shall consist of three representatives appointed by the Board of County Commissioners, two representatives of the City of North Canton appointed by the Mayor of North Canton with Council concurrence, the County Auditor or its designee and a representative of each affected Board of Education; at least two members must be residents of the City of North Canton. The Tax Incentive Review Council shall review annually the compliance of all CRA agreements involving the granting of exemptions for commercial or industrial real property improvements under ORC Section 3735.671, and make written recommendations to City Council as to continuing, modifying or terminating said CRA agreements based upon the performance of the terms and conditions of said agreements.
- Section 10. That the City Council reserves the right to re-evaluate the designation of the North Canton Community Reinvestment Area on an annual basis beginning December 31, 2020, at which time the City Council may direct the housing officer not to accept any new applications for exemptions as described in ORC Section 3735.67.
- Section 11. That the CRA Housing Council shall make an annual inspection of the properties within the Community Reinvestment Area for which an exemption has been granted under ORC Section 3735.67. The CRA Housing Council shall also hear appeals under ORC Section 3735.70.
- Section 12. That pursuant to ORC Section 3735.68, the housing officer may suspend or terminate the tax exemption at any time after the first year of the exemption if he/she finds that the subject property is not being properly maintained or repaired due to neglect of the property owner. Once suspended, the tax exemption shall not be reinstated except for good cause shown.
- Section 13. If the owner of commercial or industrial property exempted from taxation under ORC Section 3735.67 has materially failed to fulfill its obligations under the written agreement entered into under section ORC Section 3735.671, or if the owner is determined to have violated division (E) of that section, City Council, subject to the terms of the agreement, may revoke the exemption at any time after the first year of exemption. Additionally, if the agreement entered into under ORC Section 3735.671 so provides, City Council may require the owner of property whose exemption has been revoked to reimburse the taxing authorities within whose taxing jurisdiction the exempted property is located for the amount of real property taxes that would have been payable to those authorities had the property not been exempted from taxation.
- Section 14. That the Mayor, Director of Finance, Director of Law, and other City officials, as appropriate, be and are hereby authorized to execute, certify and/or furnish other

such documents and do all other actions as are necessary to create and establish the North Canton CRA and which are incidental to carrying out the purpose of this ordinance.

Section 15. That if any term, provision, or condition of this ordinance is held by a court of competent jurisdiction to be illegal, void, or unenforceable, the rest of this ordinance shall remain in full force and effect and shall in no way be affected, impaired, or invalidated, unless such ruling shall materially alter the economic effect of this ordinance.

Section 16. 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 _____ 2020.

Attest: _____
Benjamin R. Young, Clerk of Council

Stephan B. Wilder, Mayor

Signed: _____

North Canton City Council
Personnel and Safety Committee

ORDINANCE 27 - 2020

An ordinance to amend Chapter 111, of the Codified Ordinances of the City of North Canton specifically Section 111.12 Salaries and Bonds in order to establish amounts for public officials surety bonds.

WHEREAS, Section 4.04 of the Charter of the city of North Canton grants Council the power to set bond and surety amounts for public officials of the city of North Canton; and

WHEREAS, it is in the interest of the financial security of the City to ensure that public officials have given bond to guard against theft, fraud, neglect or misuse of public funds and public resources by such officials.

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

Section 1. That Chapter 111, of the Codified Ordinances of the City of North Canton specifically Section 111.12 Salaries and Bonds, be, and is hereby amended to read as follows:

- (a) Salaries and Bonds for all elected officials and appointed officials and City employees shall be as established by Council.
- (b) The public officials of the City of North Canton shall give bond in the amounts set below with premiums for such bonds to be paid by the City.
 - a. The Mayor and Director of Administration shall give bond in the amount of \$50,000.
 - b. The Director of Finance shall give bond in the amount of \$250,000.

Section 2. 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 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this _____ day of _____ 2020.

Attest: _____
Benjamin R. Young, Clerk of Council

Stephan B. Wilder, Mayor

Signed on: _____

North Canton City Council
Finance and Property Committee

ORDINANCE 30 - 2020

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, 2020.

WHEREAS, the City has received the forfeited security deposit from R&S Golf relating to the Arrowhead golf course to be used for facilities maintenance; and

WHEREAS, the City seeks to establish a community farmer's market and related funds for the establishment thereof in anticipation of expenses which shall be offset by related sponsorship income; and

WHEREAS, there is a carry over balance of \$4,100.00 from the donations for United States flags along Main Street; and

WHEREAS, the City is obligated to meet certain compensation requirements related to the recent departure of three employees.

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, 2020, the following funds, be, and are hereby set aside and appropriated as follows:

GENERAL FUND			
101.313	Golf Course	Maintenance of Facilities	\$ 76,100.00
INCOME TAX FUND			
203.631	Income Tax	Professional Services	\$210,000.00
GENERAL TRUST FUND			
212.416	Farmer's Market	Sponsorships	\$ 5,000.00
212.627	Main Street US Flags	2019 Carryover	\$ 4,100.00
COMPENSATED ADSENCES FUND			
214.543	Street/Transportation	Termination/Retirement	\$ 4,200.00
214.627	General Government	Termination/Retirement	\$ 6,700.00
214.745	Utilities	Termination/Retirement	\$ 15,100.00
TOTAL SUPPLEMENTAL APPROPRIATIONS			\$321,200.00

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 _____ 2020.

Attest: _____
Benjamin R. Young, Clerk of Council

Stephan B. Wilder, Mayor

Signed on: _____

North Canton City Council
Community and Economic Development

ORDINACE 34 - 2020

An ordinance amending Part Eleven, Planning and Zoning, of the Codified Ordinances of the City of North Canton, specifically, Chapter 1181, Amendments, as described below.

WHEREAS, the City seeks to establish a more stable and consistent system for recommending zoning amendments based best practices.

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

Section 1. That Part Eleven, Planning and Zoning, of the Codified Ordinances of the City of North Canton, specifically, Chapter 1181, Amendments, be, and is hereby amended as follows:

1181.01 AUTHORITY FOR AMENDMENTS.

Whenever the public necessity, general welfare, or good zoning practices require, City Council may, by ordinance, amend, or revise Title One, Subdivision Control, and Title Three, Zoning Regulations, of this code, or amend, supplement, change, or repeal the boundaries or classification of property according to the procedures set forth in this Chapter and subject to the procedures provided by law.

City Council may, by ordinance, rearrange, renumber, or recodify any provision of the Planning and Zoning code or amend or revise any provisions of Title Five, Administration, of this Code through the regular legislative process as defined by the Charter and Rules of Council.

1181.02 INITIATION OF ZONING AMENDMENTS.

Amendments to the Zoning Ordinance, either Titles One, Subdivision Regulations, or Three, Zoning Regulations, or map, shall be initiated by filing an application to the Clerk of Council by:

- (a) at least one owner or lessee of the property or developer with an option on such property within the area proposed to be changed or affected by said amendment;
- (b) a Planning Commission motion;
- (c) a City Council resolution; or
- (d) a written request from the Mayor.

1181.03 AMENDMENT APPLICATIONS

An amendment initiated by any legal means shall be submitted and reviewed according to the following:

(a) Discussion with Planning Commission. An owner, lessee, or developer applicant must meet with the, Chief Building Official, or designee, prior to submitting an application for an amendment to the Zoning Ordinance. The purpose of this meeting is to discuss early and informally with the applicant the purpose and effect of these zoning regulations and the criteria and standards contained within. No action shall be taken at such a meeting, and no discussions, opinions, suggestions, or recommendations of the, Chief Building Official, or designee may be relied upon by the applicant to indicate subsequent approval or disapproval of the proposed amendment.

(b) Submission Requirements. Applications, motions, or resolutions for proposed amendments shall contain at least the following information:

- (1) The name, address, and phone number of the applicant and the property owner if other than the applicant;
- (2) A statement of the reason(s) for the proposed amendment;
- (3) A statement on the ways in which the proposed amendment relates to the Comprehensive Land Use Plan; and,
- (4) The payment of the application fee as established by Council.

(c) Amendments to the Zoning Map adopted as part of this Zoning Ordinance shall contain the following additional information:

- (1) Legal description of the parcel(s) to be rezoned, drawn by a registered surveyor;
- (2) Present use and zoning district;

(3) Proposed use and zoning district; and

(4) A vicinity map at a scale approved by the Chief Building Official showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Chief Building Officer may require;

(5) A list of all property owners lying within 200 feet of any part of the property on which the zoning amendment is requested, including the addresses, and permanent parcel number as shown upon the County auditor's current tax list;

(6) Existing topography at two-foot contour intervals of the property to be rezoned and extending at least 200 feet outside the proposed site, including property lines, easements, street rights-of-ways, existing structures, trees and landscaping features existing thereon;

(d) Referral to Planning Commission. After the filing of a completed application by an owner, lessee of property or developer with an option on such property, the planning commission, or City Council, the Clerk of Council shall transmit the application, motion or resolution to Council. Council may then, by voice vote, recommend transmission of the application to the Planning Commission to begin the adoption process set forth in Sections 1181.05 through 1181.08.

1181.04 (REPEALED)

1181.05 PUBLIC MEETING AND NOTICE BY PLANNING COMMISSION.

Upon the receipt of an application, motion, or resolution, to amend Titles One, Subdivision Regulations, or Three, Zoning Regulations, the Planning Commission shall set a date for a public meeting thereon. Notice of the public meeting shall comply with the following:

(a) Whenever a proposed map amendment involves 10 or fewer parcels, written notification of the meeting shall be given by first class mail to the applicant and to all owners of property located within 200 feet of the property proposed to be rezoned or redistricted as shown upon the records of the Stark County Auditor, or the list of property owners furnished by the applicant;

(b) Notice shall be given in one or more newspapers of general circulation in the City;

(c) All notices shall be made at least seven days prior to the date of the public meeting; and

(d) Notices shall include the time and place of the public meeting, a summary of the proposed amendment, and a statement that an opportunity to be heard will be afforded to any interested person. Failure of delivery of such notice shall not invalidate any such amendment.

1181.06 RECOMMENDATION BY THE PLANNING COMMISSION.

(a) After the conclusion of the public meeting as required in Section 1181.05, the Planning Commission shall recommend one of the following to City Council:

(1) That the amendment to Title One or Three be granted as requested;

(2) That the amendment to Title One or Three be granted as modified by the Planning Commission; or

(3) That the amendment to Title One or Three be denied.

(b) The Planning Commission shall submit its recommendation in writing to the Clerk of Council who shall place it Council's docket.

(c) If the Planning Commission does not make a recommendation on the proposed amendment within 45 days of receipt of the application, or provide an extended period agreed by the applicant or City Council, the application shall be deemed denied.

1181.07 PUBLIC MEETING AND NOTICE BY COUNCIL.

Upon receipt of the recommendation from the Planning Commission, or, if the planning Commission fails to make a recommendation on the proposed amendment within 15 days of its receipt of the application and has not extended this period, Council shall set a time for a public meeting on the proposed amendment.

(a) Notice of the public meeting shall be given by Council according to the following:

(1) Whenever a proposed map amendment proposes to rezone 10 or fewer parcels, written notification of the meeting shall be given by first class mail to the applicant and to all owners of property located within 200 feet of the property proposed to be rezoned or redistricted as shown upon the records of the Stark County Auditor, or the list of property owners furnished by the applicant;

(2) Notice of the proposed amendment shall be published at least 30 days prior to the date of the public meeting in one or more newspapers of general circulation in the City;

(3) Notices shall include the time and place of the public meeting, a summary of the proposed amendment, and a statement that an opportunity to be heard will be afforded to any interested person. Failure of delivery of such notice shall not invalidate any such amendment.

(b) During the 30 days prior to the public meeting, the text of the proposed amendment, maps or plans, if applicable, and the Planning Commission’s recommendation, shall be on file for public examination in the office of the Clerk of Council or in such other office as is designated by Council.

1181.08 ACTION BY COUNCIL.

After the conclusion of the public meeting required in Section 1181.07, Council shall take action on the proposed amendment as follows:

- (a) Adopt the Planning Commission’s recommendation;
- (b) Deny the Planning Commission’s recommendation; or
- (c) Adopt some modification thereof.

Section 2. 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 3. That this ordinance shall take effect and be in full force from and after the earliest period allowed by law.

Passed in Council this _____ day of _____ 2020.

Attest: _____
Benjamin R. Young, Clerk of Council

Stephan B. Wilder, Mayor

Signed on: _____

North Canton City Council
Personnel and Safety Committee

Resolution 3 - 2020

A resolution authorizing the pick-up of employee contributions for the voluntary purchase of military service credit for City of North Canton eligible, full-time employees of the City's Police and Fire/EMS Departments, who are members of the Ohio Police & Fire Pension Fund, through a payroll reduction pickup plan.

WHEREAS, certain full-time employees of the City's Police and Fire/EMS Departments participate in the Ohio Police and Fire Pension Fund ("OP&F"); and

WHEREAS, the City desires to offer a pick-up for the voluntary purchase of military service credit, as provided for in Section 742.56 of the Ohio Revised Code and 742-5-08 of the Ohio Administrative Code, for participating full-time employees of said departments, who are members of OP&F and members of the applicable bargaining units; and

WHEREAS, OP&F has adopted procedures for reporting picked up contributions in order to properly prepare 1099-R forms for its members pursuant to Section 742.32 of the Ohio Revised Code and Section 742-7-14 of the Ohio Administrative Code; and

WHEREAS, employers may pay all or a part of the voluntary contributions for the purchase of military service credit for eligible employees participating in OP&F.

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

- Section 1. That the City desires to offer to pick-up all or part of the voluntary contributions through a payroll deduction for the purchase of military service credit by employees who are members of OP&F and the applicable Police and Fire/EMS Departments' bargaining units. The bargaining units are described in Exhibit A, which is made a part of this resolution. No contributions made prior to the Council's action shall be picked-up.
- Section 2. That said picked up contributions paid through a payroll reduction, even though designated as employee contributions for state law purposes, are being paid by the City in lieu of said contributions by the participating employees.
- Section 3. That the pickup treatment does not apply to contributions made prior to the date the resolution is signed or effective.
- Section 4. That said employees shall not be entitled to any option of choosing to receive the contributed amounts directly instead of having them paid by the City to OP&F.
- Section 5. That said employees must execute OP&F's Irrevocable Payroll Deduction Authorization form in order to have this pick-up treatment apply and that the applicable Departments must certify the authorization under Ohio Administrative Code 742-5-08.
- Section 6. That if a provision of this resolution is or becomes illegal, invalid, or unenforceable, that shall not affect the validity or enforceability of any other provision of this resolution.
- Section 7. 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.

Attest: _____
Benjamin R. Young, Clerk of Council

Stephan B. Wilder, Mayor

Signed on: _____

**Police & Fire Department Bargaining Units Eligible for Payroll Deduction for
Picked Up Voluntary Contributions to OP&F for Military Service Credit**

- Fraternal Order of Police, Lieutenants & Sergeants;
- Ohio Patrolmen's Benevolent Association (Full-Time Patrolmen);
- Ohio Patrolmen's Benevolent Association (Full-Time and Lead Dispatcher); and
- North Canton Professional Firefighter and Paramedic Association

North Canton City Council
Street and Alley Committee

ORDINANCE 36 - 2020

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 Director's office for the construction of sidewalk along the north side of 7th Street NE between Woodside Avenue and Weber Avenue (the "Project"), and declaring the same to be an emergency.

WHEREAS, the construction of sidewalk along 7th Street NE is an anticipated project of the City for fiscal year 2020 for which the City has allocated \$70,000.00; and

WHEREAS, the city wishes to advertise and receive bids for the project in a prompt and timely fashion to facilitate the completion of the Project during the summer of calendar year 2020.

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 according to specifications now on file in the Director's office, for the construction of sidewalk along the north side of 7th Street NE between Woodside Avenue and Weber Avenue.

Section 2. 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 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the health, safety and peace of the City of North Canton; and; further necessary to allow for a prompt bidding process and completion of the project during the summer of 2020, 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 _____ 2020.

Attest: _____
Benjamin R. Young, Clerk of Council

Stephan B. Wilder, Mayor

Signed on: _____

North Canton City Council
Finance and Property Committee

Resolution 05 - 2020

A resolutions declaring the City of North Canton's necessity and intent, for the purpose of constructing a safety service center, to appropriate the fee simple title and interest in and to the premises described in the general warranty deed attached hereto and incorporated herein as Exhibit "A", and declaring the same to be an emergency.

WHEREAS, This Council considers it necessary and declares its intent to appropriate, for the purpose of constructing a safety service center, the fee simple title and interest in and to the Premises (the "Premises") described in the general warranty deed attached hereto and incorporated herein as Exhibit "A"; and

WHEREAS, the Mayor is authorized to cause written notice of this resolution to be given to the owner and persons in possession or having an interest of record in the Premises.

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

- Section 1. That this Council considers it necessary and declares its intent to appropriate, for the purpose of constructing a safety service center, the fee simple title and interest in and to the Premises described in the general warranty deed attached hereto and incorporated herein as Exhibit "A".
- Section 2. That the Mayor is authorized to cause written notice of this resolution to be given to the owner and persons in possession or having an interest of record in the Premises.
- Section 3. 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 4. 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 continue with eminent domain court proceedings during City Council's scheduled summer break, 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 _____ 2020.

Attest: _____
Benjamin R. Young, Clerk of Council

Stephan B. Wilder, Mayor

Signed on: _____



ALAN HAROLD
Stark County Auditor
FEE 615-

AUG 10 2018

Instr: 201806100031733
P: 1 of 2 F: \$28.00 8/10/2018
Rick Campbell 3:10 PM DEED
Stark County Recorder T20180029323

TRANSFERRED .50
~~TRANSFER NOT NECESSARY~~
DEPUTY [Signature]
IN COMPLIANCE WITH ORC 519.202

GENERAL WARRANTY DEED FOR A CORPORATION

GENERAL WARRANTY DEED*

East Central Ohio Food Dealers Association Inc., an Ohio Corporation (Grantor), for valuable consideration paid, grant(s) with general warranty covenants to, GBJ3 Enterprises LLC (Grantee), whose tax-mailing address is _____, the following REAL PROPERTY:

See Exhibit "A" attached hereto and made a part hereof.

Parcel No.: 9207429

Easement to The Ohio Power Company recorded in Volume 937, Page 60, Stark County, Ohio Records.

Easement to The Ohio Bell Telephone Company recorded in Volume 3618, Page 512, Stark County, Ohio Records.

Agreement for driveway in common recorded in O.R. Volume 288, Page 373, Stark County, Ohio Records.

EXCEPTIONS TO THE WARRANTIES: Except as hereinbefore provided, except all easements, leases, conditions and restriction of record, if any, and except real estate taxes for the year 2017, and thereafter, for which taxes any adjustment has been made between the parties and which, therefore, the grantees herein assume and agree to pay.

Prior Instrument Reference: Vol. 430, Pg. 494, of the Official Records of Stark County, Ohio.

EXECUTED BY the said Grantor who has set its hand this 10TH day of August, 2018.

East Central Ohio Food Dealers Association Inc., an Ohio Corporation

By: [Signature]
Glen Sayre, President

State of Ohio, County of Stark, ss.

BE IT REMEMBERED, That on this 10TH day of August, before me, a subscriber, a Notary Public in and for said state, personally came, East Central Ohio Food Dealers Association Inc., an Ohio Corporation, by Glen Sayre, President, who acknowledge that he did sign the foregoing instrument and that the same is the free act and deed of said Corporation and its free act and deed personally and as such officer.

IN TESTIMONY THEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



William R. Sparks, Attorney At Law
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Sec. 147.03 R.C.

[Signature]

009467

9207429 TICS ALL 08/10/2018 SOLD

GENERAL WARRANTY DEED FOR A CORPORATION

THIS INSTRUMENT PREPARED BY:
 William R. Sparks, Attorney at Law
 3930 Fulton Dr. NW, #106
 Canton, OH 44718

Notary Public-State of Ohio
 My Commission Expires: (Notary)

Exhibit "A"

Situated in the City of North Canton, County of Stark and State of Ohio:

Situated in the State of Ohio, County of Stark, Township of Plain (T-11,R-9) and part of the Northeast Quarter of Section 7 and being part of Out Lot 206 in the City of North Canton and also being part of an original 2.329 acre parcel, the deed of which is recorded in Volume 3554, Page 234 of the Stark County Records and more fully described as follows:

Commencing for reference at the northeast corner of said Northeast Quarter Section; thence N86°20'09"W, along the north line of said Northeast Quarter Section and the centerline of Applegrove Street N.E., a distance of 1107.42 feet to the centerline of North Main Street; thence S13°54'24"E, as stated in said Deed Volume 3554, Page 234, along said centerline of North Main Street, a distance of 682.20 feet to the northwest corner of said original 2.329 acre parcel; thence S86°26'30"E, along the north line of said original parcel, a distance of 208.24 feet to a railroad spike set at the true point of beginning of the parcel herein described;

1. Thence continuing S86°26'30"E, along said north line, a distance of 188.21 feet to a 3/4" rebar set in the east line of said Out Lot 206;
2. Thence S03°48'36"W, along said east Out Lot line, a distance of 329.48 feet to a capped pin found in the northerly right-of-way line of Holl Road N.E. (50' wide);
3. Thence N85°42'44"W, along said right-of-way line, a distance of 25.66 feet to a capped pin found at a point of curvature;
4. Thence continuing along said right-of-way line being the arc of a curve to the left, having a central angle of 11°32'00", a radius of 588.34 feet, a chord of 118.23 feet bearing S88°31'16"W and a tangent distance of 59.42 feet for an arc length of 118.43 feet to a capped pin found;
5. Thence N13°56'24"W, along a westerly line of said original parcel, a distance of 145.00 feet to a capped pin found;
6. Thence N03°33'30"E, a distance of 201.24 feet to the true point of beginning and containing 1.368 acres, more or less.

This description is based upon a survey performed by David R. Broensen, Surveyor No. 6595 on November 27, 1984