

North Canton City Council
Community and Economic Development Committee

ORDINANCE 22 - 2020

An ordinance authorizing the Mayor of the City of North Canton to enter into an agreement with the Stark County Commissioners to accept and utilize the Stark County Community Development Block Grant Program ("CDBG Program") for Fiscal Years 2021, 2022, and 2023, and declaring the same to be an emergency.

WHEREAS, the Board of Stark County Commissioners participates in the U.S. Department of Housing and Urban Development Community Development Block Grant Program; and

WHEREAS, the City desires the opportunity to participate in the Department of Housing and Urban Development Community Development Block Grant and receive funds from such program; and

WHEREAS, no participating political units may be excluded from the program and the Stark County Commissioners requested the City's signed agreement for fiscal years 2021, 2022, and 2023 by June 7, 2020.

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

Section 1. That the Mayor of the City of North Canton, be, and is hereby authorized to enter into an agreement with the Stark County Commissioners to accept and utilize the Stark County Community Development Block Grant Program for Fiscal Years 2021, 2022, and 2023, as attached hereto and incorporated herein as "Exhibit A".

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; to meet the County's requested filing deadline of June 7, 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 11th day of May 2020.

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

Stephan B. Wilder
Stephan B. Wilder, Mayor

Signed on: May 12, 2020

Agreement

Stark County Commissioners

With _____

Dated _____

Subject CITY OF NORTH CANTON
COMMUNITY DEVELOPMENT BLOCK GRANT AGREEMENT

THIS AGREEMENT, entered into this day, by and between the Board of Stark County Commissioners of Stark County, Ohio, hereinafter referred to as the "County," and duly authorized through a resolution of the Board of Stark County Commissioners adopted on this day, and the City of North Canton, Ohio, hereinafter called "City" and duly authorized through the enactment of Ordinance No. 22-2020 of the Council of the City.

WITNESSETH:

WHEREAS, The Congress of the United States has enacted the Housing and Community Development Act of 1974, which has as its primary objective the development of viable urban communities, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate incomes; and

WHEREAS, both the City and County are desirous of entering into community development activities within Stark County, which are directed toward said objective and are desirous of seeking such federal funding as may be available to them pursuant to the Act; and

WHEREAS, the Act contemplates and encourages the joining by agreement of counties and municipalities for the purpose of carrying out the objectives of the Act; and

WHEREAS, municipalities and counties in Ohio have authority under Section 307.15 of the Revised Code of Ohio to enter into agreements whereby a board of county commissioners may undertake, and is authorized by a municipality, to exercise any power, perform any function, or render any service in behalf of a municipality, which such municipality may exercise, perform, or render; and

WHEREAS, the City and the County each have authority to carry out the kinds of activities which are the objectives of the Act pursuant to Sections 303.26 and 307.85, as well as other statutes of the Revised Code of Ohio; and

WHEREAS, the County and the City agree to cooperate to undertake or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing; and

WHEREAS, the City and the County have agreed that it is in the best interests of their constituents that the objectives of the Act be carried out within Stark County and that the City and the County should join in community development activities; and

WHEREAS, the National Affordable Housing Act of 1990 created the HOME Investment Partnership program, hereinafter referred to as "HOME" which has its purpose the provision of affordable housing opportunities to low and moderate income purposes, which program is also covered by this Agreement.

NOW, THEREFORE, IN CONSIDERATION of the provisions hereinbefore and hereinafter contained, it is mutually agreed as follows:

1. The City and the County shall cooperate to undertake, or assist in undertaking, community renewal and lower income housing assistance activities, specifically urban renewal and publicly assisted housing.
2. The County shall have the authority to carry out activities which will be funded from annual Community Development Block Grants and HOME from Fiscal Years 2021, 2022, 2023 appropriations and from any program income generated from the expenditure of such funds.
3. This Agreement shall be in effect from the date of its execution by the Board of Stark County Commissioners and shall continue through the County's 2021, 2022, and 2023 Community Development program years, inclusive. This Agreement shall be automatically renewed for participation in successive three-year qualification periods, unless the County or the City provides written notice that they elect not to participate in a new qualification period. A copy of the notice not to participate must be sent to: Department of Housing and Urban Development, 200 North High Street, Columbus, Ohio 43215. The County shall notify the City of its right to elect to not participate in the next three-year qualification period, in accordance with guidelines and deadlines as specified in HUD's Urban County Requalification notice for the next qualification period.

Failure by either the County or the City to adopt an amendment to this Agreement incorporating all changes necessary to meet the requirements for cooperation agreements as set forth in the Urban County Requalification Notice applicable for a subsequent three-year urban

county qualification period, and to submit the amendment to HUD as provided in the urban county qualification notice, shall void the automatic renewal of such qualification period.

This Agreement remains in effect until the CDBG and HOME funds and program income received with respect to Fiscal Years 2021, 2022, and 2023 and any successive qualification period, are expended and the funded activities are completed.

4. This Agreement may not be terminated by either the City or the County during the period this Agreement is in effect.

5. The City hereby authorizes the County to undertake, and assist the City in undertaking, all essential activities and objectives of the Housing and Community Development Act of 1974, as amended, and as reauthorized and further amended under Title I of the Housing and Urban-Rural Recovery Act of 1983 (Public Law 98-181), and the National Affordable Housing Act of 1990, in accordance with any and all applicable provisions of said Acts and the administrative regulations of the U.S. Department of Housing and Urban Development as set forth in the Federal Register, Volume 53, Number 172, dated Tuesday, September 6, 1988, 24 CFR Part 570, and any applicable revisions which may become effective pursuant to the execution of this agreement.

6. The City agrees to cooperate to undertake, or assist in undertaking, community renewal activities, specifically urban renewal and publicly assisted housing.

7. The City, by executing this agreement understands that:

- a) it may not apply for grants under the Small Cities or State CDBG program from appropriations for Fiscal Years 2021, 2022, 2023; and
- b) it may not participate in a HOME consortium except through Stark County, regardless of whether Stark County receives a HOME formula allocation.

8. The County shall prepare and submit an application to the Secretary of Housing and Urban Development for a grant under the terms of the Housing and Community Development Act of 1974, as amended and the National Affordable Housing Act of 1990, as amended. This application shall set forth a five-year comprehensive Consolidated Plan and the One Year Updates which identifies community development and housing needs, and specifies both short- and long-term community development objectives, which have been developed in accordance with area wide development planning and national urban growth policies, and otherwise conform with applicable requirements of the Act.