

**CITY OF CANAL FULTON
CITY COUNCIL MEETING AGENDA
October 6, 2009**

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

4. **GUEST – TRASH TO TREASURE PROGRAM**

5. **CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**

September 15, 2009

6. **REPORTS OF STANDING COMMITTEES**

7. **CITIZENS' COMMENTS – AGENDA MATTERS
(Five Minutes per Individual – No Yield)**

8. **REPORTS OF ADMINISTRATIVE OFFICERS**

- A. Senior Citizens
- B. Community Service Coordinator
- C. Fire Chief
- D. Police Chief
- E. Engineer/Streets/Public Utilities
- F. Finance Director
- G. City Manager
 - Canalway Center Report
 - Trash to Treasure
- H. Report of Mayor
- I. Parks & Recreation Board
- J. Law Director

9. **THIRD READINGS**

TABLED: **Resolution 15-09:** A Resolution by the Council for the City of Canal Fulton, Ohio To Create a Fund to Purchase A Fire Truck and A Bonus Pool to Provide Compensation to Fire Personnel.

SECOND READINGS

Ordinance 31-09: An Ordinance Amending Chapter 1178 Entitled Suburban Office District of the Planning and Zoning Code of the Codified Ordinances of Canal Fulton, Ohio and Repealing Any Ordinance in Conflict Therewith.

10. **FIRST READINGS**

Ordinance 32-09: An Ordinance Approving the Editing and Inclusion of Certain Ordinances as Parts of the Various Component Codes of the Codified Ordinances of Canal Fulton, Ohio, and Declaring an Emergency.

Resolution 26-09: A Resolution By the Council for the City of Canal Fulton, Ohio to Apply for, Accept, and Enter Into a Water Pollution Control Loan Fund Agreement on Behalf of the City of Canal Fulton for Planning, Design and/or Construction of Wastewater Facilities; and Designating a Dedicated Repayment Source for the Loan and Declaring an Emergency.

Resolution 27-09: A Resolution By the Council of the City of Canal Fulton, Ohio to Establish An Identity Theft Program and Declaring an Emergency.

11. **PURCHASE ORDERS & BILLS**

P.O. 5778 to the Walter H. Drane Company for Editing and Compiling the City's Codified Ordinances in the Amount of \$3,864.00.

BILLS: \$113,233.37

12. **OLD/NEW/OTHER BUSINESS**

13. **REPORT OF PRESIDENT PRO TEMPORE**

14. **REPORT OF SPECIAL COMMITTEES**

15. **CITIZENS COMMENTS – Open Discussion
(Five Minute Rule)**

16. **ADJOURNMENT**

RECORD OF PROCEEDINGS
CITY OF CANAL FULTON

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10148

September 15, 2009

Held

20

COUNCIL MEETING

Nellie Cihon, President ProTem called the September 15, 2009 City Council meeting to order at 7:00 PM in Council Chambers at City Hall.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Diane Downing, James Deans, Danny Losch, Nellie Cihon, Linda Zahirsky and Matthew Moellendick.

Absent: Mayor Grogan

Mr. Losch moved to excuse Mayor Grogan due to family matters, seconded by Mr. Deans. **ROLL: Yes, ALL.**

Others Present: Mark Cozy, City Manager; Scott Fellmeth, Law Director; Tammy Marthey, Clerk of Council; Scott Svab, Finance Director; William Dorman, City Engineer; Daniel Mayberry, Service Director; Chell Rossi, Sue Mayberry, Donnie Poling, Paul Bagocius and Mike Mouse, Residents; Joan Porter, Repository; Amy Knapp, Independent.

CORRECTING/ADOPTING THE RECORD OF PROCEEDINGS

Mrs. Zahirsky moved to adopt the record of proceedings of September 1, 2009, seconded by Mrs. Downing. **ROLL: Yes, ALL.**

REPORTS OF STANDING COMMITTEES

Economic Development: Mr. Deans reported they had a meeting and discussed the ongoing development of the city brochure. It will be used for residential and businesses based upon the inserts. The committee is looking at a grant through Ohio Development. They have reviewed updates of what could be included in the packet.

It was discussed about the Chamber of Commerce being the best place to distribute the packet. Mr. Cozy will discuss with them and report back to Council.

Personnel Committee: Mrs. Zahirsky stated the committee met to discuss Ordinance 15-09 which has been tabled regarding the bonuses for the fire department and the possibility of making it go forward. The bonuses would be for officers. There would be an 80/20 cap, with 20% going for bonuses and 80% would go for fire truck fund. It was discussed that Chief Green was concerned on the burden being put on him on how to divide the bonus. There were some suggestions made and Captain Boyd will discuss with the Chief before going forward with the ordinance. It was discussed to let the Chief make the decision based on salary less what they received for their stipend as an officer. It would be based on their call back salary. Mrs. Zahirsky stated they don't agree with Chief Green's suggestion that they mirror what the township pays. Mr. Svab confirmed with Lawrence Township what they pay. Lawrence Township officers don't get call back pay, they only receive officer pay.

9-80's Mrs. Zahirsky stated the committee discussed the 9-80 pay period that is used where she works. It is a way of allowing employees to have a

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flex week. Employees would work 4-9 hours days and 8 hours on Friday, following week 4-9's with Friday off. There are two teams so each department is covered and not left without staffing. It can't work though for a department that has shifts.

Mrs. Zahirsky stated they will allow the City Manager to decide if he wants to move forward with it. Not all employees have to participate.

Safety Committee: Mr. Losch stated he would like to have a Safety Committee meeting on October 8 to discuss part-time EMS staffing with Lawrence Township.

Mrs. Cihon and Mrs. Zahirsky will be out of town that date. An alternative date is October 20 at 6:00 PM at City Hall. Will have to check with Lawrence Township and confirm date and time of meeting.

CITIZENS' COMMENTS – AGENDA MATTERS - None

REPORTS OF ADMINISTRATIVE OFFICERS

SENIOR CITIZENS (Nellie Cihon) -

Swiss Steak Dinner: The next swiss steak dinner will be held on October 17, 2009 at the Center.

Trip: The Center will be taking a trip to Rivers Casino on October 27th. The cost is \$30 with \$10 back in coin and \$5 in food voucher.

COMMUNITY SERVICE (John Murphy, Coordinator) - Written

FIRE CHIEF (Glenn Boyd, Captain) – No Report.

POLICE DEPARTMENT (Dave Frisone, Chief) –

Monthly Report: Chief Frisone distributed the monthly report. There were 8 assaults, which was an increase. There were 7 DUI's for the month which is the product of national campaign with DUI taskforce. There has been more property crime and accidents for the month.

Stark County Pandemic Flu Planning Meeting: The Stark County Department of Health sponsored a class on Pandemic and H1N1-What You Need to Know. They are putting together a page on their website that will be used to communicate information.

Once the vaccine is available, it will be given based on at risk persons.

There will be sites throughout Stark County that will be used to do mass vaccinations if needed. Canal Fulton's Trinity Church is one location.

Mr. Losch stated his employer is taking extra steps at work and provides sanitary wipes and hand sanitizers.

ENGINEER/STREETS/PUBLIC UTILITIES (Dan Mayberry/William Dorman):

State Route 93 Repaving: Mr. Dorman stated this project is in completion stage.

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Lakewood Estates: Construction has begun.

High Street Sanitary Sewer/Waterline Project: The project has begun and is expected to be done in a month.

OPWC Grant: Mr. Dorman stated he is assisting administration with a grant application for the 2010 Program. It is due Friday, September 18. The request is for Portage/Locust Street Rehabilitation Paving Program.

Marshallville Sanitary Sewer: Mr. Dorman stated bids were received for the project. The Engineers estimate was \$453,000. Bids ranged from just under \$300,000 to a high of over \$500,000. The apparent low bidder is Wenger Excavating. A recommendation will be made at the next Council meeting.

2009 Paving Program: Mr. Mayberry reported a preconstruction meeting was recently held with Northstar. The project is soon to be starting.

Boardwalk Steps: Mr. Losch asked about the project for the steps going off the boardwalk.

Mr. Mayberry stated what they thought would be easy has become complex. They have to obtain permit from the County Building Department. We need to get a set of drawings for the construction. We had the contractor lined up but the County wanted more information than we thought was going to be necessary.

FINANCE DIRECTOR (Scott Svab)

August Financial Statement: Mr. Svab stated he has included in the August Financial Statement and would like to have a voice motion.

Mrs. Zahirsky moved that they are in receipt of the August Financial Statement, seconded by Mr. Deans. **ROLL: Yes, ALL.**

Mr. Svab reviewed the report and stated income tax revenues are still meeting expectations. The EMS receipts are up.

CITY MANAGER (Mark Cozy)

Building Doctor Clinic: Mr. Cozy reported they are scheduling for a two day clinic in the spring. Building owners must pre-register. Mayor Grogan wants to sponsor this event. It is \$325. Mr. Bagocius will allow them to stay at his bed and breakfast and the Chamber of Commerce will pay the remaining costs.

Mr. Cozy stated he has offered to assist businesses with writing grants to help renovate their buildings. He feels we need to make some efforts to help preserve the buildings.

Community Plan: The Committee will be hosting an open house on October 5, 2009 at 7:00 PM at the Northwest Middle School Library.

Chocolate and Sweeties Canal Boat Cruise: The cruise will be held on September 17. Seats still available

There are still three cruises left for the year.

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Public Service Committee Meeting: Mr. Cozy stated he would like to request a Public Service Committee meeting to discuss First Energy Solutions program that is available for citizens. Grant monies available to city for the program. First Energy Solutions would like a commitment from the City through 2019.

Mr. Moellendick moved to have a Public Service Committee meeting on September 22, 2009 at 6:00 PM to discuss the electric aggregation program, seconded by Mrs. Downing. **ROLL: Yes, ALL.**

OPWC Grant: The grant application for the OPWC is due Friday, September 18, 2009. Law Director Fellmeth distributed the Resolution granting authorization to apply for the grant. It would need to be passed under suspension of the rules due to the deadline. It is to pave Locust Street from Prospect Street to old corporation limit. It is for funding year 2011.

Executive Session: Mr. Cozy stated he would like to have an executive session at the end of the meeting for the purpose of compensation of a public employee or official and if someone wanted to add to the session they could.

Dog Park: Mrs. Zahirsky stated she would like to report on the dog park. She stated the grass is long and people are using the park. She stated she spoke with the street department and an agreement has been made to cut it more frequently.

The department was letting the grass grow taller for the root system with winter season coming.

REPORT OF MAYOR (John Grogan) Not Present

PARKS & RECREATION BOARD (Fred Fleming) - Not Present

LAW DIRECTOR (Scott Fellmeth) -

Real Estate: Law Director Fellmeth stated the real estate the Mr. Plies owned has been sold and the new owner is Roger VanSickle. The building is the oldest in the historic district.

Proposed Identity Theft Program: Law Director Fellmeth stated he has prepared a proposed identity theft program and will distribute at end of meeting. There will need to be a program committee and administrator. He stated the control should be by the City Manager. He would like some guidance from Council as to who they want on the committee. He would like to have the Resolution for this program to be on the next agenda.

THIRD READINGS

TABLED: Resolution 15-09: A Resolution by the Council for the City of Canal Fulton, Ohio To Create a Fund to Purchase A Fire Truck and A Bonus Pool to Provide Compensation to Fire Personnel.

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Resolution 19-09: A Resolution by the Council for the City of Canal Fulton, Ohio to Enter Into A Contract with the Ohio Public Works Commission for the High Street/Erie Avenue Plum Creek Culvert Replacement.

Law Director Fellmeth stated this Resolution is the same that was passed at last meeting that we had to add the emergency language to and advised Council to vote this Resolution down.

Mrs. Zahirsky moved for passage of Resolution 19-09, seconded by Mr. Deans. **ROLL: No, ALL.**

SECOND READINGS - None

FIRST READINGS

Ordinance 31-09: An Ordinance Amending Chapter 1178 Entitled Suburban Office District of the Planning and Zoning Code of the Codified Ordinances of Canal Fulton, Ohio and Repealing Any Ordinance in Conflict Therewith.

STANDS AS FIRST READING

Resolution 26-09: A Resolution Requesting a Grant of \$647,833.00 from the Ohio Public Works Commission for the Locust Street Paving Project, and Declaring an Emergency.

Mrs. Downing moved to suspend the rules on Resolution 26-09, seconded by Mrs. Zahirsky. **ROLL: Yes, ALL.**

It was stated that it should read from Prospect Street to the Eastern corporate limit and not Lakeview Drive.

Mrs. Zahirsky moved for passage of Resolution 26-09 under suspension as amended, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

PURCHASE ORDERS & BILLS

P.O. 5769 to Ohio Police & Fire Pension Fund for Quarterly Police Pension Payment in the Amount of \$20,706.39.

Mrs. Downing moved to approve P.O. 5769, seconded by Mr. Losch. **ROLL: Yes, ALL.**

P.O. 5770 to Ohio Municipal Insurance for Liability Insurance Deductible, Claim #08-005242 in the Amount of \$5,000.00.

Mr. Deans moved to approve P.O. 5770, seconded by Mrs. Downing. **ROLL: Yes, ALL.**

Mrs. Zahirsky asked what this purchase order was for. Mr. Svab stated it was for a claim for the police department for legal fees regarding the solicitor lawsuit that was mediated.

Bills: \$89,147.81 Mr. Losch moved for approval of the bills, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

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OLD/NEW/OTHER BUSINESS - None

REPORT OF PRESIDENT PRO TEMPORE (Nellie Cihon) - None

REPORT OF SPECIAL COMMITTEES - None

CITIZENS COMMENTS-Open Discussion (Five-Minute Rule) -

Paul Bagocius: Mr. Bagocius asked for an explanation of P.O. 5770.

Chief Frisone stated it was for a solicitor that was in town. He was with someone that had registered. The person was not arrested but complained that he was retained too long. It was mediated out of court.

Mike Mouse: Mr. Mouse stated the street department did some concrete repairs on sections of Stonewood last year and are now doing repair on Riverview.

Mr. Mouse stated in regards to the dog park they probably need a better fertilization program.

Mr. Mouse asked how the money is being processed that is being received from the school. He wanted to know what the plan is if the city loses the annexation battle.

Law Director stated we are legally collecting the funds so no plan has been established.

EXECUTIVE SESSION

Mrs. Zahirsky moved to enter into Executive Session for the purpose of discipline of a public employee or official; compensation of a public employee or official at 8:03 PM with the elected officials, law director, city manager and finance director present, seconded by Mrs. Downing. **ROLL: Yes, ALL.**

Mr. Losch moved to return to public session at 8:40 PM, seconded by Mrs. Downing. **ROLL: Yes, ALL.**

As a result of the executive session, the following action was taken.

Mrs. Zahirsky moved to give Tammy Ammon and Terry Woods, Canal Fulton Museum volunteers, each a stipend in the amount of \$200, seconded by Mrs. Downing. **ROLL: Yes, ALL.**

ADJOURNMENT

Tammy Marthey, Clerk of Council

Nellie Cihon, President Protemp

City of Canal Fulton

Mary Ann Higgins, Canalway Programs Director

Monthly Report – Aug 2009

Canal Fulton Canalway Center

Canalway Center: In August and Sept, open every day M-F, 10-4 pm; Sat and Sun 10-6 pm
Keri cutting back her hrs due to daycare issues. Jennifer moving Oct 1. Hired Tammy Ammon (museum volunteer) to cover some Canalway Center hrs.

****St Helena Park Playground equipment repairs needed (noted by John Murphy and Mark Peterson)**

St. Helena III Canal Boat/Heritage Society

Canal Boat stopped running weekdays Aug 23. Now on weekends only thru Oct 11

Surry Rides from Museum around downtown to be offered Sept 19 and ~~Oct 17~~

****St. Helena II Security issues (Mark C. suggested signage for rules and to credit contributors)**

Parks & Recreation

Completed Programs

Rootbeer Float & Jamboree Cruise, Thursday, Aug 20 – 23 tickets sold

Movie in the Park, "Hotel for Dogs", Friday, Aug 21, 100 + attended

Chocolate & Sweeties Cruise, Thursday, Sept 17, 6:30 pm, \$15/pp - 26 tickets sold

Fall Campfire (joint with Stark Parks), Sat, Sept. 19 at Canoe Livery, free, We provided drinks, plates and utensils, 16 attended (over 30 registered)

Fall Wine & Cheese Cruise, Thursday, Sept 24, 6:00 pm, \$30/pp (at least 10 tickets sold)

Upcoming Programs/cost (besides staffing):

Sherry Brake Ghostly Stark County Book Signing, Sun, Oct 11, 1:30-3:30 pm

Ghostly Tales Storytelling Cruise, Thur, Oct 15, 6:30 pm, \$15/pp

Night Hike (joint with Stark Parks), Thurs, Oct 29, 7:30-9 pm, free, start at Lock 4 park

Fall Fun Fest, Sat, Oct 31, 6-8 pm – will need volunteers, \$100 candy, pay for porta john \$100?

Christmas on the Canal, Dec 5 and 6, Santa \$250, craft – possibly \$75 (or donations)

Parks & Recreation - Administration

Park Reservation Procedures: (will finalize in the fall)

Draft procedures in the works with Fred and Nancy's input.

Program Publicity:

Posted on city website, at library, city hall. Canton Rep Calendar, Massillon Independent, Rep., Stark Events.com, Jackson Suburbanite, Westside and Southside Leader, some in Beacon Journal.

New Muhlhauser Park sign board

Meetings/ Training / Workshops Attended:

Park & Recreation Board, Event Cruise Planning mtg., Fall Fest mtg, Christmas on the Canal Mtg

*Need
vote?*

Canalway Center August 2009 DAILY ATTENDANCE LOG

TIME	Sat 8/1/09		Sun 8/2/09		Mon 8/3/09		Tue 8/4/09		Wed 8/5/09		Thur 8/6/09		Fri 8/7/09		Sat 8/8/09		HOURLY TOTAL	GROUPS/PROGRAMS INCLUDED	Date	Notes	# Attended	
	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids						
10:00	18	0	6	0	3	0	18	0	6	0	3	0	10	0	97	18	179	8/2/09	israel luth church		28	
11:00	16	6	3	0	8	0	16	6	7	0	10	1	19	11	56	7	166	8/8/09	tour de towpath 100-230			
12:00	26	9	8	6	6	1	26	9	29	17	7	4	29	19	75	11	282	8/8/09	except advent charter		55	
1:00	27	7	37	2	15	6	27	7	11	2	16	6	16	3	25	9	216	8/8/09	red hats		7	
2:00	59	13	28	6	11	2	59	13	27	4	17	8	20	26	44	4	341	8/8/09	1st christ church alliance		14	
3:00	26	10	16	3	9	4	26	10	9	3	18	1	18	7	60	2	222					
4:00	2	0	2	0	*	*	2	2	*	*	*	*	*	*	5	0	17					
5-6pm	0	0	12	7	*	*	*	*	*	*	*	*	*	*	6	0	25					
Totals	174	47	118	24	52	13	174	47	89	26	71	20	112	66	368	51	1448					104

TIME	Mon 8/9/09		Tue 8/10/09		Wed 8/11/09		Thur 8/12/09		Fri 8/13/09		Sat 8/14/09		Sun 8/15/09		Mon 8/16/09		HOURLY TOTAL	GROUPS/PROGRAMS INCLUDED	Date	Notes	# Attended	
	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids						
10:00	7	2	9	0	10	2	7	3	8	2	9	2	2	2	6	0	70					
11:00	15	1	7	1	7	0	14	2	19	4	7	3	11	3	9	3	106					
12:00	34	4	9	0	17	3	27	8	34	5	25	14	21	5	14	6	226					
1:00	19	3	1	1	5	2	20	0	20	7	19	4	32	8	11	5	157					
2:00	39	7	7	4	5	2	29	6	6	5	20	7	35	11	23	12	218					
3:00	26	7	6	3	10	2	19	5	9	2	11	3	22	9	17	6	0					
4:00	2	0	*	*	*	*	*	*	*	*	*	*	*	*	4	2	0	20				
5-6pm	4	0	*	*	*	*	*	*	*	*	*	*	9	9	8	0	30					
Totals	146	24	39	9	54	11	116	24	96	25	91	33	136	48	100	32	827					0

TIME	Mon 8/17/09		Tue 8/18/09		Wed 8/19/09		Thur 8/20/09		Fri 8/21/09		Sat 8/22/09		Sun 8/23/09		Mon 8/24/09		HOURLY TOTAL	GROUPS/PROGRAMS INCLUDED	Date	Notes	# Attended	
	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids						
10:00	3	2	2	1	7	1	80	4	4	0	13	0	1	0	4	0	122	8/20/09	OECC charter		19	
11:00	6	1	11	21	0	0	7	4	9	0	17	3	8	0	2	0	89	8/20/09	BW seniors charter		56	
12:00	2	1	13	13	21	20	15	4	9	9	36	12	22	3	2	0	182	8/20/09	RB cruise cancelled (ctr opened @ 5:15)		6	
1:00	5	0	15	1	10	0	8	5	7	5	16	6	10	2	5	4	99					
2:00	2	0	17	10	16	7	8	2	6	2	41	2	30	7	6	1	157					
3:00	7	0	4	3	8	9	4	2	8	5	35	4	25	3	2	0	119					
4:00	*	*	*	*	*	*	*	*	*	*	7	4	12	0	*	*	23					
5-6pm	*	*	*	*	*	*	6	0	*	*	4	1	8	0	*	*	19					
Totals	25	4	62	49	62	37	128	21	43	21	169	32	116	15	21	5	810					81

TIME	Tue 8/25/09		Wed 8/26/09		Thur 8/27/09		Fri 8/28/09		Sat 8/29/09		Sun 8/30/09		Mon 8/31/09		HOURLY TOTAL	GROUPS/PROGRAMS INCLUDED	Date	Notes	# Attended	
	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids	Adults	Kids						
10:00	9	0	1	0	4	0	0	0	2	0	15	3	2	0	36	8/27/09	RB cruise 6:30pm (ctr opened @ 5:15pm)			
11:00	5	0	0	0	4	2	1	0	6	3	13	0	1	0	35					
12:00	12	3	2	2	6	0	0	0	22	7	22	2	8	0	86					
1:00	8	2	0	0	4	0	1	0	21	6	15	2	7	1	67					
2:00	2	0	5	1	5	1	3	4	38	7	13	12	6	1	98					
3:00	3	0	5	1	1	0	5	1	15	4	32	12	5	1	85					
4:00	*	*	*	*	*	*	*	*	19	3	8	0	*	*	30					
5-6pm	*	*	*	*	18	2	*	*	5	0	6	4	*	*	35					
Totals	39	5	13	4	42	5	10	5	128	30	124	35	29	3	472					
Monthly Totals	384	80	232	86	210	66	428	97	356	102	455	120	393	132	3557					185

Attendance		Canal Boat Totals (Public Rides Only)	
Monthly Total	3557	Amount of Public Riders 2009	1162
Adult Total	2947	Total Riders Last Aug 2008	962
Youth Total	771	Sales for Public Rides 8/09	\$6,384.00
		Total Sales Last Aug 2008	\$5,145.00

Daily Total for July 2009	4632
Daily Total Aug 2008	3672

August 2009 Report

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 15-09

Passed _____, 20____

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO CREATE A FUND TO PURCHASE A FIRE TRUCK AND A BONUS POOL TO PROVIDE COMPENSATION TO FIRE PERSONNEL.

WHEREAS, the Council of the City of Canal Fulton, Ohio desires to create a Fund to purchase a new Fire Truck and a Bonus Pool to provide additional compensation to fire personnel.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO, THAT:

Eighty percent (80%) of the savings and increased income arising from decreases in fire salary, electric, natural gas, fire supplies, EMS supplies, fire equipment and EMS equipment and billing for transport runs and supplies shall be earmarked for deposit into a Fund to purchase a new fire truck.

Twenty percent (20%) of the savings and increased income arising from decreases in fire salary, electric, natural gas, fire supplies, EMS supplies, fire equipment and EMS equipment and billing for transport runs and supplies shall be earmarked for compensation for fire personnel with a maximum cap of \$20,000.00.

John Grogan, Mayor

ATTEST:

Tammy Marthey, Clerk-of-Council

I, Tammy Marthey, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution 15-09, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2009, and that publication of the foregoing Resolution was duly made by posting true and correct copies thereof at five of the most public places in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers each for a period of fifteen days, commencing on the _____ day of _____, 2009.

Tammy Marthey, Clerk-of-Council

SEF/bp

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 19-09

Passed _____, 20____

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO ENTER INTO A CONTRACT WITH THE OHIO PUBLIC WORKS COMMISSION FOR THE HIGH STREET/ERIE AVENUE PLUM CREEK CULVERT REPLACEMENT.

WHEREAS, the City of Canal Fulton, Ohio has sought a grant from the Ohio Public Works Commission for the High Street/Erie Avenue Plum Creek Culvert Replacement, and

WHEREAS, The Ohio Public Works Commission has approved financial assistance for the project in the amount of \$869,012.00.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO, THAT:

The City of Canal Fulton agrees to enter into a contract with the Ohio Public Works Commission for infrastructure improvement known as the High Street/Erie Avenue Plum Creek Culvert Replacement.

John Grogan, Mayor

ATTEST:

Tammy Marthey, Clerk-of-Council

I, Tammy Marthey, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution ____-09, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2009, and that publication of the foregoing Resolution was duly made by posting true and correct copies thereof at five of the most public places in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers each for a period of fifteen days, commencing on the ____ day of _____, 2009.

Tammy Marthey, Clerk-of-Council

SEF/bp

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 31-09

Passed _____, 20____

AN ORDINANCE AMENDING
CHAPTER 1178 ENTITLED
SUBURBAN OFFICE DISTRICT
OF THE PLANNING AND ZONING
CODE OF THE CODIFIED
ORDINANCES OF CANAL FULTON,
OHIO AND REPEALING ANY
ORDINANCE IN CONFLICT
THEREWITH.

WHEREAS, the Planning Commission of the City of Canal Fulton, Ohio has recommended amending Chapter 1178 entitled S-1 Suburban Office District at their meeting on August 20, 2009, and

WHEREAS, the Council of the City of Canal Fulton, Ohio will amend the Zoning Code of the Codified Ordinances of the City of Canal Fulton, Ohio entitled S-1 Suburban Office District, and

WHEREAS, a public hearing with notice as required by law has been held.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL FULTON OHIO THAT:

Section 1. Chapter 1178 of the Canal Fulton, Ohio Zoning Code shall be amended to read:

CHAPTER 1178

S-1 Suburban Office District

SECTION 1178.02 USES.

(b) All uses must be approved by the Planning Commission.

SECTION 1178.06 NON-FEE REVIEW

There will be no fee for applications submitted for review under this Chapter.

John Grogan, Mayor

ATTEST:

Tammy Marthey, Clerk-of-Council

I, Tammy Marthey, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance ____09, duly

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 31-09

Passed _____, 20____

adopted by the Council of the City of Canal Fulton, on the date of _____.
2009, and that publication of the foregoing Ordinance was duly made by posting
true and correct copies thereof at five of the most public places in said
corporation as determined by Council as follows: Post Office, Public Library,
Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council
Chambers each for a period of fifteen days, commencing on the ____ day of
_____, 2009.

Tammy Marthey, Clerk-of-Council

SEF/bp

AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANAL FULTON, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of Canal Fulton, Ohio;

WHEREAS, numerous sections of the Traffic and General Offenses Codes need to be amended or enacted so as to conform to enactments of the Ohio General Assembly;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO:

SECTION 1: That the editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as parts of the various component codes of the Codified Ordinances of Canal Fulton, Ohio, so as to conform to the classification and numbering system of the Codified Ordinances, to wit:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
23-08	8-5-08	1178.01 to 1178.05
31-08	11-18-08	1187.30
38-08	1-20-09	1155.02(b)(6)A.
41-08	1-20-09	143.01(b)(12)
2-09	1-6-09	123.01, 124.02
7-09	3-3-09	141.06(c)
12-09	5-6-09	123.02
13-09	5-6-09	129.04
16-09	6-2-09	141.07(g)
20-09	7-7-09	306.01 to 306.04, 306.99
21-09	7-7-09	307.01 to 307.03, 307.99
22-09	7-21-09	131.10
23-09	7-21-09	961.01 to 961.22
24-09	7-21-09	1146.04
25-09	6-16-09	129.04

SECTION 2: The following sections of the Traffic and General Offenses Codes as amended, are hereby approved and adopted as amended or enacted so as to conform to enactments of the Ohio General Assembly.

Traffic Code

- 301.04 Definition of a Bicycle. (Amended)
- 301.19 Definition of Motorcycle. (Amended)
- 301.321 Definition of a Road Service Vehicle. (Added)
- 333.01 Driving or Physical Control While Under the Influence. (Amended)
- 333.03 Maximum Speed Limits. (Amended)
- 333.031 Approaching a Public Safety, Emergency or Road Service Vehicle. (Amended)
- 335.031 Driving With Probationary License; Curfew. (Amended)
- 335.05 Wrongful Entrustment of a Motor Vehicle. (Amended)
- 337.02 Lighted Lights Required. (Amended)
- 341.03 Prerequisites to Operation of a Commercial Vehicle. (Amended)
- 373.02 Riding Upon Bicycle and Motorcycle Seats. (Amended)
- 375.05 Licensing Requirements of Operator. (Amended)

General Offenses Code

- 513.01 Drug Abuse Control Definitions. (Amended)
- 513.03 Controlled Substance Possession or Use. (Amended)
- 525.02 Falsification. (Amended)
- 525.05 Failure to Report a Crime, Injury or Knowledge of Death. (Amended)
- 533.06 Voyeurism. (Amended)
- 537.02 Vehicular Homicide and Manslaughter. (Amended)
- 537.03 Assault. (Amended)
- 537.14 Domestic Violence. (Amended)
- 537.15 Temporary Protection Order. (Amended)
- 541.05 Criminal Trespass. (Amended)
- 545.01 Theft and Fraud Definitions. (Amended)
- 545.05 Petty Theft. (Amended)
- 549.01 Weapons and Explosives Definitions. (Amended)
- 549.02 Carrying Concealed Weapons. (Amended)
- 549.04 Improperly Handling Firearms in a Motor Vehicle. (Amended)
- 549.07 Underage Purchase of a Firearm. (Amended)

SECTION 3: A copy of such ordinances or parts of ordinances as edited, arranged and numbered or renumbered as parts of the Codified Ordinances is attached to this Ordinance in the form of 2009 Replacement Pages to the Codified Ordinances.

SECTION 4: This Ordinance is hereby determined to be an emergency measure, the immediate passage of which is necessary for the preservation of the public peace, health, safety, and welfare of the City of Canal Fulton, such emergency arising from the need to update the Codified Ordinances of the City of Canal Fulton, Ohio, by approving inclusion of ordinances passed since September 1, 2008, and for the further reason of amending or enacting sections of the Traffic and General Offenses Codes so as to conform to enactments of the Ohio General Assembly, wherefore this Ordinance shall take effect and be in full force immediately upon its passage.

Mayor

Clerk of Council

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 26-09

Passed _____, 20____

Under Suspension of the Rules

A Resolution By the Council for the City of Canal Fulton, Ohio to Apply for, Accept, and Enter Into a Water Pollution Control Loan Fund Agreement on Behalf of the City of Canal Fulton for Planning, Design and/or Construction of Wastewater Facilities; and Designating a Dedicated Repayment Source for the Loan and Declaring an Emergency.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO, THAT:

WHEREAS, the City of Canal Fulton seek to upgrade its existing wastewater facilities; and

WHEREAS, the City of Canal Fulton intends to apply for Water Pollution Control Loan Fund (WPCLF) for the planning, design and or construction of the wastewater facilities; and

WHEREAS, the Ohio Water Pollution Control Loan Fund requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO THAT:

Section 1: The Finance Director be and is hereby authorized to apply for a WPCLF loan, sign all documents for an enter into a Water Pollution Control Loan Fund with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and/or construction of wastewater facilities on behalf of the City of Canal Fulton.

Section 2: That the dedicated source of repayment will be tap-in fees.

Section 3: The Resolution is hereby determined to be an emergency measure, immediate passage of which is necessary for the preservation of the public peace, health, safety, and welfare of the City of Canal Fulton, such emergency arising from the need to meet the deadline for the application, wherefore this Resolution shall take effect and be in full force immediately upon its passage.

John Grogan, Mayor

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 30045

Resolution No.

26-09

Passed

_____, 20____

ATTEST:

Tammy Marthey, Clerk of Council

I, Tammy Marthey, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution 26-09, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2009, and that publication of the foregoing Ordinance was duly made by posting true and correct copies thereof at five of the most public places and in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers, each for a period of fifteen days, commencing on the _____ day of _____, 2009.

Tammy Marthey, Clerk of Council

RECORD OF RESOLUTIONS

Czyzon Legal Blank, Inc. Form No. 30045

Resolution No. 27-09

Passed _____, 20____

**UNDER SUSPENSION
OF THE RULES**

**A RESOLUTION BY THE COUNCIL
OF THE CITY OF CANAL FULTON
OHIO TO ESTABLISH AN IDENTITY
THEFT PREVENTION PROGRAM AND
DECLARING AN EMERGENCY.**

WHEREAS, the Fair and Accurate Credit Transactions Act of 2003 ("FACTA") requires that covered entities adopt an Identify Theft Prevention Program that is in compliance with the "Red Flags" Rule of said Act by November 1, 2009, and

WHEREAS, the City of Canal Fulton, Ohio is a covered entity by virtue of the fact that it is a "government entity that defers payment for services because it regularly extends, renews and continues credit (i.e. public utilities)."

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO, THAT:

SECTION 1: The City of Canal Fulton establishes an Identity Theft Prevention Program in compliance with the "Red Flags" Rule of FACTA (2003). Policy is attached hereto.

SECTION 2: This Resolution is hereby determined to be an emergency measure, the immediate passage of which is necessary for the preservation of the public peace, health, safety, and welfare of the City of Canal Fulton, such emergency arising from the need to establish a policy by the November 1, 2009 deadline, wherefore this Resolution shall take effect and be in full force immediately upon its passage.

John Grogan, Mayor

ATTEST:

Tammy Marthey, Clerk-of-Council

I, Tammy Marthey, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution ____-09, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2009, and that publication of the foregoing Resolution was duly made by posting

RECORD OF RESOLUTIONS

Dayton Legal Clerk, Inc., Form No. 00046

Resolution No. 27-09

Passed _____ 20____

true and correct copies thereof at five of the most public places in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers each for a period of fifteen days, commencing on the ____ day of _____, 2009.

Tammy Marthey, Clerk-of-Council

SEF/bp

CITY OF CANAL FULTON, OHIO
IDENTITY THEFT PREVENTION PROGRAM

I. PURPOSE

The purpose of this Identity Theft Prevention Program (Program) is to protect customers of the City of Canal Fulton's utility services from identity theft. The Program is intended to establish reasonable policies and procedures to facilitate the detection and prevention of identity theft in connection with Covered Accounts.

II. PROGRAM COMMITTEE AND ADMINISTRATOR

The Identity Theft Prevention Program Committee shall consist of the following members: Finance Director, Clerk of Council, Utility Billing Clerk and Income Tax Clerk. The City Manager shall appoint a Program Administrator who shall also be a member of the Committee, if not already designated as a member thereof.

III. SCOPE

This Program applies to the creation, modification and access to Identifying Information of a customer of the utilities operated by the City of Canal Fulton (water and sewer) by any and all personnel of the City, including management personnel. This Program does not replace or repeal any previously existing policies or programs addressing some or all of the activities that are the subject of this Program, but rather it is intended to supplement any such existing policies and programs.

IV. DEFINITIONS:

When used in this Program, the following terms have the meanings set forth opposite their name, unless the context clearly requires that the term be given a different meaning:

Covered Account: The term "covered account" means an account that the City of Canal Fulton offers or maintains, primarily for personal, family or household purposes, that involves or is designed to permit multiple payments of transactions. (16 CFR §681.2(b)(3)(i)). A utility account is a "covered account." The term "covered account" also includes other accounts offered or maintained by the City for which there is a reasonably foreseeable risk to the City or its customers from identity theft. (16 CFR §681.2(b)(3)(ii)).

Identity Theft: The term "identity theft" means a fraud committed or attempted using the identifying information of another person without authority. (16 CFR §681.2(b)(8) and 16 CFR §603.2(a)).

Identifying Information: The term "identifying information" means any name or number that may be used, alone or in conjunction with any other information, to identify a specific person, including any name, social security number, date of birth, official State or government issued driver's license or identification number, alien registration number, government passport number, employer or taxpayer identification number. Additional examples of "identifying information" are set forth in 16 CFR §603.2(a).

Red Flag: The term "Red Flag" means a pattern, practice or specific activity that indicates the possible existence of identity theft.

Certain terms used but not otherwise defined herein shall have the meanings given to them in the Federal Trade Commission (FTC) Identity Theft Rules (16 CFR Part 681) or the Fair Credit Reporting Act of 1970 (15 U.S.C. §1681 et seq.) as amended by the Fair and Accurate Credit Transactions Act of 2003 into law on December 4, 2003. (Public Law 108-159).

V. POLICY

Administration of the Program

The Identity Theft Prevention Program Committee shall meet once a year to assess the program. The Committee shall provide an annual Identity Theft Prevention Report to City Council. Issues to be addressed in the annual Report include:

1. The effectiveness of the policies and procedures in addressing the risk of Identity Theft in connection with the opening of new Covered Accounts and activity with respect to existing Covered Accounts.
2. Service provider arrangements.
3. Significant incidents involving Identity Theft and management's response.
4. Recommendations for material changes to the Program, if needed for improvement.

Identity Theft Prevention Elements

Identification of Relevant Red Flags

The City of Canal Fulton has considered the guidelines and the illustrative examples of possible Red Flags from the FTC's Identity Theft Rules and has reviewed the City's past history with instances of identity theft, if any. The City hereby determines that the following are the relevant Red Flags for purposes of this Program given the relative size of Canal Fulton and the limited nature and scope of the services that the City provides to its citizens:

- A. **Alerts, notifications, or other warnings received from consumer reporting agencies or service providers.**
 1. A fraud or active duty alert is included with a consumer report or an identity verification response from a credit reporting agency.

2. A consumer reporting agency provides a notice of credit freeze in response to a request for a consumer report.
3. A consumer reporting agency provides a notice of address discrepancy, as defined in §681.1(b) of the FTC's Identity Theft Rules.
4. A consumer report indicates a pattern of activity that is inconsistent with the history and usual pattern of activity of an applicant or customer, such as:
 - a) A recent and significant increase in the volume of inquiries;
 - b) An unusual number of recently established credit relationships;
 - c) A material change in the use of credit, especially with respect to recently established credit relationships; or
 - d) An account that was closed for cause or identified for abuse of account privileges by a financial institution or creditor.

B. The presentation of suspicious documents.

5. Documents provided for identification appear to have been altered or forged.
6. The photograph or physical description on the identification is not consistent with the appearance of the applicant or customer presenting the identification.
7. Other information on the identification is not consistent with information provided by the person opening a new covered account or customer presenting the identification.
8. Other information on the identification is not consistent with readily accessible information that is on file with the City, such as a signature card or a recent check.
9. An application appears to have been altered or forged, or gives the appearance of having been destroyed and reassembled.

C. The presentation of suspicious personal identifying information, such as a suspicious address change.

10. Personal identifying information provided is inconsistent when compared against external information sources used by the City. For example:
 - a) The address does not match any address in the consumer report or CRA ID Check response; or
 - b) The Social Security Number (SSN) has not been issued, or is listed on the Social Security Administration's Death Master File.
11. Personal identifying information provided by the customer is not consistent with other personal identifying information provided by the customer. For example, there is a lack of correlation between the SSN range and date of birth.
12. Personal identifying information provided is associated with known fraudulent activity as indicated by internal or third-party sources used by the City. For example:
 - a) The address on an application is the same as the address provided on a fraudulent application; or
 - b) The phone number on an application is the same as the number provided on a fraudulent application.
13. Personal identifying information provided is of a type commonly associated with fraudulent activity as indicated by internal or third-party sources used by the City. For example:
 - a) The billing address on an application is fictitious, a mail drop, or a prison; or
 - b) The phone number is invalid, or is associated with a pager or answering service.
14. The SSN provided is the same as that submitted by other persons opening an account or other customers.
15. The address or telephone number provided is the same as or similar to the account number or telephone number submitted by an unusually large number of other persons opening accounts or other customers.

16. The person opening the covered account or the customer fails to provide all required personal identifying information on an application or in response to notification that the application is incomplete.
17. Personal identifying information provided is not consistent with personal identifying information that is on file with the City.
18. If the City uses challenge questions, the person opening the covered account or the customer cannot provide authenticating information beyond that which generally would be available from a wallet or consumer report.

D. The unusual use of, or other suspicious activity related to, a Covered Account.

19. Shortly following the notice of a change of address for a covered account, the City receives a request for the addition of authorized users on the account.
20. A new utility account is used in a manner commonly associated with known patterns of fraud patterns. For example: the customer fails to make the first payment or makes an initial payment but no subsequent payments.
21. A covered account with a stable history shows irregularities.
22. A covered account that has been inactive for a reasonably lengthy period of time is used (taking into consideration the type of account, the expected pattern of usage and other relevant factors).
23. Mail sent to the customer is returned repeatedly as undeliverable although usage of utility products or services continues in connection with the customer's covered account.
24. The City is notified that the customer is not receiving paper account statements.
25. The City is notified of unauthorized usage of utility products or services in connection with a customer's covered account.

E. Notice of Possible Identity Theft.

26. The City is notified by a customer, a victim of identity theft, a law enforcement authority, or any other person that it has opened a fraudulent account for a person engaged in identity theft.

Detection of Red Flags

The employees of the City of Canal Fulton that interact directly with customers on a day-to-day basis shall have the initial responsibility for monitoring the information and documentation provided by the customer and any third-party service provider in connection with the opening of new accounts and the modification of or access to existing accounts and the detection of any Red Flags that might arise. Management shall see to it that all employees who might be called upon to assist a customer with the opening of a new account or with modifying or otherwise accessing an existing account are properly trained such that they have a working familiarity with the relevant Red Flags identified in this Program so as to be able to recognize any Red Flags that might surface in connection with the transaction. An Employee who is not sufficiently trained to recognize the Red Flags identified in this Program shall not open a new account for any customer, modify any existing account or otherwise provide any customer with access to information in an existing account without the direct supervision and specific approval of a management employee. Management employees shall be properly trained such that they can recognize the relevant Red Flags identified in this Program and exercise sound judgment in connection with the response to any unresolved Red Flags that may present themselves in connection with the opening of a new account or with modifying or accessing of an existing account. Management employees shall be responsible for making the final decision on any such unresolved Red Flags.

The Utility Billing Supervisor, working in conjunction with the Program Committee, shall establish a written policy setting forth the manner in which a prospective new customer may apply for service, the information and

documentation to be provided by the prospective customer in connection with an application for a new utility service account, the steps to be taken by the employee assisting the customer with the application in verifying the customer's identity and the manner in which the information and documentation provided by the customer and any third-party service provider shall be maintained. Such policy shall be generally consistent with the spirit of the Customer Identification Program rules (31 CFR 103.121) implementing Section 326(a) of the USA PATRIOT Act but need not be as detailed. The Program Administrator shall establish from time to time a written policy setting forth the manner in which customers with existing accounts shall establish their identity before being allowed to make modifications to or otherwise gain access to existing accounts.

Response to Detected Red Flags

If the responsible employees of the City of Canal Fulton as set forth in the previous section are unable, after making a good faith effort, to form a reasonable belief that they know the true identity of a customer attempting to open a new account or modify or otherwise access an existing account based on the information and documentation provided by the customer and any third-party service provider, the City shall not open the new account or modify or otherwise provide access to the existing account as the case may be. Discrimination in respect to the opening of new accounts or the modification or access to existing accounts will not be tolerated by employees of the City of Canal Fulton and shall be grounds for discipline as provided for in Section 154.801 of the Canal Fulton Codified Ordinances.

The Program Administrator shall establish from time to time a written policy setting forth the steps to be taken in the event of an unresolved Red Flag situation. Consideration should be given to aggravating factors that may heighten the risk of Identity Theft, such as a data security incident that results in unauthorized access to a customer's account, or a notice that a customer has provided account information to a fraudulent individual or website. Appropriate responses to prevent Identity Theft when a Red Flag is detected include:

- I. Monitoring a Covered Account for evidence of Identity Theft.

2. Contacting the customer.
3. Changing any passwords, security codes, or other security devices that permit access to a Covered Account.
4. Reopening a Covered Account with a new account number.
5. Not opening a new Covered Account.
6. Closing an existing Covered Account.
7. Not attempting to collect on a Covered Account or not selling a Covered Account to a debt collector.
8. Notifying law enforcement.
9. Determining that no response is warranted under the particular circumstances.

VI. PROGRAM MANAGEMENT AND ACCOUNTABILITY

Initial Risk Assessment – Covered Accounts

Utility accounts for personal, family and household purposes are specifically included within the definition of “covered account” in the FTC’s Identity Theft Rules. Therefore, the City of Canal Fulton determines that, with respect to its residential utility accounts, the City offers and/or maintains covered accounts. The City also performed an initial risk assessment to determine whether the utilities offer or maintain any other accounts for which there are reasonably foreseeable risks to customers or the utilities from identity theft. In making this determination the City considered (1) the methods it uses to open its accounts, (2) the methods it uses to access its accounts, and (3) its previous experience with identity theft. The City concluded that it does not offer or maintain any such other covered accounts.

Program Updates – Risk Assessment

The Program, including relevant Red Flags, is to be updated as often as necessary but at least annually to reflect changes in risks to customers from Identity Theft. Factors to consider in the Program update include:

1. An assessment of the risk factors identified above.
2. Any identified Red Flag weaknesses in associated account systems or procedures.

3. Changes in methods of Identity Theft.
4. Changes in methods to detect and prevent Identify Theft.
5. Changes in business arrangements, including mergers, acquisitions, alliances, joint ventures, and service provider arrangements.

Training and Oversight

All staff and third-party service providers performing any activity in connection with one or more Covered Accounts are to be provided appropriate training and receive effective oversight to ensure that the activity is conducted in accordance with policies and procedures designed to detect and prevent the risk of Identity Theft.

Other Legal Requirements

Awareness of the following related legal requirements should be maintained:

- . 31 U.S.C.5318(g) – Reporting of Suspicious Activities
- . 15 U.S.C.1681 c-1(h) – Identity Theft Prevention; Fraud Alerts and Active Duty Alerts – Limitations on Use of Information for Credit Extensions
- . 15 U.S.C.1681 s-2 – Responsibilities of Furnishers of Information to Consumer Reporting Agencies
- . 15 U.S.C.1681 m – Requirements on Use of Consumer Reports.

VII. RESPONSIBILITY

The initial adoption of the Identity Theft Prevention Program shall be by Executive Order issued by the City Manager. Thereafter, changes to the Program of a day-to-day operational character and decisions relating to the interpretation and implementation of the Program may be made by the Identity Theft Prevention Program Committee. Major changes or shifts of policy positions under the Program shall only be made by the City Manager.

Development, implementation, administration and oversight of the Program will be the responsibility of the Program Administrator. The Program Administrator may, but shall not be required to, appoint a committee to administer the Program. The Program Administrator shall be the head of any such committee. The Program Administrator will report at least annually to the City Manager regarding compliance with this Program.

EFFECTIVE DATE: NOVEMBER 1, 2009

PURCHASE ORDER

BILL TO:



City of Canal Fulton
 155 East Market Street, Suite #A
 Canal Fulton, Ohio 44614-1305
 (330) 854-2225 • FAX (330) 854-6913

P.O. NUMBER: **RG005778**
 P.O. DATE: **09/14/09**
 DEPARTMENT: **MAYOR. ADMIN**
 CREATED BY:
 VENDOR NO. **00222**

DELIVER TO:

CANAL FULTON ADMINISTRATION
 155 E. MARKET ST.
 SUITE #A
 CANAL FULTON, OH 44614

VENDOR:

THE WALTER H. DRANE COMPANY
 TOWER EAST - SUITE 420
 20600 CHAGRIN BLVD.
 CLEVELAND, OH 44122-5334

THE ABOVE PURCHASE ORDER NUMBER MUST APPEAR ON ALL BILLS AND PACKAGES.
 Material on this order is exempted from the Ohio Sales Tax and Federal Excise Taxes.

FEDERAL ID: #34-6000498

ACCOUNT NUMBER	AMOUNT
101.120.5410	\$3,864.00

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		EDITING AND COMPILING THE CITY'S CODIFIED ORDINANCES.		\$3,864.00
ITEM IS A FIXED ASSET Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				
TOTAL:				\$3,864.00

CIRCLE IF APPLICABLE: Now and then P.O. - the purchase was made before approval of P.O. Funds were available then as they are available now.

CLERK'S CERTIFICATE

I am hereby certified that the amount (\$ 3,864.00) required to meet the contract, agreement, obligation, payment or expenditure stated in this purchase order has been fully appropriated, authorized or directed for such purpose and from the Treasury or in the process of collection to the credit of the Admin Fund(s), free from any obligation or certification now outstanding.

Finance Director: [Signature]

Date: 9-14-09

City Manager

Date

THIS ORDER IS NOT VALID UNLESS SIGNED BY THE FINANCE DIRECTOR AND THE CITY MANAGER

INVOICE

Check. Date..... Vendor Name..... Amount.....

039089	09-29-2009	02161 JOHN DEERE LANDSCAPES	147.36	HERBICIDE
039090	09-29-2009	00102 U. S. POSTMASTER	440.00	
039091	09-16-2009	01891 UNIFIRST CORPORATION UNIFORM	280.68	
039092	09-15-2009	00557 AUDITOR OF STATE	4368.09	AUDIT
039093	09-15-2009	01816 CANTON DATA PRINT INC.	488.14	NEWSLETTER POSTAGE
039094	09-15-2009	01606 CLEMANS-NELSON & ASSOC. INC.	175.00	
039095	09-15-2009	00033 DOMINION EAST OHIO	319.15	
039096	09-15-2009	01396 ELAINE WEITZEL	39.99	
039097	09-15-2009	01998 FARRELL SERVICES INC.	253.17	
039098	09-15-2009	00152 HACH COMPANY	178.95	
039099	09-15-2009	01511 MARK COZY	15.49	
039100	09-15-2009	01633 PELLINI AND ASSOCIATES LLC	1771.30	LEGALS
039101	09-15-2009	01740 PRINT SHOP	977.40	NEWSLETTER
039102	09-15-2009	00391 PS CONSTRUCTION FABRICS, INC.	1800.00	STREET MATERIALS
039103	09-15-2009	02047 SAM'S CLUB	453.65	
039104	09-15-2009	00164 SOUTHEASTERN EQUIPMENT CO.	51.20	
039105	09-15-2009	01817 TOSHIBA BUSINESS SOLUTIONS	268.35	
039106	09-15-2009	00918 TREASURER, STATE OF OHIO	150.00	
039107	09-17-2009	01747 COMP MANAGEMENT CO.	2233.00	WORKERS COMP. ENROLLMENT FEES
039108	09-16-2009	00486 CTI ENVIRONMENTAL, INC.	20463.42	
039109	09-16-2009	00101 OH POLICE & FIRE PENSION FUND	20706.39	QUARTERLY PAYMENT
039110	09-16-2009	01994 OH. MUNICIPAL INSURANCE	5000.00	CLAIM DEDUCTIBLE
039111	09-17-2009	00103 O.P.E.R.S.	16983.09	
039112	09-23-2009	01672 TAMMY MARTHEY	292.33	SELF INSURANCE FUND
039113	09-29-2009	02163 DAVID AYERS	70.00	TRAINING REIMB.
039114	09-29-2009	02162 EDWARD COLLET	1019.11	OFFICER TRAINING REIMB.
039115	09-25-2009	00003 A J DIANA SONS INC	422.67	
039116	09-25-2009	00384 BONDED CHEMICALS INC.	464.00	WATER DEPT.
039117	09-25-2009	02111 BUTTERBRIDGE STABLES	879.00	CANAL BOAT HORSE BOARDING
039118	09-25-2009	01492 CANTON CHAMBER OF COMMERCE	0.00	VOIDED, PAID AT DOOR
039119	09-25-2009	00397 CLARK CONCRETE CONSTRUCTION	5000.00	RIVERVIEW STREET CONCRETE
039120	09-25-2009	00974 D & G UNIFORMS, INC	169.85	
039121	09-25-2009	00490 DALE B. KINCAID	986.76	INCOME TAX COLLECTIONS
039122	09-25-2009	02149 DON SCHWENDIMAN	1612.50	ENGINEER INSPECTIONS
039123	09-25-2009	01396 ELAINE WEITZEL	80.00	
039124	09-25-2009	01786 FGM MEDIA, INC.	47.50	WEB SITE MAINT.
039125	09-25-2009	00039 FINLEY FIRE EQUIPMENT	40.00	
039126	09-25-2009	00659 HOME DEPOT CREDIT SERVICES	32.97	
039127	09-25-2009	01214 HOMETOWN INSURANCE GROUPE, INC	13438.25	
039128	09-25-2009	01510 JEFFERSON LINCOLN INS. CO.	160.20	
039129	09-25-2009	00733 KAREN HILTBRAND	35.20	
039130	09-25-2009	00554 LAKE BUSINESS PRODUCTS	9.07	
039131	09-25-2009	01739 MATT'S LAWN CARE	70.00	FORECLOSED PROPERTY MOWING
039132	09-25-2009	01742 MET LIFE INSURANCE CO.	1860.96	
039133	09-25-2009	01635 NIGHTINGALE ALAN MEDICAL INC.	601.88	EMS SUPPLIES
039134	09-25-2009	00528 NORTHCOAST POLYTECHNIC INSTIT.	800.00	POLICE TRAINING CLASS
039135	09-25-2009	01653 OHIO AND ERIE CANAL COALITION	134.55	PARKS RESALE BOOKS
039136	09-25-2009	00506 PITNEY BOWES PURCHASE POWER	204.00	POSTAGE METER
039137	09-25-2009	00498 QUILL CORPORATION	63.53	
039138	09-25-2009	00630 REAM & HAAGER LABORATORY INC	23.00	
039139	09-25-2009	00842 THE REPOSITORY GATEHOUSE MEDIA	41.40	
039140	09-25-2009	01155 STATE CHEMICALS	191.38	LIFT STA. SUPPLIES
039141	09-25-2009	01672 TAMMY MARTHEY	46.72	REIMB. CHAMBER COMMERCE FEES
039142	09-25-2009	00222 THE WALTER H. DRANE COMPANY	3864.00	CODIFIED ORDINANCE SERVICE
039143	09-25-2009	01483 TRI STATE PUMP	2186.75	REPAIR SEWER PUMP
039144	09-25-2009	00515 VISION SERVICE PLAN - (OH)	821.97	

TOTAL \$ 113,233.37