

**CITY OF CANAL FULTON
CITY COUNCIL MEETING AGENDA**

September 4, 2012

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**
 - August 7, 2012 (DRAFT)
 - August 21, 2012 (DRAFT)
5. **REPORTS OF STANDING COMMITTEES**
6. **Leslie Wyman- Welcome to Historic Canal Fulton/Ryan Trewin Memorial Sign**
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
 - Written Report
 - G. City Manager
 - Written Report
 - H. Report of Mayor
 - I. Parks & Recreation Board
 - J. Law Director
9. **THIRD READINGS**

Resolution 23-12: A Resolution by the Council of the City of Canal Fulton, Ohio to adopt the updated Stark County Multi-Jurisdictional All-Hazard Mitigation Plan.

Ordinance 17-12: An Ordinance establishing ticket prices for the St. Helena III Canal Boat rides for operations commencing in 2013.
10. **SECOND READINGS**

Resolution 26-12: A Resolution by the Council of the City of Canal Fulton, Ohio to reimburse
11. **FIRST READINGS**

Ordinance 20-12: An Ordinance by the Council of the City of Canal Fulton, Ohio enacting and adopting changes to the civil service rules of the City of Canal Fulton, Ohio, and declaring an emergency.

Ordinance 21-12: An ordinance amending the Codified Ordinances of the Administrative Code of the City of Canal Fulton, Ohio to amend Chapter 141 Employees Generally and amend Section 141.07 Overtime. 10011
12. **PURCHASE ORDERS & BILLS**

P.O. 7420 to Met Life Insurance for City Share of Dental Insurance Premiums in the amount of \$5,900.

P.O. 7423 to Huntington National Bank for Northwest Schools Waterline Bond Interest Payment in the amount of \$11,506.25.

P.O. 7425 to Terry's Truck and Trailer for a 9' Super Steel Snowplow and Controller for n Street Department pickup in the amount of \$4,332.40

P.O. 7433 to Hometown Insurance Group, Inc. for the City Share of Health Insurance Premiums/Cobra Premiums in the amount of \$58,200.00

BILLS: None
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**

**CITY OF CANAL FULTON
MINUTES OF AUGUST 7, 2012 COUNCIL MEETING
(Proposed)**

Council Meeting:

Mayor Richard Harbaugh called the August 7, 2012 City Council meeting to order at 7:00 pm in Council Chambers, City Hall, Canal Fulton, Ohio.

Pledge of Allegiance

Roll Call:

Present: Paul Bagocius, Nellie Cihon, Danny Losch, Sue Mayberry, Scott Svab, Linda Zahirsky

Others Present: C. Rossi, James Deans, Greg Mayberry, Bob Schaeffer, Barb Schaeffer, Scott Fellmeth, Ruth Fellmeth

Correcting/Adopting the Record of Proceedings:

Mrs. Zahirsky moved to adopt the minutes from the **July 17, 2012** meeting; Second by Mrs. Cihon. Roll called, Mr. Bagocius abstained all other members present voted in favor.

Corrections: Page 4 of 5, Resolutions 16-12, Motion to suspend the rules all voted yes, Motion to pass under suspension all voted yes.

Page 5 of 5, rule to go to executive session and to return to regular session is not included.

Page 1 of 5, under Reports of Standing Committees, Public Service Committee. After discussion, Mrs. Zahirsky made the motion for a Special Council Meeting, second by Mrs. Cihon.

Motion was made to approve the minutes of **July 24, 2012**: Mr. Bagocius abstained, all other members voted in favor.

Citizen's Comments

None

Recognition of Purple Heart recipients:

Mayor read the Proclamation proclaiming August 7, 2012 Canal Fulton "Purple Heart City".

The Purple Heart is awarded to members of the military who incur injury or death during combat with enemies of the United States of America.

The following individuals were honored as members of the Purple Heart:

Eugene Fellmeth
Michael Barkey (posthumous)
Daniel Lukek

Mr. Lousch presented the honors.

Commander of Military Purple Heart Chapter 699 Paul Lewsinsky spoke about the history and honor of receiving the Purple Heart.

Administrative Officers

Senior Citizens Center - no official report

Mark Cozy stated Canton Area YMCA about Silver Sneakers Program, exercise program for senior citizens.

Community Service Coordinator - No report for this meeting

Fire Chief - no official report

Chief spoke on EMT training with Suma. No cost.

Police Chief - New car purchase. Need more information per Paul Bacious at last meeting. Mechanic Nate inspected current vehicle and it failed the inspection and has been taken out of commission. Fulton Auto said car was in an accident, 86,000 miles on the car.

Two cameras were installed and are working. Police are now in compliance with cataloguing interviews with felony offences.

Requested a public Personnel Committee meeting to discuss comp time.

Motion was made and seconded that Personnel Committee will meet August 21, 2012 at 6:00 PM.

Roll called, all members voted in favor.

Engineer/Streets/Public Utilities -

Engineer - Not present, written report was submitted.

Streets:

Service Director Dan Mayberry was present to answer questions about Street Department written report. Mrs. Zahirsky asked Mr. Mayberry if he was in favor of the 1 mill street levy that will be before the voters this November. Mr. Mayberry said he was because it will fund the paving and intersection projects this year. James Goffe said the levy money will go toward the local share of project funding. Mark Cozy said he is writing a grant, in conjunction with the county to fund the Locust Street project. We applied for the same grant last year on our own but were refused because we didn't score enough points.

Finance Director:

James Goffe reported there was a variance in the May bank reconciliation. The variance was due to a deduction check from April that was not mailed and was voided as lost in the mail then was left off the outstanding check list. May is reconciled.

Alternative tax budget is due before the Monday before the next council meeting, must be approved at August 7, 2012 meeting by emergency under suspension of the rules. Resolution 24-12. Copy of alternative tax budget is in packets, based on 5 year forecast for 2013. No questions. June bank reconciliation has a variance because of a carryover deduction report not accurate. We had a third party employee sick day for June that was received in July that had to be reported in June for our quarterly IRS 941 report filing to be accurately and timely filed. Nothing went uncorrected in June. No questions about June bank statements. Mr. Goffe asked for a motion to accept the financial report. Motion was made and seconded that the financial report for June was received, no other discussion. All members voted in favor of accepting the financial report as filed. A question to Mr. Goffe: June income tax numbers are down substantially, is this because of a timing issue? Mr. Goffe: Yes, we received income tax money in the beginning of July that was intended for disbursement in June.

Question for City Manager:

Plan to have a civil service test late September or early October, eligibility list will be available for Council who they want to hire. Bargaining unit is down one person. City is down two full time police officers.

City Manager – written report attached

Purchase Order from CTI Engineers for preliminary design of primary treatment Screening at Waste Water Treatment Plant. The amount is \$6,000.00. The purchase Order is needed for loan application. Need a motion for approval so Law Director Can prepare legislation for the next meeting. Motion was made and seconded. All voted in favor.

Our generator failed during a test and needed major repairs. A generator has been moved from the old fire station to City Hall and installed. The generator is now in operation.

End of tape

Second recording is inaudible.

**CITY OF CANAL FULTON
MINUTES OF AUGUST 21, 2012 CITY COUNCIL MEETING**

CALL TO ORDER:

Mayor Richard Harbaugh called the August 21, 2012 City Council meeting to order at 7:00 pm in Council Chambers, City Hall, Canal Fulton, Ohio.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: Paul Bagocius, Nellie Cihon, Danny Losch, Sue Mayberry, Scott Svab, Linda Zahirsky

Others Present: Scott Fellmeth - Law Director, Mark Cozy - City Manager, Asst. Fire Chief - Ray Green - Police Chief - Doug Swartz; Kathy Lewis Snyder - Acting Clerk, James Goffe - Finance Director, Dan Mayberry - Service Director

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS:

Mrs. Zahirsky asked that the minutes from the August 7, 2012 meeting be reviewed by the Members of Council and be discussed at the September 4, 2012 Council meeting. She stated the members have not had a sufficient amount of time to read the minutes.

Mrs. Zahirsky motioned the minutes approval from August 7, 2012 Council be tabled until the September 4, 2012 Council meeting. Second by **Mr. Svab**. All Council Members voted in favor, motion approved.

PERSONNEL COMMITTEE MEETING REPORT:

Mrs. Zahirsky reported the Personnel Committee met August 21, 2012 at 6:00 pm and the following items were discussed:

Flex time or comp time for some of our department heads. Current Ordinance 141.07 entitled "Overtime". Changes to Section G, eliminating the word "current" in front of Superintendent of Public Utility and Superintendent of Streets. Include the Police Chief and Clerk of Council in the list of who is entitled to compensatory time and include that each of these department heads has to have their compensatory time approved by their manager. Another Section included is number 9 of ODNR, says cash payment of compensatory time is not permitted. Supervisors will not be able to cash out, exempt employees will not be able to cash out.

Discussed possibility of raises of employees that have had their salaries frozen for the past 3 years, (**Mr. Goffe** added - since 2009) looking at those in the Fall and discuss the possibility of giving raises next year. Mr. Svab brought up the possibility of a part time

police office at the school in the mornings and afternoons to be able to help with the flow of traffic that was backed up today and ask the school to help with the cost.

CITIZEN'S COMMENTS:

A citizen asked why there is so much congestion at the school in the morning, he thought the school had staggered opening times.

Mr. Svab said there is no bussing at the school so there is an influx of students and parents dropping off the students.

Mr. Cozy said the people dropping off the students are contending with the traffic of the middle school busses dropping off students using the same driveway. Middle school did not stagger their hours.

REPORTS OF ADMINISTRATIVE OFFICERS:

SENIOR CITIZENS - no official report

COMMUNITY SERVICE COORDINATOR - Written report attached.
No questions asked by Council or others present.

FIRE CHIEF - Written report attached.

One of their members completed and passed the paramedic certification. Josh Lowery just received his certification last week so that adds another paramedic to the force. Jason Burson passed the practical portion of the testing, he needs to pass the written portion of the test. Will take the test again within the next couple of weeks.
Three entering the program next month.

Paul Bagocius question: about a building fire; one building fire but no loss. **Asst. Fire Chief** said it was a mutual aide fire with the township, just responded to it.

POLICE CHIEF:

Last Saturday the police were invited to PNC Bank for PNC Palozza. They were able to pass out child ID kits that contain information of the child that included fingerprints and DNA sample of the child and a section for the child's dentist to complete. Chief stated it was great public relations for the police.

Current policies and procedures manual, that included changes, has been distributed to each Member of Council. If the Member doesn't want the manual the Chief will take them back and distribute them to the officers to save money. The Chief asked for a voice vote to approve the changes.

Bob Bohecker has taken employment with OPATA teaching computer forensics. Try to retain him as a part time employee and work around his schedule. Another officer Josh (last name not understood) has been offered a position with the Stark County Sheriff as long as he is successful with everything he needs for employment. Nessa, a part timer, was

offered a contingent offer of employment. And reserve Officer Whittaker has left and went to Stow.

Mrs. Zahirksy question: does the Chief have anybody in mind to replace them? **Police Chief** - hoping to speed along the Civil Service examination to be able to replenish the officers, full and part time.

Paul Bagocius question: policies draft. Are the changes strictly clerical, any substantive changes. **Police Chief** - 90 % are clerical, all the laws of arrest stayed consistent with the ORC, anything that was involved with any litigation stayed the same, there was no need to change them because the ORC didn't change. There were some policies that never existed before that the Chief created. Those were drafted using 2 other Stark County agencies as well as ORC to draft the policy. **Paul Bagocius** - recommendation; doesn't like to vote on something he hasn't read. Would like a condensed version of items that were put in as new (other than dates, phone numbers, names) just the policies that would be new to this; because Council already approved the old policies. **Chief** - will e-mail everybody the changes that were made and they can retrieve them from what Council has in front of them. **Paul Bagocius** - send the copy from City Hall to Member's personal computers so they can be opened in PDF format. **Mr. Goffe** - will work with Doug to get it to the Members in PDF format. **Paul Bagocius** - asks Council, is this anything they want to work with directly or do they want it to go to the Safety Committee with a recommendation. **Mr. Bagocius** stated "that's an open ended question to Council."

Chief - asked Law Director if he had a comment on that. **Law Director** - agreed with Mr. Bagocius that he would like to see just the changes so he can review those changes of policies. Anything else remaining the same he doesn't need to look at, but that's important at this stage. It would be Council's decision at this point if they want it to go through Safety Committee. If he reviewed it first he can compare it to the ORC to determine what was needed. **Mr. Bagocius** - (clarification) "needed" meaning to go through Safety? **Law Director** - "exactly" he hasn't seen it yet, if he can see that he can match them to the ORC, may not even be necessary to bring the matter before Council to make the decision. **Mr. Bagocius** - "let's go that route then".

Mr. Cozy question - was our employee representative involved in creation of the policies. **Chief** answer - no, everything FOP related basically states in there the current compensation will be reflected as a in the contract with the FOP ORC. **Mr. Cozy** - ok. **Chief** - can send him (representative) what he (Chief) sent you (Cozy) in pdf just to cover another base. **Cozy** - our "employee rep", not "union rep" employee rep can be one of our own officers, that would suffice.

No vote was held for approval of the Police Department manual revisions.

ENGINEER:

Since last presented before Council been working with the Administration on the Wooster Street storm water management easements with some property owners. They're working out the final location of that facility. Also, the Portage/Locust street rehabilitation project which we're applying for in September, finishing the design on that, updating our previous work then adding the County section to that. We've begun work on the influent

preliminary design import for the influent screenings addition to the waste water treatment plant, due in September. Began work on OBWC applications updating the inventory of city facilities and other things that are required to part of that application process.

Paul Bacioux question: are we still having trouble with the residents as far as the run off water project. **Dan Mayberry** - we're speaking with the residents with a resolution. Its been time consuming, tedious. One of the main players is out of town for several weeks. We're making progress but its slow.

STREETS:

Dan Mayberry reported about the 2012 chip and seal began Monday (August 20). Learned last Friday the contractor would be able to come to Canal Fulton this week. They're services are at a premium right now, not only in Canal Fulton but throughout Stark, Wayne and Summit Counties. Weather presented some issues but we've been able to move forward. Two crews working in Canal Fulton. Expect to be completed by the end of the day, Thursday (August 23).

In addition, the structural repairs at the waste water treatment plant. The extent of repairs necessary exceed what we anticipated. Once the tank was drained the structure could be better viewed we found other areas of concern that needed addressed. What we will do is complete in its entirety one tank this year, then budget in 2013 to repair the 2nd tank. Repairs are going well and one of the tanks will be completed this year.

Mr. Svab - what were the problems that you will resolve with the 2nd tank. **Mr. Mayberry** - the catwalk areas; its an octagon, the octagon section of the tank, it was obvious there were structural failures but there were other areas that also support the catwalk and a lot of those were compromised and needed to be cut out. Couldn't see these when the tank was full but when the tank was drained we could see the structural problems better. We budgeted \$10,000 for both tanks and it looks like it will be \$10,000 per tank. Mr. Mayberry has photographs of the tanks and has the metal that was removed from the tanks and will be happy to take anybody through to see the damages and repairs being made.

FINANCE DIRECTOR:

July financial reports. As a result of the June issue with the bank, reconciliation where we had some 3rd party sick pay, hadn't been recorded in June after we had processed the first payroll. As of first of July, yes there still is a variance with the bank reconciliation, that will be revised, once its identified what that is. Didn't want to hold up getting the financial report out to Council. Had enough of a hold up in May and June due to lack of staffing.

Draw attention to the income tax section. They are up, the official estimate is now \$125,00 over what we collected last year. May be higher, will keep an eye on it through the year. Our only large month in comparison to the other months is in October. Asked for questions. Asked for a motion to accept the July financial statement.

Mrs. Zahirsky moved to accept the July financial statement. Second made by Mr. Svab.

Mrs. Zahirsky asked what are Stark Parks Towpath Tags. **Mr. Goffe** – that is actually an item that has not been brought to his attention. We have in the past collected money for those tags for Stark Parks, money goes to the Friends of Stark Parks. We periodically disperse the money back out. **Mr. Zahirsky** – “I don’t know what it is.” **Mr. Cozy** – explained it’s a Stark Parks fundraiser. They sell Towpath Tags, like a little pin you can wear. We sell them at the Canalway Center on behalf of Stark Parks. We collect the money and give it to Stark Parks.

Mr. Bagocius question – asked if income tax projection is \$200,000 more. **Mr. Goffe** – if you look at the report before the financial statements that’s the very first page on back on the Fire Department, look at bottom. Look at the history of the income tax estimate for this year, originally when were doing the budget was \$1,950,00 based on what was estimating in October of last year. Then March provision which was our actual from last year, April revision based upon April 15 after taxes, August revision after the quarterlies were due in July. Income tax administrator will be higher than that, possible may be on the conservative side at the moment, expect by end of October may be revised up from where its at now. **Mr. Bagocius** – clarify, \$125,000 more this year that what we collected last year at this time? **Mr. Goffe** – no, this is the projection for what I’m estimating total for the year. **Mr. Bagocius** – is it also correct, from my memory that out carry over, based on the auditor’s report was \$1.6. **Mr. Goffe** – that was carry over city wide based upon a modified accrued bases. Not the same as we operate on a day to day basis.

Mrs. Zahirsky – Understand from the auditor’s report, the sewer numbers were bad. We are definitely spending more. **Mr. Goffe** – when we were putting the budget together this year the sewer debt fund had all the money it needed to meet our debt obligation. No money was going to sewer capital unless tap ins, and we had a few this year. Sewer operating was projected to be at a defect for this year and we will likely need addition appropriations due to some of the operating expenses associated with the operating off of one of the tanks instead of two of the tanks while the other is being repaired this year and the cost being higher than expected. Working on five year estimate for sewer rates. Want to have that in place to be voted on in January.

Mr. Bagocius – it took us a while to talk through the five year water budget or projection plan, so I hope you give us enough time for the sewer. **Mr. Goffe** – trying to work as well as can in that direction. Big items outstanding at the moment is capital.

Mayor asked if there were any further questions. None.

Roll call vote: All Members voted in favor of approval.

Mr. Goff - have a hand out for Members of Council. Revised Ordinance 19-12 should have been put in the amended appropriations packet but missed it. Clarifying the pay rate for Teresa Dolan, correcting the pay agreement amount to read \$41,700.

Mr. Goffe - We took delivery for the pick up truck for the Street Superintendent today (August 21). We still need to get a plough. Due to the color (we not originally ordered) they took \$2,500 off the total. We received a white truck, we ordered red.

Mr. Goffe - We need additional appropriations for sewer and change money around from personnel and operating of other departments. (Two council meetings from now) if Council wants to set a finance meeting.

Mrs. Zahirsky moved we hold a meeting of the Finance Committee at 6:00 PM. 2nd by **Mr. Svab**. All members voted in favor. Motion carried.

CITY MANAGER

Written reported has been submitted with the Council packet.

OTHER ITEMS: Item One:

Mr. Cozy - Civil Service Commission recommending the approval of the amended Civil Service rules (for a reason), by emergency. **Mr. Goffe** - the emergency is so we don't have to wait 30 days. **Mr. Cozy** - the intention is to have a Civil Service test at the end of September which gives us the opportunity to read this three times then have it go into effect immediately after the third reading. The Civil Service Commission is meeting again this Friday, August 24, to discuss the Civil Service test for Police Officer. In particular the section pertaining to strength and agility testing process for a Police Officer. Ten AM on Friday is when the Civil Service Commission plans to meet. Would like to get a voice motion from Council to advertise for the test then contract with Clancy and Associates to administer the test. Would like to have the test administered at the end of September. Can work with the current Civil Service rules through the testing though the advertising process, we'll still be legal for that. We need to have the Civil Service rules in effect before the test is administered, because the test itself and the scoring of the test are affected by the new Civil Service rules. **Mrs. Mayberry** - looked like there were a lot of changes; Commission all have looked at this and may have agreed with everything that was changed. **Mr. Cozy** - when they initially looked it over there were things they initially disagreed with. The way our Charter was written we must follow the ORC, that is essentially what this is, to bring us in to compete compliance with the ORC pertaining with Civil Service testing, Police Officers have their own Section. **Mrs. Mayberry** - did find a couple typos. May be more, but see some things she thought weren't right. **Mr. Cozy** - that's why he wants three readings. So it can all be corrected by 3rd reading. **Mrs. Mayberry** - is there a way to get copies. Mr. Cozy said he has copies. **Mrs. Mayberry** - she will e-mail Mr. Cozy items she feels need to be fixed. **Mr. Lousch** - (to Mr. Cozy) you don't see any issues with this being a delay. **Mr. Cozy** - typographical errors? **Mr. Lousch** - about applicants ready, police have been short staffed a long time. **Mr. Cozy** - want to move forward as quick as possible. **Mr. Goffe**: two weeks of advertising. **Mr. Cozy** - also make provision for the strength and agility test too.

Mrs. Zahirsky made a motion to allow the City Manager to begin advertising process for Police Civil Service exam. Second by **Mrs. Cihon**. Mayor called for other discussion. Roll call taken all Members voted in favor.

Item Two:

Mr. Cozy – also in report, Parks and Recreation had passed a motion to make the Old Schoolyard Park tobacco free. Does Council want to take this to Public Services Committee for further discussion. That may be the best course of action, it will require legislative for the Police Department to enforce that rule. Been discussed in the past but we never acted on it. **Mrs. Mayberry** – is there a specific problem with the smoking, never heard of it before. **Mr. Cozy** – the Park Board has identified the problem of smoking in that park. The issue right now is there is a mixture of people over 18 and kids under 18 and a group of people smoking in the park and the picking up of cigarette butts in the park. The Police Department can't enforce anything, because when they show up the kid passes off the cigarette off to somebody else. Parents are very much concerned with smoking in that park. The only way the Police can enforce it is to make it tobacco free. **Mrs. Mayberry** – how is it enforced, if they're caught smoking do they get a ticket? Police Chief – Ordinance violation? **Mr. Cozy** – would like to take it to Committee with Chief's assistance to see how it would be enforced, what kind of penalties. Need to think this through before we pass any kind of legislation.

Public Services Committee meeting set for September 4, 2012 at 6:15 PM.

Mrs. Zahirsky made the motion that the Public Services Committee meet at 6:15 PM on September 4, 2012, main purpose is to discuss under age smoking. Second by **Mrs. Chion**. No further discussion. Roll called, all Members voted in favor.

Item Three:

Mr. Cozy - Meeting with Mayor Catazaro-Perry of Massillon. We've been discussing for a year, contracting the city of Massillon to be our building department. We've met several times with them worked through some of the detains, in the end it seemed it would be a nice fit for us because of the proximity, their office is computerized, the Stark County office isn't computerized. The issue was because Massillon is computerized they need to add us to their software. They have a quote from they're software provider which is about \$4,000. **Mr. Cozy** - discussed this issue with Mayor Perry last week, she said Massillon is willing to extend the offer in two payments. One now and one in June. Does Council want to pursue; does Council want this item to go through Committee or make a motion tonight. **Sue Mayberry** asked – at one time was it not a good idea for us to go through Massillon. **Mr. Cozy** – Stark County received a grant to do a study on consolidating building departments in Stark County. We haven't had any trouble with Stark County, but Massillon is closer and we feel they could give us better service. **Asst. Fire Chief** - Stark County has a longer time issuing permits and certificates of occupancy, which are items the Fire Department needs in order for the Fire Department to do their inspections. Business owners say they want to be in compliance with the Ordinances but they can't get any action from the Stark County Building Department. **Mr. Cozy** - Massillon has a reputation to be more pro business. Our business owners would like us to make this move. **Mr. Fellmeth** question – what do we get for our \$4,000. **Mr. Cozy** – they would perform their service and charge the fees they charge. **Mr. Fellmeth** – for now, but that could change. **Mr. Cozy** – we would need a contract. **Mr. Fellmeth** – we could get in the program and the fees go up. That is something

we would know before we get into the program. **Paul Bagocius** - if the grant goes through and the study is to consolidate, where does that leave Canal Fulton as far as, we've already bought into Massillon, will we in essence be pushed into a County consolidation. **Mr. Cozy** - we're with Massillon at that point, unless we decide to do something else. **Paul Bagocius** - will Massillon somehow combine with the County and we're back to square one. **Mr. Cozy** - the consolidation would include the computerization of the Building Department. Right now their talking about combining Stark County with Canton. All the other cities are right now on the outside looking in. **Mr. Bagocius** - to satisfy our Law Director's concern, can we have tentative contract language be drawn. **Mr. Cozy** - that's a great idea. **Mr. Fellmeth** - when do they anticipate the study to be complete. Can we wait until the study is complete before we spend wasted time on this. **Mr. Cozy** - Law Director is right, it does require some time on his part. This is a lengthy process; we need to petition the state to change building departments. Its not something where we make a decision. **Mr. Fellmeth** - there is a lot of legal work. **Mr. Cozy** - do we want to pursue this or not. This is something the Mayor (Harbaugh) wanted me to do for him. **Mayor** - let me add a little more to this. Said a local citizen was turned into the Building Department for not having a building permit when he was putting a new roof on his house (was turned in by his neighbor). Citizen had to get a permit and had to pay 3 times the cost of the permit with the fine and everything, He had no idea he had to get a permit. **Mrs. Zahirsky** - it was included in the newsletter before. **Mr. Bagocius** - wasn't that a state regulation. **Mr. Svab** - there is an advantage to having your own building department. You're controlling your own growth, or wait on another entity to tell you what you can do. If their fee schedule is cheaper for us than Canton, obviously the travel time is easier. Looking out for the residents and users who have to use this, make it easier for them. If Massillon decides they want to keep their building department and they really don't care what the county is going to do, and they keep their fee schedule, then we shouldn't care if the county is going to consolidate or not. If we can get a commitment that the fee schedule stays where they are, and we're comfortable with them compared with the county that should be a factor that we should look into going with Massillon. **Mr. Cozy** - Massillon recently revised their fees. Their building department pays for itself now. Massillon told us if they include us they'll keep the same fee schedule. We can get that in a written agreement. **Mr. Svab** - as long as they don't charge Massillon residents one fee and raise the price for residents of Canal Fulton that's a plus. **Mayor** - concerned about emergency situations. A few years ago when we had a tornado, he (the Mayor) lost quite a few shingles off his house. If it happened on a Friday, he would have to wait until Monday morning to get a permit just to be able to fix his house. **Mr. Cozy** - Massillon Building Department wants to bring into compliance first, fine if you refuse. Stark County, its easier to fine right away (because of understaffing). Massillon is more business friendly. **Mr. Cozy** - will bring more information back next meeting.

Item Four:

Mr. Cozy - "I supplied everyone with copies of the motion passed by the Planning Commission pertaining to North Star Gaming for the conditional use certificate for arcade through sweepstakes internet café. Hoping everyone had a chance to read it. Looking for Council for direction where they want to go with that. Law Director opinion, send to committee? What exactly do they want to do?" **Mrs. Mayberry** - "I read on 2nd page,

"zoning inspector has confirmed facility has not been existing and operating as of August 16th." "Well, the law states they had to be operating as of July 11th, right?" **Mr. Cozy** - "we have representatives here from North Star." **Mrs. Mayberry** - "but that what it says, right?" **Mr. Cozy** - "right". " They filed an affidavit with the Attorney General's office, and they are on the Attorney General's office list." **Mrs. Mayberry** - "is there a copy of the affidavit" **North Star representative** - "I have it with me, yes, if you need it." **Mrs. Mayberry** - "Yes, please".

Copies of affidavit were distributed to Council Members and Mayor by North Star representatives.

Mr. Fellmeth - "The question we seem to be faced with is whether or not they were "operating" by June 11th, or they made an attempt to get into operation, which they clearly did prior to the date. The issue to the Council is whether they are in substantial compliance. The Attorney General's option is they must be in operation by the June 11th date. Its arguable they were not in operation by June 11th date because of hoops we had to put them through to comply with zoning requirements. What happened at the Planning Commission (as far as my understanding) ; Planning Commission voted to conditionally approve this pending Council's approval of the internet café. If your going to ask me if I feel it was within 100% of Ohio Law my answer is "no", whether or not we want to proceed through with it is another question. If you're looking to be in a business friendly environment, based upon the number of operation it can build here, your looking at an outlay of \$50,000 coming into the city right out of the box to set this up. On top of that we will receive additional income tax revenue. The facility is located in the industrial region, the east side of town is not in the Historical District, it is not near a church, a school or any other facility such as that. It's actually located in a building which is now vacant and parking lot is rapidly deteriorating. My own personal perspective, I am not opposed to issuing conditional permit for this business to be established. Frankly, they're all over the place; I think it would be ridiculous to deny Canal Fulton potential revenue we would receive from that. That's my own personal optional on it. Would be happy to answer any questions regarding this subject. It's Council's choice."

Mrs. Zahirsky - "Is it June 11 or July 11, because this article in the paper said July 11th and I keep hearing June 11th?" **Mr. Fellmeth** - "June 11th" **Mrs. Zahirsky** - "the article in the Akron Beacon said July 11th". **Mr. Fellmeth** - "That was the date they had to "file" exemption by. They had to be in operation by June 11th but had until July 11th to file." **Mr. Lousch** - "Why wasn't it up and running, because we were hesitant to give them permits. Isn't that what the structure needed?" **Mr. Cozy** - "They applied for their conditional use permit in May." **Woman's voice** - "Through Stark County" **North Stark Representative** - "They were so overwhelmed and backed up that it's caused us pretty much, a lot of the local businesses not to get occupancy, which you're well aware of as well. Business don't fall in the same category but have the same outcome. **Another North Stark Representative** - "We've been working with these guys pretty much since the beginning of May. I recommend he go to Johnson Belford before we did anything. They proceeded and discussed it with Johnson and it's just been delayed and delayed. They were ready to remodel. Nothing has been happening with Stark County." **Mr. Cozy** - "They applied for their conditional use certificate in the middle of May. It was too late to get them on the May agenda, next Planning Commission wasn't until June 21st. Wasn't until June 21st, after the

deadline that the Planning Commission was able to hear this. They made the application back in May but the Planning Commission didn't hear it until after the deadline.

Scott Fellmeth - "This whole issue came up at almost two years ago. That's why we enacted all these Ordinances to regulate internet cafes. We drafted the legislation to make conditional fees; it was never the intention to outlaw, it was to regulate them. We got laws on the books, let's go forward." **North Stark Rep.** - "The same laws apply to the Bingos parlors and everything else, its all under Bill 386. Broad spectrum of what the new law is going to be once they do pass it." **Danny Losch** - "What do we need to do to move this forward then, voice motion?" **Mr. Fellmeth** - "Yes, voice motion. Planning Commission did vote unanimously." **Paul Bagocius** - "I personally can't support it based on, if nothing else, the Law Director's comment, in his opinion, it did not meet the law. And as far as I'm concerned that's where the line is drawn. The Beacon Journal you had clipped out Mrs. Mayberry says in essence many people have filed affidavit and some have been proven false. Based on that alone I would not support this." **Mr. Fellmeth** - "North Stark filed their affidavit based on their opinion of Council. I did not suggest for one moment they filed a false affidavit. They did it upon opinion of Council, that's all they could do." **Mr. Lousch** - "I would suggest we move forward with voice motion. Get this thing rolling." **North Stark Rep.** - "Is there anything else in the steps other than voice motion of Council that Council need to offer to keep this going?" **Mr. Fellmeth** - "No, we would have to go to the Planning Commission to issue the permits. It's still in the hands of the Planning Commission but they don't want to make a decision without Council's approval, because Council can overrule them anyway." **Mr. Cozy** - "Actually it would go right to Zoning, Johnson Belford would issue them a zoning permit and then everything would fall into place." **Mrs. Zahirsky** - "I'm really torn on this. It seems to me that this affidavit isn't correct if what we're saying if they were fully operational conducting sweepstakes, or whatever, through a terminal device." **North Star Rep.** - "The law is, let's say the wording is ambiguous and we're not....these machines are internet machines as well so if you went into one of our establishments, it has a mouse and a key board and you press one button an the internet pops up, so it isn't just a sweepstakes machines. I'm not going to put a bunch of machines on the floor until their fully tested. We had individuals testing these machines a lot. As far as a law....what is existence verses operations. I'm not an attorney, I can't say I know case law, but were definitely a company that was in existence.....but what is operational, what I don't know exactly what that entails because that is ambiguous thing." **Mrs. Zahirsky** - "Seems to me, being operational means you paid your fees to have your licenses and you were up and running and legitimate." **North Stark Rep.** - "We've been working on it since May though. The law doesn't say specifically operational period, it says operational/existence. We've been in existence for a while. So, I don't know." **Mrs. Mayberry** - "But you haven't been existence down here?" **North Star Rep.** - "Yes, the business is there, just we haven't been able to open our door." **Mrs. Mayberry** - "Store front?" **North Stark Rep.** - "Yes." **Mr. Fellmeth** - "The problem would be resolved if the Attorney General would issue an opinion but they won't. They are essentially dropping it back in our lap." **Mrs. Mayberry** - "That's fine." **North Star Rep.** - "It's like going downtown and building a new building, then the State comes in and says we're going to put a moratorium on new buildings being put up. What happens to the individual that invested a great deal of money, sweat and blood to get this thing up and going and then it just gets cut off. I don't think that's what the intent was for them to essentially regulate these."

(inaudible statement from Member who cannot be identified) **North Star Rep** - "We've invested a great deal of money into get this operational." **Mrs. Mayberry** - "Well you took that risk." **Mr. Bagocius** - "On the affidavit, date that the sweepstakes establishment started conducting a sweepstakes through a sweepstakes terminal device, June 2, 2012. How could that have happened if you didn't you didn't have an occupancy permit." **North Star Rep** - "The machines were up and running and we were testing them at the time. And we already obtained legal opinion that would be sufficient. You have to remember they put tens of thousands of dollars into this. Then, the State comes down and says as of midnight tonight the moratorium is on." **Mr. Bagocius** - "It just sounds a little to hocus pocus for me, and, like I said, I cannot support it. The Law Director it was legally not, and I'm going with the Law Director's opinion." (Law Director begins to speak.) **Mr. Bagocius** - "Your legal opinion, not your personal opinion." **Mrs. Mayberry** - "One thing, this was a controversial issue that really divided this City regarding the casino a few years ago. This was a very heated and emotional thing that went on. A lot of people wanted it and a lot of people didn't. It caused a lot upheaval in this town." **Mrs. Zahirsky** - "If you look at what Scott (Fellmeth) is saying we did go through the process of our putting rules and regulations in place. Really weren't a lot of people marching around outside yelling and screaming because we were doing it." **Mrs. Mayberry** - "There are rules and regulations for a lot of things you would not let in this City and this is something I'm not in favor of." **Mrs. Cihon** - "A few years ago we had one of them down there by Farnsworth. Oh yeah there was. There were two of them." **North Star Rep** - "Ran them out. It's \$250.00 per machine. We currently have 30 in there, we're going to have an additional 10 more. That's quarterly, your talking \$1,000. per machine per year, not including the licensing fee possibly due as well. Your looking at \$40,000 as soon as we apply for zoning permits. As soon as we get the approval from you guys we have to write you a check for forty some thousand dollars. That's not including the tax revenue your going to get additional from each and every one of those machines. So it's essentially like a partnership." **Mr. Svab** - "I would like to have some more time on this. Whether you agree with the gaming or not I see one of the things that bothers me is the time line effective 6/2 but what bothers me is had you received that occupancy in May we might not even be here. That's the troublesome part of me. If it's any other business (other than) because it's controversial gaming everybody would be mad that why didn't you get your permit in time. If you just look at the sequence of events that's at least provided to me at this time, it's like, I would like to have a little more time to review more facts before I vote on it. Again with the affidavits filed on the 12th, and what you said, what constitutes, is it the date you sign the lease with the land owner and that's the date you become business or is it the date you can open your doors because the county is blocking you from legally opening your doors. Or could you have opened your doors on May 11th or whatever and say "I'll take the risk of being in violation of an occupancy permit and let people come in", then maybe 2 days later Fire Department shuts you down, but you can say "hey, I was open on May 11". " **Mr. Fellmeth** - "None of those facts frankly, even if a part of a business is "shut down" at the time this went into effect and the operator previously still grandfathered in. Had they chosen to set up illegally, then they were shut down they would qualify 100% of the law. Are they to be penalized because they follow our laws?" **Mr. Svab** - "I would like to hear more about it. This is the first I've seen this issue. If everybody is satisfied to vote then that's fine." **Mr. Fellmeth** - "How do you feel Mr. Mayor?" **Mayor Harbaugh** - "I was just going to ask a question. I've heard rumors

there were quite a few of these establishments in Jackson Township. Is that correct?" **North Star Rep.** - "That's correct". **Mayor Harbaugh** - "Would you have any idea how many was over there?" **North Stark Rep.** - "Currently I think 4 or 5. And they collect revenue per machine and so forth." **Mr. Lousch** - "Where is your location in Jackson." **North Star Rep.** - "6223 Whipple Ave." **Mrs. Zahirsky** - "There is one by where you get your license too. It's 777, something like that." **Mayor Harbaugh** - "Why let the people go over to Jackson and participate and we're losing out." **Mrs. Zahirsky** - "I agree with you."

Mr. Lousch made a motion to move forward and approve conditional use with the recommendation of the Planning Commission. Second by Mrs. Cihon. Mayor asked for further discussion. Roll Call:

**Paul Bagocius - No / Nellie Cihon - Yes / Danny Lousch - Yes / Sue Mayberry - No
Scott Svab - Yes / Linda Zahirsky - Yes**

4 - yes / 2 - No Motion approved.

Item Five:

Paul Bagocius - question for Mr. Cozy about street banners. Think it's a good idea. How long to be up, just for Fall season? **Mr. Cozy** - Yes. We have empty brackets we can utilize.

Paul Bagocius - Just so they're not up year round. **Mr. Cozy** - No.

Paul Bagocius question for Mr. Cozy - Ryan's memorial sign. Shared an e-mail with the City Manager. Mr. Bagocius has a real concern using city money to have a memorial for one person. Right outside City Hall we have a memorial for our fallen military that came from Canal Fulton. No names written, honors everyone who served in the military. I would like to see this sign not highlight one person but honor all the children who have died, either through accidents or health. I think since city money is involved in this now, that is something that I raise that issue and would ask Council to support it. (Brochure about Ryan's memorial sign was distributed) **Mr. Cozy** - Don't know where they are currently with their sign fundraising, but they're at a point where they're ready to start construction. We're offering what Council told us last year. If Council is changing their mind now I need to let this committee know (sign committee). They're fundraising was based on what you see right here. They are raising money as a sign that honors Ryan Trewin. A council person last year that was very passionate about the sign, not here with us because he lost the election. We have a new Council. We have a \$770.00 PO and a \$500.00 PO that I (Mr. Cozy) just signed today (August 21, 2012) for electric for the sign. **Paul Bagocius** - The city is paying for that, and any maintenance? Again, Ryan's name on the back of the memorial is very appropriate, along with everyone else, but to have it in the front using city money is inappropriate unless it honors every child equally.....that's the key phrase I want to use "equally". Ryan was special little boy, but every child that dies is special. **Mr. Fellmeth** - Parents were told these issues were brought up by you at least a year ago and it was never decided which way we were to go. **Paul Bagocius** - There was never any city money involved then. **Mr. Cozy** - I will pull the minutes; we didn't say there was going to be a cost to pull the electric to the sign. **Mrs. Mayberry** - I have the minutes of June 7 and we never got to that point. "Mrs. Wyman isn't the city to erect the sign, this is a Wyman's Family project. She doesn't want this to become a city effort. It's the Wyman's wanting to give back to the community." There is not discussion of money. **Mr. Cozy** - will pull the PO's and invite the committee back to Council next meeting if that's what you want to do.

Mrs. Mayberry – wasn't sure we had agreed to the \$1,300. **Mr. Cozy** – We discussed bringing electric to the sign (Mr. Moellendick very passionate about the sign) doesn't recall if there was a motion. Left the meeting with the assumption that we were moving forward with this. PO's just signed today so they can be pulled. **Mr. Lousch** – What was the experience of this young man that brought all these people together. That is the reason it has come to this point. Want to remind everyone of that. Agree, any young child who lost their life in Canal Fulton should be placed on this sign, There should be room for all of them. **Mr. Cozy** – They would never have raised the money they needed to raise without Ryan. If it wasn't for him they never would have raised the money "period". Hope Council understands that.

Mrs. Cihon – There is a plaque at the Police Station with Ryan's name on it. **Mr. Bagocius** – That is appropriate. To have a sign in the middle of downtown honoring one child using taxpayers money isn't appropriate. **Mr. Cozy** – Back lite sign, not an electronic sign. **Mrs. Zahirsky** – would like to see what we said at that meeting. **Mrs. Mayberry** – did this go to Committee. **Mr. Cozy** – no, Mrs. Wyman came right to Council.

Item Six:

Mr. Cozy passed out the most recent trash brochure to Members of Council.

Mrs. Zahirsky – we need to spray for fleas at the dog park. Also, appreciate efforts of the young man who is going for his Eagle Scout. He built communications sign. Very nice sign. Get key to that sign so dog park notices can be put in there. Mr. Goffe – yes.

Mrs. Zahirsky – appalled about the number of illegal signs throughout committee. Sign ordinance not being enforced.

REPORT OF MAYOR

No report

LAW DIRECTOR

No report

Mr. Fellmeth - At Mayor's request we need to briefly go into executive session to discuss immanent court action.

READINGS:

THIRD READINGS – **Resolution 15-12:** A Resolution declaring the official intent and reasonable expectation of the City of Canal Fulton, Ohio on behalf of the State of Ohio (the borrower) to reimburse its general capital projects fund for the Wooster Street Storm Sewer (project number CS05P) with the proceeds of tax exempt debt of the State of Ohio.

Motion by Mrs. Zahirsky. Second by Mrs. Cihon. ROLL CALLED – All yes

Resolution 17-12: A Resolution authorizing the Canal Fulton, Ohio City Manager to prepare and submit an application to participate in the Ohio Public Works Commission State Capital

Improvement and/or local transportation improvement program(s) and to execute contracts as required.

Motion by Mrs. Zahirsky. Second by Mr. Svab. ROLL CALLED – All yes

Resolution 18-12: : A Resolution by the Council of the City of Canal Fulton, Ohio to enter into a cooperative agreement with the Board of Commissioners of Stark County, Ohio for the Locust Street / Portage Street Pavement Rehabilitation improvements.

Motion by Mrs. Zahirsky. Second by Mrs. Cihon. ROLL CALLED – All yes

Resolution 21-12: A Resolution by the Council of the City of Canal Fulton, Ohio allowing the Police Department to provide mutual aid pursuant to ORC 737.04.

Motion by Mrs. Cihon. Second by Mr. Svab. ROLL CALLED – All yes

SECOND READINGS – Resolution 23-12 A Resolution by the Council of the City of Canal Fulton, Ohio to adopt the up-dated Stark County Multi-Jurisdictional All-Hazard Mitigation Plan.

Ordinance 17-12: An Ordinance establishing ticket prices for the St. Helena III Canal Boat rides for operations commencing in 2013.

FIRST READINGS – Ordinance 19-12 An Ordinance by the Council of the City of Canal Fulton, Ohio employing Teresa Dolan as City Manager Assistant / Clerk of Council, and declaring an emergency.

Suspension of the Rules: Motion by Mr. Svab. Second by Mrs. Cihon.

ROLL CALLED

Nellie Cihon – Yes / Sue Mayberry – No / Paul Bagocius – Yes / Scott Svab – Yes

Danny Lousch – Yes / Linda Zahirsky – Yes 5 yes, 1 no

Motion to pass under suspension: Motion by Mrs. Zahirsky. Second by Scott Svab.

Mayor called for discussion. **Mr. Bagocius** – Another potential competitent employee that came in \$4,000 less. Secondly, because of the executive session we want to hold. There may be information we may not want to act on at this time pending further discussion with counsel. **Mr. Fellmeth** – already pass this by voice vote in the last Council session.

ROLL CALLED

Nellie Cihon – Yes / Sue Mayberry – No / Paul Bagocius – No / Scott Svab – yes

Danny Lousch – Yes / Linda Zahirsky – Yes 4 yes, 2 no Approved

Resolution 25-12 - A Resolution designating eligible depositories for the period for January 1, 2012 through December 31, 2017.

Motion to pass under suspension, names the banks we can bank with: Motion by Scott Svab. Second by Nellie Cihon

Mr. Goffe: Names our 2 main banks of First Merit and Huntington, also includes the other PNC and State Treasurer's office.

ROLL CALLED – All yes

Motion to approve 25-12 under suspension of the rules. Motion by Linda Zahirsky.

Second

By Scott Svab.

ROLL CALLED – All yes

Resolution 26-12 - A Resolution by the Council of the City of Canal Fulton, Ohio to reimburse Scott Svab for tuition expenses incurred in 2006 in the amount of \$1,556.00.

Motion made to suspend the rules: Motion by Danny Lousch. Second by Nellie Cihon

Discussion: Mr. Bagocius – needs to go through three readings. Think there should be a look at this situation, to negate any kind of appearance that a Councilman is being favored about changing the rules after the fact.

ROLL CALLED

Nellie Cihon – Yes / Sue Mayberry – No / Paul Bagocius – No / Scott Svab – abstain

Danny Lousch – Yes / Linda Zahirsky – No 2 – yes / 3 – no / 1 – abstain

Resolution 27-12 - A Resolution authorizing the Canal Fulton, Ohio City Manager to prepare and submit an application to participate in the Ohio Public Works Commission loan program for the Primary Treatment Screening Improvement at the Wastewater Treatment Plant and to execute contracts as required, and declaring an emergency.

Motion made to suspend the rules: Motion by Linda Zahirsky. Second by Scott Svab.

Mr. Cozy – Grant application is due September 14, 2012.

ROLL CALLED – All yes

Motion made to pass 27-12 under suspension. Motion made by Linda Zahirsky.

Second by Danny Lousch.

ROLL CALLED – All yes

Resolution 28-12 A Resolution authorizing the Canal Fulton, Ohio City Manager to enter into a contract with CTI Engineering for the preliminary design engineering of the Primary Treatment Screening Improvement at the Wastewater Treatment Plant, and declaring an emergency.

Motion made to suspend the rules for Resolution 28-12. Motion by Scott Svab.

Second by Nellie Cihon.

ROLL CALLED – All yes

Motion made to pass Resolution 28-12. Motion made by Scott Svab. Second by

Danny Lousch.

ROLL CALLED – All yes

Ordinance 20-12 An Ordinance by the Council of the City of Canal Fulton, Ohio enacting and adopting changes to the civil service rules of the City of Canal Fulton, Ohio, and declaring an emergency.

Will have 3 readings – rules not suspended.

PURCHASE ORDERS & BILLS

P.O. 7404 to Canal Fulton PC for the Replacement City Hall Server in the amount of \$6,038.88.

Nellie Cihon made a motion to approve P.O. 7404. Second by Scott Svab

James Goffe: Our server is dying and needs to be replaced. Out of date, 9 year old computer. Item is included in the budget. Software has back up ability. Does not include the labor for install.

ROLL CALLED – All yes

P.O. 7415 to Firstmerit Bank Commercial Equipment Leasing for a lease payment on the 2012 International Street Truck in the amount of \$10,290.97.

Mrs. Mayberry made the motion to approve P.O. 7404. Second by Scott Svab.

ROLL CALLED – All yes

BILLS: July 2012 - \$343,299.71

Motion by Linda Zahirsky to approve bills. Second by Nellie Cihon

ROLL CALLED – All yes

REPORT OF PRESIDENT OF PRO TEMPORE: No report

Mr. Lousch – did he have any conversation with the CEDA agreement. **Mr. Cozy** – Yes, met with Les Kamph last week. He is planning to bring the CEDA draft to vote at the first meeting in September. **Paul Bagocius** – why would they vote on something if they're not sure the City Council is going to accept it. It's like having the labor agreement before the Council agrees. **Mr. Cozy** – they haven't approved their draft yet. Will speak with Law Director again about it. They know this City hasn't approved the draft yet.

REPORT OF SPECIAL COMMITTEES: nothing

CITIZENS COMMENTS – Five Minute Open Discussion

Earl Minks of 67 S. Canal St. spoke about ripples in Canal Street, from the stop light to the car dealership. (After chip and seal)

President Pro Temp, Danny Lousch made a motion to enter into Executive Session for the purpose of employment of public employee or official. Conference with Law Director or other retain counsel concerning pending or eminent court action.

Motion made by Danny Lousch, second by Linda Zahirsky

ROLL CALL – All yes

Executive began at 9:05 PM

EXECUTIVE SESSION

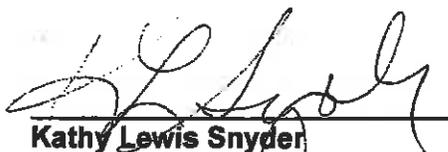
RETURN FROM EXECUTIVE SESSION – Left for executive session at 9:05 PM returned to regular session at 9:25 PM.

ROLL CALL – All yes

Linda Zahirsky made a motion that we hire Morrow and Meyer Law Firm to represent the City of Canal Fulton in a legal matter. Second by Danny Lousch.

ROLL CALL – All yes

Mayor Richard Harbaugh adjourned the meeting at 9:28 PM. Next meeting of Canal Fulton City Council will be held Tuesday, September 4, 2012, Council Hall Council Chambers.



Kathy Lewis Snyder
Temporary Clerk

SUPER



RYAN

"Welcome to Historic Canal Fulton"

Name _____

Address _____

Phone _____

E-mail _____

- Sign Options -

Corner Memorials (\$250 each - 4 available) _____

Sides/Bottom/Top (\$125 each - 8 available) _____

- Patio Paver Options -

8 x 16 Corporate Sponsorship (\$500 each) _____

8 x 8 Corporate Sponsorship (\$125 each) _____

4 x 8 Family (\$65 each) _____

Text to Appear on Brick _____

- Payment -

Check (payable to Ryan Trewin Memorial) or Cash

Your donation is tax-deductible. For questions call Leslie Wyman at 330-352-9518, Patrick Wyman at 330-352-1263 or Jenni Barber at 330-806-5132. Please mail form and payment to The Wyman's, 831

"Welcome to Historic Canal Fulton" Sign Brick Sale

The "Welcome to Historic Canal Fulton" sign will be located at the Northeast corner of Locust and Cherry Streets by the basketball park.

The front of the sign says "Welcome to Historic Canal Fulton." Memorials on the back of the sign may be purchased to remember a loved one. The patio pavers surrounding the sign may be purchased to honor your family name, children/parents or a loved one. Businesses and Organizations may also sponsor a brick.

Through generous sponsorships, donations and the sale of memorials and bricks, the sign is a thank you to community members who gave much love, prayer and kindness to the Trewin Family.

Now is the opportunity to purchase your sign legacy

- Sign Options -

Corner Memorials - \$250 • Sides/Bottom/Top - \$125

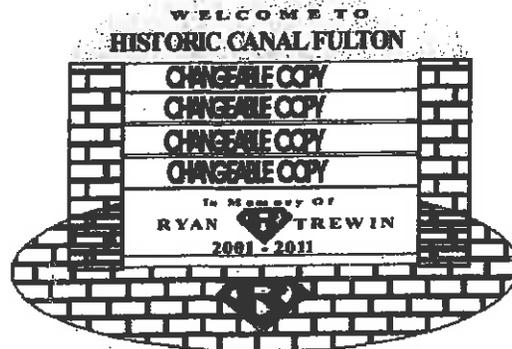
- Patio Paver Options -

8 x 16 Corporate Sponsors - \$500 (black granite - custom limit)

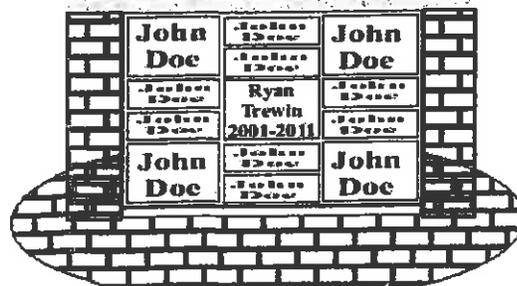
8 x 8 Corporate Sponsors - \$125 (engraved brick - 8 line text limit)

4 x 8 Family - \$65 (engraved brick - 4 line text limit)

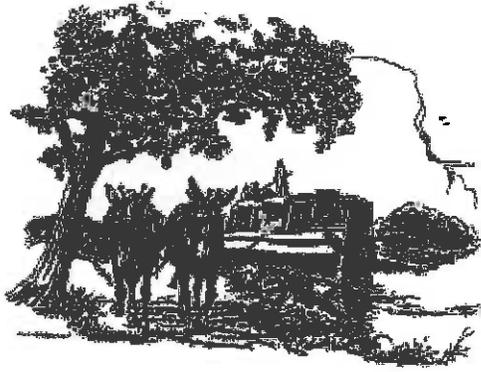
- Each line has 14 characters -



IN LOVING MEMORY



Find us on Facebook under "Hangin' Tough with Ryan"



City of Canal Fulton

Director of Finance

155 East Market Street, Suite A

Canal Fulton, Ohio 44614

(330) 854-6761 Fax (330) 854-6260

Finance Director Report to Council September 4, 2012

Property Tax Refunds

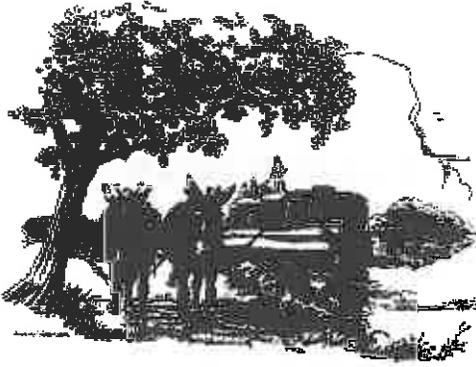
We received property tax refunds of previous tax payments during August totaling \$10,491.34 from the following parcels due to the approval of the parcels as exempt property:

Floodplain acquired on northwest end of City for school district annexation

- Parcel #2618124: Tax years 2008, 2009, 2010, and 2011
- Parcel #2703403: Tax years 2008, 2009, 2010, and 2011
- Parcel #2703404: Tax years 2008, 2009, 2010, and 2011

Wooded property between Fire Station and Senior Center

- Parcel #9503163: Tax years 2008, 2009, 2010, and 2011



City of Canal Fulton

155 East Market Street, Canal Fulton, Ohio 44614

(330) 854-2225, Ext. 1119 - Fax (330) 854-6913

Email: citymgr@cityofcanalfulton-oh.gov

From the Office of the City Manager

City Manager's Report for September 4, 2012

1. Local Government Innovation Fund Grant: Thanks to James Goffe, Cindy Meisner, Doug Swartz, and Mark Brink for their input towards what will hopefully be a successful grant application. The grants will be awarded in December.

2. Halloween: We need to schedule Halloween for 2012.

3. Civil Service Commission: The Civil Service Test for entry level police officers has been scheduled for Saturday September 29, 2012 in the Fire Training Room at 10:00AM.

4. Natural Gas Aggregation: We were able to lock in at a good rate for next year's natural gas aggregation program. The new fixed rate for gas aggregation is \$4.665 per Mcf beginning with the December 2012 billing cycle. The senior citizens discounted price will be \$4.565 per Mcf.

Questions about enrolling in our program should go to Direct Energy at 1-866-803-4618 Monday through Friday from 8:00 AM to 8:00 PM and Saturday from 8:00 AM to 5:00 PM EST.

5. Downtown Mural: The mural is nearly complete. We plan to begin installing the mural mid to late September with a dedication ceremony tentatively planned for the end of September.

6. Downtown Hotel: I was able to set up a meeting with our potential hotel investor, Ceres Enterprises, and the Stark Development Board to discuss financing. The meeting was very successful. Ceres Enterprises now plans to conduct a feasibility study to determine the local and regional markets. This is required by lending institutions and will aid them in determining the type of hotel that they would build. They are currently looking to build a "boutique" hotel of small to medium size, 40 to 60 rooms. Our local businesses participated in a city survey to find out the volume of use that they would generate. This study will fine tune those numbers and also assess the tourism potential of a hotel in Canal Fulton.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30043

Resolution No. 23-12

Passed _____, 20____

A RESOLUTION BY THE COUNCIL
OF THE CITY OF CANAL FULTON,
TO ADOPT THE UP-DATED STARK
COUNTY MULTI-JURISDICTIONAL
ALL-HAZARD MITIGATION PLAN.

WHEREAS, natural, technological, and man-made hazards can affect the City of Canal Fulton; and

WHEREAS, significant structural, historical, and economic losses could result from an occurrence of a natural, technological, or man-made hazard events; and

WHEREAS, undertaking mitigation projects during pre-disaster periods could decrease the total losses the City of Canal Fulton incurs as a result of said hazard occurrences.

THEREFORE the Canal Fulton City Council has partnered with the county to update the existing Stark County Multi-Jurisdictional All-Hazard Mitigation Plan, adopted in 2005, in an effort to further identify, define, and characterize the hazards affecting the City as well as to continue identifying and prioritizing projects that could lessen hazard vulnerability.

WHEREAS, the Canal Fulton City Council has a strong interest in reducing losses from future hazard occurrences; and

WHEREAS, the hazard mitigation plan is a federal and state requirement to maintain eligibility for hazard mitigation funding, and, by that requirement, must be updated a minimum of every five (5) years; and

WHEREAS, a cooperative, joint effort is a proven, efficient way to plan for and reduce hazard susceptibility in all government jurisdictions in Stark County, Ohio.

WHEREAS, the City of Canal Fulton joined Stark County Emergency Management Agency in the completion of this plan update.

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

The Council of the City of Canal Fulton, Ohio does hereby adopt the updated Stark County Multi-Jurisdictional All-Hazard Mitigation Plan (as

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. _____ Passed _____, 20____

presented and with any state/federally-required modifications).

Richard Harbaugh, Mayor

ATTEST:

Gayle Danzy, Clerk-of-Council

I, Gayle Danzy, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution ____-12, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2012, 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 _____, 2012.

Gayle Danzy, Clerk-of-Council

SEF/bp

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

AN ORDINANCE ESTABLISHING
TICKET PRICES FOR ST. HELENA III
CANAL BOAT RIDES FOR
OPERATIONS COMMENCING IN
2013.

WHEREAS, the Canal Fulton, Ohio City Council has authority to set prices for seasonal rides on the St. Helena III Canal Boat, and

WHEREAS, Council desires to establish prices for public rides commencing in 2013.

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

Ticket Prices for Canal Boat rides on St. Helena III shall be established as follows:

Adults: \$8.00
Seniors (60+) and Veterans: \$7.00
Children (6-13 years): \$5.00
Children 5 & Under: Free

Richard Harbaugh, Mayor

ATTEST:

, Clerk-of-Council

I, _____, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance ____ 12, duly adopted by the Council of the City of Canal Fulton, on the date of _____ 2012, 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 _____, 2012.

, Clerk-of-Council

SEF/bp

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 300s1

Ordinance No. 17-12

Passed 8/7, 2012

AN ORDINANCE ESTABLISHING
TICKET PRICES FOR ST. HELENA III
CANAL BOAT RIDES FOR
OPERATIONS COMMENCING IN
2013.

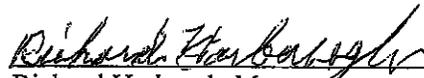
WHEREAS, the Canal Fulton, Ohio City Council has authority to set prices for seasonal rides on the St. Helena III Canal Boat, and

WHEREAS, Council desires to establish prices for public rides commencing in 2013.

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

Ticket Prices for Canal Boat rides on St. Helena III shall be established as follows:

- Adults: \$8.00
- Seniors (60+) and Veterans: \$7.00
- Children (6-13 years): \$5.00
- Children 5 & Under: Free


Richard Harbaugh, Mayor

ATTEST:


Gayle Danzy, Clerk-of-Council

I, Gayle Danzy, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance ____ 12, duly adopted by the Council of the City of Canal Fulton, on the date of _____ 2010, 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 _____, 2012.


Gayle Danzy, Clerk-of-Council

SEF/bp

RECORD OF RESOLUTIONS

Mayr: Legal Blank, Inc., Form No. 30045

Resolution No. _____

Passed _____

20 _____

A RESOLUTION BY THE COUNCIL
OF THE CITY OF CANAL FULTON,
OHIO TO REIMBURSE SCOTT SVAB
FOR TUITION EXPENSES INCURRED
IN 2006 IN THE AMOUNT OF \$1,556.00.

WHEREAS, former Finance Director Scott Svab incurred tuition expenses in the amount of \$1,556.00 in 2006, and

WHEREAS, Canal Fulton Ordinance 31-06 was passed as a measure designed to partially reimburse full time employees for college tuition incurred during the calendar year.

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

The City of Canal Fulton shall reimburse Scott Svab the sum of \$1,556.00 for tuition expenses incurred in calendar year 2006.

Richard Harbaugh, Mayor

ATTEST:

, Clerk-of-Council

I, _____, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution ____-12, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2012, 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 _____, 2012.

, Clerk-of-Council

SEF/bp

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____ 20____

UNDER SUSPENSION
OF THE RULES

AN ORDINANCE BY THE COUNCIL
OF THE CITY OF CANAL FULTON,
OHIO ENACTING AND ADOPTING
CHANGES TO THE CIVIL SERVICE
RULES OF THE CITY OF CANAL
FULTON, OHIO, AND DECLARING
AN EMERGENCY.

WHEREAS, the Council of the City of Canal Fulton, Ohio desires to adopt changes to the Civil Service Rules of the City of Canal Fulton to conform with changes in Ohio law.

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

SECTION 1: The City of Canal Fulton agrees to enact and adopt changes to the Civil Service Rules of the City of Canal Fulton, pursuant to proposal attached as Exhibit "A".

SECTION 2: 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 so that changes can be effective immediately upon its passage.

Richard Harbaugh, Mayor

ATTEST:

, Clerk-of-Council

I, _____, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____ 12, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2012 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 _____, 2012.

, Clerk-of-Council

SEF/bp

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

AN ORDINANCE AMENDING
THE CODIFIED ORDINANCES OF
THE ADMINISTRATIVE CODE OF THE
CITY OF CANAL FULTON, OHIO TO
AMEND CHAPTER 141 EMPLOYEES
GENERALLY AND AMEND SECTION
141.07 OVERTIME.

WHEREAS, the Council of the City of Canal Fulton, Ohio has recommended that Chapter 141 of the Codified Ordinances of the Administrative Code of Canal Fulton, Ohio regarding Employees Generally be amended, and

WHEREAS, the Council has recommended the amendment of Section 141.07 Overtime.

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

Section 141.07 OVERTIME is amended to read:

141.07 (g) The Superintendent of the Utility Department, the Director of Public Utility Services, the Superintendent of Streets, the Clerk of Council and the Chief of Police shall receive one hour of compensatory time for each hour worked in excess of the standard work week. All overtime worked by the Street and Utility Department Heads and Clerk of Council is subject to review and approval by the City Manager. All overtime worked by the Chief of Police is subject to review and approval by the Mayor.

141.07 (i) Cash payment for accrued compensatory time is not permitted for exempt personnel. Employees may not convert compensatory time to any other form of leave. All compensatory time balances will be forfeited upon termination of employment. No compensatory time accrued in any other employment will be transferable.

141.07 (j) Non-exempt personnel shall cash out compensatory time pursuant to United States Federal Law.

Richard Harbaugh, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance ____ 12, duly adopted by

RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. _____

Passed _____, 20____

the Council of the City of Canal Fulton, on the date of _____, 2012, 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 _____, 2012.

Teresa Dolan, Clerk-of-Council

SEF/bp

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: **RG007420**
 P.O. DATE: **08/26/12**
 DEPARTMENT: **MAYOR. ADMIN**
 CREATED BY:
 VENDOR NO: **01742**

DELIVER TO:

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

VENDOR:

MET LIFE INSURANCE CO.
 P.O. BOX 804466
 KANSAS CITY, MISSOURI 64180-4466

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
101.120.5220	\$405.00
101.130.5220	\$40.00
101.140.5220	\$250.00
101.170.5220	\$55.00
201.360.5220	\$455.00
210.250.5220	\$2,575.00
222.210.5220	\$80.00
541.310.5220	\$900.00
551.330.5220	\$1,140.00

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		CITY SHARE OF DENTAL INSURANCE PREMIUMS REPLACES PO #7050 DUE TO PROVIDER CHANGE THIS PURCHASE ORDER IN EXCESS OF \$3,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____		\$5,900.00
ITEM IS A FIXED ASSET Yes <input type="checkbox"/> No <input type="checkbox"/>			TOTAL:	\$5,900.00

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

BILL TO:



City of Canal Fulton

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

PURCHASE ORDER

P.O. NUMBER **RG007423**
P.O. DATE **08/26/12**
DEPARTMENT **WATER**
CREATED BY
VENDOR NO. **01460**

DELIVER TO:

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

VENDOR:

**HUNTINGTON NATIONAL BANK
CORP. TRUST DEPT. EA4E63
7 EASTON OVAL
COLUMBUS, OHIO 43219**

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
441.310.5895	\$11,506.25

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		NORTHWEST SCHOOLS WATERLINE BOND INTEREST PAYMENT		\$11,506.25
		THIS PURCHASE ORDER IN EXCESS OF \$3,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
		ITEM IS A FIXED ASSET Yes <input type="checkbox"/> No <input type="checkbox"/>	TOTAL:	\$11,506.25

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

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

PO. NUMBER: RG007425
 PO. DATE: 08/28/12
 DEPARTMENT: STREET
 CREATED BY:
 VENDOR NO.: 02208

DELIVER TO:

CANAL FULTON STREET DEPT
 155 EAST MARKET ST
 CANAL FULTON, OH 44614

VENDOR:

TERRY 'S TRUCK AND TRAILER
 3894 STATE STREET N.W.
 NORTH CANTON, OHIO 44720

ACCOUNT NUMBER	AMOUNT
391.360.5710	\$4,332.40

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

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		9' SUPER STEEL SNOWPLOW & CONTROLLER FOR NEW STREET DEPT PICKUP THIS PURCHASE ORDER IN EXCESS OF \$3,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____		\$4,332.40
ITEM IS A FIXED ASSET Yes <input type="checkbox"/> No <input type="checkbox"/>			TOTAL:	\$4,332.40

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 hereby certify that the amount (\$ _____) 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 is in the Treasury or in the process of collection to the credit of the _____ Fund(s), free from any obligation or certification now outstanding.

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

PO. NUMBER RG007433
 PO. DATE 08/28/12
 DEPARTMENT MAYOR. ADMIN
 CREATED BY
 VENDOR NO. 01214

DELIVER TO:

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

VENDOR:

HOMETOWN INSURANCE GROUP, INC
 P.O. BOX 24814
 CANTON, OH 44701-4814

ACCOUNT NUMBER	AMOUNT
101.120.5220	\$2,575.00
101.130.5220	\$500.00
101.140.5220	\$1,175.00
101.170.5220	\$650.00
201.360.5220	\$4,300.00
210.250.5220	\$24,500.00
222.210.5220	\$700.00
541.310.5220	\$8,125.00
551.330.5220	\$11,575.00
101.120.5990	\$4,100.00

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 #33-6000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		CITY SHARE OF HEALTH INSURANCE PREMIUMS COBRA PREMIUMS		\$54,100.00 \$4,100.00
		REPLACES PO #7101 DUE TO PERSONNEL CHANGES DURING 2012		
		THIS PURCHASE ORDER IN EXCESS OF \$3,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON ____ / ____ / ____		
		ITEM IS A FIXED ASSET Yes <input type="checkbox"/> No <input type="checkbox"/>	TOTAL:	\$58,200.00

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

