

CITY OF CANAL FULTON
CITY COUNCIL MEETING AMENDED AGENDA

October 6, 2015

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **REPORTS OF STANDING COMMITTEES**
5. **CITIZENS' COMMENTS – AGENDA MATTERS (Five Minutes per Individual – No Yield)**
6. **CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**

September 15, 2015

7. **REPORTS OF ADMINISTRATIVE OFFICERS**
 - o Senior Citizens
 - o Community Service
 - o Fire Chief
 - o Police Chief
 - o Engineer/Streets/Public Utilities
 - o Finance Director
 - o City Manager
 - o Mayor
 - o Parks & Recreation Board
 - o Law Director
8. **THIRD READINGS**
9. **SECOND READINGS**

Ordinance 27-15: An Ordinance Amending Ordinance 23-14, and Providing for Changes to Previously Authorized Appropriations
10. **FIRST READINGS**

Resolution 31-15: A Resolution Accepting the Amounts And Rates as Determined by the Budget Commission and Authorizing the Necessary Tax Levies and Certifying them to the County Auditor
11. **P.O.s**
12. **BILLS:**
13. **OLD/NEW/OTHER BUSINESS**
14. **REPORT OF PRESIDENT PRO TEMPORE**
15. **REPORT OF SPECIAL COMMITTEES**
16. **CITIZENS COMMENTS – Open Discussion (Five Minute Rule)**
17. **ADJOURNMENT**

**CITY OF CANAL FULTON
CITY COUNCIL MEETING MINUTES
September 15, 2015**

CALL TO ORDER

Mayor Harbaugh called the meeting to order at 7:00pm

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor/Council Members Present: Mayor Harbaugh, James Deans, Scott Svab, Sean Craney, Danny Losch, and Nellie Cihon

A motion was made to excuse Sue Mayberry by Danny Losch, second by Scott Svab. All Present Council Members vote yes. Motion approved.

Others Present: City Manager Mark Cozy, Council Clerk Teresa Dolan, Police Chief Doug Swartz, Fire Chief Ray Durkee, Finance Director William Rouse, Law Director Scott Fellmeth, Utility Superintendent George Lukinac

Others Present: Joan Porter, Chell Rossi, Dan Bucher Jr., Joe Schultz, Joe Paolino

REPORTS OF STANDING COMMITTEES

None

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

None

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

September 1, 2015

A motion as made to approve the September 1, 2015 minutes as written by Nellie Cihon, second by Scott Svab. All Present Council Members voted yes. Motion approved.

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens- No Report

Community Service – No Report

Fire Chief – A monthly report was included in the packet. Chief Durkee stated that there would be a fireworks Friday at one of the football games. John Barabasch plays a big role in this.

Police Chief - A monthly report was included in the packet. Chief Swartz stated that the department had participated in Camp in Motion at Echoing Ridge.

Engineer/Streets/Public Utilities – Engineer Bill Dorman reported on the projects that the department is working on. Scott Svab asked what Mr. Dorman's thoughts were on slag for chip and seal and the extra cost per ton. Mr. Cozy stated it was his opinion to use slag everywhere. Danny Losch Agreed.

George Lukinac had no report for the utility department.

Finance Director – Finance Director William Rouse submitted the August Financials. Mr. Rouse stated that the income tax collections were up five percent from last year, which is a good indication for the rest of the year. General Fund spending is up six percent and the income tax increase softens the blow. Utility collections are up two and a half percent.

The 2014 financial statements should be released next week. Mr. Rouse reminded Council of the October 6, 2015 Finance Committee meeting, and informed Council that a budget packet will be available by October 1st for their review.

Mr. Rouse stated that a Public Service Meeting request was made by Mark Petersen to review road repair quotes.

A motion was made to have a Public Service Committee Meeting on October 20, 2015 at 6:00pm to review road repair quotes by Nellie Cihon, second by Sean Craney. All Present Council Members voted yes. Motion approved.

A motion to accept the August Financials was made by Danny Losch, second by Scott Svab. All Present Council Members voted yes. Motion approved.

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City Manager – City Manager Mark Cozy stated that the Resolutions 28, 29 and 30-15 were to appropriate property for the Locust/Cherry Intersections project.

Mr. Cozy reported on the survey to be done by Risinger & Associates, Inc. to survey households for Canal Fulton residents only, in regards to the Community Campus project. The cost will be \$3,500 roughly and there is money left in the newsletter budget to go forward.

Mayor – Mayor Harbaugh said the Street Department did a fine job on the concrete in front of City Hall.

Parks & Recreation Board – Earl Minks stated that the skate park has been positive. He would like to see some bike racks around the park. Mr. Minks said the parks are looking into the park reservation system and what could be done to make it more efficient. Mr. Minks also mentioned a sign to recognize those that have donated to the skate park.

Mr. Craney asked about the moving the gate on the fence on Ohio Court. Mr. Craney said he had a contact for volunteered work and materials. Mr. Minks said he would take the issue back to the park board.

Law Director – Law Director Scott Fellmeth stated that Resolutions 28, 29 and 30-15 would need to be passed under suspension of the rules. They still are working on a few parcel hold outs for the Cherry Locust Widening project.

Mr. Fellmeth asked for a voice motion to hire Attorney Richard Makowski to assist with eminent domain for the project at \$195.00 per hour. Mr. Makowski is recommended for such work.

A motion to hire Attorney Richard Makowski for \$195.00 per hour for counsel on eminent domain proceedings by Scott Svab, second by Sean Craney. All Present Council Members voted yes. Motion approved.

THIRD READINGS

Resolution 26-15: A Resolution by the Council of the City of Canal Fulton, Ohio to Enter Into a Contract with O.R. Colan Associates to Provide Right of Way Acquisition Services for the Erie Avenue Drainage and Sanitary Sewer Easements.

A motion to approve Resolution 26-15 was made by Sean Craney, second by Scott Svab. All Present Council Members voted yes. Motion approved.

Resolution 27-15: A Resolution by the City of Canal Fulton, Ohio to Apply for a Grant from the Ohio Public Works Commission for the Locust Street Storm Sewer and Repealing any Resolution in Conflict Therewith.

A motion to approve Resolution 27-15 was made by Nellie Cihon, second by Scott Svab. All Present Council Members voted yes. Motion approved.

Ordinance 26-15: An Ordinance by the City of Canal Fulton, Ohio establishing signage on South Locust Street.

A motion to approve Ordinance 26-15 was made by Sean Craney, second by James Deans. All Present Council Members voted yes. Motion approved.

SECOND READINGS

FIRST READINGS

Ordinance 27-15: An Ordinance Amending Ordinance 23-14, and Providing for Changes to Previously Authorized Appropriations

Resolution 28-15: A Resolution Declaring the Necessity and Intention of the City of Canal Fulton, Ohio to Appropriate a Temporary Construction Easement from Property Located at 255 Poplar Street East (Portions of Stark County Auditor's Parcel No. 95-02058 For the Improvement of STA-93 (State Route 93) – Cherry Street and Locust Street and Declaring an Emergency

A motion was made to suspend the rules by Scott Svab, second by Nellie Cihon. All Present Council Members voted yes. Motion approved.

**CITY OF CANAL FULTON
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A motion was made to pass Resolution 28-15 under suspension of the rules by Sean Craney, second by Nellie Cihon. All Present Council Members voted yes. Motion approved.

Resolution 29-15: A Resolution Declaring the Necessity and Intention of the City of Canal Fulton, Ohio to Appropriate Fee Simple Interests, a Permanent Utility Easement and a Temporary Construction Easement from Property Located at 322 Cherry Street East (Portions of Stark County Auditor's Parcel Nos. 95-02989 and 95-02064 For the Improvement of STA-93 (State Route 93) – Cherry Street and Locust Street and Declaring an Emergency

A motion was made to suspend the rules by Danny Losch, second by Scott Svab. All Present Council Members voted yes. Motion approved.

A motion was made to pass Resolution 29-15 under suspension of the rules by Danny Losch second by Scott Svab. All Present Council Members voted yes. Motion approved.

Resolution 30-15: A Resolution Declaring the Necessity and Intention of the City of Canal Fulton, Ohio to Appropriate Fee Simple Interests, and a Temporary Construction Easement Property Located at 132 Locust Street South (Portions of Stark County Auditor's Parcel Nos. 95-00614 and 95-00615 For the Improvement of STA-93 (State Route 93) – Cherry Street and Locust Street and Declaring an Emergency

A motion was made to suspend the rules by Sean Craney, second by Jim Deans. All Present Council Members voted yes. Motion approved.

A motion was made to pass Resolution 30-15 under suspension of the rules by Sean Craney, second by Nellie Cihon. All Present Council Members voted yes. Motion approved.

P.O.s

P.O. 10533 to Dwight H. Clark in the amount of \$7,585.00 for Cherry/Locust Street Right of Way Acquisition

A motion was made to approve P.O. 10533 by Danny Losch, second by Sean Craney. All Present Council Members voted yes. Motion approved.

P.O. 10536 to O.R. Colan Associates in the amount of \$8,950.00 for Erie Avenue Right of Way Acquisition Services per Resolution 26-15

A motion was made to approve P.O. 10536 by Sean Craney, second by Jim Deans. All Present Council Members voted yes. Motion approved.

P. O. 10537 to CTI Engineers, Inc. in the amount of \$6,924.00 for Additional Engineering for Locust St. Water/Sewer Extension

A motion was made to approve P.O. 10537 by Scott Svab, second by Nellie Cihon. All Present Council Members voted yes. Motion approved.

P.O. 10539 to CTI Engineers, Inc. in the amount of \$8,076.00 for Additional Engineering for Locust St. Water/Sewer Project

A motion was made to approve P.O. 10539 by Sean Craney, second by Jim Deans. All Present Council Members voted yes. Motion approved.

P.O. 10541 to Tri C Concrete & Excavating n the amount of \$5,400.00 for Tear Out and Replace Concrete on Maynard

A motion was made to approve P.O. 10541 by Danny Losch, second by Nellie Cihon. All Present Council Members voted yes. Motion approved.

BILLS: \$480,212.41

A motion was made to approve the August Bills by Nellie Cihon, second by Jim Deans. All Present Council Members voted yes. Motion approved.

OLD/NEW/OTHER BUSINESS

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Sean Craney asked Bill Dorman about grant money for bike lanes. Mr. Cozy said at this time there is an application to be active. He has asked CTI Engineers to give a proposal. Once a plan is asked for you are able to establish more points per application for grants from Stark County Area Transportation Study (SCATS).

Trick or Treat has been scheduled for October 31, 2015 at 6:00pm to 8:00pm.

James Deans reported that there is a Swiss Steak Dinner on Saturday, September 19, 2015 at the Senior Center.

Bill Dorman asked about the Dominion stations being painted. He has a nephew that works for them and will check if he can get it moving. Mr. Cozy said we may enforce property maintenance codes on them. Mr. Dorman said if they were able to get the box numbers he could inform Dominion and go from there.

Teresa Dolan stated that the Stark, Wayne, Tuscarawas Solid Joint Waste District is extending our grants for one year and she asked for a voice motion to accept.

A motion was made to accept the extension of Recycling Grants from the Solid Waste District by Danny Losch, second by Scott Svab. All Present Council Members voted yes. Motion approved.

REPORT OF PRESIDENT PRO TEMPORE

Danny Losch reported that he talked to Joseph Adleman doing the abatement study on the old school. The building is five buildings. They approached the study on the five different buildings. Mr. Losch was informed that it did not look that bad.

Scott Svab asked about the time line when the building would be taken down. Mr. Dorman said the bidding process should begin in the next two to three weeks after the asbestos survey.

Sean Craney stated that the window that is broken in the building needs fixed.

REPORT OF SPECIAL COMMITTEES

None

CITIZENS COMMENTS – Open Discussion (Five Minute Rule)

Anthony Paolino – 2091 Locust Street

Mr. Paolino brought a proposal to have a community festival in the parking lot of the plaza where his restaurant is around the Labor Day weekend of next year. The festival would include a beer garden, and entertainment. Scott Svab and Danny Losch stated that they thought it was a great idea.

A motion to have trick or treat on October 31, 2015 from 6:00pm to 8:00pm was made by Nellie Cihon, second by Sean Craney. All Present Council Members voted yes. Motion approved.

A motion as made to go into Executive Session to discuss the purchase of real, personal, tangible or intangible property by Scott Svab, second by Danny Losch. All Present Council Members voted yes. Motion approved.

A motion was made to return to regular session at 8:23 by Nellie Cihon, second by Sean Craney. All Present Council Members voted yes. Motion approved.

ADJOURNMENT

The meeting was adjourned at 8:26pm.

Meeting Minutes prepared by: _____

Teresa M. Dolan, Clerk

Minutes Approved: _____

Mayor Richard Harbaugh

RECORD OF ORDINANCES

BEAR GRAPHICS 801-325-8104 FORM NO. 2009

Ordinance No. 27-15

Passed _____, 20____

An Ordinance Amending Ordinance 23-14, and Providing for Changes to Previously Authorized Appropriations.

WHEREAS, it is necessary for the City of Canal Fulton to authorize additional appropriations for current expenses and other expenditures for the fiscal year ending December 31, 2015, which were not anticipated or included in Ordinance 23-14, as the City's 2015 Appropriation Ordinance, and

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

Section 1: City Council authorizes the Finance Director to increase the General Fund appropriations by \$8,950.00 in order to pay for the Erie Avenue Right-of-Way Acquisition Services related to the Erie Avenue Drainage and Sanitary Sewer Project.

General Fund - Administration			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	380,600.82	8,950.00	389,550.82

Section 2: This Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by 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 _____, 15, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2015, and that publication of the foregoing Ordinance was duly made by listing same on the City's website and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall, each for a period of fifteen days, commencing on the _____ day of _____, 2015.

Teresa Dolan, Clerk of Council

17.31.10.11.12-15

ALAN HAROLD
STARK COUNTY AUDITOR

RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY AUDITOR
Revised Code, Secs. 5705.34-5705.35

The (Council of the) CANTON CITY

Of Stark County, Ohio, met in _____ Session on the _____ day of _____
at the office of _____ with the following members present:

Mr./Ms. _____ moved the adoption of the following Resolution:

WHEREAS, This council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2016: and

WHEREAS, The Budget Commission of Stark County, Ohio, has certified its action thereon to this council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this (Council/Board), and what part thereof is without, and what part within the ten mill limitation; there be it

RESOLVED, by the (Council) of _____ City/Village, Stark County, Ohio that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted: and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said (Village/City) the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

SCHEDULE A

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED
BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES

<u>FUND</u>	Amount to be derived from Levies outside 10 mill Limitation	Amount Approved by Budget Commission Inside 10 Mill Limitation	County Auditor's Estimate of Tax Rate to be Levied	
			Inside	Outside
General Fund		235,487	2.50	
Bond Retirement Fund	111,282			1.30
Total	111,282	235,487	2.50	1.30

SCHEDULE B
LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES

FUND

Maximum Rate
Authorized
to be Levied

County Auditor's
Estimate of Yield
of Levy

GENERAL FUND:

Current expense levy authorized by voters on
for not to exceed Continued years.

Emergency Current expense levy authorized by voters on
for not to exceed 5 years.

Emergency Current expense levy authorized by voters on
for not to exceed Continued years.

Current expense levy authorized by voters on
for not to exceed Continued years.

Current expense levy authorized by voters on
for not to exceed Continued years.

Current expense levy authorized by voters on
for not to exceed 5 years.

Current expense levy authorized by voters on
for not to exceed Continued years.

Current expense levy authorized by voters on
for not to exceed Continued years.

Current expense levy authorized by voters on
for not to exceed Continued years.

Current expense levy authorized by voters on
for not to exceed years.

Bond Fund: Levy authorized by voters on 11/8/05
for not to exceed 20 years.

1.30

111,282

And be it further

Resolved, That the clerk of this Board be and he is hereby directed to certify a copy of this resolution to the County Auditor of said County.

Mr./Ms. _____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr./Ms. _____

Mr./Ms. _____

Mr./Ms. _____

Mr./Ms. _____

Mr./Ms. _____

Mr./Ms. _____

Adopted the _____ day of _____, 20_____.

Clerk

City/Village

County, Ohio.

CERTIFICATE TO COPY
ORIGINAL ON FILE

The State of Ohio, Stark County, Ss.

I, _____ Clerk City/Village of _____

Within and for said County, and in whose custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the Original

now on file, that the foregoing has been compared by me with said original document, and that the same is true and correct copy thereof.

Witness my signature, this _____ day of _____, _____.

Clerk

No. _____

City/Village _____, Stark County Ohio.

Resolution

Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor.

Adopted _____

Clerk

Filed _____

County Auditor

By _____
Deputy Auditor