

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

March 1, 2016

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **Swearing In – Fire Department**  
Bonnie Byelene
5. **REPORTS OF STANDING COMMITTEES**
6. **CITIZENS' COMMENTS – AGENDA MATTERS (Five Minutes per Individual – No Yield)**
7. **CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**  
February 16, 2016
8. **REPORTS OF ADMINISTRATIVE OFFICERS**
  - o Senior Citizens
  - o Community Service
  - o Fire Chief
  - o Police Chief
  - o Engineer
  - o Streets
  - o Public Utilities
  - o Finance Director
  - o City Manager
  - o Mayor -
  - o Parks & Recreation Board
  - o Law Director
9. **THIRD READINGS**  
**Ordinance 3-16:** An Ordinance Amending the Rules and Regulations of the Civil Service Commission of the City of Canal Fulton
10. **SECOND READINGS**  
**Resolution 3-16:** A Resolution by the Council of the City of Canal Fulton Ohio to enter into Amended Agreement Number 2 with CTI Engineers, Inc. to Provide Professional Engineering Services for the Cherry/Locust Intersection Improvements.
11. **FIRST READINGS**  
**Resolution 4-16:** A Resolution Proclaiming Support for Issue Eleven on March 15, 2016 and Declaring an Emergency  
**Ordinance 4-16:** An Ordinance Amending Ordinance 34-15, and Providing for Changes to Previously Authorized Appropriations.
- Ordinance 5-16:** An Ordinance by the Council of the City of Canal Fulton, Ohio Amending the Zoning Code by Re-Zoning Parts of an Area Bounded by River Road, Cherry Street, Sugar Street, Ash Street and Tom Jones Place to R-2
- Ordinance 6-16:** An Ordinance Providing for the Issuance and Sale of Not to Exceed \$1,000,000 of Notes, in Anticipation of The Issuance of Bonds, for the Purpose of Paying Costs of Improving Streets and Roads in the City by Reconstructing, Resurfacing, Grading, Draining, Curbing, Paving, Constructing Storm Sewers and Related Drainage Facilities and Making other Improvements as Designated in the Plans Approved or to Be Approved by Council, and Declaring an Emergency
12. **P.O.s**  
TABLED - P.O. 10724 to 83 Construction in the amount of \$47,850.00 for Sludge Shelter Construction Materials  
TABLED - P.O. 10725 to K & M Builders, LTD in the amount of \$8,425.00 for Sludge Shelter Construction Labor  
P.O. 10735 to Butcher & Son, Inc. in the amount of \$22,250.00 for Additional cost of Asbestos Abatement Windows at Old Elementary School  
P.O. 10744 to Finley Fire Equipment in the amount of \$33,000.00 for Turnout Gear
13. **BILLS:**
14. **OLD/NEW/OTHER BUSINESS**
15. **REPORT OF PRESIDENT PRO TEMPORE**
16. **REPORT OF SPECIAL COMMITTEES**
17. **CITIZENS COMMENTS – Open Discussion (Five Minute Rule)**
18. **ADJOURNMENT**

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**CALL TO ORDER**

Mayor Joe Schultz called the meeting to order at 7:00pm.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Council Members in attendance: Sean Craney, Scott Svab, Nellie Cihon, Dan Bucher, Jr. Danny Losch and Sue Mayberry.

City Staff in attendance: City Manager Mark Cozy, Finance Director William Rouse, Fire Captain Shawn Yerian, Police Officer Ed Harbaugh, Street Superintendent Mark Petersen, Law Director Scott Fellmeth and Council Clerk Teresa Dolan

Others in attendance: Chell Rossi, and Joan Porter, Hartley & Lindsay Grimm, Kathy Snyder, Tiffany Craney

**REPORTS OF STANDING COMMITTEES**

Dan Bucher Jr. reported that the Public Service met prior to the meeting to discuss proposals to design a service garage. City Manager Mark Cozy discussed proposals that he had received and said he was waiting on more proposals. The committee stated that they would like to talk with Lawrence Township on the building of their garage and also to possibly look at building it in phases.

Sean Craney reported that the Economic Development committee met prior to the meeting to discuss food vendor permits. The meeting was used to discuss what options there are for vendors and fact finding for the committee. No decision was made as to permits, and discussion will continue at another meeting.

**A motion was made to have a Public Service Meeting on April 5, 2016 at 6:00pm to discuss the service garage and storm water assessment by Dan Bucher, second by Scott Svab. All Council Members voted yes. Motion approved.**

**7:30 PUBLIC HEARING – RIGHT OF WAY VACATION – MILAN STREET**

No Comments at the hearing were made.

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

None

**CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**

January 19, 2016

**A motion was made to approve the January 19, 2016 minutes by Sue Mayberry, second by Danny Losch. All Council Members vote yes. Motion approved.**

February 2, 2016

**A motion was made to approve the February 2, 2016 minutes by Nellie Cihon, second by Danny Losch. All Council Members voted yes. Motion approved.**

**REPORTS OF ADMINISTRATIVE OFFICERS**

Senior Citizens – *Aultman Foundation Grant* – Kathy Snyder reported that the Center is would like to apply for the Aultman Foundation Grant. Documentation was included in the packet. Mrs. Snyder said they would like to apply for funding for kitchen appliances and possibly workout gear. The kitchen helps them to generate income with their swiss steak dinners. The Center is also in the process of their Easter candy sales.

Community Service – No report.

Fire Chief – Captain Shawn Yerian was in attendance and stated that the departments had consolidated the Fire Fighter Associations and they will be a 501c3 soon.

Police Chief - *Monthly Report* – Police Chief Doug Swartz commended the fire department for being on 4 calls at the same time and he felt it was due to our great staffing. Chief Swartz reported that they are in the process of getting computers for the vehicles for CAD systems. Chief Swartz stated that they are getting mandates from the Ohio Attorney General on use of force documenting and training. We are part of Lexipol which handles all writing policies and updates.

Engineer/Streets/Public Utilities – Engineer Bill Dorman said the Cherry Locust Street bids were out and will be due on March 24<sup>th</sup>. CTI is assisting administration with a sidewalk plan for grant funding.

The asbestos abatement is complete at the school and demolition will begin. There is a change order because of the asbestos in the windows and the EPA required that the asbestos be abated which resulted in the change order in the amount of \$22,000.00.

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Sean Craney asked the Engineer about the timeline in regards to the Ryan Trewin sign going in. Mr. Dorman said he would get back to him with a more solid timeline.

Finance Director – *January Financials* – Finance Director William Rouse stated that income tax was up two and a half percent. He asked Council to table the two purchase orders that were on the agenda because questions that needed to be clarified with Stark County. George Lukinac will be meeting with them in the next week.

Mr. Rouse stated that he received an email from bond council in regards to the one mil note coming up in April to roll over. Mr. Rouse said he would like Council to advise if there should be a committee meeting on this or if he could move forward with the process. Scott Svab said he was for Mr. Rouse rolling it over. Danny Losch agreed.

Mr. Rouse said he would like to request an executive session in regards to the tax administrator position.

City Manager – City Manager Mark Cozy stated that he will be having Johnson Controls do a comprehensive energy audit in the City. Mr. Cozy stated he was going to enter into a memorandum of understanding with the company and once they complete the audit they will make a recommendation just for improvements. We are able to finance through the company for improvements for potential energy savings. If we are not able to meet the expectations, then they are able to finance the balance. We will be starting in a few weeks and the audit will be finished in September. We are not bound in any way and there is no cost to do the audit.

Mr. Cozy stated he received an email from Mrs. Mayberry about fire district reports that he had drafted in 2013. Mr. Cozy passed out copies to Council. He stated that when you read his report it is in an outline format. The once scenario laid out is the City and Township are contracted separately and the employees maintain their status with their respective departments. This is the way Bethlehem Township is. The reason he passed the reports out tonight is that he will not be in attendance for the March 2, 2016 meeting.

Mayor Joe Schultz asked what the benefit of where we are at now with the living together arrangement opposed to going into the fire district.

Mr. Cozy stated that for him it was joint grant applications for capital purchases. Mr. Cozy said he recommends maintaining the integrity of the employees of the City and the Township and then contract those employees. Mayor Joe Schultz asked what the benefit was of having a fire district. Mr. Cozy said the benefit with the fire district is the strength is in the collaboration of owning the equipment.

Mayor – Mayor Joe Schultz stated that he would like to move forward on having a committee meeting for the Police Sergeant position.

**A motion was made to have a joint Finance & Personnel/Rules committee meeting to establish a rate for the sergeant position, aligning the non-bargaining benefits with the bargaining units on March 15, 2016 at 6:00pm at the Safety Center by Scott Svab, second by Dan Bucher, Jr. All Council Members voted yes. Motion approved.**

*March 15, 2016 7:30pm Public Hearing – Zoning* – Mayor Schultz stated that this would be taken care of at the next meeting

Mayor Schultz stated that on the agenda it reads Engineer/Street/Public Utilities and we would like to have Council's approval to have a bullet point to be discussed separately.

**A motion was made to change the format of the agenda to read Engineer, Streets and Utilities on separate bullet lines by Sue Mayberry, second by Danny Losch. All Council Members voted yes. Motion approved.**

Mr. Fellmeth asked about the Zoning Change. Mayor Schultz stated we had an oversight here and he thought we were going to have a look at the Ash Street property. Mayor Schultz stated he thought they would have a first reading legislation, but we do not. Mr. Fellmeth said he had not prepared any legislation on it. Mayor Schultz said they were looking to introduce it to everybody that there is some mixed zoning once you pass the railroad tracks on the left side, but we have a Planning Committee meeting on Thursday. Mayor Schultz said what they would like to do is some of the properties on Cherry Street are currently zoned B2 and they are not being used as businesses. Mayor Schultz said the Planning Commission is looking to unify the area into R2. Mr. Fellmeth stated that the Planning Commission has to do this first, and then we can go forward from the recommendation of Council. Mayor Schultz said it was a good thing that we did not have a first reading on here then. Mr. Cozy stated that City Council can issue a zone change. Mr. Fellmeth said it still has to go to Planning Commission regardless. City Council can either accept or reject the recommendation.

Mayor Schultz stated that he went to Lawrence Township meeting today and invited them to join us as a Council to have a meeting about possibly doing a newsletter between the three entities. Mayor Schultz said he has also contacted Al Knack in Clinton, and we would like to invite them as well. Mayor Schultz said they would like to have a meeting for all Council Members, Lawrence Township Trustees and City and Village Officials from Clinton to discuss the possibility of doing one joint newsletter between the three municipalities. Mayor Schultz asked for any ideas or

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thoughts. Danny Losch asked how the Mayor is going to publish it. The Mayor said he has looked at the school district is doing with the Northwest News; they have done a lot of the leg work. You do not want to reinvent the wheel, so they have done a lot of cost savings things. The Mayor thought it was about \$2,000.00 to mail out. He thought that was pretty reasonable. The Mayor said that they are given to the carriers and they do enough to do every mailbox they come too. He said this is run pretty efficiently. He would like to look into dovetailing off that and get the communities to work together on publication. He thinks it would be a great chance for all of us to be in the room at the same time.

Sean Craney asked if Clinton or Lawrence Township did a newsletter. Mayor Schultz said Clinton does. Mr. Cozy said Lawrence Township does not at this time.

**Parks & Recreation Board – No Report.**

Law Director – Law Director Scott Fellmeth stated he talked to Mr. McCully about his application for liquor license. The license he has requested is a D5I permit. This allows you to sell intoxicating liquor until 2:30 in the morning, beer and wine and prepackaged wine and beer products. It is the biggest license out there. The reason he is applying for it, it to sell at the ticket booth and can be consumed throughout the park. This license is the only license available to him. All the rest are taken because we are maxed out in Canal Fulton. There is no limit on the amount of D5I permits that can be issued. You have to have seating for 140 people under the license, which he may qualify because of his pavilion.

Chief Swartz asked if Liquor Control establishes whether the pavilion is suitable for seating. Mr. Fellmeth said they have not ruled on that.

Mr. Cozy said he felt that he should get the proper permit, instead of trying to finagle this permit.

Mr. Fellmeth said at the last meeting he thought Council was clear that they wanted a hearing.

**A motion was made to have a hearing by Sue Mayberry, second by Nellie Cihon. Scott Svab – no, Danny Losch – no, Dan Bucher – no, Sean Craney – yes, Sue Mayberry – yes, Nellie Cihon – yes, Mayor Schultz – yes. Motion approved.**

**THIRD READINGS**

**Resolution 2-16:** A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into a Contact with the City of Massillon Ohio Law Department Providing for Prosecution of Criminal and Traffic Offenders in the Massillon Municipal Court and Performance of Other Related Traffic and Criminal Legal Services for Canal Fulton, Ohio

**A motion was made to approve Resolution 2-16 by Nellie Cihon, second by Scott Svab. All Council Members voted yes. Motion approved.**

**Ordinance 2-16:** An Ordinance by the Council of the City of Canal Futon, Ohio to Vacate a Portion of Milan Street and Forge Street

**A motion was made to approve Ordinance 2-16 by Sue Mayberry, second by Nellie Cihon. All Council Members voted yes. Motion approved.**

**SECOND READINGS**

**Ordinance 3-16:** An Ordinance Amending the Rules and Regulations of the Civil Service Commission of the City of Canal Fulton

**FIRST READINGS**

**Resolution 3-16:** A Resolution by the Council of the City of Canal Fulton Ohio to enter into Amended Agreement Number 2 with CTI Engineers, Inc. to Provide Professional Engineering Services for the Cherry/Locust Intersection Improvements.

**P.O.s**

P.O. 10724 to 83 Construction in the amount of \$47,850.00 for Sludge Shelter Construction Materials

**A motion was made to table P.O. 10724 by Scott Svab, second by Sean Craney. All Council Members voted yes. Motion approved.**

P.O. 10725 to K & M Builders, LTD in the amount of \$8,425.00 for Sludge Shelter Construction Labor

**A motion was made to table P.O. 10725 by Sean Craney, second by Nellie Cihon. All Council Members voted yes. Motion approved.**

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**BILLS:** \$503,076.31

**A motion was made to approve the January bills by Danny Losch, second by Sue Mayberry. All Council Members voted yes. Motion approved.**

**OLD/NEW/OTHER BUSINESS**

Danny Losch said he would like to move forward with the All Veterans Memorial Aluminum signs on Locust Street that Sam Wilson requested.

Mayor Schultz stated he still wanted the street for the Community Campus named this.

**A motion was made to move forward to on the All Veterans Memorial Highway on Locust Street signs by Danny Losch, second by Sean Craney. All Council Members voted yes. Motion approved.**

**REPORT OF PRESIDENT PRO TEMPORE**

**A motion was made in support of Issue 11 (Northwest Schools Renewal Levy) by Sean Craney, second by Scott Svab. All Council Members voted yes. Motion approved.**

Sean Craney stated that he had attended the Old Canal Days Committee meeting and received their approval for him and Margaret Manley to raise funds to keep the fireworks. Mr. Craney stated that he if the Canal Days Committee raises the cost for the non-profits to have a booth that he and his wife, who own the Dragonfly Tea Room will be having a fundraiser to help defray costs.

Danny Losch stated that the past committees had no problem generating funds for any of the activities for Old Canal Days. He is deeply disturbed by the lack of attention and work in order to make this a success with the committee. He is deeply disappointed at how this has been going. This is a City event regardless of who puts it on. If the Chamber wants to claim that they are the people putting it on, so be it but regardless it is still a City event. Mr. Losch stated that we need to get someone in there that can handle it or we need to take it over. He said he wanted to be straight up with everyone. Mr. Svab stated that was well put. Mr. Craney said he also agreed. Mr. Losch said he did not want to diminish possibilities that this creates, just because we have a committee that is not being creative. Mr. Craney said this is community event to showcase our City in the best possible light. This is supposed to highlight our assets as a City. From the local businesses to our local non-profits, our residents and this is supposed to shine a light on Canal Fulton and the surrounding area.

**REPORT OF SPECIAL COMMITTEES**

No Reports

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

Gregory Fry – Fairlawn – AFLAC Representative

Mr. Fry asked that AFLAC supplemental insurance be available to employees. He stated that at a minimum we needed three employees to start.

Mrs. Mayberry stated we had Colonial and one more supplemental insurance company now.

Mr. Fry will be setting up a meeting for the employees to decide if they would like to join.

**A motion was made to go into executive session for the purpose or consideration of Appointment of a public employee of official, and compensation of a public employee or official at 8:30pm by Sue Mayberry, second by Nellie Cihon. All Council Members voted yes. Motion approved.**

**A motion was made to return to public session at 8:59pm by Scott Svab, second by Nellie Cihon. All Council Members voted yes. Motion approved.**

**A motion was made to hire William Keltner as a new Income Tax Administrator starting at B level salary by Danny Losch, second by Nellie Cihon. All Council Members voted yes. Motion approved.**

**ADJOURNMENT**

The meeting was adjourned at 9:01pm

Meeting minutes prepared by: Teresa Dolan

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Meeting Minutes approved by Mayor Joseph Schultz

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CITY COUNCIL MEETING AGENDA  
February 16, 2016**

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# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 3.16

Passed \_\_\_\_\_, 20\_\_\_\_

## AN ORDINANCE AMENDING THE RULES AND REGULATIONS OF THE CIVIL SERVICE COMMISSION OF THE CITY OF CANAL FULTON.

WHEREAS, the members of the Civil Service Commission of the City of Canal Fulton, Ohio wish to amend certain rules and regulations regarding said Commission.

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

Section 5.9(e) is amended to read:

Before testing for the position of a police officer in the City of Canal Fulton, the applicant must have a valid and current certification by and/or through the Ohio Police Officer Training Council (OPOTC), or must be attending a certified Ohio Police Officer Training Academy and attain certification from OPOTC within ninety (90) days of hire, or be currently certified in another jurisdiction and obtain certification from OPOTC within sixty (60) days of hire. Applicant must produce proof of said certification or current enrollment in a certified Ohio Police Officer Training Academy at the time of filing application.

Section 7.1 is amended to read:

### Section 7.1 CERTIFICATION AND DURATION OF ELIGIBLE LIST

The Commission shall certify the eligibility list to the Mayor for the police department and to the City Manager for the utility, street or income tax departments. The Mayor or City Manager shall thereupon appoint from one of **the names that ranks in the top ten on the eligibility list or the top twenty-five percent (25%) of the eligible list, whichever is greater.** (See Appendix "B", ORC 124.27(A)). Appointment shall be made within sixty (60) days unless the Commission grants an extension.

The appointing authority may select from anyone on the list when there are ten (10) or less names.

A list expires upon the filing of the position for which the test was administered. An expired eligible list may be used to fill a position of the same

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

classification within the same appointing authority for which the list was created. But in no event shall an expired list be used more than one (1) year past its expiration date (See Appendix "C", O.R.C 124.26).

\_\_\_\_\_  
Joseph Schultz, 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 \_\_\_\_ 16, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_. 2016, and that publication of the foregoing Ordinance was duly made by listing same on the City's web site 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 \_\_\_\_\_, 2016.

\_\_\_\_\_  
Teresa Dolan, Clerk-of-Council

SEF/bp

# RECORD OF RESOLUTIONS

BEAR OFFICE INFO-05-0104 FORM NO. 0104

Resolution No. 316

Passed \_\_\_\_\_, 20\_\_\_\_

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO ENTER INTO AMENDED AGREEMENT NUMBER 2 WITH CTI ENGINEERS, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE CHERRY-LOCUST INTERSECTION IMPROVEMENTS.

WHEREAS, The City of Canal Fulton, Ohio has sought a proposal for the improvement of the Cherry-Locust Intersection in Canal Fulton, Stark County, Ohio, and

WHEREAS, CTI Engineers, Inc. has submitted an amended proposal acceptable to the City to provide professional engineering services needed to implement and develop those improvements.

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

The City of Canal Fulton agrees to enter into an amended agreement (Amendment No. 2) with CTI Engineers, Inc. to provide professional engineering services for the Cherry-Locust Intersection Improvements pursuant to agreement attached hereto as Exhibit "A" and incorporated by reference herein.

\_\_\_\_\_  
Joseph A. Schultz, 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 Resolution \_\_\_\_\_-16, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2016, and that publication of the foregoing Resolution was duly made by listing same on the city's web-site 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 \_\_\_\_\_, 2016.

\_\_\_\_\_  
Teresa Dolan, Clerk-of-Council



Exhibit "A"

CTI Engineers, Inc.  
One Cascade Plaza  
Suite 710  
Akron, Ohio 44308  
Phone 330.294.5996  
Fax 330.315.0945  
www.ctiengr.com

February 9, 2016

Mr. Mark Cozy, City Manager  
City of Canal Fulton  
155 E. Market St.  
Canal Fulton, Ohio 44614

Subject: Proposed Amendment Number 2  
STA-93-Cherry Locust Intersection Improvements (PID 90972)  
CTI Project E13034

Dear Mr. Cozy:

CTI has continued to provide professional engineering services for the LPA Bidding phase for the above-referenced project. Our initial Scope of Services and Contract amount of \$35,000 was established for engineering review and management of EDG's design services, and Amendment Number 1 added \$16,000 for right of way firm selection and coordination services.

Recent and upcoming efforts have and will involve continued coordination of utility relocations, assistance with the LPA Participation forms and preparation of City bidding documents. These bidding documents will be based on those documents normally utilized for City projects, but with revisions to assure compliance with ODOT and FHWA guidelines. The cost of our efforts for utility relocation coordination and bidding services will be eligible for 80% reimbursement under the federal Congestion Mitigation and Air Quality funding and the remaining local share is eligible for 74% reimbursement under the Ohio Public Works Commission funding.

CTI proposes to perform the additional utility relocation coordination and bidding phase tasks as outlined in the attached Scope of Services Amendment Number 2 for an additional fee of Ten Thousand Dollars (\$10,000.00), resulting in a new total cost-plus fee not to exceed Sixty-One Thousand Dollars (\$61,000.00).

We have attached two (2) originals of Amendment Number 2; please sign both and return one.

We appreciate the opportunity to provide continued service to the City on this important project. If you have any questions on this matter, please do not hesitate to contact us.

Very truly yours,

CTI Engineers, Inc.

A handwritten signature in black ink, appearing to read "Richard W. Reed".

Richard W. Reed, P.E.  
Vice President

A handwritten signature in black ink, appearing to read "David L. Koontz".

David L. Koontz, P.E.  
Project Manager

Enclosures

**AMENDMENT NO. 2  
AGREEMENT FOR ENGINEERING SERVICES**

WHEREAS, the City of Canal Fulton (CLIENT) and CTI Engineers, Inc. (CTI) entered into an Agreement dated December 3, 2013 to perform certain professional services in connection with the design of the STA-93-Cherry-Locust Intersection Design Administration (hereinafter referred to as the Project); and

WHEREAS, the CLIENT now desires CTI to perform additional services not authorized in the original agreement, said services being to provide professional engineering services for the utility relocation coordination and bidding phase assistance for the PROJECT.

NOW, THEREFORE, the CLIENT and CTI do hereby agree as follows:

1. Appendix C - Scope of Services, is amended to include assistance with utility relocation and to meet ODOT requirements for LPA bidding of the project.
3. The Schedule of Fees included in the original agreement shall be amended to add a not-to-exceed amount of Ten Thousand Dollars (\$10,000.00), resulting in a new total cost-plus fee not to exceed Sixty-One Thousand Dollars (\$61,000.00).
4. All other portions of the original Agreement remain in force.

IN WITNESS WHEREOF, both parties have caused this Amendment No. 2 to be executed by their duly authorized representatives.

ACCEPTED BY CLIENT:

CITY OF CANAL FULTON

BY \_\_\_\_\_

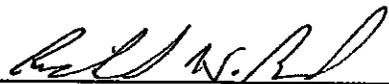
NAME \_\_\_\_\_

TITLE \_\_\_\_\_

DATE \_\_\_\_\_

ACCEPTED BY CTI:

CTI ENGINEERS, INC.

BY  \_\_\_\_\_

NAME Richard W. Reed, P.E.

TITLE Vice President

DATE 2.9.16

**APPENDIX C  
SCOPE OF SERVICES  
AMENDMENT NO. 2**

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This scope describes the professional engineering services for the utility relocation coordination and bidding phase for the STA-93-Cherry (Locust) Intersection Reconstruction project. The project will add turn lanes on Locust Street and enlarge the corners to better accommodate truck traffic.

**A. Utility Coordination and Bidding Phase Services of CTI Engineers, Inc. (CTI)**

1. Assist the City with coordination with ODOT to prepare the LPA Participation form, as required for the City to bid the project.
2. Assist the City with coordination of utility relocations by FirstEnergy, ATT, Massillon Cable TV, and Dominion gas.
3. Assist the City by preparing project bidding documents. These documents will be based on those documents normally utilized for City projects, but with revisions to assure compliance with ODOT and FHWA guidelines.
4. Assist the City in review of the contractors' bids, in conformance with ODOT and FHWA guidelines.

# RECORD OF RESOLUTIONS

FRANKLIN COUNTY BOARD OF SUPERVISORS

Resolution No. 4-16 Passed \_\_\_\_\_, 20\_\_\_\_

UNDER SUSPENSION OF THE RULES

A RESOLUTION PROCLAIMING SUPPORT FOR ISSUE ELEVEN ON MARCH 15, 2016 AND DECLARING AN EMERGENCY.

WHEREAS, One of the greatest assets of our community is our children, and their education is of paramount importance to all the citizens within our community; and

WHEREAS, the passage of Issue Eleven would not only serve as an investment in the education of children who attend the Northwest Local Schools, but could raise property values of homes within the boundaries of the City of Canal Fulton, and serve as an economic development catalyst with the maintaining of current jobs and the potential creation of new job opportunities; and

WHEREAS, numerous opportunities for the state legislature to rectify school funding mechanisms have gone without action or unaddressed;

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

Section 1: That the City Council, does hereby proclaim official support for Issue Eleven on March 15, 2016 and encourages the citizens of Canal Fulton to support the future condition of the school district and the future of our community.

Section 2: The Resolution is hereby determined to be an emergency measure, the immediate passage of which is necessary for the preservation of the public peace, health, safety, and welfare of the City of Canal Fulton, such emergency arising as the election is imminent, wherefore, this Resolution shall take effect and be in full force immediately upon its passage.

\_\_\_\_\_  
Joseph A. Schultz, 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 Resolution \_\_\_\_\_-16, duly adopted

# RECORD OF RESOLUTIONS

SEF/bp

SEAL GRAPHICS 800-898-0884 FORM NO. 30240

Resolution No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_\_

by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2016, and that publication of the foregoing Resolution was duly made by listing same on the city's web-site 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 \_\_\_\_\_, 2016.

Teresa Dolan, Clerk-of-Council

SEF/bp

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8084 FORM NO. 30043

Ordinance No. 4-16 Passed \_\_\_\_\_, 20\_\_\_\_

An Ordinance Amending Ordinance 34-15, 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, 2016, which were not anticipated or included in Ordinance 34-15, as the City's 2016 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 \$17,000 in order to pay the additional personnel costs associated with hiring a new Income Tax Administrator.

General Fund - Income Tax Dept			
Category	Previously Approved	Change	New Appropriations
Payroll Costs	180,715.67	17,000.00	197,715.67

**Section 2:** City Council authorizes the Finance Director to increase the General Fund appropriations by \$22,250 in order to pay the additional cost of asbestos abatement at the old elementary school building.

General Fund - Administration			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	191,852.71	22,250.00	214,102.71

**Section 3:** City Council authorizes the Finance Director to increase the General Capital Projects Fund appropriations by \$40,000 in order to pay the cost of the Eric Avenue Storm Sewer project.

General Capital Projects Fund - Administration			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	52,000.00	40,000.00	92,000.00

**Section 4:** City Council authorizes the Finance Director to increase the Road Improvement Projects Fund appropriations by \$300,000 in order to pay the costs of the Cherry-Locust Intersection Project.

Road Improvements Project Fund			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	-	300,000.00	300,000.00

# RECORD OF ORDINANCES

BEAR GRAPHICS 000-1025-COM FORM NO 20043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_\_

**Section 5:** This Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.

\_\_\_\_\_  
Joseph Schultz, 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 \_\_\_\_\_, 16, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2016, 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 \_\_\_\_\_, 2016.

\_\_\_\_\_  
Teresa Dolan, Clerk of Council

### RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 90043

Ordinance No. 5.16

Passed \_\_\_\_\_, 20\_\_\_\_

AN ORDINANCE BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO AMENDING THE ZONING CODE BY RE-ZONING PARTS OF AN AREA BOUNDED BY RIVER ROAD, CHERRY STREET, SUGAR STREET, ASH STREET AND TOM JONES PLACE TO R-2.

WHEREAS, on February 18, 2016 the Planning Commission of the City of Canal Fulton has recommended re-zoning an area in the City bounded by River Road, Cherry Street, Sugar Street, Ash Street and Tom Jones Place to 1 & 2 Family Low Density Residential (R-2), and

WHEREAS, a public hearing and notice thereof have been held and given, as required by Ohio Revised Code Section 713.12.

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

Parts of an area in the City of Canal Fulton bounded by River Road, Cherry Street, Sugar Street, Ash Street and Tom Jones Place shall be re-zoned R-2 (1 & 2 Family Low Density Residential) as shown on attached map marked as Exhibit "A" and incorporated by reference herein.

\_\_\_\_\_  
Joseph A. Schultz, Mayor

ATTEST:

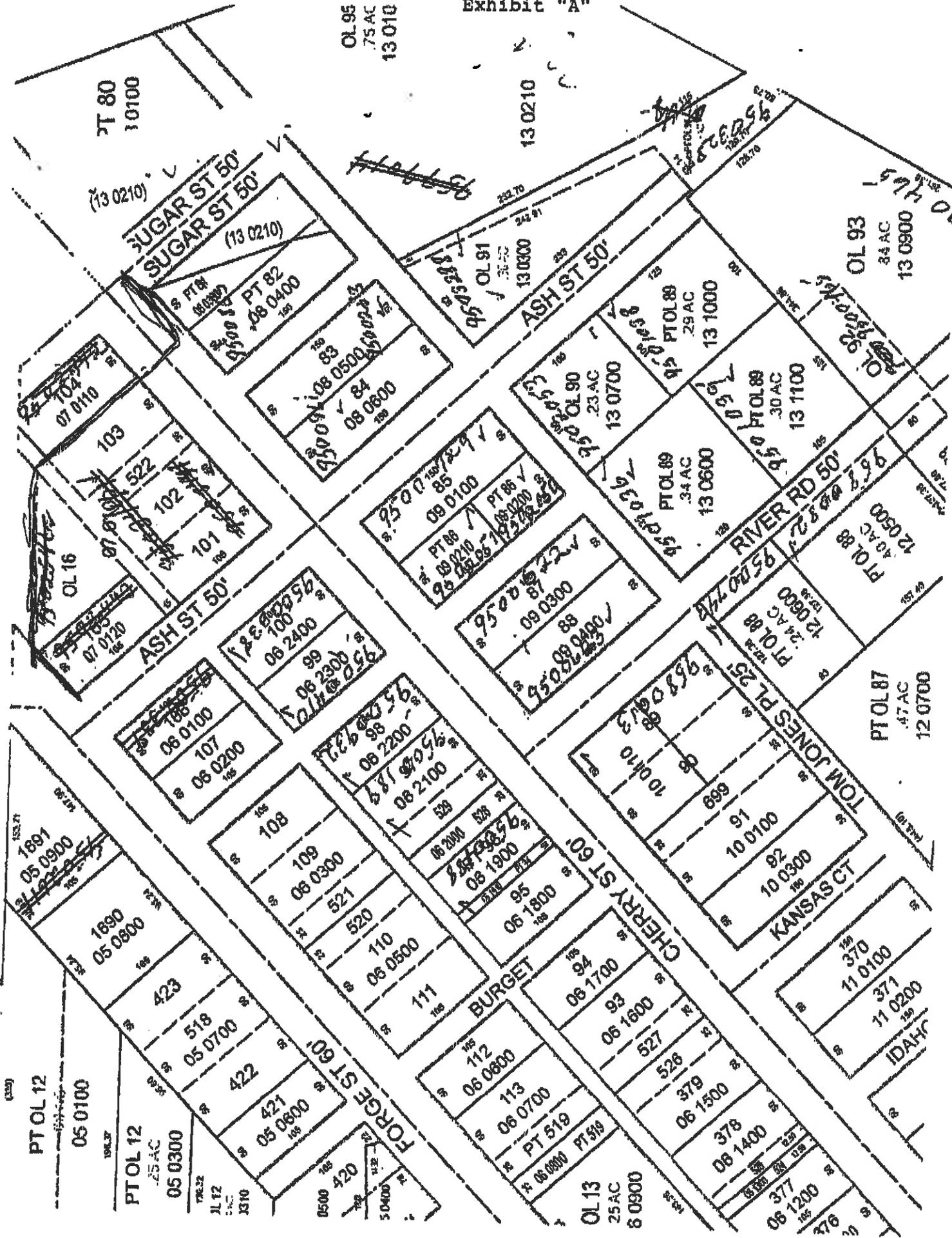
\_\_\_\_\_  
Teresa Dolan, Clerk-of-Council

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 \_\_\_\_\_ 2016, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2016, and that publication of the foregoing Ordinance was duly made by listing same on the city's web site 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 \_\_\_\_\_, 2016.

\_\_\_\_\_  
Teresa Dolan, Clerk-of-Council

SEF/bp

Exhibit "A"



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OL 93  
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PTOL 87  
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OL 13  
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# RECORD OF ORDINANCES

BEAUGRAPHIC 080-329-6094 FORM NO. 32043

Ordinance No. 6-16

Passed \_\_\_\_\_, 20\_\_\_\_

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF NOT TO EXCEED \$1,000,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF IMPROVING STREETS AND ROADS IN THE CITY BY RECONSTRUCTING, RESURFACING, GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING STORM SEWERS AND RELATED DRAINAGE FACILITIES AND MAKING OTHER IMPROVEMENTS AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 12-15, passed on April 7, 2015, there were issued \$1,000,000 Street Improvement Notes, Series 2015 (the Outstanding Notes), in anticipation of bonds for the purpose stated in Section 1, which Outstanding Notes mature on May 7, 2016; and

WHEREAS, this Council finds and determines that the City should retire the Outstanding Notes with the proceeds of the Notes described in Section 3; and

WHEREAS, the Director of Finance, as fiscal officer of the City, has certified to this Council that the estimated life or period of usefulness of the improvement described in Section 1 is at least five years, the estimated maximum maturity of the Bonds described in Section 1 is 20 years and the maximum maturity of the Notes described in Section 3, to be issued in anticipation of the issuance of the Bonds, is May 7, 2035;

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

Section 1: Authorized Principal Amount of Anticipated Bonds and Purpose. It is necessary to issue bonds of the City in an aggregate principal amount not to exceed \$1,000,000 (the Bonds) for the purpose of paying costs of improving streets and roads in the City by reconstructing, resurfacing, grading, draining, curbing, paving, constructing storm sewers and related drainage facilities and making other improvements as designated in the plans approved or to be approved by Council, together with the necessary related improvements and appurtenances thereto.

Section 2: Estimated Bond Terms. The Bonds shall be dated approximately April 1, 2017, shall bear interest at the now estimated rate of 5% per year, payable semiannually until the principal amount is paid, and are estimated to mature in 20 annual principal installments on December 1 of each year that are in such amounts that the total principal and interest payments on the Bonds in any fiscal year in which principal is payable are substantially equal. The first interest payment on the Bonds is estimated to be December 1, 2017, and the first principal payment of the Bonds is estimated to be December 1, 2018.

Section 3: Authorized Principal Amount of Notes; Dating; Interest Rate. It is necessary to issue and this Council determines that notes in an aggregate principal amount not to exceed \$1,000,000 (the Notes) shall be issued in anticipation of the issuance of the Bonds and to retire the Outstanding Notes. The Notes shall be dated the date of issuance and shall mature one year from

# RECORD OF ORDINANCES

DEAR GRAPHICS 800-523-0084 FORM NO. 30843

*Ordinance No.* \_\_\_\_\_

*Passed* \_\_\_\_\_, 20\_\_\_\_

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

the date of issuance; provided that the Director of Finance may, if it is determined to be necessary or advisable to the sale of the Notes, establish a maturity date that is any date not later than one year from the date of issuance by setting forth that maturity date in the certificate awarding the Notes signed in accordance with Section 6 (the Certificate of Award). The Notes shall bear interest at a rate not to exceed 4% per year (computed on the basis of a 360-day year consisting of 12 30-day months), payable at maturity and until the principal amount is paid or payment is provided for. The aggregate principal amount of and rate of interest on the Notes shall be determined by the Director of Finance in the Certificate of Award.

**Section 4:**

Payment of Debt Charges: Paying Agent. The debt charges on the Notes shall be payable in Federal Reserve funds of the United States of America, without deduction for services of the City's paying agent, at the designated corporate trust office of The Huntington National Bank, or at the principal corporate trust office or other office of a bank or trust company designated by the Director of Finance, after determining that the payment at that bank or trust company will not endanger the funds or securities of the City and that proper procedures and safeguards are available for that purpose, or at the office of the Director of Finance if agreed to by the Director of Finance and the Original Purchaser (as defined in Section 6) (the Paying Agent).

**Section 5:**

Execution of Notes: Book Entry System. The Notes shall be signed by the City Manager and the Director of Finance, in the name of the City and in their official capacities, provided that one of those signatures may be a facsimile. The Notes shall be issued in the denominations and numbers as requested by the Original Purchaser and approved by the Director of Finance in the Certificate of Award, provided that no Note shall be issued in a denomination less than \$100,000. The entire principal amount may be represented by a single note and may be issued as fully registered securities (for which the Director of Finance will serve as note registrar) and in book entry or other uncertificated form in accordance with Section 9.96 and Chapter 133 of the Revised Code if it is determined by the Director of Finance that issuance of fully registered securities in that form will facilitate the sale and delivery of the Notes. The Notes shall not have coupons attached, shall be numbered as determined by the Director of Finance and shall express upon their faces the purpose, in summary terms, for which they are issued and that they are issued pursuant to this Ordinance and the Certificate of Award.

As used in this section and this Ordinance:

"Book entry form" or "book entry system" means a form or system under which (i) the ownership of beneficial interests in the Notes and the principal of, and interest on, the Notes may be transferred only through a book entry, and (ii) a single physical Note certificate is issued by the City and payable only to a Depository or its nominee, with such Notes "immobilized" in the custody of the Depository or its agent for that purpose. The book entry maintained by others than the City is the record that identifies the owners of beneficial interests in the Notes and that principal and interest.

"Depository" means any securities depository that is a clearing agency under federal law operating and maintaining, with its Participants or otherwise, a book entry system to record ownership of beneficial interests in the Notes or the principal of, and interest on, the Notes and to effect transfers of the Notes, in book entry form, and includes and means initially

# RECORD OF ORDINANCES

BE/R GRAPHICS 800-253-8074 FORM NO. 00043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

The Depository Trust Company (a limited purpose trust company), New York, New York.

"Participant" means any participant contracting with a Depository under a book entry system and includes security brokers and dealers, banks and trust companies, and clearing corporations.

The Notes may be issued to a Depository for use in a book entry system and, if and as long as a book entry system is utilized, (i) the Notes may be issued in the form of a single Note made payable to the Depository or its nominee and immobilized in the custody of the Depository or its agent for that purpose; (ii) the beneficial owners in book entry form shall have no right to receive the Notes in the form of physical securities or certificates; (iii) ownership of beneficial interests in book entry form shall be shown by book entry on the system maintained and operated by the Depository and its Participants, and transfers of the ownership of beneficial interests shall be made only by book entry by the Depository and its Participants; and (iv) the Notes as such shall not be transferable or exchangeable, except for transfer to another Depository or to another nominee of a Depository, without further action by the City.

If any Depository determines not to continue to act as a Depository for the Notes for use in a book entry system, the Director of Finance may attempt to establish a securities depository/book entry relationship with another qualified Depository. If the Director of Finance does not or is unable to do so, the Director of Finance, after making provision for notification of the beneficial owners by the then Depository and any other arrangements deemed necessary, shall permit withdrawal of the Notes from the Depository, and shall cause the Notes in bearer or payable to order form to be signed by the officers authorized to sign the Notes and delivered to the assigns of the Depository or its nominee, all at the cost and expense (including any costs of printing), if the event is not the result of City action or inaction, of those persons requesting such issuance.

The Director of Finance is also hereby authorized and directed, to the extent necessary or required, to enter into any agreements determined necessary in connection with the book entry system for the Notes, after determining that the signing thereof will not endanger the funds or securities of the City.

## Section 6:

Award and Sale of the Notes. The Notes shall be sold at not less than par plus accrued interest to the original purchaser designated by the Director of Finance in the Certificate of Award (the Original Purchaser) in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Certificate of Award evidencing that sale to the Original Purchaser, cause the Notes to be prepared, and have the Notes signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Notes if requested by the Original Purchaser, to the Original Purchaser upon payment of the purchase price. The City Manager, the Mayor, the Director of Finance, the Director of Law, the Clerk of Council and other City officials, as appropriate, are each authorized and directed to sign any transcript certificates, financial statements and other documents and instruments and to take such actions as are necessary or appropriate to consummate the transactions contemplated by this Ordinance. The Director of Finance is authorized, if it is determined to be in the best interest of the City, to combine the issue of Notes with one or more other note issues of the City into a consolidated note issue pursuant to Section 133.30(B) of the Revised Code.

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-725-8014 FORM NO 33843

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

The Director of Finance is authorized to request a rating for the Notes from one or more nationally-recognized rating agencies in connection with the sale and issuance of the Notes. The expenditure of the amounts necessary to secure those rating(s) and to pay the other financing costs (as defined in Section 133.01 of the Revised Code) in connection with the Notes is authorized and approved, and the Director of Finance is authorized to provide for the payment of any such amounts and costs from the proceeds of the Notes to the extent available and otherwise from any other funds lawfully available that are appropriated or shall be appropriated for that purpose.

Section 7: Application of Note Proceeds. The proceeds from the sale of the Notes, except any premium and accrued interest, shall be paid into the proper fund or funds and those proceeds are appropriated and shall be used for the purpose for which the Notes are being issued. Any portion of those proceeds representing premium and accrued interest shall be paid into the Bond Retirement Fund.

Section 8: Application and Pledge of Bond or Renewal Note Proceeds or Excess Funds. The par value to be received from the sale of the Bonds or of any renewal notes and any excess funds resulting from the issuance of the Notes shall, to the extent necessary, be used to pay the debt charges on the Notes at maturity and are pledged for that purpose.

Section 9: Provisions for Tax Levy. During the year or years in which the Notes are outstanding, there shall be levied on all the taxable property in the City, in addition to all other taxes, the same tax that would have been levied if the Bonds had been issued without the prior issuance of the Notes. The tax shall be within the ten-mill limitation imposed by law, shall be and is ordered computed, certified, levied and extended upon the tax duplicate and collected by the same officers, in the same manner, and at the same time that taxes for general purposes for each of those years are certified, levied, extended and collected, and shall be placed before and in preference to all other items and for the full amount thereof. The proceeds of the tax levy shall be placed in the Bond Retirement Fund, which is irrevocably pledged for the payment of the debt charges on the Notes or the Bonds when and as the same fall due. In each year to the extent other money is lawfully available for the payment of debt charges on the Notes and Bonds and is appropriated for that purpose, the amount of the tax shall be reduced by the amount of money so available and appropriated.

Section 10: Federal Tax Considerations. The City covenants that it will use, and will restrict the use and investment of, the proceeds of the Notes in such manner and to such extent as may be necessary so that (a) the Notes will not (i) constitute private activity bonds, arbitrage bonds or hedge bonds under Sections 141, 148 or 149 of the Internal Revenue Code of 1986, as amended (the Code) or (ii) be treated other than as bonds to which Section 103 of the Code applies, and (b) the interest on the Notes will not be an item of tax preference under Section 57 of the Code.

The City further covenants that (a) it will take or cause to be taken such actions that may be required of it for the interest on the Notes to be and remain excluded from gross income for federal income tax purposes, (b) it will not take or authorize to be taken any actions that would adversely affect that exclusion, and (c) it, or persons acting for it, will, among other acts of compliance, (i) apply the proceeds of the Notes to the governmental purpose of the borrowing, (ii) restrict the yield on investment property, (iii) make timely and adequate payments to the

# RECORD OF ORDINANCES

BEAR GRAPHICS 800-326-8088 FORM NO. 80049

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

federal government, (iv) maintain books and records and make calculations and reports and (v) refrain from certain uses of those proceeds, and, as applicable, of property financed with such proceeds, all in such manner and to the extent necessary to assure such exclusion of that interest under the Code.

The Director of Finance or any other officer of the City having responsibility for issuance of the Notes is hereby authorized (a) to make or effect any election, selection, designation (including designation or treatment of the Notes as "qualified tax-exempt obligations" if applicable and desirable, and to make any related necessary representations and covenants), choice, consent, approval, or waiver on behalf of the City with respect to the Notes as the City is permitted to or required to make or give under the federal income tax laws, including, without limitation thereto, any of the elections provided for in or available under Section 148 of the Code, for the purpose of assuring, enhancing or protecting favorable tax treatment or status of the Notes or interest thereon or assisting compliance with requirements for that purpose, reducing the burden or expense of such compliance, reducing the rebate amount or payments or penalties, or making payments of special amounts in lieu of making computations to determine, or paying, excess earnings as rebate, or obviating those amounts or payments, as determined by that officer, which action shall be in writing and signed by the officer, (b) to take any and all other actions, make or obtain calculations, make payments, and make or give reports, covenants and certifications of and on behalf of the City, as may be appropriate to assure the exclusion of interest from gross income and the intended tax status of the Notes, and (c) to give one or more appropriate certificates of the City, for inclusion in the transcript of proceedings for the Notes, setting forth the reasonable expectations of the City regarding the amount and use of all the proceeds of the Notes, the facts, circumstances and estimates on which they are based, and other facts and circumstances relevant to the tax treatment of the interest on and the tax status of the Notes.

Each covenant made in this section with respect to the Notes is also made with respect to all issues any portion of the debt service on which is paid from proceeds of the Notes (and, if different, the original issue and any refunding issues in a series of refundings), to the extent such compliance is necessary to assure exclusion of interest on the Notes from gross income for federal income tax purposes, and the officers identified above are authorized to take actions with respect to those issues as they are authorized in this section to take with respect to the Notes.

Section 11: Certification and Delivery of Ordinance and Certificate of Award. The Clerk of Council is directed to deliver or cause to be delivered a certified copy of this Ordinance and a signed copy of the Certificate of Award to the Stark County Auditor.

Section 12: Satisfaction of Conditions for Note Issuance. This Council determines that all acts and conditions necessary to be done or performed by the City or to have been met precedent to and in the issuing of the Notes in order to make them legal, valid and binding general obligations of the City have been performed and have been met, or will at the time of delivery of the Notes have been performed and have been met, in regular and due form as required by law; that the full faith and credit and general property taxing power (as described in Section 9) of the City are pledged for the timely payment of the debt charges on the Notes; and that no statutory or constitutional limitation

# RECORD OF ORDINANCES

BEARER/FHCS 060 105 804 FORM NO 30043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_

of indebtedness or taxation will have been exceeded in the issuance of the Notes.

**Section 13:**

**Retention of Bond Counsel.** The legal services of Squire Patton Boggs (US) LLP, as bond counsel, be and are hereby retained. The legal services shall be in the nature of legal advice and recommendations as to the documents and the proceedings in connection with the issuance and sale of the Notes and the rendering of the necessary legal opinion upon the delivery of the Notes. In rendering those legal services, as an independent contractor and in an attorney-client relationship, that firm shall not exercise any administrative discretion on behalf of the City in the formulation of public policy, expenditure of public funds, enforcement of laws, rules and regulations of the State, the City or any other political subdivision, or the execution of public trusts. That firm shall be paid just and reasonable compensation for those legal services and shall be reimbursed for the actual out-of-pocket expenses it incurs in rendering those legal services. The Director of Finance is authorized and directed to make appropriate certification as to the availability of funds for those fees and any reimbursement and to issue an appropriate order for their timely payment as written statements are submitted by that firm.

**Section 14:**

**Compliance with Open Meeting Requirements.** This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

**Section 15:**

**Captions and Headings.** The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated.

**Section 16:**

**Declaration of Emergency; Effective Date.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective so that the Notes can be delivered at the earliest possible date to enable the City to retire the Outstanding Notes and thereby preserve its credit; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

PASSED: \_\_\_\_\_

Joseph Schultz, Mayor

ATTEST: \_\_\_\_\_

Teresa Dolan, Clerk of Council

# RECORD OF ORDINANCES

BEA: GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. \_\_\_\_\_ Passed \_\_\_\_\_, 20\_\_\_\_\_

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 \_\_\_\_\_-16, duly passed by the Council of the City of Canal Fulton on \_\_\_\_\_, 2016, and that publication of the foregoing Ordinance was duly made by listing same on the City's web site 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 15 days, commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Teresa Dolan  
Clerk of Council

## FISCAL OFFICER'S CERTIFICATE

TO THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO:

As fiscal officer of the City of Canal Fulton, Ohio, I certify in connection with your proposed issue of not to exceed \$1,000,000 of notes (the Notes), to be issued in anticipation of the issuance of bonds (the Bonds), for the purpose of paying costs of improving streets and roads in the City by reconstructing, resurfacing, grading, draining, curbing, paving, constructing storm sewers and related drainage facilities and making other improvements as designated in the plans approved or to be approved by Council, together with the necessary related improvements and appurtenances thereto (the improvement), that:

1. The estimated life or period of usefulness of the improvement is at least five years.

2. The estimated maximum maturity of the Bonds, calculated in accordance with Section 133.20 of the Revised Code, is 20 years, being my estimate of the life or period of usefulness of those improvements. If and to the extent a portion of the proceeds of the Bonds may be determined to be allocated to a class or classes having a maximum maturity of less than 20 years but in excess of five years, then the maximum maturity of the Bonds would still be at least 20 years by reason of a sufficient portion of the proceeds of the Bonds allocated to a class or classes having a maximum maturity or an estimated period of usefulness in excess of 20 years. If notes in anticipation of the Bonds are outstanding later than the last day of December of the fifth year following the year of issuance of the original issue of notes, the period in excess of five years shall be deducted from that maximum maturity of the Bonds.

3. The maximum maturity of the Notes is May 7, 2035, which date is 240 months from May 7, 2015, the date of issuance of the original notes issued for this purpose.

Dated: March 1, 2016

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Director of Finance  
City of Canal Fulton, Ohio



**BILL TO:**

**City of Canal Fulton PURCHASE ORDER**

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

P.O. NUMBER: RG010724  
 P.O. DATE: 02/08/16  
 DEPARTMENT: SEWER  
 CREATED BY:  
 VENDOR NO.: 02989

DELIVER TO:

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

VENDOR:

83 CONSTRUCTION  
 P.O. BOX 272  
 KIDRON, OH 44636

ACCOUNT NUMBER	AMOUNT
351.330.5730	\$47,850.00

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 # 37-6000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		SLUDGE SHELTER CONSTRUCTION MATERIALS		\$47,850.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____		
<b>TOTAL:</b>				<b>\$47,850.00</b>

**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.

**FISCAL OFFICER'S CERTIFICATE**

I hereby certified that the amount required to meet the contract, agreement, obligation, 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 or credit of the appropriate Fund(s), free from any obligation or certification now outstanding.

\_\_\_\_\_  
 Finance Director

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 City Manager / Mayor

\_\_\_\_\_  
 Date

**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           RG010725  
P.O. DATE             02/08/16  
DEPARTMENT           SEWER  
CREATED BY  
VENDOR NO.            02990

DELIVER TO:

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

VENDOR:

K & M BUILDERS, LTD  
P.O. BOX 163  
KIDRON, OH 44636

ACCOUNT NUMBER	AMOUNT
351.330.5730	\$8,425.00

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 #34-6000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		SLUDGE SHELTER CONSTRUCTION LABOR		\$8,425.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
<b>TOTAL:</b>				<b>\$8,425.00</b>

**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.

### FISCAL OFFICER'S CERTIFICATE

I hereby certify that the amount required to meet the contract, agreement, obligation, 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 credit of the appropriate Fund(s), free from any obligation or certification now outstanding.

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Manager / Mayor

\_\_\_\_\_  
Date



**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: RG010735  
P.O. DATE: 02/17/16  
DEPARTMENT: MAYOR . ADMIN  
CREATED BY:  
VENDOR NO.: 02878

DELIVER TO:

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

VENDOR:

BUTCHER & SON, INC.  
2057 MCCOY ROAD  
AKRON, OH 44320

ACCOUNT NUMBER	AMOUNT
101.120.5410	\$22,250.00

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 # 34-6000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		ADDITIONAL COST 90F ASBESTOS ABATEMENT WINDOWS AT OLD ELEMENTARY SCHOOL		\$22,250.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON ____ / ____ / ____		
<b>TOTAL:</b>				<b>\$22,250.00</b>

**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.

### FISCAL OFFICER'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 from the credit of the appropriate Fund(s), free from any obligation or certification now outstanding.

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Manager / Mayor

\_\_\_\_\_  
Date

**THIS ORDER IS NOT VALID UNLESS SIGNED BY THE FINANCE DIRECTOR AND EITHER THE CITY MANAGER OR MAYOR**



**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: RG010744  
P.O. DATE: 02/25/16  
DEPARTMENT: FIRE/EMS  
CREATED BY:  
VENDOR NO.: 00039

DELIVER TO:

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

VENDOR:

FINLEY FIRE EQUIPMENT  
5255 N.STATE ROUTE 60 NW  
MC CONNELSVILLE, OH 43756-0149

ACCOUNT NUMBER	AMOUNT
391.210.5730	\$33,000.00

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
		THE PURCHASE OF 20 SETS OF TURNOUT GEAR. THE PRICING IS STATE BID PRICING.		\$33,000.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
<b>TOTAL:</b>				<b>\$33,000.00</b>

**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.

### FISCAL OFFICER'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 on the credit of the appropriate Fund(s), free from any obligation or certification now outstanding.

\_\_\_\_\_  
Finance Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Manager / Mayor

\_\_\_\_\_  
Date

**THIS ORDER IS NOT VALID UNLESS SIGNED BY THE FINANCE DIRECTOR AND EITHER THE CITY MANAGER OR MAYOR**