

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

April 7, 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. **Canal Fulton Cemetery**

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

March 17, 2015

March 23, 2015 Special Meeting

8. **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

9. **THIRD READINGS**

**Ordinance 9:15** – An Ordinance by the Council of the City of Canal Fulton Amending Section 123.03 of the Codified Ordinances of Canal Fulton Ohio and Repealing any Ordinance in Conflict Therewith.

10. **SECOND READINGS**

**Ordinance 10:15** – An Ordinance Amending Ordinance 17-14, Rates of Pay for Safety Forces Part-Time Employees, and Repealing any Ordinances in Conflict Therewith

**Resolution 7:15** – A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with CTI Engineers, Inc. to Provide Professional Engineering Survey and Design Services for the Poplar St./Steiner St. Waterline Replacement

**Resolution 8:15** – A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with CTI Engineers, Inc. to Provide Professional Engineering Survey and Design Services for the Wooster St./Milan St. Waterline Replacement

**Resolution 9:15** – A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with CTI Engineers, Inc. to Provide Professional Engineering Survey and Design Services for the Locust St. Waterline Abandonment

11. **FIRST READINGS**

**Ordinance 11:15** - An Ordinance Amending Ordinance 23-14, and Providing for Supplemental Appropriations for the Current Expenses and Other Expenditures of the City of Canal Fulton, County of Stark, Ohio, for the Fiscal Year Ending December 31, 2015.

**Ordinance 12:15** - 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 ahin Emergency

12. **P.O.s**

P.O. 10317: To Valley Ford Truck Sales, Inc. in the amount of \$24,529.00 for 2015 Ford F-150

P.O. 10309: to Reilly Sweeping, Inc. in the amount of \$4,590.00 for Spring Sweeping of Streets

P.O. 10306: to Ohio Muni Joint Self Ins Pool in the amount of \$44,673.00 for 2015 Property and Liability Insurance

P.O. 10310: to D & R Supply in the amount of \$10,000.00 for Asphalt for patching streets

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**

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 17, 2015**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

Others Present: City Manager Mark Cozy, Council Clerk Teresa Dolan, Police Chief Doug Swartz, Fire Chief Ray Durkee, Finance Director William Rouse, and Engineer Bill Dorman

Others Present: Joan Porter, Chell Rossi, Joe Schultz, Dan Bucher Jr., Scott Porter, Gregory Porter, Earl Minks, Jeanann VanDenberg, Sean VanDenberg, Amy Maggiore, Laura Maggiore, Marilyn Chapanar, Alex McCallon, Lou Petit, Jeff Chapanar

**REPORTS OF STANDING COMMITTEES**

None

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

None

**PRESENTATION OF BEAUTIFICATION AWARD TO SCOTT PHILLIPS – UNION BLOCK BUILDING**

Danny Losch presented Scott and Gregory Phillips a Beautification Award for the restoration of the Union Block building. Scott Phillips accepted the award and thanked the City. Mr. Losch asked Mr. Phillips if he used the Sherwin William Paint the Town Program and Mr. Phillips said yes.

**CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**

March 3, 2015

**A motion was made to approve the March 3, 2015 Meeting Minutes by Sue Mayberry, second by Scott Svab.**

Clerk Teresa Dolan stated that there were some corrections made that Mrs. Mayberry had emailed her. They were all typographical.

**All Council Members voted yes. Motion approved.**

**REPORTS OF ADMINISTRATIVE OFFICERS**

Senior Citizens – Kathy Snyder sent a report via email to be handed out to Council.

Community Service – A written report was included in the packet.

Fire Chief – A written report was included in the packet. Fire Chief Ray Durkee stated that there were very few calls during the latest cold spell. The Dairy Queen fundraiser for the Explorers went very well. Chief Durkee stated that he will be serving Meals on Wheels and encouraged others to do the same. Chief Durkee stated that Purchase Order 10294 was for a fire hose to replace the twenty year old one we currently have. The price was a group purchasing price that we were able to take advantage of

Police Chief – A written report was included in the packet. Police Chief Doug Swartz stated that the department will be down one full time officer for a month due to Military Leave.

Engineer/Streets/Public Utilities – Engineer Bill Dorman stated that he was assisting Administration with the OEPA MS4 annual report, the Locust/Cherry Intersection Project and the Sandy Ridge preliminary plat is on the agenda for the HPC/Planning meeting. The proposed area is on Locust Street across from Elm Ridge.

Street Superintendent Mark Petersen was unable to attend the meeting due to illness.

Finance Director – Finance Director William Rouse reported on the February Financials that were included in the packet. The highlight of the second month report was that income tax was trending lower than normal. Mr. Rouse stated that in March hopefully that will stabilize.

Mr. Rouse reported that two weeks ago the finance committee had met in regards to bond counsel notes for the Locust/Cherry Intersection project. Mr. Rouse stated that he hoped to have legislation at the next meeting in reference to that. There was discussion on interest rates in regards to different banks. Mr. Rouse stated he would like to go with 5/3 Bank for the note. The note would be

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES**

March 17, 2015

a one year bond anticipation note. If we follow through with the amount that the finance committee approved it will be a one million dollar note that we would receive for one year. At the end of the year, we would have the grant proceeds from the project and we would pay the note down by the grand proceeds. What would be left would be our local share for approximately \$200,000. We would take the remainder and bond it out for twenty years or more if Council decides they want to do additional road projects. The first step would be to get an influx of cash to tide us over for a year until the grant money comes in.

**A motion was made for the Finance Director to proceed with negotiation with 5/3 Bank for a one year bond anticipation note by Scott Svab, second by Jim Deans. Sue Mayberry voted no. All other Council Members voted yes. Motion approved.**

Mr. Rouse noted to Council that Ordinance 7:15 was in reference to the Grit Building and Ordinance 8:15 was in reference to the Cherry/Locust right-of-way acquisition contracts that were previously approved.

**A motion was made to accept the February Financials by Danny Losch, second by Jim Deans. All Council Members voted yes. Motion approved.**

City Manager – A written report was included in the packet. City Manager Mark Cozy reported on the Locust Street Water and Sewer project. Mr. Cozy stated our Engineer had advised to seek bond counsel for that project. We have enough signatures at this time to do the initial portion of the project. We need to seek bond counsel to see what the assessment procedure would be set in place for the project. Mr. Cozy stated that one individual was in attendance that may be affected by the project, Jeff Chapanar. Mr. Cozy asked for a voice motion to seek bond counsel for the project.

Mrs. Mayberry asked in regards to what is in the report, is this part of the legislation that was passed at the last meeting. Mr. Cozy answered yes. Mrs. Mayberry asked if this changed the legislation. Mr. Cozy answered no. Mrs. Mayberry asked if it shortened the project. Mr. Cozy stated we did not have enough signatures right now to do the full length of the project at this point and time. There is a whole process we need to go through with seeking bond counsel and we have the public review and we would meet with all the affected property owners. For us to give all the information, we have to seek bond counsel to see what is will cost to do the project. The bond is part of the cost.

Mrs. Mayberry asked if Resolution 3:15 for assessing the property owners. Mr. Cozy stated yes.

Mr. Craney asked if there was something in place that we did not have to have all the signatures that we could do all of the project to the City limits. Mr. Cozy stated at that time we had signatures to go to the Ray's plaza one year ago. We had signatures in place from Mr. Schalmo and Tim McCully. Mr. McCully notified Mr. Cozy today that he no longer wants to participate in the project which takes us back to Schalmo's property. The only construction plans that we have right now is the construction parcel. We could get Mr. McCully to agree to get back on the project.

Mrs. Mayberry said she is concerned about the legislation passed for water and sewer states on the back – isn't this the assessing ordinance that we have here. Law Director Scott Fellmeth explained that this was one step in a 17-step process. The Engineer at this point and time is gathering estimates. When bond counsel is asked for it is to clarify those estimates. This is only step four. Mr. Cozy said he received an email from the Engineer today advising us to pass a voice motion to seek bond counsel for the project. He is responding to the Engineer's request. Mr. Cozy stated to keep in mind that this was initiated by the folks that had property out there. We are following through at this point and have enough interest to do part of the project where the construction is scheduled to occur. We can always do the rest at a later date. Until we seek bond counsel we will not have a firm number in place. We cannot assess a property for more than one third of its total value.

Mr. Fellmeth corrected himself and said this was step six in the process.

**A motion was made to seek bond counsel for the Locust Street Water and Sewer Project by Sean Craney, second by Nellie Cihon. Sue Mayberry abstained from the vote. All other Council Members voted yes. Motion approved.**

Mr. Cozy stated that the Police Study Committee had decided to bring the consultant back to finish the plan. At the advice of a couple Council people that served on the committee, we have not paid the final invoice. The Township had voiced concern on data they had given the consultant that did not appear in the final version of the plan. We decided to wait until that data was added to the plan before we submitted the final payment. Mr. Cozy said he spoke with Mr. Deans and Mr. Losch were the two members that were involved in the committee. He followed their advice. Mr. Svab recommended that Mr. Cozy get a voice motion from Council to withhold the final payment until the study is done.

Jim Deans added that when he heard what they had, they did not have much but a package that we can't use. We are already ahead of them. Mr. Deans agreed with Mr. Cozy and withholding the payment.

Danny Losch said he read the study and he would ask the Chief on what information that was withheld in the final study, would it make a difference in the outcome of the final. Chief Swartz stated yes. Mr. Losch said hearing that he would agree with withholding the final payment.

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES**

**March 17, 2015**

Chief Swartz stated that it is also alluding to possible charging additional funds if they come out and do additional work for us. Chief Swartz said at this point the goal would be to get a finished product, but it has to reflect accurate numbers and statistics. Currently it does not.

Nellie Cihon asked why was the information withheld. Chief Swartz stated no one knows.

Mr. Cozy stated that the initial request, the City provided the data and the township had their data in a format that the consultant could not access all the data. The consultant took it upon themselves to call the Red Center for run and call reports. The township later provided the data and somehow it did not get in the report. We are requesting that they update the report to reflect the correct data.

Danny Losch asked what the balance was. Mr. Cozy stated that it was a \$40,000 contract and the balance is \$4,500. Basically they have been paid eighty-nine percent. We are not holding a significant amount back.

Mr. Fellmeth stated he would follow Mr. Cozy's recommendation.

**A motion was made to withhold payment until we receive the final product from EDDS by Sean Craney. Second by Nellie Cihon.**

Danny Losch asked Chief Swartz if the information that was withheld would make a difference on the project. Chief Swartz stated yes. The packet was looked over and highlighted changes that need made. Mr. Losch asked if half of the balance could be offered to encourage them to come back. Mr. Fellmeth and Mr. Cozy stated that to be fair to the township the information needed to be in there. The study is about collaboration and how can you collaborate when from the get go the information that is in there is not correct. It may not change the outcome, but the data is not accurate.

**All Council Members voted yes. Motion approved.**

Mr. Craney asked about the Hotel Study. Mr. Cozy stated that he talked to those involved. He is getting meetings together with those people so there is activity.

Mr. Craney asked about the Old School. Mr. Cozy stated an individual was supposed to be in attendance but was not there. Mr. Craney said the neighbors were indifferent at some things that have been discussed. Housing seems to be the favorite.

Mayor - the Mayor reported that the Cemetery roads are in bad shape. Something has to be done this year. Mark Petersen stated it would run roughly \$10,000 to fix everything up. The frost is not out of the ground so there may be more damage.

Mr. Losch said Erie coming from the schools is very bad also.

Parks & Recreation Board – Earl Minks reported that the Board approved a POW Chair of Honor to be placed at the Veteran's Memorial in Mulhauser Park Requested by Sam Wilson.

The Easter Egg Hunt is on March 28<sup>th</sup>.

The foot bridge foundation over the canal is deteriorating on the canal side. Mr. Minks would like to push Stark Parks to do something about it.

Sean Craney asked about the concession stand and whether it was going to be knocked down or a new roof needs to be put on it. Mr. Cozy asked for a voice motion to tear it down.

**A motion was made to tear down the concession stand in Heritage Park by Sean Craney, second by Jim Deans. Nellie Cihon abstained. All other Council Members voted yes. Motion approved.**

Law Director - No Report

**THIRD READINGS**

**Ordinance 7:15:** An Ordinance Amending Ordinance 23-14, and Providing for Changes to Previously Authorized Appropriations.

**A motion was made to approve Ordinance 7:15 by Sean Craney, second by Sue Mayberry. All Council Members voted yes. Motion approved.**

**Ordinance 8:15:** An Ordinance Amending Ordinance 23-14 and Providing for Changes to Previously Authorized Appropriations

**A motion was made to approve Ordinance 8:15 by Nellie Cihon, second by Sean Craney. All Council Members voted yes. Motion approved.**

**SECOND READINGS**

**Ordinance 9:15** – An Ordinance by the Council of the City of Canal Fulton Amending Section 123.03 of the Codified Ordinances of Canal Fulton Ohio and Repealing any Ordinance in Conflict Therewith.

**FIRST READINGS**

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 17, 2015**

**Ordinance 10:15** – An Ordinance Amending Ordinance 17-14, Rates of Pay for Safety Forces Part-Time Employees, and Repealing any Ordinances in Conflict Therewith

**Resolution 7:15** – A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with CTI Engineers, Inc. to Provide Professional Engineering Survey and Design Services for the Poplar St./Steiner St. Waterline Replacement

**Resolution 8:15** – A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with CTI Engineers, Inc. to Provide Professional Engineering Survey and Design Services for the Wooster St./Milan St. Waterline Replacement

**Resolution 9:15** – A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with CTI Engineers, Inc. to Provide Professional Engineering Survey and Design Services for the Locust St. Waterline Abandonment

**P.O.s**

P.O. 10294: to Finley Fire Equipment in the amount of \$14,710.00 for Replacement of Supply Fire Hose

**A motion was made to approve Purchase Order 10294 by Nellie Cihon, second by Jim Deans. All Council Members voted yes. Motion approved.**

P.O. 10292: to CTI Engineers, Inc. in the amount of \$8,500.00 for Storm Water Management Plan Professional Engineering Service

**A motion was made to approve Purchase Order 10292 by Sean Craney, second by Scott Svab. All Council Members voted yes. Motion approved.**

**BILLS:** \$490,035.99

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

**OLD/NEW/OTHER BUSINESS**

**A motion was made to correct a motion made at the last meeting for the Special Council Meeting to discuss the Canal Fulton Community Campus. The meeting was rescheduled by March 23, 2015 at 6:00pm at the Canal Fulton Safety Center by Sean Craney, second by Sue Mayberry. All Council Members voted yes. Motion approved.**

**REPORT OF PRESIDENT PRO TEMPORE**

No Report

**REPORT OF SPECIAL COMMITTEES**

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

Jim Deans – 426 Heritage – reported on the Friends of the Library. The Pizza Show Down went very well. There is a book sale on April 18, 2015. Community Day will be held this Sunday at Northwest. Mr. Deans also asked everyone to consider volunteering for Meals on Wheels.

JeanAnn VanDenberg – 10904 Portage St. SW

Ms. VanDenberg stated she had questions about the water and sewer. She asked how many owners were proposing to share in the cost of the water and sewer portion. Mr. Cozy said he did not have the exact number. Mr. Cozy asked if she meant signed petitions. She answered yes. Mr. Cozy stated one owner. He had two. One owner has multiple properties. One owner just withdrew his signature so he has one committed now.

Ms. VanDenberg asked why was Resolution 3:15 passed to proceed all the way to the corporate line when according to the minutes of a meeting on 3-18, you did not have any signatures needed to do so. Mr. Cozy stated that without the legislation we are limiting ourselves. Up and to the point when the final decision is made we could include all of it.

Ms. VanDenberg asked how far was he taking the project now. Mr. Cozy said currently since he had a withdrawal our Engineer is calculating the location now. Mr. Cozy showed the resident on the map. Mr. Cozy stated we can include Schalmo's property and to the east of that, but the resident is too far off the road to be assessed. This is where we are right now.

Alex McCallion – Attorney for Marilyn Chapanar – 11210 Locust

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES**

**March 17, 2015**

Mr. McCallion asked about the resolution that was passed states that the assessment is assessing all properties up to the corporate line. He said what Mr. Cozy just told them was that they were only proceeding with a portion of that which is different than the resolution that was passed. Mr. Cozy stated we can only proceed with the petitions we have. We were advised by the Engineer to allow for the entire project. Once you go through bond counsel and have our public meeting with all affected property owners, we can only extend the line for what petitions we have.

Mr. McCallion stated that what Mr. Cozy was saying is different than the resolution that was passed. Mr. McCallion stated Carter Lumber is opposed and every property owner other than Mr. Schalmo on the South side. The resolution that is passes will assess them. They are going to be assessed for something that they do not need or want. Mr. McCallion is bringing their concerns to Council because he has seven property owners that do not want it, and one that does. He is going right through their properties. The way the resolution is written those property owners will be assessed, which under the statutory maximum is 33 1/3 percent of their property value. For example, the Chapanars will have a \$90,000 assessment for the property for something they do not want. For Carter Lumber it is even more.

Mr. Deans asked if it could be satisfied by rewriting the resolution to the actual of what is going to happen. Mr. McCallion said yes.

Also discussed was the layout of the sewer and why it when the way that it did on the plan. Mr. Cozy stated that if they were going to build it there would be laterals built.

Mr. Losch stated that he understood the concerns that the residents had.

Jeff Chapanar – 11210 Locust Street

Mr. Chapanar stated that he had a lot of concerns with this project. His most pressing being from a Council meeting on March 5, 2011 reading CT1 has given us estimates on the Locust Street Waterline project. We have fourteen different properties and twelve of them are on board and at least interested in the project. Those are two statements that he does not understand. If we divide the property costs evenly it would be \$65,000 which is pretty costly. But if we bond it out and spread it over twenty years, it comes to \$3,257 a year which is more palatable. Mr. Cozy stated that he had questions for the Law Director about the project. The next order of business will be to get the cost assembled and meet with the property owners to discuss the project and costs. Mr. Chapanar stated that it never happened. He is going back to the \$65,000 figure which is very costly and the \$3,257 figure. My assessments that they are trying to assess me now are not that. We are a small business. Now the assessment is going to be, he met with Mr. Cozy and Johnson Belford and they were unable to give him all the answers, then he met with the Engineer, Mark Cozy, Johnson Belford and Mr. Chapanar's estimator. At that meeting he was given to more assessments for curb, gutter and storm sewers and sidewalks. His total will now be \$92,480. This will more than double his taxes. This is not sustainable. His bank wants all financial statements. No one here has every checked to see if he can make this payment. Because Schalmo wants to develop it is not fair to the rest.

Mr. Chapanar stated that has never been signed by him. He wanted to know what signatures the City had and where are the petitions.

Mr. McCallion said he wants to bring to Council's attention that as the resolution sits all the property owners are being assessed. They do not think that is fair. They would like Council to look at the issue, table the resolution for now, look at it and go from there.

Sean Craney asked if this needed to be moved to another time.

Mr. Feilmeth recommended that this go to Committee.

Mr. Chapanar asked if anyone thought it was fair that a small business can handle \$90,480 assessment. Mr. Svab said no. Mr. Losch said he did not think anyone there thought that is was fair. Mr. Chapanar stated he could tell them with certainty that it would hurt him.

Mr. Craney stated he wanted to give them more time.

Mrs. Chapanar stated if the property owners did not want this, she has signatures she could provide that say this. No one wants this but Mr. Schalmo. They do not have anything against him, or him developing the property, but don't give all of them the bill.

Mr. Deans said he was going to make a motion to table this to after the discussion. If the resolution needs modified, so be it. Mrs. Doian said it could not be tabled id has already been passed. Mr. Chapanar asked if it could be rescinded.

Mr. Caney stated that nothing had been done yet, to give the residents an Economic Development meeting.

A motion was made to have an Economic Development Committee meeting on April 7, 2015 at 6:00pm to discuss Resolution 3:15 Locust Street Water and Sewer Project by Sean Craney, second by Jim Deans.

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 17, 2015**

**ADJOURNMENT**

Meeting adjourned at 825pm.

**CITY OF CANAL FULTON  
CITY COUNCIL SPECIAL MEETING MINUTES**

**March 23, 2015 – 6:00pm  
Canal Fulton Safety Center, 1165 Locust Street**

**CALL TO ORDER**

Scott Svab called the meeting to order at 6:00pm

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

In attendance were Scott Svab, Sue Mayberry, Sean Craney, Jim Deans, Nellie Cihon and Danny Losch

Absent: Mayor Richard Harbaugh

Others Present: Council Clerk Teresa Dolan, City Manager Mark Cozy, Police Chief Dough Swartz

Others Present: Don Baker, Chell Rossi, Marge Loretto, Les Kamph, Dale Deckos, Barb Smith, Joan Porter, Meghan Bauer, Pam Leddon, Chuck Myers, Marty Myers, Kathy Snyder, Janet Deans, Joe Schultz, Dan Bucher Jr., Shawn Lockhart, Ben Fierman, Eric Risinger – via conference call.

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

**PRESENTATION – RISINGER & ASSOCIATES – CANAL FULTON COMMUNITY CAMPUS**

Ben Fierman and Eric Risinger gave a presentation on the Canal Fulton Community Campus study to date.

Mr. Fierman thanked Council for inviting Risinger in. Mr. Fierman went through a slide presentation showing information that the company has compiled over the last few months. Companies that have signed letters of intent on collaborating with the Campus include Central Stark YMCA, Summa Health, University of Akron, Northwest Stark Senior Citizens Center, Northwest Local School District and they are waiting for a letter of intent from the City of Canal Fulton.

Analysis and data called catchment data was gathered on the area such as history, drive time, senior citizens information, and education and presented.

Mr. Fierman stated that he had met with our current senior center and calculated that 26,634 visitors visit the senior center in a year.

The area that is being looked at for the campus at this time is the Puffenberger property also known as Canal Fulton City Park.

Mr. Fierman thanked the City for their help on collecting the data that helped them to model what a campus might look like. Plans were shown for a possible model of the building and grounds.

**A motion was made to adjourn into executive session at 8:00pm to discuss the sale of property by competitive bid to prevent the disclosure of information that would provide competitive advantage by Danny Losch, second by Jim Deans. All Council Members voted yes. Motion approved.**

**A motion was made to come out of executive session and return to public session by Danny Losch, second by Jim Deans. All Council Members voted yes. Motion approved.**

**A motion was made to Authorize Mark Cozy to sign all letters of intent for the Canal Fulton Community Campus by Danny Losch, second by Jim Deans. Sue Mayberry voted no, all other Council Members voted yes. Motion approved.**

**ADJOURNMENT**

The meeting was adjourned at 9:15pm

RECORD OF ORDINANCES

Ordinance No. 9-15

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

AN ORDINANCE BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO AMENDING SECTION 123.03 OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF CANAL FULTON, OHIO AND REPEALING ANY ORDINANCE IN CONFLICT THEREWITH.

WHEREAS, the Council of the City of Canal Fulton, Ohio has recommended that Section 123.03 of the Administrative Code of the Codified Ordinances of Canal Fulton, Ohio regarding Purchase Order System be amended.

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

Section 123.03 PURCHASE ORDER SYSTEM shall be amended to read:

123.03 PURCHASE ORDER SYSTEM.

- (a) Any purchase order or purchase in the amount of Five Thousand Dollars (\$5,000.00) or less, shall be paid by the City upon approval by the Finance Director and either the Mayor or the City Manager.
- (b) Any purchase order or purchase in excess of Five Thousand Dollars (\$5,000.00) shall not be approved for payment without prior approval by Council.

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 9-15, 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 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 \_\_\_\_\_, 2015.

Teresa Dolan, Clerk-of-Council

# RECORD OF ORDINANCES

BEAR GRAPHICS, INC. 127 8th FLOOR, CINCINNATI, OHIO 45202

Ordinance No. 10-15

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

AN ORDINANCE AMENDING ORDINANCE 17-14, RATES OF PAY FOR SAFETY FORCES PART-TIME EMPLOYEES, AND REPEALING ANY ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the Canal Fulton City Council has established rates of pay for part-time employees, and

WHEREAS, the Canal Fulton City Council acknowledges the practice of amending hourly firefighter and EMT pay rates only in coordination with Lawrence Township Trustees, and

WHEREAS, adjustments are to be made to their pay, and

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

Section 1: Rates of pay of safety forces part-time employees shall be established as follows:

FIRE DEPARTMENT OFFICERS                      PER YEAR

Chief	\$20,400.00
Assistant Chief	\$10,190.82
Captain (Maximum of 2)	\$6,965.48
Lieutenant (Maximum of 3)	\$3,429.16

FIRE DEPARTMENT                                      HOURLY RATE

Paramedic/Firefighter	\$14.08
EMT-Advanced/Firefighter	\$12.93
EMT-Basic/Firefighter	\$11.78
Non-EMT Firefighter	\$10.80
Orientation / Probationary	Minimum Wage
Officer-in-Charge	\$0.50 per hour additional
Fire Inspector	\$13.29 or the employees hourly rate based upon EMT certification level, which ever is greater.

FIRE DEPARTMENT                                      HOLIDAY PAY

Employees who provide joint staffing for medical and fire services shall receive holiday pay at one and one-half of their regular rate of payment for the following days:

- A. New Years Day
- B. Memorial Day
- C. Independence Day
- D. Labor Day
- E. Thanksgiving Day
- F. Christmas Day

# RECORD OF ORDINANCES

BEAM GRAPHICS 050-325-0094 FORM NO. 31043

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

**Section 2:** All other ordinances inconsistent herewith are repealed.

**Section 3:** This Ordinance shall be applied retroactively to January 1, 2015.

**Section 4:** 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

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 00088

Resolution No.

7-15

Passed

20

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO ENTER INTO AN AGREEMENT WITH CTI ENGINEERS, INC. TO PROVIDE PROFESSIONAL ENGINEERING SURVEY AND DESIGN SERVICES FOR THE POPLAR ST./STEINER ST. WATERLINE REPLACEMENT.

WHEREAS, The City of Canal Fulton, Ohio has sought a proposal for the Poplar Street/Steiner Street Waterline Replacement, and

WHEREAS, CTI Engineers, Inc. has submitted a proposal acceptable to the City to provide professional engineering services for the survey and design of this project.

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

The City of Canal Fulton agrees to enter into a contract with CTI Engineers, Inc. to provide professional engineering survey and design services for the Poplar St./Steiner St. Waterline Replacement pursuant to proposal attached as Exhibit "A" and incorporated by reference herein.

\_\_\_\_\_  
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 Resolution \_\_\_\_-15, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_. 2015, 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 \_\_\_\_\_, 2015.

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

SEF/bp

Exhibit "A"

**AGREEMENT FOR ENGINEERING SERVICES**

This Agreement made this \_\_\_\_ day of \_\_\_\_\_ 2015, by and between the City of Canal Fulton, 155 East Market Street, Canal Fulton, Ohio 44614 (hereinafter referred to as CLIENT) and CTI Engineers, Inc., One Cascade Plaza, Suite 710, Akron, Ohio 44308 (hereinafter referred to as CTI).

Whereas, the CLIENT desires to engage CTI to perform certain professional services in connection with the Poplar St. / Steiner St. Waterline Replacement Design (hereinafter referred to as the project).

Now, therefore, the CLIENT and CTI do hereby agree as follows:

1. CTI shall provide engineering services for the project as outlined in attached Appendix B, Scope of Services, in accordance with the terms and conditions of this Agreement.
2. The CLIENT shall assume responsibilities relative to the project as outlined in the attached Appendix B, Scope of Services.
3. For the services provided by CTI as outlined in the attached Appendix B, Scope of Services, CTI will be paid an amount equal to salary costs plus 120 percent of salary costs plus 110 percent of direct non-salary expenses. The total fee will not exceed Twenty Two Thousand Five Hundred Dollars (\$22,500.00) without the prior authorization of the CLIENT.

Salary costs shall include the salaries and wages paid to all CTI personnel engaged directly on the project, plus the cost of customary and statutory benefits, payroll taxes, overhead and profit. Direct non-salary expenses shall include subcontracts, travel and subsistence, computer and CADD service charges, communications, field supplies and equipment rental, reproduction, and other project-related expenses.

4. Additional services may be performed when authorized in writing by the CLIENT. Compensation for these additional services shall be at salary cost plus 120 percent of salary costs plus 110 percent of direct non-salary expenses.
5. Invoices will be submitted by CTI monthly. For lump sum services, the invoice amount will be based upon the percentage of work completed during the period. For cost-plus or hourly rate services, the invoice amount will be based upon the time and expenses chargeable to the project during the period.
6. Payments for invoices submitted by CTI are due and payable upon receipt. Payments due CTI under this Agreement are subject to a service charge of 1-1/2 percent per month on all balances not paid within twenty-five (25) days after the date of receipt of invoice.

Unless otherwise stipulated in writing, CTI is authorized to begin work on the project upon authorization from the CLIENT.

The following appendices are attached hereto and made a part of this Agreement as if written herein: Appendix A, General Conditions, and Appendix B, Scope of Services.

In witness whereof, both parties have caused this Agreement to be executed by their duly authorized representatives as of the day and year first written above.

**SIGNATURES**

**ENGINEER**

BY \_\_\_\_\_  
Richard W. Reed, P.E.

DATE \_\_\_\_\_

**CITY**

BY \_\_\_\_\_  
Mark Cozy, City Manager

DATE \_\_\_\_\_

BY \_\_\_\_\_  
William Rouse, Finance Director

DATE \_\_\_\_\_

The foregoing Agreement is Approved as to Form:

BY \_\_\_\_\_  
Scott E. Fellmeth, Law Director

DATE \_\_\_\_\_

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No.

815

Passed

20

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO ENTER INTO AN AGREEMENT WITH CTI ENGINEERS, INC. TO PROVIDE PROFESSIONAL ENGINEERING SURVEY AND DESIGN SERVICES FOR THE WOOSTER ST./MILAN ST. WATERLINE REPLACEMENT.

WHEREAS, The City of Canal Fulton, Ohio has sought a proposal for the Wooster Street/Milan Street Waterline Replacement, and

WHEREAS, CTI Engineers, Inc. has submitted a proposal acceptable to the City to provide professional engineering services for the survey and design of this project.

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

The City of Canal Fulton agrees to enter into a contract with CTI Engineers, Inc. to provide professional engineering survey and design services for the Wooster St./Milan St. Waterline Replacement pursuant to proposal attached as Exhibit "A" and incorporated by reference herein.

\_\_\_\_\_  
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 Resolution \_\_\_\_-15, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_. 2015, 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 \_\_\_\_\_, 2015.

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

SEF/bp

Exhibit "A"

**AGREEMENT FOR ENGINEERING SERVICES**

This Agreement made this \_\_\_\_\_ day of \_\_\_\_\_ 2015, by and between the City of Canal Fulton, 155 East Market Street, Canal Fulton, Ohio 44614 (hereinafter referred to as CLIENT) and CTI Engineers, Inc., One Cascade Plaza, Suite 710, Akron, Ohio 44308 (hereinafter referred to as CTI).

Whereas, the CLIENT desires to engage CTI to perform certain professional services in connection with the Wooster St. / Milan St. Waterline Replacement Design (hereinafter referred to as the project).

Now, therefore, the CLIENT and CTI do hereby agree as follows:

1. CTI shall provide engineering services for the project as outlined in attached Appendix B, Scope of Services, in accordance with the terms and conditions of this Agreement.
2. The CLIENT shall assume responsibilities relative to the project as outlined in the attached Appendix B, Scope of Services.
3. For the services provided by CTI as outlined in the attached Appendix B, Scope of Services, CTI will be paid an amount equal to salary costs plus 120 percent of salary costs plus 110 percent of direct non-salary expenses. The total fee will not exceed Thirty Three Thousand Five Hundred Dollars (\$33,500.00) without the prior authorization of the CLIENT.

Salary costs shall include the salaries and wages paid to all CTI personnel engaged directly on the project, plus the cost of customary and statutory benefits, payroll taxes, overhead and profit. Direct non-salary expenses shall include subcontracts, travel and subsistence, computer and CADD service charges, communications, field supplies and equipment rental, reproduction, and other project-related expenses.

4. Additional services may be performed when authorized in writing by the CLIENT. Compensation for these additional services shall be at salary cost plus 120 percent of salary costs plus 110 percent of direct non-salary expenses.
5. Invoices will be submitted by CTI monthly. For lump sum services, the invoice amount will be based upon the percentage of work completed during the period. For cost-plus or hourly rate services, the invoice amount will be based upon the time and expenses chargeable to the project during the period.
6. Payments for invoices submitted by CTI are due and payable upon receipt. Payments due CTI under this Agreement are subject to a service charge of 1-1/2 percent per month on all balances not paid within twenty-five (25) days after the date of receipt of invoice.

Unless otherwise stipulated in writing, CTI is authorized to begin work on the project upon authorization from the CLIENT.

The following appendices are attached hereto and made a part of this Agreement as if written herein: Appendix A, General Conditions, and Appendix B, Scope of Services.

In witness whereof, both parties have caused this Agreement to be executed by their duly authorized representatives as of the day and year first written above.

**SIGNATURES**

**ENGINEER**

BY \_\_\_\_\_  
Richard W. Reed, P.E.

DATE \_\_\_\_\_

**CITY**

BY \_\_\_\_\_  
Mark Cozy, City Manager

DATE \_\_\_\_\_

BY \_\_\_\_\_  
William Rouse, Finance Director

DATE \_\_\_\_\_

The foregoing Agreement is Approved as to Form:

BY \_\_\_\_\_  
Scott E. Fellmeth, Law Director

DATE \_\_\_\_\_

# RECORD OF RESOLUTIONS

City of Canal Fulton, Ohio Form No. 30042

Resolution No.

9-15

Passed

, 20

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO ENTER INTO AN AGREEMENT WITH CTI ENGINEERS, INC. TO PROVIDE PROFESSIONAL ENGINEERING SURVEY AND DESIGN SERVICES FOR THE LOCUST STREET WATERLINE ABANDONMENT.

WHEREAS, The City of Canal Fulton, Ohio has sought a proposal for the Locust Street Waterline Abandonment, and

WHEREAS, CTI Engineers, Inc. has submitted a proposal acceptable to the City to provide professional engineering services for the survey and design of this project.

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

The City of Canal Fulton agrees to enter into a contract with CTI Engineers, Inc. to provide professional engineering survey and design services for the Locust Street Waterline Abandonment pursuant to proposal attached as Exhibit "A" and incorporated by reference herein.

\_\_\_\_\_  
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 Resolution \_\_\_\_-15, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2015, 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 \_\_\_\_\_, 2015.

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

SEF/bp

# RECORD OF ORDINANCES

BEAR GRAPHICS 200-325-9094 FORM NO. 20003

Ordinance No. 11-15 Passed \_\_\_\_\_, 20\_\_\_\_

An Ordinance Amending Ordinance 23-14, and Providing for Supplemental Appropriations for the Current Expenses and Other Expenditures of the City of Canal Fulton, County of Stark, Ohio, for the Fiscal Year Ending December 31, 2015.

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 reallocate appropriations up to a maximum of \$6,000 within the Street Construction, Maintenance and Repair Fund in order to pay personnel costs.

Category	Previously Approved	Change	New Appropriations
Personnel	164,080.54	6,000.00	170,080.54
Non-Payroll Costs	111,600.00	(6,000.00)	105,600.00

**Section 2:** City Council authorizes the Finance Director to reallocate appropriations up to a maximum of \$8,000 within the Fire/EMS Fund in order to pay personnel costs.

Category	Previously Approved	Change	New Appropriations
Personnel	347,807.94	8,000.00	355,807.94
Non-Payroll Costs	181,300.00	(8,000.00)	173,300.00

**Section 3:** 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

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 12-15

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, 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 240 months from their date of issuance;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CANAL FULTON, STARK COUNTY, 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 May 1, 2016, 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

# RECORD OF ORDINANCES

Duison Legal Blank, Inc.

Form No. 30043

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

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

interest payment on the Bonds is estimated to be December 1, 2016, and the first principal payment of the Bonds is estimated to be December 1, 2017.

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. The Notes shall be dated the date of issuance and shall mature one year from 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 signed in accordance with Section 6 (the Final Terms Certificate). 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 Final Terms Certificate.

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 Final Terms Certificate, 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

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

Passed \_\_\_\_\_

, 20\_\_\_\_

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.

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 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

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

Passed \_\_\_\_\_

, 20\_\_\_\_

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:

**Sale of the Notes.** The Notes shall be sold at not less than par plus accrued interest to Fifth Third Securities, Inc. (the Original Purchaser), in accordance with law and the provisions of this Ordinance. The Director of Finance shall sign the Final Terms Certificate 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.

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

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

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

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

# RECORD OF ORDINANCES

Dryden Legal Blank, Inc.

Form No. 30043

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

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

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 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 specifically designation of the Notes as "qualified tax-exempt obligations"), 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,

# RECORD OF ORDINANCES

Gaynes Legal Blank, Inc.

Form No. 30043

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

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

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.

Section 11:

Certification and Delivery of Ordinance and Final Terms Certificate. 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 Final Terms Certificate 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 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

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

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

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 in order to sell the Notes at the earliest possible date, which is necessary to enable the City to enter into contracts for the improvement which is needed to eliminate existing and potential hazards to vehicular and pedestrian traffic in the City; wherefore, this Ordinance shall be in full force and effect immediately upon its passage.

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

Richard Harbaugh, Mayor

ATTEST:

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

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

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 \_\_\_\_-15, duly passed by the Council of the City of Canal Fulton on April 7, 2015, 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 \_\_\_\_\_, 2015.

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

BILL TO:

PURCHASE ORDER



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 RG010317
P.O. DATE 03/26/15
DEPARTMENT WATER
CREATED BY
VENDOR NO. 00123

DELIVER TO:

CANAL FULTON UTILITIES
155 EAST MARKET ST
CANAL FULTON, OH 44614

VENDOR:

VALLEY FORD TRUCK SALES, INC.
5715 Canal Rd.
Cleveland, OH 44125

Table with 2 columns: ACCOUNT NUMBER, AMOUNT. Rows include 341.310.5730 (\$12,264.50) and 351.330.5730 (\$12,264.50).

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

Main purchase order table with columns: QUANTITY, UNIT, DESCRIPTION, PRICE / UNIT, AMOUNT. Includes item '2015 FORD F-150' and a 'TOTAL' row.

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

is 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 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 **RG010309**  
P.O. DATE **03/19/15**  
DEPARTMENT **STREET**  
CREATED BY  
VENDOR NO. **00481**

DELIVER TO:

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

VENDOR:

**REILLY SWEEPING INC.**  
**20350 HANNAN PARKWAY**  
**WALTON HILLS, OHIO 44146**

ACCOUNT NUMBER	AMOUNT
206.360.5410	\$4,590.00

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
		SPRING SWEEPING OF ALL STREETS		\$4,590.00
		THIS PURCHASE ORDER IN EXCESS OF \$3,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____		
<b>TOTAL:</b>				<b>\$4,590.00</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 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 **RG010306**  
P.O. DATE **03/19/15**  
DEPARTMENT **MAYOR . ADMIN**  
CREATED BY  
VENDOR NO. **01703**

DELIVER TO:

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

VENDOR:

**OHIO MUNI JOINT SELF INS POOL**  
**C/O DAWSON COMPANIES**  
**P.O. BOX 640254**  
**CINNCINNATI, OHIO 45264-0254**

ACCOUNT NUMBER	AMOUNT
101.120.5530	\$2,233.65
101.170.5530	\$6,700.95
201.360.5530	\$6,700.95
210.250.5530	\$8,934.60
222.210.5530	\$6,700.95
541.310.5530	\$6,700.95
551.330.5530	\$6,700.95

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 # 34-6000488

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		2015 PROPERTY & LIABILITY INSURANCE NOW AND THEN CERTIFICATE I CERTIFY FUNDS FOR THIS PURCHASE WERE AVAILABLE THEN ____ / ____ / ____ AVAILABLE NOW ____ / ____ / ____ SIGNED:  THIS THEN AND NOW CERTIFICATE IN EXCESS OF \$3,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON ____ / ____ / ____		\$44,673.00
<b>TOTAL:</b>				<b>\$44,673.00</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, interest 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 in 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:**

**PURCHASE ORDER**



**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      RG010310  
P.O. DATE        03/19/15  
DEPARTMENT      STREET  
CREATED BY  
VENDOR NO.        00030

DELIVER TO:

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

VENDOR:

D&R SUPPLY, INC.  
18228 FULTON ROAD  
MARSHALLVILLE, OH 44645

ACCOUNT NUMBER	AMOUNT
206.360.5630	\$10,000.00

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 # 34-6000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		ASPHALT FOR PATCHING STREETS		\$10,000.00
		THIS PURCHASE ORDER IN EXCESS OF \$3,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
<b>TOTAL:</b>				<b>\$10,000.00</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**

is 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 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**