

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

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

June 2, 2015  
June 16, 2015
7. **REPORTS OF ADMINISTRATIVE OFFICERS**
  - o Senior Citizens
  - o Community Service
  - o Fire Chief
  - o Police Chief
  - o Engineer/Streets/Public Utilities
  - o Finance Director
  - o City Manager
  - o Mayor
  - o Parks & Recreation Board
  - o Law Director
8. **THIRD READINGS**

**Ordinance 18-15:** An Ordinance Amending Ordinance 23-14, and Providing for Changes to Previously Authorized Appropriations

**Resolution 12-15:** 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 Services for the Preparation of Demolition Specifications for the Former Canal Fulton Elementary School
9. **SECOND READINGS**

**Resolution 14-15:** A Resolution Approving the Statement of Services to be Provided to the Property Owners in the Canal Lands Annexation II Area, the Approximate Date Services will be Provided, Procedure for Incompatible Zoning Uses Upon its being Annexed to the City of Canal Fulton, Ohio and Declaring the Same to be an Emergency
10. **FIRST READINGS**

**Ordinance 19-15:** An Ordinance Amending Ordinance 23-14, and Providing for Changes to Previously Authorized Appropriations
- Ordinance 20-15:** An Ordinance Amending Ordinance 23-14, and Providing for Changes to Previously Authorized Appropriations
- Ordinance 21-15:** An Amended Ordinance by the Council of the City of Canal Fulton, Ohio Authorizing Canal Lands II annexation of 62 Acres, more or less, from Lawrence Township, Stark County, Ohio to the City of Canal Fulton and Repealing Any Ordinance in Conflict Therewith
- Resolution 15-15:** A Resolution Declaring the Necessity of Submitting the Question of the Issuance of Recreational Facilities Improvement Bonds, in the Aggregate Principal Amount of \$5,000,000, to the Electors of the City Pursuant to Section 133.18 of the Revised Code, and Declaring an Emergency.
- Resolution 16-15:** A Resolution by the Council of the City of Canal Fulton, Ohio to Enter Into a Community Clean-up Agreement with the Canal Fulton Lions Club.
- Resolution 17-15:** A Resolution by the Council of the City of Canal Fulton, Ohio Repealing Resolution of Necessity 3-15.
- Resolution 18-15:** A Resolution by the Council of the City of Canal Fulton, Ohio Repealing Resolution of Necessity 6-15.
11. **P.O.s**

P.O. 10438 to Finley Fire Equipment in the amount of \$3,510.30 for Engine 3 Vehicle Repair

P.O. 10442 to JA Chapanar Excavating, Inc. in the amount of \$14,950.00 for Clean Out of Elementary School

P.O. 10443 to Guist Decorators in the amount of \$15,725.00 for sand blast, paint, repair to grit and surge tank
12. **BILLS:**
13. **OLD/NEW/OTHER BUSINESS**
14. **REPORT OF PRESIDENT PRO TEMPORE**
15. **REPORT OF SPECIAL COMMITTEES**
16. **CITIZENS COMMENTS – Open Discussion (Five Minute Rule)**
17. **ADJOURNMENT**

**CITY OF CANAL FULTON**  
**CITY COUNCIL MEETING MINUTES**  
**June 2, 2015**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

Law Director Scott Fellmeth was not in attendance due to being at a law seminar.

Others Present: Joan Porter, Chell Rossi, Dan Bucher Jr., Matt Moellendick, Earl Minks, Tiffany Craney, Donald Hart, Bryon Bowman, Victor Colaianni, Linda Zahirsky, Dennis Thorton, Stefanie Easterling, Ben Fierman

**REPORTS OF STANDING COMMITTEES**

Sue Mayberry reported that the Personnel Committee met prior to the meeting. The Committee discussed the City Manager Contract. The Committee will hold one more meeting to discuss the contract. Also discussed was the potential for a full time Police Officer and schedule a Civil Service test.

Nellie Cihon reported that the Public Service Committee met prior to the meeting. The Committee discussed the Locust Street Water and Sewer project. CTI Engineers, Inc. was in attendance with a presentation on several scenarios for the project. No decision was made on the project and discussion will continue at the next scheduled Finance Committee meeting.

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

Linda Zahirsky – 513 S. Milan

Mrs. Zahirsky spoke in regards to Resolution 10:15 and asked Council to consider taking out language in the Risinger Associates contract in regards to levy issues and the Ohio Revised Code rules.

Scott Svab agreed.

Ben Fierman from Risinger Associates Inc stated that it would not be a problem to take language out of the contract in regards to that issue.

Victor Colaianni – 720 Redwood Drive

Mr. Colaianni spoke in regards to Resolution 10:15. Mr. Colaianni said that while he was a member of Council the City bought the Puffenberger property and spoke in favor for the community campus and said this was an opportunity for economic development.

Alyson Larson - 14180 Warwick

Ms. Larson spoke in regards to Resolution 10:15. Ms. Larson stated that she was concerned about the traffic in downtown area.

Danny Losch stated that the plan includes two entries to eliminate the traffic congestion.

Ms. Larson asked about a levy and if Suma and Akron University were going to pay for the building.

Ben Fierman spoke on the partners and said that the main entrance would be on Erie.

Dr. Mike Schreffler – Superintendent Northwest Schools 2309 Locust

Dr. Schreffler spoke on Resolution 10:15 stated that he applauds the project and the investment with the City and the Schools is phenomenal.

**Swearing in- Fire Department**

Mayor Harbaugh swore in the following Fire Department employees.

Jason Arbaugh  
Stephen Finley  
Joseph Looby  
Ruth Miller  
Garren Weigand

**CITY OF CANAL FULTON**  
**CITY COUNCIL MEETING MINUTES**  
**June 2, 2015**

**CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**

May 19, 2015

**A motion was made to approve the May 19, 2015 minutes as written by Nellie Cihon, second by Sue Mayberry. All Council Members voted yes. Motion approved.**

**REPORTS OF ADMINISTRATIVE OFFICERS**

Senior Citizens – No report

Community Service – No report

Fire Chief – Fire Chief Ray Durkee thanked Council for swearing in the new hires. Chief Durkee stated that they take hiring people very seriously.

Chief Durkee stated that the department responded to a barn fire.

Police Chief – Chief Doug Swartz said their department has been busy. Chief Swartz stated that he appreciates Council and the Personnel Committee for considering an additional full-time police officer and supporting the Police Department.

Engineer/Streets/Public Utilities – Bill Dorman stated that CTI Engineering is in the second stage of the Locust Cherry Intersection project with right-of-way acquisition. Mr. Dorman said they are also currently working on three waterline projects.

Chip and Seal bids were opened and being looked at.

George Lukinac was unable to attend due to a work issue the water department had to deal with.

Finance Director – Finance Director Bill Rouse stated that he had no report.

City Manager – City Manager Mark Cozy included a written report in the Council packet.

Mr. Cozy introduced Erin Michel, the new Canalway Programs Director.

Mr. Cozy reported that there was a request from a Lawrence Township resident requesting to connect to City Sewer. He asked for input from City Council as to whether or not to require annexation.

Mr. Losch asked if the resident wanted to be annexed. Mr. Cozy stated that he did not know.

Mrs. Mayberry stated that she believed code requires the resident to be annexed.

**A motion was made to have a Public Service Committee meeting on June 9<sup>th</sup> at 6:00pm to discuss outside the City sewer connections by Nellie Cihon, second by Sean Craney. All Council Members voted yes. Motion approved.**

Mr. Cozy stated that quotes were being taken to clean out the old school building and asked for a voice motion to submit a purchase order for the project.

Mr. Cozy stated that he and the Zoning Director had visited Massillon and talked to them about their demo of an old school. They hired an architect to step them through the process. CTI has given a quote on overseeing the project.

Mr. Losch stated that he did not see any reason for an emergency on the legislation.

Mrs. Mayberry stated that at first we did not know the cost that it could cost up to \$200,000. She asked if that was still part of the equation. And if the \$28,000 from CTI was just to oversee it, along with the \$17,000 to clean it out, could it still cost up to \$200,000 to demolish it.

Mr. Dorman stated yes, in that range.

Mrs. Mayberry asked if we had any idea what we were going to do with the land.

Mr. Cozy said it had been discussed by Council to sell the land for residential development as one option. Mr. Cozy said that is up to City Council.

Mr. Svab stated that he wanted to see the project go to sealed bids on cleanout and demolition.

Mr. Cozy asked if Council wanted an ad in the paper to advertise for bids.

Mr. Svab, Mr. Losch and Mr. Craney all said yes.

Mayor – No report

Parks & Recreation Board – Earl Minks reported that two ballfields in Heritage Park now have dugouts.

Law Director – No Report. Mr. Fellmeth was not in attendance due to being at a seminar.

**THIRD READINGS**

**Resolution 10-15:** A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with Risinger & Associates, Inc. for Implementation Phase Services to Develop a Recreation and Community Center.

**CITY OF CANAL FULTON**  
**CITY COUNCIL MEETING MINUTES**  
**June 2, 2015**

**A motion was made to pass Resolution 10-15 with section three stricken from the contract by Sean Craney, second by Nellie Cihon.**

Mrs. Mayberry said she wished one thing would have been done from the very beginning is – and then asked if everybody thought this project would be voted for by voters for this project. She stated it would have been really nice, and very wise, with our four square study phone calls to 600 people to ask them if they would support a levy for such a thing, or one of our newsletters or water bills to put this out there to get a feel from the community before spending all of this money. We put stuff out to the community for the minute thing and this to her would have been a great idea to know how the community would feel about this if they wanted the Y all this time, it would have made her feel a lot better, because we talked in the past and no one is going to vote for a park levy for Puffenberger. With our finances, she is very concerned about this.

Mr. Deans stated that he had talked to hundreds of people in regards to this Y and have had people come up to him. He stated he did not feel that we were going to have a problem with this.

Mrs. Mayberry asked Mr. Deans if he asked them if they would support a levy. Mr. Deans said yes, and they have said yes. They want to see this in the worst way.

Mr. Craney stated this is what he campaigned on when he ran for Council two years ago.

Mrs. Mayberry asked Mr. Craney if they said they would support a levy.

Mr. Craney stated yes. People have said do whatever it takes to get a Y paraphrasing the common phrase, just get it in here.

Mrs. Mayberry said she would have just liked to see something more concrete.

Mr. Craney stated we had public meetings and announcements. This is a third reading of this alone and has been public notice for six weeks.

Mrs. Mayberry said she understood.

Mrs. Cihon stated a few years ago they did send out surveys and they all came back that people wanted something similar to the Y.

Mrs. Mayberry said but we cannot get any one concrete number on what it is going to cost them.

Mrs. Cihon said at that time we started with step one and sent the surveys out. She said a lot of people did not send them back because if a survey comes in the mail they are generally thrown in the waste basket.

Mrs. Mayberry stated back in 2007 when we promised the residents to drop two mills to raise the income tax a quarter of a percent.

Mr. Svab said we did.

Mrs. Mayberry said well the two mills is going back on plus.

Mr. Svab said that is their choice if they don't want to build it then it won't pass.

Mrs. Mayberry said she knows, but it would have been nice to know for something this monumental.

Mr. Losch said it is monumental that is for sure.

Mr. Svab stated that he felt it has taken ten years to get to this point as Mr. Colaianni stated at the beginning of the meeting. The park goes undeveloped and is a nice hay field.

Mayor Harbaugh said he was concerned because when Council voted to fill in the swimming pool and promised to build a new pool and put a levy on the ballot and it fell like a ton of rocks. That sticks in his mind and he is worried about it.

**The vote was as follows – Sue Mayberry voted No. All other Council Members voted yes. Motion approved.**

**Ordinance 15-15: An Ordinance Establishing Ticket Prices for St. Helena III Canal Boat Rides for Operations Commencing in 2015 and Repealing any Ordinance in Conflict Therewith**

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

**Resolution 11-15: A Resolution by the Council of the City of Canal Fulton, Ohio to enter into Amendment No. 2 with CTI Engineers, Inc to Provide Professional Engineering Services for the Locust Street Sanitary Sewer, Waterline, and Roadway Revisions.**

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
June 2, 2015**

**A motion was made to approve Resolution 11-15 by Sean Craney, second by Nellie Cihon. Sue Mayberry voted No. All other Council Members voted yes. Motion approved.**

**SECOND READINGS**

**Ordinance 16-15:** An Ordinance Amending Ordinance 23-14 and Providing for Changes to Previously Authorized Appropriations

**Ordinance 17-15:** An Ordinance Amending Ordinance 23-14 and Providing for Changes to Previously Authorized Appropriations

**FIRST READINGS**

**Ordinance 18-15:** An Ordinance Amending Ordinance 23-14, and Providing for Changes to Previously Authorized Appropriations

**Resolution 12-15:** 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 Services for the Preparation of Demolition Specifications for the Former Canal Fulton Elementary School

**P.O.s**

P.O. 10406 to Risinger and Associates in the amount of \$155,000 for the Phase II Recreation and Community Center Study

**A motion was made to amend the amount noted on Purchase Order 10406 to read \$140,000.00 by Danny Losch, second by Jim Deans. Sue Mayberry voted No. All other Council Members voted yes. Motion approved.**

**A motion was made to approve P.O. 10406 by Sean Craney, second by Nellie Cihon. Sue Mayberry voted No. All other Council Members voted yes. Motion approved.**

P.O. 10407 to CTI Engineers, Inc. in the amount of \$6,500.00 for Locust St. Water & Sewer Line Extension Contract Modification

**A motion was made to approve P.O. 10407 by Sean Craney, second by Nellie Cihon. Sue Mayberry voted No. All other Council Members voted yes. Motion approved.**

**BILLS:** None

**OLD/NEW/OTHER BUSINESS**

**A motion was made to swear in the following firefighters by Sue Mayberry, second by Danny Losch. All Council Members voted yes. Motion approved.**

Jason Arbaugh  
Stephen Finley  
Joseph Looby  
Ruth Miller  
Garren Weigand

**A motion was made to bring legislation to the next meeting to create an additional police officer position by Scott Svab, second by Sean Craney. All Council Members voted yes. Motion approved.**

**A motion was made to hold a Personnel/Rules Committee meeting on June 16 at 6:45pm to discuss the City Manager Contract by Sue Mayberry, second by Scott Svab. All Council Members voted yes. Motion approved.**

**REPORT OF PRESIDENT PRO TEMPORE**

Danny Losch thanked Council for moving forward on the Campus Study. He feels that it is up to the leaders to place things in the future and offer something for people to live into. He thinks this is a great opportunity for them. He sees an opportunity to increase the intelligence of the community as this comes through along with the health and well-being of our citizens.

**REPORT OF SPECIAL COMMITTEES** - None

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

Jim Deans – 426 Heritage

**CITY OF CANAL FULTON  
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June 2, 2015**

Mr. Deans reminded all of the flea market being held Saturday June 6<sup>th</sup> from 9:00am – 4:00pm

Linda Zahirsky – 413 S. Milan

Mrs. Zahirsky wanted to clarify on hiring someone; she believes the union contract says that we will not allow the number of employees to go below a certain amount.

Chief Swartz said he was under the impression that once the position is created, once that person is removed from the bargaining unit number there is an avenue for a grievance if that position is not filled.

Mrs. Zahirsky wanted to make sure that if one is retiring in addition to the one you just agreed to hire, we have to hire someone to replace the other one.

Chief Swartz stated that is what he understood.

Mrs. Zahirsky stated that we were increasing the number by one, but you are getting ready to replace one that will be leaving. She suspects that will be an issue that will be grieved.

Mr. Swartz stated that we are adding one.

Mrs. Zahirsky stated they will not let you take one away once you add.

Brian Bowman – Jim Renacci's Office. Mr. Bowman encouraged all to attend the Veterans Memorial Dedication on June 15<sup>th</sup> in Clinton.

All Larson - 14186 Warwick

Ms. Larson stated that the community center will be a big asset but to go about it with caution with taxpayers. We pay a lot of tax. When you add these dollars up it could drive people away.

Leslie Wyman – 831 Meadowview

Mrs. Wyman asked if there were plans to have interaction with the schools and the Y. Green Y has swim practice there. Dr. Mike Schreffler stated yes there will be. They have even discussed with Manchester and Tuslaw about shuttling students. Mrs. Wyman also discussed post-secondary classes with Akron University and the cost savings with programs as such.

Dennis Thorton – (Inaudible) Thurston Street.

Stated that he was a Kent alumni and he said this was interesting to him. He asked if there was any appeal to Kent State University for the campus. Mr. Craney said they did approach multiple parties.

Janelle Brumey – 728 Meadowview

Asked about the area with the old school and demolition. Ms. Brumey said she knew everything was preemptive right now. She stated that is one of the first things people see when they come into town and she does not see a development there, such as a row of apartments.

Mr. Craney stated that the goal or intent would be to put single family homes. Mrs. Brumey stated how about a park. Mr. Craney stated that we would have to look into recouping our money on the price it takes to demolish.

**ADJOURNMENT**

The meeting was adjourned at 8:15pm

Meeting Minutes prepared by: \_\_\_\_\_

Teresa M. Dolan, Clerk

Minutes Approved: \_\_\_\_\_

Mayor Richard Harbaugh

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
June 16, 2015**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

**A motion was made to excuse Sean Craney from the meeting by Nellie Cihon, second by Jim Deans, All Council Members voted yes. Motion approved.**

Others Present: City Manager Mark Cozy, Council Clerk Teresa Dolan, Police Chief Doug Swartz, Fire Chief Ray Durkee, Finance Director William Rouse, Law Director Scott Fellmeth, Engineer Bill Dorman, Street Superintendent Mark Petersen.

Others Present: Joan Porter, Chell Rossi, Earl Minks, Janice Tipton, Michael Mellier

**REPORTS OF STANDING COMMITTEES**

Scott Svab reported on the Finance Committee that met prior to the meeting. The committee discussed the sewer project that is on Locust Street with Mr. Schalmo and Mr. Chapanar. The committee is going to recommend that we move forward with it and let our engineers develop the existing plans for them to actually go in privately and pursue the sewer project.

Also discussed were estimates on what the City might have to pay for boring if they decided to move forward with the project. The City was looking at upsizing the pipe and pay the difference from an eight inch to a twelve inch pipe since Mr. Schalmo was going to do the project privately.

Mr. Losch stated that he would hope that Council would consider a voice motion to move the project forward and asked for advice from the Law Director.

Mr. Fellmeth stated that he could prepare legislation for it, but he would need the specs from the engineer to move forward.

Mr. Losch said to expedite the program he was hoping a voice motion would be acceptable.

Mr. Fellmeth stated that Council would have to rescind the resolution of necessity previously passed and go with new legislation.

**A voice motion was made to rescind the resolution of necessity by Scott Svab, second by Jim Deans. All present Council Members voted yes. Motion approved.**

Sue Mayberry reported that the Personnel/Rules committee approved previous minutes and would need to schedule another meeting due to lack of time of this meeting.

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

None

**Swearing in– Police Department**

Mayor Harbaugh swore in Police Department Auxiliary Police Officer Jeff Martin.

**Beautification Award – Miller Doan Tavern**

Council presented Ann Conkle a Beautification Award for the Miller Doan Tavern. Mrs. Conkle thanked Council and spoke on some history with the building at 122 East Cherry.

**CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**

**CITY OF CANAL FULTON**  
**CITY COUNCIL MEETING MINUTES**  
**June 16, 2015**

June 2, 2015

The minutes will be adopted at the July 7, 2015.

**REPORTS OF ADMINISTRATIVE OFFICERS**

Senior Citizens – No report

Community Service – No report

Fire Chief – A monthly report was included in the packet. Chief Ray Durkee stated that they department had two fire calls that they responded to. There was no dollar loss due to the calls not being in the City.

Police Chief – A monthly report was included in the packet. Chief Doug Swartz stated that the department was busy and responded recently to a disturbance call where a suspect was charged with kidnapping, domestic violence and felonious assault. A gentleman risked his life to interject and tackle the suspect and the Chief commended the individual. He also stated that Bishop is doing well.

Engineer/Streets/Public Utilities - Engineer Bill Dorman stated that they are working on file design work on three waterline projects. OPWC on July 1<sup>st</sup> will authorize the expenditure for these projects.

Mr. Dorman stated they reviewed step two plans for the Cherry/Locust Street Intersection and will be sending review comments to EDG.

Mr. Dorman stated that they are also working on the Locust Street Waterline project and work with Administration on that to move the line to the north side.

Mark Petersen reported that the department has been finishing up crack sealing, working with the Durapatcher and working on Asphalt Chip and Seal. Next week they will work with Lawrence Township to get their roads ready for Chip and Seal. They will then come into the City to help. Mr. Petersen stated he had a preconstruction meeting with the County on Erie Avenue on June 23<sup>rd</sup>.

Mr. Petersen stated that Melway Paving was the low bidder on the Chip and Seal bids. There are some things that they will have to look into in regards to CS2 cost.

Finance Director – May Financials were included in the packet. Finance Director William Rouse stated that income tax is up around three percent as well as Utilities being up two to two and a half percent compared to last year.

Mr. Rouse said he wanted to touch on two ordinances that were scheduled for third readings. Ordinance 16-15 creates a new fund for the \$1,000,000 debt issue. Ordinance 17-15 repays the general fund \$500,000 that was loaned to the capital projects a couple years ago.

**A motion was made to accept the May Financials by Scott Svab, second by Nellie Cihon. All present Council Members voted yes. Motion approved.**

City Manager – City Manager Mark Cozy reported that bids were in to Clean out the Old School. Three total bids were opened today. The low bid was by J. A. Chapanar Excavating, Inc. for \$14,950.00. Once cleaned out our safety forces may use the building for training.

**A motion was made to accept the low bid from J. A. Chapanar Excavating, Inc. to clean out the old school by Scott Svab, second by Nellie Cihon. All present Council Members voted yes. Motion approved.**

The Civil Service has certified a list of applicants for the Utility Billing Clerk. Interviews will start within the next week. The Ohio Revised Code has changed in regards to Civil Service eligibility lists to our favor with and allows us to use the top 25% of applicants when the list is over 10.

A Civil Service test date has been scheduled for an entry level police officer on July 10, 2015 at the Safety Service Center.

Mr. Cozy stated that he wanted to know about the direction Council wanted to go on annexation with a sewer connection within the township. Currently the person does not want to annex. The question is upon annexation to require the payment of frontage fees. Mr. Cozy said he checked with the utility billing clerk and said as long as she has been here, we have never charged a resident frontage fees.

Mrs. Mayberry stated that our residents would be paying for this gentleman's acquisition of utilities. She said she was in favor of them paying for everything that our codifieds requires of them to do.

Mr. Losch stated they were not in the City now and the line is already there.

**CITY OF CANAL FULTON**  
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Mr. Svab asked what the cost was. Mr. Cozy said he would have to get the cost from the engineer.

Mrs. Cihon said since he does not want to annex that he should pay something since he does not want to annex.

Mr. Losch stated we do not have anything in place for outside charges for this.

Mr. Cozy stated if Council requires the resident to annex the he recommends we do not charge frontage. If no annexation is required, then yes charge frontage.

Mr. Fellmeth said you do not want to bring someone in without annexation because you set a boundary at that point. To him it is annexation or no.

**A motion was made to require signage of annexation agreement prior to hook up by Scott Svab, second by Nellie Cihon. All present Council Members voted yes. Motion approved.**

Mr. Cozy stated that in regards to the St. Helena II project, we have received communication from the Ohio Erie Canalway Association and they would like us to spend the grant money received this year. Mr. Cozy asked if we were not going to do the project at this point, or should he tell them Council is still deliberating what they are going to do with the boat.

Mr. Losch stated that the boat at this point may not be able to be sound enough to put a hull on it to be floatable. At this time the boat may not be suitable for visitors. Mr. Losch stated that we should not move forward with putting the ramp on the boat yet.

Mr. Cozy said he could get a structural engineer out to look at the boat to see if it is suitable for visitors or not for next meeting.

Mrs. Mayberry said she was not sure if the money was available for a cover or tarp to put around it. The longer it sits in the elements it is just going to get worse.

Mike Mullier was in attendance on behalf of Church Homes Bond Counsel to explain a resolution on tonight's agenda in regards to refinancing Chapel Hill. Mr. Fellmeth said it was alright to proceed with the resolution as it was just a legal formality.

Mayor – Mayor Harbaugh stated that the roads at the cemetery are in disarray and he would like to see if we could fix them. Street Superintendent Mark Petersen said Rochelle Rossi was getting information from Northstar and she is going to see about getting some outside money to come in and repair. It will take about \$17,000 in materials to put down. Mr. Petersen said he would rather not see City money used but locate outside money to precede.

Parks & Recreation Board – Earl Minks said he has had several people tell him that when the old school is torn down they would like to see it turned into a park. Or move the old school playground moved to the schoolhouse location and then use the playground for commercial use or city parking.

Mr. Minks said the meetings in September will be moved to Wednesday nights due to a conflict with one of the members.

Mrs. Mayberry asked Mr. Minks if he heard anything regarding skate park benefit through the Voice of Canal Fulton. There is a fundraiser to build something down there by the tennis courts used to be. Mrs. Mayberry said she has not heard anything about it. Mr. Minks said it has not come before the board.

Mr. Cozy stated that Mr. Clark has come to Council and spoke a while back about a skate park. Mr. Cozy said he did ask Brimstone Bicycles about it and they would like to purchase equipment and set it up on the tennis court area of the park. Mr. Cozy said he is looking into liability issues with insurance. The Park Board stated that they told him to bring proposals and that has not been done.

Law Director – No report.

**THIRD READINGS**

**Ordinance 16-15:** An Ordinance Amending Ordinance 23-14 and Providing for Changes to Previously Authorized Appropriations

**A motion was made to approve Ordinance 16-15 by Nellie Cihon, second by Scott Svab. Sue Mayberry voted no. All other present Council Members voted yes. Motion approved.**

**Ordinance 17-15:** An Ordinance Amending Ordinance 23-14 and Providing for Changes to Previously Authorized Appropriations

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
June 16, 2015**

**A motion was made to approve Ordinance 17-15 by Nellie Cihon, second by Scott Svab. Sue Mayberry voted no. All other present Council Members voted yes. Motion approved.**

**SECOND READINGS**

**Ordinance 18-15: An Ordinance Amending Ordinance 23-14, and Providing for Changes to Previously Authorized Appropriations**

**Resolution 12-15: 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 Services for the Preparation of Demolition Specifications for the Former Canal Fulton Elementary School**

**FIRST READINGS**

**Resolution 13-15: A Resolution Granting Approval of the Issuance by the County of Marion Ohio of its Health Care Facilities Revenue Bonds, Series 2015, a Portion of the Proceeds of Which Will be used to Refinance Facilities Owned and Operated by United Church Homes, Inc. Located within the City Limits of Canal Fulton, Ohio; Approving the Execution of a Public Hospital Agencies Agreement; and Declaring an Emergency**

**A motion was made to suspend the rules by Jim Deans, second by Nellie Cihon. All present Council Members voted yes. Motion approved.**

**A motion was made to approve Resolution 13-15 under suspension of the rules by Danny Losch, second by Scott Svab. All present Council Members voted yes. Motion approved.**

**Resolution 14-15: A Resolution Approving the Statement of Services to be Provided to the Property Owners in the Canal Lands Annexation II Area, the Approximate Date Services will be Provided, Procedure for Incompatible Zoning Uses Upon its being Annexed to the City of Canal Fulton, Ohio and Declaring the Same to be an Emergency**

After discussion in regards to Resolution 14-15 and this was handled as a first reading. Mr. Fellmeth stated that this was fine. Mr. Cozy stated that this was Resolution was stating was services would be provided through annexation.

**P.O.s**

P.O. 10417 to D & R Supply, Inc. in the amount of \$10,000.00 for Asphalt Repair

**A motion was made to approve P.O. 10417 by Scott Svab, second by Nellie Cihon. All present Council Members voted yes. Motion approved.**

**BILLS: \$447,044.50**

**A motion was made to approve the May bills by Nellie Cihon, second by Jim Deans. All present Council people voted yes. Motion approved.**

**OLD/NEW/OTHER BUSINESS**

**A motion was made to approve the swearing in of Auxiliary Police Officer Jeff Martin by Danny Losch, second by Nellie Cihon. All present Council Members voted yes. Motion approved.**

A meeting was discussed in regards to Lawrence Township and the City in regards to the Joint Fire District on June 29<sup>th</sup>. Several Council people were unable to attend on that date and it was discussed that the meeting may need to be rescheduled. The Fire Chief was also unable to attend. There was discussion as to sharing cost with Com Stoc being at the meeting on June 29<sup>th</sup> and it being scheduled already. Mr. Svab stated that he felt that our Fire Chief needed to be there. Mr. Deans said it may not be able to be rescheduled due to a representative from Com Stoc being scheduled.

Scott Svab stated that there was a Fishing Clinic that will be held on June 27<sup>th</sup> at Discovery Park at 10:00am. Free fishing poles will be given to participants.

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
June 16, 2015**

A motion was made to have a Personnel Committee Meeting on July 7, 2015 at 6:15 to discuss the City Manager Contract and a full time Police Officer by Sue Mayberry, second by Danny Losch. All present Council Members vote yes. Motion approved.

**REPORT OF PRESIDENT PRO TEMPORE** – No report.

**REPORT OF SPECIAL COMMITTEES**

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

Janice Tipton – 812

Thanks the City and the Police for the response to a call and eviction. She said she feels safe here and it is a safe community. She is a watchdog for the community. Chief Swartz thanked her for her help.

**ADJOURNMENT**

The meeting was adjourned at 8:15pm

Meeting Minutes prepared by: \_\_\_\_\_

Teresa M. Dolan, Clerk

Minutes Approved: \_\_\_\_\_

Mayor Richard Harbaugh

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 18:15

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

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

WHEREAS, City Council passed Resolution 10-15, which authorizes a contract with Risinger & Associates for the next phase of the City of Canal Fulton Community Campus Initiative, and

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

**Section 1:** Council authorizes an appropriation increase in the General Fund in order to pay the contract costs:

Expense Account	Account Description	Appropriation Change
101.120.5410	Contracted Services	\$155,000

**Section 2:** This Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.

\_\_\_\_\_  
Richard Harbaugh, Mayor

ATTEST:

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

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance \_\_\_\_\_, 15, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2015, and that publication of the foregoing Ordinance was duly made by listing same on the City's website and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall, each for a period of fifteen days, commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

# RECORD OF RESOLUTIONS

Dayton Legal Bank, Inc. Form No. 30842

Resolution No.

12-15

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 SERVICES FOR THE PREPARATION OF DEMOLITION SPECIFICATIONS FOR THE FORMER CANAL FULTON ELEMENTARY SCHOOL.

WHEREAS, The City of Canal Fulton, Ohio has sought a proposal for the preparation of demolition specifications for the former Canal Fulton Elementary School, and

WHEREAS, CTI Engineers, Inc. has submitted a proposal acceptable to the City to provide professional engineering services needed to effectuate 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 services for the preparation of demolition specifications for the former Canal Fulton Elementary School located at 246 Market Ave. 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



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

May 29, 2015

Mr. Mark Cozy  
 City Manager  
 City of Canal Fulton  
 155 East Market Street  
 Canal Fulton, OH 44614

Subject: 2015 Chip and Seal Improvement Project  
 Bid Opening May 29, 10:00 AM  
 CTI Project No. E15001-4

Dear Mr. Cozy:

CTI Engineers, Inc. has reviewed and evaluated the bids submitted for the above referenced project in response to the Advertisement for Bids and the Information for Bidders, for the following 1 bidder:

<u>Rank</u>	<u>Bidder</u>	<u>Bid Amount</u>
1.	Melway Paving Co., Inc.	\$ 59,345.00

A detailed Bid Tabulation sheet has been included with this letter for your information, summarizing and detailing the bid from this 1 bidder. The lowest bid amount of \$ 59,345.00, received from Melway Paving Co., Inc., is 10.76% under the Engineer's Opinion of Probable Cost of Construction.

We evaluated the bid forms and bid bond provided by Melway Paving Co., Inc., and determined that these forms appeared to be complete and in order, as summarized on the attached Bid Evaluation form. We recommend that the bid be awarded to Melway Paving Co., Inc., in the amount of \$59,345.00.

The original Bid Package received from Melway Paving Co., Inc. was retained by you for your processing. If you have any questions or would like any additional information, please contact us.

Very truly yours,

  
 David L. Koontz, P.E.  
 Project Manager

cc William A. Dorman, P.E., City Engineer

Enclosures

**CITY OF CANAL FULTON**  
**TABULATION OF BIDS RECEIVED MAY 29, 2015 10:00 AM**  
**2015 CHIP AND SEAL**

REF	ITEM	DESCRIPTION	QTY.	UNITS	ENGINEER'S OPINION U.P.	AMOUNT	MELWAY PAVING U.P.	AMOUNT	U.P.	N/A	AMOUNT
<b>PART A - LOCAL STREETS (29,043 SY - 60 DAYS)</b>											
<b>BASE BID</b>											
A1	409	SEAL COAT BITUMINOUS MATERIAL (MC-3000 @ 0.35 G/SY)	10160	GAL.	\$ 3.00	\$ 30,480.00	\$ 3.25	\$ 33,020.00			\$ 0.00
A2	409	SEAL COAT COVER AGGREGATE (#8 GRAVEL @ 22 LB/SY)	320	TON	\$ 40.00	\$ 12,800.00	\$ 23.00	\$ 7,360.00			\$ 0.00
A3	614	MAINTAINING TRAFFIC	1	LUMP SUM	\$ 1,140.00	\$ 1,140.00	\$ 1,500.00	\$ 1,500.00			\$ 0.00
A4	616	DUST CONTROL (WATER), AS DIRECTED	0.5	M. GAL.	\$ 1,000.00	\$ 500.00	\$ 10.00	\$ 5.00			\$ 0.00
						<b>3TOTAL PART A =</b>		<b>\$ 44,920.00</b>			<b>\$ 0.00</b>
<b>ALTERNATE BID ITEMS</b>											
A1A	409	SEAL COAT BITUMINOUS MATERIAL (CRS-2 @ 0.45 G/SY)	13070	GAL			\$ 3.15	\$ 41,170.50			
A2A	409	SEAL COAT COVER AGGREGATE (#8 GRAVEL, TRIPLE-WASHED @ 22 LB/SY)	320	TON			\$ 25.00	\$ 8,000.00			
A2B	409	SEAL COAT COVER AGGREGATE (#8 LIMESTONE @ 22 LB/SY)	320	TON			\$ 33.00	\$ 10,560.00			
A2C	409	SEAL COAT COVER AGGREGATE (#8 SLAG @ 20 LB/SY)	290	TON			\$ 43.00	\$ 12,470.00			
<b>PART B - COLLECTOR STREETS (3,225 SY - 60 DAYS)</b>											
<b>BASE BID</b>											
B1	409	SEAL COAT BITUMINOUS MATERIAL (MC-3000 @ 0.35 G/SY)	1130	GAL.	\$ 3.00	\$ 3,390.00	\$ 3.40	\$ 3,842.00			\$ 0.00
B2	409	SEAL COAT COVER AGGREGATE (#8 SLAG @ 20 LB/SY)	32	TON	\$ 60.00	\$ 1,920.00	\$ 44.00	\$ 1,408.00			\$ 0.00
B3	614	MAINTAINING TRAFFIC	1	LUMP SUM	\$ 750.00	\$ 750.00	\$ 1,000.00	\$ 1,000.00			\$ 0.00
B4	616	DUST CONTROL (WATER), AS DIRECTED	0.2	M. GAL.	\$ 1,000.00	\$ 200.00	\$ 10.00	\$ 2.00			\$ 0.00
						<b>3TOTAL PART B =</b>		<b>\$ 6,250.00</b>			<b>\$ 0.00</b>
<b>ALTERNATE BID ITEMS</b>											
B1A	409	SEAL COAT BITUMINOUS MATERIAL (CRS-2)	1450	GAL			\$ 3.20	\$ 4,640.00			

**CITY OF CANAL FULTON  
 TABULATION OF BIDS RECEIVED MAY 29, 2015 10:00 AM  
 2015 CHIP AND SEAL**

REF	ITEM	DESCRIPTION	QTY.	UNITS	ENGINEER'S OPINION U.P.	AMOUNT	MELWAY PAVING U.P.	AMOUNT	U.P.	N/A	AMOUNT
<b>PART C - ALLEYS (6.810 SY - 105 DAYS)</b>											
<b>BASE BID</b>											
C1	409	SEAL COAT BITUMINOUS MATERIAL (MC-3000 @ 0.35 G/SY)	2880	GAL.	\$ 4.00	\$ 9,520.00	\$ 3.50	\$ 8,330.00			\$ 0.00
C2	409	SEAL COAT COVER AGGREGATE (#8 GRAVEL @ 22 LB/SY)	75	TON	\$ 70.00	\$ 5,250.00	\$ 25.00	\$ 1,875.00			\$ 0.00
C3	614	MAINTAINING TRAFFIC	1	LUMP SUM	\$ 250.00	\$ 250.00	\$ 1,000.00	\$ 1,000.00			\$ 0.00
C4	616	DUST CONTROL (WATER), AS DIRECTED	0.3	M. GAL.	\$ 1,000.00	\$ 300.00	\$ 10.00	\$ 3.00			\$ 0.00
						<b>3TOTAL PART C =</b>		<b>\$ 11,208.00</b>			<b>\$ 0.00</b>
<b>ALTERNATE BID ITEMS</b>											
C1A	409	SEAL COAT BITUMINOUS MATERIAL (CRS-2 @ 0.45 G/SY)	3060	GAL			\$ 3.30	\$ 10,098.00			
C2A	409	SEAL COAT COVER AGGREGATE (#8 GRAVEL, TRIPLE-WASHED @ 22 LB/SY)	75	TON			\$ 28.00	\$ 2,100.00			
C2B	409	SEAL COAT COVER AGGREGATE (#8 LIMESTONE @ 22 LB/SY)	75	TON			\$ 35.00	\$ 2,625.00			
C2C	409	SEAL COAT COVER AGGREGATE (#8 SLAG @ 20 LB/SY)	70	TON			\$ 45.00	\$ 3,150.00			
						<b>BASE BID GRAND TOTAL (A + B + C) =</b>		<b>\$59,345.00</b>			<b>\$0.00</b>
						<b>PERCENT OF EOPCC =</b>		<b>89.2%</b>			<b>0.0%</b>
											DAVID L. KOONTZ, P.E. _____ DATE _____

**BID EVALUATION CHECKLIST**

				Comment No.
<b>OWNER</b>	<u>City of Canal Fulton</u>			
<b>PROJECT</b>	<u>2015 Chip and Seal Improvements</u>			
<b>BID OPENED</b>	<u>May 29, 2015, 10:00 AM</u>			
<b>BIDDER NAME</b>	<u>Melway Paving Co., Inc.</u>			
<b>BID SECURITY:</b>				
Bid Guaranty Bond	Yes <input checked="" type="checkbox"/>	No	N/A	
Bond Amount	<u>\$59,345.00</u>		<u>100</u> %	
Surety Name	<u>Ohio Farmers Insurance Co.</u>			
Surety Address	<u>One Park Circle, PO Box 5001, Westfield Center, Ohio 44251</u>			
Certified/Cashier's Check	Yes	No	N/A <input checked="" type="checkbox"/>	
Check Amount / %	\$ _____		_____ %	
<b>Addendum Acknowledged</b>	Yes	No	N/A <input checked="" type="checkbox"/>	
<b>Bid Form Signed</b>	Yes <input checked="" type="checkbox"/>	No	N/A	
<b>Bid Schedule Complete</b>	Yes <input checked="" type="checkbox"/>	No	N/A	
<b>Noncollusion Affidavit</b>	Yes <input checked="" type="checkbox"/>	No	N/A	
<b>Ohio Bur. Workers Comp. Cert.</b>	Yes <input checked="" type="checkbox"/>	No	N/A	
<b>Ohio DAS EEO Certification</b>	Yes <input checked="" type="checkbox"/>	No	N/A	
<b>Bidder's Statement of Qualifications</b>	Yes <input checked="" type="checkbox"/>	No	N/A	
<b>Bidder's Statement of Equipment</b>	Yes <input checked="" type="checkbox"/>	No	N/A	

# RECORD OF RESOLUTIONS

City of Canal Fulton, Inc. Form No. 2001B

Resolution No. 41-15

Passed \_\_\_\_\_

20\_\_\_\_

A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNERS IN THE CANAL LANDS ANNEXATION II AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANAL FULTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY.

WHEREAS, interest has been expressed by the property owner(s) of real property commonly known as the Canal Lands Annexation II Area to annex a portion of its land consisting of approximately 62 acres, to the City of Canal Fulton; and

WHEREAS, the City of Canal Fulton wishes to state the services which will be provided now or in the future to said annexation area by the city upon the accomplishment of such annexation; and

WHEREAS, the City of Canal Fulton, pursuant to Ohio Revised Code Section 709.023, wishes to state the approximate date such services will be provided and zoning uses; and

WHEREAS, the statement of services as hereinafter provided has been discussed and approved by the City's Administration and Council; and

WHEREAS, it is the opinion of the City's Administration and Council that such services would be provided at a higher level than presently are being provided; and

WHEREAS, the territory included in said annexation area is not unreasonably large; and

WHEREAS, the general good of said territory will be served upon annexation.

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

Section 1. The following services will be provided as required or needed to the property owner in the Canal Lands Annexation II Area by the City of Canal Fulton upon its annexation to the City of Canal Fulton and approximately on the date it is officially placed on the map as part of the City of Canal Fulton by the Stark County Auditor:

- a. Street Maintenance. Emergency repairs, routine maintenance, snow and ice control, and street cleaning on all public streets and roads. And where any road is divided in the Annexation area, the City of Canal Fulton agrees to be responsible for repairs, routine maintenance, snow and ice removal, and street cleaning on the entire roadway.

# RECORD OF RESOLUTIONS

Dayton Legal Base, Inc. Form No. 20045

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_

20\_\_\_\_

- b. Street Lighting. Street lights may be installed by petition of property owner.
- c. Water Installation Costs. Water main extensions may be installed by property owner and, subject to approval by the Director of Public Service, the city shall provide free of charge all piping necessary to extend water mains to new residential, commercial or industrial development within the city. The property owner shall be responsible for preparation of plans and installation of the water main extension in compliance with city Water Department specifications and city Code requirements, including obtaining applicable permits and subject to city inspection and approval. Upon installation, the city shall be the owner of the water main and shall thereafter maintain the same, subject to the requirement that the property owner or developer shall maintain the water main for one year at his/her sole cost and expense. The property owner and/or developer shall execute such contracts as are required by the Water Department. This section shall not be interpreted to include the provision of materials of tap-ins to existing water mains, which are the property owner's responsibility and expense.
- d. Street Costs. Streets may be installed by property owner in compliance with regulations of City of Canal Fulton, Ohio. The property owner shall be responsible for the preparation of plans and installation of the streets in compliance with regulations of the City of Canal Fulton, and city Code requirements, including obtaining applicable permits and subject to city inspection and approval. Upon installation, the city shall be the owner of the streets and shall thereafter maintain the same, subject to the requirement that property owner shall maintain the streets for one year at his/her sole cost and expense.
- e. Fire. Fire services to be provided by the fire district.
- f. Compliance with Revised Code Section 709.023. If the territory is annexed and becomes subject to zoning by the City of Canal Fulton and that zoning permits uses in the annexed territory that the City of Canal Fulton determines are clearly incompatible with the uses permitted under Lawrence Township's regulations in the adjacent land remaining in Lawrence Township from which the territory was annexed, the City of Canal Fulton will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the adjacent land remaining within the other municipality. For the purposes of this section, "buffer" includes open space, landscaping, fences, walls and other structure elements, streets and street rights of way, and bicycle and pedestrian paths and sidewalks.

Section 2. The Fiscal Officer is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this resolution. The Fiscal officer is further authorized, in conjunction with the Law Department and

# RECORD OF RESOLUTIONS

Dayton Legal Bank, Inc., Form No. DR-15

Resolution No. \_\_\_\_\_

Passed \_\_\_\_\_

20\_\_\_\_

the Majority Leader, to correct any ministerial or *de minimis* errors that do not substantially alter the intended results or numerical total sums of this resolution, during or after the pendency or passage of this resolution. Corrected copies are to be sent to all official recipients.

Section 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of the City of Canal Fulton; the emergency being the necessity to immediately approve the Statement of Services to the annexation area which are required to be adopted and in effect prior to the consideration of this annexation by the Stark County Commissioners. And provided it receives the affirmative vote of two-thirds of the elected and/or appointed members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period provided 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 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

BEVY GRAPHICS 800-329-8094 FORM NO. 50043

Ordinance No. 19-15

Passed \_\_\_\_\_

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

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

WHEREAS, City Council passed Ordinance numbers 11-14, 19-14, and 31-14 in 2014, which authorized advances into the Special Assessment Capital Fund totaling \$92,600 to be used in paying the up-front engineering costs associated with the Locust Street Water/Sewer Line Extension and Road Improvement project, and

WHEREAS, the City originally authorized the advances with the intent of repaying them through special assessments levied on the impacted property owners, and

WHEREAS, the City has now redesigned the project to eliminate the need for special assessment funding, and

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

**Section 1:** City Council amends Ordinances 11-14, 19-14 and 31-14 by reclassifying all advances (totaling \$92,600) as transfers from the Water Operating Fund (\$29,700), Sewer Operating Fund (\$34,900) and the General Fund (\$28,000) to the Special Assessments Capital Projects Fund that no longer have to be repaid.

**Section 2:** City Council authorizes the Finance Director to transfer an additional \$6,500 from the General Fund to the Special Assessments Capital Projects Fund to cover the cost of the additional engineering associated with redesigning the project.

**Section 3:** City Council authorizes the following appropriation increases in order to process the additional transfer:

Expense Account	Account Description	Appropriation Changes
101.190.5924	Transfer-Out	\$6,500
321.310.5730	Capital Improvement	\$6,500

**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 ORDINANCES

Dcyton Legal Blank, Inc.

Form No. 30043

Ordinance No. 20-15

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

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

WHEREAS, the City previously accounted for appropriations and expenses for the SR 93 – Cherry Street/Locust Street intersection reconstruction project in the 391 Fund, and

WHEREAS, the City moved the prior expenses for this project to the 392 Fund when it completed the \$1.0 million bond anticipation note debt issue, and

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

Section 1: The City no longer needs the appropriation in 391 Fund for the SR 93 – Cherry Street/Locust Street intersection reconstruction project, and therefore, City Council authorizes an appropriation decrease in the General Capital Projects Fund by a total of \$153,875:

Expense Account	Account Description	Appropriation Changes
391.360.5741	Cherry & Locust Street Intersection Project	(\$153,875)

Section 2: This Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.

\_\_\_\_\_  
Richard Harbaugh, Mayor

ATTEST:

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

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance \_\_\_\_\_, 15, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2015, and that publication of the foregoing Ordinance was duly made by listing same on the City's website and by posting true and correct copies thereof at three of the most public places in said corporation as determined by Council as follows: Canal Fulton Post Office, Canal Fulton Public Library and Canal Fulton City Hall, each for a period of fifteen days, commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

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

# RECORD OF ORDINANCES

Denton Legal Blank, Inc.

Form No. 30043

Ordinance No. 21-15

Passed \_\_\_\_\_

20\_\_\_\_

AN AMENDED ORDINANCE BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO AUTHORIZING THE CANAL LANDS II ANNEXATION OF 62 ACRES, MORE OR LESS, FROM LAWRENCE TOWNSHIP, STARK COUNTY, OHIO TO THE CITY OF CANAL FULTON AND REPEALING ANY ORDINANCE IN CONFLICT THEREWITH.

WHEREAS, Ohio Revised Code Sec.709.14 mandates that the City shall pass by a vote of not less than a majority of the members elected to its legislative authority, an ordinance authorizing an annexation of City owned lands;

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

The Council of the City of Canal Fulton, Ohio has the legislative authority of the City, and does hereby authorize the annexation of the Canal Lands II territory as described in the attached legal description; and that Attorney Eric J. Williams shall be authorized to prosecute the proceedings necessary to effect this annexation.

\_\_\_\_\_  
Richard Harbaugh, Mayor

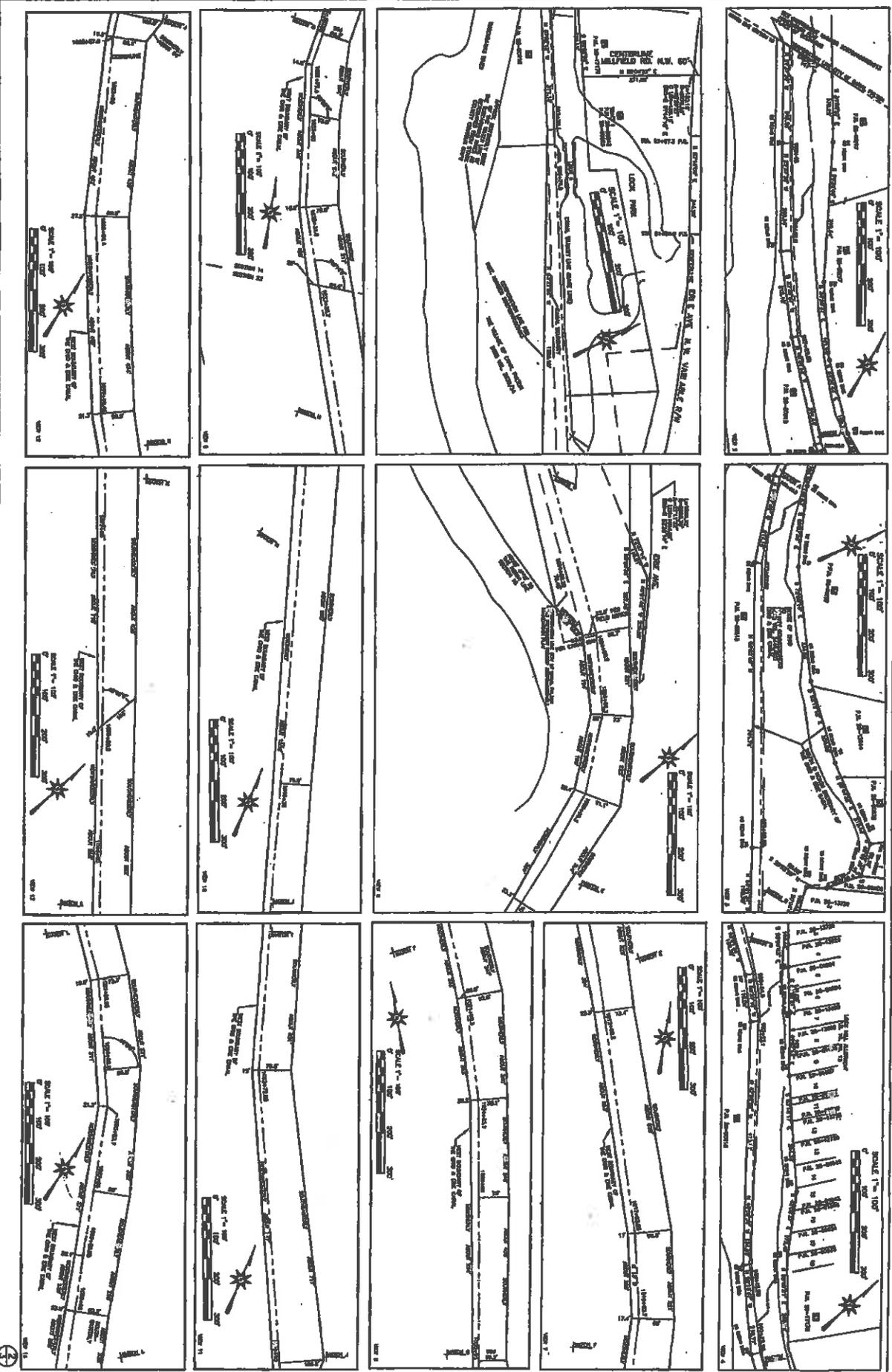
\_\_\_\_\_  
Teresa Dolan, Clerk-of-Council

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 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







Annexation for City of Canal Fulton

February 14, 2008

About 69 acres

Situated in the Township of Lawrence, County of Stark, State of Ohio and being part of sections 14,15,23,25 & 26 .

Beginning at the intersection of the south boundary of the Ohio & Erie Canal with the north line of Section 15 and the existing Corporation Line for the City of Canal Fulton as recorded in instrument number 200709190051013 annexation plat, Stark County Records.

1. Thence along the corporation line in an easterly direction about 141 ft. to the north line of the Ohio and Erie Canal.

The following 24 courses are along the north line of the Ohio and Erie Canal:

1. Thence S 31d-06'-27" E, 172.22 ft. to a #5 rebar 5916.
2. Thence S 26d-38'-40" E, 345.84 ft. to a #5 rebar 5916.
3. Thence S 34d-28'-37" E, 191.25 ft. to a #5 rebar 5916.
4. Thence S 44d-26'-22" E, 186.70 ft. to a #5 rebar 5916.
5. Thence S 60d-07'-36" E, 197.93 ft. to a #5 rebar 5916.
6. Thence S 72d-55'-14" E, 284.53 ft. to a #5 rebar 5916.
7. Thence S 83d-19'-10" E, 208.89 ft. to a #5 rebar 5916.
8. Thence N 89d-44'-32" E, 218.49 ft. to a #5 rebar 5916.
9. Thence S 49d-45'-38" E, 82.10 ft. to a #5 rebar 5916.
10. Thence S 04d-45'-39" W, 90.75 ft. to a #5 rebar 5916.
11. Thence S 25d-53'-20" W, 50.00 ft. to a #5 rebar 5916.
12. Thence S 50d-04'-43" E, 109.44 ft. to a #5 rebar 5916.
13. Thence S 50d-50'-21" E, 131.08 ft. to a #5 rebar 5916.
14. Thence S 49d-07'-13" E, 129.46 ft. to a #5 rebar 5916.
15. Thence S 53d-16'-17" E, 294.33 ft. to a #5 rebar 5916.
16. Thence S 42d-00'-37" E, 172.45 ft. to a #5 rebar 5916.
17. Thence S 50d-49'-21" E, 208.08 ft. to a #5 rebar 5916.
18. Thence S 68d-02'-56" E, 178.15 ft. to the intersection of the west line of land belonging to the Canal Fulton Heritage Society deed volume 4288 page 767-789.
19. Thence along said west line N 25d-09'-22" E, 271.69 ft. to a point on the centerline of Erie Avenue N.W., a variable right of way.
20. Thence along said centerline on a curve bearing to the left, dradius 2876.86 ft., delta 02d-59'-27", chord bearing S 61d-44'-16" E, chord length 150.16 ft.) an arc length of 150.18 ft. to p.c. station 83+97.3.
21. Thence continuing along said centerline S 63d-14'-00" E a distance of 244.50 ft. to the p.t. station 81+52.6.
22. Thence along said curve dradius 2866.70 ft., delta 21d-11'-32", chord bearing S 52d-38'-14" E, chord length 1054.28 ft.) an arc distance of 1060.32 ft.
23. Thence N 46d-01'-40" W a distance of 259.68 ft.
24. Thence N 72d-37'-14" W a distance of 115.21 ft. to the north boundary of the Canal Lands as surveyed by Sur. Slavin for the State of Ohio.

The following 71 courses are along the northerly and easterly line of the Ohio and Erie Canal.

1. Thence S 50d-20'-38" E a distance of 227.45 ft. to a point which is 82.7 ft. radially left of station 1004+90.5.
2. Thence southeasterly about 221 ft. to a point which is 73 ft. radially left of station 1006+92.3.
3. Thence southeasterly about 223 ft. to a point which is 91.1 ft. radially left of station 1008+90.3.

4. Thence southerly about 329 ft. to a point which is 73.4 ft. left of station 1012+00.2.
5. Thence southerly about 558 ft. to a point which is 90.9 ft. radially left of station 1017+53.85.
6. Thence southerly about 221 ft. to a point which is 88 ft. radially left of station 1019+63.7.
7. Thence southerly about 247 ft. to a point which is 92.8 ft. radially left of station 1021+98.3.
8. Thence southerly about 265 ft. to a point which is 72.1 ft. radially left of station 1024+53.7.
9. Thence southerly about 246 ft. to a point which is 75 ft. left of station 1026+95.
10. Thence southerly about 400 ft. to a point which is 69.3 ft. left of station 1030+95.
11. Thence southerly about 194 ft. to a point which is 73.5 ft. radially left of station 1033+00.
12. Thence southerly about 212 ft. to a point which is 78.8 ft. radially left of station 1035+31.6.
13. Thence southerly about 217 ft. to a point which is 85.4 ft. radially left of station 1037+26.7.
14. Thence southerly about 880 ft. to a point which is 75.5 ft left of station 1046+36.
15. Thence southerly about 631 ft. to a point which is 78.5 ft. radially left of station 1052+72.85.
16. Thence southeasterly about 717 ft. to a point which is 109.5 ft. left of station 1059+95.
17. Thence southerly about 64 ft. to a point which is 82.1 ft. radially left of station 1060+57.6.
18. Thence southeasterly about 439 ft. to a point which is 80.9 ft. radially left of station 1065+06.4.
19. Thence southeasterly about 474 ft. to a point which is 80.2 ft. radially left of station 1069+90.45.
20. Thence southeasterly about 628 ft. to a point which is 103 ft. radially left of station 1076+89.8.
21. Thence southeasterly about 652 ft. to a point which is 73.7 ft. radially left of station 1082+68.95.
22. Thence southeasterly about 231 ft. to a point which is 86.8 ft. radially left of station 1084+95.
23. Thence southeasterly about 320 ft. to a point which is 89 ft. left of station 1087+95.
24. Thence southeasterly about 299 ft. to a point which is 83.2 ft. left of station 1090+95.
25. Thence southeasterly about 230 ft. to a point which is 77.2 ft. left of station 1093+45.
26. Thence southeasterly about 100 ft. to a point which is 75.2 ft. left of station 1094+45.
27. Thence southeasterly about 133 ft. to a point which is 91.1 ft. left of station 1095+95.
28. Thence southeasterly about 55 ft. to a point which is 115 ft. radially left of station 1097+17.1.
29. Thence southeasterly about 70 ft. to a point which is 74.9 ft. left of station 1097+17.1.
30. Thence southeasterly about 195 ft. to a point which is 76.5 ft. left of station 1099+20.
31. Thence southeasterly about 76 ft. to a point which is 88.2 ft. left of station 1099+95.
32. Thence southeasterly about 103 ft. to a point which is 112 ft. left of station 1100+95.
33. Thence southeasterly about 113 ft. to a point which is 85.8 ft. radially left of station 1102+45.
34. Thence southeasterly about 544 ft. to a point which is 143.6 ft. radially left of station 1106+23.

35. Thence southeasterly about 219 ft. to a point which is 79 ft. radially left of station 1109+85.7.
36. Thence easterly about 458 ft. to a point which is 79.7 ft. left of station 1114+50.
37. Thence northeasterly about 121 ft. to a point which is 192 ft. left of station 1114+95.
38. Thence northerly about 92' ft. to a point which is 284 ft. left of station 1114+95.
39. Thence easterly about 36 ft. to a point which is 291.7 ft. left of station 1115+30.
40. Thence southeasterly about 102 ft. to a point which is 235 ft. left of station 1116+15.
41. Thence southerly about 70 ft. to a point which is 165 ft. left of station 1116+15.
42. Thence southeasterly about 296 ft. to a point which is 84 ft. left of station 1119+00.
43. Thence easterly about 80 ft. to a point which is 80.5 ft. radially left of station 1119+95.
44. Thence southeasterly about 231 ft. to a point which is 76 ft. left of station 1121+95.
45. Thence southeasterly about 155 ft. to a point which is 78.5 ft. left of station 1123+50.
46. Thence easterly about 147 ft. to a point which is 105 ft. left of station 1124+95.
47. Thence southeasterly about 55 ft. to a point which is 83 ft. radially left of station 1125+39.9.
48. Thence southeasterly about 358 ft. to a point which is 73.7 ft. radially left of station 1128+87.25.
49. Thence southeasterly about 201 ft. to a point which is 92 ft. radially left of station 1130+70.
50. Thence southeasterly about 112 ft. to a point which is 84 ft. left of station 1131+95.
51. Thence southeasterly about 241 ft. to a point which is 72.2 ft. radially left of station 1134+32.3.
52. Thence southeasterly about 266 ft. to a point which is 75.3 ft. left of station 1136+95.
53. Thence southeasterly about 973 ft. to a point which is 80 ft. left of station 1146+68.
54. Thence southeasterly about 691 ft. to a point which is 80.7 ft. radially left of station 1153+64.7.
55. Thence southeasterly about 258 ft. to a point which is 77.8 ft. radially left of station 1156+37.5.
56. Thence southeasterly about 606 ft. to a point which is 85.7 ft. radially left of station 1162+57.5.
57. Thence southeasterly about 132 ft. to a point which is 75.7 ft. left of station 1163+95.
58. Thence easterly about 89 ft. to a point which is 111.3 ft. radially left of station 1164+89.9.
59. Thence easterly about 145 ft. to a point which is 99.9 ft. radially left of station 1166+50.
60. Thence easterly about 458 ft. to a point which is 75.1 ft. radially left of station 1171+10.75.
61. Thence easterly about 228 ft. to a point which is 75 ft. radially left of station 1173+51.2.
62. Thence southeasterly about 504 ft. to a point which is 80.4 ft. radially left of

62. Thence easterly about 584 ft. to a point which is 89.4 ft. radially left of station 1178+95.
63. Thence northerly 56.84 ft..
64. Thence on a deflection angle to the left of 33d 36', 68.77 ft..
65. Thence on a deflection angle to the right of 33d 28', 57.65 ft..
66. Thence on a deflection angle to the right of 62d 03', 133.66 ft.,.
67. Thence on a deflection angle to the right of 44d 35', 53.04 ft..
68. Thence on a deflection angle to the right of 63d 03', 119.86 ft..
69. Thence easterly about 118 ft. to a point which is 98.15 ft. radially left of station 1182+30.15.
70. Thence easterly about 175 ft. to the Jackson Township line.
71. Thence southerly along the Jackson Township line about 106 ft. to the south line of the Ohio and Erie Canal.

The following 42 courses are along the south line of the Ohio and Erie Canal.

1. Thence westerly about 140 ft. to a point which is 19 ft. radially right of station 1182+30.15.
2. Thence westerly about 880 ft. to a point which is 17 ft. radially right of station 1173+51.2.
3. Thence westerly about 244 ft. to a point which is 21.8 ft. radially right of station 1171+10.75.
4. Thence westerly about 625 ft. to a point which is 24.4 ft. radially right of station 1164+89.9.
5. Thence westerly about 98 ft. to a point which is 24 ft. right of station 1163+95
6. Thence westerly about 139 ft. to a point which is 23.4 ft. radially right of station 1162+57.75.
7. Thence northwesterly about 624 ft. to a point which is 21.8 ft. radially right of station 1156+37.5.
8. Thence northwesterly about 278 ft. to a point which is 33.6 ft. radially right of station 1153+64.7.
9. Thence northwesterly about 1672 ft. to a point which is 24.1 ft. right of station 1136+95.
10. Thence northwesterly about 262 ft. to a point which is 23.2 ft. radially right of station 1134+32.3.
11. Thence northwesterly about 542 ft. to a point which is 24.4 ft. radially right of station 1128+87.25.
12. Thence northwesterly about 344 ft. to a point which is 20.7 ft. radially right of station 1125+39.9.
13. Thence northwesterly about 492 ft. to a point which is 28 ft. radially right of station 1120+44.05.
14. Thence northwesterly about 1057 ft. to a point which is 17.5 ft. radially right of station 1109+85.7.
15. Thence northwesterly about 187 ft. to a point which is 19 ft. radially right of station 1107+98.4.
16. Thence northwesterly about 709 ft. to a point which is 33 ft. radially right of station 1100+95.
17. Thence northwesterly about 101 ft. to a point which is 20 ft. right of station 1099+95.
18. Thence northwesterly about 233 ft. to a point which is 24.2 ft. radially right of station 1097+63.3.
19. Thence northwesterly about 240 ft. to a point which is 24.7 ft. radially right of station 1095+26.56.
20. Thence northwesterly about 234 ft. to a point which is 26.3 ft. radially right of station 1092+98.1.
21. Thence northwesterly about 206 ft. to a point which is 22.9 ft. right of station 1091+00.
22. Thence northwesterly about 138 ft. to a point which is 20.4 ft. radially right of station 1089+56.85.
23. Thence northwesterly about 371 ft. to a point which is 21.2 ft. radially right of station 1085+83.7.

24. Thence northwesterly about 311 ft. to a point which is 15 ft. radially right of station 1082+68.95.
25. Thence northwesterly about 568 ft. to a point which is 16.2 ft. radially right of station 1076+89.8.
26. Thence northwesterly about 710 ft. to a point which is 21.3 ft. radially right of station 1069+90.45.
27. Thence northwesterly about 487 ft. to a point which is 27.5 ft. radially right of station 1065+06.4.
28. Thence northwesterly about 452 ft. to a point which is 16.2 ft. radially right of station 1060+57.6.
29. Thence northwesterly about 787 ft. to a point which is 15 ft. radially right of station 1052+72.85.
30. Thence northerly about 1556 ft. to the north line of section 23 which is 26 ft. radially right of station 1037+26.7.

31. Thence northerly about 188 ft. to a point which is 16.8 ft. radially right of station 1035+31.6.
32. Thence northerly about 358 ft. to a point which is 14.2 ft. radially right of station 1031+77.4
33. Thence northerly about 724 ft. to a point which is 20.2 ft. radially right of station 1024+53.7.
34. Thence northerly about 253 ft. to a point which is 20.6 ft. radially right of station 1021+98.3
35. Thence northerly about 232 ft. to a point which is 17.4 ft. radially right of station 1019+63.7
36. Thence northerly about 208 ft. to a point which is 17 ft. radially right of station 1017+53.85
37. Thence northerly about 553 to a point which is 23.3 radially right of station 1012+00.2.
38. Thence northerly about 304 ft. to a point which is 23.3 ft. radially right of station 1008+90.3
39. Thence northerly about 146 ft. to a point which is 28.4 ft. radially right of station 1008+90.3.
40. Thence northwesterly about 190 ft. to a point which is 28 ft. radially right of station 1006+92.3.
41. Thence northwesterly about 194 ft. to a point which is 33.5 ft. radially right of station 1004+90.5.
42. Thence westerly about 96 ft. to a point on the corporation line annexation plat recorded in instrument number 200709190051013, Stark County Records.  
The following 13 courses are along the north line of the above corporation line annexation plat.

1. Thence N 63d 21' 54" W, 1065.10 ft.
2. Thence N 67d 02' 13" W, 312.19 ft. to a #5 rebar, 5916.
3. Thence N 55d 14' 47" W, 218.77 ft. to a #5 rebar, 5916.
4. Thence N 48d 00' 30" W, 184.83 ft. to a #5 rebar, 5916.
5. Thence N 47d 58' 09" W, 415.55 ft. to a #5 rebar, 5916.
6. Thence N 55d 37' 16" W, 116.00 ft. to a #5 rebar, 5916.
7. Thence N 65d 01' 34" W, 190.70 ft. to a #5 rebar, 5916.
8. Thence N 66d 02' 40" W, 701.71 ft. to a #5 rebar, 5916.
9. Thence N 54d 07' 40" W, 217.16 ft. to a #5 rebar, 5916.
10. Thence N 42d 28' 55" W, 269.46 ft. to a #5 rebar, 5916.
11. Thence N 3d 35' 57" W, 212.10 ft. to a #5 rebar 5916.
12. Thence N 29d 37' 28" W, 268.56 ft. to a #5 rebar, 5916.
13. Thence N 29d 37' 28" W, 249.24 ft. to the place of beginning.

The above described parcel contains about 62 acres as prepared by Lawrence L. Butterworth, Registered Surveyor 5916, in February 2007 from a partial survey of the canal, canal maps and canal field notes.

I HEREBY CERTIFY THIS PLAT TO BE CORRECT FOR  
ANNEXATION TO EXTEND THE CORPORATION LIMITS OF THE  
CITY OF CANAL FULTON, OHIO.

*Lawrence L. Butterworth*

LAWRENCE L. BUTTERWORTH, REG. SUR. 5916

February 14, 2008

Revised March 26, 2015

# RECORD OF RESOLUTIONS

BE/11 GRAPHICS 800-335-0984 FORM NO. 3094E

Resolution No. 15-15

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

A RESOLUTION DECLARING THE NECESSITY OF SUBMITTING THE QUESTION OF THE ISSUANCE OF RECREATIONAL FACILITIES IMPROVEMENT BONDS, IN THE AGGREGATE PRINCIPAL AMOUNT OF \$5,000,000, TO THE ELECTORS OF THE CITY PURSUANT TO SECTION 133.18 OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

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

**Section 1:** Declaration of Necessity of Recreational Facilities Improvement Bonds. This Council finds, determines and declares that it is necessary to issue general obligation bonds of the City in the aggregate principal amount of \$5,000,000 for the purpose of improving the City's recreational facilities including constructing, furnishing and equipping a new indoor swimming pool, locker room, senior center and related facilities and clearing, improving and equipping the site thereof, and to levy a tax outside of the ten-mill limitation imposed by Section 2 of Article XII of the Ohio Constitution to pay the debt charges on those bonds and any anticipatory securities. Pursuant to Section 133.18 of the Revised Code, the question of the issuance of those bonds and the levy of that tax shall be submitted to the electors of the City at an election to be held in the City on November 3, 2015. The approximate date of the bonds will be February 1, 2016, and the first collection of the tax is expected to occur in calendar year 2016 (tax year 2015). The maximum number of years over which the principal of the bonds may be paid is 25, and the bonds will bear an estimated net average rate of interest of 5.00% per year, payable semiannually.

**Section 2:** Certification and Delivery of Resolution to County Auditor. The Clerk of Council is directed to certify a copy of this Resolution to the Stark County Auditor, and, in accordance with Sections 133.18(C) and 5705.03(B) of the Revised Code, this Council hereby requests the County Auditor to certify to it (i) the total current tax valuation of the City and (ii) the estimated average annual property tax levy, expressed in cents or dollars and cents for each one hundred dollars of tax valuation and in mills for each one dollar of tax valuation, that the County Auditor estimates to be required throughout the stated maturity of the bonds to pay debt charges on the bonds, assuming that the bonds are issued in one series bearing interest and maturing in substantially equal principal amounts in each year over the maximum number of years over which the principal of the bonds may be paid, both as stated in Section 1, and that the amount of the tax valuation of the City for the current year (or, if that amount is not determined, the estimated amount of that tax valuation submitted by the County Auditor to the County Budget Commission) remains the same throughout the maturity of the bonds (except as otherwise provided in Section 133.18(C)(2) of the Revised Code).

**Section 3:** 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 adoption of this Resolution 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.

# RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-3-3-8084 FORM NO. 0045

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

**Section 4:** Captions and Headings. The captions and headings in this Resolution 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 Resolution unless otherwise indicated.

**Section 5:** Declaration of Emergency; Effective Date. This Resolution 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 Resolution is required to be immediately effective so that it can be filed with the Stark County Auditor and thereby enable the City to proceed timely with the filing of the materials necessary for the submission of the question of the bond issue to the electors at an election to be held on November 3, 2015; wherefore, this Resolution shall be in full force and effect immediately upon its adoption.

ADOPTED: \_\_\_\_\_  
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 July \_\_, 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 15 days, commencing on the \_\_\_\_ day of \_\_\_\_\_, 2015.

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

# RECORD OF RESOLUTIONS

Reynolds Legal Forms, Inc., Form No. 22842

Resolution No. 16-15

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

**A RESOLUTION BY THE COUNCIL  
OF THE CITY OF CANAL FULTON, OHIO  
TO ENTER INTO A COMMUNITY  
CLEAN-UP AGREEMENT WITH THE  
CANAL FULTON LIONS CLUB.**

WHEREAS, the City of Canal Fulton, Ohio has sought a proposal for a Community Clean-up Agreement, and

WHEREAS, the Canal Fulton Lions Club has submitted a proposal acceptable to the City.

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 Community Clean-up Agreement with the Canal Fulton Lions Club 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"

**2015 CANAL FULTON, OHIO/COMMUNITY CLEANUP  
AGREEMENT**

**THIS GRANT AGREEMENT is made and entered into as of January 1, 2015 by and between the City of Canal Fulton, Ohio (the City), acting by and through its Council and the Canal Fulton Lions Club, Inc. (the grantee), under the circumstances summarized in the following recitals. This Agreement shall be effective from January 1, 2015 through December 31, 2015 unless earlier termination is made pursuant to Section 5 herein, at which time the agreement between the grantee and the city will automatically renew for one year at the same rate(s) and conditions unless a funding change is communicated to the grantee by the City.**

WHEREAS, the City may, from time to time, utilize an entity within the city to offer services at some recycling, tire, or yard waste drop off locations; and

WHEREAS, the services may include maintenance and operation of the drop offs, litter clean up at the drop off locations and/or proper disposal of contamination in the recycling bins; and

WHEREAS, the grantee providing these services may be paid an amount not to exceed \$600.00 per quarter when a minimum of 45 hours per quarter of services are provided, as stated above, by the grantee at the drop off locations within the City.

WHEREAS, the grantee has submitted an application to the City to provide cleanup services as listed above; and

WHEREAS, the City has authorized the City Manager to execute and deliver this Community Cleanup Agreement to the grantee relating to the administration of these funds; and

WHEREAS, the grantee has been authorized by its governing body to enter into this agreement; and

NOW, THEREFORE, in consideration of the premises and mutual covenants hereinafter contained, the City and the grantee agree as follows:

## **Section 1. Disbursements to the Grantee and Use of Disbursements**

- 1.01 **Disbursement of Funds** – Funds shall be disbursed quarterly to the grantee in an amount not to exceed \$600.00 per quarter when a minimum of 15 hours of service are provided per month (45 hours per quarter) by said grantee.
- 1.02 **Time for Payment** – The City shall submit payment to the grantee within thirty (30) days of receipt of each quarterly report.

## **Section 2. Progress Reports; Program Accountability**

The grantee shall prepare and submit quarterly progress reports (Community Cleanup Quarterly Report). Quarterly reports shall be due on April 30, 2015, July 31, 2015, October 31, 2015 and January 31, 2016. Each quarterly report shall be prepared, completed and submitted in a form and manner satisfactory to the City.

## **Section 3. Compliance with Federal and State law; and District Solid Waste Management Plan as Amended on January 27, 2011**

- 3.01 Both parties agree to comply with all applicable Federal, State and Local laws in the performance of any and all activities contemplated by this Agreement. The grantee shall not discriminate against any volunteer applicant or employee because of race, color, religion, national origin, ancestry, age, sex or any disability. The City, by disbursing funds to the grantee, does not create any employment relationship or independent contractor relationship with said grantee, its agents, its employees or volunteers. The grantee accepts full responsibility for payment of any and all applicable unemployment compensation, insurance premiums, workers compensation premiums, all income tax deductions, pension deductions and any and all other taxes or payroll deductions required of the grantee for its employees or volunteers engaged by it for the performance of the services as described herein above and those activities contemplated by this Agreement and agrees to hold the City and the Board harmless from any claim against the City regarding same. The grantee shall comply with all applicable provisions of the City's Solid Waste Management Plan, including but not limited to, Plan requirements imposed upon the grantee by the City.

3.02 All signs provided by grantees shall be subject to approval by the City.

#### **Section 4. Liability Indemnification**

The grantee agrees and acknowledges that the City, all officers, employees and agents of the City (collectively the "Indemnities"), shall not be liable for losses, penalties, damages, settlements, costs or liabilities of any kind or character arising out of or in connection with any acts or omissions of the grantee, negligent or otherwise, or of its employees, officers, agents or independent contractors including without limitation any damages or costs, including attorneys fees, or other expenses incurred in defending against any action arising out of any such act or omission and that the grantee shall indemnify and hold the indemnities harmless from same.

#### **Section 5. Termination**

The City may terminate this Agreement for any reason by providing not fewer than 30 days written notice to the grantee.

#### **Section 6. Notices**

All notices, certificates, requests or other communications shall be mailed, e-mailed or hand-delivered and addressed as follows:

If to the City           Teresa Dolan  
                                  City of Canal Fulton  
                                  155 East Market  
                                  Canal Fulton, Ohio 44614

If to the Grantee Canal Fulton Lions Club, Inc.  
7996 Erie Ave. N.W.  
Canal Fulton, Ohio 44614

IN WITNESS WHEREOF, the City and the Grantee have caused this Agreement to be executed and to be effective on the date set forth above.

City of Canal Fulton, Ohio

BY: \_\_\_\_\_  
Mark Cozy  
City Manager

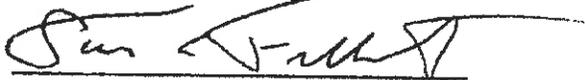
DATE: \_\_\_\_\_

Canal Fulton Lions Club, Inc.

BY: \_\_\_\_\_  
James Pellikan  
President

DATE: \_\_\_\_\_

Approved as to form:



**SCOTT E. FELLMETH**

Law Director

City of Canal Fulton, Ohio

\_\_\_\_\_  
Date

# RECORD OF RESOLUTIONS

DeWitt Legal Services, Inc., Form No. 20045

Resolution No. 1715

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

**A RESOLUTION BY THE COUNCIL  
OF THE CITY OF CANAL FULTON,  
OHIO REPEALING RESOLUTION OF  
NECESSITY 3-15.**

WHEREAS, the Council of the City of Canal Fulton, Ohio has deemed it necessary to repeal Resolution 3-15.

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

Resolution 3-15 declaring it necessary to improve Locust Street (Locust Street Sanitary Sewer and Waterline Improvements Project) is hereby repealed.

\_\_\_\_\_  
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

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc. Form No. 20045

Resolution No. 18-15

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

**A RESOLUTION BY THE COUNCIL  
OF THE CITY OF CANAL FULTON,  
OHIO REPEALING RESOLUTION OF  
NECESSITY 6-15.**

WHEREAS, the Council of the City of Canal Fulton, Ohio has deemed it necessary to repeal Resolution 6-15.

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

Resolution 6-15 declaring it necessary to improve Locust Street (Locust Street Widening Improvements Project) is hereby repealed.

\_\_\_\_\_  
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



**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

RG010438

P.O. DATE

06/22/15

DEPARTMENT

FIRE/EMS

CREATED BY

VENDOR NO.

00039

DELIVER TO:

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

VENDOR:

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

ACCOUNT NUMBER	AMOUNT
222.210.5440	\$3,510.30

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# 31-6000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		Vehicle Repair - Engine 3 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 ____ / ____ / ____		\$3,510.30
<b>TOTAL:</b>				<b>\$3,510.30</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, debt 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

**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 **RG010442**  
P.O. DATE **06/29/15**  
DEPARTMENT **MAYOR . ADMIN**  
CREATED BY  
VENDOR NO. **02222**

DELIVER TO:

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

VENDOR:

**J A CHAPANAR EXCAVATING INC  
5374 ARLINGTON RD  
CLINTON, OH 44216**

ACCOUNT NUMBER	AMOUNT
101.120.5410	\$14,950.00

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
		CLEAN OUT ELEMENTARY SCHOOL 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 ____ / ____ / ____		\$14,950.00
<b>TOTAL:</b>				<b>\$14,950.00</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 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 **RG010443**  
P.O. DATE **06/29/15**  
DEPARTMENT **SEWER**  
CREATED BY  
VENDOR NO. **02911**

DELIVER TO:

**CANAL FULTON WASTE WATER  
TREATMENT PLANT  
5500 BUTTERBRIDGE ROAD  
CANAL FULTON, OH 44614**

VENDOR:

**GUIST DECORATORS  
1801 BROWNLEE AVE., N.E.  
CANTON, OHIO 44705**

ACCOUNT NUMBER	AMOUNT
351.330.5730	\$15,725.00

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 # 34-6000495

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		SAND BLAST, PAINT, REPAIR, INSIDE OF GRIT & SURGE TANK		\$15,725.00
		THIS PURCHASE ORDER IN EXCESS OF \$3,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
<b>TOTAL:</b>				<b>\$15,725.00</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 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