

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

October 1, 2013

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **REPORTS OF STANDING COMMITTEES**
5. **CITIZENS' COMMENTS – AGENDA MATTERS
(Five Minutes per Individual – No Yield)**
6. **CORRECTING & ADOPTING THE RECORD
OF PROCEEDINGS**
 - September 17, 2013
7. **REPORTS OF ADMINISTRATIVE OFFICERS**
 - Senior Citizens
 - Community Service Coordinator
 - Fire Chief
 - Police Chief
 - Engineer/Streets/Public Utilities
 - Finance Director
 - City Manager
 - Report of Mayor
 - Parks & Recreation Board
 - Law Director
8. **THIRD READINGS**

Resolution 21-13: A Resolution by the Council of the City of Canal Fulton, Ohio to enter into a grant agreement with the Ohio Development Services Agency.
9. **SECOND READINGS**
10. **FIRST READINGS**

Ordinance 23-13: An Ordinance by the Council of the city of Canal Fulton, Ohio granting a Salary increase for Clerk of Council Teresa Dolan

Ordinance 24-13: An Ordinance Amending Part Nine, Title Three-Utilities of the Codified Ordinances of Canal Fulton, Ohio to Create Chapter 934. Billing and Repealing any Ordinance in Conflict Therewith.

Ordinance 25-13: An Ordinance Amending Ordinance 7-13, and Providing for Supplemental Appropriations for the Current Expenses and
- Other Expenditures of the City of Canal Fulton, County of Stark, Ohio, for the Fiscal Year Ending December 31, 2013.
11. **P.O.s**

P.O. 7996: to EJ USA, Inc. in the amount of \$5,830.76 for sanitary sewer manhole risers.

P.O. 7995: to Jim Sims in the amount of \$4,725.00 for a horse shelter in St. Helena Park.

P.O. 7998: to J.D. Striping & Service, Inc. in the amount of \$4,511.20 to paint double yellow lines and edge lines/ road striping after chip and seal.
12. **BILLS**
13. **OLD/NEW/OTHER BUSINESS**
14. **REPORT OF PRESIDENT PRO TEMPORE**
15. **REPORT OF SPECIAL COMMITTEES**
16. **CITIZENS COMMENTS – Open Discussion
(Five Minute Rule)**
17. **ADJOURNMENT**

**CITY OF CANAL FULTON
CITY COUNCIL MEETING MINUTES
September 17, 2013**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor Richard Harbaugh, Council Members - Sue Mayberry, Scott Svab, Danny Losch, Nellie Cihon, Paul Bagocius and Linda Zahirsky

Others Present: Police Officer Ed Harbaugh, Fire Chief Ray Durkee, City Manager Mark Cozy, Law Director Scott Fellmeth, Finance Director William Rouse, Service Director Dan Mayberry, Engineer Bill Dorman, and Council Clerk Teresa Dolan.

Others Present: Chell Rossi, Joan Porter

REPORTS OF STANDING COMMITTEES

Linda Zahirsky reported that the Personnel Committee met prior to the Council Meeting. The committee discussed an increase in wage for the Council Clerk and directed the Law Director to prepare legislation. The vote was four to two to go forward. Sue Mayberry said she would like the committee to take a look at all salaries across the board and had a consensus on that issue. Officer pay comparison between Lawrence Township and Canal Fulton was discussed. The meeting went into executive session to briefly discuss negotiations with bargaining units.

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

None

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

September 3, 2013

A motion was made to approve the September 3, 2013 meeting minutes by Nellie Cihon, second by Scott Svab. All Council Members voted yes. Motion approved.

Mr. Dorman said that he was not in attendance at the September 3, 2013 meeting. Mrs. Dolan said she would correct the minutes.

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens – No Report

Community Service Coordinator – A Monthly Report was included in the packet.

Fire Chief – Chief Ray Durkee stated that he had included his monthly report in the packet. Chief Durkee said that the dedication of the training center was ready to take place and asked Council what days were available for the dedication. It was decided that the dedication will take place on September 25, 2013 at 5:00pm.

Police Chief – Officer Ed Harbaugh was in attendance. There was a monthly report included in the packet. Officer Harbaugh stated that they would be hiring the number one ranking candidate from the last civil service test, Jessie Claar to the position of full time officer. Rob Stetka, will also be joining the full time patrol. Patrolman McDowell is taking a position for the City of Akron. Sarah Wilson will be filling the position of part time.

Chief Doug Swartz assisted the EMA for the Chemical Cloud Evacuation in Stark County.

Engineer/Streets/Public Utilities

**CITY OF CANAL FULTON
CITY COUNCIL MEETING MINUTES
September 17, 2013**

Engineer Bill Dorman reported on Locust/Portage. Paving will continue with geotextile fabric from the Senior Center to Millfield. The paving will continue on September 21st and 23rd.

OPWC grant applications were filed for the Locust Street Relief project and the Cherry/Locust Street Intersection.

The Wooster Street Storm Sewer project is being redesigned due to lack of easement.

Danny Losch asked if the telephone pole was going to be removed for the Locust/Cherry project. Mr. Dorman said yes it would be relocated. Mayor Harbaugh asked about the gray house on the corner of Cherry and Locust if it will have to be torn down. Mr. Dorman said he did not know yet.

Dan Mayberry stated that painting of public spaces and crack sealing are going on. Leaf pick up will probably begin early this year.

The department is currently working on painting at the Waste Water Treatment Plant. Painting will also begin soon on the St. Helena II. Miller Painting will be doing the work.

Finance Director

Finance Director William Rouse included August Financials in the Council Packet. A motion was made by to accept the August Financials by Linda Zahirsky, second by Scott Svab. All Council Members voted yes. Motion approved.

Mr. Rouse stated that he is currently working on the 2014 budget with department heads. Healthcare Brokers are currently being contacted and the department along with Administration is reviewing Health Insurance Costs. Mr. Rouse believes the budget model is good and he requested a Finance Committee Meeting for Council to review the budget.

A motion was made to have a Finance Committee Meeting on October 29, 2013 at 7:00pm by Scott Svab, second by Linda Zahirsky. All Council Members voted yes. Motion approved.

City Manager

City Manager Mark Cozy passed out a written report at the Council Meeting.

Mr. Cozy stated that the Dog Park was closed at this time due to the illness that has been reported in the area.

The Canal Fulton YMCA Board has pledged to contribute the remaining of the \$1,500 needed to move forward with the FourSquare Study.

Report of Mayor

No Report.

Parks & Recreation Board

No Report.

Law Director

Law Director Scott Fellmeth passed out proposed legislation for a first reading on October 1st. The legislation is an ordinance amending part nine, title three-utilities of the Codified Ordinances of Canal Fulton, Ohio to create Chapter 934. Billing and Repealing any Ordinance in Conflict Therewith. Mr. Fellmeth wanted the first reading October 1st with a final vote in November.

Paul Bagocius asked if this would allow enough time for the Utility Department to be ready for any changes.

THIRD READINGS

None

SECOND READINGS

**CITY OF CANAL FULTON
CITY COUNCIL MEETING MINUTES
September 17, 2013**

None

Resolution 21-13: A Resolution by the Council of the City of Canal Fulton, Ohio to enter into a grant agreement with the Ohio Development Services Agency.

FIRST READINGS

P.O.s

P.O. 7968: to Ohio Treasurer of State in the amount of \$4,100.00 for the 2014 Public Water System License Fee

A motion was made to approve P.O. 7968 by Danny Losch, second by Sue Mayberry. All Council Members voted yes. Motion approved.

P.O. 7960: to CTI Engineers, Inc. in the amount of \$7,670.00 for Flow Study of Lift station, D – E & F Waste Water Pumps

A motion was made to approve P.O. 7960 by Nellie Cihon, second by Scott Svab.

Paul Bagocius wanted to know why the City was paying for this study since the connection was going to be for Stark County to provide sewer services to Clinton. Mr. Bagocius stated that we should ask for the other parties involved to pay for the Flow Study. All other Council Members agreed. Mr. Cozy stated that he would look into the other parties paying for the Flow Study.

All Council Members voted no. Motion Fails.

P.O. 7959: to Olde Canal Days Festival, Inc. in the amount of \$3,074.00 for the City portion of Olde Canal Days Festival

A motion was made to approve P.O. 7959 by Nellie Cihon, second by Danny Losch. All Council Members voted yes. Motion approved.

P.O. 7980: to Tri C Concrete and Excavating in the amount of \$15,600.00 for concrete road replacement

A motion was made to approve P.O. 7980 by Linda Zahirsky, second by Nellie Cihon. All Council Members voted yes. Motion approved.

Scott Svab asked Dan Mayberry the number of streets that would be repaired. Dan said the repairs would be all over the City.

BILLS - August Bills \$401,147.76

A motion was made to receive the August Bills by Lind Zahirsky, second by Nellie Cihon. All Council Members voted yes. Motion approved.

OLD/NEW/OTHER BUSINESS

A motion was made to Change the November 5, 2013 Council Meeting to November 6, 2013 at 7:00pm due to Election Day by Linda Zahirsky, second by Nellie Cihon. All Council Members voted yes. Motion approved.

REPORT OF PRESIDENT PRO TEMPORE

Linda Zahirsky stated that she attended the Apple Festival in Clinton. She said the festival was very successful and thought the City could do something like that.

REPORT OF SPECIAL COMMITTEES

CITIZENS COMMENTS – Open Discussion (Five Minute Rule)

None

**CITY OF CANAL FULTON
CITY COUNCIL MEETING MINUTES
September 17, 2013**

ADJOURNMENT

Adjournment at 8:12pm.

RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 300'S

Resolution No. 21-13

Passed _____

20____

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON OHIO TO ENTER INTO A GRANT AGREEMENT WITH THE OHIO DEVELOPMENT SERVICES AGENCY.

WHEREAS, the City of Canal Fulton has applied for a grant from the Local Government Innovation Council (LGIC) to determine the feasibility of consolidating the Canal Fulton Police Department and the Lawrence Township Police Department into one police district, and

WHEREAS, said funds would be derived from the Local Government Innovation Fund (LGIF), and

WHEREAS, the LGIC has approved the 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 grant agreement with the Ohio Development Services Agency (ODSA) to determine the feasibility of police district consolidation pursuant to agreement attached hereto 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 _____-13, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2013, and that publication of the foregoing Resolution was duly made by posting true and correct copies thereof at five of the most public places in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers each for a period of fifteen days, commencing on the _____ day of _____, 2013.

Teresa Dolan, Clerk-of-Council

SEF/bp

RECORD OF ORDINANCES

Form No. 3042

Dayton Legal Blank, Inc.

Ordinance No. 23-13

Passed _____, 20____

AN ORDINANCE BY THE COUNCIL
OF THE CITY OF CANAL FULTON,
OHIO GRANTING A SALARY
INCREASE FOR CLERK OF COUNCIL
TERESA DOLAN.

WHEREAS, The Council of the City of Canal Fulton has recommended an increase in compensation for Teresa Dolan, Clerk of Council.

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

Clerk of Council Teresa Dolan is hereby granted a two per-cent (2%) increase in salary retroactive to August 23, 2013.

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 ____ 13, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2013, and that publication of the foregoing Ordinance was duly made by posting true and correct copies thereof at five of the most public places in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers each for a period of fifteen days, commencing on the ____ day of _____, 2013.

Teresa Dolan, Clerk-of-Council

RECORD OF ORDINANCES

Dixon Legal Blank, Inc.

Form No. 30043

Ordinance No.

24-13

Passed

20

AN ORDINANCE AMENDING PART NINE, TITLE THREE - UTILITIES OF THE CODIFIED ORDINANCES OF CANAL FULTON, OHIO TO CREATE CHAPTER 934. BILLING AND REPEALING ANY ORDINANCE IN CONFLICT THEREWITH.

WHEREAS, the Council of the City of Canal Fulton, Ohio has recommended that Part Nine (9), Title Three (3) of the Utilities Code of the City of Canal Fulton, Ohio be amended.

WHEREAS, the Council has recommended the creation of Chapter 934 of the Utilities Code to remediate Billing procedure.

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

Chapter 934 of Part Nine, Title Three of the Utilities Code of the Codified Ordinances of the City of Canal Fulton is hereby created, to wit:

934. BILLING: WATER AND SEWER

All charges for water consumed from the Municipal Water Works System shall be billed to the property owner monthly and shall be payable monthly. The City will maintain all water and/or sewer accounts in the name of the property owner.

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 ___ 13, duly adopted by the Council of the City of Canal Fulton, on the date of ____, 2013, and that publication of the foregoing Ordinance was duly made by posting true and correct copies thereof at five of the most public places in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers each for a period of fifteen days, commencing on the ___ day of ____, 2013.

Teresa Dolan, Clerk-of-Council

Ordinance 25-13

An Ordinance Amending Ordinance 7-13, and Providing for Supplemental Appropriations for the Current Expenses and Other Expenditures of the City of Canal Fulton, County of Stark, Ohio, for the Fiscal Year Ending December 31, 2013.

WHEREAS, it is necessary for the City of Canal Fulton to authorize additional appropriations for current expenses and other expenditures for the fiscal year ending December 31, 2013, which were not anticipated or included in Ordinance 7-13, as the City's 2013 Appropriation Ordinance, and

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

Section 1: In order to provide for changes in the budgetary needs of the City, Council authorizes the following appropriation increase to be paid from the carryover fund balance.

General Fund - Finance Department			
Category	Previously Approved	Change	New Appropriations
Personnel Costs	36,275.00	16,000.00	52,275.00

Section 2: In order to provide for changes in the budgetary needs of the City, Council authorizes the following appropriation increase to be paid from delinquent tax collections/carryover fund balance.

General Fund - Income Tax Department			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	84,550.00	5,000.00	89,550.00

Section 3: In order to provide for changes in the budgetary needs of the City, Council authorizes the following appropriation increase to be paid from the carryover fund balance.

Police Fund			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	220,575.00	6,500.00	227,075.00

Section 4: In order to provide for changes in the budgetary needs of the City, Council authorizes the following appropriation increase to be paid from the carryover fund balance.

Law Enforcement Trust Fund			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	1,000.00	2,000.00	3,000.00

Section 5: 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 _____, 13, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2013, and that publication of the foregoing Ordinance was duly made by posting true and correct copies thereof as five of the most public places and in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers, each for a period of fifteen days, commencing on the _____ day of _____, 2013.

Teresa Dolan, Clerk of Council



BILL TO: **PURCHASE ORDER**
City of Canal Fulton

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

P.O. NUMBER **RG007996**
 P.O. DATE **09/24/13**
 DEPARTMENT **SEWER**
 CREATED BY
 VENDOR NO. **02699**

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

VENDOR:
**EJ USA INC.
 PO BOX 644873
 PITTSBURGH, PA 15264**

ACCOUNT NUMBER	AMOUNT
351.330.5710	\$5,830.76

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
		SANITARY SEWER MANHOLE RISERS 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 ____ / ____ / ____		\$5,830.76
TOTAL:				\$5,830.76

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

It is hereby certified that the amount required to meet the contract, agreement, obligation, payment or expenditure stated in this purchase order has been lawfully appropriated, authorized or directed for such purpose and is in the Treasury or in the process of collection to 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

PURCHASE ORDER

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

P.O. NUMBER

RG007995

P.O. DATE

09/24/13

DEPARTMENT

PARK/RECREATION

CREATED BY

VENDOR NO.

02705

DELIVER TO:

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

VENDOR:

JIM SIMS
11344 ORRVILLE ST, NW
MASSILLON, OHIO 44647

ACCOUNT NUMBER	AMOUNT
331.510.5690	\$4,725.00

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 # 31-5000198

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		HORSE SHELTER IN ST. HELENA PARK		\$4,725.00
		THIS PURCHASE ORDER IN EXCESS OF \$3,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____		
TOTAL:				\$4,725.00

CIRCLE IF APPLICABLE: Now and then P.O. – the purchase was made before approval of P.O. Funds were available then as they are available now.

FISCAL OFFICER'S CERTIFICATE

I am hereby certified that the amount required to meet the contract, agreement, obligation, payment or expenditure stated in this purchase order has been lawfully appropriated, authorized or directed for such purpose and is in the Treasury or in the process of collection to the credit of the 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: RG007998
P.O. DATE: 09/25/13
DEPARTMENT: STREET
CREATED BY:
VENDOR NO.: 00932

DELIVER TO:

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

VENDOR:

J.D. STRIPING & SERVICE INC
PO BOX 216
438 BEECHER ST
RAVENNA, OH 44266

ACCOUNT NUMBER	AMOUNT
206.360.5410	\$4,511.20

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
		PAINT DOUBLE YELLOW LINES AND EDGE LINES/ ROAD STRIPING AFTER CHIPS		\$4,511.20
		THIS PURCHASE ORDER IN EXCESS OF \$3,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____		
			TOTAL:	\$4,511.20

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 am hereby certified that the amount required to meet the contract, agreement, obligation, payment or expenditure stated in this purchase order has been lawfully appropriated, authorized or directed for such purpose and is in the Treasury or in the process of collection to the credit of the 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