

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

May 1, 2018

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

4-17-18

7. REPORTS OF ADMINISTRATIVE OFFICERS

- o Senior Citizens
- o Community Service
- o Fire Chief
- o Police Chief
- o Engineer
- o Streets
- o Public Utilities
- o Planning/Zoning
- o Finance Director
- o City Manager
- o Mayor
- o Parks & Recreation Board
- o Law Director

8. THIRD READINGS

Ordinance 14-18: An Ordinance by the Council of the City of Canal Fulton, Ohio to Replat Discovery Park (Phase Five) and Repealing and Ordinance in Conflict Therewith

Ordinance 16-18: An Ordinance by the City of Canal Fulton, Ohio Amending Ordinance No. 19-85

Ordinance 17-18: An Ordinance Amending Chapter 131.03 (C) (5) of the Department of Fire Services of the Codified Ordinances of Canal Fulton, Ohio and Repealing any Ordinance in Conflict Therewith

Ordinance 18-18: An Ordinance Establishing Ticket Prices for St. Helena III Canal Boat Rides for Operations Commencing in 2018 and Repealing any Ordinance in Conflict Therewith

9. SECOND READINGS

10. FIRST READINGS

Ordinance 19-18: An Ordinance Amending Ordinance 31-17, and Providing for Changes to Previously Authorized Appropriations.

Ordinance 20-18: An Ordinance Amending Ordinance 31-17, and Providing for Changes to Previously Authorized Appropriations

Resolution 8-18: A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement to Sell PPN 9580150 to Louis A. Distefano and Brenda Distefano

11. P.O.s

TABLED: P.O. 11546 to JA Chapanar Excavating in the amount of \$14,500 for demolition of the old fire station

P.O. 11714 to George Waikem Ford, Inc. in the amount of \$27,396.00 for New Police Cruiser

P.O. 11715 to Watchguard Video, Inc. in the amount of \$5,795.00 for Camera System for new Police Cruiser

P.O. 11716 to State Wide Ford in the amount of \$7,128.00 for Equipment for new Police Cruiser

P.O. 11717 to David Williams & Associates in the amount of \$87,733.64 for Playground Structure, Installation, Demolition in St. Helena Heritage Park

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 AGENDA
April 17, 2018**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Council in attendance were Mayor Joseph Schultz, Danny Losch, Dan Bucher Jr., Eric Whittington, Sue Mayberry, Scott Svab and Bonnie Donaldson

City Staff in attendance were City Manager Mark Cozy, Fire Chief Ray Durkee, Finance Director William Rouse, Law Director Scott Fellmeth

Others in attendance were Ken Roberts, Dennis Downing, Cindy Bagocius, Joan Porter, Chell Rossi, Duane Faust, Ed and Dawn Strohm, Annaleigh Oakes, Linda Stokes, Marie Foust, Cindy Radalia, Linda Goe, Sam Goe, Kevin Shebesta

REPORTS OF STANDING COMMITTEES

Bonnie Donaldson reported that the Public Service Committee met prior to the meeting to discuss trash and yard waste. The meeting was very informative. Terry Thompson from Republic was in attendance. Recyclables are still being taken and they are working on a solution for yard waste.

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

Mayor Schultz introduces Cindy Radalia from the Stark County Board of Elections. Ms. Randalia stated the board is in need of poll workers for upcoming elections. She explained the training and requirements for workers.

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

4-3-18

**A motion was made to approve the 4-3-18 minutes by Sue Mayberry
Second by Scott Svab
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 reported that the department had been working with Lawrence Township on flood issues with no injuries or serious incidents reported. Congratulations went out to Junior Firefighter Jared Hagen. He is the National Junior Firefighter Program Junior Firefighter of the Year 2018.

Police Chief – Monthly Report was included in the packet. Police Chief Doug Swartz reported that the Community Meeting with the school went very well. It was a great turnout. Officer John Barabasch, and Dr. Mike Shreffler were among the speakers. The meeting included a breakout session to gather concerns and report them. The Mayor commended the decision from former Council on officers being trained for the SWAT program.

Engineer – Engineer Bill Dorman reported that they are working on Sandy Ridge Phase II and assisting Administration with the Storm Water Utility projects. The Planning Commission Meeting has been moved to Wednesday, April 18, at 6:30 where discussion on the new zoning code will be on the agenda.

**A motion was made to have a Public Service Meeting May 1, 2018 at 6:00pm to discuss Storm Water Assessment Fees, Water Meters and other charges regarding utilities by Sue Mayberry.
Second by Bonnie Donaldson
All Council Members voted yes. Motion approved.**

Scott Svab thanked CTI for the project on Erie near the school. He said he was skeptical about project. He recently drove by and saw that the project has eliminated the problems of flooding.

Streets – Mayor Schultz stated that the Street Superintendent is getting estimates on the repairs and taking down the trees that are destroying the bridge. The Mayor would like

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to see the project done in phases over the next three years. The first year would be taking down the trees.

Public Utilities – No report. Mayor Shultz stated that the Utility Superintendent, George Lukinac, is retiring at the end of the year. The Mayor and City Manager will be meeting with him to look at options on replacement.

Planning/Zoning – The Planning Commission will be meeting tomorrow to discuss the updated Zoning Code.

Mayor Schultz reported that Monarch Resorts is showing interest in the Duncan Farms Parcel. They want to put a living community resort there. There goal is to have the resort be totally self-sustaining. A water study is encouraged for this.

Finance Director – March Financials were included in the packet. Finance Director William Rouse stated that income tax was up about ten percent compared to last year but down considerably from 2015-16. Mr. Rouse commended Bill Keltner and Trinka Schultz for their great job on the recent income tax season.

**A motion was made to approve the March Financials by Scott Svab
Second by Danny Losch
All Council Members voted yes. Motion approved.**

City Manager – City Manager Mark Cozy distributed playground bids and said he would have a purchase order ready for the next meeting.

Mr. Cozy stated there will be two civil service exams on May 5 at 10:00am. One for Utility Operator C and one for an Entry Level Police Officer.

Mr. Cozy stated he had commitment from two, Buck Chevrolet and Lockhart, for the water tower study.

Mr. Cozy stated he would like an executive session to discuss collective bargaining with the City's labor consultant.

Mayor – Mayor Schultz asked for Council's permission to allow the Council Clerk, Teresa Dolan, to do the Community News newsletter. Our volunteer has resigned. Because there are time sensitive dates with the newsletter, she would need some uninterrupted time to complete the newsletter. Sue Mayberry stated that the Clerk would need to let Council know if it becomes too much. Mrs. Dolan said with the new deadlines being a month in advance for submission, and going to three issues a year, this should help in being able to handle it.

Mayor Schultz said Earth Day was Sunday. The Rotary and Interact Clubs will be at the Canalway Center to clean up between 1:00 – 4:00pm.

Parks & Recreation Board – No report.

Law Director – Law Director Scott Fellmeth stated that the owner of the Hicks property, which has a condemned order on it, has file for appeal of the demolition. The typical time frame for the hearing would be June.

THIRD READINGS

SECOND READINGS

Ordinance 14-18: An Ordinance by the Council of the City of Canal Fulton, Ohio to Replat Discovery Park (Phase Five) and Repealing and Ordinance in Conflict Therewith

Ordinance 16-18: An Ordinance by the City of Canal Fulton, Ohio Amending Ordinance No. 19-85

Ordinance 17-18: An Ordinance Amending Chapter 131.03 (C) (5) of the Department of Fire Services of the Codified Ordinances of Canal Fulton, Ohio and Repealing any Ordinance in Conflict Therewith

Ordinance 18-18: An Ordinance Establishing Ticket Prices for St. Helena III Canal Boat Rides for Operations Commencing in 2018 and Repealing any Ordinance in Conflict Therewith

FIRST READINGS

P.O.s

TABLED: P.O. 11546 to JA Chapamar Excavating in the amount of \$14,500 for demolition of the old fire station

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P.O. 11692 to Seal Master in the amount of \$6,912.00 for Road Sealer

**A motion was made to approve P.O. 11692 by Dan Bucher, Jr.
Second by Danny Losch
All Council Members voted yes. Motion approved.**

P.O. 11706 to CTI Engineers, Inc. in the amount of \$18,000.00 for Preliminary Engineering Study for a Water Tower in the Area of Cherton and SR 21

**A motion was made to approve P.O. 11706 by Dany Losch
Second by Scott Svab
All Council Members voted yes. Motion approved.**

P.O. 11693 to Canal Fulton Enterprises, Inc. in the amount of \$5,472.50 for Electric work at 960 Milan Street

**A motion was made to approve P.O. 11693 by Danny Losch
Second by Scott Svab
All Council Members voted yes. Motion approved.**

BILLS: \$407,319.21

**A motion was made to approve the March Bills by Dany Losch
Second by Scott Svab
All Council Members voted yes. Motion approved.**

OLD/NEW/OTHER BUSINESS

Mrs. Mayberry asked Mr. Fellmeth about the Township's requests for their money being returned for the mural. Mr. Fellmeth said the deal has not been closed yet on the property and he would like to wait to see what happens. Mr. Cozy said he thought that this was a donation.

Dan Bucher, Jr. asked about the branding and if there was anything we needed to do. The slogan has been approved and is able to be used for marketing at this time.

REPORT OF PRESIDENT PRO TEMPORE

No report.

REPORT OF SPECIAL COMMITTEES

None

CITIZENS COMMENTS – Open Discussion (Five Minute Rule)

Cindy Bagocius – 451 Cherry St.

Mrs. Bagocius was there for the Heritage Society on the demolition of the old fire station building. There are concerns and she wishes that the building would not be torn down as it may be going to Campbell Oil.

Mr. Fellmeth stated that there will be an environmental study on the property before demolition to make sure there are no underground tanks on the property.

Dan Bucher stated that as of right now he heard that this will be green space. The Mayor said yes and this would definitely be safer for traffic along the alleyway.

AnnaLeigh Oakes – Locust Street

Mrs. Oakes spoke of her concerns for the residents on Locust who are still dealing with the hill being put behind their properties. They were told to sit tight last October. Nothing has been done and with recent flooding's their properties are now full of mud and water again. She came to Council along with several other residents wanting to know what the plan was. Pictures were distributed of the area.

Mrs. Mayberry said she would like this resolved within a month.

Larry Foust – asked the Mayor if he though the vegetation was going to work. Mr. Foust said he will not allow the City back on the property because of the disappointment in the job they have done.

Ed Strohm – 508 Locust

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Mr. Strohm asked if there was a bond on the property and if so could they not use this to fix the problem.

Mr. Dorman said he would be contacting the contractor on the project.

Mayor Schultz stated that he will stand on the correction and the City should not have to pay for this. The Mayor said he will continue to work on this and keep the residents informed of progress.

A motion was made to adjourn into Executive Session at 8:45pm for the purpose of consideration of Preparing for, conducting or reviewing negotiations or bargaining sessions with public employees by Danny Losch.

Second by Scott Svab.

All Council Members voted yes. Motion approved.

A motion was made to return to public session at 9:30pm by Scott Svab.

Second by Danny Losch.

All Council members voted yes. Motion approved.

ADJOURNMENT

The meeting was adjourned at 9:31pm.

Meeting minutes prepared by Teresa Dolan

Meeting approved by Mayor Joseph A. Schultz

RECORD OF ORDINANCES

DEPT GRAPHICS 300-400-2004 FORM NO. 20034

Ordinance No. 14-18

Passed _____, 20____

AN ORDINANCE BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO REPLAT DISCOVERY PARK (PHASE FIVE) AND REPEALING ANY ORDINANCE IN CONFLICT THEREWITH.

WHEREAS, The Planning Commission of the City of Canal Fulton, Ohio has recommended replatting Discovery Park (Phase Five).

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

The City of Canal Fulton agrees to replat Discovery Park (Phase Five) pursuant to Plat attached as "Exhibit A" and incorporated by reference herein and repealing any Ordinance in conflict therewith.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance ____18, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2018, 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 _____, 2018.

Teresa Dolan, Clerk-of-Council

SEF/bp

RECORD OF ORDINANCES

ORDINANCE REC-2002-009 FORM NO. 80248

Ordinance No. 16-18

Passed _____

, 20____

AN ORDINANCE BY THE
COUNCIL OF THE CITY OF
CANAL FULTON, OHIO
AMENDING ORDINANCE NO.
19-85.

WHEREAS, City Council and the Administration wish to amend the Ordinance No. 19-85.

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

SECTION 1. Ordinance No. 19-85, section (e) and any subsequent amendments thereto addressing health insurance which currently state "The City will provide hospitalization and medical insurance on the full-time employees on a voluntary basis. The hospitalization and medical insurance plans are not available to part-time or seasonal employees, and volunteers. The employees shall pay fifteen percent (15%) of the total premium and the City will pay eighty-five percent (85%) of the total premium" shall be repealed and replaced with the language in Section 2 below.

SECTION 2. Ordinance 19-85 Section (e) shall in accordance with Section 4 below provide "The City shall provide health and benefit Insurance Programs as determined by the City to all full-time employees as otherwise required by law. All Employees enrolled in the Insurance Programs shall contribute monthly toward the premium cost for said insurance at the rates established by the City. There shall be no reimbursement by the City to employees of out of pocket costs or deductibles."

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

RECORD OF ORDINANCES

BEAR GRAPHICS INC 312-221-8000

Ordinance No. _____ Passed _____, 20_____

SECTION 4. This Ordinance shall take effect and be in full force from and after December 1, 2018.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____ 2018, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2018, 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 _____, 2018.

Teresa Dolan, Clerk-of-Council

SEF/bp

RECORD OF ORDINANCES

ORDINANCE 800-000-0001 COUNCILS 0000

Ordinance No. 17-18

Passed _____, 20_____

AN ORDINANCE AMENDING CHAPTER 131.03 (C) (5) OF THE DEPARTMENT OF FIRE SERVICES OF THE CODIFIED ORDINANCES OF CANAL FULTON, OHIO AND REPEALING ANY ORDINANCE IN CONFLICT THEREWITH.

WHEREAS, the Council of the City of Canal Fulton, Ohio desires to amend Chapter 131 of the Department of Fire Services.

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

Chapter 131.03 (c) (5) shall be amended to read:

No person under eighteen years of age shall drive any equipment on an emergency run.

Any Ordinance in conflict therewith is hereby repealed.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance ____ 2018, duly adopted by the Council of the City of Canal Fulton, on the date of ____ 2018, 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 _____, 2018.

Teresa Dolan, Clerk-of-Council

SEF/bp

RECORD OF ORDINANCES

BEAR GRAPHICS 800-688-8884 FORM NO: 3003

Ordinance No. 18-18

Passed _____, 20_____

AN ORDINANCE ESTABLISHING
TICKET PRICES FOR ST. HELENA
III CANAL BOAT RIDES FOR
OPERATIONS COMMENCING IN
2018 AND REPEALING ANY
ORDINANCE IN CONFLICT
THEREWITH.

WHEREAS, the Canal Fulton, Ohio City Council has authority to set prices for seasonal rides on the St. Helena III Canal Boat, and

WHEREAS, Council desires to establish prices for public rides commencing in 2018.

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

Ticket Prices for Canal Boat rides on St. Helena III shall be established as follows:

Adults: (Ages 18 – 59): \$9.00
Seniors (Age 60+) and Veterans: \$8.00
Children (Ages 6-17 years): \$5.00
Children (Ages 5 & Under): Free

Any Ordinance in conflict therewith is hereby repealed.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____18, duly adopted by the Council of the City of Canal Fulton, on the date of _____2018, 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

RECORD OF ORDINANCES

PEARL GRAPHICS 800-368-8024 FORM NO. 6039

Ordinance No. _____ Passed _____, 20____

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 _____, 2018.

Teresa Dolan, Clerk-of-Council

SEF/bp

Ordinance No. 19-18

Passed _____, 20____

An Ordinance Amending Ordinance 31-17, and Providing for Changes to Previously Authorized Appropriations.

WHEREAS, it is necessary for the City of Canal Fulton to authorize additional appropriations for current expenses and other expenditures for the fiscal year ending December 31, 2018, which were not anticipated or included in Ordinance 31-17, as the City's 2018 Appropriation Ordinance, and

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

Section 1: City Council authorizes the Finance Director to increase the General Capital Projects Fund appropriations by \$88,000.00 to install a new playground structure in St. Helena Heritage Park. A portion of this cost will be reimbursed through a Nature Works grant.

General Capital Projects Fund			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	476,433.34	88,000.00	564,433.34

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

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk of Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____, 18, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2018, 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 _____, 2018.

Teresa Dolan, Clerk of Council

Ordinance No. 2018

Passed _____, 20____

An Ordinance Amending Ordinance 31-17, and Providing for Changes to Previously Authorized Appropriations.

WHEREAS, it is necessary for the City of Canal Fulton to authorize additional appropriations for current expenses and other expenditures for the fiscal year ending December 31, 2018, which were not anticipated or included in Ordinance 31-17, as the City's 2018 Appropriation Ordinance, and

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

Section 1: City Council authorizes the Finance Director to increase the General Fund appropriations by \$11,000.00 to reinstate the Summer Works Program.

General Fund			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	110,248.75	11,000.00	121,248.75

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

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk of Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____, 18, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2018, 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 _____, 2018.

Teresa Dolan, Clerk of Council

**A RESOLUTION BY THE COUNCIL
OF THE CITY OF CANAL FULTON,
OHIO TO ENTER INTO AN AGREEMENT
TO SELL PPN 9580150 TO LOUIS A.
DISTEFANO AND BRENDA DISTEFANO.**

WHEREAS, the City of Canal Fulton, Ohio has sought an agreement to sell part of Ericsson Drive located in Discovery Park known as PPN 9580150, and

WHEREAS, Louis A. DiStefano and Brenda DiStefano have agreed to purchase said parcel.

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

The City of Canal Fulton agrees to enter into an agreement to sell PPN 9580150 to Louis A. DiStefano and Brenda DiStefano pursuant to proposal attached as Exhibit "A" and incorporated by reference herein.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this a true and correct copy of Resolution ____ 18, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2018, 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 _____, 2018.

Teresa Dolan, Clerk-of-Council

SEF/bp

EXHIBIT "A"

OFFER TO PURCHASE
REAL ESTATE AND ACCEPTANCE

A) BUYER: LOUIS A. & BRENDA DISTEFANO ("BUYER"), having examined the following described property (the "Property") and being willing to accept same in its "AS IS" CONDITION except from normal wear and tear, does hereby offer to buy the Property:

B) PROPERTY: Permanent Parcel # 9580150 Stark County, Ohio located on Brisson Drive in Canal Fulton, Ohio. The term Property includes the land, all appurtenant rights and easements, all buildings and fixtures all in their "AS IS" CONDITION. Additional items to be included:

C) EXCLUDED FIXTURES, IF ANY:

D) PURCHASE PRICE: BUYER agrees to pay SELLER the sum of

Payable as follows: \$ 1.00

1. Earnest money to be deposited in Haines Law Office, LLC's Trust Account after Acceptance as hereinafter defined, and credited against the purchase price. CHECK NOTE \$ 0.00

2. Remainder of BUYER'S purchase price to be deposited in escrow in accordance with Section F: \$ 1.00

E) PRORATIONS: Taxes and assessments shall be prorated based upon the latest available tax duplicate. The parties are advised to consult with the county auditor's office regarding the status of the Property taxes, as the latest available tax duplicate may not reflect the accurate amount of taxes that will be owed. The parties agree to adjust directly any changes in proration discovered when the tax duplicate for the calendar year of closing becomes available. SELLER warrants that SELLER has received no written notice of pending assessments. The Escrow Agent shall withhold \$ N/A from SELLER to secure payment of final water and sewer charges, if any, and all Escrow Agent is hereby instructed to either pay said charges or verify SELLER'S payment of said charges and remit any balance to SELLER.

F) CLOSING: All documents and funds necessary to complete this transaction shall be placed in escrow with Full of Title Agency, Inc. (title company / agency) on or before "as soon as possible", and the Deed shall be recorded on or about but not before "as soon as possible", except that if a defect in Title appears, SELLER shall have thirty (30) days after notice to remove such defect and, if unable to do so, BUYER may either (1) accept Title subject to such defect without any reduction in the purchase price or (2) terminate this AGREEMENT, in which case neither BUYER, SELLER nor any REALTOR(S) shall have any further liability to each other, and both BUYER and SELLER agree to sign a mutual release and return the earnest money to BUYER.

G) POSSESSION: SELLER shall deliver possession and occupancy to BUYER on or before 6:00 p.m. 5 day(s) after recording of the Deed, whichever is later. BUYER agrees to transfer utilities commencing on the date of possession.

H) TITLE: SELLER shall furnish a General Warranty or Fiduciary Deed with release of dower, if any, conveying the Property to BUYER or nominee free and clear of all liens and encumbrances whatsoever except (a) such encumbrances and recorded restrictions, easements, and conditions, including without limitation subsurface rights, which do not materially adversely affect the use or value of the Property; (b) shall furnish to BUYER an Owners Policy of Title Insurance ("Title Policy") in the amount of the purchase price subject to the above exceptions and any sub. of Omities. The premium cost shall be paid by BUYER.

I) CHARGES: BUYER to pay all the closing costs associated with the closing of this real estate transaction. All special charges incurred by SELLER to be paid by BUYER and all special charges incurred by BUYER to be paid by BUYER.

BUYER RECOGNIZES BUYER'S OWN RESPONSIBILITY TO INSPECT AND MAKE DILIGENT INQUIRY CONCERNING THE PROPERTY. SELLER AGREES TO NOTIFY BUYER OF ANY ADDITIONAL DISCLOSURE ITEMS THAT ARISE BETWEEN THE DATE OF ACCEPTANCE AND THE DATE OF RECORDING THE DEED.

J) INSPECTIONS:

1. INSPECTIONS CONTINGENCIES: BUYER shall have 3 days after Acceptance to have professionals perform, at BUYER'S expense, the inspection(s) indicated below. BUYER shall notify SELLER in writing within five (5) days after inspection of any material condition(s) unsatisfactory to BUYER. If SELLER agrees within 3 days after notification to correct said condition(s), then this AGREEMENT shall remain in full force and effect. If SELLER does not so elect, then BUYER, at BUYER'S option, may either waive such condition(s) and accept the Property in its "AS IS" condition or terminate this AGREEMENT in accordance with J(2) below. SELLER agrees to provide reasonable access to the Property for BUYER to review any such conditions corrected by SELLER. Where required by ordinance, SELLER shall order a code inspection and deposit the results thereof in escrow.

BUYER SHOULD INDICATE YES FOR EACH PROFESSIONAL INSPECTION DESIRED:

- a. Septic System Inspection Yes
- b. Well Water Flow Rate Test Yes
- c. Well Water Bacteria Test Yes
- 2. **TERMINATION AND RELEASE:** If SELLER does not elect to correct the unsatisfactory Material condition(s) and BUYER does not elect to waive such condition(s), then this AGREEMENT shall be null and void, and neither BUYER, SELLER nor any REALTOR(S), if any, involved in this transaction shall have any further liability or obligation to each other, and both BUYER and SELLER agree to sign a mutual release and any earnest money shall be returned to BUYER
- 3. **WAIVER:** BUYER elects to waive each professional inspection to which BUYER has not indicated it wants to have performed. Any failure to BUYER to perform any inspection indicated "YES" herein is a waiver of such inspection and shall be deemed retroactive acceptance of the Property by BUYER in "AS IS" condition.

K) DAMAGE: In the event the improvements are damaged in excess of ten percent (10%) of their replacement cost by fire or other hazards prior to the recording of the deed, BUYER shall have the option of accepting the insurance proceeds for said damage and completing this transaction, or of terminating it and receiving the return of all deposits made hereunder. Risk of loss shall be borne by SELLER until recording of the Deed.

L) ADDENDA: The following is made a binding part of this agreement hereof "Buyer / Purchaser to install city sidewalk 4' wide, 4" thick from the end of the property to the other. Work to be completed on or before twelve (12) months from the closing date"

M) BINDING AGREEMENT: The term Acceptance means the signing and/or initialing of this document by the later of the parties to do so without making material change. Upon Acceptance, this offer, including all attachments and addenda, shall become an AGREEMENT binding on both BUYER and SELLER, their respective heirs, executors, administrators, and assigns. This AGREEMENT shall be made a part of or be used as the escrow instructions and shall be subject to the Escrow Agent's standard conditions of escrow not inconsistent herewith. The terms, covenants, conditions, and provisions of this AGREEMENT to be performed by the SELLER shall survive the delivery and recording of the DEED.

N) EARNEST MONEY: Receipt of \$ _____ CHECK _____ NOTE is hereby acknowledged

If this transaction is not completed in accordance with Section F or any written extensions thereof, then the earnest money will be returned to BUYER unless SELLER makes written demand upon the depository within twenty (20) days after the last agreed date for recording of the Deed. If SELLER does so demand, the earnest money shall be retained until (a) BUYER and SELLER agree in writing as to the disposition; (b) a court of law issues a final order of disposition; (c) the depository delivers the earnest money to a court of law for disposition.

THIS AGREEMENT CONTAINS ALL TERMS AGREED BETWEEN BUYER AND SELLER AND THERE ARE NO OTHER CONDITIONS, REPRESENTATIONS, WARRANTIES, OR AGREEMENTS, EXPRESSED OR IMPLIED. FACSIMILE (FAX) SIGNATURES SHALL BE DEEMED VALID AND BINDING. THIS IS A BINDING CONTRACT. CONSULT AN INDEPENDENT PROFESSIONAL IF LEGAL OR TAX ADVICE IS DESIRED.

BUYER: [Signature]
 Print Name: LUIS A. DISTEFANO
 BUYER: [Signature]
 Print Name: BRENDA DISTEFANO

Address: 6900 DEERFIELD BLVD NW
CANAL FACTORY APT 44614
 Phone: 370-854-5402
 Date: 4/23/18

SELLER: _____
 Print Name: CANAL FULTON CITY
 SELLER: _____
 Print Name: _____

Address: _____
 City: _____
 Phone: _____
 Date: _____

BILL TO:



City of Canal Fulton

155 East Market Street, Suite #A
Canal Fulton, Ohio 44614-1305
(330) 854-2225 • FAX (330) 854-6813

PURCHASE ORDER

tabled

P.O. NUMBER: RG011546
P.O. DATE: 01/09/18
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
391.120.5730	\$14,500.00

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 # 21-5000-000

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		DEMOLITION OF OLD FIRE STATION		\$14,500.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
TOTAL:				\$14,500.00

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 hereby certify 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 each purpose and is in the Treasury or in the process of collection to 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: RG011714
P.O. DATE: 04/23/18
DEPARTMENT: POLICE
CREATED BY:
VENDOR NO.: 00436

DELIVER TO:

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

VENDOR:

GEORGE WAIKEM FORD INC
4321 LINCOLN WAY EAST
MASSILLON, OHIO 44646

ACCOUNT NUMBER	AMOUNT
391.250.5730	\$27,396.00

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
		NEW POLICE CRUISER		\$27,396.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
			TOTAL:	\$27,396.00

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

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



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: RG011715
P.O. DATE: 04/23/18
DEPARTMENT: POLICE
CREATED BY:
VENDOR NO.: 01665

DELIVER TO:

CANAL FULTON POLICE DEPT
1165 S. LOCUST ST
CANAL FULTON, OH 44614

VENDOR:

WATCHGUARD VIDEO INC
415 CENTURY PARKWAY
ALLEN, TEXAS 75013

ACCOUNT NUMBER	AMOUNT
391.250.5730	\$5,795.00

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 # 34-5000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		CAMERA SYSTEM FOR NEW POLICE CRUISER		\$5,795.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
TOTAL:				\$5,795.00

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

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

PURCHASE ORDER

P.O. NUMBER **RG011716**
P.O. DATE **04/23/18**
DEPARTMENT **POLICE**
CREATED BY
VENDOR NO. **01558**

DELIVER TO:

CANAL FULTON POLICE DEPT
1165 S. LOCUST ST
CANAL FULTON, OH 44614

VENDOR:

STATE WIDE FORD
1108 W. MAIN STREET
VAN WERT, OHIO 45891

ACCOUNT NUMBER	AMOUNT
391.250.5730	\$7,128.00

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
		EQUIPMENT FOR NEW POLICE CRUISER. LIGHTS CAGE, SIREN, RADAR		\$7,128.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON ____ / ____ / ____.		
TOTAL:				\$7,128.00

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

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

PURCHASE ORDER

P.O. NUMBER: RG011717
 P.O. DATE: 04/24/18
 DEPARTMENT: MAYOR . ADMIN
 CREATED BY:
 VENDOR NO.: 02461

DELIVER TO:

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

VENDOR:

DAVID WILLIAMS & ASSOCIATES
 P.O. BOX 3315
 ALLIANCE, OH 44601

ACCOUNT NUMBER	AMOUNT
391.120.5730	\$87,733.64

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
		PLAYGROUND STRUCTURE; INSTALLATION DEMILITION IN ST. HELENA HERITAGE PARK		\$87,733.64
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON ____ / ____ / ____		
TOTAL:				\$87,733.64

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 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