

**CITY OF CANAL FULTON**  
**CITY COUNCIL MEETING AGENDA**  
**April 2, 2019**

1. **CALL TO ORDER**

Engineering Field Survey and Stump Removal at Community Park)

2. **PLEDGE OF ALLEGIANCE**

11. **FIRST READINGS**

3. **ROLL CALL**

**Resolution 4-19:** A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with The Board of Trustees of Lawrence Township, Stark County, Ohio for Maintenance and Repair of Shared Roadways

4. **SWEARINS- FIRE**

Michael Ranalli

Matt Litten

Tom Ross

12. **P.O.s**

5. **REPORTS OF STANDING COMMITTEES**

P.O. 12105 to WatchGuard Video Inc. in the amount of \$5,975.00 for New Camera System for New Police Car

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

P.O.12101 to Utility Truck Trader LLC. in the amount of \$21,631.50 for 2001 International Bucket Truck

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

3-19-2019 Council Meeting Minutes

P.O. 12102 to Statewide Emergency Products in the amount of \$8,507.00 for Equipment for New Police Car

8. **REPORTS OF ADMINISTRATIVE OFFICERS**

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

P.O. 12103 to George Waikem Ford Inc. in the amount of \$31,842.50 for 2020 Police Explorer

13. **BILLS:**

9. **THIRD READINGS**

**Ordinance 7-19:** An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations (\$23,250-Park Master Plan)

14. **OLD/NEW/OTHER BUSINESS**

15. **REPORT OF PRESIDENT PRO TEMPORE**

16. **REPORT OF SPECIAL COMMITTEES**

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

10. **SECOND READINGS**

**Ordinance 8-19:** An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations (\$131,250-Water Tower Design)

18. **ADJOURNMENT**

**Ordinance 9-19:** An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations (\$11,500-



**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

**CALL TO ORDER**

Mayor Schultz called the meeting to order at 7:00 p.m.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Council Members present were Dan Bucher, Jr., Sue Mayberry, Eric Whittington, Bonnie Donaldson, and Scott Svab

City Staff present were City Manager Mark Cozy, Mayor Joseph Schultz, Finance Director William Rouse, Keith Dylewski, Police Chief Douglas Swartz, and Fire Chief Ray Green

Others in attendance were Joan Porter, Chell Rossi, James and Janet Deans, Doug Smith, Sara Batko, Lisa Parramore, Adam Parramore, Donna Matak, Tim Hoy, Mike Todaro, Christina Albrecht, David Duval

**STARK COUNTY BOARD OF DEVELOPMENTAL DISABILITIES**

Lisa Parramore introduces herself. Her family has lived in the area since 1993. She is a communications manager for the Stark County Board of Developmental Disabilities.

March is national developmental disability awareness month. Mrs. Parramore says she is here today to share with her the work of the Stark County Board of Developmental Disabilities is doing on behalf of the 3,900 people they support in Stark County and the 129 people they serve in Canal Fulton. The Stark County Board of Developmental Disabilities mission is to support people with disabilities and their families. Their vision is that each person will be fully included in our community. However, there are still attitudinal barriers that people with disabilities sometimes face. Each year they are working with 700 families that have an infant with disabilities. The work takes place in the family home, in the work place, in the daycare or wherever that family lives. Each year they provide preschool and school age educational services to 180 students with intense and complex needs. Each year they fund services that fund over 1,600 people so they can live, work, play and pray in our community. They are a funder of services. A planner and coordinator of each person's life plan. They work with 115 private agencies and 200 independent providers and monitor them to make sure that people with disabilities are safe and healthy. Finally, they work in conjunction with the Sheriffs office and the Canal Fulton Police Department to investigate all allegations of abuse and neglect to make sure that people with developmental disabilities are healthy and safe. During this month Stark County Board of Developmental Disabilities wants you to know their name and if you know someone in your community that could use our help, to please refer them to us. Stark D.D. is a trusted partner of thousands of local families in our community. Stark D.D. provides vital services and high-quality support to a steadily number of increasing people with developmental disabilities. Serving 30% more people than they did 10 years ago. Ultimately, they want each person with a developmental disability to have a good life and they are working with Canal Fulton and the rest of our communities to ensure that they can make this happen.

Reminder that March is Developmental Awareness Month.

**REPORTS OF STANDING COMMITTEES**

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

**CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**

3-5-2019 Public Service Committee Meeting  
Minutes

**A motion was made to approve the 3-5-2019 Public Service Committee Meeting Minutes by Sue Mayberry  
Second by Dan Bucher, Jr.  
All Council Members voted yes. Motion approved.**

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

3-5-2019 Council Meeting Minutes

**A motion was made to approve the 3-5-2019 Council Meeting Minutes by Sue Mayberry**

**Second by Scott Svab**

Mrs. Mayberry says another good job of two meetings well transcribed. Mayor Schultz adds that it is nice to have the Committee Meeting Minutes to approve right afterwards.

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

**REPORTS OF ADMINISTRATIVE OFFICERS**

Senior Citizens – Mayor Schultz says they did get a much better price from Grant Joyce on the door. Mrs. Mayberry asks how much better? Mayor Schultz answers, \$1,500.00 better.

Work on the Community Park started to get trees cut down. They found that they weren't getting, especially on smaller jobs, certificates of workman's comp and liability insurance.

Community Service- No Report

Fire Chief- Chief Ray Durkee reports today they commissioned engine 5 to service. They were having an open house from noon until 1. Mr. Durkee thanks Council for the levy and thanks the levy committee who worked hard to promote it. He also thanks the citizens of Canal Fulton who voted for it. The engine went on calls right after. They also commissioned their new John Deere Gator today. It is being outfitted and still needs a few touches and red wrap. Continuing with radio installs. They had a limited number of radios that they received through the State Fire Marshalls Grant at no cost to the city. The mobile radios and additional portable radios that were purchased through the Assistant Fire Fighters Regional Grant are being installed right now and should be fully operational in a week or two.

Mayor Schultz asks if Chief Durkee and Chief Swartz can communicate to each other through those when they are out. Chief Durkee answers, yes. The radios have 500 channels and scan functions so he can listen and communicate with them. It also has Bluetooth capacity, for Bluetooth headsets.

Police Chief – Chief Swartz continues the radio conversation. In regards to the storm we had the other night he turned on his radio to listen to the communication throughout county. Thanks Mayor, City Manager and Fire Chief for the Crime Prevention Breakfast. He says it was neat to see our Elected Officials speak with the people he sees all the time in the county. Chief Swartz will be gone next week.

Chief Durkee says for those of you who don't know Chief Swartz is president of the Stark County Police Chiefs Association and he did a fine job at the breakfast this morning.

Engineer- Mr. Dylewski says they are finishing up the bid specs for the Community Park Project. Looking to have that advertised by next Wednesday. Bid opening up April 19<sup>th</sup>. Mayor Schultz asks if we typically put the bids out in the Newspaper. They will be in the Repository. He asks if they will be online? Mr. Cozy answers, yes, our webpage.

Streets –The Planning Commission met about Dakota Street where it was Dakota Alley and there were no addresses on Dakota Street. There are properties and addresses on the other end of Dakota Street, down behind St. Phillip and James. Now that houses are being built on Dakota Street they are running into a problem where peoples GPSs are not finding the addresses. Mayor Schultz believes the recommendation of the Planning Commission is that we rename that portion of Dakota Street. Which basically goes from Cherry Street back to Drake. They didn't have any recommendations for us. He says one of the residents suggested Barbie Place. Mayor Schultz proposes Johnson Belford Drive or Johnson Belford Place. Mrs.

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

Mayberry asks if we have the authority to name a street? Mayor Schultz thinks we do. Mayor Schultz asks Mr. Fellmeth if he sees any issues with that? Mr. Fellmeth says its Councils decision. Mayor Schultz asks Mr. Dylewski if it is okay and if he gives us addresses? Mr. Dylewski responds yes to both.

Mayor Schultz asks if Council wants to name it now or wait? Mrs. Mayberry says she just heard about this. She asks if there is anything unique or specifically special about that area that could be reminisced? Mayor Schultz answers, no it never had any addresses. Council will come back to this at next meeting.

Mr. Whittington makes a suggestion for Council to ponder over for the next few weeks in regards to renaming the street. They have a family who has lived here forever and one of them is not doing well. He says why don't we consider Hatfield Avenue, and naming it after the Hatfield family.

Public Utilities- Mayor Schultz reached out to Council Members to tell them about the person who wanted to annex into the city at the end of Wooster Street and wanted to run waterline up there at his/her own expense. Mayor Schultz wants to get a Voice Motion from council to give us the go ahead to do that. Mr. Cozy has prepared an agreement, which was ran by Mr. Fellmeth. Basically, an annexation agreement saying that they are going to annex in and can start working on installing the waterline because without water their well collapsed. They have been without water for over a month now. Mrs. Donaldson says that is awful.

Mayor Schultz asks for a Voice Motion so they can get started on that. Mrs. Mayberry asks if the Engineer looked things over for that area. Mr. Dylewski answers, yes. He looked things over. This is in the area where the Water Tower Project is going to occur also. Mr. Dylewski thinks that this would be a temporary fix for this residence until that project gets constructed and they get a permanent line. Mrs. Mayberry asks if he said 200ft of 2inch pipe? Mayor Schultz says 820ft of 2-inch pipe. Mayor Schultz adds that they will have to put a booster pump in their basement to draw the water up because it will have to go up hill. Mrs. Mayberry asks if that will have any effect on our water? Mayor Schultz says that is why we reached out to CTI. Mrs. Mayberry clarifies that he is going to pay for everything. Mayor Schultz says yes. Mrs. Mayberry asks if once down the road once the water tower is in will that have to be taken out and something else put in? Mayor Schultz answers, you could, he doesn't think it will matter. From what he understands we are not going to connect what gets put in on the hill with what is down below. It will be one of those areas where we can put new lines in as that Lockhart property gets developed by coming across the street to the duplexes. Mrs. Mayberry asks if the waterline will go up past the duplexes? Mayor Schultz says yes. That is where this waterline is going and that is what Keith is talking about. Someday, as we get the Water Tower built and run the lines down and develop that they will probably tie into that line. Right now, they don't have fire suppression. Mrs. Mayberry asks if the property is contiguous to us across the street. Mayor Schultz says no we are beside him, this is the first house into the township after you leave the city. His neighbor on the side is contiguous to him so if the land across the street wasn't contiguous, he would still be contiguous. Mrs. Mayberry says, so he knows if he annexes, he is going to be receiving the services and having to pay for it. Mayor Schultz says that is what that agreement is.

**A motion was made to approve Mr. Cozy to sign the agreement with them for annexation by Scott Svab**

**Second by Bonnie Donaldson**

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

Planning/Zoning- The regular meeting has been rescheduled to the 28<sup>th</sup>.

Finance Director- Mr. Rouse has included the February financial statements in the packet. Income tax through February is down 5% compared to last year. It is primarily in the withholdings. What has really caused that is the timing of the payroll months for our bigger employers. In particular the schools had a 3-payroll month early last year and they haven't had that yet. That is throwing those numbers off. It is more of timing issue that should reverse itself as we progress through the year.

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

Included in the purchase orders, P.O. 12063 to Muni-Link is for the software we had a presentation on at the last meeting. That is the choice we want to move forward with. Mr. Rouse says that at the last discussion he hadn't received a quote yet from the other software providers. When we got the quotes they both came in around \$30,000 up front to buy the software. The annual maintenance cost would be around \$5,000- \$6,000 versus this option with Muni-Link. Muni-Link would be basically pay the \$5,000 conversion fee and \$800 monthly moving forward. Mr. Rouse says that we like this software and the price saves us from a large upfront expenditure.

Ordinance 9-19 is an appropriation amendment to pay for some of the purchase orders presented. For the renovations in the park, engineering. Mr. Rouse says that he made a mistake in that amount. He says that we don't need to pass it tonight but he will need to amend it before the next meeting.

Mr. Rouse says he will be on vacation next week as well.

Mrs. Mayberry asks, on the Third Reading Ordinance 5-19, changes to the previously authorized appropriations. That \$10,300 then is rolled into Ordinance 7-19? Mr. Rouse says no. Ordinance 5-19 was two purchase orders you approved a couple meetings ago to pay for the field survey engineering that CIVPRO has done already. Ordinance 7-19 is the Park Master Plan for EDG.

Mrs. Mayberry says 7-19 contains previously approved within the legislation creates an approved \$10,300. Mr. Rouse says that the \$23,250 is the Park Master Plan for EDG. Mrs. Mayberry says we are going to be approving a total of \$33,500. Mr. Rouse says that is what the total will be after the adjustments. The \$10,300 is two invoices that CIVPRO Engineering submitted for field survey work that they had already done at the park. We have already approved those purchase orders. Mrs. Donaldson confirms if there are two of them for \$10,300? Mr. Rouse says that the two total \$10,300. Mr. Rouse adds that this appropriation is catching up with purchase orders to get approved.

City Manager- Mr. Cozy says that Mayor Schultz had him check with ODNR today about going to bid on the grading and parking lot portion of the park. They gave us the go ahead to do that. Once the Master Plan is done and then we get the section 1 application done we can begin applying for reimbursement.

Mr. Cozy says that we did have the consultant from the Park Master Plan at the Park Board Meeting last week. For park board and city officials to lay the ground work for planning the new community park. At that meeting it was pretty much obvious that most people there wanted to keep the splash pad and maybe even make it bigger for different age groups and levels of use. He says we will keep one recreational ball field, two athletic fields soccer size, basketball courts, shelter restroom. Right now, the current project plan we have water area for a fishing pond in the future that is something we can do. There is also a playground. We are also planning a public meeting for the park. All of the community will be invited to participate in the planning process for the park.

The second public meeting for active transportation plan with Stark Parks and Canal Fulton is March 27<sup>th</sup> at 6:00 p.m. at the Canal Grille.

Update on the Butterbridge Intersection Project. They plan to begin work in September. It is a partial road closure, they will maintain traffic on 21 throughout the project but there will be periods of time when people can't cross the highway on Butterbridge. The road will be closed at the beginning of September for a couple months in the fall and will open back up in the winter time and close again sometime in the summer of 2020 to finish the project. Once we get closer to the project we will have exact dates and there will be a meeting that we are all invited to.

Mayor- The Mayor's Breakfast is this Friday, March 22<sup>nd</sup> at 8:00 a.m. at Elmridge Event Center. You can still purchase tickets at the door.

The Canal Boat is opening May 11<sup>th</sup>. Mayor Schultz says that they are going to try to have three rides that day instead of the typical two.

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

Mayor Schultz wants to address the bridge renaming. He says we have been approached by ODOT. The legislation that was passed by the State Legislator goes into law tonight at midnight. The Cherry Street Bridge, as we know it, in 1998 the bridge was being rebuilt and one of the builders was working on it passed away suddenly. The family wanted to memorialize him and rename the bridge in his honor. That prompted opposition from council and village leaders at the time, who didn't want to change the name. Council has been given packets of correspondence from that time period that shows the dialog between our Law Director and County Commissioner. Mayor Schultz says the way he understands it the compromise was that Council passed a Resolution to give them permission to put the plaques on the bridge to memorialize their dad. The plaques were installed and they are on the sidewalk portion of the barrier that separates the side walk from the street traffic. In October of last year our Street Department Superintendent Gary Hosking contacted Mayor Schultz saying he got a call from ODOT that they are renaming the bridge and they want to put a sign up to honor Lance Corporal Michael Stangelo. Mayor Schultz asks Mrs. Albrecht how she became aware that the naming process was going on?

**Christina Albrecht**

**2032 Summer Evening Drive**

She says it was brought to her attention and she did her research. Mrs. Albrecht has shown up to a previous Council Meeting and brought this to our attention and we discussed it briefly with plans to do more research.

Mayor Schultz says that research is the packet everyone has in front of them. Three weeks ago, Mayor Schultz met with Mr. Duval and Mrs. Duval, Michaels parents and State Senator Roegner and Bill Romer. The Senator shared with them her thoughts. She thought the State Legislature, she voted on it and the Governor signed and it has become law. In the meantime, Mrs. Mayberry found the Ohio Revised Code and they reviewed it. Mr. Fellmeth shares his opinion. Mr. Fellmeth says that no one ever asked us. In his opinion law is the City has to concur with the renaming of the bridge. Mayor Schultz says we need to get some sort of Resolution. He sees three options. We could tell them no to renaming the bridge or let it go and the State law would come into effect. Mr. Fellmeth says perhaps the simple way to do this is to put up plaques for the soldier and Mr. Albrecht. Mayor Schultz says that was his option three. Mayor Schultz shared this option to go back to the state and say that this is always going to be the Cherry Street Bridge. We could have a pedestrian portion of the bridge, because the Albrecht plaque is already facing the walkway. Then the Michael Stangelo dedication could be for the traffic portion for the bridge. It would not be a sign on the bridge but a sign in the right of way.

Mrs. Mayberry asks if he is talking about a sign on a plaque or a pole in the public right of way? Mayor Schultz answers, yes. Mayor Schultz references a similar sign on Route 21, in between Butterbridge and Route 93 is the Michael Barkey sign.

Mrs. Mayberry asks at what point will we have multiple requests for multiple signs? She says there are specific places where she's isn't sure why this bridge was chosen?

**David Duval**

**651 Highmill Avenue**

Mr. Duval says he was a firefighter with Lawrence Township from 1998 until 2009. During that time, he supported Canal Days as volunteers, and the whole family is down there at that time. They spent a lot of time on that bridge. Growing up, he says, mom was down in the park and on the bridge a lot. They did a lot of family of events on that bridge and it was also the last bridge he crossed on the way to his final resting spot. That is why this bridge was picked. They found the bridge and got the number off of the bridge. Bridges from the fallen was who told the steps of how to do this. Mr. Duval says he contacted the State Representative to find out who owned the bridges. At that time the told us that the state owned the bridge. In 2016 is when the put together the House Bill 275. That

House Bill went for over a year. In June or July, they got a new speaker of the house and there were multiple bills that were put into Senate Bill 86 because they were so far behind on the passing of the bills. Then Senate Bill Passed around December 19<sup>th</sup> which goes into effect tonight at midnight. In Senate Bill 88 is

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

House Bill 275. Mrs. Mayberry says the Bill designates the following bridge and authorizes the Director of Transportation to erect suitable markers on the bridge or its approaches, indicating its name will be Lance Corporal Michael Stangelo, USMC, Memorial Bridge. Mayor Schultz says yes, that is what will go on the sign. Mrs. Mayberry says that this is telling us what it will be so do we have a say? Mayor Schultz responds, according to Mr. Fellmeth we do. Mrs. Mayberry asks if this trumps anything we would think or not? Mr. Fellmeth says no, they never asked our permission to do that. The bridge is entirely within a noncontiguous area in the of the City of Canal Fulton. The Ohio revised code says that they have to have our approval by Resolution to do that to the bridge, and they never consulted with us. Mr. Duval says he is here to ask Council to please approve those signs to be posted as the State Law is going to take effect tonight, whether you post them or not.

Mayor Schultz asks Council if they have any other questions for Mr. Duval?

Mrs. Donaldson says she is trying to understand the State Law that is going to go into effect. Mr. Duval says that the Senate Bill 86 becomes law March 20<sup>th</sup>. Mrs. Donaldson asks what will become State Law? Mr. Duval answers, the naming of the bridge. Mrs. Donaldson says that It can be State Law and called that but if we don't agree to it then its not. Mr. Fellmeth means no disrespect and appreciates the sacrifice Mr. Duval's son made for the Country. He goes back to the Vietnam War, there were three Northwest graduates that were killed in Vietnam. One of them was Lieutenant Thomas Culp, a graduate of West Point. There is no sign or plaque with his name. Mr. Fellmeth would have no objection to a plaque on the bridge but the state has to have council's approval on this and council has to say what they want to do.

Mrs. Donaldson says its hard to take away from one to give to someone else.

**Doug Smith**

**2032 Summer Evening Drive**

Throughout this whole process and talking semantics of what the name is for the bridge. He thinks attorney Fellmeth is correct, the state does not have the right to name that bridge without consulting the City of Canal Fulton. In 1990 when the law was in effect and the issues came up with the Wayne Albrecht Bridge, the Village of Canal Fulton did not have that right. It was not until an Amendment to the Law in 2008, Senate Bill 44 with the 127<sup>th</sup> General Assembly that changed it to add bridges to allow a local municipality to give naming rights to the bridge. The State has no right to name that bridge because there is already a name on it and the Director of the Ohio Department of Transportation has to cut an order to rename the bridge or to take the old name off and name the new one. In 1998, with the Albrecht family, they had to compromise with the Village, County and State to get their fathers plaque put on the bridge. Mr. Smith says the issue is you are asking the Albrecht family to capitulate once again. You want them to surrender and comprise 20 years later when they have already done it once. Mr. Smith says his recommendation would be to Representative Romer to enact legislation to rename a roadway, even if it is a portion of 93 going across the bridge, Lance Corporal Michael Stangelo Memorial Roadway. That way there is not 3 different bridges.

**Steve Henderson**

**865 Colonial Avenue**

Mr. Henderson says he was the project Engineer on that job. He says he was working with Wayne on that particular job and that man built that bridge. He ran two cranes at once. He would lift a beam up, move it six inches, walk across the beam, get on the other crane and move it another 12 inches and walk back. He did this for weeks because he couldn't get a crew in there for two weeks. He says Mr. Albrecht built the water system in Canal Fulton. He has done a lot for this community. He has dug up wood waterlines. He has done quite a bit of work on our infostructure. He died suddenly before he could finish the bridge. Mr. Henderson says he was the initiator of naming that bridge. At the time Canal Fulton actually wanted to name it the Puffinberger Bridge after they heard of the proposal for it to be named the Wayne Albrecht Bridge. That wasn't appropriate to Frank Fisher who at the time was the County Engineer. He wanted it named after Wayne Albrecht because he had done a lot of work for the County also. Mr. Henderson says he doesn't want to take anything away from our fallen son who apparently gave everything he had for



**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

his life in war because he couldn't bear it after the fact, he does need memorialized. Mr. Henderson would like to propose that we name a portion of the highway on Route 93 through the bridge area just as Mr. Smith recommended.

**Christina Albrecht**

**2032 Summer Evening Drive**

Mrs. Albrecht speaks on behalf of her three brothers and mother. She informed her mother of this today and it broke her heart. This was a long process. Mrs. Albrecht references a book, that starts with the old bridge, it was the history of this city which was a village. The entire bridge as it is being constructed piece by piece, everyone who worked on it, everything that was done, every newspaper article and everything we did in detail. She says its not just about us. She says when this first started she started a petition and went door to door and received 400 plus signature from everyone in the village at that time in support of this. She says she went to the Engineers office and poured her heart and soul out for her family. They agreed and stamped it and told her this would be in the system. She knows she wasn't allowed to name anything. They paid for the plaques and the plaques went up a memorialized. She apologizes to the Duvals, saying she knows that bridge that meant something to them. She says she feels there has to be another location or thing. The system messed up and the system needs to fix the problem it created. Not just sweep it under the rug. She asks why are we changing history. Mrs. Albrecht says the pedestrian bridge wasn't built for her father the whole bridge was. She says she compromised by saying they could put the pedestrian bridge in their honor and they said no.

Mr. Henderson forgot to mention that the two plaques that are on the bridge that say the Cherry Street Bridge. There is a picture of the old bridge that was built in 1913 was washed out. That new steel bridge was built in 1913 they put those plaques on that bridge because it was an environmental commitment because it was a historical bridge. Those plaques had to remain even though it was renamed the Wayne Albrecht Memorial Bridge.

Mayor Schultz says that Doug said the plaque says the Wayne Albrecht Memorial Bridge. In this correspondence that he has from September 3, 1998 says I'm writing to inform you the Canal Fulton Village Council agreed to a memorial plaque inscribed with in memory of Wayne Albrecht would be appropriate to place on the State Route 93, Cherry Street Bridge. Mrs. Albrecht says yes that was from Dan Mayberry and she is the one who provided that documentation. She said that was her point she tried to get it renamed and was told no so they had to compromise.

Mr. Smith says the issue came between the conflict with the County Commissioners and the Village. He assumes that the change into 55.1109 was done probably because of this. Of the difficulty in naming a bridge for a municipality. The compromise was between the family, commissioners and the village. There is a letter from February of 1998 where the Mayor of the Village of Canal Fulton and the Service Director both agree to that.

Mrs. Mayberry says she was trying to find the minutes but couldn't. Mr. Smith says it would be from the meeting of October 28<sup>th</sup>. Mrs. Mayberry says the letter from Dan Mayberry to Mr. Barth says I'm writing to inform you that the Canal Fulton Village Council agreed, dated September 3, 1998. She says in order for Council to formally agree that agreement would have been predated before September 3<sup>rd</sup>. She said so rational for that would be predated and she looked back in August and even in July and could not find any rationale. Mrs. Mayberry says the procedure that is now the current ORC law for renaming bridges is our authority as Mr. Fellmeth spoke. When you get emotional and make decisions in a legislative body that is where mistakes are made. She says you cannot get emotional when making decisions, this is not a place for emotions to rule decisions. Mrs. Mayberry says basically what the prior council determined to do stands. The ORC stands. She says leave the bridge alone. Mayor Schultz and Mrs. Donaldson agree.

Mrs. Donaldson says she still feels like you shouldn't take away from one to give to another. Mayor Schultz asks who are we taking away from? She responds, the Albrecht's. Mayor Schultz asks in what way, because what you see here is a letter from Dan Mayberry. The bridge was never dedicated or renamed in honor of Mr. Albrecht. It was asked what if another family comes and wants it renamed? It is now state law the bridge is approved to be Michaels. Whether you approve the sign

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

to be put up it is named that. Mr. Smith says his issue is Representative Slabee did not do her due diligence. No one came to the City of Canal Fulton which they are required to by the Ohio Revised Code. So, his suggestion is the compromise to not have 3 names on one bridge. Honor him by being Lance Corporal Michael Stangelo, USMC, Memorial Roadway. It goes right over the bridge. Reword the naming on the plaque instead of memorial bridge name its memorial roadway. The Albrecht family made a compromise twenty years ago on this. Mr. Felmeth says on December 12, 1998 says the Cherry Street Bridge, the Village Council feels it is appropriate to put a plaque in memory of the Engineer Wayne Albrecht. That is the law we have right now in the City of Canal Fulton.

Mr. Bucher says so the bridge would stay the Cherry Street Bridge with the memorial plaque for Mr. Albrecht. Then that portion of the roadway would be named and the sign for Michael would be changed.

Mayor Schultz says he will speak to Mr. Romer tomorrow and get a Resolution passed to follow the right steps from our end.

Parks & Recreation Board- First boat ride is May 11<sup>th</sup>.

Law Director- No report.

**THIRD READINGS**

**Ordinance 5-19:** An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations. (\$10,300.00- Engineering/ Site Plan Prep at Park)

**A motion was made to approve Ordinance 5-19 by Dan Bucher, Jr.**

**Second by Scott Svab**

Mrs. Mayberry asks where exactly is the engineering site plan going to be? Mayor Schultz says it is the roadway and the parking lot. Mr. Dylewski says correct it is also the sewer extension and detention pond. Mayor Schultz says we are going to be at \$50,800 out of the \$750,000. This is all reimbursable.

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

**Ordinance 6-19:** An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations. (\$8,700.00- Tree Planters Downtown)

Mrs. Mayberry says isn't the HPC going to be reviewing this issue, and how can we address this before HPC has seen it? Mr. Bucher thinks we should table this until HPC talks about it. Mrs. Mayberry says that this doesn't make any sense. Mr. Rouse says you already passed the purchase order. Mrs. Mayberry says she knows she voted to pass the purchase order but HPC needed to be involved in this from the beginning and they weren't.

**A motion was made to approve Ordinance 6-19 by Scott Svab**

**Second by Dan Bucher, Jr.**

**Sue Mayberry votes no. All other Council Members vote yes. Motion approved.**

**SECOND READINGS**

**Ordinance 7-19:** An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations (\$23,250- Park Master Plan)

**FIRST READINGS**

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

**Ordinance 8-19:** An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations (\$131,250- Water Tower Design)

**Ordinance 9-19:** An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations (\$11,500- Engineering Field Survey and Stump Removal at Community Park)

**P.O.s**

P.O. 12078 to CIVPRO Engineering in the amount of \$10,000.00 for Boundary Survey of Community Park

**A motion was made to approve P.O. 12078 by Dan Bucher, Jr.**

**Second by Scott Svab**

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

P.O. 12072 to Stark County Regional Planning in the amount of \$10,000.00 for Transportation and Connectivity Plan

**A motion was made to approve P.O. 12072 by Scott Svab**

**Second by Dan Bucher, Jr.**

Mrs. Mayberry asks for an explanation of what this is going to be for. Mr. Cozy says this is our local match for the grant we have with Stark Parks.

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

P.O. 12059 to The Wood Guy in the amount of \$7,000.00 for Lot Cleared/ Removal of Stumps and Brush

**A motion was made to approve P.O. 12059 by Dan Bucher, Jr.**

**Second by Eric Whittington**

Mrs. Mayberry asks, how many quotes did we get on this? Mayor Schultz answers, 4. Mrs. Mayberry asks what part of the area is this for, is it for the parking lot area. Mayor Schultz says yes, actually the road.

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

P.O.12061 to J A Chapanar Excavating Inc. in the amount of \$44,000.00 for Waterline Repairs on Towpath Street

**A motion was made to approve P.O. 12061 by Scott Svab**

**Second by Dan Bucher, Jr.**

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

P.O. 12063 to Muni-Link in the amount of \$12,000.00 for New Utility Billing Software and Support

**A motion was made to approve P.O. 12063 by Sue Mayberry**

**Second by Bonnie Donaldson**

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

P.O. 12064 to Core & Main LP in the amount of \$78,403.56 for New Water Meter Equipment

**A motion was made to approve P.O. 12064 by Dan Bucher, Jr.**

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

**Second by Scott Svab**

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

P.O. 12077 to CIVPRO Engineering in the amount of \$25,000.00 for Next Phase of GIS

**A motion was made to approve P.O. 12077 by Scott Svab**

**Second by Dan Bucher, Jr.**

Mayor Schultz asks Mr. Dylewski, how many more steps are there to get us to the point where we are budgeting so much each year? Mr. Dylewski says the data collected is at 50%-60% range, once everything is finished being collected the model of the map comes. That is where a lot of the work is involved in actually creating the GIS mapping through the software. They also have started scanning in maps. Mayor Schultz asks when will everything be done? Mr. Dylewski says for the infostructure is a two-year process.

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

P.O. 12066 to CTI Engineers, Inc. in the amount of \$108,750.00 for Water Tower Design Project

**A motion was made to approve P.O. 12066 by Scott Svab**

**Second by Dan Bucher, Jr.**

Mrs. Donaldson asks if we have to do this to get the grant. Mr. Svab says yes.

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

P.O.12067 to CIVPRO Engineering in the amount of \$22,500.00 for Water Tower Project -Survey Phase

**A motion was made to approve P.O. 12067 by Dan Bucher, Jr.**

**Second by Scott Svab**

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

P.O. 12060 to JA Chapanar Excavating in the amount of \$45,389.00 for the Ash Street Waterline Repair

**A motion was made to approve 12060 to JA Chapanar Excavating by Dan Bucher, Jr.**

**Second by Scott Svab**

Mrs. Donaldson asks if this is the one, they were just talking about annexing. Mayor Schultz says no this is Ash Street to replace that line.

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

P.O. 12062 to Ohio Municipal Joint Self Insurance Pool in the amount of \$51,338.00 for the 2019 Property and Liability Insurance Renewal

**A motion was made to approve P.O. 12062 by Scott Svab**

**Second by Dan Bucher, Jr.**

Mrs. Mayberry says that she had asked Bill if this was a three-year proposal policy. She asks how much the \$51,338 for? Mr. Rouse says one year. Mrs. Mayberry says the reason she is asking is because she is aware of a gentleman, Rob Beglin, has tried to get ahold of Mayor Schultz, to come in here to propose going with Public

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

Entities Pool of Ohio. He works for USI Insurance. In 2017, the Public Entities Pool of Ohio was added to the Ohio Municipal League list of endorsing agencies. Because of a lack of response of claim and less than adequate service, they severed a 22-year relationship with the Ohio Municipal Joint Self Insurance Pool. The Village of Clinton changed to PEP a year ago. She says they got better insurance rates, cheaper rates, and we should be doing our due diligence to get the best rates possible for the liability and property insurance for this town. They will come in and access the town. All they needed was a section of our policy of our locations, buildings and equipment to give us a proposal. She says right now it is too late because it is up in April. Mrs. Mayberry suggests we do this on a one-year basis and entertain someone else between now and next April. Mr. Whittington asks if the savings were substantial. Mrs. Mayberry says yes for Clinton the savings were substantial but additional insured items that were not covered was like a no brainer. Mrs. Mayberry feels like we could be better stewards of our finances by looking at other places. Mrs. Donaldson agrees. Mrs. Mayberry says instead of committing to three years we should commit to 1 year.

Mayor Schultz says that is what this is for. Mr. Rouse says this is for one year. On the renewal package there is a three-year option. Mr. Whittington asks when can we start getting proposals. Mrs. Mayberry says it is too late now but he tried contacting us in November. Mayor Schultz says that he talked to him four times. Mrs. Mayberry says she knows. Mayor Schultz adds don't say he tried to contact me. He says he talked to me and basically, he is a salesman. He adds if you want me to start letting salesmen come to council meetings. Mr. Cozy says we go through a local broker and this guy is approaches people and cutting prices. Mayor Schultz says he is asking council for direction. When a salesman like this call and wants to come to a council meeting and present something. Mrs. Mayberry says he just wanted to have a section of our policy to go through and present us with an alternative. Mayor Schultz says he wanted to come to a council meeting. He says so he asked him what he wants to talk about and he said insurance rates. At no point in time did he ever ask for any documentation. Mrs. Mayberry says she believed that was done earlier in an email before you got involved. Mr. Svab says he knows the previous carrier, we were paying \$62,000 and that was over 10 years ago. He says with OML we saved. He adds that we have more assets and the premium is based on how much your community is worth and exposure to liability. Mr. Cozy says that we went to our broker and asked them to research the alternative, they came back saying we are best staying where we are. Mr. Rouse says that DiStefano did indicate that the actual rates didn't go up at all this year. Our costs went up a little because we have the service building and additional assets.

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

**A motion was made to receive the February Financials by Scott Svab**

**Second by Dan Bucher, Jr.**

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

**BILLS:** February \$426,653.68

**A motion was made to approve February Bills by Scott Svab**

**Second by Dan Bucher, Jr.**

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

**OLD/NEW/OTHER BUSINESS**

**REPORT OF PRESIDENT PRO TEMPORE**

**REPORT OF SPECIAL COMMITTEES**

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

**Donna Matakó**

**2001 Byrd Drive**

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

Says she was here four weeks ago with her handout and backstory. Her first question is what has been done since then? Mayor Schultz says basically nothing. He says there is a preexisting non-conforming use of that property. There is not much they can do.

Mrs. Matakko asks if there is a certificate on file for his ongoing non-conforming use zoning? Mr. Cozy asks what is the non-conforming use, slaughtering animals? Mayor Schultz says yes. Mrs. Matakko asks council to explain to her non-conforming use. Mayor Schultz says his understanding is a business that would never get permission to start up. Examples are a junk yard or a slaughter house. That property at one time was a slaughter house. That is a use that we would never permit in the City of Canal Fulton, so that is non-conforming.

Mrs. Matakko says the first page in the packet is zoning B1 which is general retail office district. This is actually what the entire strip plaza is. He pays taxes on being zoned B1. It is on a Stark County map as being zoned B1. On every public record it is zoned B1. If we go on the premises that he is using his non-conforming clause because he was a slaughter house. If you go at least two years with not doing you're your non-conforming for then you are no longer non-conforming. Mayor Schultz responds that is why you see the deer caucuses out there because they process deer when it is deer season. Mr. Cozy says the trucks are not legal to B1 but they are legal to B2. Mayor Schultz says so that is a use that would be permitted. She goes back to a certificate that is supposed to be on file not only here but with Stark County and he has to apply for that every year to continue this. Mrs. Mayberry says this has to be renewed every year, correct? Mrs. Matakko answers yes. Mr. Hoy asks if they are processing or slaughtering. Mayor Schultz says that all they are is gutted when they arrive.

Mrs. Matakko reads 1146.01 definition of Certificate of Compliance. Is statement certifying that a building or other structure is in compliance with the provisions of all existing city code. It is a lawful existence non-conforming building or use for the purposes designated. It also says that non-conforming clauses or uses are temporary. They are specifically set up for people who are in a business where there is no zoning and zoning comes into being and they are given a temporary non-conforming use but ultimately, they are supposed to come forward to what the zoning laws and regulations of what their municipality is. It is not supposed to go on for 70 years.

She references page 9 in her handout. Noise Ordinance. She reads- C. The City Manager or his or her designated representative shall have the authority consistent with this section to grant special variances. Mayor Schultz asks if that means granting a variance to allow the noise or prohibit it? Mrs. Matakko says you can grant a variance to prohibit if you wanted to. Mr. Whittington reads against the adverse impact on the health, safety and welfare of those effected.

On the next page of the handout, she reads, Canal Fulton Codified Ordinances, no person shall stop stand or park a vehicle for any purpose or length of time other than for the expedited unloading and delivery or pick up or loading of materials in any place marked as a truck loading zone during hours when the provisions are applicable in such zones are in effect. In no case should the stop for unloading and loading of materials exceed more than 30 minutes. Whoever violates this section is guilty of a minor misdemeanor in first offence.

She says when you get to unloading and loading zones every business has to provide for loading and unloading zones. Those zones cannot be parked in. They cannot be parking spaces. They have to be specifically used for loading and unloading of material. Mayor Schultz replies, so we would have to shut down all the businesses downtown.

Mrs. Matakko says her oncologist asked her if she has any predisposition to female cancers in her family. She says no, none. With diesel fuel running it produces nitroxide which creates hormone receptive positive cancers in women. It increases the odds by 10%. Mrs. Matakko says that she had hormone receptor positive breast cancer in 2011. Eight years after moving into this property. The person who lived directly next door to Mrs. Matakko, Bob, lived there and couldn't take the noise. He moved out seven years after he moved in there. He died two years later of cancer. Mrs. Nary in the cul-de-sac now has lung cancer. She says the lady across the street died of cancer. That's 6 people that live in a cul-de-sac, 4 of which had cancer.

Mrs. Matakko says every record on file indicates that this is zoned B1. She says how was she supposed to know. She would have never moved into that house if she had any inkling that there was going to be industrial activity up there. She asks how is she supposed to sell this house? She will have to explain this to whoever moves in there. There is noise and

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

stench. When it is 90 degrees and they don't empty the dumpster. When she sees that it is zoned B1 or B2 she felt comfortable moving into that house.

What Mrs. Matakos wants from the city is for them to read her handout and tell her what they see and learned. She wants some sort of in writing, what council plans to do about the issue. She says it is not just an issue for her it is an issue for the whole city. There are trucks sitting everywhere, not just in her backyard. Mrs. Matakos within 30 days she would like something in writing saying what the plan is.

Mr. Cozy asks if she has been to the Planning Commission on this and talked to the actual zoning official? Mrs. Matakos says she did, and Steve told her that this is unheard of. Mr. Cozy says that is who has to recommend to us anyways. Mrs. Mayberry says but he works for you Mr. Cozy. Mr. Cozy explains that when he leaves the meeting, he goes back to Planning Commission and talk to them it goes back and forth. He says we need to actual sit-down Planning Commission. Mrs. Mayberry asks Mrs. Matakos if she got this out of our code? Mrs. Matakos answers, yes. Mrs. Mayberry says this is our law now. Councils before us created this and this is in effect. Mrs. Matakos says correct. Mrs. Mayberry says that this is out of our hands. They are to be enforced by the City Manager. Mrs. Mayberry says how he goes about doing it is his job not her job to tell her how we are going to enforce what is in our code. Mrs. Matakos says then who should she be talking to. Mrs. Mayberry says the City Manager. Mr. Cozy says she needs to go to the Planning Commission because we need to confirm that the preexisting non-conforming use.

Mrs. Matakos adds that they don't even have a certificate on file and they are supposed to file every year. That automatically negates them from having a non-conforming use. The other fact is the fact that they stopped slaughtering. Slaughtering to her is bringing the live animals, feeding them and then slaughtering them. Mrs. Mayberry and Mrs. Donaldson say she is correct. Mayor Schultz thinks that is not the only thing. He says it is just the whole entire business where their hours wouldn't be set like other businesses set their hours. Preexisting non-conforming use means that he can open and close, but he never really closes. He can unload those trucks at midnight if he wants to but he does not. Mrs. Matakos says so none of your laws and regulations apply to this man. Mr. Cozy says that is in the vehicle code, so call the Police Department. He asks if this is in a Right of Way or on private property? Mrs. Matakos says it is in a loading and unloading zone which is in the Ordinances. Mr. Cozy says he has to go back and look at the overall code and see if this pertains to private property of public right of way. Mayor Schultz says when you read, they can't be left running for 30 minutes, if they turn the key off and back on does the clock start again? Mrs. Matakos says no because they also have to be loaded or unloaded.

Mayor Schultz explains that we go by what the Law Directors recommendation. When he tells us, what preexisting non-conforming is until we see something different.

It was asked if they have new owners now? Mayor Schultz answers, yes, as of this week. Mrs. Matakos says her other question would be, if they have new owners is their grandfathered non-conforming going to continue? Mayor Schultz responds, that's what he asked. What he believes is when you buy the business, as long as you meet the conditions of the non-conforming use. Mrs. Matakos says when you get the permit, she would like to see them all the way back to 1972. Every year from 1972. Mrs. Mayberry suggests making a public records request with the City Manager.

Mrs. Matakos request is that she wants a certificate for every year since they have been non-conforming or grandfathered in because if they missed one year then they lost their non-conforming.

**Tim Hoy**

**525 Ericsson Drive**

On February 17<sup>th</sup>, there was a refrigerator unit running on a truck, # Canal Fulton Provision truck. Doors open with nothing in it but running. Officer Yarnell came up and said he was going to look around and it was obvious no one was there. A few days later it happened again. Mr. Hoy is wondering if the police went up there to speak with the Owners to tell them what happened. Mayor Schultz says that he went up. He has been up there a couple times and what he told me was that one day a week they deliver one day a week to businesses in Cleveland so the truck has to be plugged in and running so that it is ready to go. Mr. Hoy says the truck wasn't running the refrigerator unit was. Mayor Schultz says he doesn't know what it is but he asked and that is the answer he received.

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 19, 2019**

Mr. Swartz reads the police report filed. Basically, he went out made contact with the dispatchers and cleared but didn't do a report. Mr. Swartz says he thinks the root of this, what was provided with the language, is something we can look at to see if it applies. Mayor Schultz says the other proposal he gave them was to put up a sign for the trucks that said "don't go beyond this point, unless open for business."

Mrs. Matako says that personally makes sense for her but what about the residents across the street or the trucks all over the city. She says this is bigger than just her. Mayor Schultz agrees and says the city has to look at it.

**Mike Todaro**

**2028 Byrd Drive**

Mr. Todaro says if everyone is saying that he is B1. He says he doesn't know for sure but he is assuming that you pay more taxes if you are industrial verses B1. Mrs. Matako says absolutely. Mayor Schultz says the auditor looks at it as a B1.

**ADJOURNMENT**

Meeting adjourned at 9:03 p.m.

**Meeting minutes prepared by: Alyssa Bettis**

---

**Meeting minutes approved by: Mayor Joseph A. Schultz**

---



# RECORD OF RESOLUTIONS

BEAT GRAPHICS 800-326-8064 FORM NO. 30045

Resolution No. 4-19

Passed 2-19

, 2019

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO ENTER INTO AN AGREEMENT WITH THE BOARD OF TRUSTEES OF LAWRENCE TOWNSHIP, STARK COUNTY, OHIO FOR MAINTENANCE AND REPAIR OF SHARED ROADWAYS.

WHEREAS, The City of Canal Fulton, Ohio has sought an agreement for Maintenance and Repair of Shared Roadways.

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 with The Board of Trustees of Lawrence Township, Stark County, Ohio for Maintenance and Repair of Shared Roadways pursuant to proposal attached as Exhibit "A" and incorporated by reference herein.

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

ATTEST:

Alyssa Bettis  
Alyssa Bettis, Clerk-of-Council

I, Alyssa Bettis, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution \_\_\_\_-19, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_. 2019, 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 \_\_\_\_\_, 2019.

Alyssa Bettis  
Alyssa Bettis, Clerk-of-Council

SEF/bp



Exhibit "A"

MEMORANDUM OF AGREEMENT

THIS MEMORANDUM AGREEMENT is entered into this effective date, \_\_\_\_\_, 2019, by and between The Board of Trustees of Lawrence Township, Stark County, Ohio ("Lawrence"), an Ohio political subdivision, and the City of Canal Fulton, Stark County, Ohio ("Canal Fulton"), an Ohio political subdivision.

RECITALS

WHEREAS, R.C. 5535.15 authorizes political subdivisions to cooperate in the maintenance, repair, construction, reconstruction, or other improvement of any section of road under the control of another subdivision; and

WHEREAS, it would serve the mutual benefit of residents of Lawrence and Canal Fulton to provide for the general maintenance and repair of shared roadways through the express designation, and sharing, of equipment, personnel, materials and other resources; and

WHEREAS, the Parties now wish to reduce their agreement to a written memorandum.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

AGREEMENT

1. Lawrence agrees to assume maintenance and repair responsibility for approximately 1,400 feet of Lafayette Drive, NW, from \_\_\_\_\_ to \_\_\_\_\_, located within Canal Fulton.

2. Canal Fulton agrees to assume maintenance and repair responsibility for approximately 900 feet of Cherton Street, NW, from \_\_\_\_\_ to \_\_\_\_\_, located within Lawrence.

3. The scope of maintenance and repair encompassed by this agreement includes:  
\_\_\_\_\_, snow removal and ice control.
4. The exchange of materials, labor and services is recognized as an approximately equal exchange, in terms of value, and, accordingly, neither Lawrence nor Canal Fulton shall be liable to reimburse the other as payment for such materials, labor or services.
5. The maintenance and repair services which will be provided by each subdivision shall be those which are reasonably necessary.
6. Any plans, reports, documents, or other materials relating to the respective projects will comply with applicable design criteria of the department of transportation and/or Stark County Engineer.
7. Both Lawrence and Canal Fulton have available the funds necessary to fulfill the obligations for maintenance and repair assumed under this agreement.
8. This agreement may be terminated by either Party by providing at least 30 days, written notice to the other Party. In the event of termination, the segments of roadway addressed herein shall default to the responsibility of the political subdivision in control thereof.
9. Nothing contained within this agreement or occurring under this arrangement is intended to modify, limit or suspend any applicable immunities provided by law or to otherwise modify or shift responsibilities for Workers Compensation purposes.

**IN WITNESS WHEREOF**, the Parties have entered into this Agreement as of the effective date set out above.

/// signatures are contained on the following pages ///

**LAWRENCE TOWNSHIP, OHIO  
BOARD OF TRUSTEES**

\_\_\_\_\_  
MICAH EL STEVENS, Trustee

\_\_\_\_\_  
LES KAMPH, Trustee

\_\_\_\_\_  
SHAWN LOCKHART, Trustee

Approved as to form:

\_\_\_\_\_  
Counsel for Lawrence Township

**Certificate of Resources**

The undersigned hereby certifies that the amount required to meet the obligation of the foregoing agreement, order or obligation has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances.

\_\_\_\_\_  
Fiscal Officer

\_\_\_\_\_  
Date

CITY OF CANAL FULTON, OHIO

By \_\_\_\_\_

Title \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Counsel for City of Canal Fulton

**Certificate of Resources**

The undersigned hereby certifies that the amount required to meet the obligation of the foregoing contract, order or obligation has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances.

\_\_\_\_\_  
Fiscal Officer

\_\_\_\_\_  
Date

Ordinance No. 7-19

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

An Ordinance Amending Ordinance 45-18, 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, 2019, which were not anticipated or included in Ordinance 45-18, as the City's 2019 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 appropriations by \$23,250.00 to pay for the master plan for developing the community park. This expense will be reimbursed through the State grant.

Fund/Department	Previously Approved	Change	New Appropriation
<b>Capital Projects Reserve Fund - 390</b>			
Capital Projects Reserve Fund	\$10,300.00	\$23,250.00	\$33,550.00

**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:

\_\_\_\_\_  
Alyssa Bettis, Clerk of Council

I, Alyssa Bettis, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance \_\_\_\_\_, 19, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2019, 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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
Alyssa Bettis, Clerk of Council

Ordinance No. 8-10 Passed \_\_\_\_\_, 20\_\_\_\_

An Ordinance Amending Ordinance 45-18, 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, 2019, which were not anticipated or included in Ordinance 45-18, as the City's 2019 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 appropriations by \$131,250.00 to pay for the engineering costs for the water tower design.

Fund/Department	Previously Approved	Change	New Appropriation
<b>Capital Projects Reserve Fund - 341</b>			
Water Capital Projects Fund	\$250,000.00	\$131,250.00	\$381,250.00

**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:

\_\_\_\_\_  
Alyssa Bettis, Clerk of Council

I, Alyssa Bettis, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance \_\_\_\_\_, 19, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2019, 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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
Alyssa Bettis, Clerk of Council



Ordinance No. 9-19

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

An Ordinance Amending Ordinance 45-18, 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, 2019, which were not anticipated or included in Ordinance 45-18, as the City's 2019 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 appropriations by \$11,500.00 to pay for stump and brush removal, and engineering field survey expenses at the community park. This expense will be reimbursed through the State grant.

Fund/Department	Previously Approved	Change	New Appropriation
<b>Capital Projects Reserve Fund - 390</b>			
Capital Projects Reserve Fund	\$33,550.00	\$11,500.00	\$45,050.00

**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:

\_\_\_\_\_  
Alyssa Bettis, Clerk of Council

I, Alyssa Bettis, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance \_\_\_\_\_, 19, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2019, 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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
Alyssa Bettis, Clerk of Council



**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: RG012105  
P.O. DATE: 03/22/19  
DEPARTMENT: POLICE  
CREATED BY:  
VENDOR NO.: 01665

DELIVER TO:

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

VENDOR:

WATCHGUARD VIDEO INC  
415 CENTURY PARKWAY  
ALLEN, TEXAS 75013

ACCOUNT NUMBER	AMOUNT
391.250.5730	\$5,975.00

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 CAMERA SYSTEM FOR NEW POLICE CAR		\$5,975.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____		
<b>TOTAL:</b>				<b>\$5,975.00</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**

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: RG012101  
P.O. DATE: 03/22/19  
DEPARTMENT: STREET  
CREATED BY:  
VENDOR NO.: 03280

DELIVER TO:

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

VENDOR:

UTILITY TRUCK TRADER LLC.  
4884 CORPORATE STREET SW  
CANTON, OH 44706

ACCOUNT NUMBER	AMOUNT
391.360.5730	\$21,631.50

THE ABOVE PURCHASE ORDER NUMBER MUST APPEAR ON ALL BILLS AND PACKAGES. Material on this order is exempted from the Ohio Sales Tax and Federal Excise Taxes.

FEDERAL ID # 34-6000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		2001 INTERNATIONAL BUCKET TRUCK		\$21,631.50
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
			<b>TOTAL:</b>	<b>\$21,631.50</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**

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: RG012102  
P.O. DATE: 03/22/19  
DEPARTMENT: POLICE  
CREATED BY:  
VENDOR NO.: 03149

DELIVER TO:

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

VENDOR:

STATEWIDE EMERGCENY PRODUCTS  
1108 WEST MAIN STREET  
VAN WERT, OH 45891

ACCOUNT NUMBER	AMOUNT
391.250.5730	\$8,507.00

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  THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		\$8,507.00
			TOTAL:	\$8,507.00

**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:**



# 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: RG012103  
P.O. DATE: 03/22/19  
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	\$31,842.50

THE ABOVE PURCHASE ORDER NUMBER MUST APPEAR ON ALL BILLS AND PACKAGES.  
Material on this order is exempted from the Ohio Sales Tax and Federal Excise Taxes.

FEDERAL ID # 34-6000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		2020 POLICE EXPLORER		\$31,842.50
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
			TOTAL:	\$31,842.50

**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

D:

City Manager / Mayor

D:

... AND EITHER THE CITY MANAGER OR MAYOR

