

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

May 28, 2019

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**

5-21-2019 Council Meeting Minutes
 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 10-19: An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations. (\$21,500 - archeological study and other expenses at community park)

Ordinance 11-19: An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations. (\$45,000 – YMCA utilities)
 9. **SECOND READINGS**

Ordinance 12-19: An Ordinance Amending Ordinance 48-18, Rates of Pay for Non-Bargaining Employees, and Repealing Any Ordinances in Conflict Therewith

Ordinance 13-19: An Ordinance Amending Ordinance 48-18, and Providing for Changes to Previously Authorized Appropriations. (\$11,400.00 – engineering to connect Wooster St waterlines to new water tower)
 10. **FIRST READINGS**
 11. **P.O.s**
 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**
- Resolution 5-19:** A Resolution by the Council of the City of Canal Fulton, Ohio to Adopt a Policy for the Law Enforcement Trust Fund
- Ordinance 14-19:** An Ordinance Amending Section 111.04 of the Codified Ordinances of the City of Canal Fulton Relating to the Pay of Members of the Council and Mayor, and Repealing any Ordinances in Conflict Therewith

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CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

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

City Staff present were Law Director Scott Fellmeth, City Manager Mark Cozy, Finance Director William Rouse, Fire Chief Ray Durkee, Street Superintendent Gary Hosking, Police Chief Doug Swartz

Others in attendance were Carla Rante, Chell Rossi, Jeanann VanDenBerg, Wendy Kertesz, Earl Minks, Jenni Stevenson, Leslie Wyman

REPORTS OF STANDING COMMITTEES

Mrs. Mayberry says that the Personnel Committee met. The Finance Director handed out sample legislation for North Canton and I believe the other place was Olmsted Falls and some salary ranges for not only Council but the Mayor and other positions. At this time the focus was on Council and the Mayor and the recommendation from the Finance Director which will go to legislation for full Council vote was to prepare legislation that coincides with Ohio Public Employee Retirement System full-service credit threshold increases. Right now, Council is at \$600.00 a month and the threshold is \$660.00. So, Council does not get a full council credit unless they make \$660.00 a month and this Council does not. I believe except for the Council President may make that; I can't remember.

The other position that we discussed was the Mayor recommendation was that the Mayors position salary increase from \$9,900.00 to 15,000.00 a year. That will be on legislation that will be prepared and come back to Council and the rest of the salary ranges that were distributed will be discussed for the budget at the end of the year for possibly making some changes for next year's salaries.

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

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

5-7-2019 Council Meeting Minutes

A motion was made to approve the 5-7-2019 Council Meeting Minutes by Sue Mayberry.

Second by Bonnie Donaldson.

Mrs. Mayberry and Mrs. Donaldson say they were very well done. Mrs. Mayberry says the only thing she saw was on page 6 about 4 paragraphs up reads, "Mrs. Mayberry did not know they were going into Executive Session" and I don't remember ever saying that. Mrs. Donaldson says I think I did.

The minutes will be adjusted to reflect that it was Mrs. Donaldson.

All Council Members vote yes. Motion approved.

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens – No Report

Community Service – Mayor Schultz says Mr. Murphy will be interviewing the summer work kids next week and look to get started with them. I believe the 3 young ladies that worked at the museum last year all decided to come back and work for us again this year. The kids will start as soon as school is out.

Fire Chief – This is EMS Week and one of the things I wanted to do, I don't have a formal report, but I was looking over the last 7 days of incidents we had and if you'll bear with me, I'll read through some of the incidents that we responded to. Starting with the 14th we responded to a patient lift, accident with injuries, domestic, possible

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stroke, circular saw laceration, and a cardiac arrest; that was Monday. Next day, chest pains, somebody passed out, fall from a ladder, bowel obstruction, short of breath, and an unknown medical. On the 16th a public service call, chest pain, panic attack, and medical alarm. The 17th a public service call, difficulty breathing, patient lift, leg pain, laceration, possible freon exposure, patient lift, medical alarm. On the 18th next couple days weren't near as much but there was a shortness of breath, possible stroke on the 18th, on the 19th another possible stroke, hot flashes, and branch in the power lines was burning, whole body pain. On the 20th medical alarm and today there was a DOA, somebody got their hand caught in the wheel of a vehicle they were moving, and a shortness of breath. So that just a week's time some of the things that we respond to. So, being that it is EMS Week I just wanted to go over some of the things we do. Mayor Schultz says you can see why we are at an average of 3.8 calls a day. In conjunction with that because it is EMS Week, we have a proclamation to read. Mayor Schultz reads an email and Proclamation regarding EMS Week:

Monday is EMS education day highlighting community education such as CPR, First Aid and Stop the Bleed programs. Tuesday is Safety Day focusing on risk and prevention for both EMS providers and the community. Wednesday is EMS for Children Day highlighting the physiological and psychological aspects of caring for children and the specialized care for children in the pre-hospital setting. Thursday is Save-A-Life Day No matter how rapid EMS responds; bystanders will be there first. Save-A-Life Day empowers the general public to learn and apply steps that can be lifesaving. Friday is EMS Recognition Day to recognize our local EMS system and it's many heroes from call takers, to dispatchers, Law Enforcement Officers, first responders, EMTs, Paramedics, Medical Control Physicians, Emergency Room Doctors, Nurses, Emergency Room Technicians, Trauma Surgeons and all supporting staff.

The Proclamation reads as follows:

I, Joseph A. Schultz, as Mayor of the City of Canal Fulton, hereby recognize Emergency Medical Services Week, May 19-25, 2019, in the City of Canal Fulton; and

WHEREAS, emergency medical services are a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services have grown to fill a gap by providing important, out of hospital care, including preventative medicine, and follow up care; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

THEREFORE, I, Joseph A. Schultz; Mayor of the City of Canal Fulton, proclaim the week of May 19-25, 2019, as Emergency Medical Services Week.

With the theme, EMS Strong: Stronger Together, I encourage the community to observe this week with appropriate programs, ceremonies and activities.

Chief Durkee says he just has one more thing he would like to bring to Councils attention, Chell Rossi asked me to do a report for the TAP Committee which I could not attend but we ran some reports on the amount of times we've used Narcan for opioid use and all of last year we used Narcan one time and up to this point this year we've used it once so we've seen a drop in our experience with the opiates.

Mrs. Mayberry asks how the newest members of the Fire Department who are under 21 years old, how are they doing with their training on driving the equipment and things like that? Chief Durkee says they are doing really well. It is a slightly difficult thing to manage because these young people when they get out of high school they are looking to earn money so they may not be spending a lot of time with us and we may

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see absence with them but we have a couple of young people that get out there and are there all the time and they are making the trips to the hospitals with the ambulances and things like that. Again, we don't throw them out there lights and sirens right away, they are integrated into that. Normally they would go to the hospital and they may drive back, they get a lot of drive time in the area, and they pretty soon they do start driving to the hospital under emergencies, not the ones that require the lights and sirens they eventually graduate to that. The ones that are doing that we have had some good success with and before you know it, they turn 21 anyways. Police Chief – Chief Swartz Monthly Report is included in the packet. Chief Swartz says he would like to schedule a Public Safety Meeting for towing. We kind of talked about this in the past restructuring our towing and the proper channels to bring this to a committee meeting. So, on the 18th I would like to schedule one at 6:30pm. Mrs. Mayberry asks what day. Chief Swartz says June 18th, it will be the second Tuesday. Mayor Schultz asks who chairs the Public Safety and Mrs. Donaldson replies she does. Mayor Schultz asks if she is ok with that date; she replies, sure.

A motion was made to set a Public Safety Meeting to discuss the restructure the towing operations of the Police Department for June 18th at 6:30pm by Bonnie Donaldson.

Second by Scott Svab.

All Council Members vote yes. Motion approved.

Engineer – Mayor Schultz says that Mr. Dylewski may or may not make it. He is at his son's band banquet so I excused him.

We had the bid opening on the Community Park project that was Friday and I think what we are hoping to do is see if you have any questions now and then we would like to schedule another regular council meeting for a couple of different reasons, for next Tuesday the 28th. One would be for the decision about the Community Park bid who to award it to and that will give all the Council members time to review the bid packets and if you have any questions. That will give you an opportunity to talk to Mr. Dylewski or Mr. Fellmeth if you had questions related to that.

The other reason is we would like to get the process started for Monarch Living Resorts to be able to have 3 readings for their zoning change so if we had another regular Council Meeting next Tuesday we could have legislation prepared to have a first reading and then second reading June 4th and then the third reading on June 18th. Wendy is here and she can speak to that if you need her to. So, with that said if I could get a motion from somebody to call for a regular meeting for Council next Tuesday. Mr. Svab asks if 6:30pm is good for everyone instead of 7. Everyone agrees they are ok with it.

A motion was made to set a regular Council Meeting for May 28th at 6:30pm by Scott Svab.

Second by Danny Losch.

All Council Members vote yes. Motion approved.

Mrs. Mayberry asks if they will have any documents to look at; like what they submitted. Mr. Cozy says he sent an email out to everybody on Council but Sue's came back. Mrs. Mayberry says that she did get it. Mr. Cozy asks from Carla or from me. Mrs. Mayberry says from you, the first one. Mr. Cozy says ok, because it came back. Mrs. Mayberry says the same thing happens to Mr. Fellmeth, they come back undeliverable.

Mayor Schultz says the books are out there but we may have to rotate them if you want to look through them. Mrs. Mayberry says so Mr. Dylewski is going to explain to us why the one was incomplete? Mayor Schultz says yes, if you want to refer any questions to him; Scott would you like to speak to this?

Mr. Fellmeth says the lowest bid was Cavanaugh and they did not fill out the bidding documents properly. They didn't follow procedure and I'll let Keith speak to that but that was the main complaint that he had was that he did not fill out the documents correctly. Certain documents needed to be notarized and it wasn't. Mr. Cozy says the next bidder up their references aren't checking out so we are still looking at that too. In the meantime, Mr. Fellmeth and Mr. Dylewski will need to go through everything and hopefully Scott will have a recommendation for the meeting next week

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and we can get this project going. Mr. Fellmeth says the 3rd bid is only off by less than 1% and they are a local business which is paying taxes into our community so that should be looked at seriously as well. We are looking in to all possibilities to make sure that we have a fair process and that Council is made aware of all the facts and can make an appropriate decision.

Streets - Mr. Hosking says that the yard waste site is fully open now. We had Harbaugh Earth Moving come over and bulldozed the area out so now it's more solid and more open so you can dump down below or up on top like they have been doing.

The Streets Department and Utilities Department, 7 individuals went to trenching class certification class today. All the Utility and the 3 Street Department guys are now all certified now for trench safety so that's a good thing.

We are still waiting on another estimate on sidewalk repairs for downtown. We have anywhere from 6 to 9 sections that need to be fully replaced and still debating, I guess it would be up to Council, about doing some of the areas back in brick or back to concrete to fill in the ground down areas. There are 6 to 9 areas that have to be totally replaced due to the evening of the sidewalks. There are 28 sections that have to be either concreted in or bricked in, like I said we have only got one estimate back so far from the concrete company still waiting to hopefully get 2 more in. The Street Department can do the brick work but it's anywhere from 10 days to 2 weeks and that's pulling my guys off the street.

The next thing was on June 3rd we are going to start painting over on the west side, Lafayette, Warwick Street some of these areas need to be brought up before we chip and seal. We met just before the meeting about the brick repair on High Street and we are still waiting in another estimate on getting the curbs redone.

Mayor Schultz asks Mr. Hosking to share with everyone about the recycling day. Mr. Hosking says he thought it went really well, a lot of people didn't realize we were doing it. We collected almost 4 full dumpsters. Everyone that showed up was very appreciative of it. Mr. Hosking says it was a success and hopefully next year it will be even better. We collected over 150 tires; which was one of the biggest items. Furniture, TV's, computers, odds and ends, everyone was appreciative and it was an overall success for the first year we did it. Mayor Schultz asks if anyone has questions or Gary.

Mrs. Mayberry says maybe not so much for Gary but he is bringing up a question about the open areas where the trees were removed and there's just that grit laying there, limestone stuff. Mr. Hosking says it was crushed limestone. Mrs. Mayberry says she wants to know whether he should brick them or concrete them, right? You don't want to leave them how they are. Mr. Hosking says no we don't want to leave them. Mrs. Mayberry says until you make a decision. Mr. Hosking says right; we have only received one estimate from the concrete company so I'm still waiting on word back from 2 more. Mrs. Mayberry says are there some that I've seen that you have pulled the old green planters on top of them. Mr. Hosking says yes; we did on some of them. Mrs. Mayberry says so you want those off before so you can fix them. Mr. Hosking replies yes, and we have removed quite a few of them from the downtown area. Mrs. Mayberry asks if they will be used again this year. Mr. Hosking says that they have 19 of them. Amanda's Plant Farm and the Girl Scouts last week, this past weekend came down and planted 18 of the planters. Right where the Creamery is at and the boardwalk, you'll see them through there, you'll see them through out downtown. Amanda's Plant Farm also did the 7 that are sitting in front of the Canalway Center. She did a fantastic job. It was a program that the Girl Scouts, don't quote me, get some sort of merit badge or award for doing it. She had them come out on the 18th, she provided the plants and the Girl Scouts planted them. Mrs. Mayberry says not to belabor this but I just want to make it clear, will it be your decision on whether you brick or whether you concrete? You don't need us to tell you what to do. Mr. Hosking says depending on cost I would like Council to make that decision. Mrs. Mayberry says I want you to get the best price and do what you feel looks aesthetically nice, I don't want it to become one of those things. Mr. Whittington says to get the Historical Society involved on that one too. Mrs. Mayberry says she is afraid to say nothing and then have people assume we've said yes or no or whatever. Mr. Hosking says just to clarify if I go down there and out concrete down there and all a sudden now why wasn't the brick put back in there. Mr. Hosking says he is just trying to cover all bases. Mayor Schultz says were getting numbers and counting the costs. Mrs. Mayberry says I thought the boxes were going to go over those spots. Mayor Schultz says if you did that then you lose clearance space for making sure

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people can open their car doors. Mayor Schultz says someone sent him a picture from Cambridge and they had benches that faced each other similar to ours, they didn't have them exactly where the lines for the parking spaces were but that's one of the things Gary and I looked at is spacing for the boxes. Mr. Hosking says as the Mayor stated we went down and walked through the City and determined where would be the best place to set each one. You don't want to set them in the middle of the parking spot you want to set them in between so there's no cars. We've placed them where we think they look correct to beautify downtown or however you want to put it. The biggest thing is we also have to fix what is down there now. You don't want to sit those boxes back on top of those because then you'll have to move them to fix them. It's going to be a process but most of these will not be placed back on the spot. Mayor Schultz says we want to do it right and count the cost and do like Eric said get input from people. So, we are working at it and like I said a couple months ago, God doesn't judge us until we're done.

Public Utilities – Mayor Schultz says the guys in the Water Department started putting in some meters I believe on Ericsson. Grant from Core & Main he came in and we think it is working with the handheld devices but that will be a process we continue to develop.

The other thing I wanted to point out for our businesses is we've sent out letters to our businesses about the backflow prevention program. We have to confirm the phone number that may have been on there. It may be connected to our old building I had one business owner tell me today he called that number and no one ever called him back so we think that's what the issue is. The backflow prevention is a program that we are starting with our businesses in town here, it's mandatory, we don't have any choice in the matter, it's being regulated by the EPA. So, if people have any questions, they can reach out to our Water Department or call me. Mrs. Mayberry asks what exactly is backflow prevention. Mayor Schultz says they are trying to prevent backflow into our water system. Here's a good example if your spigot was down below your sink level so if this was my spigot (demonstrating with water bottle) and the water level can come up to the top of my sink then there is a possibility that what can happen is through backflow the water can be sucked out of, it can be contaminated water, sucked back into our system. So, if this is contaminated water and it's in my sink and I stick the head of my spigot down in the water; a swimming pool is probably the best example of all to give. Where someone is draining water off their swimming pool cover and they put a hose in there, if it is hooked up to a spigot by accident there is a possibility that water off the top of the pool cover could get sucked back into our water supply and possibly contaminate our water supply. So, the EPA is mandating that cities go to a backflow prevention starting with businesses. So, what the backflow prevents is any water from being sucked back through. It's kind of like just a valve. Mrs. Mayberry asks if it is on the spigot or where it is located. Mayor Schultz says he believes it is after the meter, I think is where they put it in. Mr. Losch says it's a check valve that only allows water to go in one direction to your house. Mrs. Mayberry says well! it would be homes and businesses, but businesses move the most water? Mayor Schultz says the government probably thinks they have the biggest chance or risk to contaminate because of materials. I shared with the business owner today that if you go to the State of Florida, they've already implemented this to the point of it's a residential issue and residents have to have it in the State of Florida in some cities. It has to be checked every year by a licensed plumber and then you have to pay the City a fee for being checked. So that's what our Water Department, we've kind of put it off as long as possible and the EPA is telling us you need to do this, our guys in the Water Department, Utility Department have gone out and gotten the certifications to understand what needs to be done. Mrs. Mayberry says so they will go into businesses and analyze, and they have to purchase and do it. Mayor Schultz says they'll go into businesses and tell them what they need to do. One of the things, and I haven't done it yet, is I want to call a plumber and tell them to do my house. Ken, you're in the business world you probably know a lot of businesses are requiring this with new construction and some communities are requiring it with new construction on residential housing.

Planning/Zoning – Mr. Cozy says Wendy Kertesz from Monarch Living Resorts is here and she is submitting her formal application for re-zoning of the property so the Planning Commission scheduled a special meeting for this Thursday for that purpose at 6:30pm. That will be reviewed then and then the recommendation made to City Council and then hence that's the purpose of our meeting next week, if it's approved, it should be approved because she already got a tacit approval from them and us last

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year so it was contingent upon the property being transferred and it is in process right now so now we will be moving towards that so we are looking forward to the project. Also, any discussion about that issue?

Also, the HPC did approve an electronic sign then for on the corner of Locust and Cherry, this is the sign in memorial for Ryan Trewin. We've been discussing this since 2011 and finally I think we are at a point where we can begin fundraising and get that final push and get the sign hopefully built this year so, I know the Mayor has been working in it, but that was approved by the HPC last week so I think we are off and running on that. Mayor Schultz asks we will need a voice motion though, right? Mr. Cozy says he does not know, he isn't sure what we need at this point. Mr. Losch says Council has approved that a long time ago. Mayor Schultz says but it was with a backlit sign so this would be with a digital sign. Mr. Losch says well isn't that that Historical Society that approves that? Mayor Schultz says yes, Sue do you want to report back on that meeting for HPC last week when they discussed the digital sign. Mrs. Mayberry says she doesn't know the dimensions of anything. Mayor Schultz says we used the Fellmeth Sign we call it for the Safety Center building so basically it would be by 6 x 10 roughly and that when you started with the whole process way back when. I would feel more comfortable if we had a vote by Council to approve the digital sign. Mrs. Mayberry says well they did say that is was in the corner outside of the (Mr. Losch says Historic District?), no, it's in the (Mayor Schultz says public right-a-way?), yeah, in the public right-a-way. It also can be stated that should the land ever be sold over there that portion wouldn't affect the overall ability to be used for something else down the road. I'm trying to think of anything else that we specifically talked about. One question, when that sign is completed all those other signs that get laid up there are going to be gone correct? Mayor Schultz says that is the plan, that is the purpose of the digital sign is that you can get all that information on there.

Mrs. Mayberry says another thing I would suggest, I'm not asking for any input tonight but, that on that on that corner with the ability for people to come and look at it look at the names whatever, I still feel that on the opposite side would be a great place to put our mural. It's in storage right now, which is fine, it's ok, but I think if you're going to have people looking at that that would be a place where people can view that. Were talking about getting some kind of a scenario on what it would look like on John Hatfield's building, I don't think we've gotten that far yet, I haven't heard anything about that. I think that having that sign there and that other sign there as you come in, might be an attractive juncture at our intersection, just want to throw it out. Mayor Schultz says he like that. Mrs. Kertesz asks how big the mural is. Mayor Schultz says it's almost 40 feet long, it's in parts. The main part is like 12 x 28 but when you add in the ovals to it and things like that. Mrs. Mayberry says the main one with the horses and the boat and then you have, I think a total of 8, circles that go around it. Mayor Schultz says we need to find a home for it. Mrs. Mayberry says there's sizes of all those pieces parts but I don't have it with me right now. Mrs. Donaldson says it is a good idea, it would be nice. Mrs. Mayberry says she originally wasn't in favor of it but people do change their minds. Mr. Fellmeth asks if he has a cost on those. Mayor Schultz says we are looking at about \$20-25,000.00. Mr. Fellmeth says he recalls the original sign at the Safety Center was budgeted fifteen and my family paid the balance which was 5 grand to put it up. Mrs. Mayberry says wasn't there \$5-6,000.00 raised already? Mrs. Wyman says here is \$5,000.00 is in the bank dedicated to the sign that I've raised already. Mayor Schultz says so we will start pursuing grants, the one sign company I talked to and I think I told HPC, that the sales rep is I think the Mayor of Beach City so he's familiar with the governmental process and he is going to try to help us reach out and do some fundraising from the grant aspect.

A motion was made to approve the digital Ryan Trewin Memorial Sign by Danny Losch.

Second by Scott Svab.

Mr. Bucher says he has a question for Mrs. Mayberry as he was unable to go to the HPC meeting last week. Was their recommendation unanimous? Mrs. Mayberry says yes. Mr. Bucher wanted to make sure there wasn't any information we were missing. Mrs. Mayberry says everyone was there.

All Council Members vote yes. Motion approved.

Finance Director – Mr. Rouse has the April Financial Reports included in the packet. Mr. Rouse says first he wanted to say a huge thank you to all of you and to

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especially the Mayor for just the support of our tax reform efforts and the efforts you did to get the messages out to the community. I think with that passing the way it did it's going to be a huge win, win scenario for us for the City and more importantly for our citizens as far as giving them some of their money back and making the filing process easier. One thing I will point out is there has been a little bit of confusion and some of the citizens have come in and said you know this passed there's no more estimates. The new tax law takes effect January 1, 2020, so that when the changes will occur. We still have to finish 2019 under the old law and when you go through the early part of 2020 when you file for 2019 you are still filing under the old law. But the new one will take effect on January 1st, just to clarify that part of it. Again, thank you to all of you for the support efforts there. Speaking of taxes, I have included the April financial reports in your packets all of our tax returns through April have been entered and processed and we pretty much are remarkably even, basically even, on the collections compared to this time in 2018. As a result, when you look at the finances as far as the fund balance and all the other funds and everything, we are pretty much exactly the same as where we were a year ago at this point. I'm hoping that withholdings will pick up a little in the coming months as some of our employers and us as a City get into there months where there are 3 payrolls and that will hopefully pick that up a little bit and we will see a bump there. Just the last thing I have is the Mayor has mentioned that the utility guys have been going out and working on the meters and trying to get them upgraded to the automated technology or starting that process and in Finance we've also started our process of converting the utility billing system from CMI to Muni-Link, were in the process of working with CMI to get 10 years of historical data extracted from the system and then moved over and upload it into Muni-Link and then all of our procedures to cross-check it. Our goal is to have that software at least to a point where we can start looking at it and testing it early this fall and hopefully go live before year end and have people be able to see the new system and interface with it by year end. That's all I have at this time; I will be glad to answer any questions you have.

A motion was made to approve the April Financials by Danny Losch.

Second by Scott Svab.

All Council Members vote yes. Motion approved.

City Manager – Mr. Cozy says he has 2 more items to be discussed. An update on the Civil Services test for police officer entry level, we have 2 positions open, we only had 6 individuals take the test and according to State Law we can, State Law says that the top 10 candidates or the top 25% whichever is greater. I went to the Civil Service Commission and so all 6 will be considered I think next is the strength and agility testing, has that been scheduled yet? Chief Swartz says yes. Mr. Cozy says once we go through that it's a pass or fail test and then after that we will begin interviews. We are very hopeful we'll get some good hires there.

Lastly, I should have passed this out earlier I did get a written response from Bill Roemer our State Representative concerning the Cherry Street Bridge issue and essentially, they have passed it along to their Legal to come up with a potential solution. Les Kamph, Township Trustee did report at the TAP meeting last week that they had been approached by the State as far as naming the bridge over Route 21 the Route 93 Bridge and not Lance Corporal Stangelo so there's movement there and we will wait and see how it plays out. I was just wondering I was talking to the Mayor today; we have the old stone bridge that we all know as the old stone bridge and of course our Cherry Street Bridge and the legislation was passed back in I think 1998-1999. The way that that was presented was we all know it's the Cherry Street Bridge but they never really said let's name it that. I just wonder if we should revisit that at some point, I can get a recommendation from the Law Director. Also, the old stone bridge, I have a Heritage Society plate with the old stone bridge on it but I don't think we ever formally named that bridge. Mrs. Donaldson says so you want to make them legal. Mr. Cozy says he's just wondering if we should. Mrs. Donaldson says she thinks it's a good idea. Mr. Cozy says that way if it comes up again, of course the old stone bridge is a county bridge and the Cherry Street Bridge is a State bridge. We would send the appropriate documentation one to the State one to the County and then we're set on that. Just something we might want to consider. Mrs. Mayberry says you say you have a plaque already? Mr. Cozy says a plate, remember the plates the Heritage Society would put out every year? One of the plates in the old stone

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bridge, I have it somewhere. Mrs. Mayberry says Oh, you're talking about a plate, ok. Mr. Cozy says but I don't think we have ever memorialized that with legislation but it's one of those things that everybody in town knows about. Until you get the legislation passed it's not really official. Just something I thought I would bring up. Mayor Schultz asks if there are any more questions for Mr. Cozy.

Mayor – Moving on I have a couple of topics here. The Polar Express we just filled up our first train so we have actually 82 people who have called and booked a reservation and we are sending out flyers to all the elementary students because we found out that some people in town did not get their Community Newsletter so they may have not gotten it and we want to make sure, especially the kids are aware of it. Call Carla here and she can book your reservation on the Polar Express and those are due to us June 15th. Want to let everyone know that.

Next up, Mr. Craney, Sean Craney and Tiffany owners of Dragonfly Tea Room came to see us couple weeks ago and brought the issue of sharing the cost with them for the Phase 2 environmental study and basically I think it would be \$4,700.00 for us to pay half and then he is willing to pay the other half so with that being said they passed out some information last Council Meeting and I was hoping to bring that up to Council and get the Finance Director permission to hopefully pay that. Mrs. Donaldson says she has something she would like to say, I talked to my husband about this who used to work at a bank and he said they have a superfund available, they used to, they might still, to cover those sort of things when they find storage tanks that are buried. It's the State of Ohio Superfund and it's the CERCLA Federal Law of 1980. It would be worth checking into he might get the whole thing paid. Mr. Svab says I think that is for cleanup, to remediate. Just a study to go forward to make sure there was nothing there, it's already been done. Mrs. Donaldson says oh, they already did that? Mayor Schultz says yes, what you are talking about is gas stations that businesses. Mrs. Donaldson says but that had gasoline in in that storage tank. Mr. Cozy says if the Phase 1 finds contamination I think we can go after that superfund. Mrs. Donaldson says is that what it is, ok. Mr. Cozy says that's good to know. Mrs. Mayberry asks if we know what the outcome of that was. Mayor Schultz says I think it passed, there wasn't any contamination. Mrs. Mayberry asks if he did a Phase 2. Mayor Schultz says yes and I believe that what they did so they could keep the process moving forward. Mrs. Mayberry asks what process. Mayor Schultz says the lending approval process, his lender won't give him a loan as long as there is an issue out there, environmentally. Mrs. Mayberry says well I read over the minutes quite thoroughly and looked over his information and my comments are this; I'm not in favor of paying for it and the reason I'm not is because Mr. Graham, he was here, he said he purchased the building with cash, he paid for cash so he didn't have to go through a bank financing, which is great that he can do that. He bought it from I believe Mr. Hardgrove who owned that prior to him. He found out after purchasing there was a tank that had been removed, it was in our right-a-way which when that was put in into that area there was no zoning in Canal Fulton, you just did what you did, there was no zoning. So, the Grahams have a son who has an archeological experience in this sort of thing he said and he saw no evidence vegetation dieback or discoloration of soil. He tested the soil knowing it was in an industrial area. They knew it was in an industrial area. Now Mr. Graham didn't pursue or determine a remedy was necessary knowing the tank was there and that his property may be sold in the future to someone unlike himself who would have to go to the bank and get financing. Now Mr. Hardgrove I can't speak to him whether he knew when he was selling it to Mr. Graham that this existed because Bud said he got some kind of a note from the State; I don't know what that was. But we're being held accountable for an issue created before we would even have a say of where this tank could go or not go. I just consider it a buyer beware in my opinion. Who knows what could come up in this old town, I just don't know, I'm fearful of starting this kind of a opening up this box of paying people for something that was put in before we ever had zoning and that's just my opinion and I am not in favor or reimbursing him for what he has spent on this, that's my opinion. Mayor Schultz asks of anyone else would like to speak to it.

Mr. Svab says that since I've been here there's been a number of errors. Sometimes reflective of our existing staff or there was a sewer went through and it was stubbed and then the homeowner found out that it never went to the main. We ended up paying for that because our Engineer at the time maybe he didn't review

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the plans thoroughly enough and so that was only about 3 years ago. We paid for that forced main. Mrs. Mayberry says on South Canal? Mr. Svab says no, I thought it was in the allotment. Mr. Minks says no that was my place. Mr. Svab says was it yours? Mrs. Mayberry says yeah it was on South Canal. Mr. Minks said he had to pay the whole thing. Mr. Svab says there was another one in the allotment though there. Mrs. Mayberry says somebody got a break. Mr. Svab says where their house was built it should have went to the main and it was actually then over the neighbor's house. Mayor Schultz says that was on Colonial. Mr. Svab says when it plugged up and he went to go jet it out he found out that it didn't go to the main it went to the neighbor's house and then to the main. Mayor Schultz says that was Colonial. Mr. Svab says we ended up paying for that though we extended the sewer out because of the admission of error from us. From what I understand on this tank the tank during that time was brought out by the City for whatever reason. Mr. Hosking says that he thinks Wenger took it out. Mr. Svab says ok, so Wenger took it out but at that time, well at least according to Dylewski, we had a duty to perform the Phase 2 and we didn't. Mayor Schultz or at least tell the property owner that he had a tank on his property that was taken out and he would be responsible for the Phase 2, either of those 2 scenarios. Mr. Svab says if we had done our work correctly, I think we would have had to pay the bill for that Phase 2 at that time, and we didn't. We just took the tank out and covered it back up. Mr. Hosking says my understanding is the paperwork wasn't finished. Mr. Svab says once again that was in 1992 and that kind of why I feel like the City is a little bit on the hook instead of paying the full amount only 50% is a fair negotiation. There was another I can't think, I might it have been a storm sewer. Mrs. Mayberry says it was on Canal they ran a remember it was your situation speaking to Mr. Minks. Mr. Minks says yeah it was right next to me, almost the middle of the road was caved in from the trucks and cars going through there. It caved in and they had to have it all replaced. They had to have a porta-jonnie for a week to go to the bathroom because it as caved in out there.

Mr. Losch says he is kind of split on it. I understand what Sue's point is, I don't want to start a precedent for one thing, but at the same time if the City failed to complete its duties in that area then we have to at least take some responsibility for it. Mrs. Mayberry say Mr. Graham knew it was there after he bought it and he knew he was going to sell it. Mayor Schultz says I don't think he was told it was taken out. Mr. Losch says if he knew it was in there then he would be in trouble for that. Mrs. Mayberry says his son did all this soil testing and stuff after he found out it was there because he got a note from the State.

Mayor Schultz says, Bonnie? Mrs. Donaldson says she is not in favor of it. She has thought about it and she thinks it does start a precedent and that's why I'm not.

Mayor Schultz says, Eric? Mr. Whittington says he will have to agree with the guys down there, I'm 50/50. But if we had a responsibility to take care it and we didn't then yes, we should take responsibility now. Mrs. Donaldson asks why didn't we have responsibility back then? Mayor Schultz says we will let Mr. Fellmeth talk to that in just a second. Mrs. Donaldson says ok; I was just curious.

Mayor Schultz says Mr. Bucher? Mr. Bucher says I'm the same. If we messed up it's time to own up. It's only half, he's not asking for the whole thing.

Mayor Schultz says Mr. Fellmeth do you have any legal opinion? Mr. Fellmeth says by law the responsibility for underground storage tanks goes with the property owner, not the previous owner. Mr. Cozy says that it was in the public-right-away. Mrs. Mayberry says we didn't put it in. Mr. Cozy says we removed it and should have followed proper procedure. Mrs. Mayberry says we didn't know it was there; Wenger came in and did the job so how long was he going to have to sit through the rigmarole to figure out what was what. The Fire Department looked at it.

Mayor Schultz says so, Mr. Fellmeth your legal opinion is? Mr. Fellmeth says let's go back to the Fire House. Mr. Cozy says we are the property owner. Mayor Schultz says ok go back to the Fire House. Mr. Fellmeth says same thing here when we sold that to Bell Stores. They did the environmental check and found there was a previous underground storage tank that was there which led to Phase 2 which we ended up paying for. Mr. Cozy says split the cost. Mr. Fellmeth says yes with Bell Stores, Mr. Cozy says we were the property owner, you said it we were the property owners it's in our right-a-way. Whether we cause it or allowed it or didn't pay attention back when it was put it there, should have never been out there in the first place, well if we allowed it to happen then ok, we remove it. Just

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like over here we were the property owner, just like up the road, were the property owner. Mrs. Mayberry says but it was put in before zoning. Mr. Cozy says zoning has nothing to do with it; it was put in the right-a-way. Mrs. Mayberry says but it was put in before we even had regulations for that sort of thing, 18- what? Mr. Cozy says maybe we didn't own that right-a-way at the time the tank was put in. The tank was probably put in in the 1920's that's when a lot of that happened. It was for gas, fuel for cars, no one was buying gas and cars in the 1800's. This was put in in the 1920's, removed in 1994. I don't know if we bought right-a-way when we did that project or not, I'm assuming we used what was there, so we are the property owner. Mayor Schultz says he thinks that BUSTR regulation Sue, changed everything and like Bonnie says that was part of that superfund was here's money to fix these problems when a gas station, nation-wide corporation gas stations goes bankrupt and they walk away from and abandon these properties and they had gas tanks all over the country and they came up with the superfund and they said from now on if there is any financing involved it will require Phase 1, Phase 2 studies to make sure there is no contaminants in the soil. With that being said if anyone else has any comments I'll listen to them and then I would like someone to make a motion one way or another.

Mr. Losch says well on the other hand it's under \$5,000.00 so it really doesn't need Councils approval. If you just want a voice motion that fine but it doesn't need Councils approval. Mr. Cozy says he doesn't feel comfortable moving forward without Councils approval. Mr. Losch says that's fine.

A motion was made to split costs with Sean Craney for his Phase 2 environmental study by Scott Svab.

Second by Danny Losch.

Sue Mayberry and Bonnie Donaldson vote no. All other Council Members vote yes. Motion approved.

Mayor Schultz says the Memorial Day Parade is on Monday at 1pm here in Canal Fulton. So, thank you especially to our VFW who organizes and puts it on every year. Mr. Cozy says the new rescue vehicle is towing the mini canal boat, right? Chief Durkee says yes.

Mayor Schultz says one last thing I was up at the school today talking to Jason Hathaway who is the Athletic Director at Northwest High School and he wanted to share with me to share with our community, especially business if you are being approached by someone who is soliciting as part of a fundraiser and it's affiliated with the school please don't hesitate to call him at the high school to verify because there was a report of someone approaching a local business and claiming that the proceeds were benefiting Northwest High School in some way athletically and that wasn't the case. So, in our community if you have any concerns please call Jason, he'll verify for you. With that being said we will move on to parks & rec, Earl...

Parks & Recreation Board – Mr. Minks says last meeting we had some concerns brought up about where the old Boy Scout building is. There are several cement blocks exposed down there and I'm afraid that the little children are going to be running around down there after school is out and somebody is going to fall over and hurt themselves on those cement blocks. They should be removed or covered over with something and put grass there so it looks nice. Now it's just an eyesore for people to look at. We would like to have the fence extended down to the end of the parking lot, all the way down. I would like to call for Council to vote so we have that done by Memorial Day.

Mrs. Mayberry says I actually had it on my agenda to bring up because it is bad. I go down with my grandkids and it's really bad. Mr. Minks says I was down there about 3 times in the last couple of weeks and those little kids they don't know, they take off running their mother is talking to somebody, the fence is laying flat they can run right through there. Mrs. Mayberry says it's a very nice playground and then we have that laying in the front of it, yeah, it's an eyesore. Mrs. Donaldson says why is the fence down. Mr. Minks says its plastic and the wind. Mrs. Donaldson says she took her little granddaughter there and she just didn't want to leave it alone.

Mr. Hosking says they have been trying to get it cleaned up but because of how wet the park has been we can't get our equipment in there to move it around but yes, it's slated to be done this week. Mr. Minks says he is happy about that because he doesn't want to see some little kid get hurt by it, it's Safety Week also. Mayor Schultz thanks Mr. Minks.

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Mr. Whittington says I'm assuming your going to rope it off after you plant grass and everything right? Mr. Hosking says they have to bring in fill dirt and they are going to try to raise it up so it's more even across. But like I said with how wet it's been and I will say that's been on the back burner because there have been other issues going on but it is on the agenda to get done. Mr. Whittington says there is a big event in a couple weeks and he needs it to be roped off so nobody goes trampling through it and tearing it back up. Mr. Hosking says he was hoping to have it done last week before the first set of Canal Boat rides, everything else got done but that because it was too wet.

Law Director – Mr. Fellmeth says Mayor and members of Council if you have any questions regarding the bids for the Community Park project Phase 1, I would encourage you to call me and we can discuss them. Other than that, I have nothing further. Call me at my office 330-833-8546.

Mrs. Mayberry says she has a question. The traffic light study that Mr. Cozy sent out to all of us, does this study now that we have it in our hands make the City liable that that light has to be installed. Mr. Fellmeth says no it does not make us liable per say but there is a traffic study saying we definitely need a light out there. Mrs. Mayberry says right, but just having that doesn't put us at any liability that we've been told we need to get one up there just in case something else happens there. Mr. Fellmeth says no, he read the report and he did not read it that way.

THIRD READINGS

SECOND READINGS

Ordinance 10-19: An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations. (\$21,500 - archeological study and other expenses at community park)

Ordinance 11-19: An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations. (\$45,000 – YMCA utilities)

FIRST READINGS

Ordinance 12-19: An Ordinance Amending Ordinance 48-18, Rates of Pay for Non-Bargaining Employees, and Repealing Any Ordinances in Conflict Therewith

Ordinance 13-19: An Ordinance Amending Ordinance 48-18, and Providing for Changes to Previously Authorized Appropriations. (\$11,400.00 – engineering to connect Wooster St waterlines to new water tower)

Resolution 5-19: A Resolution by the Council of the City of Canal Fulton, Ohio to Adopt a Policy for the Law Enforcement Trust Fund

P.O.s

P.O. RG012179 to Seifert Associates, Inc. in the amount of \$20,000.00 for Summer Labor.

A motion was made to approve P.O. RG0121679 by Dan Bucher Jr.

Second by Eric Whittington.

Mr. Svab asks if this is the same company or a different vendor. Mr. Rouse says it is essentially the same company but they changed names from last year. Mayor Schultz says it's the same 2 people we had last year.

All Council Members voted yes. Motion approved.

BILLS

April Bills \$405,326.47

A motion was made to approve the April Bills by Scott Svab.

Second by Bonnie Donaldson.

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Mrs. Mayberry says I guess I never noticed before but all of the income tax refund overpays is that customarily the large amount of... Mr. Rouse says it's trending basically the same. Mrs. Mayberry says I guess I just never realized.

All Council Members voted yes. Motion approved.

OLD/NEW/OTHER BUSINESS

Mrs. Mayberry says last year Dollar General wouldn't mow their grass and we ended up doing it. Is Dollar General mowing their grass now? Mayor Schultz says it doesn't look like it. Mrs. Mayberry says have we been mowing Dollar Generals grass again? Mayor Schultz says we will be calling, I think Hatfield mowed it for us last year. I stopped out and talked to the manager and she just threw her hands up and if you drive up Route 93 and look at the Dollar General store in Manchester you'll see the same thing. Mrs. Mayberry says well I think we need a letter sent to Dollar General from this City. These guys are taxed. Mayor Schultz says we will just hire a contractor and have them mow it. Mr. Hosking says we are not mowing there. Mrs. Mayberry says she is glad and that it is ridiculous. Mayor Schultz says I think we are fortunate this year because they almost killed all of it last year so it's not growing that fast.

Mrs. Donaldson says she just wants to ask on the bridge with the lead paint. By law are we just permitted to paint over it rather than remove it? Mayor Schultz says yes, the process is called encapsulation. Basically, what you are doing is making a tomb over it. Mrs. Donaldson says ok, I understand.

REPORT OF PRESIDENT PRO TEMPORE

REPORT OF SPECIAL COMMITTEES

CITIZENS COMMENTS – Open Discussion (Five Minute Rule)

Mrs. Kertesz says she handed out to all of you an overview of Monarch Learning lab. So, all of you have heard about the resort project. In order to engage school groups in the gatehouse on the education sustainability side I was required to start a non-profit. So, we started a non-profit called Monarch Learning Lab, it's focused on educating people at all levels, working with the schools and parks etc., and I'm very firm believer that when you start a non-profit let's do something let's just not have another non-profit. So, we started and implemented a project called Monarch Miles and it's basically a 3-part project where Monarch Learning Lab underwrites the cost of the seeds and plants, the Girl Scouts of Northeast Ohio provide volunteer labor to plant those and the third party then provides the land. So we have completed 3 projects the one we did here a couple weeks ago was we actually planted a 2-mile pollinator corridor which is a fancy name for a row of flowers 3 feet wide by however long on Old Muskingum Trail between the Livery to Butterbridge so that whole side, the non-horse side as I call it, over the next 2 years you'll see all native wildflowers growing there to help encourage the bees and butterflies. So, I have also talked to Mark several times about this and doing something in the City of Canal Fulton and there are 2 fields that are up on Milan that I don't know, obviously no one is doing anything with them right now and there is talk of planting those with pollinators. So, what would happen is we, Monarch Learning Lab, would underwrite the cost, it would cost the City nothing. I've made it a community event so people can come out and basically throw seeds which is a ton of fun and then the City obviously then would be the third partner with the land and because we are doing native wildflower seeds there is no maintenance involved. So, with that being said there is another a third-party organization called Monarch City USA and it is basically a way to become registered and known nationally, actually internationally as a Monarch City. So, I am putting in front of you saying that we will end up putting in almost 200 miles of Monarch Miles in the city of Canal Fulton and I would like Canal Fulton to become a Monarch City USA. What it costs, \$50.00 to become a lifetime member, and they sell street signs which you see in the picture there, they are \$150.00 a piece they last about 15 years, you buy as many of them as you want and then hang them at the various entry points of the city.

Mayor Schultz asks Mr. Hosking if we have posts for these signs. Mrs. Kertesz says she would add them to something that is already existing. Mr. Cozy says they look like they are about the same size as our K-9 signs. Mr. Hosking says or the speed limit signs maybe a little smaller. Mr. Losch says they could go on the corporate signs, right? Mr.

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Hosking says yes; we could always put them in there. We could add a new sign but we have plenty of signs out there we can put it on.

Mayor Schutz says do we need a motion to do something like that? Mr. Losch says look at our cost.

Mrs. Kertesz says I will tell you that Buffalo did an 11-mile pollinator corridor, we will blow them up; this will actually get some international PR for you guys.

Mr. Cozy says you have the cost issue but also being known as something I would say should have council consideration; do we want to be a Monarch City USA? Mr. Whittington says well considering our new slogan is "Gateway to Outdoor Activity" and that is butterfly and bird watching and everything else why wouldn't we. It only makes sense, not to mention we'll have the Monarch Resort.

A motion was made to become a Monarch City USA by Eric Whittington.

Second by Dan Bucher Jr.

All Council Members voted yes. Motion approved.

Mayor Schultz says he did want to thank the Science Club from Northwest High School, they came out on Saturday and planted a hundred seedlings/saplings across the railroad tracks and in front of the maintenance building. About 10-12 kids there with their advisor and they did a great job.

Mrs. Mayberry says does anybody know, maybe Scott knows, I've seen them sale at some outdoor landscapers like bee houses, have you seen them? They are houses and they have holes all the way through them. How does that work? What bees go in there? Honeybees? Mr. Losch says homets. Mrs. Kertesz says wood bees use them as opposed to drilling holes into your deck or your house.

ADJOURNMENT

Meeting adjourned at 8:16pm

Meeting minutes prepared by: Carla Rante

Meeting minutes approved by: Mayor Joseph A. Schultz

Ordinance No. 10-19

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 \$21,500.00 to pay for the archeological study 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
Capital Projects Reserve Fund - 390			
Capital Projects Reserve Fund	\$45,050.00	\$21,500.00	\$66,550.00

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

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-6094 FORM NO. 30049

Ordinance No. 11-19 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 \$45,000.00 to pay for installing water and sewer utilities at the YMCA.

Fund/Department	Previously Approved	Change	New Appropriation
Water Capital Projects Fund - 341			
Water Capital Projects Fund	\$381,250.00	\$22,500.00	\$403,750.00
Sewer Capital Projects Fund - 351			
Sewer Capital Projects Fund	\$100,000.00	\$22,500.00	\$122,500.00

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

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8084 FORM NO. 30043

Ordinance No. 12-19

Passed _____, 20____

AN ORDINANCE AMENDING ORDINANCE 48-18, RATES OF PAY FOR NON-BARGAINING EMPLOYEES, AND REPEALING ANY ORDINANCES IN CONFLICT THEREWITH.

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

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

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

Section 1: Section 124.02 of the Codified Ordinances shall be amended to read:

124.02 CLERK OF COUNCIL / ASSISTANT TO THE CITY MANAGER
There is established the position of Clerk of Council / Assistant to the City Manager at the direction of the City Manager. The salary shall be \$37,500.00 per year, payable 42% from the General Fund, 29% from the Water Operating Fund, and 29% from the Sewer Operating Fund. The salary will be applied retroactively to February 4, 2019 at a rate of \$18.03 per hour (\$37,500/2,080 hours). The position will receive 80 hours of vacation time in 2019, and then will accrue vacation time according to Chapter 141.18 of the codified ordinances in subsequent years. The position will also receive a stipend equal to \$459.00 in 2019, which represents the \$500.00 stipend that all other full-time employees received, but pro-rated based on 11 months of employment (\$500.00 *11/12).

Section 2: Section 123.01 of the Codified Ordinances shall be amended to read:

123.01 FINANCE DIRECTOR
The Finance Director shall receive a salary of \$64,139.09 per year, payable 42% from the General Fund, 29% from the Water Operating Fund, and 29% from the Sewer Operating Fund.

Section 3: The Assistant to the Finance Director shall receive a pay rate of \$20.45 per hour, payable 42% from the General Fund, 29% from the Water Operating Fund, and 29% from the Sewer Operating Fund.

Section 4: The Chief of Police shall receive a salary of \$71,765.25 per year, payable from the Police Fund. The position shall receive the same uniform allowance as union employees of the department. The position shall also receive an administrative stipend of \$4,000.00.

Section 5: The Police Department Administrative Assistant shall receive a pay rate of \$20.45 per hour, payable from the Police Fund.

Section 6: The Superintendent of the Utility Department shall receive a salary of \$56,791.03 per year, payable 50% from the Water Operating Fund and 50% from the Sewer Operating Fund. The position shall receive the same uniform allowance as union employees of the department. If the employee possesses a Water Operator and/or Sewer Operator certification equivalent to the classification of the City Water Treatment Plant and Wastewater Treatment Plant, then the position shall receive the same stipend as union employees of the Utilities Department.

Section 7: The Superintendent of the Street Department shall receive a salary of \$56,791.03 per year, payable 25% from the General Fund and 75% from the Street Fund. The position shall also receive the same vacation, sick leave and

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8084 FORM NO. 30043

Ordinance No. 12-19 Passed _____, 20____

uniform allowance as union employees of the department.

Section 8: Pursuant to the compensation package adopted by Ordinance 22-12, the City Manager shall receive a salary of \$80,597.89 per year, payable 42% from the General Fund, 29% from the Water Operating Fund, and 29% from the Sewer Operating Fund.

Section 9: The Law Director shall receive a salary of \$28,717.14 per year, payable 42% from the General Fund, 29% from the Water Operating Fund, and 29% from the Sewer Operating Fund. Since the position is not a full-time employee, the position is not eligible for longevity pay defined in Section 13 below.

Section 10: The Zoning Inspector shall receive a pay rate of \$20.40 per hour, payable from the General Fund. Since the position is not a full-time employee, the position is not eligible for longevity pay defined in Section 13 below.

Section 11: There is established the position of Parks and Recreation Director. The salary shall be \$18.93 per hour, payable 60% from the General Fund and 40% from the St. Helena II Fund. Since the position is not a full-time employee, the position is not eligible for longevity pay defined in Section 13 below.

Section 12: All full-time employees shall receive additional compensation of \$150 for every year of full-time service worked for the City. This longevity service pay shall be cumulative upon each employee's anniversary date of full-time employment.

Section 13: Rates of pay for part-time police officers and the part-time fire department administrative assistant shall be established as follows:

	HOURLY RATE		
	YEAR 1	YEAR 2	3 or More Years of Service
Part-Time Police Officers	\$15.29	\$16.42	\$17.54
Part-Time Fire Dept. Administrative Assistant	\$12.77	\$13.67	\$14.36

Section 14: Rates of pay for part-time Canal Boat employees shall be established as follows:

	YEAR 1	2 or More Years of Service
Canal Boat Crew	State Minimum Wage	\$9.37
Canal Boat Captain	\$10.74	\$11.92

Section 15: Rates of pay for non-safety part-time employees shall be established as follows:

	HOURLY RATE		
	YEAR 1	YEAR 2	3 or More Years of Service
Seasonal Street Department CDL Laborer	\$12.77	\$13.67	\$14.36
Utility Public Works Laborer	\$11.35	\$12.16	\$12.78
Casual Laborer	State		

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 12-19 Passed _____, 20____

	Minimum Wage	\$9.20	\$9.68
Summer Works Program	State Minimum Wage	State Minimum Wage	State Minimum Wage
Clerical	\$9.37	\$10.74	\$11.92
Income Tax Assistant	\$12.77	\$13.67	\$14.36
Payroll & Finance Clerk	\$12.77	\$13.67	\$14.36
Community Service Coordinator	\$12.77	\$13.67	\$14.36
Canalway Programs Director	\$12.77	\$13.67	\$14.36
Canalway Programs Assistant	\$9.37	\$10.74	\$11.92

Section 16: The permanent non-bargaining part-time employees (currently consists of the Parks and Recreation Director, Community Service Coordinator, Income Tax Assistant, Zoning Inspector) will receive 4 hours of pay for the following holidays: New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, the day after Thanksgiving, Christmas Eve, and Christmas Day.

Section 17: All other ordinances inconsistent herewith are repealed.

Section 18: This Ordinance shall be effective February 4, 2019 for the fiscal year 2019.

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

RECORD OF ORDINANCES

BE/R GRAPHICS 800-925-8094 FORM NO. 30043

Ordinance No. 13-19 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 \$11,400.00 to pay for the engineering survey and design work to connect the Wooster Street water lines to the new water tower.

Fund/Department	Previously Approved	Change	New Appropriation
Water Capital Projects Fund - 34f			
Water Capital Projects Fund	\$403,750.00	\$11,400.00	\$415,150.00

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

RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-325-8284 FORM NO. 30042

Resolution No. 5-19

Passed _____, 20_____

**A RESOLUTION BY THE COUNCIL OF
THE CITY OF CANAL FULTON, OHIO
TO ADOPT A POLICY FOR THE LAW
ENFORCEMENT TRUST FUND.**

WHEREAS, The City of Canal Fulton, Ohio has sought to adopt a policy for the Law Enforcement Trust Fund, and

WHEREAS, ORC 2925.03 (F) (2) and ORC 2933.43 (D) require a written control policy.

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

The City of Canal Fulton agrees to adopt a policy for the Law Enforcement Trust Fund pursuant to policy attached as Exhibit "A" and incorporated by reference herein.

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 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, Clerk-of-Council

SEF/bp

Policy Title: LAW ENFORCEMENT TRUST FUND

I. POLICY

The Canal Fulton Police Department, pursuant to law as required by ORC 2925.03 (F)(2) and 2933.43(D), hereby adopts the following as the written internal control policy for the Law Enforcement Trust Fund and Drug Fine Monies and Bond Forfeitures received from drug offenders. Drug fine distributions are to be made directly to the law enforcement agencies involved in arresting and prosecuting the offender, provided that such an internal control policy is in force.

II. PROCEDURE

A. Receipt of Proceeds

1. All monies ordered deposited or received from any court, or forfeiture that is designated for the Canal Fulton Police Department Law Enforcement Trust Fund by the Chief of Police shall be promptly recorded, by employees designated by the department in a log reflecting deposits into our account established by the Auditor of the City of Canal Fulton. The log of deposits into the trust fund account shall be accurately kept and shall include the date of receipt of the proceeds and the amount of the proceeds received. All monies shall be deposited into the Canal Fulton Police Department Law Enforcement Trust Fund account as provided by law.

B. Expenditure of Proceeds

1. Proceeds used from the Canal Fulton Police Department Law Enforcement Trust Fund account shall be expended in the furtherance of investigation and prosecution of criminal cases in the City of Canal Fulton within the following general expenditure categories:
 - a. Investigation and prosecution cost of complex cases.
 - b. Training and providing technical expertise.
 - c. Matching Federal or State funds.
 - d. Any other law enforcement purpose as determined by the Chief of Police and appropriated by Canal Fulton City Council.
2. A detailed log of all expenditures shall be kept and recorded either manually or electronically, with appropriate written receipts documenting such transactions. The log of expenditures shall include:
 - a. The date of expenditure of proceeds from the account. The specific amount of expenditure listed under the appropriate general expenditure category which the specific amount falls.
3. Specific expenditures of monies shall not be immediately listed during investigation of ongoing cases as such specifics, open to public inspection, may jeopardize the integrity of the investigation and thwart justice.

4. A cumulative record of the receipt and expenditure of proceeds from the Canal Fulton Police Department's Law enforcement Trust Fund account recorded each calendar year shall be sent to the Ohio Attorney General no later than March 1st of the next ensuing year. Such cumulative record shall include all information required by A: Receipt of Proceeds and B: Expenditure of Proceeds.

C. Prohibited usage of Proceeds

1. Proceeds from the Law Enforcement Trust Fund cannot be spent on the operating cost of the political subdivision or cost unrelated to law enforcement.
2. Proceeds from the Law Enforcement Trust Fund cannot be used for personal expenses of the Chief or his employees.

RECORD OF RESOLUTIONS

SEAR GRAPHICS 888-325-4294 FORM NO. 50045

Resolution No. 14-19

Passed _____, 20____

AN ORDINANCE AMENDING SECTION 111.04 OF THE CODIFIED ORDINANCES OF THE CITY OF CANAL FULTON RELATING TO THE PAY OF MEMBERS OF THE COUNCIL AND MAYOR, AND REPEALING ANY ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, on January 1st 2018, the Ohio Public Employee Retirement System (OPERS) revised the standards to require a minimum salary of \$660 per month in order to earn service credit for pension purposes.

WHEREAS, the current compensation rates for City Council members is below this threshold.

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

Section 1: Section 111.04 of the Codified Ordinances shall be amended to read:

Compensation of Mayor, Council President, and Members of Council.

- (a) The compensation for the Mayor shall be \$15,000.00 per year, and shall be paid 42% from the General Fund, 29% from the Water Operating Fund, and 29% from the Sewer Operating Fund.
- (b) The compensation for Council President shall be \$8,712.00 per year, and shall be paid 42% from the General Fund, 29% from the Water Operating Fund, and 29% from the Sewer Operating Fund.
- (c) The compensation for the members of City Council shall be \$7,920.00 per year, and shall be paid 42% from the General Fund, 29% from the Water Operating Fund, and 29% from the Sewer Operating Fund.

Section 2: If the above amounts become insufficient to meet the minimum requirements for full OPERS service credit, then the annual salary of all members of City Council shall be equal to the minimum earnable salary required by OPERS for full service credit. In addition, the compensation for Council President will equal the minimum earnable salary required by OPERS plus an additional 10 percent, and the compensation for the Mayor will equal the minimum earnable salary required by OPERS plus 90 percent in order to maintain the salary differentials noted in Section 1.

Section 3: These pay rates shall become effective for those taking office after January 1, 2020.

RECORD OF RESOLUTIONS

BEAM GRAPHICS 802-375-8094 FORM NO. 2018

Resolution No. 14-19

Passed _____, 20____

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

