CITY OF CANAL FULTON
CITY COUNCIL MEETING AGENDA
OCTOBER 1, 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**

   9-17-2019 Finance Committee Meeting Minutes

   9-17-2019 Council Meeting Minutes
7. **REPORTS OF ADMINISTRATIVE OFFICERS**
   - Senior Citizens
   - Community Service
   - Fire Chief-
   - Police Chief-
   - Engineer
   - Streets
   - Public Utilities
   - Planning/Zoning
   - Finance Director
   - City Manager
   - Mayor
   - Parks & Recreation Board
   - Law Director
8. **THIRD READINGS**

   Resolution 8-19: A Resolution by the City of Canal Fulton, Ohio to Apply for a Grant from the Ohio Public Works Commission for the Clean Ohio Fund – Green Space Conservation Program

   Ordinance 25-19: An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations. ($425,000.00 Advance from General Fund to Capital Reserve Fund)

   Ordinance 26-19: An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations. ($12,000.00 to Replace Concrete in the Downtown Sidewalks)

   Ordinance 27-19: An Ordinance Amending Ordinance 45-18, and Providing for the Changes to Previously Authorized Appropriations. ($28,000.00 – to Clean and Repair #8 Well Pump)

   Ordinance 28-19: An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations. ($8,000.00 – City's Share of the Fire Department FEMA Radio Grant)
9. **SECOND READINGS**

   Ordinance 29-19: An Ordinance Amending Ordinance 45-18, and Providing for the Changes to Previously Authorized Appropriations. (reallocate appropriations- no overall change in budget)
10. **FIRST READINGS**

    Ordinance 30-19: An Ordinance Amending Section 141.24 of the Canal Fulton Administrative Code and Repealing Any Ordinances in Conflict Therewith
11. **P.O.s**

    P.O. RG012342 to J.D. Striping & Service INC in the amount of $9,000.00 for Line Painting
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**

Finance Committee
September 17, 2019 at 6:00 PM
Meeting Minutes

In Attendance: Committee members – Scott Svab-Chair, Danny Losch, Dan Bucher Jr., and Sue Mayberry

Also, in attendance: Mayor Joe Schultz, City Manager Mark Cozy, Council Members Eric Whittington and Bonnie Donaldson, Police Chief Doug Swartz, Fire Chief Ray Durkee, Finance Director Bill Rouse, City Engineer Keith Dylewski, Alyssa Bettis, Jeanann VanDenberg, and Chell Rossi

2020 Budget

Scott Svab calls the meeting to order at 6:00 p.m.

Mr. Rouse handed out the budget packets last week.
Page 2 is the snap shot of the budget by fund. All the funds on this page are impacted in some form by income tax. In prior discussions, government money can go to one of three things: pay debts, operation costs, or capital. Mr. Rouse says when he does the frame work of the budget he prioritizes things by income tax money has to first pay our debt and then operations. Whatever is left goes to capital.
The easiest way to look at this is to ignore the revenue, expenses and transfers and look at the beginning balance and ending balance. It should tell you what is happening in that fund.
If you look at the beginning balance of the General Fund its $560,165.00 the ending balance is $560,764.00. Since there is really no change from beginning to ending whatever money comes into the General Fund is basically being used for an operation or transferred out to other funds that are carrying out operations. Similarly, if you look at the police operating fund it starts at $242,508.00 and ends at $243,520. Mr. Rouse says it is essentially the same. He strategically takes $1,080,00.00 from the General Fund and getting it in there to balance that budget. Same thing for Fire.
At the bottom you see the G.O. Debt Fund, those are where our debt payments come from. The beginning and ending balances are essentially the same.
Mr. Rouse explains the reason why we do this. Reason one is we have to pay our debts. Second, we have to keep our departments operating. It also makes it easy for budget purposes, if everything is funded except for Capital then we can figure out how to balance the budget when we look at capital. If you look at the General Capital line, all of our decisions really come down to this one fund. We are starting the year at $312,873.00, anticipating we have grant revenue of $12,000.00. The current capital projects that are proposed will be about $328,000.00. Mr. Rouse says he can only transfer $275,000.00 from the General Fund. That is because after we pay the debt and the operation that is what is remaining from the General Fund. This is the fund where the balance will go down a little bit. It will go down from $312,873.00 to $271,873.00. Mr. Rouse says he is not really worried about that balance declining, we have built up some reserves in the fund. A little more than expected.
Page 4 are tables showing the trends that we are looking at from our revenue sources. Income tax, what has happened over time and the reason why the tax reform was so important, has basically declined at stagnated over the last few years. Mr. Rouse says it has grown a little bit but not enough to keep up with inflation. During the course of campaigning and discussing the tax reform, someone has asked if the retirements within in the city and tax structure that big of a deal. It shows on this page. A good example is really us as a City. Mr. Rouse says we have about 23-25 full time employees. If we look back at 2015, the withholdings for our city was about $29,500.00. Mr. Rouse says he is projecting we will be about $30,000.00 this year. This has happened because during that period of time people have retired. In the next two years there will be at least 4 more. What has happened is we replaced those position but those people were all at the top of the pay structures they were in. That is why the Income Tax as a city has stagnated through this period. The tax code was so dependent on the residents of the city. The good news is the tax reform passed. When we were discussing the tax reform it was estimated that our income tax would grow between 100,000 and 300,000 if the reform passed. What this budget was based upon was $100,000.00 growth in income tax. It certainly helps but doesn't necessarily give us a blank check. It takes us back to where we used to be before the state reformed the tax code.
With income tax down and stagnating the last few years, how have we offset that? Over the last few years we have picked up revenue in the General Fund. Mr. Rouse says you have probably saw it in your property tax bills that you went up. The county did their reappraisal and land values have really recovered and you can see that in the property tax numbers. State revenue sharing is money the state gives us. The prior Governor had a history of really cutting this and using the municipalities to balance the State budget. The new Governor has actually restored some of the local government funding and you can see how it is trending. Mr. Rouse says we will probably get around $75,000.00 to $77,000.00. We used to get $170,000. A little of some is better than all of none.

In the other revenue category, shifting our mentality of paying a little more in bank fees to keep lower balances at our banks and sending as much as we can to Star Ohio to invest. We have been able to manage our cash flow better than prior. We are using that to generate a lot of interest revenue.
Mr. Svab asks what Star Ohio is paying? Mr. Rouse says it was about 2.5%, we were doing really well, now the Federal Reserve has cut their rates and cut them again tomorrow. That is what causes that slight decline in our estimate for 2020.
Page 6 this just a pie chart of how we use the money. You can see that a majority there is the Police Department. The General Government is just administration.
Page 7 is personnel costs. The bulk of our operating expenditures is for people. You can see what the trend has been. The big jump in 2018 was a combination of a few things. The biggest part of it was the health plan. Basically the 30% increase that we had in our premium that year. Along with a couple of retirements. Also, the COG buy-in costs in 2018.
The COG renewal came in this year at 3.25% and we will have two premium holidays in 2020. What this table doesn't show as well, it looks like our costs have been going up and dollar for dollar they are, is the cost of not having to being on THP anymore. With some of the health issues we have dealt with for some of the employees. 2018 shows the 30% increase but we were looking at probably another 30% increase for 2019- 2020. So, if we had not switched it would have just kept going at that rate. So right now, it looks like the costs are going up a little bit but those are much more stable then what we projected the outcome would be if we had stayed with THP.
Salaries and wages for the employees. The union contracts are already set so it's a 2% cost of living adjustment for the unions. For the non-bargaining staff, they mayor's proposal was built in. The net increase of year one was about $13,000.00 total.
Mr. Rouse asks if anyone has any questions.
Mr. Svab asks about the two premium holidays and if they are for the 2020 calendar year? He says their year is really a school year. Mr. Rouse says it's a school year so what will happen is we will take our first premium holiday in November. Mr. Svab asks if that counts for 2020? Mr. Rouse says, no, it will count for 2019. Then we will take April or May for 2020. Mr. Rouse says he talked with our contact there and she said when we get to June, we will get two more holidays and we will stay on this cycle. We will get two each calendar year but it will be spread out.
On the Operating Cost Chart, the department heads do a nice job of managing their operating budget. Mr. Rouse says he is not projecting any big spikes in that. Just inflation.
Page 8, income and property tax related debt that we have. The graph tells the history. In 2016 we bought a dump truck. From 2017 to 2018 is when we finalized the intersection, we bought the building and we bought a dump truck. For 2019 to 2020 we not going to issue anymore debt. We will make the current payments. As we see where tax collections come, Mr. Rouse wants it to be a point of interest that we stop borrowing to buy dump trucks. We did it because we had to. It doesn't make sense to pay interest on a piece of equipment if we can avoid it.
The debt summary table is a snap shot of the debt that we have out there. Along with the years that it matures. In 2020, the last payment will be made on the 2016 dump truck purchase. In 2022, the second dump truck will be paid off. The fire station, ambulance and the fire engine are listed because we have to show them for budget purposes. They are not as critical to pay off because they have their own revenue source to make those payments.
Page 9, is a chart that shows capital spending. It tends to fluctuate each year depending on the projects and grant monies that are available and what we have left in the general fund. This year we will probably be able to spend more money on capital improvement than what we have done before. The general fund portion is about $280,000 - $300,000 and another $100,000 comes in through the state gas tax. We got our first collection. Mr. Rouse thinks we will get the $100,000.00. At that meeting council had said that they wanted the $100,000.00 to go to capital improvements.
Page 10 shows the capital projects that have been requested. At the bottom of the chart you will see additional gas tax portion for chip & seal concrete, asphalt and another road maintenance. When we look at the 2020 capital budget there are two columns. The 2020 budget and 2020 priority two. Mr. Rouse says what we did with all the department heads met to approve budget requests. We wanted to present to you a reasonably balanced budget. A plan that we can adopt in December that would get us up and running. We had to prioritize the capital requests. The 2020 budget that totals $416,000.00 those are the items that made the first cut. Those are the priority if we adopt the budget in December. They are in the budget and can be funded with our $100,000.00 growth of income tax.
Mr. Rouse says there is a reasonable possibility that we could growth more than $100,000.00. He doesn't want to say for sure. The priority two proposal would be that we look at two budgets. One is the December budget with the first column and priority two is we come back in April or May and see if we want to make adjustments to things. Anything that was proposed by a department head that could not be funded in the first column, got moved to the second column for your consideration.
Page 11 is the graphical representation of what happens to the general fund. If we adopt the budget with the first column of capital projects this is what the budget will look like. You can see there is really no craziness to it. Mr. Rouse says since he has been here is goal is to maintain a $500,000.00 or more in the general fund. In years that we have more than that we transfer into the reserve funds or we do other projects with it. In years we have

had less we have to do budget cuts to maintain that budget. Mr. Rouse says that $500,000.00 is critical to have for when things come up. That is what it would look like in the general fund if we adopt the budget as it is proposed. If you go back to page 10 that is funding the 2020 budget column of $416,000.00.

Mrs. Mayberry says she just looked back on 2018-2019 and we have this budget in front of us but back in 2018 there were 20 different appropriation increases over the entire year. Not counting the COG and not counting the note roll over monies. She totaled up $700,000 worth of appropriation increases. Mrs. Mayberry asks if that just happens or can that be controlled? She says in 2019 it was only $300,000 it wasn't at steep. She says we can sit here and say you would like this budget and this is what we are going to do but the increase, increase, increase on this and that, it seems like the budget just (poofs). She says it seems to her that we blew it out of the water.
Mr. Rouse says that is a great question. Mr. Rouse says this is everything he knows of right now. Things do happen and come up. In a lot of these amendments, we amended budgets if we knew there was a revenue or savings source that would come into play that would help repay the budget. In this case with the Park, we are amending the budget and it will show up as an Ordinance to amend it but we will get that money back quickly. The radios are another example. Mr. Rouse says some are taking advantage of opportunities like the health insurance. Mrs. Mayberry says she didn't even include those. Mr. Rouse says about 90% of those amendments are going to be capital project related. Mr. Rouse says the vast majority of these are projects where there is a funding source and we are going through the mechanism of the budget process. He says when we plan these budgets in September it is next to impossible what the project is going to require in June of the next year. That is where a lot of those amendments are coming from and they don't necessarily impact the operating budget.
Mrs. Mayberry asks if this includes everything. Including parks, she doesn't see anything with parks. She says we had talked about fixing the boat next year but its not on here. Mrs. Mayberry says it needs it but its not here. She questions if this is going to come up next year to appropriate money that wasn't put in the budget. Mr. Rouse says its not in here and he can either add it to priority two or we have to take something away.
Mr. Cozy says there is another round of OECA money available going into January and February he can apply for. He says its one of those things that are still up in the air. Mr. Cozy explains that we are a fluid organization. You can plan but just like the state took away our local government fund, you can make a five-year plan and have to throw it out the window. Mr. Cozy says he doesn't expect that to happen next year. Mr. Rouse says that is a good example where that would necessitate a budget adjustment. We find out we got a grant for it but there is a revenue source. That would be a case where we amend the budget to account for that.
Mr. Svab says it is a fluid budget. Sometimes you have a crisis and sometimes you have an opportunity. Mr. Svab says that is why he would like to adopt the more conservative 2020 budget. He says at first look at it he hasn't heard anything about an upgrade finance for $70,000.00. He says he would definitely want more information before he would even think about that. CMI or any company that we work with will roll out the newest and biggest thing and expect an upgrade right away. Mr. Svab says with the state gas tax his priority is to see more streets done. Whether it is catch basins, chip & seal or more work generally on the streets. Mr. Rouse says he just put that in as a place holder. Mr. Svab says he knows we talked before about hiring another street department employee.
Mr. Svab says when he sees Gary out on an asphalt roller in Lawrence Township, eh, he's not going to second guess where his man power is every day. Once you hire a new guy at $75,000.00 a year with all the benefits and costs it never goes away. We don't lay off people here. Mr. Svab says that needs to be something we look at not included in the new budget. These assumptions are made not knowing what the new income tax is going to bring in. He says he knows Mr. Rouse is conservative at $100,000.00 but hopefully it will be more than that maybe double. As far as property tax it was indicated that the County already paid? Mr. Rouse says for 2019 we have already settled at that number. Mr. Svab asks if that is what he is basing the budget off of? The increase from the second half of 2019 property taxes. Mr. Rouse says it will probably hold steady at that number it might go up .25% but that's it. Mrs. Mayberry says she knows the refuse place at the street department is closed. Mayor Schultz says they closed it to grind it today. Now we have to get it hauled out of there. Mrs. Mayberry asks how much it costs a year to operate? Mayor Schultz says they have had two different companies grind.
Mayor Schultz prefaces his statement by saying what the guys do to get things ready to grind is incredible
Mrs. Mayberry interrupts Mayor Schultz by saying, too much.
Mayor Schultz proceeds to say with saving money. Mayor Schultz says we had to appropriate $10,000.00 to cover the grinding. He thinks they got it done today. He thinks $350.00 an hour. We are going to be around $3,000.00 to grind it. The last time it was around $4,000.00. Mayor Schultz says the incredible thing about today was the company that ground it was so impressed by the quality of what our citizens put in there by not putting grass and plants in there. They are going to haul it out of there for free. Rather than us having to haul it to Earth and Wood to get rid of it. There is a good chance they are gong to haul it out for free.
Mr. Svab asks how many yards? Mayor Schultz says 3,000. Mr. Svab says its not that much.
Mr. Svab says we don't have a good source of communication with our residents so what happens when someone pulls in and sees that its closed? Are they forced to go to earth and wood to unload their truck and pay $40? Mayor Schultz says we put up gates to make sure. He says we need to get it cleaned up. We will keep it closed until we know we can get that material out of there. Jackson sells a card where they can swipe and scan to be

able to go in there. They pay for that. We have cameras and we have contacted people who are not supposed to be there. Mrs. Mayberry says around $7,000.00 this year? Mayor Schultz responds, yes.

Each utility water and sewer have three funds operating, debt, and capital. Mr. Rouse says each month they have to allocate their monthly utility collections they go first to the debt payments, operating and then capital.
The funds are stable overall this year.
Page 14 shows the way our collections have been going the last couple years. They are stable. The utilities will be adjusted each year based on the consumer price index. Mr. Rouse assumes for 2020 it will be 2% at the end of August it was 1.8% by year end it should be up to two.
Page 15 shows how the money gets disbursed between water and sewer. Personnel is about the same. The differences between the water and sewer is that the sewer operating budget is a lot higher at 34%. It is the electricity that is involved in running the lift station and the sewer treatment plant. Water has more debt associated which is a reflection of the waterline repairs that were done a couple years ago.
Page 16 is the personnel costs; the charts look a little different than the personnel costs on the income tax side but it is just that spike in 2018.
Page 17 is operating. Mr. Rouse says the guys do a nice job of controlling what they can control. We are not projecting anything significant there.
Page 18 is the debt service. You can see that the water has spiked over the last few years because of the number of the waterline repairs.
Page 19 is the synopsis of the debt issues out there right now. Mr. Rouse says you can see the spike with the water. A lot of it is OPWC funding. The positive thing is when you look at the debt issues is starting in 2022 the Denshire OPWC will be paid off for sewer. The water treatment plant falls off in 2024. The northwest waterline is the big one and that falls off in 2025 and Milan street waterline falls off in 2026. Mr. Rouse says you can see the number of debt issues but in a few years a lot of it starts to fall off.
Page 20 shows the capital costs over the last few years. It is reflective of the nature of those projects.
Page 21 show the projects in this year's capital budget. Mr. Rouse says what we are trying to do with the funding in 2020 is replace 4 more books with the new meters. This year we have done two and there are 13 books total for the entire city. There is also the next phase of the GIS system. They also have a couple items such as some electrical upgrades at the sewer plant. That should help with some efficiency. Their capital budget proposal for 2020 is minimal.
Page 2022 is the overall picture of the finances for water and sewer. There are spikes but that is just the nature of the projects as they come through.
Mr. Rouse discusses a future meeting with the Finance committee.

Scott Svab adjourns the meeting at 6:55 p.m.

Meeting minutes prepared by: Alyssa Bettis

Meeting minutes approved by: Scott Svab, Chair

CITY OF CANAL FULTON
CITY COUNCIL MEETING MINUTES
September 17, 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 Mayor Joe Schultz, Dan Bucher, Jr., Sue Mayberry, Bonnie Donaldson, Eric Whittington, Scott Svab and Danny Losch

City Staff present were Law Director Scott Fellmeth, City Manager Mark Cozy, Finance Director William Rouse, Police Chief Doug Swartz, Fire Chief Ray Durkee, Clerk of Council Alyssa Bettis, Streets Superintendent Gary Hosking and City Engineer Keith Dylewski

Others in attendance were Chell Rossi, Janet Deans, James Deans, Jeanann VanDenberg, Al Berry, Wendie Berry, Joan Porter

SWEAR INS – FIRE

Michael Deyaeger- EMT Advanced and Firefighter 2

Mathew Gray- EMT Basic and Firefighter 2

Fire Chief Ray Durkee introduces Michael Deyaeger and Mathew Gray. They have already been hired by Lawrence Township. They have been doing their probationary training so by the time they are hired they should be ready to work. Chief Durkee reminds Council that we keep hiring because we keep losing people. He says they sometimes let us know they are leaving but sometimes they don't so he made a letter. It says that we appreciate your service but if you are no longer interested then respond to this letter and if you don't you will be taken off your rolls.

Mayor Schultz asks if they are working anywhere else? Chief Durkee says they are working for Lawrence Township. Michael Deyaeger says he works for Chippewa and Wadsworth. This is Matthews first department. He worked for a private ambulance company and EMS standby jobs.

A motion was made to accept the hiring of Michael Deyaeger and Mathew Gray by Sue Mayberry

Second by Bonnie Donaldson

All Council Members voted yes. Motion approved.

REPORTS OF STANDING COMMITTEES

Mr. Svab reports that the Finance Committee met to do an overview of the 2020 budget presented by the Finance Director. Mr. Svab says he looks like he is trying to get everything budgeted and there are a few capital items that we want to discuss. We would like to set a meeting two weeks from today at 6:00 p.m.

A motion was made to have a Finance Committee Meeting on October 1, 2019 at 6:00 p.m. by Sue Mayberry

Second by Dan Bucher, Jr.

All Council Members voted yes. Motion approved.

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

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

9-3-2019 Council Meeting Minutes

A motion was made to approve 9-3-2019 Council Meeting Minutes by Sue Mayberry

Second by Scott Svab

All Council Members voted yes. Motion approved

9-10-2019 Special Council Meeting Minutes

A motion was made to approve 9-10-2019 Special Council Meeting Minutes by Scott Svab

Second by Dan Bucher, Jr.

Sue Mayberry abstains. All Council Members voted yes. Motion approved.

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens – Mayor Schultz asks Bonnie Donaldson if she had taken the trip with them yet. Mrs. Donaldson informs Mayor Schultz that it is not until October 6th. She says that a friend of hers from Virginia is going to go as well.

Community Service- No Report

Fire Chief- Chief Durkee thanks Council for the new hires. Reminds everyone that tomorrow is the day they accept the Ohio Fire Service Hall of Fame and Fire Award for being the Ohio Fire Department of the Year.

We are also being evaluated by the Insurance Service Offices. The last rate we were at was a Class 4 rating and the best is a Class 1 because we don't have a ladder truck.

Mayor Schultz asks Chief Durkee if he sees Canal Fulton needing a ladder truck? Chief Durkee says it would facilitate things and might be something we can pursue as a regional grant with other communities. Hopefully we can host that here. As a requirement we would have to respond to those other communities. Mayor Schultz says so it would be similar with the SWAT agreement.

Police Chief- Chief Swartz asks Council if they remember the fire simulator for training that they had. He says the County actually purchased one of those and they are going to house it at Stark State so they can get the SROS in there for free. Mrs. Donaldson says she read that AEDs are available at all the parks in Green. She asks if that is something we would want to consider here? Chief Swartz says that is more of a Fire Department question. Chief Durkee says they are not readily available. They received a grant to put some bikes out there. When there are events, the Explorers are out there with them on their bikes.

Engineer- Mr. Dylewski says that if you have been out to Community Park you would notice that asphalt has started going down in the parking lot. The contractor has probably got 75% of the base asphalt down they plan on finishing the rest tomorrow. Hopefully next week they can put the top coat down and stripe it shortly after that. Things are moving along ahead of schedule and looking good.

Mrs. Donaldson asks what kind of roof does that building have? Mr. Dylewski says he is not sure of the building because that is a separate project through the YMCA. Mayor Schultz says he is pretty sure it is rubber. Mr. Minks says it is a rubberized flat roof.

Streets – Mr. Hosking says that Chip & Seal is completed. We have the street vac coming in next week to remove any loose gravel and after that they will have the streets striped.

Leaf pick up starts mid next month. They are hoping to get out there every day.

The yard waste facility is shut down and will stay shut down until they can get the grindings removed. The grinder has been there the past day and a half finishing up the grindings. The way the EPA is coming down on these sites, we can only have so many square feet for composite. So we have to remove the grindings before we can open back up.

Mr. Hosking says the Township was out helping us load that up all day long for the past day and a half. He says if it wasn't for the Township, we would be in a world of hurt. He gives a shout out to the Township. He says with our manning being down and being so far behind they have come in and really given us a hand. Mr. Hosking wants them to know that we appreciate all that they do for us.

Chief Swartz corrects his previous statement he says it wasn't the County Commissioner that purchased the Fire simulator it was Stark Educational Service Center.

Public Utilities- Mayor Schultz asks Mr. Rouse if we are done with that first book? Mr.Rouse says that the first book is done. They are looking to be onto new billing by November 1st. Mr. Rouse says MuniLink had done the initial conversion and he went through and noticed somethings that looked odd on the balances so they had to go back and retest again.

Planning/Zoning- Meeting Thursday. Mayor Schultz asks if we know what is on the agenda. Mr. Cozy says he knows there is a right of way vacation.

Finance Director – August Financials are included. Income tax was even for August. It is up slightly for the year. The August bills are fairly high. There was a retirement pay out for one of our Police Officers included in that. It also captures the water tower and park construction.

The last item is Ordinance 24-19, it is the income tax Ordinance. Nothing is changing here. It takes all of the various Ordinances passed in order to get the Levy on the ballot. It puts everything in one comprehensive Ordinance. There are no changes.

A motion was made to approve the August Financials by Danny Losch

Second by Scott Svab

All Council Members voted yes. Motion approved.

City Manager – Mr. Cozy says the Natural Resource Assistance Council for the Clean Ohio Fund did all of our site visits last week. Including the property where the feedmill used to be. We reviewed that property and all the other properties.

We submitted, last week, the OPWC grant for the water tower and the OPWC loan for the Cherry Street water line replacement. That is replacing the waterline from Ash Street all the way to Milan.

The VFW showed interest with the Senior Center. Potential for the Senior Center to possibly move to the YMCA the VFW has shown the interest in acquiring the Senior Center. Mainly because there are no stairs. A lot of the older members cannot go up and down the steps anymore. It is also right beside the Veterans Memorial Park. It would be nice having the VFW by the Veterans Memorial. There was a question about the liquor permit if it can be transferred over there because it is by a park. Mr. Cozy says he has been in contact with the liquor control board and as long as the City doesn't object that its fine.

There is a Public Hearing tonight associated with Resolution 7-19, there are gentlemen present tonight from Chapel Hill.

Mrs. Mayberry asks if he is sure that the City is allowed to sell the Senior Center to some other entity other than what it is there for? Mr. Cozy says he has never seen anything saying that we cannot do it. He says this has come up before and we researched documents and there was a sunset on a couple of those but the sunset has passed. There was a ten- or fifteen-year limitation that we couldn't sell it but that was back in the 1990s. Mrs. Mayberry asks if there is anything on file at the City? Mr. Cozy says yes because he did his research. When we first started talking about it he did the research and some of the grants we received to renovate the building had sunsets, but those have all passed. We are free and clear to sell the building if we wanted to. Mr. Cozy says they never made that decision we are just researching our options.

Mrs. Mayberry asks if the seniors want to move. Mr. Cozy says that they approached us. He says he doesn't know. He doesn't know if they are going to take it to a vote or how that is going to happen.

Mrs. Mayberry says that sometimes seniors have a hard time adjusting to new things. Mr. Cozy says he understands. Mrs. Mayberry says its hard on them. Mr. Cozy agrees.

Mrs. Mayberry asks about the Clean Ohio Fund for the Feedmill. The hotel that was to possibly get built, is that done? Mr. Cozy says he has not heard anything. Mrs. Mayberry asked if the Hattfields interested un selling that property? She says shes just thinking about the Clean Ohio Fund for land and she doesn't know how much the Hattfileds would want. Shes not trying to create that issue. She says she is just saying that if the Clean Ohio Fund is going to be giving us $30,000.00 for a $40,000.00 purchase, she didn't know if there is a cap on what they would pay for a property. Mr. Cozy says that is for land conservation and the only reason that the land qualifies is for parking for accsess to the Old Muskignum Trail and also to the river for canoes and kayaks, You can't use that money for commercial or active recreation it has to be passive.

Mrs. Mayberry asks about the legislation was passed to rezone the land on the top of the hill. Mrs. Mayberry says she was trying to see if there was any contingent statement in the legislation. We passed it to change it to S1 Suburban Office District but the fact that it has not happened. She says the rezoning has not actually happened. It is not clear in the legislation that it was contingent. Mr. Cozy says that anything that happens on that property has to go to planning for approval. They base it upon a development plan and he doesn't know if it is going to come to fruition or not. The property hasn't closed

yet. With the S1 zoning in place the Planning Commission has to approve anything that happens on that property everything is conditional use. Mrs. Mayberry asks if it is actually zoned S1 because it is still in the hands of Kraven. Mr. Cozy says, yes, Kraven is still the owner.

Mrs. Mayberry asks if it is officially right now zoned S1 Suburban District? Mr. Cozy, answers, yes.

Mr. Cozy says we have businesses come to town and say they are going to do something that never happens. You can't control what a business does.

Mayor – Mayor Schultz says that Alumni Night is this Friday. He hands out flyers. The school is trying to make this an annual event in conjunction with our first league home football game. That will always be the night when they induct the Hall of Fame Class. After the game from 9:30 p.m. until midnight we are going to shut down Canal Street from Cherry to Market. We talked to local vendors. Oser's, Miller Doan, Barrel Room and the Coffee Shoppe. There will be activity for kids, cornhole tournament, hula-hoop contest and an egg race for kids. Mayor Schultz says this is tailor made for one of those DORA events. He says it will be Friday the 20th.

Mrs. Donaldson says that Kathy from the Senior Center said they were going to have a program tomorrow. She says she heard it was cancelled. Mayor Schultz says that is what he heard too. Mayor Schultz thanks Mrs. Donaldson.

A couple events for the 12 Days of Christmas are on shaky ground. The ice skating and the roller skating events. We called back asking if they needed a deposit and they said whoever made those reservation and deals didn't have the authority and they no longer work there. Mayor Schultz says he is working through those.

Mayor Schultz says it is 7:31 and he doesn't want to cut off Mr. Fellmeth or Earl from Parks and Rec. but we do have some gentlemen here from United Church Homes and we have a Public Hearing. He asks for Councils approval to amend the Agenda to move onto the third reading for Resolution 7-19.

Mr. Fellmeth says you have to announce the Public Hearing first.

Mayor Schultz says we will open up to Public Hearing.

Resolution 7-19: A Resolution Granting Approval of The Issuance by the County of Marion, Ohio of Its Revenue Bonds, A Portion of the Proceeds of Which Will be Used to Finance and Refinance Facilities Owned and Operated by United Church Homes, INC. Located Within the City of Canal Fulton, Ohio.

A motion was made to approve Resolution 7-19 by Sue Mayberry

Second by Scott Svab

All Council Members voted yes. Motion approved.

Mayor Schultz asks if anyone has any questions for him. Mrs. Donaldson says she has several questions that people have asked her about.

Mrs. Donaldson says she read that the handicap sticker on the post by Oser's but there is no marking on the road. She asks is there anyway we can put it on the road too? Mr. Hosking say it is on his list of things to do.

Mrs. Donaldson says there was a telephone pole that was leaning over the road, a new pole was placed but the old one is still there and it looks like the only thing holding it up is that it is leaning on the wires. She says this is down by First Commonwealth. Mr. Minks says that they were working on it today. He says they saw him this morning. Mrs. Donaldson says she didn't see anyone today. She saw them at Millfield.

Mrs. Donaldson says that the residents really miss the outside dropbox for their utility bills especially for the walking impaired. They said they would like something ut in place where they can drive by and drop off their payments. Mrs. Donaldson asks if there is anything that we can do. Mayor Schultz says it leads to a lot of problems. People claim that they put things in there and there is nothing there. He says he understands that our building makes it difficult to get down the stairs.

Mr. Rouse says it started to become a security problem for personal information. We don't man that box on the weekends. Sometimes we would see envelopes hanging out of that box. He has read things now

that a lot of people who steal identities or commit fraud, they are just going to the mailboxes with fly traps with sticky stuff to pull out envelopes. He said it became a problem that we could not secure it.

Mr. Rouse says you can still use the door because it is secured on the inside. You can also pay online.

Parks & Recreation Board- Mr. Minks says at the last meeting with the Mayor they talked about the walking trail at the new facilities they have decided that hopefully cut it down enough to fill some of the trail but have a spot where we can add onto it if we get more money.

Mayor Schultz said that he talked to Gary today and would like to ask the Police and Fire to each come up with a vehicle for us to block that road so that we make sure that no one is getting in there. This is the first level asphalt and we don't want that to get dirty. So, if you can find us a couple vehicles where that island is. Mayor Schultz says once they get the pavement done we are going to need the striping done and someone will need to get into the parking lot to do that and the light posts. Other than that there shouldn't be anyone on the black top.

Chief Durkee asks when he wants to start that. Mayor Schultz says Wednesday maybe. Tomorrow afternoon.

Law Director – Mr. Fellmeth says in October the law will change in Ohio regarding the regulation and appointment of Notary Publics. Effective in October the appointment will be done through the Ohio Secretary of State in Columbus. They are going to set up locations to be determined.

THIRD READINGS

Ordinance 24-19: An Ordinance Amending the Canal Fulton, Ohio Income Tax Ordinance

A motion was made to approve Ordinance 24-19 by Dan Bucher, Jr.

Second by Scott Svab

All Council Members voted yes. Motion approved.

SECOND READINGS

Resolution 8-19: A Resolution by the City of Canal Fulton, Ohio to Apply for a Grant from the Ohio Public Works Commission for the Clean Ohio Fund – Green Space Conservation Program

Ordinance 25-19: An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations. ($425,000.00 Advance from General Fund to Capital Reserve Fund)

Ordinance 26-19: An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations. ($12,000.00 to Replace Concrete in the Downtown Sidewalks)

Ordinance 27-19: An Ordinance Amending Ordinance 45-18, and Providing for the Changes to Previously Authorized Appropriations. ($28,000.00 – to Clean and Repair #8 Well Pump)

Ordinance 28-19: An Ordinance Amending Ordinance 45-18, and Providing for Changes to Previously Authorized Appropriations. ($8,000.00 – City's Share of the Fire Department FEMA Radio Grant)

FIRST READINGS

Ordinance 29-19: An Ordinance Amending Ordinance 45-18, and Providing for the Changes to Previously Authorized Appropriations. (reallocate appropriations- no overall change in budget)

P.O.s

P.O. RG012302 to Municipal Income Tax Solutions in the amount of $5,670.00 for Income Tax Software Contract Renewal

A motion was made to approve P.O.RG 012302 by Danny Losch

Second by Scott Svab

All Council Members voted yes. Motion approved.

Mr. Rouse says we put the P.O. on for what we would think the high end of the amount would be.

P.O. RG012303 to Metker Ech Inc. in the amount of $10,000.00 for Grind Yard Waste

A motion was made to approve P.O. RG012303 by Scott Svab

Second by Dan Bucher, Jr.

All Council Members voted yes. Motion approved.

P.O. RG012326 to TRI C Concrete & Excavating in the amount of $9,200.00 for Downtown Sidewalk Concrete Repair.

A motion was made to approve P.O. RG012326 by Dan Bucher, Jr.

Second by Eric Whittington

Mrs. Mayberry says she was recently in Dublin, Columbus, in downtown historic district. Mrs. Mayberry noticed they have really nice concrete planters that they have greenery and flowers in different places throughout. We are going to be putting concrete down to be covering up the areas where the trees used to be. There are different areas and sizes. She says she doesn't know how much concrete planters would be but she thought instead of covering up the hole with concrete if we wanted to ever look at possibly putting planters there. She says it is maybe too late to think about it. Mr. Cozy asks if they were square or round? Mrs. Mayberry says they were rectangular. Mr. Cozy says okay they would fit. Mrs. Mayberry says they would fit and she just saw them and thought that they would look better and might not be as expensive. Mayor Schultz brings up Massillon and how they had concrete planters. Mr. Hosking agrees with what they are saying but he thinks that the city needs to look at a whole new streetscape in downtown over the next few years. He says our sidewalks are buckling, the brick looks nice but constantly sinking they were put in over 30 years ago. Besides all that light poles are 30 years old and a few have fallen over. They need to be looked at and inspected. Mr. Hosking says that something the City should look at in the future. Mrs. Mayberry says they also had the light poles with the hanging baskets. Mr. Hosking says its something he has mentioned before, redoing downtown, because we are starting to hang banners on light poles. There has been suggestions of planters which look fantastic. These lampposts we have now are not made for that. Mrs. Mayberry understands.

All Council Members voted yes. Motion approved.

BILLS- August Bills $690,585.32

A motion was made to approve the August Bills of $690,585.32 by Scott Svab

Second by Danny Losch

Mrs. Mayberry asks on page 5. Kevin Notch tennis lessons. What is that for? Mr. Cozy says we do that every year. Mr. Fellmeth says he is a tennis instructor from the hall of fame tennis club. Mr. Cozy says the program pays for itself.

All Council Members voted yes. Motion approved.

OLD/NEW/OTHER BUSINESS- Mrs. Mayberry says she failed to thank Gary earlier. She says she had a gentleman contact her about mulch needing put up at Discovery Park and clean up and Gary took care of that. Mrs. Mayberry says the guy contacted her and said it looks a lot better and was grateful for that.

REPORT OF PRESIDENT PRO TEMPORE

REPORT OF SPECIAL COMMITTEES

Mayor Schultz says he will need to ask Council to go into Executive session to discuss negotiations.

CITIZENS COMMENTS – Open Discussion (Five Minute Rule)

Mayor Schultz says at the last two HPC meetings residents John and Denise Dishon at 224 High Street had came to an HPC to request approval to have vinyl siding put on their house.

The HPC chose not to make a decision and wanted them to look at other options. They expressed at the meeting that they were not interested in doing that. HPC didn't vote on it. If they would've voted one way or the other than the Dishons could've appealed to Council but because they didn't vote we asked HPC for a special meeting. So, if the vote didn't go their way, they would have an opportunity because they were issued a building permit and the contractor already started doing the work. The HPC voted last night by a margin of 6 to 1 to deny their request for vinyl siding. So, they are coming to council to ask council to over rule the recommendation of HPC.

Mayor Schultz explains that this is a really tough situation. He says that for him the HPC people do a wonderful job, they are not paid they are volunteers. They serve the community well. He says at the same time we have residents that are trying to improve their home and don't want to incur the cost of painting their house anymore.

Mr. Bucher asks what was HPC' s reasoning for this?

Mr. Whittington says yes, especially if there are other businesses and houses in the Historic District that have siding. Why would they deny them? Mr. Whittington says it doesn't seem right, there has to be some consistency. There are several houses with vinyl siding in the Historic District. Including businesses and fake brick. Why say no to them and yes to everyone else?

Mayor Schultz says one of the comments that someone made about their house will hold paint. So that's a criteria that they're using to determine whether someone should paint or put vinyl siding. The problem with that is if that person is qualified to determine or make that decision on whether or not wood will hold paint. Then at what level of inspection. Mayor Schultz explains that in between their two houses it gets very little sunlight so the wood is rotting.

Mr. Dishon says down the alley side of the home, there was some ice damage from when he moved in. Over the years he has patched and actually had to cut a piece out and replace it with plain wood. There was no siding to match. Mr. Dishon says rather than keep doing that and making it ugly. He has come to vinyl siding because they are planning to retire and live and that house. They want lower maintenance and to cover up ugly things on the house. Its not just covering up he says. The contractor is actually going to do a repair job under the siding where the rotten wood is.

Mayor Schultz says the Blank House had dormers on it and they were wood dormers. They came to HPC and asked for permission to vinyl side those. The determination was that they won't hold paint anymore. Then last night at the meeting one of the members made a comment that you just have to replace the wood and you can get it at Home Depot.

Mr. Dishon says that he said under the eves its not holding paint he could paint it tomorrow and a month from now it would be pealing. They said that is just easy to replace. He says to replace that wood he would have to take the roof off the house. So that is not an easy fix or a cheap fix.

Mrs. Mayberry says she realizes there has been mistakes and things that have been allowed to happen that should not have happened. It doesn't mean that you have to throw the baby out with the bath water.

Mrs. Mayberry reads out of Chapter 1175 from the Historic District in the Codified, in the legislation, that we took an oath to uphold. She reads –

> "If not approved by the HPC the Commission shall issue to the applicant a statement of specific reasons for denial of the certificate together with suggested revision in the plan which would lead to approval. The applicant may resubmit application at any time. Denial by the commission of certificate of appropriateness may be repealed by the applicant to the Planning Commission in accordance with Chapter 1147. After such request from the applicant the Planning Commission shall notify the applicant by certified mail of the date of the hearing. In addition, the date and location of the meeting shall be published at least once in a paper of local circulation not less than 15 days prior the date of the hearing. A majority vote of the Planning Commission shall be necessary to grant a certificate."

Mrs. Mayberry says that this should not be here. This is not for us to decide. Mayor Schultz asks Mr. Dishon what he was told last night, that you can appeal it to council. Mrs. Mayberry says that was not correct.

Mayor Schultz responded that she is on that committee and you didn't say it last night.

Mrs. Mayberry says she just read this last night and John Workman is telling him to go to Council and this is in our code. She says she looked at it when she got home. Mrs. Mayberry asks Mayor Schultz what he's going to say to that. She says are you going to just say screw our codified.

Mr. Whittington says it does have to go by the book.

Mrs. Mayberry says that we can't do this.

Mayor Schultz says well then when someone comes to the HPC and asks for a vote and no one votes on it. Then last night they voted on it but he never received a written explanation. Mayor Schultz asks if they are supposed to wait until the next meeting?

Mr. Dishon says it was the president, John Workman, who said this should go to Council.

Mrs. Mayberry responds, yes, he did.

Mrs. Mayberry says unless this code changes to make things different this is what we have to follow.

Mayor Schultz says he agrees with her.

Mrs. Mayberry tells Mayor Schultz that he is trying to convince us to violate the code.

Mr. Cozy says the Mayor hasn't said anything yet.

Mr. Losch says he thinks we are just hearing it right now.

Mr. Bucher says he doesn't think anyone here is ready to make a decision this is the first he's heard about this.

Mrs. Mayberry says that's why she said this shouldn't be here. Mrs. Mayberry says she told them last night that Council should not be addressed with this tonight.

Mr. Cozy says a citizen can come to Council and ask a question.

Mrs. Mayberry says she knows that but not make a decision.'

Mr. Cozy says they understand that now. They did not know. They were following what HPC said.

Mr. Bucher says honestly the President of HPC, if they're the ones sending people here, should be here defending his decision.

Mayor Schultz says that he is not here to blame anyone. Mistakes happen. This has been a district that has inconsistencies. If you look in the book you can see all of the inconsistencies that exist.

Mrs. Mayberry questions, inconsistencies? She says, what book?

Mayor Schultz answers the brochure that was just passed out with the different properties.

Mrs. Mayberry says she sees that this has been going on a long time.

Mr. Dishon says if this has been on the books why hasn't this been enforced all of these other times? He says they have been targeted and discriminated against. He feels they are under attack.

Mr. Minks says he has a neighbor and the same thing happened to him and his house is still not painted or sided. He says its been 15 years.

Mayor Schultz says that they did more research today and they found in the zoning that they have the authority to tell people one of three things: you have to repair your siding, replace it, or raise your house.

Mr. Cozy says we need to get an interpretation on the paint.

Mayor Schultz says that we have a Planning Commission meeting Thursday.

Mrs. Mayberry says according to this that is where it should go.

Mr. Bucher says as long as they don't make them wait.

Mr. Fellmeth says it is already September and he wants to put this siding in so lets put a move on it and let the Council make the decision.

Mr. Cozy asks that if this gentleman doesn't like the decision from the Planning Commission can he appeal to Council after that?

Mrs. Mayberry answers, no.

Mrs. Mayberry says it stops there.

Mayor Schultz questions that it stops with unelected officials?

Mrs. Mayberry says it stops there.

Mr. Losch asks where it states that it ends there?

Mr. Fellmeth disagrees. He believes Council has the authority to overrule the HPC and Planning Commission on anything.

Mrs. Mayberry asks where it says that?

Mr. Fellmeth says that he will do the research but Council has the ultimate say on what they want to do.

Mrs. Mayberry asks then why do we have a Planning Commission or a Historic Preservation Commission?

Mr. Fellmeth says they make recommendations. Council has the authority to overrule those recommendations. That is why you are elected. You are appointed.

Mrs. Mayberry says, but.

Mr. Losch says it can't just end there.

Mr. Fellmeth says it can't just end because HPC doesn't want to do it.

Mrs. Mayberry suggest we just get rid of it all.

Mr. Losch says not necessarily, it works quite well.

Mrs. Mayberry responds, oh really?

Mrs. Mayberry says we disrespect those people who make those decisions and this is here for a reason. This was in 1978 and no one up to this point felt it was necessary to revise this information.

Mayor Schultz says a good place for that would be in Charter Review.

Mrs. Mayberry says the Charter has nothing to do with this.

Mayor Schultz some type of architectural review committee.

Mrs. Mayberry says that there is nothing wrong with an architectural review committee and that would be great. It would be great if we had people qualified to do that.

Mrs. Mayberry would like to see that Council can overrule everything done by these commissions.

Mr. Fellmeth says that Council has the power to abolish that commission all together according to our Charter.

Mrs. Mayberry says, well then abolish it.

Mayor Schultz says, make a motion.

Mrs. Mayberry says she is not going to make a motion to abolish it.

Mayor Schultz says you just said to abolish it.

Mrs. Mayberry questions why it even exists.

Mayor Schultz and Mr. Whittington say, simultaneously, to make recommendations.

Mr. Fellmeth says that there is always an appeal process.

Mrs. Mayberry responds, yeah appeal to Planning and then it stops after that.

Mr. Bucher says we are getting off subject and we should go back to the issue. Other than the fact that their house can hold paint, what other criteria is HPC using to make this recommendation? He says he still hasn't heard anything.

Mrs. Mayberry responds, if you read Chapter 1175 on Historic District that will give you your answer.

Mr. Bucher says he didn't know about this until he walked in the door.

Mayor Schultz says last night one of the reasonings a member of HPC gave was because that is a Victorian House. Another person said we have a Victorian District.

Mayor Schultz says that we checked today and your house on the Ohio Historical Preservation Office they described the Dishon' s house as being a gothic revival/ Eastern Stick. Mayor Schultz says that doesn't sound Victorian house to him. He says they explained last night that you feel you basically have a farmhouse that someone tried to make look Victorian. That State of Ohio does not recognize it as a Victorian House nor do we have a Victorian District, we have a Historical District. To apply that criteria and those are the answers they are getting from people. That this is a Victorian home when it is not. That it will hold paint, what qualifications do you have to make that determination. There are a lot of issues with their decisions.

Mr. Whittington says according to law it still has to go to Planning Commission. So do that in two days and in the meantime find out what the next process would be.

Mr. Cozy asks if he can go to planning in two days?

Mr. Whittington asks if we can put them on the Agenda so that they are not waiting any longer?

Mrs. Mayberry tells Mr. Dishon that he can show up.

Mr. Cozy says he will talk to Steve and make sure he is on the Agenda. We will follow the code. Mr. Cozy thanks Mrs. Mayberry.

Mrs. Mayberry says that one thing that is important to remember is a lot of this information is based on the fact that people that are in the Historic District are charged with maintaining their properties. Whether it be a business or a home. Surely, any home you buy or business, if you don't maintain it regularly and take care of it. It is going to fall apart to a point where you come to HPC or Planning and say that you can't afford to fix it. Mrs. Mayberry says she is not just talking about this gentleman and his wife she is talking about anybody that says this. She says she even talked to John Hatfield. When he wanted to put the siding up, which he did get permission to do, she said over the last 15 years have you tried to remedy and he hadn't.

Mrs. Mayberry says you can't go for 15 years and just say my building is shot and I can't fix it. Zoning needs to be checking on this property on a regular basis. She says that is a part of zonings jo. There are a lot of things that have not been going accordingly.

Mr. Cozy says the Hatfield building is a big brick building in town. He says for us to go in and do what exactly? Mr. Hatfield took it upon himself. He has been maintaining his building and he even explained what he has been doing over the years. He had done a renovation to that building about 20 years ago. So that is a wrong statement.

Mrs. Mayberry says that it might have been a wrong statement.

Mr. Cozy says he thinks he was at the meeting and he was doing everything he could to a point he couldn't do it anymore without going on top of Kheelers roof and crushing her building to fix his building. There is a lot going on there to bring that up now.

Mrs. Mayberry says she didn't vote for it but it looks nice. Everyone else did and she voted against it.

Mayor Schultz conclude conversation and asks Mr. Dishon if we will see him Thursday at 6:30 p.m.

Al Berry and Wendie Berry

Century House Restaurant

They are to get a resolution to an on going problem of the only entrance and exit to our basement. They have compiled a detailed report of the situation over the last three years. He has compiled HPC and Council Minutes as reference as well as photos to show exactly what they're up against.

Council has booklets and documents in front of them. Photo and document references have been provided.

Property access to parcel number 9500770 which is our restaurant on 123 South Canal.

The issue is the daily operation of our business is being impeded by blocking of the right of way which is prohibiting vehicle access to the basement level of the building.

From City Council Meeting on May 20 2014. Mr. Mayberry said all of the property owners use that public land it is used for access and ingress to all of the buildings back there at some point in time. Mr. Mayberry stated that if building blocks access to other property owners, he would think that would be a problem.

The HPC Meeting on July 20, 2017. When there was approval for a second deck. There was a motion to approve the second deck with the exception that he leaves as much of the right of way underneath as possible. At least enough for a car to get back in it.

City Council Meeting from November 20, 2018, it is still City right of way and for the safety of people Mr. Cozy put no parking signs underneath the deck. Picture three shows the signs up.

When the property was purchased in 2003 there were no decks behind 127 and 133 South Canal. The inventory of products and supplies are stored on the basement level. They are able to back up to the basement level door of their building, unload products and receive deliveries. Mr. Berry says Keith Cargould the owner of 127 and 133 began putting obstructions to block him from pulling under the deck to unload. Keith then placed boulders and stone blocks to block vehicle access. Mr. Berry says he just moved them so he could unload products. In April of 2018, it started happening again. Mr. Berry says he spoke with Mr. Cozy and Mr. Cozy spoke with Keith and there was an understanding that he could not block vehicle access.

In late 2018 it started happening again. Mr. Berry said he called Mr. Cozy said he was not allowed to park under there but only allowed to load and unload. Mr. Berry said he agreed to that. Mr. Cozy then put up No Parking signs.

On May 16, 2019 Keith brought a load of tree trimmings and dumped them in the middle of our accessway to block us from unloading. On May 17, 2019, Mr. Berry says he moved and neatly stacked the trimmings near Keiths garage door.

On June 13, 2019, Keith moved a patio table and chairs into the accessway. Mr.Berry moved them.

June 22, 2019, Mr. Berry and Mr. Cargould discussed the situation and agreed to leave the accessway open.

August 3, 2019, Buck Chevrolet began parking cars and blocking acess for 123,127 and 133 S. Canal St.

Mr. Berry talked to the man who was parking cars and informed him that he was not allowed to do so. Dan Buck told Mr. Berry that he owned the land and was allowed to do so.

Over time more cars were parked in the accessway eventually completely blocking any access. .

Mr. Berry says they would like to have this vehicle access issue resolved and have it in writing that parcel number 9500770 has permanent unimpeded vehicle access to the basement door because that land is public right of way.

They would also like clarification on who to contact if there was an event in which it became blocked again. Mr. Berry says if they have to call CFPD to have the vehicles towed that is fine they are just looking for some direction.

Mrs. Berry says they are just trying to follow the rules.

Mayor Schultz says in his opinion if there is a vehicle parked there then they will tow it.

Mr. Berry says he knows Mr. Whittington's people can't even take the trash out.

Chief Durkee says when he looks at those pictures, he thinks how is he going to get a hose line through those cars.

Mr. Whittington asks if we can establish what exactly Buck owns behind the doors. Mr. Berry says he has the map. Mr. Whittington says once that is established can we actually put a chip and seal road in there.

Mr. Berry shows the plot maps and property line. He shows that 6ft off the back of his building is what he's got.

Mr. Losch says what are we going to do, survey the property, its pretty clear what he's got. Mr. Whittington says if we do something on Dan's property and it ends up that we are wrong then it is a big mess. Mr. Whittington suggests doing it right the first time and find out where the exact property line is.

Mayor Schultz believes the solution is to turn it over to Keith to do some survey work and put up appropriate signs based on knowing where the boundaries are.

Mr. Cozy says so we are just going to keep doing what we are doing until then.

Mr. Berry says he would like to at least let Dan know that he has to get those cars out of there.

Mr. Cozy says he will let Dan know.

Mrs. Donaldson says until its decided.

Mr. Berry says you can do your stuff afterwards. He has a guy that has to come in and dump his grease tank and he can't get close to the building to do it.

Mr. Fellmeth suggests putting the burden on Dan Buck to show that he owns it rather than us paying for a survey.

Mrs. Donaldson agrees. She says that is a good idea.

Mr. Cozy says we can just assume it is six feet behind his building.

Mr. Whittington says that he thinks something needs to be put up and he agrees with the law director's suggestion.

Mr. Losch says that its pretty clear that this is a right of way. There is no argument there. This is noting that needs to go to court. Dan Buck has to comply with this.

Mr. Hosking asks what signs they want. Tow away zone?

Mayor Schultz says we have to find out what they legally have to have on there. Like the tow company and phone number.

Mr. Cozy suggests a Do Not Block Driveway or something along those lines. Violators Will Be Towed.

Mr. Berry asks for someone to please get ahold of him after to get those out of there. Mayor Schultz says okay.

A motion was made to place signs of a tow away zone in the right of way by Danny Losch

Second by Scott Svab

Mr. Cozy asks where we are going to put these signs? Mr. Berry suggests right where the no parking signs are. Mr. Hosking asks if we have the right to put them on the deck post? Mr. Cozy says we just have to get permission from the property owner. Mr. Berry says Keith will be happy with it. Mr. Cozy says Keith is the one who wanted them. Mr. Svab says when the decks were being put up you were okay with it. Mr. Svab said he thought it was crazy to put the deck up. Mr. Berry says yes you and Sue voted against it. Mrs. Berry says that they are the ones it is affecting the most.

All Council Members voted yes. Motion approved.

Chief Durkee says that this past weekend he rode the Akron Bicycle club Rosco Ramble Ride. It goes from Canal Fulton to Rosco Village and back. While he was there, he met a guy who is with the Akron Bicycle Club. He had the duties of developing a route from the Akron Canton Airport to the towpath. He did that because there is a new venture at the Akron Canton Airport where they have a bike assembly rig. When you travel with a bike you have to break it down and put it into bags and have it shipped. Now there is a bike assembly area where people can assemble their bikes and ride them to the towpath.

James Deans

426 Heritage

Two events coming up.

Friends of Library is having a meet the candidates night Thursday, October 24th at the Senior Center. The doors will open at 6:00 p.m. and the program starts at 6:30 p.m.

October 26th, at the Senior Center, Canal Fulton/ Lawrence Township Community Foundation is having a Pizza Palooza. From 6 – 8 p.m. taste Canal Fulton's best pizza and vote for your choice.

Mrs. Mayberry asks where the meet the candidate's night will be? Mrs. Deans says the Senior Center and letters will go out next week.

ADJOURNMENT

A motion was made to adjourn to executive session to discuss the purchase of real, personal, tangible or intangible property by Dan Bucher, Jr.

Second by Scott Svab

All Council Members voted yes. Motion approved.

No decisions were made.

A motion was made to return to regular session at 9:00 p.m. by Danny Losch

Second by Scott Svab

All Council Members voted yes. Motion approved.

Meeting adjourned 9:01 p.m.

Meeting Minutes prepared by: Alyssa Bettis

_____

Meeting Minutes approved by: Mayor Joseph A. Schultz

_____

RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-325-8094 FORM NO. 30016

Resolution No. 8-19 *Passed*_____, 20____

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO APPLY FOR A GRANT FROM THE OHIO PUBLIC WORKS COMMISSION FOR THE CLEAN OHIO FUND-GREEN SPACE CONSERVATION PROGRAM.

WHEREAS, The City of Canal Fulton, Ohio desires to apply for a grant from the Ohio Public Works Commission (OPWC) for the Clean Ohio Fund-Green Space Conservation Program, and

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the City of Canal Fulton is planning to make capital improvements for Old Muskingum Trailhead Parking Project.

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs, and

WHEREAS, the estimated cost of said project is $41,850.00.

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

The City of Canal Fulton agrees to apply for a grant from the Ohio Public Works Commission for the Old Muskingum Trailhead Parking Project.

_____
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

RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-325-8094 FORM NO. 30045

Resolution No. 8-19 *Passed*_____, *20*_____

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

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-9094 FORM NO. 30043

Ordinance No. 25-19 *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, transfers and advances 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

WHEREAS, the City has received a $750,000 reimbursement grant from ODNR to develop the Canal Fulton Community Park, and

WHEREAS, the City needs to fund the up-front development costs and then apply for subsequent reimbursement by ODNR, and

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

Section 1: In order to cover the development costs for the Canal Fulton Community Park prior to reimbursement, Council authorizes the Finance Director to advance monies as needed up to an additional $425,000.00 from the General Fund to the Capital Projects Reserve Fund:

Expense Account	Account Description	Appropriation Changes
101.190.5900	Advances	$425,000.00
390.120.5730	Capital Improvement	$425,000.00

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 800-325-8094 FORM NO. 30043

Ordinance No. 26-19 *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 $12,000.00 to replace concrete in the downtown sidewalks.

Fund/Department	Previously Approved	Change	New Appropriation
Downtown Improvement Fund - 381			
Downtown Improvement Fund	$18,700.00	$12,000.00	$30,700.00

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 800-325-8094 FORM NO. 30043

Ordinance No. 27-19 *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 $28,000.00 to pay for cleaning and repairs to the #8 well pump.

Fund/Department	Previously Approved	Change	New Appropriation
Water Capital Fund - 341			
Water Capital Fund - Operating	$415,150.00	$28,000.00	$443,150.00

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 ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 28-19 *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 $8,000.00 to pay for the City's share of the Fire Department FEMA regional radio grant.

Fund/Department	Previously Approved	Change	New Appropriation
General Capital Fund - 391			
General Capital Fund – Fire Department Operating	$322,700.00	$8,000.00	$330,700.00

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. 30043

Ordinance No. 29-19 *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 reallocate the General Fund (fund #101) appropriations in the following manner:

General Fund - Lands/Buildings

Category	Previously Approved	Change	New Appropriations
Payroll Costs	60,081.66	(5,000.00)	55,081.66

General Fund - Legal

Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	55,000.00	5,000.00	60,000.00

General Fund - Income Tax

Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	91,040.00	(9,000.00)	82,040.00

General Fund - Engineering

Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	37,000.00	9,000.00	46,000.00

Section 2: City Council authorizes the Finance Director to reallocate the Water Operating Fund (fund #541) appropriations in the following manner:

Water Operating Fund - Payroll

Category	Previously Approved	Change	New Appropriations
Payroll Costs	474,389.25	(10,000.00)	464,389.25

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 29-19 *Passed*_____, 20____

Water Operating Fund - Non-Payroll			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	202,700.00	10,000.00	212,700.00

Section 3: City Council authorizes the Finance Director to reallocate the Sewer Operating Fund (fund #551) appropriations in the following manner:

Sewer Operating Fund - Payroll			
Category	Previously Approved	Change	New Appropriations
Payroll Costs	472,919.85	(10,000.00)	462,919.85

Sewer Operating Fund - Non-Payroll			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	353,500.00	10,000.00	363,500.00

Section 4: This Ordinance shall take effect and be in full force and effect from and after the earliest period allowed by law.

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

_____
Joseph A. Schultz, Mayor

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. 30 - 19 *Passed*_____, 20_____

AN ORDINANCE AMENDING SECTION 141.24 OF THE CANAL FULTON ADMINISTRATIVE CODE, AND REPEALING ANY ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the Canal Fulton City Council wishes to amend the City's employee bonding requirements, and

WHEREAS, Section 141.24 of the Administrative Code addresses employee bonds, and

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

Section 1: Chapter 141.24 of the Administrative Code is amended as follows:

141.24 BONDS

(a) The minimum requirements for employee surety bonds are the following:

(1) Director of Finance: $25,000.00
(2) Tax Administrator: $25,000.00
(3) Utility Billing Clerk: $25,000.00

(b) Beyond the minimum requirements noted in section (a), the Director of Finance is authorized to establish additional surety bonds in amounts and for officials as needed to conduct the routine business of the City.

Section 3: All other ordinances inconsistent herewith are repealed.

_____
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

PURCHASE ORDER

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

P.O. NUMBER: RG012342
P.O. DATE: 09/26/19
DEPARTMENT: STREET
CREATED BY:
VENDOR NO.: 00932

DELIVER TO:

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

VENDOR:

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

ACCOUNT NUMBER	AMOUNT
391.360.5730	$9,000.00

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
		LINE PAINTING		$9,000.00
		THIS PURCHASE ORDER IN EXCESS OF $5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
			TOTAL:	$9,000.00

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