

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

July 7, 2020

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**

6-16-2020 Safety Committee Meeting Minutes

6-16-2020 Council Meeting Minutes

6-23-2020 Special Council Meeting Minutes

REPORTS OF ADMINISTRATIVE OFFICERS

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

7. **THIRD READINGS**

Ordinance 13-20: An Ordinance by the Council of The City of Canal Fulton, Ohio to

Vacate the Alabama Court Alley.

Resolution 7-20: A Resolution Submitting the Question of a Renewal 1.0 Mill Tax Levy for the Purpose of Purchasing Capital Fire Equipment for the City of Canal Fulton, Ohio Pursuant to Ohio Revised Code Sections 5705.19(I) and 5705.191, And Declaring an Emergency

8. **SECOND READINGS**

9. **FIRST READINGS**

Ordinance 14-20: An Ordinance Amending Ordinance 33-19, and Providing for Changes to Previously Authorized Appropriations. (\$88,131.89 for COVID 19 EMS vehicle purchase)

Ordinance 15-20: An Ordinance Amending Ordinance 33-19, and Providing for Changes to Previously Authorized Appropriations.

Resolution 9-20: A Resolution Establishing the Coronavirus Relief Fund (Fund #223) to be used in Accounting for the Coronavirus Relief Funds.

10. **P.O.s**

P.O. RG012788 to Southeastern Equipment in the amount of \$11,201.21 for Repairs for Backhoe

P.O. RG012786 to Myers Equipment Corp in the amount of \$157,000.00 for New Ambulance to Replace our Prior COVID -19 Vehicle Which is No Longer Running. In Accordance with CARES ACT. This Purchase is Necessary Due to COVID-19, Was Not Accounted for in the Original Budget, and is Being Incurred, Between March and December 30, 2020.

P.O. RG012787 to Keith Blowers in the amount of \$5,711.70 for Installment Payments Toward Land Purchase- Remainder of 2020.

11. **BILLS-**

12. **OLD/NEW/OTHER BUSINESS**

13. **REPORT OF PRESIDENT PRO TEMPORE**

14. **REPORT OF SPECIAL COMMITTEES**

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

16. **ADJOURNMENT**

**Safety Committee Meeting
June 16, 2020 at 6:30 p.m.
Meeting Minutes**

In Attendance: Sue Mayberry, Bonnie Donaldson, Jeanann VanDenberg, Scott Svab, Eric Whittington Doug Morgan, Mayor Schultz

Others in attendance - City Manager Mark Cozy, Clerk of Council Alyssa Bettis, Finance Director William Rouse, Law Director Scott Fellmeth, Police Chief Doug Swartz

Noise Ordinance

Police Chief Doug Swartz says that there has to be some sort of direction when it comes to the noise ordinance. The Ohio Supreme Court language supports our language but Chief Swartz says that it should include something about ordinary sensibilities.

Mrs. Mayberry asks the Chief what his suggestion is. She says when she was reading it what caught her eye was that they basically don't give preferential treatment to people who have non-conforming use. Mrs. Mayberry says we have had that issue. Chief Swartz says that is a separate issue. Mrs. Mayberry asks if it says that in the language that was provided by the Supreme Court. Chief Swartz explains that it does not specifically say whether or not non conforming use has to abide by that law or not. Mrs. Mayberry says it is her opinion that if you are a non-conforming use then you need to be cognizant of what you are doing that affects your residents. Mrs. Mayberry asks if what we have on our books is good enough.

Mrs. Mayberry says in exhibit A, under unlawful noise and disturbances. It says prema facie its unlawful for a person to permit to be generated sound by the devices or instruments described in subsection A, hereof, or by any other means of generating sound in the following circumstances, on private property. Mr. Fellmeth asks if we are talking about non-conforming use. Mrs. Mayberry says we are talking about the legislation that was sent out to everybody to look at as a model. Mr. Fellmeth said he read it. Mrs. Mayberry asks how they feel about it mentions regardless of existing non-conforming use or variance, where the sound is audible more than 10 ft of the property line, of the property on which the source of the sound is located.

Chief Swartz gives an example of someone who works midnights and their neighbor is mowing their lawn. He can hear it from 10 ft away but we know that is not reasonable. Chief Swartz says we need to keep are language. Chief Swartz says it allows us to decide what is practical. Mayor Schultz says we are really just talking about one business and one property owner. In the last year there has been 55 total noise complaint calls 14 of those were for the one business. Mrs. Mayberry says we have had other noise issues since she's been on council. This wasn't just for them.

Chief Swartz says this case was about a barking dog. Chief Swartz says why he likes keeping it reasonable is if a dog is out barking for an hour and a half and the people went into their house and there was someone mowing and had air conditioning on, and they still heard the dog barking its not reasonable. Mr. Cozy says we have ordinances for barking dogs. Mayor Schultz asks if we are here more because of the relationship with businesses or residential. Mrs. Mayberry says either or. Mayor Schultz says this has been a struggle with Provisions. He says that he has worked over three years to get to a resolution that they could amicably agree to. That has not worked out. Mrs. Donaldson asks if it is still going on. Mrs. VanDenberg says yes.

Mr. Fellmeth says we are talking about Canal Fulton Provision, which has a preexisting non-conforming use. It would have to cease operations for a period of one year before you can stop it. It is already there. Right now, the people we are talking about are in a civil lawsuit in common pleas court. Mr. Fellmeth suggests that we do not pass any laws until it is resolved because they are in court right now. Mrs. Mayberry says that would've been nice to have known. Mr. Fellmeth says it he has given advice to them in the past and doesn't want to put himself in a situation where he is a conflict of interest.

Mrs. Mayberry says then there is nothing to talk about. Chief Swartz thanks council for helping the Police Department out. Mrs. Mayberry says she brought this up a long time ago, back in 2019 she provided this. Mayor Schultz says the point Chief Swartz is trying to get to is what would a sensible person arrive at and is this a problem. Mayor Schultz thinks our officers to a good job of dispelling the conflicts that exist when trying to get people to be compliant. Mrs. Mayberry says she remembers when the Chief would come to us and say that they don't have the means to enforce. Chief Swartz says he thinks it was about the complaint being in the Township.

Chief Swartz says right now the noise ordinance says anything after 8:00 p.m. is deemed unreasonable. Mrs. Donaldson and Mrs. VanDenberg say that is very early. Mrs. Mayberry says she thought they changed that because of open mic. Mayor Schultz says maybe that is where the variance stemmed from.

Bonnie Donaldson adjourns the meeting at 6:53 p.m.

Meeting minutes prepared by: Alyssa Bettis

Meeting minutes approved by: Bonnie Donaldson

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CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Members present were Bonnie Donaldson, Sue Mayberry, Jeanann VanDenberg, Scott Svab, Eric Whittington, Mayor Schultz and Doug Morgan

City Staff present were Clerk of Council Alyssa Bettis, Police Chief Doug Swartz, Finance Director Bill Rouse, Law Director Scott Fellmeth, Fire Chief Ray Durkee, City Engineer Keith Dylewski

Others in attendance were Dan Bucher Jr., Victor Colaianni, Ken Roberts, Joan Porter, Dawn Durkee

REPORTS OF STANDING COMMITTEES

Mrs. Donaldson gives the report on the Safety Meeting held at 6:30 p.m.

It was turned over to the police chief and they discussed the noise ordinance. At this point in time there is a pending lawsuit so council is going to wait and not make any changes.

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

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

6-2-2020 Special Council Meeting Minutes

A motion was made to approve the 6-2-2020 Special Council Meeting Minutes by Sue Mayberry

Second by Scott Svab

All Council Members vote yes. Motion approved.

6-2-2020 Council Meeting Minutes

A motion was made to approve the 6-2-2020 Council Meeting Minutes by Scott Svab

Second by Bonnie Donaldson

All Council Members vote yes. Motion approved.

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens – Mrs. Donaldson reports that the Senior Center will have another Swiss Steak Dinner on June 27th from 4-p.m. It will be carry out only. You can call 330-854-6307 and leave a message with how many dinners you want, your name, and phone number. There is one new commissioner and they are still looking for one more. Mayor Schultz asks if that was a position that the board elected or was it appointed. Mrs. Donaldson says it was elected.

Community Service – The boat was taken out of storage today.

Fire Chief- Chief Durkee thanks council for passing the voice motion for them to proceed with the grant. Chief Durkee says they have been healthy. They have set up an incident action plan that they update every week. When they first went on lockdown it was very strict but as things are opening up throughout the state they have lessened things. Chief Durkee says they now allow them to workout off duty.

Police Chief- Chief Swartz would like council to accept the resignation of officer Robert Stetka. Chief Swartz discusses the solicitor situation. He says it is an opportunity to examine our ordinances. Chief Swartz sent an email out to council president, Mr. Cozy and Mr. Fellmeth. Chief Swartz says there is different language he would like to see in it.

Mayor Schultz says we should schedule a safety committee meeting.

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A motion was made to have a Safety Committee Meeting on July 7th at 6:30 p.m. to discuss solicitor permits by Bonnie Donaldson

Second by Scott Svab

All Council Members vote yes. Motion approved.

Engineer- Mr. Dylewski reports that they are working on the Blowers annexation which will be presented to planning commission this week. Mr. Schalmo is getting ready to start his Cabot project and finish connecting the streets. Mrs. Mayberry asks if Mr. Blowers is annexing into the City for services. Mayor Schultz says we ran water up there and part of the agreement was an annexation.

Streets – Mayor Schultz says that tomorrow the yard waste site will be closed. It is too full. We have to get companies in there to give estimates on grinding so it will be closed until further notice.

Mrs. Mayberry asks if we had paid a company to come in and do this before. Mayor Schultz answers, yes. Mrs. Mayberry asks what the cost was for that. Mr. Rouse says he thinks it was around \$3,800.00.

Public Utilities – They are beginning to change out water meters again.

HPC/Planning/Zoning – Zoning meeting this Thursday, June 18th at 6:30 p.m.

Finance Director- May financial statements are included in the packet. They are just a recap of what was given at the last meeting. Three of the four major revenue sources are down.

Mr. Rouse has received notification that through the Federal CARES ACT that was passed in response to the virus, by way of the money that went to the state of Ohio. We are going to receive \$69,495.00 for CARES ACT funding. Mr. Rouse says it comes with a lot of restrictions on what you can use that money for. Mr. Rouse says if we are going to use that money, we have to pass a budget amendment. Mr. Fellmeth is working on legislation that will come to council. Mr. Rouse says we will need to pass legislation soon.

Mr. Rouse says he receive notification from the Ohio EPA that they are going to lift the no shut off restrictions for water service on July 10th. Mr. Rouse says right now there are 143 homes that are on delinquency lists. Mr. Rouse says at the end of July start moving forward with this. They are going to need to reach out to Traci with utility building to set up some time of payment arrangement. Mr. Whittington asks if they can set up some type of payment plan. Mr. Rouse says even before Corona we have tried to work with people the best we could. One thing that we have done is essentially give them six months to get caught up. Mr. Rouse says he would like a voice motion from council to say in extenuating circumstances given, that you give the Finance Director the authority to increase that to a 9-month period. Mr. Svab asks Mr. Rouse what he would do in the scenario that they don't after July 10th and not even make the current payment. Mr. Svab says he likes the idea of 9 months but what if you are \$300 behind and your bill is \$60 and you pay the \$60 but not the percentage to catch up, do you shut them off. Mr. Rouse says in order to do the arrangement we are developing a form that they will have to acknowledge they are paying it off.

A Motion was made to give the ability to extend payment plans to 9 months if needed to by Scott Svab

Second by Eric Whittington

All Council Members vote yes. Motion approved.

Mr. Rouse says if you recall over the last couple years, he has been working diligently to update the software in the Finance Department. We have updated income tax to include e-file a couple years ago. We changed out our utility software. The next step is the payroll software. The payroll software is 25 years old and will eventually be phased out. It is not user friendly. Mr. Rouse says he has been calling around for a year to different software companies. The quotes he has been getting have been around \$20,000.00 to buy new software and \$5,000.00 annual fee for support. Mr. Rouse says he has met with people from ADP about different software programs and services. Mr. Rouse handed out the proposal. They are willing to let us keep our current operations but using their software. Their software is in the cloud so we don't have the huge expense of buying it and putting it on our server. They become responsible for updates and security. The price would be \$4,555.00 a year based on our current payroll levels. What we get with that is all of the

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features. In particular, right now we print everyone's direct deposits, we will go fully electronic and email it to them with this software. Then there will be a portal for an employee to log in and see every pay they have ever had. There are so many other features that can be added on to this. It is cheaper to go to this than what we are paying now. Right now we are paying \$4,000 for our current 25 year old software, each year and then we pay another \$5,000 for direct deposit slips. It is under our \$5,000.00 purchase order limit. Mr. Rouse says that through discussions he got them to commit to a three-year fixed price.

Mr. Rouse says he liked the software a lot and ultimately as a department he wants to move in a direction where everyone can have some cross training. Mr. Svab asks Mr. Rouse if he looked at paycore, there are a few municipalities who use that. Mr. Rouse says he has not. Mr. Svab says he likes what he does here and is not going to tell him what vendor to use. Mr. Rouse says he will give them a call. Mr. Rouse asks if council is okay with this. Mr. Svab asks if he wants a voice motion. Mr. Rouse doesn't think he needs one.

Meeting breaks to start the public hearing on the DORA

DORA PUBLIC HEARING

7:30 p.m.

This is one of the conditions through the state of Ohio. Meeting is open to the public.

Victor Colaianni

720 Redwood avenue, Canal Fulton

Mr. Colaianni asks Chief Swartz, in reference to enforcing the provisions, do you see any challenges for your officers to affectively enforce this?

Chief Swartz says he talked to cantons police chief about what they do in their city. They have zero issues with it.

Mr. Colaianni says looking at this one of the reasonings for doing this is an economic development tool. Mr. Whittington says correct. Mr. Colaianni says he sees there are five establishments in the current one. Our community is very vibrant now and will get more vibrant, what happens if you get other businesses who potentially want to come here. Do you have to redo the entire process or is there flexibility in this?

Mr. Whittington says he doesn't think we have enough liquor licenses. Mayor Schultz says any businesses that would come in, we would have to look at where they are at in proximity to the DORA and then make a decision. The ordinance would allow you to expand it. Mr. Cozy says once we are certified through the board of liquor control, we can amend the area. Mr. Fellmeth says the DORA has to be revised every five years.

Ken Roberts

239 North Canal Street

Mr. Roberts says these are pre- COVID estimates. Mr. Roberts asks, how many people do you estimate to come to the downtown DORA and where would you estimate drawing those people from? This would be on an annual basis; would that number include Canal Days?

Mr. Whittington says we excluded Canal Days because of the large number of children. Mayor Schultz says as far as predictions we haven't made any because it is an experiment. Mayor Schultz says the last thing he would want to do is over sell the public. If there are problems with it and it doesn't work, we will end it quickly.

Mrs. Mayberry says she personally is not in favor of it. She didn't vote initially to submit it. She is personally not in favor of the concept. Mrs. Donaldson says she isn't either and hasn't been since the beginning. Mrs. Donaldson had two people stop and ask her what her feelings are on the DORA because they are against it.

Mr. Morgan says he thinks it is a good idea. At least try to see if it does bring anything to downtown. It doesn't hurt to try. If something happens, we can shut it down just as quickly as we started it up.

Mr. Svab thinks it's a good idea. We always talk about economic development and nothing ever happens. The five businesses downtown all support it. It will hopefully draw more people downtown.

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Mayor Schultz says if we want people to invest in structures, buildings and downtown and we want them to be renovated and well cared for then the businesses have to be able to earn a profit and invest it back into the property.

Public hearing adjourns at 7:36 p.m.

Mr. Rouse says that Resolution 7-20 is on first reading. This is the last piece of legislation to put our 1Mill fire equipment levy on the ballot for November. The Board of Elections says the date to give it to them is August 5th. They have said they are having a record number of issues coming through and they asked that if at all possible, we could get it to them sooner. That way they have more time to review. Mrs. Mayberry asks if his email said anything about us addressing that legislation at the council meeting. Mayor Schultz says that was him. Mayor Schultz says he plans on scheduling two special meetings. Mr. Svab asks if the auditors completed their evaluation, what will 1Mill bring. Mr. Rouse says that under current conditions they estimated around \$98,000.

A motion was made to approve the May Financial Statements by Scott Svab

Second by Bonnie Donaldson

All Council Members vote yes. Motion approved.

City Manager – Mr. Cozy reports the annexation petition of the water treatment plant was filed last week. We will be annexing the waste water treatment plant, the dog park and the aqua ohio property. The canal boat is out of the dry dock. Public rides will start this weekend starting at 12:30. In leu of Canal days being canceled we are going to do a fair food carry out.

The work on the eastside water tower will begin next week.

The playgrounds are open. There will be signs posted.

Mayor- Mayor Schultz says he reached out to Republic Services about the downtown trash. Picking it up on Wednesdays just isn't enough when we have a big crowd on the weekend. Republic has agreed to change the trash pick up to Tuesdays and Saturdays.

The Charter Review Commission meeting was scheduled for this Saturday at 8:00 a.m. but we had to reschedule it for this Friday at 8:00 a.m. Mayor Schultz says their meetings have gone really well. The committee that we have is doing an incredible job. Mayor Schultz asks if he can schedule two special council meetings for June 23rd and June 30th to discuss the CARES ACT, Fire Levy, and the Charter Review Commissions recommendation. Mr. Rouse says we would want to have that on the ballot in November so we need to have it to the Board of Elections by August 5th.

A motion was made to have a Special Council Meeting on June 23rd and June 30th at 7:00 p.m. to discuss CARES Act, Fire Levy and Charter Review by Scot Svab

Second by Doug Morgan

Mrs. Mayberry says if we get something done on June 23rd we could get done with one out of the three. Mayor Schultz says yes.

All Council Members vote yes. Motion approved.

Mayor Schultz says we did a verbal lease for the Barrel Room and through subsequent conversations we decided to put something in writing. Mayor Schultz says we are trying to give the Barrel Room something to work with for their approval with the Liquor Control Board. Mrs. Mayberry says the motion we made on May 19th was a motion to purchase half of the tables for the Barrel Room and a lease for \$5.00 a month until the DORA was in place, not to exceed 12 months. Mrs. Mayberry says she reads that as once the DORA is in place the lease is not necessary. Which the voting on the DORA will be tonight. If the DORA passes why do we have to have the lease. Mayor Schultz says if they use that space for outdoor dining they need a lease. Mrs. Mayberry says that makes it permanent. Mayor Schultz says it doesn't make it permanent it means that we make a commitment for a year then when the lease expires it goes month to month. Mrs. Mayberry asks what is going to determine whether that lease is not going to continue past a year. Mayor Schultz says then we will bring it back to council. Mrs. Mayberry says she talked to Karen at Sowing Specialties and she is not happy. She has mixed emotions and she does not feel safe. One of her windows was cracked when

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installing one of the posts. One of the posts busted through the window, she was at her counter when it happened. Her window was cracked before that. Mrs. Mayberry says she asked why the city did not come to her first. She is now learning that if they lease a beer company can come in and block the windows further which are now being blocked by umbrellas. Mrs. Mayberry says she (Karen) felt she wasn't able to speak her mind when she met with the Mayor, Mark and the lady from the Barrel Room. Mrs. Mayberry says that Karen has been there for 28 years. Mrs. Mayberry says that she is just not happy and wishes they would've come to her first. Mrs. Mayberry says she has tried to call Liquor control twice but no answer. Mrs. Mayberry says a lot of the information we received came from Mr. Roberts in an email. Then we received an email from Mr. Cozy saying that Mr. Roberts had brought up some good points that we would need to consider. Mrs. Mayberry reads Mr. Roberts points. The Barrel Room has exclusive use when they are open. Mrs. Mayberry says she doesn't know when their hours are but that will keep the use from anyone else. Mrs. Mayberry says that Mr. Cozy says that when the DORA is in place no lease is needed. Mrs. Mayberry asks if they can take the ropes down when its not in use, but says she doesn't think they can. Mayor Schultz says no they cannot. They have an opening so people can get in and out. Mayor Schultz says he doesn't think the liquor control board is going to allow that. Mrs. Mayberry says then we are asking for a variance to do that. Mrs. Mayberry say she was told Karen would like that and it would help her business. Mrs. Mayberry says in Mr. Cozy's email in response to Kens email he says that Kerri has made some changes in the plaza that was not what was envisioned and needs to be reviewed. He says we are dealing with COVID restrictions and once lifted we will reevaluate.

Mrs. Mayberry says there are a lot of questions that were brought up to us as good points that need discussed. Mrs. Mayberry says this is not a clean up crew. She wants to know what is going to transpire with her license. Mayor Schultz says she is dealing with the same frustrations. Mrs. Mayberry says she doesn't have enough information and she should have all the facts before she makes any decisions for the city. Mayor Schultz says we do not have to make a decision tonight he is just trying to show council what needs to transpire for the liquor control board to give her a lease. Mayor Schultz asks for Mr. Fellmeth's suggestions. Mr. Fellmeth says it is on the Agenda to vote for the DORA. Mrs. Mayberry says we weren't told that we would be given a lease to approve tonight. Mayor Schultz asks Mr. Fellmeth that if it is his opinion that if the DORA would pass and this plaza area is part of the DORA, would this lease become null and void or should the lease become null and void. Mr. Fellmeth suggests vote on the DORA and make that determination and then we can discuss the second matter. Mr. Whittington says as much as we want to help the Barrel Room, we cant help one and hurt the other. We have to make sure the businesses next to the Barrel Room are protected as well. Mr. Whittington says before we vote on this maybe we need to add somethings to the lease so that the sowing place is protected. That business has been there longer than anyone.

Mrs. Donaldson asks why does she want the extra space, is it because of corona virus. Mayor Schultz says yes. Mrs. Donaldson asks what happens when that is over with and we don't have to do it anymore. Mayor Schultz says he thinks it enhances the business downtown. Mrs. Donaldson says it takes away from a lot downtown. Like open mic. Mr. Whittington says he was thinking about the open mic. He suggests closing off the one street for open mic. Mayor Schultz says from Cherry to Market Street.

Mayor Schultz says even if we had that we will have the umbrella issue and the sign issue to deal with. Mrs. Donaldson asks if she is going to have that during the winter time. Mayor Schultz says we don't move the tables.

Mr. Cozy says when he talked to Karen and discussed the issues, she seemed okay. Mr. Cozy says that she never called or contacted him at all indicating that she was upset. Mrs. Mayberry says she doesn't think Karen felt she had a choice. Mr. Cozy says as far as the DORA goes with the lease is if all you want to do is have someone buy alcohol at the Barrel Room and come out of the door with the cup the lease wouldn't be needed. If you want them to serve alcohol in the area then they have to have to lease. Mr. Cozy says he thinks when council passed the voice motion everyone had a different vision of what they thought the voice motion was.

Mr. Cozy says the other issue is that DORA is not in place today and he doesn't know how long it is going to take. Mrs. Mayberry says if the legislation passes tonight it goes into effect in 30 days for us.

Parks & Recreation Board- No report

Law Director – The CARES ACT legislation has been prepared but the problem is he has no idea what the regulations are on how you can spend the money. Mrs. Mayberry says she thinks in house bill 481 it says once

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the state or county receives it they have 7 days to disburse the funds. It is really quick so you have to get legislation passed by the council so we can get the funds in the first place.

THIRD READINGS

Ordinance 12-20: An Ordinance by the Council of the City of Canal Fulton, Ohio to Create a Designated Outdoor Refreshment Area and Establishing Requirements to Ensure Public Health and Safety Within Such Area.

A motion was made to pass Ordinance 12-20 by Eric Whittington

Second by Scott Svab

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

SECOND READINGS

Ordinance 13-20: An Ordinance by the Council of The City of Canal Fulton, Ohio to “
Vacate the Alabama Court Alley.

FIRST READINGS

Resolution 7-20: A Resolution Submitting the Question of a Renewal 1.0 Mill Tax Levy for the Purpose of Purchasing Capital Fire Equipment for the City of Canal Fulton, Ohio Pursuant to Ohio Revised Code Sections 5705.19(l) and 5705.191, And Declaring an Emergency

P.O.s

P.O. RG012760 to Air-On Mechanical Services LLC in the amount of \$6,153.10 for Emergency HAVAC Replacement at Safety Center

A motion was made to approve P.O. RG012760 by Eric Whittington

Second by Doug Morgan

All Council Members vote yes. Motion approved.

BILLS- May Bills \$379,760.37

A motion was made to approve the May Bills by Scott Svab

Second by Eric Whittington

Mrs. Mayberry asks Mr. Rouse about check number 61690 first energy to install cobra type street lighting on Canal Street. Mayor Schultz says they added a street light. Mr. Morgan says it is a type of light it's a cobra head street light. Mrs. Mayberry says she's never heard of it and wondered what it was.

All Council Members vote yes. Motion approved.

OLD/NEW/OTHER BUSINESS

Mayor Schultz says he is going to ask council to go into executive session to discuss a promotion or demotion of a public employee or official, compensation of a public employee or official. Mr. Cozy asks if he wants to discuss the other issue of safety. Mayor Schultz says also specialized details of security arrangements.

REPORT OF PRESIDENT PRO TEMPORE

REPORT OF SPECIAL COMMITTEES

CITIZENS COMMENTS – Open Discussion (Five Minute Rule)

Victor Colaianni

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720 Redwood Avenue

Mr. Colaianni says he appreciates everything council does. Live streaming these meetings has been very beneficial for those who can't come to this. Mr. Colaianni says Mrs. Mayberry brings a lot of valid points and it sounds like you have a communication problem. Mr. Colaianni says there is a goldmine of economic development downtown. Mr. Colaianni says he has been hearing stuff about downtown for twenty years. He says when he moved here there were eleven empty store fronts down there. He says on several occasions he has been able to eat dinner, get ice cream and have coffee without having to leave town. There are a lot of people moving here for that reason. Mr. Colaianni challenges council to figure out what they want to do downtown. Its not Mark's job, and it's not Joe's job its everyone's job. Mr. Colaianni says that there is a committee for this. Two months ago, council spent 40 minutes talking about a parking lot lease. Mr. Colaianni suggests a book for council to read called "Everybody communicates but not everyone connects".

Mr. Colaianni says in regards to the DORA he has contacted the owner of Canton Brewing Company and until the Liquor Control Board signs off on the DORA Kerri can't do much without a lease.

Dawn Durkee

407 Market Street West

Mrs. Durkee says she watches the Council Meetings online. She recalls the meeting where the lease was being discussed and the tables outside the Barrel Room. Mrs. Durkee says she thought she heard, that there would be some kind of boundary around the tables that could be put up in the hours of her open business but could be taken down when she was not in business. That way the community could feel comfortable using the tables. Mrs. VanDenberg says that is exactly what we said. Mrs. Durkee says that is not what is there. Mrs. Durkee says it looks horrible. Mrs. Mayberry says that this didn't even go to HPC. Mayor Schultz says it is not a physical building its right of way. Mrs. Durkee says it was said at the previous meeting that the barrier could be taken up and down and that huge rope couldn't be taken down by anyone. Mrs. Mayberry says the picture we were given was a computer composite of what it would look like. They are posts with weighted bottoms that were small and could be moved around. Mayor Schultz says that is what the liquor control board will not allow. Mrs. VanDenberg says we don't know that no one has spoken to them. Mayor Schultz says that's what they have at Margaritas. Mrs. VanDenberg says Margaritas is a Mexican restaurant.

Mrs. Durkee asks who are we catering to. Is this all about the Barrel Room or is this about the esthetics of a whole block. Its not just about the Barrel Room. Mrs. Durkee thinks we may have lost our focus. Mayor Schultz says when we did the animation the goal was to just show everyone what the tables would look like. Mayor Schultz says we all had a different idea of what it would look like and that is why we are here.

Sharron Burley

(address inaudible)

Mrs. Burley says that she is coming in on the tail end of the DORA. She doesn't know how this is going to work downtown. Mrs. Burley says when you say designated area, is there going to be roped off areas all the way downtown. Mr. Whittington says there is an entire area downtown through Main Street down to the Dragon Fly where you can walk anywhere you want with your special cup. Mrs. Burley says how do they know that. Mrs. VanDenberg says signage. Mr. Whittington says it will be marked. Mrs. Burley says we have a lot of stuff downtown and its kind of dumpy downtown, so you are going to put more signs up. She asks if there will be arrows downtown. Mayor Schultz says maybe Dawn can speak to this, she has been to Savannah, Georgia where they have a DORA. Mrs. Durkee says honestly, she never knew Savannah had a DORA, so it is so insignificantly marked she wouldn't know it was there.

Mr. Colaianni says they do it in the city of Canton. They have a sign that's put up saying this is where the DORA and on the boundaries, there are signs put up.

ADJOURNMENT

A motion was made to adjourn to executive session at 8:26 p.m. by Sue Mayberry

Second by Scott Svab

All Council Members vote yes. Motion approved.

**CITY OF CANAL FULTON
CITY COUNCIL MEETING MINUTES
June 16, 2020**

A motion was made to return to regular session by Doug Morgan

Second by Scott Svab

All Council Members vote yes. Motion approved.

Meeting adjourns at 9:23 p.m.

Meeting Minutes prepared by: Alyssa Bettis

Meeting minutes approved by: Mayor Joseph A. Schultz

CITY OF CANAL FULTON
SPECIAL CITY COUNCIL MEETING MINUTES
June 23, 2020

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Council Members in attendance are Scott Svab, Bonnie Donaldson, Sue Mayberry, Jeanann VanDenberg, Eric Whittington, Doug Morgan and Mayor Schultz

City Staff present were Clerk of Council Alyssa Bettis, Fire Chief Ray Durkee

Others present were Dan Bucher, Jr., John Workman and Linda Zahirsky

Charter Review

Mr. Workman explains the charter changes, which was given to council in summary form. The Charter Review Commission met 3 times. The committee is requesting 7-8 changes to the Charter. The biggest one is on council. The Charter Review Commission is suggesting that council goes to 7 members. Originally the Charter was patterned after another city in Ohio, Pataskala, they had 7 members. The original committee decided to keep it at 6 because there was already 6 on council at the time. What they didn't foresee was the language is designed for 7 people. We either had to recommend the change to the language or the amount of people.

The only other real change in there is how we are going to deal with putting another council member on. The first election will be for four candidates. The least amount of vote getter, will serve a two-year term and after that initial term they will run again. Instead of having four and two it will be four and three. In section 6.04, the word park director is change to Finance Director.

In our original Charter the School system was responsible for putting two people on the board. Now they have nothing to do with our park system now. Mr. Workman says they talked to the superintendent and he didn't even know they were supposed to.

Another change was that the park board was supposed to appoint the Park Director and that is changed to the City Manager then accepted by council.

7.06, refers to HPC and the people we have on there. Historically we had the City Engineer as the professional because its difficult to find someone who lives in the city. Mr. Workman wants to change that to include any professional with a background that could be advantageous.

Other changes include changing village to city. Village administrator was also changed to City Manager.

Mrs. Mayberry asks if the City Manager the Chief Executive and Administrative Officer of the City as it state in 5.04 because in 1.02 it states the City Manager is the Chief Administrative Officer. Mrs. Mayberry says she understands the logic of the 7th person cleaning up the issues with the voting but she is not sure it validates the additional amount or increase in salary that it brings. Mrs. Mayberry suggests a quorum for all city boards and commission are listed in our chartered except for the council and the civil service commission, everyone else has a quorum number. Mrs. Mayberry says in the Ohio Revised Code under 731.17, it talks about the passage of ordinances and resolutions. It also talks about motions. Mrs. Mayberry reads our Charter,4.04, it says each ordinance and resolution shall be read by title only on three separate days unless dispensed by a vote of 2/3. Mrs. Mayberry says we know now that the 2/3 number for 6 is 4. However, if you go to the ohio revised code, says each ordinance or resolution shall be read on three different days provided the legislative authority may dispense with this rule by at least 3/4 of its members. Mrs. Mayberry says at one time our council rules had 3/4 in them. Mrs. Mayberry says we really need 5 votes with 6 people to suspend the rules. Mrs. Mayberry wonders if with 7 you need 5 as well. Mr. Bucher says you would. Mrs. Mayberry says that number needs to change no matter what. Suspension of the rules is supposed to be 5. Mr. Workman says they looked at that and if you do the math the one way its 4.6 and the other way is 4.7 it still comes down to 5. Mr. Workman says they felt it wasn't worth changing.

CITY OF CANAL FULTON
SPECIAL CITY COUNCIL MEETING MINUTES
June 23, 2020

Mrs. Mayberry says in our Charter we bring in the motion situation. According to the ORC, motions can be made by at least a majority vote of the members present. That is the only place in our charter that says anything about members present. Our Charter conflicts with that. Mr. Bucher says the way that we have always done it with 6 people, is that if one person is absent, we still needed 4 yes votes, for motions. Mrs. Mayberry says that is the way should be. Mr. Bucher says that's how its done.

Mrs. Mayberry says she is not so sure that a 7th person is how it should be done logically. Mrs. VanDenberg asks if our financials can take on a 7th. Mayor Schultz says its approximately another \$10,000. Mrs. Donaldson says it is still more than we have. Mrs. Donaldson says she wants to know the Pros and Cons to put another person on. Mayor Schultz says the pros for him are that he doesn't have to vote. Mrs. Mayberry says unless someone is not there. Mayor Schultz says he has voted 2 times in the last 4.5 years and he thinks that is the way it should be. Mayor Schultz says the thing we run into when someone is absent is that 2 no votes become the majority and can stop legislation from moving forward. Mrs. Donaldson says she doesn't see that as a problem because you need all of council so if you have to hold off to vote on something maybe that is better. Mayor Schultz says that is one way to solve the problem.

Mrs. Mayberry says 4.11 under Zoning Measures, B, a concurring vote of at least 2/3 of the membership of council shall be necessary to pass any zoning ordinance or resolution which differs from the written recommendations of the planning and zoning commission but in no event shall an ordinance or resolution shall be considered as having passed unless said amendment receives at least a majority vote of the members of council. Mrs. Mayberry asks what 2/3 of the membership is. Mayor Schultz says it is 4 with the 6-member model. Mrs. Mayberry asks if that is actually 2/3. What is 2/3 of 7. Mayor Schultz says that would be 5 people.

Mr. Bucher says they decided at the meeting that they liked the fact it was going to take a little more to overrule a zoning decision. Mrs. Mayberry agrees. Mrs. Mayberry says there needs to be more specifics in our verbiage to avoid confusion.

Mrs. Zahirsky says at great length they did discuss whether they should have 5 members of council or if they should stick with 6, which would require them to clean up the language of the charter, or go with 7. Mr. Workman gave an explanation as to why 5 members is difficult. When you don't have all of the commission members there it is very difficult to get things approved. Mr. Bucher says he went through a list from the Ohio website and it lists every City in the State by population. He found all of the ones who were a little bit bigger than us and a little bit smaller to see how many council people they had. They all had either 6 or 7. He says he was surprised that they didn't follow the federal plan and have 3 or 5 because they are under 10,000 people.

Mrs. Mayberry asks if the 7th member fix the inconsistencies with voting. Mr. Workman says it does clean up the voting.

Mr. Workman says council has to agree with what they want on the ballot if you don't want this issue or our suggestion of 7 people then there is no reason to put anything on the ballot. There will be one of two things, they either go back to the drawing board and make another recommendation or we don't. There is nothing so important that needs changed if you do away with that change. Mayor Schultz says he thinks changing from Village to the City of Canal Fulton is very important. It is not costing anything to put it on the ballot. Mr. Morgan thinks we should make the move to 7. Mrs. VanDenberg says financially, no. Mr. Svab says he sees the pros and cons of both but he also sees that this charter commission only meets once in 10 years. It is a group of 7 people outside of what we always look at. What they saw was a way to fix irregularities that we have. Mr. Svab respects that and the will of the voter. He says he is here as a representative and hopes when he makes some of the votes, he does that he is representing the majority of the people. Mr. Svab says let them decide. Mr. Bucher says that all of these changes were voted unanimously. Mayor Schultz says a 7th person cleans things up. Mrs. Mayberry says what happens if the voters do not want this. Mrs. Zahirsky says then you are stuck with this charter for the next 10 years.

Mayor Schultz says there has to be a consensus on our part that we are not going to go out and undermine this. Mrs. Mayberry says the people that were on the commission watch the city operate. There are some new faces but they are watching and are willing to do what they felt was best.

Mayor Schultz says he doesn't want to walk out of here and two months from now say that was a bad idea. Mr. Workman says that is one of the concerns they had. The consensus at the meeting was that if you guys aren't

CITY OF CANAL FULTON
SPECIAL CITY COUNCIL MEETING MINUTES
June 23, 2020

good with this at this meeting we should have another and look at it again. Mr. Workman says they can have a meeting this weekend but after that they will not have time.

Mrs. Mayberry asks how the changes will be worded on the ballot. Mr. Workman says basically it would be a summary like everyone received tonight. Mayor Schultz says that they talked about mailing out the full version. It will be up to the law director.

Mr. Whittington says he thinks its cool what they did but if it's not broken why fix it. Unless you really think it is broken. Mrs. Zahirsky says its really broken. Mr. Bucher says the language is broken so the legal aspects are. Mrs. Zahirsky says we can wait another ten years until we have a council that sees the problem. She says if you really don't see the problem then they aren't doing a good job explaining it.

Mr. Whittington suggests leaving it at 6 and changing the verbiage. Mr. Workman says if we go with 7 we don't have to change the verbiage. Mr. Morgan says he thinks we should take the chance and go with 7, they have studied it for 3 meetings. Mrs. VanDenberg says we can't even give our employees raises right now and you want to hire another one. Mr. Svab says its up to the voters.

Mayor Schultz suggests they have another meeting. Mrs. Mayberry asks if there is anyway, they all could get together. Mr. Workman says it is a public meeting. Mr. Workman asks for a vote for either accepting the changes or rejecting the changes.

A motion was made to accept the changes from the Charter Review Commission by Scott Svab

Second by Doug Morgan

Scott Svab votes yes. Jeanann VanDenberg votes no. Sue Mayberry votes no. Doug Morgan votes yes. Eric Whittington votes no. Bonnie Donaldson votes no. Motion fails.

There will be Charter Review Commission Meeting Saturday, June 27th at 8:00 a.m. at the safety center to discuss the language change to the Charter. Mr. Workman asks council to email any changes they may have.

FIRST READINGS

Resolution 7-20: A Resolution Submitting the Question of a Renewal 1.0 Mill Tax Levy for the Purpose of Purchasing Capital Fire Equipment for the City of Canal Fulton, Ohio Pursuant to Ohio Revised Code Sections 5705.19 (l) and 5705.191, and Declaring an Emergency.

Resolution 8-20: A Resolution by the Council of the City of Canal Fulton to Adopt the Cares Act.

A motion was made to suspend the rules on Resolution 8-20 by Sue Mayberry

Second by Jeanann VanDenberg

All Council Members vote yes. Motion approved.

A motion was made to pass by Emergency Resolution 8-20 by Sue Mayberry

Second by Bonnie Donaldson

All Council Members vote yes. Motion approved.

Mayor Schultz says he would like to adjourn to executive session to discussion negotiations. Mrs. Mayberry says negotiations for what. Mayor Schultz says negotiations for our lease. Mrs. Mayberry says negotiations is

CITY OF CANAL FULTON
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labor contracts. Mayor Schultz says this isn't disposition of real property although it is a lease. Mrs. Mayberry says we have already talked about this in public. Mayor Schultz says are we allowed to talk about it here even though its not on the Agenda. Mrs. Mayberry says no. Mayor Schultz says we will put it on the Agenda for next week. Mrs. Mayberry asks what the next meeting is for. Mayor Schultz says that will be for the Charter again and the Fire Levy. Mrs. VanDenberg says she thought we were supposed to discuss this.

ADJOURNMENT

Meeting adjourns at 8:10 p.m.

REPORTS, ARRESTS, CITATIONS & WARNINGS

June 1, 2020 - June 30, 2020

OFFENSES

Breaking & Entering and/or Burglary	2
<i>(Includes Attempted)</i>	<u>2</u>
Robbery <i>(Includes Attempted)</i>	<u>0</u>
Theft	6
<i>(Includes bad checks, identity and drive-offs)</i>	<u>6</u>
Domestic <i>(Includes Violence and Disputes)</i>	<u>2</u>
Juvenile Problems	<u>4</u>
Criminal Mischief / Criminal Damaging	<u>2</u>
Drug Related Offenses	<u>2</u>
Menacing and Aggravated Menacing	<u>1</u>
Vandalism/Property Crimes	<u>3</u>
Harassment <i>(Includes Phone)</i>	<u>2</u>
Alcohol Related	<u>1</u>
Disorderly Conduct	<u>0</u>
Assault	<u>0</u>
Missing Persons	<u>2</u>
Tax Evasions filed	<u>0</u>
Sex Offense	<u>2</u>
Solicitors	<u>0</u>
Stalking	<u>0</u>
Suicidal Person	<u>1</u>
TOTAL OFFENSES	<u>30</u>

PUBLIC SERVICE

Public Service Calls	9
Disturbance Calls	<u>5</u>
Suspicious Activities	18
<i>(Includes persons, vehicles, circumstances)</i>	<u>18</u>
Assist Lawrence Township Police Department	<u>7</u>
Assist Medical Squad / Fire	<u>6</u>
Assist Other P.D.	<u>3</u>
Alarms	<u>11</u>
911 Hang Ups	<u>24</u>
Suicide	<u>0</u>
Threats	<u>1</u>
K-9 Assist to other agency	<u>0</u>
Firework complaints	<u>0</u>
TOTAL PUBLIC SERVICE CALLS	<u>84</u>

MISCELLANEOUS CALLS

Includes, but is not limited to:

lock-outs, animal complaints, fingerprinting, escorts, welfare checks, unwanted subjects, civil matters, loud music, neighbor disputes, disabled vehicles, follow-ups, lost and/or found property, notifications, open doors, trespassing, extra patrol, attempts to serve warrants.

TOTAL MISCELLANEOUS CALLS 107

TRAFFIC INCIDENTS:

Speed and/or Assured Clear Distance	<u>2</u>
Stop sign and/or Traffic Signal	<u> </u>
Improper Backing	<u> </u>
Seat Belt Violation	<u> </u>
Parking Problems (Total)	<u>3</u>
Written Warnings	<u> </u>
Verbal Warnings	<u>107</u>
Driver's License Violations	<u>2</u>
Registration Violations	<u> </u>
Failure to Control	<u>1</u>
Left of Center	<u> </u>
OVI	<u>1</u>
Failure to yield	<u> </u>
Failure to Signal	<u> </u>
Vehicle Violation	<u> </u>
Failure to Stop after Accident	<u> </u>
Marked Lanes	<u>2</u>
TOTAL TRAFFIC INCIDENTS:	<u>118</u>

ACCIDENTS

Property Damage Only:	<u>2</u>
Injuries:	<u>4</u>
Private Property Accident:	<u>1</u>
Hit/Skip Accident	<u>0</u>
TOTAL ACCIDENTS	<u>7</u>

TOTAL CALLS OF SERVICE: 346

From all of the above calls, the following numbers represent the amount of arrests that resulted from said call:

ARRESTS MADE:	<u>13</u>
WARRANTS SERVED:	<u>1</u>
TOTAL	<u>14</u>

RECORD OF ORDINANCES

BEAM GRAPHICS 800-363-6084 FORM NO. 00043

Ordinance No.

13-20

Passed

, 20

AN ORDINANCE BY THE
COUNCIL OF THE CITY OF
CANAL FULTON, OHIO TO
VACATE THE ALABAMA
COURT ALLEY.

WHEREAS, the City of Canal Fulton has received a request by a City property owner to vacate the Alabama Court Alley, and

WHEREAS, the Canal Fulton Planning Commission has reviewed the proposal of the portion to be vacated, and

WHEREAS, the Planning Commission has made a determination that the portion to be vacated is not needed by the City on May 21, 2020, and

WHEREAS, a public hearing and notice thereof have been held and given.

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

The City of Canal Fulton agrees to vacate the Alabama Court Alley pursuant to legal description on plat attached hereto 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 Ordinance ____ 2020, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2020, and that publication of the foregoing Ordinance was duly made by listing same on the city's web-site and by posting true and correct copies thereof at

RECORD OF ORDINANCES

BEAR GRAPHICS 830-328-8994 FORM NO. 3024

Ordinance No. _____ Passed _____, 20__

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 _____, 2020.

Alyssa Bettis, Clerk-of-Council

SEF/bp

RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-325-8554 FORM NO. 3004E

Resolution No.

7-20

Passed

, 20

UNDER SUSPENSION OF THE RULES

A RESOLUTION SUBMITTING THE QUESTION OF A RENEWAL 1.0 MILL TAX LEVY FOR THE PURPOSE OF PURCHASING CAPITAL FIRE EQUIPMENT FOR THE CITY OF CANAL FULTON, OHIO PURSUANT TO OHIO REVISED CODE SECTIONS 5705.19(I) AND 5705.191, AND DECLARING AN EMERGENCY.

WHEREAS, this Council on June 2, 2020 adopted Resolution No. 6-20 pursuant to Section 5705.03 of the Revised Code declaring it necessary to levy a 1.0 mill tax levy for the purpose of purchasing Capital Fire Equipment for the City for a period of five years, and requesting the Stark County Fiscal Officer to certify the total current tax valuation of the City and the dollar amount of revenue that would be generated by that renewal; and

WHEREAS, the Stark County Auditor has certified that the total tax valuation of the subdivision used in calculating estimated revenue is \$11,643,800.00 and the dollar amount of revenue that would be generated by that 1.0 mill additional levy would be \$98,338.00 Annually during the life of that levy, assuming that the total current tax valuation remains the same throughout the life of that levy; and

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Canal Fulton, Stark County, Ohio, not less than two-thirds of all the members thereof concurring, that:

Section 1. It is hereby found, determined and declared that the amount of taxes which may be raised by the City of Canal Fulton within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City, and that it is therefore necessary to levy a tax renewal in excess of that limitation at a rate not exceeding 1.0 mills for the purpose of purchasing Capital Fire Equipment for the City for a period of five years.

Section 2. The question of a renewal 1.0 mill tax levy for the purpose of purchasing Capital Fire Equipment for the City for a period of five years beginning with the tax list and duplicate for the year 2020 the proceeds of which levy first would be available to this City in the calendar year 2021 be submitted under the provisions of Ohio Revised Code Sections 5705.19(I) and 5705.191, to the electors of the City of Canal Fulton at the election to be held therein on November 3, 2020, as authorized by law. That election shall be held at the regular places of voting in this City as established by the Board of Elections of Stark County, Ohio, or otherwise, within the time provided by law and shall be conducted, canvassed and certified in the manner provided by law.

RECORD OF RESOLUTIONS

BEAM GRAPHICS 805-315-3004 FORM NO. 0004

Resolution No. _____ Passed _____, 20____

Section 3. The form of ballot to be cast at such election on the question of such tax shall be substantially as follows:

**PROPOSED TAX LEVY (RENEWAL)
CITY OF CANAL FULTON**

A majority affirmative vote is necessary for passage.

An additional tax for the benefit of the City of Canal Fulton for the purpose of purchasing Capital Fire Equipment for the City at a rate not exceeding 1.0 mills for each one dollar of valuation, which amounts to 10 cents for each one hundred dollars of valuation, for 5 years, commencing in 2020 first due in calendar year 2021.

FOR THE TAX LEVY

AGAINST THE TAX LEVY

Section 4. The Board of Elections of Stark County is hereby requested to cause notice of said election be given as provided by law.

Section 5. The Clerk of Council is hereby authorized and directed to forward a certified copy of this Resolution No. _____ and the Stark County Fiscal Officer's certificate referred to in the preambles hereto, to the Board of Elections of Stark County on or before _____.

Section 6. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 7. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Resolution is required to be immediately effective in order to permit necessary arrangements to be made in sufficient time for the aforesaid election; wherefore this Resolution shall be in full force and effect immediately upon its adoption and approval by the Mayor.

Joseph A. Schultz, Mayor

ATTEST:

Alyssa Bettis, Clerk-of-Council

I, Alyssa Bettis, Clerk-of-Council of the City of Canal Fulton, do hereby

RECORD OF RESOLUTIONS

BEAT GRAPHICS 800-323-8294 FORM NO. 30016

Resolution No. _____ Passed _____, 20____

Certify that this is a true and correct copy of Resolution____-20, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2020 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 _____, 2020.

Alyssa Bettis, Clerk-of-Council

SEF/bp

Certificate of Estimated Property Tax Revenue

The County Auditor of Stark County, Ohio, does hereby certify the following:

1. On June 8, 2020, the taxing authority of the Council of the City of Canal Fulton, Stark County, Ohio certified a copy of its Resolution No. 6-20 adopted June 2, 2020, requesting the county auditor to certify the current tax valuation of the subdivision and the amount of revenue that would be produced by one (1.0) mill, to levy a tax outside the ten-mill limitation for fire purposes pursuant to Revised Code §5705.19(1), to be placed on the ballot at the November 3, 2020, election. The levy type is renewal.
2. The estimated property tax revenue that will be produced by the stated millage, assuming the tax valuation of the subdivision remains constant throughout the life of the levy, is calculated to be \$98,338.
3. The total tax valuation of the subdivision used in calculating the estimated property tax revenue is \$11,643,800.



Alan Harold, Stark County Auditor



Date

**Worksheet to Calculate Revenue for DTE Form 140R
When a Taxing Authority Certifies a Rate and Requests the Revenue
Produced by that Rate for Renewal Levies.**

Calculation of Revenue

1. Tax valuation on the tax list most recently certified for collection:

	<u>Tax Value</u>	<u>Millage Rate</u>	<u>Revenue</u>
1. Class I Real - Res/Ag	\$ 81,602,610	0.888083	\$ 72,470
2. Class II Real - Other	\$ 27,855,630	0.850166	\$ 23,682
3. Public Utility Personal	\$ 2,185,560	1.00	\$ 2,186
4. General Personal	\$ -	1.00	\$ -
5. Personal Property Phase-out Reimbursement Payment			\$ -
6. Total Revenue			\$ 98,338

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8294 / CCM / MS 2002

Ordinance No. 14-00 Passed _____, 20____

An Ordinance Amending Ordinance 33-19, 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, 2020, which were not anticipated or included in Ordinance 33-19, as the City's 2020 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 \$88,131.89 in order to purchase a replacement COVID 19 EMS vehicle.

Fund/Department	Previously Approved	Change	New Appropriation
Fire/EMS Fund - 222			
Fire/EMS Fund	\$265,579.60	\$88,131.89	\$353,711.49

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 _____, 20, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2020, 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 _____, 2020.

Alyssa Bettis, Clerk of Council

RECORD OF ORDINANCES

SHARFBARHOR 800-323-1034 FORM NO. 50043

Ordinance No. 15-20 Passed _____, 20____

An Ordinance Amending Ordinance 33-19, 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, 2020, which were not anticipated or included in Ordinance 33-19, as the City's 2020 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 \$68,868.11 in order to account for the receipt of coronavirus relief grant funds.

Fund/Department	Previously Approved	Change	New Appropriation
Coronavirus Relief Fund - 223			
Coronavirus Relief Fund	\$0	\$68,868.11	\$68,868.11

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 _____, 20, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2020, 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 _____, 2020.

Alyssa Bettis, Clerk of Council

RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-355-8084 FORM NO. 30048

Resolution No. 9-20 Passed _____, 20____

A Resolution Establishing the Coronavirus Relief Fund (Fund #223) to be used in Accounting for the Coronavirus Relief Funds.

WHEREAS, it is necessary for the City of Canal Fulton to establish a separate special projects fund to account for revenues and expenses associated with the Coronavirus Relief Grant Funds.

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

Section 1: Council hereby establishes Fund 223 as the Coronavirus Relief Fund to be used in accounting for the revenues and expenses associated with the Coronavirus Relief Grant Funds.

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 _____, 20, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2020, 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 _____, 2020.

Alyssa Bettis, Clerk of Council



BILL TO:

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

PURCHASE ORDER

P.O. NUMBER: RG012788
P.O. DATE: 07/02/20
DEPARTMENT: STREET
CREATED BY:
VENDOR NO.: 01203

DELIVER TO:

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

VENDOR:

SOUTHEASTERN EQUIPMENT CO.
PO BOX 536
CAMBRIDGE, OH 43725

ACCOUNT NUMBER	AMOUNT
201.360.5440	\$3,733.74
541.310.5440	\$3,733.74
551.330.5440	\$3,733.73

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
		REPAIRS FOR BACKHOE		\$11,201.21
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
TOTAL:				\$11,201.21

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

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 of the credit of the appropriate Fund(s), free from any obligation or certification now outstanding.

Finance Director

Date

City Manager / Mayor

Date

THIS ORDER IS NOT VALID UNLESS SIGNED BY THE FINANCE DIRECTOR AND EITHER THE CITY MANAGER OR MAYOR



BILL TO:

City of Canal Fulton

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

PURCHASE ORDER

P.O. NUMBER: RG012786
P.O. DATE: 07/02/20
DEPARTMENT: FIRE/EMS
CREATED BY:
VENDOR NO.:

DELIVER TO:

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

03129

VENDOR:

MYERS EQUIPMENT CORP
8860 AKRON-CANFIELD RD
CANFIELD, OH 44406

ACCOUNT NUMBER	AMOUNT
222.210.5715	\$88,131.89
223.210.5715	\$68,868.11

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

FEDERAL ID # 34-6000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		NEW AMBULANCE TO REPLACE OUR PRIOR COVID 19 VEHICLE WHICH IS NO LONGER RUNNING. IN ACCORDANCE WITH CARES ACT. THIS PURCHASE IS NECESSARY DUE TO COVID 19, WAS NOT ACCOUNTED FOR IN THE ORIGINAL BUDGET, AND IS BEING INCURRED BETWEEN MARCH AND DECEMBER 30, 2020.		\$157,000.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
			TOTAL:	\$157,000.00

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

I hereby certify that the amount required to meet the contract, agreement, obligation, intent 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 or credit of the appropriate Fund(s), free from any obligation or certification now outstanding.

Finance Director

Date