

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

September 5, 2017

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **Swearing In – Fire Department**
Jennifer Brick
5. **Swearing In – Police Department**
Full Time - Daniel Shetter.
Reserve Officer - Mark Weldon
6. **REPORTS OF STANDING COMMITTEES**
7. **CITIZENS' COMMENTS – AGENDA MATTERS (Five Minutes per Individual – No Yield)**
8. **CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**
9. **REPORTS OF ADMINISTRATIVE OFFICERS**
 - o Senior Citizens
 - o Community Service
 - o Fire Chief
 - o Police Chief
 - o Engineer
 - o Streets
 - o Public Utilities
 - o Planning/Zoning
 - o Finance Director
 - o City Manager
 - o Mayor
 - o Parks & Recreation Board
 - o Law Director
10. **THIRD READINGS**

Resolution 19-17: A Resolution by the Council of the City of Canal Fulton, Ohio to Renew a Contract with Republic Services, Inc. for Waste Disposal and Recycling
11. **SECOND READINGS**

Resolution 20-17: A Resolution by the City to Enter into the Northeast Ohio Public Energy Council (“NOPEC”) and the Execution and Delivery of the Agreement Establishing NOPEC and Approving the Bylaws of NOPEC

Ordinance 19-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations
12. **FIRST READINGS**

Ordinance 20-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

Resolution 21-17: A Resolution by the Council of the City of Canal Fulton, Ohio to Convey seven (7) Acres to the Canal Fulton YMCA Subject to Conditions and Restrictions.

Resolution 22-17: A Resolution Approving the Statement of Services to be Provided to the Property Owners in the Cherton-Arcadia Annexation Area, the Approximate Date Service will be Provided, Procedure for Incompatible Zoning Uses Upon its Being Annexed to the City of Canal Fulton, Ohio; and Declaring the Same to be an Emergency

Ordinance 21-17: An Ordinance Amending Ordinance 30-16, and Providing for Changes to Previously Authorized Appropriations

Resolution 23-17: A Resolution Approving the Plan of Operation and Governance for the NOPEC Gas Aggregation Program for the Purpose of Jointly Establishing and Implementing a Gas Aggregation Program

Resolution 24-17: A Resolution Authorizing Entering into a Natural Gas Program Agreement with the Northeast Ohio Public Energy Council
13. **P.O.s**

P.O. 11368 to Tri C Concrete & Excavating in the amount of \$17,500.00 to replace 2,704 Sq Ft of concrete on Maynard and Denshire

P.O. 111349 to DJL Materials and Supply in the amount of \$7,500.00 for three pallets of sealant for the road

P.O. 11385 to Rosenbauer South Dakota, LLC in the amount of \$309,830.00 for the 2017 Fire Engine Purchase

P.O. 11386 to Myers Equipment Corp in the amount of \$123,709.00 for the 2017 Ambulance Purchase
14. **BILLS:**
15. **OLD/NEW/OTHER BUSINESS**
16. **REPORT OF PRESIDENT PRO TEMPORE**
17. **REPORT OF SPECIAL COMMITTEES**
18. **CITIZENS COMMENTS – Open Discussion (Five Minute Rule)**
19. **ADJOURNMENT**

RECORD OF RESOLUTIONS

BEAR GRAPHICS INC. 215-429-1100 FORM NO. 30043

Resolution No. 1917

Passed _____, 20____

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO RENEW A CONTRACT WITH REPUBLIC SERVICES, INC. FOR WASTE DISPOSAL AND RECYCLING.

WHEREAS, the City of Canal Fulton has sought bids from various providers for collection, disposal and recycling of waste for its trash aggregation project, and

WHEREAS, Republic Services, Inc., dba Republic Services of Massillon, has submitted a proposal which Council has deemed to be the lowest and best bid.

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

The City of Canal Fulton agrees to renew a contract with Republic Services, Inc. for waste disposal and recycling pursuant to proposal marked as Exhibit "A" submitted and dated July 19, 2012 and renewal agreement incorporated by reference herein.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution ____-17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, 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 _____, 2017.

Teresa Dolan, Clerk-of-Council

SEF/bp

Exhibit "A"

**RENEWAL AGREEMENT
FOR REFUSE REMOVAL SERVICE CONTRACT**

THIS RENEWAL AGREEMENT (the "Renewal Agreement") is entered into effective as of the ___ day of July, 2017 (the "Effective Date") by and between the City of Canal Fulton, Ohio ("City") and Republic Services of Ohio Hauling, LLC dba Republic Services Massillon Division ("Operator") (collectively referred to herein as the "Parties").

WITNESSETH

WHEREAS, the City and Operator are parties to that certain Collection and Transportation Agreement dated July 19th, 2012 (the "Contract") for collection and disposal of municipal solid waste and collection and processing of recyclable materials in the City, expiring on September 30th, 2017, attached hereto and made a part hereof as "EXHIBIT "A", and;

WHEREAS, the City desires to extend the Contract for collection and disposal of municipal solid waste and processing of recyclable materials for an additional term of one (1) year;

WHEREAS, in accordance with said agreement, and the City Manager is hereby authorized by the City Council to enter into an extension agreement with the "Operator", to provide for the collection and disposal of municipal solid waste and processing of recyclable materials for an additional term of one (1) to three (3) years, in accordance with the proposal submitted, specifications and bidding instructions.

NOW, THEREFORE, in consideration of the mutual promises and other good and valuable consideration, the Parties hereby agree as follows:

1. **Renewal:** The parties agree that the Contract is renewed for a new term effective as of the Effective Date, and modified as provided for in this Renewal Agreement, for an additional one (1) year term beginning October 1, 2017 and terminating September 30th, 2018 (the "Renewal Term").
2. **Rates:** Beginning on October 1st, 2017, the rates for services provided under the Contract shall be as provided in "EXHIBIT "B",
3. **Modification to Rates:** The parties shall discuss and agree to, any future extensions, or, and adjustments in rates for unforeseen government regulatory changes and fuel rate increases over \$3.00 per gallon at least 45 days prior to and adjustments taking place.
4. **Other Provisions:** Except as specifically modified in this Renewal Agreement, all other provisions of the Contract (as amended and updated) shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment Agreement effective the day and year set forth above.

VILLAGE;

CITY OF CANAL FULTON
155 E. MARKET ST.
CANAL FULTON, OHIO 44614

By: _____

Name: Mark Cozy

Title: City Manager

Attest:

By: _____

Name: _____

Title: _____

OPERATOR;

REPUBLIC SERVICES OF OHIO
HAULING, LLC
2800 S. ERIE ST.
MASSILLON, OHIO 44646

By: _____

Name: Brian Short

Title: Director of Operations

Attest:

By: _____

Name: _____

Title: _____

EXHIBIT "A"

The following pages are the original agreement dated July 19th, 2012

AGREEMENT

THIS AGREEMENT, made this 19th day of July, 2012, by and between the CITY OF CANAL FULTON, Ohio, hereinafter called CITY, and Republic Services hereinafter called CONTRACTOR.

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

1. The Contractor will commence and complete the services of Solid Waste & Recycling Services for Canal Fulton.
2. The Contractor will furnish all of the containers, equipment, labor and other services necessary for the performance of the Project described herein.
3. The Contractor will commence the work required by the Contract Documents within 14 calendar days after the date of the Notice to Proceed.
4. The Contractor will commence the trash and recycling program as required by the Contract Documents on October 1st 2012.
5. The Contractor agrees to perform all of the work described in the Contract Documents and comply with the terms therein as shown in the Bid Schedule.
6. The term "Contract Documents" means and may include the following:
 - A. Notice for Sealed Bids
 - B. Supplement to Notice for Sealed Bids
 - C. Instructions to Bidders
 - D. Bid
- E. Bid Guaranty and Performance Bond

- F. Agreement
- G. General Conditions
- H. Special Conditions Performance and Payment Bond
- J. Notice of Award
- K. Notice to Proceed
- L. Change Order

6. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

7. This Agreement shall be governed by Ohio law.

IN WITNESS WHEREOF, the parties have executed, or caused to be executed by their duly authorized officials, this Agreement in triplicate each of which shall be deemed an original on the date first above written.

CITY:

CITY OF CANAL FULTON

BY

Mark A. Cozy
Mark A. Cozy, City Manager

WITNESS:

Maile Danzy

APPROVED AS TO FORM:

SCOTT E. FELLMETH, LAW DIRECTOR

CONTRACTOR:

Republic Services of Massillon

BY

TERRY THOMPSON - AREA MUNICIPAL SERVICES MGR.

PRINT NAME AND TITLE

WITNESS:

Maile Danzy

NOTICE OF AWARD

TO:

Terry Thompson
Republic Services
2800 S. Erie St.
Massillon, OH 44646

Project Description **Solid Waste & Recycling Services**

The City has considered the Bid submitted by you for the above described services in response to its Advertisement for Bids dated MAY 20TH, 2012 and, MAY 27TH 2012 and Information for Bidders.

You are hereby notified that your Bid has been accepted for the amounts shown on the attached document.

You are required by the Information for Bidders to execute the Agreement and furnish the required Contractor's Performance Bond, Payment Bond and Certificates of Insurance within ten (10) calendar days from the date of this Notice to you.

If you fail to execute the Agreement and to furnish the Bonds within ten (10) days from the date of this Notice, the City will be entitled to consider all your rights arising out of the City's acceptance of your Bid as abandoned and as a forfeiture of your Bid Bond. The City will be entitled to such other rights as may be granted by law.

You are required to return an acknowledged copy of Notice of Award to the City.

Dated this 11th day of July, 2012

City of Canal Fulton

City

By

Mark A. Cozy
Mark A. Cozy, City Manager

ACCEPTANCE OF NOTICE

Receipt of the above Notice to Award is hereby acknowledged.

By Republic Services, this 11th day of July, 2012

By _____
print name

TERRY THOMPSON

Title AREA MUNICIPAL SERVICES MGR.

NOTICE TO PROCEED
SOLID WASTE & RECYLING SERVICES

TO: TERREY THOMPSON
REPUBLIC SERVICES OF MASSILLON DATE: 7-19-2012
2800 S. ORIE ST.
MASSILLON, OH 44646

You are hereby notified to commence work in accordance with the Agreement dated
August 2nd, 2012.

CITY OF CANAL FULTON

MARK A. COZY, CITY MANAGER

Date 7-19-12

ACCEPTANCE OF NOTICE

Receipt of the above NOTICE TO PROCEED is hereby acknowledged
by REPUBLIC SERVICES OF MASSILLON this 19TH day of July, 2012

By: [Signature]

TERREY THOMPSON - AREA MUNICIPAL SERVICES MGR.
PRINT NAME & TITLE

CANAL FULTON BASE CONTRACT TERM PRICING

	Year 1	Year 2	Year 3	Year 4	Year 5
Bag Rate Each (sold in rolls of 10)	\$ 2.37	\$ 2.44	\$ 2.51	\$ 2.59	\$ 2.67
Monthly Rate for Bag Customers-Includes recycling with 65 gallon cart	\$ 2.00	\$ 2.06	\$ 2.12	\$ 2.19	\$ 2.25
Limited Customer (includes 96 Gallon MSW cart and 65 gallon Rec cart)	\$ 10.24	\$ 10.55	\$ 10.86	\$ 11.19	\$ 11.53
UnLimited Customer (includes 96 Gallon MSW cart and 65 gallon Rec cart)	\$ 11.24	\$ 11.58	\$ 11.92	\$ 12.28	\$ 12.65

CANAL FULTON EXTENSION TERM PRICING

October 1st through September 30th	2017	2018	2019	2020	2021
	Year 6	Year 7	Year 8	Year 9	Year 10
Bag Rate Each (sold in rolls of 10)	\$ 2.75				
Monthly Rate for Bag Customers-Includes recycling with 65 gallon cart	\$ 2.32				
Limited Customer (includes 96 Gallon MSW cart and 65 gallon Rec cart)	\$ 11.87				
UnLimited Customer (includes 96 Gallon MSW cart and 65 gallon Rec cart)	\$ 13.03				

RECORD OF RESOLUTIONS

BEAR GRAPHICS, 832-335-8964 FORM NO. 31001

Resolution No. 20-17

Passed _____, 20____

A RESOLUTION AUTHORIZING THE CITY TO ENTER INTO THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL ("NOPEC") AND THE EXECUTION AND DELIVERY OF THE AGREEMENT ESTABLISHING NOPEC AND APPROVING THE BYLAWS OF NOPEC.

WHEREAS, the Council of the City of Canal Fulton wishes to establish a natural gas aggregation program pursuant to Section 4929.26, Ohio Revised Code (the "Natural Gas Program"), for the residents, businesses and other consumers located within the City, and for that purpose, to act jointly with any other City, village, township, municipal corporation, county or other political subdivision of the State of Ohio, as permitted by law; and

WHEREAS, by joining the Northeast Ohio Public Energy Council, the City will be able to act jointly with other member political subdivisions and thereby maximize the potential benefit of natural gas deregulation through group purchasing efforts.

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

SECTION 1. The Council of the City (the "Council") finds and determines that it is in the best interest of the City, including the natural gas consumers located within the City, to join and to adopt the NOPEC Bylaws, for the purpose of establishing and implementing the Natural Gas Program within the City.

SECTION 2. The Mayor of the City is hereby authorized and directed to execute and deliver the Agreement Establishing the Northeast Ohio Public Energy Council (the "NOPEC Agreement"). The NOPEC Agreement shall be substantially in the form presented to this Council and on file with the Clerk, subject to such changes, insertions and omissions which are consistent with this Resolution and are not substantially adverse to the City and as may be approved by the Mayor of the City, which approval shall be conclusively evidenced by the execution of the NOPEC Agreement.

SECTION 3. The Council hereby approves and adopts the Bylaws of NOPEC (in the form attached to the NOPEC Agreement).

RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Resolution No. _____ Passed _____, 20____

SECTION 4. The 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.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution _____-17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, 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 _____, 2017.

Teresa Dolan, Clerk-of-Council

SEF/bp

RECORD OF ORDINANCES

BEAR GRAPHICS 480-325-2261 FORM NO. 02003

Ordinance No.

19-17

Passed

, 20

An Ordinance Amending Ordinance 30-16, 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, 2017, which were not anticipated or included in Ordinance 30-16, as the City's 2017 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 in the Storm Water Utility Fund to account for the Locust Street Storm Sewer project.

Storm Water Utility Fund			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	83,000.00	369,900.00	452,900.00

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:

Teresa Dolan, Clerk of Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____, 17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, 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 _____, 2017.

Teresa Dolan, Clerk of Council

RECORD OF ORDINANCES

SEAL OF COLUMBUS 1615-375-4001 FORM NO. 30021

Ordinance No. 20-17

Passed _____, 20____

An Ordinance Amending Ordinance 30-16,
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, 2017, which were not anticipated or included in Ordinance 30-16, as the City's 2017 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 in the General Capital Projects Fund – Fire Department to account for the grant award from the Local Government Safety Capital Grant Program.

General Capital Projects Fund			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	537,837.68	86,000.00	623,837.68

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

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk of Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____, 17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, 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 _____, 2017.

Teresa Dolan, Clerk of Council

RECORD OF RESOLUTIONS

LE-1 GRAPHIC3 800-325-8084 FORM NO. 300-3

Resolution No. 21-17

Passed _____, 20____

A RESOLUTION BY THE COUNCIL OF THE CITY OF CANAL FULTON, OHIO TO CONVEY SEVEN (7) ACRES TO THE CANAL FULTON YMCA SUBJECT TO CONDITIONS AND RESTRICTIONS.

WHEREAS, The Council of Canal Fulton desires to donate Seven (7) Acres (Three Hundred Four Thousand Nine Hundred Twenty Square Feet) (304,920 Sq.ft.) to the Canal Fulton YMCA for the construction of a new YMCA in the City subject to certain Conditions and Restrictions.

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

The City of Canal Fulton will convey Seven (7) Acres of land in the City to the Canal Fulton YMCA for construction of a new facility

Subject to:

1. Right of First Refusal.
2. Forty-Five Thousand and no/100 Dollars (\$45,000.00) Cap on Utility Expenses to be paid by City.
3. Council reserves the right to vote on any New Partners at the facility.
4. Start up waiver reduction for City residents only.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution _____-17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, 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 _____, 2017.

Teresa Dolan, Clerk-of-Council

RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-321-8284 FORM REC 20045

Resolution No. 22-17

Passed _____, 20____

UNDER SUSPENSION
OF THE RULES

A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNERS IN THE CHERTON-ARCADIA ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANAL FULTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY.

WHEREAS, interest has been expressed by the property owner(s) of real property commonly known as the Cherton-Arcadia Annexation Area to annex a portion of its land consisting of approximately 47.32 acres, to the City of Canal Fulton; and

WHEREAS, the City of Canal Fulton wishes to state the services which will be provided now or in the future to said annexation area by the city upon the accomplishment of such annexation; and

WHEREAS, the City of Canal Fulton, pursuant to Ohio Revised Code Section 709.023, wishes to state the approximate date such services will be provided and zoning uses; and

WHEREAS, the statement of services as hereinafter provided has been discussed and approved by the City's Administration and Council; and

WHEREAS, it is the opinion of the City's Administration and Council that such services would be provided at a higher level than presently are being provided; and

WHEREAS, the territory included in said annexation area is not unreasonably large; and

WHEREAS, the general good of said territory will be served upon annexation.

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

SECTION 1. The following services will be provided as required or needed to the property owner in the Cherton-Arcadia Annexation Area by the City of Canal Fulton upon its annexation to the City of Canal Fulton and approximately on the date it is officially placed on the map as part of the City of Canal Fulton by the Stark County Auditor:

RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-325-F784 FORM NO. 30045

Resolution No. _____ Passed _____, 20____

- a. Street Maintenance. Emergency repairs, routine maintenance, snow and ice control, and street cleaning on all public streets and roads. Where any road is divided in the Annexation area, the City of Canal Fulton agrees to be responsible for repairs, routine maintenance, snow and ice removal, and street cleaning on the entire roadway.
- b. Street Lighting. Street lights may be installed by petition of property owner.
- c. Water Installation Costs. Water main extensions may be installed by property owner and, subject to approval by the Director of Public Service, the city shall provide free of charge all piping necessary to extend water mains to new residential, commercial or industrial development with the city. The property owner shall be responsible for preparation of plans and installation of the water main extension in compliance with city Water Department specifications and city Code requirements, including obtaining applicable permits and subject to city inspection and approval. Upon installation, the city shall be the owner of the water main and shall thereafter maintain the same, subject to the requirement that the property owner or developer shall maintain the water main for one year at his/her sole cost and expense. The property owner and/or developer shall execute such contracts as are required by the Water Department. This section shall not be interpreted to include the provision of materials of tap-ins to existing water mains, which are the property owner's responsibility and expense.
- d. Street Costs. Streets may be installed by property owner in compliance with regulations of the City of Canal Fulton, Ohio. The property owner shall be responsible for the preparation of plans and installation of the streets in compliance with regulations of the City of Canal Fulton, and city Code requirements, including obtaining applicable permits and subject to city inspection and approval. Upon installation, the city shall be the owner of the streets and shall thereafter maintain the same, subject to the requirement that property owner shall maintain the streets for one year at his/her sole cost and expense.
- e. Fire. Fire services to be provided by the fire district.
- f. Compliance with Revised Code Section 709.023. If the territory is annexed and becomes subject to zoning by the City of Canal Fulton and that zoning permits uses in the annexed territory that the City of Canal Fulton determines are clearly incompatible with the uses permitted under Lawrence Township's regulations in the adjacent land remaining in Lawrence Township from which the territory was annexed, the City of Canal Fulton will require, in the zoning ordinance permitting the incompatible uses, the owner of the annexed territory to provide a buffer separating the use of the annexed territory and the

RECORD OF RESOLUTIONS

BEAR GRAPHIC 800-325-3004, FORM NO. 30045

Resolution No. _____ Passed _____, 20_____

adjacent land remaining within the other municipality. For the purposes of this section, "buffer" includes open space, landscaping, fences, walls and other structure elements, streets and street rights of way, and bicycle and pedestrian paths and sidewalks.

SECTION 2. The Fiscal Officer is authorized to correct any typographical errors discovered herein during or after the pendency or passage of this resolution. The Fiscal Officer is further authorized, in conjunction with the Law Department and the Majority Leader, to correct any ministerial or *de minimis* errors that do not substantially alter the intended results or numerical total sums of this resolution, during or after the pendency or passage of this resolution. Corrected copies are to be sent to all official recipients.

SECTION 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the citizens of the City of Canal Fulton; the emergency being the necessity to immediately approve the Statement of Services to the annexation area which are required to be adopted and in effect prior to the consideration of this annexation by the Stark County Commissioners. Provided it receives the affirmative vote of two-thirds of the elected and/or appointed members to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period provided by law.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution _____-17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, 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 _____, 2017.

Teresa Dolan, Clerk-of-Council

SEF/bp

Ordinance No. 21-17

Passed _____, 20____

An Ordinance Amending Ordinance 30-16, 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, 2017, which were not anticipated or included in Ordinance 30-16, as the City's 2017 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 in the General Capital Projects Fund – Fire Department to account for the purchase of a new fire engine and ambulance through lease financing.

General Capital Projects Fund			
Category	Previously Approved	Change	New Appropriations
Non-Payroll Costs	623,837.68	435,000.00	1,058,837.68

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

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk of Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance _____, 17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, 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 _____, 2017.

Teresa Dolan, Clerk of Council

RECORD OF RESOLUTIONS

CEAR (UNOFFICE) 605-325-4084 FORM NO. 30563

Resolution No. 23-17

Passed _____, 20____

**A RESOLUTION APPROVING
THE PLAN OF OPERATION AND
GOVERNANCE FOR THE NOPEC
GAS AGGREGATION PROGRAM FOR
THE PURPOSE OF JOINTLY
ESTABLISHING AND IMPLEMENTING
A GAS AGGREGATION PROGRAM.**

WHEREAS, the Council of the City of Canal Fulton (the "Council") previously enacted legislation authorizing Canal Fulton (the "City") to establish a Gas Aggregation Program pursuant to Section 4929.26, Ohio Revised Code (the "Gas Aggregation Program"), for the eligible residents, businesses and other gas consumers located within the unincorporated area of the City, and for that purpose, to act jointly with any other municipal corporation, township, county or other political subdivision of the State of Ohio, as permitted by law; and

WHEREAS, this Council previously enacted legislation authorizing the City to join the Northeast Ohio Public Energy Council so that the City will be able to act jointly with other member political subdivisions and thereby maximize the potential benefits of gas deregulation through group purchasing efforts; and

WHEREAS, on behalf of this Council pursuant to Section 4929.26, Ohio Revised Code, two (2) public hearings have been held on the Plan of Operation and Governance for the NOPEC Gas Aggregation Program.

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

SECTION 1. The Council finds and determines that it is in the best interest of the City, including the gas consumers located within the City to adopt the Plan of Operation and Governance of the NOPEC Gas Aggregation Program, for the purpose of establishing and implementing the Gas Aggregation Program in the City.

SECTION 2. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were

RECORD OF RESOLUTIONS

BEAR GRAPHICS 800-323-8004 FORM NO. 30015

Resolution No. _____

Passed _____, 20____

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.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution ____-17, duly adopted by the Council of the City of Canal Fulton, on the date of _____. 2017, 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 _____, 2017.

Teresa Dolan, Clerk-of-Council

SEF/bp

RECORD OF RESOLUTIONS

BEAT GRAPHICS 800-315-9264 FORM NO. 10043

Resolution No. 24-17

Passed _____, 20____

A RESOLUTION AUTHORIZING ENTERING INTO A NATURAL GAS PROGRAM AGREEMENT WITH THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL.

WHEREAS, under Section 4929.26, Ohio Revised Code, The City of Canal Fulton, Ohio (the "City") is authorized to establish an opt-out natural gas aggregation program for the benefit of eligible natural gas consumers located within the City;

WHEREAS, under Section 4929.26, Ohio Revised Code, the City may exercise such authority jointly with other political subdivisions in the State of Ohio; and

WHEREAS, governmental aggregation provides an opportunity for natural gas consumers collectively to participate in the potential benefits of natural gas deregulation through lower gas rates which they would not otherwise be able to have individually.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CANAL FULTON ("COUNCIL"), COUNTY OF STARK, AND STATE OF OHIO, THAT:

SECTION 1. The Council finds and determines that it is in the best interest of the City and including eligible natural gas consumers located within the City, to establish an opt-out natural gas aggregation program (the "Gas Aggregation Program") in the City, and to enter into a Natural Gas Program Agreement with NOPEC in order to establish a Gas Aggregation Program through NOPEC.

SECTION 2. The City is hereby authorized and desires to execute and deliver the Natural Gas Program Agreement of NOPEC (the "Gas Program Agreement"). The Gas Program Agreement shall be substantially in the form presented to this Council on file with the Fiscal Officer, subject to such changes, insertions and omissions which are consistent with this Resolution and are not substantially adverse to the City and as may be approved by the City, which approval shall be conclusively evidenced by execution of the Gas Program Agreement.

SECTION 3. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were

RECORD OF RESOLUTIONS

BEAN GRAPHICS 800-325-8084 FORM NO. 3000

Resolution No. _____ Passed _____, 20____

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.

Joseph A. Schultz, Mayor

ATTEST:

Teresa Dolan, Clerk-of-Council

I, Teresa Dolan, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution _____-17, duly adopted by the Council of the City of Canal Fulton, on the date of _____, 2017, 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 _____, 2017.

Teresa Dolan, Clerk-of-Council

SEF/bp



BILL TO:

PURCHASE ORDER

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

P.O. NUMBER: RG011368
P.O. DATE: 08/25/17
DEPARTMENT: STREET
CREATED BY:
VENDOR NO.: 02264

DELIVER TO:

CANAL FULTON STREET DEPT
155 EAST MARKET ST
CANAL FULTON, OH 44614

VENDOR:

TRI C CONCRETE & EXCAVATING
8263 CLEVELAND MASSILLON RD
CLINTON, OH 44216

ACCOUNT NUMBER	AMOUNT
391.360.5730	\$17,550.00

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 # 04-6000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		REPLACE 2,704 SQ FT OF CONCRETE ON MAYNARD & DENSHIRE		\$17,550.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON ____ / ____ / ____		
TOTAL:				\$17,550.00

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

Dat

City Manager / Mayor

Dat

THIS PURCHASE ORDER MUST BE SIGNED BY THE FINANCE DIRECTOR AND EITHER THE CITY MANAGER OR MAYOR

BILL TO:



PURCHASE ORDER

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

P.O. NUMBER: RG011349
 P.O. DATE: 08/10/17
 DEPARTMENT: STREET
 CREATED BY:
 VENDOR NO.: 02312

DELIVER TO:

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

VENDOR:

D.J.L. MATERIALS AND SUPPLY
 P.O. BOX 5293
 AKRON, OHIO 44334-0293

ACCOUNT NUMBER	AMOUNT
391.360.5730	\$7,500.00

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

FEDERAL ID # 34-6000498

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		THREE (3) PALLETS OF SEALANT FOR THE ROAD		\$7,500.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____		
TOTAL:				\$7,500.00

CIRCLE IF APPLICABLE: Now and then P.O. – the purchase was made before approval of P.O. Funds were available then as they are available now.

FISCAL OFFICER'S CERTIFICATE

I hereby certified that the amount required to meet the contract, agreement, obligation, commitment or expenditure stated in this purchase order has been lawfully appropriated, authorized or directed for such purpose and is in the Treasury or in the process of collection to the credit of the appropriate Fund(s), free from any obligation or certification now outstanding.

 Finance Director

 Date

 City Manager / Mayor

 Date

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



BILL TO:

City of Canal Fulton

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

PURCHASE ORDER

P.O. NUMBER RG011385
P.O. DATE 08/31/17
DEPARTMENT FIRE/EMS
CREATED BY
VENDOR NO. 03128

DELIVER TO:

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

VENDOR:

ROSENBAUER SOUTH DAKOTA, LLC
100 THIRD ST
PO BOX 57
LYONS, SOUTH DAKOTA 57041

ACCOUNT NUMBER	AMOUNT
391.210.5730	\$309,830.00

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
		2017 FIRE ENGINE PURCHASE		\$309,830.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
TOTAL:				\$309,830.00

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

Finance Director

Date

City Manager / Mayor

Date



BILL TO:

City of Canal Fulton

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

PURCHASE ORDER

P.O. NUMBER: RG011386
P.O. DATE: 08/31/17
DEPARTMENT: FIRE/EMS
CREATED BY:
VENDOR NO.: 03129

DELIVER TO:

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

VENDOR:

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

ACCOUNT NUMBER	AMOUNT
391.210.5730	\$123,709.00

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 # 34-6000496

QUANTITY	UNIT	DESCRIPTION	PRICE / UNIT	AMOUNT
		2017 AMBULANCE PURCHASE		\$123,709.00
		THIS PURCHASE ORDER IN EXCESS OF \$5,000 WAS APPROVED BY A MOTION OF CANAL FULTON CITY COUNCIL ON _____ / _____ / _____.		
TOTAL:				\$123,709.00

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, or expenditure stated in this purchase order has been lawfully appropriated, authorized or directed for such purpose and is in the Treasury or in the process of collection from the credit of the appropriate Fund(s), free from any obligation or certification now outstanding.

Finance Director

Date

City Manager / Mayor

Date

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