

**CITY OF CANAL FULTON**  
**CITY COUNCIL MEETING AGENDA**  
May 6, 2009

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**

April 21, 2009
5. **REPORTS OF STANDING COMMITTEES**
6. **CITIZENS' COMMENTS – AGENDA MATTERS (Five Minutes per Individual – No Yield)**
7. **REPORTS OF ADMINISTRATIVE OFFICERS**
  - A. Senior Citizens
  - B. Community Service Coordinator
  - C. Fire Chief
  - D. Police Chief
  - E. Engineer/Streets/Public Utilities
  - F. Finance Director
  - G. City Manager
  - H. Report of Mayor
  - I. Parks & Recreation Board
  - J. Law Director
8. **THIRD READINGS**

**Ordinance 12-09:** An Ordinance By the Council of the City of Canal Fulton to Sell Unneeded Personal Property.

**Resolution 11-09:** A Resolution by the Council of the City of Canal Fulton to Sell Unneeded Personal Property by Internet Auction.

**Ordinance 13-09:** An Ordinance Amending the Department of Police Services of the Codified Ordinances of Canal Fulton, Ohio to Create the Position of Police Lieutenant and Adding Chapter 129.04 Entitled Police Lieutenant
9. **SECOND READINGS** - None
10. **FIRST READINGS**

**Ordinance 16-09:** An Ordinance Amending City of Canal Fulton, Ohio Administrative Code Section 141.08(g) to Provide Compensatory Time Off for Certain Employees.

**Ordinance 17-09:** An Ordinance Amending the Codified Ordinances of the Zoning Code of the City of Canal Fulton, Ohio to Amend Chapter 1150 and Repeal Section 4, 1150.04 Fire Inspection.

**Ordinance 18-09:** An Ordinance Authorizing the Canal Lands II Annexation, 66 Acres More or Less, From Lawrence Township to the City of Canal Fulton, and Declaring an Emergency. (Under Suspension of the Rules)

**Ordinance 19-09:** An Ordinance Amending Ordinance 13-08, Establishing Rates of Pay for the Canal Boat Operations and Making It Retroactive to Employment Date, and Declaring an Emergency. (Under Suspension of the Rules).
11. **PURCHASE ORDERS & BILLS**

**P.O. 5643** to City of Massillon for Estimated Prisoner Jail Fees for 2009 in the Amount of \$8,000.00

**P.O. 5645** to Speedway SuperAmerica for Fuel in the Amount of \$21,000.

**BILLS: \$53,417.97**
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**

RECORD OF PROCEEDINGS  
CITY OF CANAL FULTON

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 30148

April 21, 2009

Held

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**COUNCIL MEETING**

Mayor Grogan called the April 21, 2009 City Council meeting to order at 7:00 PM in Council Chambers at City Hall.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Present: Matthew Moellendick, Linda Zahirsky, Nellie Cihon, and James Deans.

Absent: Diane Downing and Danny Losch.

Mrs. Zahirsky moved to excuse Mr. Losch and Mrs. Downing due to illness, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

Others Present Scott Fellmeth, Law Director; Mark Cozy, City Manager; Dave Frisone, Police Chief; Ray Green, Fire Chief; Daniel Mayberry, Service Director; Scott Fellmeth, Law Director; Scott Svab, Finance Director; Ken Roberts, Victor Colaianni and Chell Rossi, Residents; Joan Porter, Repository and Amy Knapp, Independent;

**CORRECTING/ADOPTING THE RECORD OF PROCEEDINGS**

Mrs. Cihon moved to approve the April 7, 2009 meeting minutes, seconded by Mrs. Zahirsky. **ROLL: Yes, ALL.**

**REPORTS OF STANDING COMMITTEES**

**Personnel and Rules Committee**

Compensatory Time: Mrs. Zahirsky stated the Personnel & Rules Committee met before this Council meeting. They would like for the Law Director to amend Ordinance 30-03 (section 141.07(g) of the codified ordinances) to provide compensatory time to include the Street Superintendent to this ordinance. It currently states the Director of Public Utilities and Superintendent of Utilities. She stated a recommendation was made by Mr. Cozy that we include the Street Superintendent. The reason being is so much of his overtime can't be controlled by his decision on what he is going to do during the week; it is controlled by weather conditions. The committee is making a recommendation that Mr. Cozy have Mr. Fellmeth do an ordinance to amend to include the street superintendent.

Fire Department Bonuses: The committee is working on the bonus situation with the Chief. He is requesting that they look at the different pays. He gave them a chart of other community wages.

Mrs. Zahirsky stated they discussed the problems of what most communities are having now with giving raises of any kind. She stated she is still willing to look at a bonus situation that is tied to a reduction in costs. Chief Green supplied information about the idea of going with five captains instead of an assistant chief and lieutenants and so forth. He would be decreasing two of his officers, from seven to five. The Mayor and the Chief will discuss this issue before the next Personnel and Rules Committee meeting.

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Mrs. Zahirsky moved to have a Personnel and Rules Committee meeting on May 19 at 6:15 PM, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

Mayor Grogan asked for executive session for personnel appointments with Council, City Manager, Police Chief and Clerk present.

*Mayor Grogan stated he is going to break with Chief Green after the Administrative Officer's section and asked that the President Pro tem proceed with the meeting. He will be back in attendance of the meeting.*

**CITIZENS' COMMENTS - AGENDA MATTERS**

**REPORTS OF ADMINISTRATIVE OFFICERS**

***SENIOR CITIZENS (Nellie Cihon)***

Card Party: The center will be hosting a card party on April 22.

Seminar: There will be a seminar "You Don't Want to Have Another Stroke" on April 28 at 11:00 AM. A light lunch will be served.

Salad Luncheon and Silent Auction: The center will be hosting a salad luncheon and silent auction on April 29<sup>th</sup>

Swiss Steak Dinner: The next Swiss steak dinner will be held on May 16 from 4:00 PM - 6:30 PM. Call the center for reservations.

Trip: The center is sponsoring a trip to Cape Cod October 4-10. The cost is \$529 per person. There are sixteen remaining seats available.

Commissioners: Mrs. Cihon reported two commissioners have resigned. If anyone is interested, they should contact the center.

Mayor Grogan asked if we should advertise in the paper to see if there is some interest from someone from the community.

Mrs. Zahirsky stated there was a new bill that was signed for seniors and college students who want to do community service. This is a result of the stimulus package.

**COMMUNITY SERVICE COORDINATOR**

Monthly Report: Included in the packet.

***FIRE CHIEF (Ray Green, Fire Chief)***

Monthly Report: Included in packet.

VFW Awards: Chief Green stated two of the fire department personnel were selected for awards by the VFW. They are: Jeff Hagen, his work for coordinating the Northwest Safety Fair and Debbie Green for what she does in the schools, preschools and the community in taking the fire safety message to the children.

**POLICE DEPARTMENT (Dave Frisone, Police Chief)**

Monthly Report: Included in packet

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**ENGINEER/STREETS/PUBLIC UTILITIES (Dan Mayberry):**

**Canal Clean Up:** Clean up of the canal is complete from Community Park to Lock IV for the season other than an occasional tree that may come down. Due to a weather event, the silt and debris has been put at a temporary location. It will be moved to the Canal Fulton cemetery for fill when weather permits. The City and Stark Parks partnered for this project and is confident the boat will be able to operate safely this summer.

Mr. Deans stated the contractor from Shreve that provided the work gave a good price and did really good work.

The goal is to test float the boat this week and have it at dock before May 10.

**FINANCE DIRECTOR (Scott Svab)**

**Auditor Contract:** Mrs. Zahirsky moved to approve the Auditor contract dated March 18, 2009, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

**March 2009 Financial Statements:** Mrs. Cihon made a motion that they are in receipt of the March 2009 Financial Statements, seconded by Mrs. Zahirsky. **ROLL: Yes, ALL.**

Mrs. Zahirsky moved that they are in receipt of the bills in the amount of \$52,073.28, seconded by Mr. Deans. **ROLL: Yes, ALL.**

Mr. Svab reported that the EMS revenues are up \$6,000 compared to the first quarter of 2008.

The utility revenues are down even with the 5.9% increase in water. When reviewed, the trend is that the total consumption is down, the homestead exemptions and a lower delinquent balance. Another item is the loss of outside revenues. When the City took over the schools through the annexation in June, the water rate became inside water rates, therefore we no longer collected the 2-1/2 times the rate. This contributed to almost \$8,000 for that quarter. Even though we did gain some income tax revenue, the trade off was we have less water revenues as far as the operating costs and then we also absorbed the cost of the water line \$60,000 bond debt. Mr. Svab stated Council is going to have to keep an eye on water and sewer rates.

**CITY MANAGER (Mark Cozy)**

**Brochure:** Mr. Cozy distributed a copy of a City brochure he has been getting updated. It is similar to the one in the hall that is framed. He is requesting for Council to review and comment.

**Buckeye Energy Brokers:** The City locked in at \$7.36 per mcf. The rate could fluctuate lower or higher and felt it was best to lock in now that it was at the best interest of our citizens.

Three years ago, the rate was around \$14.

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Canal Clean Up: Mr. Cozy stated Mr. Dave Roberts found out about the project from reading the paper. He came in 30% lower than all quotes. Commend Dan Mayberry and the city workers for their diligence on this project. Mr. Cozy stated they are going to make this an annual project.

Ordinance 15-09: This ordinance is to create the Canal Boat positions. The boat repairs have been made. The goal is to have the boat in operations on May 9, 2009.

Street Sweeping: The streets will be cleaned April 27 and 28.

Cell Phone Policy: Mr. Cozy asked if anyone had any changes to the cell phone policy. There were none from Council members. Mrs. Zahirsky moved to approve the cell phone policy as submitted, seconded by Mrs. Cihon. **ROLL: Yes, ALL**

Canal Boat: Due to procedural error, a motion was not made at the last meeting. Therefore a motion will need to be made to enter into the partnership with the Heritage Society.

Mrs. Cihon moved to enter into the partnership with the Heritage Society for the operations of the Canal Boat, seconded by Mr. Deans. **ROLL: Yes, ALL.**

**REPORT OF MAYOR (John Grogan)**

VFW: Mayor Grogan stated at the banquet, the Canal Fulton VFW donated \$500 to Park Board. Their generosity of greatly appreciated.

D.A.R.E. Graduation: The D.A.R.E. Graduation will be on May 7.

Liquor Permit – El Rodeo Mexican Restaurant: Mayor Grogan asked Chief Frisone if he had any complaints or problems with this permit. He stated no.

Mr. Deans made a motion to waive the hearing for the transfer of the liquor permit, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

Ohio Veterans Memorial Event: There will be a meeting on Wednesday, April 22 at 11:00 AM at City Hall regarding the Ohio Veterans Memorial Wall, "Run to Wall" event. Mayor Grogan stated we need to roll out the carpet for all veterans and every person that comes to this City for this event. The eyes of the state are upon us. We need to do everything we can to make this event go smoothly.

**PARKS & RECREATION BOARD (Fred Fleming)**

Mrs. Zahirsky asked about the dog park. Mr. Svab stated he was there on Sunday and the park is ready to open. Mr. Mayberry stated they will check tomorrow and will open the park on Saturday. Mrs. Zahirsky stated if it opens on Saturday she is scheduling a pizza party on her.

**LAW DIRECTOR (Scott Fellmeth)**

Attorney Fellmeth stated there has been an issue about abandoned chassis in someone's yard. He feels our current ordinances need amended.

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Attorney Fellmeth stated the Planning Commission is recommending that the fire inspection be deleted as one of the things needed to obtain a certificate of occupancy.

Out of Town: Attorney Fellmeth stated he will be out of town for next meeting. He will be out of town beginning May 14 for about ten days. If anyone needs legislation, please get it to him.

*Mayor Grogan turned over the meeting to the Council President to meet with the Chief and will return when we get to the portion of the Citizens Comments.*

**THIRD READINGS**

**Ordinance 10-09:** An Ordinance Amending the Zoning Code by Re-Zoning the Former Canal Fulton Elementary School.

Mrs. Zahirsky moved for approval, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

**SECOND READINGS**

**Ordinance 12-09:** A Resolution by the Council of the City of Canal Fulton to Sell Unneeded Personal Property.  
**STANDS AS SECOND READING**

**Resolution 11-09:** A Resolution by the Council of the City of Canal Fulton to Sell Unneeded Personal Property by Internet Auction.  
**STANDS AS SECOND READING**

**Ordinance 13-09:** An Ordinance Amending the Department of Police Services of the Codified Ordinances of Canal Fulton, Ohio to Create the Position of Police Lieutenant and Adding Chapter 129.04 Entitled Police Lieutenant  
**STANDS AS SECOND READING**

**FIRST READINGS**

**Ordinance 14-09:** An Ordinance Amending Ordinance 5-09 and Providing for the Transfer of Funds Within Various Accounts for the Purpose of Paying Various City Obligations, and Declaring an Emergency.

Mrs. Zahirsky moved to suspend the rules on ordinance 14-09, seconded Mr. Deans. **ROLL: Yes, ALL.**

Mrs. Zahirsky moved for passage under suspension, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

**Resolution 13-09:** A Resolution Proclaiming Support for Issue Thirteen on May 5, 2009. (Under Suspension of the Rules)

Mr. Moellendick moved to suspend the rules on Resolution 13-09, seconded by Mrs. Zahirsky. **ROLL: Yes, ALL**

Mrs. Zahirsky moved for passage under suspension, seconded by Mr. Deans. **ROLL: Yes, ALL.**

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Mrs. Zahirsky stated she wished the board of education would have personally come to her and asked this question, but they did not. She would have told them she felt they should ask for a lower bond. She stated she doesn't believe this high of a request is good for the community. She stated though if we don't support the schools, the value of real estate goes down. On the other hand, for those people really having financial problems, this puts a greater burden on them. This is the wrong time and the wrong amount.

Mr. Deans agreed with Mrs. Zahirsky. He stated he is not happy with the mailings saying you should vote beforehand. He stated a lot of people with be faced with a burden if this passes.

Mrs. Zahirsky stated if they vote yes on this legislation, they are not saying to go vote blindly on this.

Mr. Moellendick stated he personally supports the schools. He has two children in the district and wants them to get the best education. He stated he agrees this will be a burden to taxpayers, but that the education of the students is paramount and that he can go without a few luxuries to support a fair and good education. He said we need to support on of our largest employers and if the district has to make more cuts it will cut into the city's revenue. He stated one of the four main points in economic development is a good school. He asked how we attract business and growth in the community when the community won't support the school. He felt that council should stand up and support the kids, our schools and our largest employer.

**Ordinance 15-09:** An Ordinance Establishing Rates of Pay for the Canal Boat Operations, and Declaring an Emergency.

Mr. Deans moved for suspension of the rules on Ordinance 15-09, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

Mrs. Zahirsky moved for passage of Ordinance 15-09 under suspension, seconded by Mr. Deans. **ROLL: Yes, ALL.**

Mr. Cozy stated he took the causal labor; the student works positions and put them in line with those positions. He stated the Canalway Program Assistants pay for year two is \$9.35. This is what the captain will start out at. He stated the Canal Boat Captains have supervisory duties and they basically run the boat, which is a high degree of responsibility. The boat coordinator salary is what a year three Canalway Program Assistant would make. The coordinator oversees the entire operation. He stated the Assistants positions are so high that he had to balance these rates. He stated he would like to come back to Council when they redo the budget to review these salaries and bring them all in line. He stated he had to do the wages this year to make it fair.

Mr. Cozy stated the meetings they have had with the Heritage Society and his conversations with the person who ran the St. Helena II, and it was indicated the monies were made with specialty cruises. He stated our salary costs might be higher than last year but our income will be much higher than last year.

Mrs. Zahirsky was going to ask how these wages compared to last year. Mr. Cozy stated they are higher than what the Heritage Society paid. He stated their top person was making \$8.00 an hour. He stated a Heritage

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Society member was acting in that position most of the year, so the \$8.00 an hour was for a boat captain. These wages are not significantly higher than the boat captain last year. He stated the wages are higher, but the City pays more.

Mrs. Zahirsky stated we have not had a position of boat captain, so how can we say the City paid a higher boat captain wage before.

Mr. Cozy said what he is saying is that the City pays more for basic people. Mr. Cozy stated if he can't find the right person, they might not fill the boat coordinator position. He stated they would only have the two captains and absorb the coordinator with the people they already have. He stated he is currently talking with Stark Parks about some of these positions. They might be willing to supply people.

Mr. Cozy stated he has a spreadsheet on what people are making in the City. He stated some of the position rates need reigned in.

**PURCHASE ORDERS & BILLS**

No Purchase Orders

**Bills: \$52,073.28 See under Finance Director Report**

**OLD/NEW/OTHER BUSINESS** - None

**REPORT OF PRESIDENT PRO TEMPORE (Nellie Cihon)** - None

**REPORT OF SPECIAL COMMITTEES** - None

*Mayor Grogan has rejoined the meeting.*

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

**Victor Colaianni-1708 Bruce Street:** Mr. Colaianni wanted to know how the Chief was going to delegate work if he wasn't going to have an assistant chief. Chief Green stated a captain could be named acting chief, if needed.

Mr. Colaianni stated Mrs. Zahirsky question was valid but didn't feel it is the school boards job to ask her opinion because when they came to the City three years ago, we turned them down to do a resolution. So they asked our opinion and we stonewalled them. He stated on the millage, less millage failed by a worse margin before. He doesn't agree it is the right millage either, but hours of discussion went on about whether or not to annex the schools and one of the things that were prepared was the revenue stream. He stated you lessen; your economic viability and you lessen your tax base. He stated it is not an easy thing, but it is our job to become educated on the issue. He stated they have had their chance to go to public meetings and have had their chance to get answers and to speak with the superintendent and they have phone numbers. He doesn't feel it is their job to ask their opinion.

Mrs. Zahirsky stated she said this is because she has been receiving emails and so forth asking her opinion on supporting this levy and at this point is when she asked why they didn't ask her what her thought was on the levy before she was asked to support it.

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Mayor Grogan stated he would have to agree because he has received some very aggressive emails from people who are close to this and is very inappropriate. He stated he has asked board members questions and they would either not give answers or give specifics. He stated it is not about not doing anything for the children of this community. He stated everyone loves their kids. In every school district they love their kids. They would love to give them everything they could. They need to look at where this budget is going to come from and how it is going to be sent. The past and present school board has not left a very strong legacy of possibly making the right decisions down the road.

Mr. Colaianni stated there are five seats available this fall. He encourages everyone to ask the candidates questions.

**EXECUTIVE SESSION**

Mrs. Zahirsky made a motion to adjourn to executive session from the regular meeting for the purpose of the consideration of appointment of a public employee or official; promotion or demotion of a public employee or official; and compensation of a public employee or official with Council, City Manager, Police Chief and Clerk present, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

Mrs. Zahirsky made a motion to return to public session at 8:35 PM, seconded by many. **ROLL: Yes, ALL.**

There was no action taken as a result of the executive session.

**ADJOURNMENT**

Mayor Grogan adjourned the April 21, 2009 meeting. The next regular scheduled meeting is May 6, 2009 at 7:00 PM.

\_\_\_\_\_  
Tammy Marthey, Clerk of Council

\_\_\_\_\_  
John Grogan, Mayor

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 12-09

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

AN ORDINANCE BY THE COUNCIL  
OF THE CITY OF CANAL FULTON  
TO SELL UNNEEDED PERSONAL  
PROPERTY.

WHEREAS, Certain personal property of the City of Canal Fulton, Ohio is not needed for public use, or is obsolete or unfit for the use for which it was acquired, and

WHEREAS, said personal property includes motor vehicles acquired for the use of municipal officers and departments, road machinery, equipment, tools or supplies.

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

**DISPOSAL OF SURPLUS PROPERTY.**

- (a) All Departments and Divisions shall submit to the Director of Finance, at such times and in such form as he shall prescribe, reports showing all supplies, materials and equipment (including vehicles) which are no longer in use or which have been damaged, worn out or are obsolete. The Director of Finance may order such items transferred to another City Department or Division, or he may sell the item of property to another local, county or state governmental agency without competitive bidding. In addition, the Director of Finance, upon the concurrence of the appropriate Department Director or Division Chief, shall have the authority to discard surplus property if it has little or no value or use. Surplus property may be traded-in if in the sole discretion of the Director of Finance such trade-in would be advantageous to the City.
- (b) The Director of Finance shall authorize and require competitive bidding for the sale of a single item of surplus property which has an estimated value of \$1,000.00 or more. The sale of a single item of surplus property, the value of which is \$3,000.00 or more shall require the approval of City Council by motion. Single items of surplus property which have an estimated value of less than \$3,000.00 but more than \$1,000.00 shall be sold through the competitive bidding process at such time and place and in such manner as the Director of Finance shall determine. The Director of Finance shall have sole discretion to conduct competitive bidding in such manner as he deems appropriate. Single items of surplus property which have an estimated value of less than \$1,000.00 may be sold or otherwise disposed through informal bidding or in such manner as the Director of Finance deems appropriate.

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 12-09

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

- (c) Prior to the transfer of any property, the appropriate Department Director or Division Chief shall be responsible for the removal of logos, seals, emblems or other marks identifying the property as the property of the City. A list of items of property sold, their general condition at the time of sale, the name of the purchaser, the purchase price and the reason for declaring the items available for sale shall be maintained in the office of the Director of Finance and shall be available for public inspection. Items of surplus property shall be sold "as is" to the highest bidder.

\_\_\_\_\_  
John Grogan, Mayor

ATTEST:

\_\_\_\_\_  
Tammy Marthey, Clerk-of-Council

I, Tammy Marthey, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance \_\_\_\_-09, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_. 2009, and that publication of the foregoing Ordinance was duly made by posting true and correct copies thereof at five of the most public places in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers each for a period of fifteen days, commencing on the \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Tammy Marthey, Clerk-of-Council

SEF/bp

# RECORD OF RESOLUTIONS

Dayton Legal Blank, Inc., Form No. 30045

Resolution No. 11-09

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

A RESOLUTION BY THE COUNCIL  
OF THE CITY OF CANAL FULTON  
TO SELL UNNEEDED PERSONAL  
PROPERTY BY INTERNET AUCTION.

WHEREAS, Certain personal property of the City of Canal Fulton, Ohio is not needed for public use, or is obsolete or unfit for the use for which it was acquired, and

WHEREAS, said personal property includes motor vehicles acquired for the use of municipal officers and departments, road machinery, equipment, tools or supplies.

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

The City of Canal Fulton, Ohio may periodically conduct internet auctions to sell and otherwise dispose of personal property not needed for public use, is obsolete or unfit for its intended use.

Said auctions shall be conducted under guidelines determined by the City Manager and Director of Finance but in no event shall the number of days for bidding on auctioned property be less than fifteen days, including Saturdays, Sundays and legal holidays.

\_\_\_\_\_  
John Grogan, Mayor

ATTEST:

\_\_\_\_\_  
Tammy Marthey, Clerk-of-Council

I, Tammy Marthey, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Resolution 11 -09, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_. 2009, and that publication of the foregoing Resolution was duly made by posting true and correct copies thereof at five of the most public places in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers each for a period of fifteen days, commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Tammy Marthey, Clerk-of-Council

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 13-09 Passed \_\_\_\_\_, 20\_\_\_\_

AN ORDINANCE AMENDING THE DEPARTMENT OF POLICE SERVICES OF THE CODIFIED ORDINANCES OF CANAL FULTON OHIO TO CREATE THE POSITION OF POLICE LIEUTENANT AND ADDING CHAPTER 129.04 ENTITLED POLICE LIEUTENANT.

WHEREAS, the City of Canal Fulton, Ohio enacted Chapter 129 to regulate the Department of Police Services, and

WHEREAS, the Council of the City of Canal Fulton desires to amend Chapter 129 to create the position of Police Lieutenant.

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

Chapter 129 of the Canal Fulton, Ohio Department of Police Services shall be amended to add Chapter 129.04 entitled Police Lieutenant.

129.04 Police Lieutenant

- (a) The City shall have an assistant marshal, designated as Police Lieutenant, appointed by the Mayor, with the advice and consent of Council. The Police Lieutenant shall continue in office until removed therefrom as provided in ORC 737.12 or other applicable Ohio law.
- (b) The position of Police Lieutenant shall be an unclassified second in command to the Chief of Police and shall serve with specific duties and responsibilities assigned by the Chief of Police.

\_\_\_\_\_  
John Grogan, Mayor

ATTEST:

\_\_\_\_\_  
Tammy Marthey, Clerk-of-Council

I, Tammy Marthey, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance 13-09, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2009, and that publication of the foregoing Ordinance was duly made by posting true and correct copies thereof at five of the most public places in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers each for a period of fifteen days, commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Tammy Marthey, Clerk-of-Council

SEF/bp

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 116-09

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

AN ORDINANCE AMENDING  
CITY OF CANAL FULTON, OHIO  
ADMINISTRATIVE CODE  
SECTION 141.08(g) TO PROVIDE  
COMPENSATORY TIME OFF FOR  
CERTAIN EMPLOYEES.

WHEREAS, the Administrative Code of the City of Canal Fulton, Ohio currently allows compensatory time off subject to certain restrictions; and

WHEREAS, the Council of the City of Canal Fulton desires to limit compensatory time off to certain employees.

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

Section 141.08(g) of the City of Canal Fulton, Ohio Administrative Code shall be amended to read:

(g) The current Superintendent of the Utility Department, the current Director of Public Utility Services and the current Superintendent of Streets shall receive one hour of compensatory time for each hour worked in excess of the standard workweek. All overtime worked by the Street and Utility Department Heads is subject to review and approval of the City Manager.

\_\_\_\_\_  
John Grogan, Mayor

ATTEST:

\_\_\_\_\_  
Tammy Marthey, Clerk-of-Council

I, Tammy Marthey, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance 116-09, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2009, and that publication of the foregoing Ordinance was duly made by posting true and correct copies thereof at five of the most public places in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers each for a period of fifteen days, commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Tammy Marthey, Clerk-of-Council

SEF/bp

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 17-09

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

AN ORDINANCE AMENDING  
THE CODIFIED ORDINANCES OF  
THE ZONING CODE OF THE CITY  
OF CANAL FULTON OHIO TO  
AMEND CHAPTER 1150 AND  
REPEAL SECTION 4. 1150.04  
FIRE INSPECTION.

WHEREAS, the Planning Commission of the City of Canal Fulton, Ohio has recommended that Chapter 1150 of the Codified Ordinances of the Zoning Code of Canal Fulton, Ohio regarding Certificates of Occupancy be amended, and

WHEREAS, the Planning Commission voted to repeal the requirement of a Fire Inspection at their meeting on April 16, 2009, and

WHEREAS, a public hearing with notice as required by law has been held.

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

Section 4. 1150.04 Fire Inspection of Chapter 1150 regarding Certificate of Occupancy is hereby repealed.

\_\_\_\_\_  
John Grogan, Mayor

ATTEST:

\_\_\_\_\_  
Tammy Marthey, Clerk-of-Council

I, Tammy Marthey, Clerk-of-Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance 17-09, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2009, and that publication of the foregoing Ordinance was duly made by posting true and correct copies thereof at five of the most public places in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers each for a period of fifteen days, commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Tammy Marthey, Clerk-of-Council

SEF/bp

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

Ordinance No. 18-09

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

(City Manager)

Under Suspension of  
the Rules

AN ORDINANCE AUTHORIZING THE  
CANAL LANDS II ANNEXATION, 66  
ACRES MORE OR LESS, FROM  
LAWRENCE TOWNSHIP TO THE  
CITY OF CANAL FULTON, AND  
DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code §709.14 mandates that the City shall pass by a vote of not less than a majority of the members elected to its legislative authority, an ordinance authorizing an annexation of City owned lands;

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

Section 1: The Council of the City of Canal Fulton has the legislative authority of the City, and does hereby authorize the annexation of the Canal Lands II territory as described in the attached legal description; and that Attorney Eric J. Williams shall be authorized to prosecute the proceedings necessary to effect this annexation.

Section 2: This Ordinance is hereby determined to be an emergency measure, the immediate passage of which is necessary for the preservation of the public peace, health, safety, and welfare of the City of Canal Fulton, such emergency arising because it is necessary to protect wetlands, wherefore this Ordinance shall take effect and be in full force immediately upon its passage.

\_\_\_\_\_  
John Grogan, Mayor

ATTEST:

\_\_\_\_\_  
Tammy Marthey, Clerk of Council

I, Tammy Marthey, Clerk of Council of the City of Canal Fulton, Ohio, do hereby certify that this is a true and correct copy of Ordinance \_\_\_\_\_, 2009 duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2009, and that publication of the foregoing Ordinance was duly made by posting true and correct copies thereof at five of the most public places and in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers, each for a period of fifteen days, commencing on the \_\_\_\_\_ of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Tammy Marthey, Clerk of Council

Annexation for City of Canal Fulton

February 14, 2008

Revised September 12, 2008

About 66 acres

Situated in the Township of Lawrence, County of Stark, State of Ohio and being part of sections 14,15,23,25 & 26.

Beginning at the intersection of the south boundary of the Ohio & Erie Canal with the north line of Section 15 and the existing Corporation Line for the City of Canal Fulton as recorded in instrument number 200709190051013 annexation plat, Stark County Records.

1. Thence along the corporation line in an easterly direction about 141 ft. to the north line of the Ohio and Erie Canal.

The following 20 courses are along the north line of the Ohio and Erie Canal:

1. Thence S 31°-06'-27" E, 172.22 ft. to a #5 rebar 5916.
2. Thence S 26°-38'-40" E, 345.84 ft. to a #5 rebar 5916.
3. Thence S 34°-28'-37" E, 191.25 ft. to a #5 rebar 5916.
4. Thence S 44°-26'-22" E, 186.70 ft. to a #5 rebar 5916.
5. Thence S 60°-07'-36" E, 197.93 ft. to a #5 rebar 5916.
6. Thence S 72°-55'-14" E, 284.53 ft. to a #5 rebar 5916.
7. Thence S 83°-19'-10" E, 208.89 ft. to a #5 rebar 5916.
8. Thence N 89°-44'-32" E, 218.49 ft. to a #5 rebar 5916.
9. Thence S 49°-45'-38" E, 82.10 ft. to a #5 rebar 5916.
10. Thence S 04°-45'-39" W, 90.75 ft. to a #5 rebar 5916.
11. Thence S 25°-53'-20" W, 50.00 ft. to a #5 rebar 5916.
12. Thence S 50°-04'-43" E, 109.44 ft. to a #5 rebar 5916.
13. Thence S 50°-50'-21" E, 131.08 ft. to a #5 rebar 5916.
14. Thence S 49°-07'-13" E, 129.46 ft. to a #5 rebar 5916.
15. Thence S 53°-16'-17" E, 294.33 ft. to a #5 rebar 5916.

16. Thence S 42°-00'-37" E, 172.45 ft. to a #5 rebar 5916.
17. Thence S 50°-49'-21" E, 208.08 ft. to a #5 rebar 5916.
18. Thence S 68°-02'-56" E, 410.93 feet.
19. Thence N 23°-19'-19" E, 64.30 feet.
20. Thence N 75°-05'-48" E, 452.45 feet.
21. Thence N 21°-25'-57" E, 63.29 feet
22. Thence N 54°-01'-52" W, 148.59 feet.
23. Thence N 21°-25'-57" E, 1.14 feet to the centerline of Erie Avenue N.W. a variable right of way
24. Thence continuing along said road on a curve to the right (radius 2866.70 ft., delta 18°-34'-03", chord bearing S 51°-19'-31" E, chord length 924.94 ft.) an arc distance of 929.00 feet.
25. Thence N 46°-01'-40" W a distance of 259.68 ft.
26. Thence N 72°-37'-14" W a distance of 115.21 ft. to the north boundary of the Canal Lands as surveyed by Sur. Slavin for the State of Ohio.

The following 71 courses are along the northerly and easterly line of the Ohio and Erie Canal.

1. Thence S 50°-20'-38" E a distance of 227.45 ft. to a point which is 82.7 ft. radially left of station 1004+90.5.
2. Thence southeasterly about 221 ft. to a point which is 73 ft. radially left of station 1006+92.3.
3. Thence southeasterly about 223 ft. to a point which is 91.1 ft. radially left of station 1008+90.3.
4. Thence southerly about 329 ft. to a point which is 73.4 ft. left of station 1012+00.2.
5. Thence southerly about 558 ft. to a point which is 90.9 ft. radially left of station 1017+53.85.
6. Thence southerly about 221 ft. to a point which is 88 ft. radially left of station 1019+63.7.
7. Thence southerly about 247 ft. to a point which is 92.8 ft. radially left of station 1021+98.3.

8. Thence southerly about 265 ft. to a point which is 72.1 ft. radially left of station 1024+53.7.
9. Thence southerly about 246 ft. to a point which is 75 ft. left of station 1026+95.
10. Thence southerly about 400 ft. to a point which is 69.3 ft. left of station 1030+95.
11. Thence southerly about 194 ft. to a point which is 73.5 ft. radially left of station 1033+00.
12. Thence southerly about 212 ft. to a point which is 78.8 ft. radially left of station 1035+31.6.
13. Thence southerly about 217 ft. to a point which is 85.4 ft. radially left of station 1037+26.7.
14. Thence southerly about 880 ft. to a point which is 75.5 ft left of station 1046+36.
15. Thence southerly about 631 ft. to a point which is 78.5 ft. radially left of station 1052+72.85.
16. Thence southeasterly about 717 ft. to a point which is 109.5 ft. left of station 1059+95.
17. Thence southerly about 64 ft. to a point which is 82.1 ft. radially left of station 1060+57.6.
18. Thence southeasterly about 439 ft. to a point which is 80.9 ft. radially left of station 1065+06.4.
19. Thence southeasterly about 474 ft. to a point which is 80.2 ft. radially left of station 1069+90.45.
20. Thence southeasterly about 628 ft. to a point which is 103 ft. radially left of station 1076+89.8.
21. Thence southeasterly about 652 ft. to a point which is 73.7 ft. radially left of station 1082+68.95.
22. Thence southeasterly about 231 ft. to a point which is 86.8 ft. radially left of station 1084+95.
23. Thence southeasterly about 320 ft. to a point which is 89 ft. left of station 1087+95.
24. Thence southeasterly about 299 ft. to a point which is 83.2 ft. left of station 1090+95.
25. Thence southeasterly about 230 ft. to a point which is 77.2 ft. left of station 1093+45.
26. Thence southeasterly about 100 ft. to a point which is 75.2 ft. left of station 1094+45.

27. Thence southeasterly about 133 ft. to a point which is 91.1 ft. left of station 1095+95.
28. Thence southeasterly about 55 ft. to a point which is 115 ft. radially left of station 1097+17.1.
29. Thence southeasterly about 70 ft. to a point which is 74.9 ft. left of station 1097+17.1.
30. Thence southeasterly about 195 ft. to a point which is 76.5 ft. left of station 1099+20.
31. Thence southeasterly about 76 ft. to a point which is 88.2 ft. left of station 1099+95.
32. Thence southeasterly about 103 ft. to a point which is 112 ft. left of station 1100+95.
33. Thence southeasterly about 113 ft. to a point which is 85.8 ft. radially left of station 1102+45.
34. Thence southeasterly about 544 ft. to a point which is 143.6 ft. radially left of station 1106+23.
35. Thence southeasterly about 219 ft. to a point which is 79 ft. radially left of station 1109+85.7.
36. Thence easterly about 458 ft. to a point which is 79.7 ft. left of station 1114+50.
37. Thence northeasterly about 121 ft. to a point which is 192 ft. left of station 1114+95.
38. Thence northerly about 92' ft. to a point which is 284 ft. left of station 1114+95.
39. Thence easterly about 36 ft. to a point which is 291.7 ft. left of station 1115+30.
40. Thence southeasterly about 102 ft. to a point which is 235 ft. left of station 1116+15.
41. Thence southerly about 70 ft. to a point which is 165 ft. left of station 1116+15.
42. Thence southeasterly about 296 ft. to a point which is 84 ft. left of station 1119+00.
43. Thence easterly about 80 ft. to a point which is 80.5 ft. radially left of station 1119+95.
44. Thence southeasterly about 231 ft. to a point which is 76 ft. left of station 1121+95.
45. Thence southeasterly about 155 ft. to a point which is 78.5 ft. left of station 1123+50.
46. Thence easterly about 147 ft. to a point which is 105 ft. left of station 1124+95.
47. Thence southeasterly about 55 ft. to a point which is 83 ft. radially left of station 1125+39.9.
48. Thence southeasterly about 358 ft. to a point which is 73.7 ft. radially left of station 1128+87.25.

49. Thence southeasterly about 201 ft. to a point which is 92 ft. radially left of station 1130+70.
50. Thence southeasterly about 112 ft. to a point which is 84 ft. left of station 1131+95.
51. Thence southeasterly about 241 ft. to a point which is 72.2 ft. radially left of station 1134+32.3.
52. Thence southeasterly about 266 ft. to a point which is 75.3 ft. left of station 1136+95
53. Thence southeasterly about 973 ft. to a point which is 80 ft. left of station 1146+68 .
54. Thence southeasterly about 691 ft. to a point which is 80.7 ft. radially left of station 1153+64.7.
55. Thence southeasterly about 258 ft. to a point which is 77.8 ft. radially left of station 1156+37.5.
56. Thence southeasterly about 606 ft. to a point which is 85.7 ft. radially left of station 1162+57.5.
57. Thence southeasterly about 132 ft. to a point which is 75.7 ft. left of station 1163+95.
58. Thence easterly about 89 ft. to a point which is 111.3 ft. radially left of station 1164+89.9.
59. Thence easterly about 145 ft. to a point which is 99.9 ft. radially left of station 1166+50.
60. Thence easterly about 458 ft. to a point which is 75.1 ft. radially left of station 1171+10.75.
61. Thence easterly about 228 ft. to a point which is 75 ft. radially left of station 1173+51.2.
62. Thence easterly about 584 ft. to a point which is 89.4 ft. radially left of station 1178+95.
63. Thence northerly 56.84 ft..
64. Thence on a deflection angle to the left of  $33^{\circ} 36'$ , 68.77 ft..
65. Thence on a deflection angle to the right of  $33^{\circ} 28'$ , 57.65 ft..
66. Thence on a deflection angle to the right of  $62^{\circ} 03'$ , 133.66 ft.,.
67. Thence on a deflection angle to the right of  $44^{\circ} 35'$ , 53.04 ft..
68. Thence on a deflection angle to the right of  $63^{\circ} 03'$ , 119.86 ft..
69. Thence easterly about 118 ft. to a point which is 98.15 ft. radially left of station 1182+30.15.

70. Thence easterly about 175 ft. to the Jackson Township line.

71. Thence southerly along the Jackson Township line about 106 ft. to the south line of the Ohio and Erie Canal.

The following 31 courses are along the south line of the Ohio and Erie Canal.

1. Thence westerly about 140 ft. to a point which is 19 ft. radially right of station 1182+30.15.
2. Thence westerly about 880 ft. to a point which is 17 ft. radially right of station 1173+51.2.
3. Thence westerly about 244 ft. to a point which is 21.8 ft. radially right of station 1171+10.75.
4. Thence westerly about 625 ft. to a point which is 24.4 ft. radially right of station 1164+89.9.
5. Thence westerly about 98 ft. to a point which is 24 ft. right of station 1163+95.
6. Thence westerly about 139 ft. to a point which is 23.4 ft. radially right of station 1162+57.75.
7. Thence northwesterly about 624 ft. to a point which is 21.8 ft. radially right of station 1156+37.5.
8. Thence northwesterly about 278 ft. to a point which is 33.6 ft. radially right of station 1153+64.7.
9. Thence northwesterly about 1672 ft. to a point which is 24.1 ft. right of station 1136+95.
10. Thence northwesterly about 262 ft. to a point which is 23.2 ft. radially right of station 1134+32.3.
11. Thence northwesterly about 542 ft. to a point which is 24.4 ft. radially right of station 1128+87.25.
12. Thence northwesterly about 344 ft. to a point which is 20.7 ft. radially right of station 1125+39.9.
13. Thence northwesterly about 492 ft. to a point which is 28 ft. radially right of station 1120+44.05.
14. Thence northwesterly about 1057 ft. to a point which is 17.5 ft. radially right of station 1109+85.7.
15. Thence northwesterly about 187 ft. to a point which is 19 ft. radially right of station 1107+98.4.

16. Thence northwesterly about 709 ft. to a point which is 33 ft. radially right of station 1100+95.
17. Thence northwesterly about 101 ft. to a point which is 20 ft. right of station 1099+95.
18. Thence northwesterly about 233 ft. to a point which is 24.2 ft. radially right of station 1097+63.3.
19. Thence northwesterly about 240 ft. to a point which is 24.7 ft. radially right of station 1095+26.56.
20. Thence northwesterly about 234 ft. to a point which is 26.3 ft. radially right of station 1092+98.1.
21. Thence northwesterly about 206 ft. to a point which is 22.9 ft. right of station 1091+00.
22. Thence northwesterly about 138 ft. to a point which is 20.4 ft. radially right of station 1089+56.85.
23. Thence northwesterly about 371 ft. to a point which is 21.2 ft. radially right of station 1085+83.7.
24. Thence northwesterly about 311 ft. to a point which is 15 ft. radially right of station 1082+68.95.
25. Thence northwesterly about 568 ft. to a point which is 16.2 ft. radially right of station 1076+89.8.
26. Thence northwesterly about 710 ft. to a point which is 21.3 ft. radially right of station 1069+90.45.
27. Thence northwesterly about 487 ft. to a point which is 27.5 ft. radially right of station 1065+06.4.
28. Thence northwesterly about 452 ft. to a point which is 16.2 ft. radially right of station 1060+57.6.
29. Thence northwesterly about 787 ft. to a point which is 15 ft. radially right of station 1052+72.85.
30. Thence northerly about 1556 ft. to the north line of section 23 which is 26 ft. radially right of station 1037+26.7.
31. Thence westerly along said section line about 214 ft. to the approximate easterly edge of the water line of the Tuscarawas River as determined from the Stark County contour maps.

The following 30 courses are along the above described water line.

1. Thence northwesterly about 77 ft..
2. Thence northerly about 132 ft..
3. Thence northerly about 73 ft..
4. Thence northerly about 77 ft..
5. Thence northerly about 55 ft..
6. Thence northerly about 89 ft..
7. Thence northerly about 75 ft..
8. Thence northerly about 83 ft.
9. Thence northerly about 66 ft.
10. Thence northerly about 61 ft.
11. Thence northerly about 49 ft.
12. Thence northerly about 87 ft.
13. Thence northerly about 56 ft.
14. Thence northerly about 73 ft.
15. Thence northerly about 89 ft.
16. Thence northerly about 116 ft.
17. Thence northerly about 82 ft.
18. Thence northerly about 46 ft.
19. Thence northerly about 156 ft.
20. Thence northerly about 63 ft.
21. Thence northerly about 55 ft.
22. Thence northerly about 54 ft.
23. Thence northerly about 68 ft.
24. Thence northerly about 86 ft.

25. Thence northerly about 222 ft.
26. Thence northerly about 92 ft.
27. Thence northerly about 139 ft.
28. Thence northerly about 122 ft.
29. Thence northerly about 191 ft.
30. Thence northerly about 32 ft. to the west boundary of the Ohio & Erie Canal.

The following 4 courses are along the west boundary of the Ohio & Erie Canal.

1. Thence northerly about 146 ft. to a point which is 28.4 ft. radially right of station 1008+90.3.
2. Thence northwesterly about 190 ft. to a point which is 28 ft. radially right of station 1006+92.3.
3. Thence northwesterly about 194 ft. to a point which is 33.5 ft. radially right of station 1004+90.5.
4. Thence westerly about 96 ft. to a point on the corporation line annexation plat recorded in instrument number 200709190051013, Stark County Records.

The following 13 courses are along the north line of the above corporation line annexation plat.

1. Thence N 63° 21' 54" W, 1065.10 ft.
2. Thence N 67° 02' 13" W, 312.19 ft. to a #5 rebar, 5916.
3. Thence N 55° 14' 47" W, 218.77 ft. to a #5 rebar, 5916.
4. Thence N 48° 00' 30" W, 184.83 ft. to a #5 rebar, 5916.
5. Thence N 47° 58' 09" W, 415.55 ft. to a #5 rebar, 5916.
6. Thence N 55° 37' 16" W, 116.00 ft. to a #5 rebar, 5916.
7. Thence N 65° 01' 34" W, 190.70 ft. to a #5 rebar, 5916.
8. Thence N 66° 02' 40" W, 701.71 ft. to a #5 rebar, 5916.
9. Thence N 54° 07' 40" W, 217.16 ft. to a #5 rebar, 5916.
10. Thence N 42° 28' 55" W, 269.46 ft. to a #5 rebar, 5916.
11. Thence N 37° 35' 57" W, 212.10 ft. to a #5 rebar 5916.

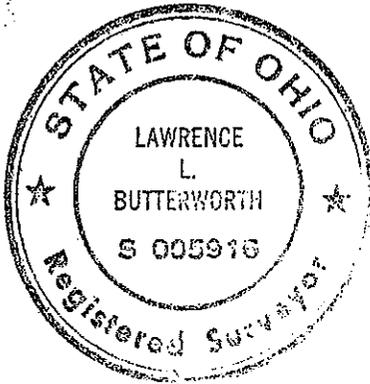
12. Thence N 29° 37' 28" W, 268.56 ft. to a #5 rebar, 5916.

13. Thence N 29° 37' 28" W, 249.24 ft. to the place of beginning.

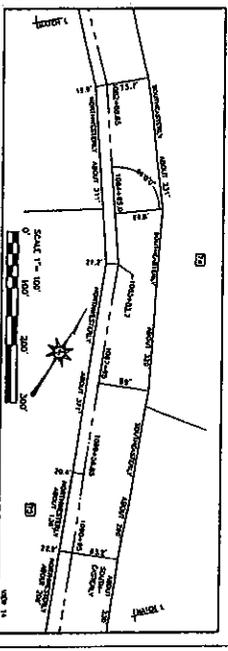
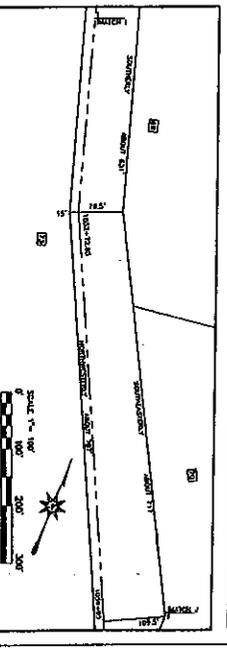
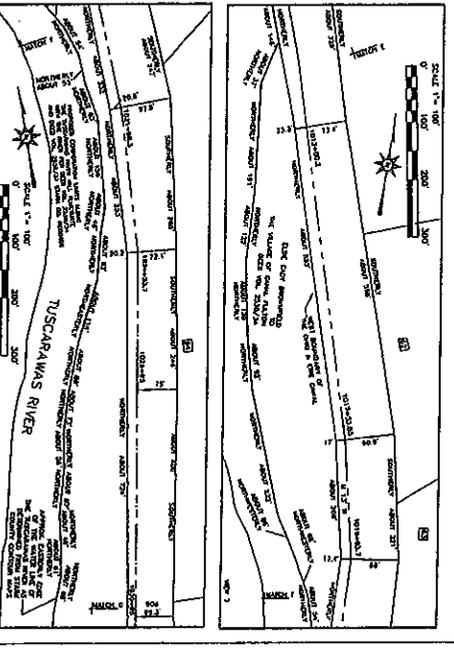
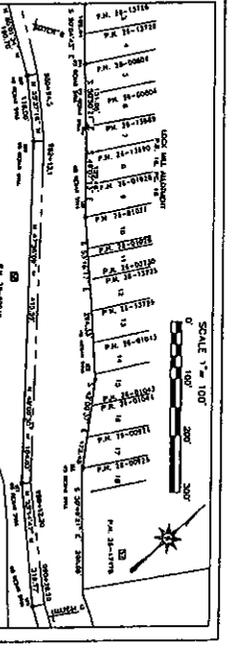
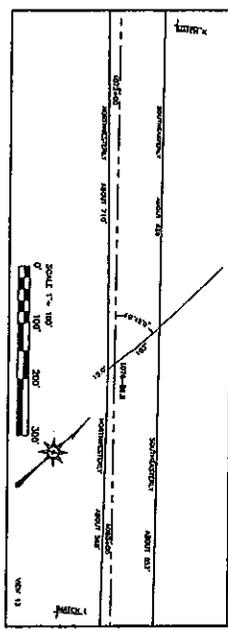
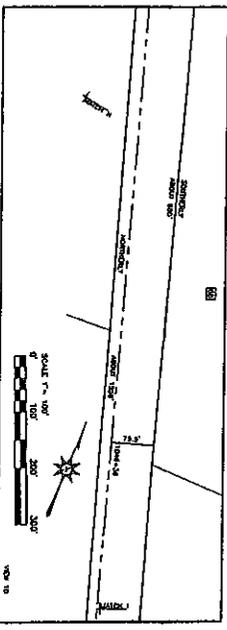
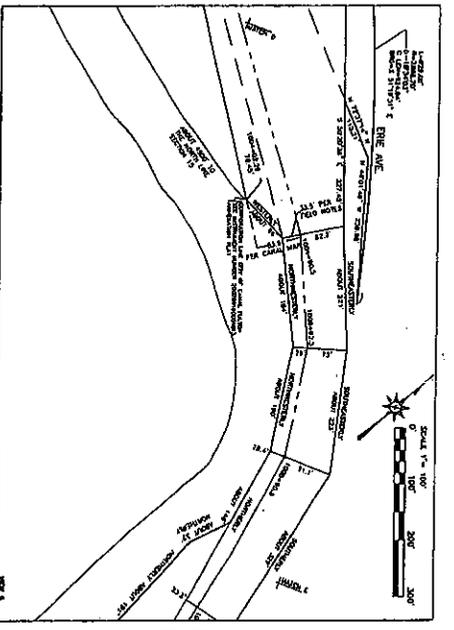
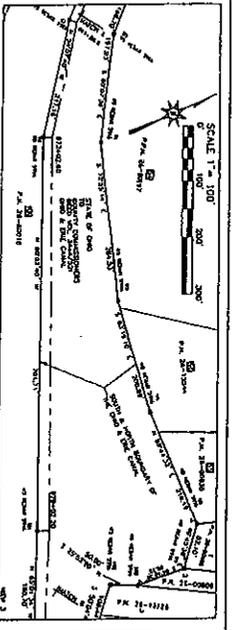
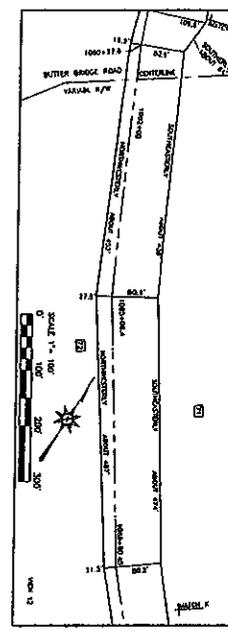
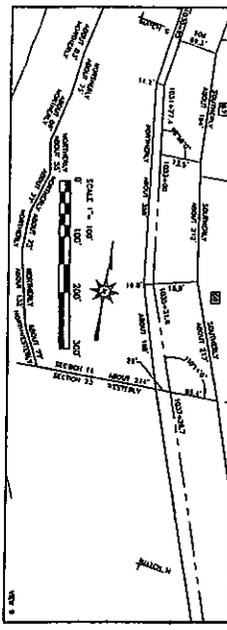
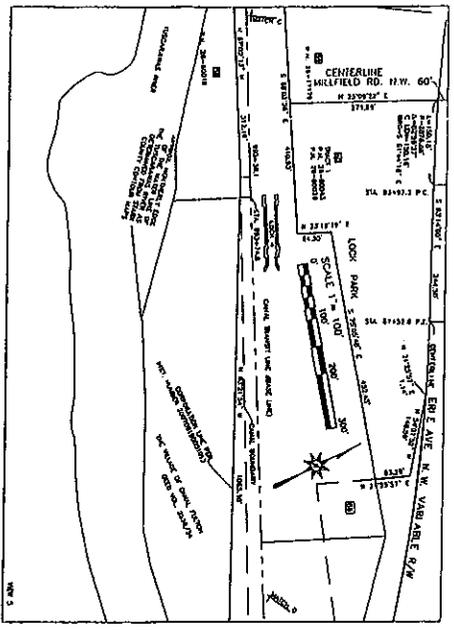
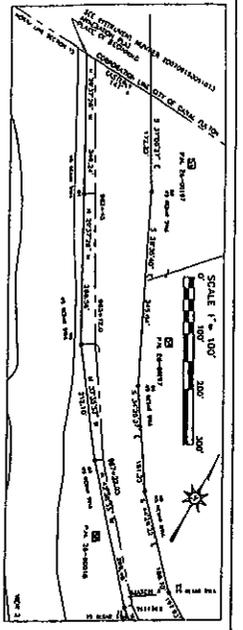
The above described parcel contains about 66 acres as prepared by Lawrence L. Butterworth, Registered Surveyor 5916, in February 2007 from a partial survey of the canal, canal maps and canal field notes.

*Lawrence L. Butterworth 11/20/08*

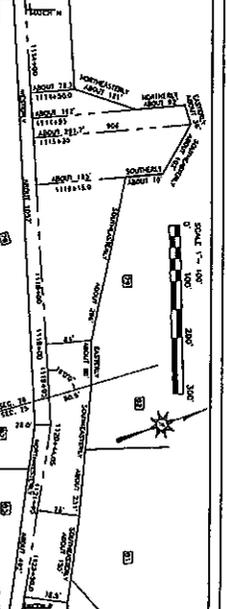
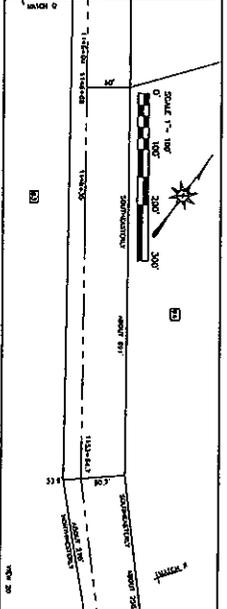
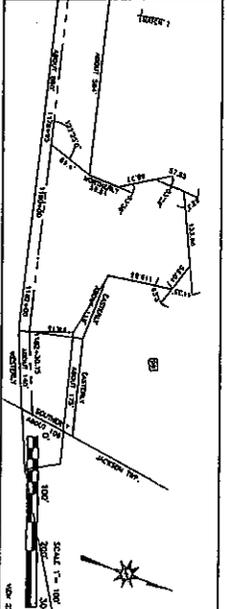
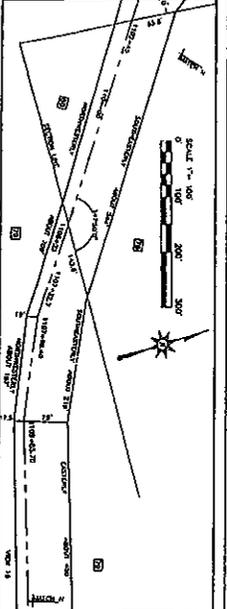
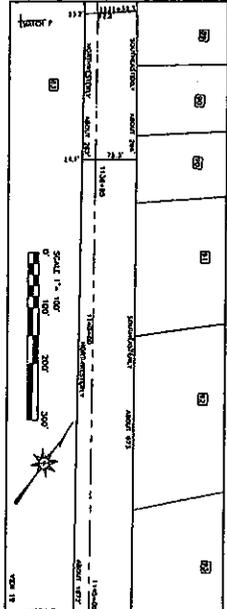
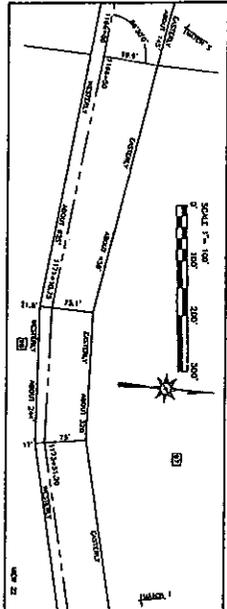
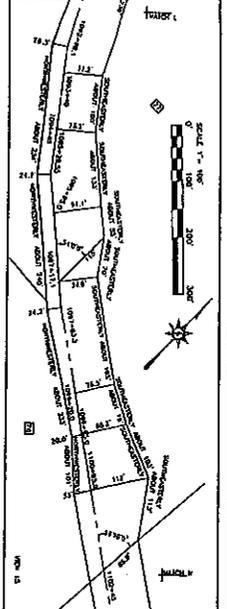
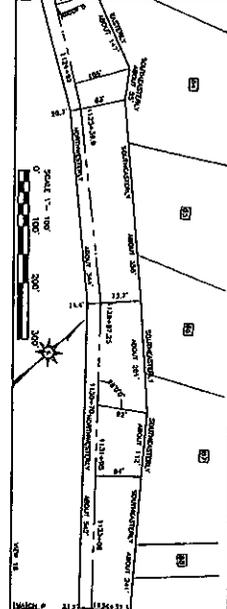
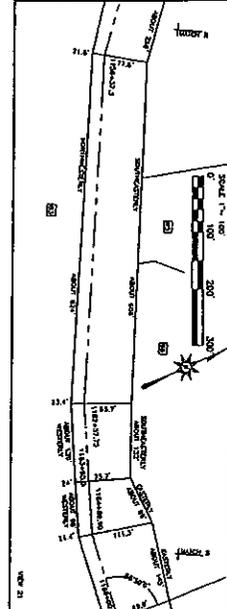
Lawrence L. Butterworth P.S. 5916







SYMBOLS		ADJUSTMENTS	
(1)	Center of Mass	(1)	Center of Mass
(2)	Center of Gravity	(2)	Center of Gravity
(3)	Center of Buoyancy	(3)	Center of Buoyancy
(4)	Center of Flotation	(4)	Center of Flotation
(5)	Center of Resistance	(5)	Center of Resistance
(6)	Center of Pressure	(6)	Center of Pressure
(7)	Center of Lift	(7)	Center of Lift
(8)	Center of Drag	(8)	Center of Drag
(9)	Center of Thrust	(9)	Center of Thrust
(10)	Center of Propulsion	(10)	Center of Propulsion
(11)	Center of Control	(11)	Center of Control
(12)	Center of Direction	(12)	Center of Direction
(13)	Center of Stability	(13)	Center of Stability
(14)	Center of Balance	(14)	Center of Balance
(15)	Center of Support	(15)	Center of Support
(16)	Center of Foundation	(16)	Center of Foundation
(17)	Center of Anchorage	(17)	Center of Anchorage
(18)	Center of Attachment	(18)	Center of Attachment
(19)	Center of Connection	(19)	Center of Connection
(20)	Center of Junction	(20)	Center of Junction
(21)	Center of Intersection	(21)	Center of Intersection
(22)	Center of Convergence	(22)	Center of Convergence
(23)	Center of Divergence	(23)	Center of Divergence
(24)	Center of Separation	(24)	Center of Separation
(25)	Center of Disjunction	(25)	Center of Disjunction
(26)	Center of Division	(26)	Center of Division
(27)	Center of Partition	(27)	Center of Partition
(28)	Center of Segregation	(28)	Center of Segregation
(29)	Center of Isolation	(29)	Center of Isolation
(30)	Center of Exclusion	(30)	Center of Exclusion
(31)	Center of Omission	(31)	Center of Omission
(32)	Center of Neglect	(32)	Center of Neglect
(33)	Center of Disregard	(33)	Center of Disregard
(34)	Center of Oversight	(34)	Center of Oversight
(35)	Center of Oversight	(35)	Center of Oversight
(36)	Center of Oversight	(36)	Center of Oversight
(37)	Center of Oversight	(37)	Center of Oversight
(38)	Center of Oversight	(38)	Center of Oversight
(39)	Center of Oversight	(39)	Center of Oversight
(40)	Center of Oversight	(40)	Center of Oversight



RECORD OF ORDINANCES

Ordinance No. 19-09

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

Under Suspension of the Rules

AN ORDINANCE AMENDING ORDINANCE 13-08, ESTABLISHING RATES OF PAY FOR THE CANAL BOAT OPERATIONS AND MAKING IT RETROACTIVE TO EMPLOYMENT DATE, AND DECLARING AN EMERGENCY.

WHEREAS, the Canal Fulton City Council has established rates of pay for seasonal part-time employees, and

WHEREAS, this shall be effective upon passage.

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

Section 1: Rates of pay of part-time employees shall be established as follows and:

HOURLY RATE

	<u>YEAR 1</u>	<u>YEAR 2</u>	<u>YEAR 3</u>
Canal Boat Crew	\$ 7.63	\$8.01	\$8.42
Canal Boat Captains	\$ 9.35		
Canal Boat Coordinator	\$10.38		

Section 2: The City shall honor past work experience with the Canal Fulton Heritage Society for boat operations regarding the boat crew hourly rates of pay.

Section 3: This Ordinance is hereby determined to be an emergency measure, the immediate passage of which is necessary for the preservation of the public peace, health, safety, and welfare of the City of Canal Fulton, such emergency arising so that changes can be effective upon passage, wherefore, this ordinance shall take effect and be in full force immediately upon its passage.

John Grogan, Mayor

ATTEST:

Tammy Marthey, Clerk of Council

I, Tammy Marthey, Clerk of Council of the City of Canal Fulton, do hereby certify that this is a true and correct copy of Ordinance \_\_\_\_\_, duly adopted by the Council of the City of Canal Fulton, on the date of \_\_\_\_\_, 2009, and that publication of the foregoing Ordinance was duly made by posting true and correct copies thereof as five of the most public places and in said corporation as determined by Council as follows: Post Office, Public Library, Giant Eagle Supermarket, Heritage Square Pharmacy, and entrances to Council Chambers, each for a period of fifteen days, commencing on the \_\_\_\_ day of \_\_\_\_\_, 2009.

Tammy Marthey, Clerk of Council

**PURCHASE ORDER**

**BILL TO:**



**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: **RG005643**  
 P.O. DATE: **04/11/09**  
 DEPARTMENT: **POLICE**  
 CREATED BY:  
 VENDOR NO.:

DELIVER TO:

**CANAL FULTON POLICE DEPT**  
**1165 S. LOCUST ST**  
**CANAL FULTON, OH 44614**

ACCOUNT NUMBER	AMOUNT
210.250.5410	\$8,000.00

VENDOR:

**CITY OF MASSILLON**  
**POLICE DEPT. C0/ JOE HERRICK**  
**TWO JAMES DUNCAN PLAZA**  
**MASSILLON, OHIO 44646**

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
		ESTIMATED PRISONER JAIL FEES 2009		\$8,000.00
ITEM IS A FIXED ASSET Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			TOTAL:	\$8,000.00

**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.

CLERK'S CERTIFICATE

is hereby certified that the amount (\$ 8,000 ) 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 Police Fund(s).  
 I am free from any obligation or certification now/outstanding.

Finance Director: [Signature] Date: 4-11-09  
 City Manager: \_\_\_\_\_

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

Date  
**INVOICE**

**PURCHASE ORDER**

**BILL TO:**



**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

RG005645

P.O. DATE

04/01/09

DEPARTMENT

POLICE

CREATED BY

VENDOR NO.

01710

DELIVER TO:

CANAL FULTON POLICE DEPT  
 1165 S. LOCUST ST  
 CANAL FULTON, OH 44614

ACCOUNT NUMBER	AMOUNT
210.250.5650	\$13,000.00
541.310.5650	\$4,000.00
551.330.5650	\$4,000.00

VENDOR:

SPEEDWAY SUPERAMERICA  
 P.O. BOX 740587  
 CINCINNATI, OHIO 45274-0587

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
		FUEL		\$21,000.00
ITEM IS A FIXED ASSET			Yes <input type="checkbox"/> No <input type="checkbox"/>	
			TOTAL:	\$21,000.00

**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.

CLERK'S CERTIFICATE

I hereby certified that the amount (\$ 21,000 ) required to meet the contract, agreement, obligation, payment or expenditure stated in this purchase order has been fully appropriated, authorized or directed for such purpose and is in the Treasury or in the process of collection to the credit of the Police Water / Sewer fund(s), free from any obligation or certification now outstanding.

Finance Director [Signature] Date 4-1-09

City Manager \_\_\_\_\_ Date \_\_\_\_\_

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

INVOICE

Check.	Date.....	Vendor Name.....	Amount.....	
038360	04-20-2009	02107 DAVE BARBER	125.00	
038361	04-20-2009	00094 OHIO EDISON COMPANY	11911.35	
038362	04-20-2009	02106 CANTON CHAIR RENTAL	53.00	PARKS EASTER SUPPLIES
038363	04-20-2009	00022 CANTON CITY UTILITIES	0.00	
038364	04-20-2009	00450 CITY OF MASSILLON	1925.00	
038365	04-20-2009	00490 DALE B. KINCAID	328.42	COLLECTIONS
038366	04-20-2009	00526 DONAMARC WATER SYSTEMS COMPANY	30.00	
038367	04-20-2009	01705 DYNAMERICAN SEPTIC AND DRAIN	2800.00	STORM SEWER MAINTENACE
038368	04-20-2009	01651 H.D. WATERWORKS SUPPLY	103.11	
038369	04-20-2009	00152 HACH COMPANY	416.48	WATER SUPPLIES
038370	04-20-2009	01437 HAYMAKER TREE SERVICE	2100.00	REMOVE TREES BY RTE.93-LOCUST
038371	04-20-2009	01214 HOMETOWN INSURANCE GROUP, INC	13438.25	
038372	04-20-2009	01510 JEFFERSON LINCOLN INS. CO.	160.20	
038373	04-20-2009	01511 MARK COZY	39.39	REIMB. MILEAGE
038374	04-20-2009	00537 MASSILLON MUNICIPAL COURT	129.00	COURT FEES
038375	04-20-2009	00923 MCDA INC	595.00	RADAR DETECTORS CALIBRATED
038376	04-20-2009	01742 MET LIFE INSURANCE CO.	1653.97	
038377	04-20-2009	02085 OHIO DEPT. JOBS FAMILY SERVICE	23.00	
038378	04-20-2009	00498 QUILL CORPORATION	318.13	
038379	04-20-2009	01710 SPEEDWAY SUPERAMERICA	1953.44	FUEL ALL DEPTS.
038380	04-20-2009	01817 TOSHIBA BUSINESS SOLUTIONS	94.88	COPIER
038381	04-20-2009	00404 TRINER OIL CO.	161.80	
038382	04-20-2009	01854 UNIFIRST CORPORATION	102.00	
038383	04-20-2009	01891 UNIFIRST CORPORATION UNIFORM	164.60	
038384	04-20-2009	00515 VISION SERVICE PLAN - (OH)	821.97	
038385	04-20-2009	00103 O.P.E.R.S.		
038386	04-20-2009	00103 O.P.E.R.S.	10081.07	
038387	04-22-2009	00162 STARK COUNTY AUDITOR	25.00	CAUV APPLICATION
038388	04-27-2009	00399 SBC AMERITECH	300.51	
038389	04-27-2009	00022 CANTON CITY UTILITIES	540.00	WATER LAB FEES
038390	04-27-2009	00141 COPECO, INC.	275.00	FAX COPIER LEASE
038391	04-27-2009	01787 CREATIVE PROD. SOURCING, DARE	1800.61	DARE SUPPLIES 1/2 TWP. REIMB.
038392	04-27-2009	01654 KRAFT POWER CORPORATION	554.58	LIFT STA. GENERATOR REPAIRS
038393	04-27-2009	00554 LAKE BUSINESS PRODUCTS	12.00	
038394	04-27-2009	00304 MITCHELL COMMUNICATIONS, INC.	151.00	RADIO REPAIRS
038395	04-27-2009	00498 QUILL CORPORATION	101.84	
038396	04-27-2009	01913 SWC PRINTING	128.37	
***		TOTAL	\$53,417.97	