

# CITY OF CANAL FULTON

September 6, 2005

## SPECIAL COUNCIL MEETING

In lieu of Mayor Grogan's absence, Council President Michael Mouse called the September 6, 2005 Special City Council meeting to order at 7:30 PM in Council Chambers at City Hall.

## PLEDGE OF ALLEGIANCE

## CALLING OF THE ROLL

**Present:** Mike Mouse, Diane Downing, Nellie Cihon, Linda Zahirsky,

**Absent:** Mayor John Grogan, Victor Colaianni, and Bob Szanto Mr. Mouse made a motion to excuse Mayor John Grogan, Victor Colaianni, and Bob Szanto's absence due to prior commitments; seconded by Mrs. Downing. **ROLL CALL: Yes - ALL**

## OTHERS PRESENT

Dale Kincaid, Law Director; Chief Ray Green, Fire Department; Garnet Thomas, Board of Zoning Appeals, Fredrick Murphy, resident

## CITIZENS' COMMENTS ON AGENDA MATTERS

Garnet Thomas, representing the Board of Zoning Appeals, stated they are short two members. She asked for Dale Stephan and Wilma J. Charlton, who the Mayor had requested to be considered (via 9/3/05 memo to Council), to be placed into the two vacant positions on the Board of Zoning Appeals (Mrs. Charlton for Mr. McKiernan/Mr. Stephan for Mr. Doak). Mrs. Downing made a motion that Council accepts Wilma Charlton on the Board of Zoning Appeals to fill the spot of Shawn McKiernan; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL** Mr. Mouse made a motion that Council accepts Dale Stephan on the Board of Zoning Appeals to fill the spot of Mr. Jeff Doak; **NO SECOND ON MOTION.**

## FIRST READINGS

**Ordinance 22-05:** An Ordinance to Make Appropriations from the Unappropriated Balances in Various Funds and Declaring an Emergency. Mrs. Zahirsky made a motion that Council suspends the rules on Ordinance 22-05; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL** Mrs. Zahirsky made a motion Council pass Ordinance 22-05 under suspension; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

**Resolution 15-05:** A Resolution Authorizing the City Manager to Apply Through the Ohio Public Works Commission (OPWC), for Grants for the Water Main Project on Poplar and Steiner Streets, and the New Storm Sewer Project for High, Walnut and Norton Streets, and Declaring an Emergency. Mrs. Zahirsky made a motion that Council suspends the rules on Resolution 15-05; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL** Mrs. Zahirsky made a motion Council pass Resolution 15-05 under suspension; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

## SECOND READINGS - None

## NEW BUSINESS

**Halloween Date/Time:** Mrs. Zahirsky made a motion for the City of Canal Fulton to have Halloween Trick or Treat on Monday, October 31, 2005 from 6:00 to 8:00 PM; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

## OLD BUSINESS

**License Plate Fees - Possible Increase:** Mr. Mouse said the rationale the Interim Finance Director Scott Svab gave Council was that the county is considering raising the license plates fee. He said a lot of states are currently considering reducing the State sales tax on gasoline to try to put more money back in people's pockets because of Hurricane Katrina. Mr. Mouse said it would be ill-advised for Council, "while people are suffering financial hardship, start trying to take more money out of their pocket, not because we desperately need that money, but because we can."

**PUBLIC HEARING:** Mr. Mouse opened the Public Hearing at 8:00 PM to discuss amending Sections 1145.04; 1157.01, 1157.03, 1161.01, and 1163 .03 (a) (1) of Canal Fulton's Zoning Ordinance 21-05. **Discussion:** Mrs. Thomas stated, "Since I've moved down here, one thing that drew me down here was the water. One reason I built here was the water. The sewer also was an incentive for me to build here. In Texas, water is liquid gold. Your builders did not come in and tell you what they want. You tell them what you will permit them to do. Over and over again, I have seen builders telling people in this town what they want and getting it approved because the people in power have let that happen. I would ask you to consider that you have got liquid gold to deal with." Mrs. Thomas stated we now have a sewer, and she

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would like to see the city make the rules, and they don't."

## **THIRD READINGS**

**Ordinance 21-05:** An Ordinance Amending Chapters 1145 Conditional Zoning Certificates, 1157 R-1 Single Family Low Density Suburban Residential District, 1161 R-2 One and Two Family Low Density Urban Residential District, and An Ordinance Amending Chapters 1145 Conditional Zoning Certificates, 1157 R-1 Single Family Low Density Suburban Residential District, 1161 R-2 One and Two Family Low Density Urban Residential District, and 1165 R-4 Multifamily Urban Residential District of the Planning and Zoning Code of the City of Canal Fulton. Mrs. Downing made a motion to pass Ordinance 21-05; seconded by Mrs. Zahirsky.

**Discussion:** Mrs. Zahirsky had a concern that Council was passing Ordinance 21-05 before the city completes its Master Plan. Mrs. Downing stated that it was discussed at the 8/23/05 Council meeting (w/Lawrence Township). She said it guaranteed the city a little more space as things "are getting crammed." Chief Green had concerns from a fire standpoint about houses being so close together. He said the Insurance Service Organization (ISO) recommends a 30-foot separation between dwellings. **ROLL CALL: Yes – ALL**

## **(Back to: OLD BUSINESS):**

### ***Move to Reconsider Wilma Charlton's Replacement on BZA per Mrs. Thomas' Request:***

Mrs. Zahirsky made a motion that Council reconsiders Wilma Charlton to fill the place of Jeff Doak instead of Shawn McKiernan; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

Mrs. Zahirsky made a motion that Council appoints Mrs. Charlton to the position that Jeff Doak had on the Board of Zoning Appeals; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

## **OTHER BUSINESS**

Mrs. Cihon said that beside DiStefano Insurance is a floral sales business. In the back are two "humongous piles of wood" they are selling up front. She stated she thought it could possibly be a fire or health hazard. Mr. Kincaid stated Johnson Belford has issued an abatement order, and it is in the process of being taken care of currently.

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

## **NO EXECUTIVE SESSION**

## **ADJOURNMENT**

Mrs. Cihon made a motion to adjourn. Council President Mouse adjourned the September 6, 2005 City Council meeting.

## **MOTION TO RECONVENE SEPTEMBER 6, 2005 SPECIAL COUNCIL MEETING**

Mrs. Zahirsky made a motion that Council go back into Session, September 6, 2005, for the purpose of discussion and voting on the architect Thomas Klingensmith's compensation for the Fire Department; seconded by Mrs. Downing. **Discussion:** Mr. Mouse made a point of clarification: This is to pay the architect for services rendered (and also took responsibility for not attending to this prior to Council adjourning previously). **ROLL CALL: Yes – ALL**

Mrs. Zahirsky made a motion to approve the request to pay Thomas Klingensmith, Architect, without a purchase order number accompanying it at this point in time; seconded by Mrs. Cihon.

**ROLL CALL: Yes – ALL**

## **ADJOURNMENT**

Mr. Mouse made a motion to adjourn. Council President Mouse adjourned the September 6, 2005 City Council meeting.

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Patricia A. Troccoli, Clerk of Council

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Council President Michael T. Mouse