

CITY OF CANAL FULTON

January 21, 2003

REGULAR COUNCIL MEETING:

Mayor Shawn Kenney of the City of Canal Fulton, called the January 21, 2003 Council Meeting to order at 7:30 p.m. in City Hall Council Chambers.

PLEDGE OF ALLEGIANCE

COUNCIL MEMBERS: Present – Nellie Cihon, Bill Dane, Diane Downing, Linda Zahirsky, Mike Mouse, Bob Szanto, and Mayor Shawn Kenney.

OTHERS IN ATTENDANCE: Marge Loretto, City Manager; Debbie Kerr, Finance Director; Dale Kincaid, Law Director; Mike McNeely, Chief of Police; Rochelle Rossi, Dennis Downing, Fred Etheridge, all residents; Joan Porter, The Repository.

CORRECTING / ADOPTING THE MINUTES

The Mayor asked for a correcting of or adopting of the Minutes of January 7, 2003 Council meeting. Mr. Szanto made a motion to approve the Minutes of the January 7, 2003 meeting. The motion was seconded by Mr. Dane.

Mr. Szanto pointed out that there were a few “roll calls” in the minutes that reflected “5” Yes votes and “1” No vote, but there were only a total of five council people present at that meeting. The minutes will be amended to read “4” Yes votes, instead of “5” where indicated.

Roll: Yes – 5. Mrs. Downing abstained due to illness at that meeting.

SPECIAL RECOGNITIONS

Mayor Kenney said he would like to recognize Sherry Reiter and Marge Loretto for giving a presentation to the Cub Scouts earlier this evening. They did that on their own free time and the children enjoyed it.

CITIZENS COMMENTS ON AGENDA MATTERS:

REPORTS OF ADMINISTRATIVE OFFICERS:

Senior Citizens.

Mrs. Cihon said the Swiss steak dinner for this coming Saturday night has 222 reservations and they will be taking no more reservations.

Community Service Coordinator.

Mr. Svab said they will be at the Swiss steak dinner to help set up and serve. He said their big winter project has been cutting brush and dead wood along the Canal near High Street. He said they also took down all the Christmas decorations. He said they will start painting the inside of the Senior Center sometime in the next couple of weeks. They have also washed some Police cruisers.

Fire Chief. No Report.

Police Chief.

Chief McNeely stated that Jackson Township Police have agreed to take over the D.A.R.E. Program at Sts. Phillip and James for this year.

Engineer/Streets/Public Utilities. No Report.

Director of Finance.

Mrs. Kerr passed out the December 31, 2002 bank reconciliation. Mrs. Zahirsky made a motion to acknowledge receipt of the bank reconciliation. The motion was seconded by Mrs. Cihon. Roll: Yes - ALL

Report of Mayor.

State of the City Address

“In the beginning of 2002, we saw controversy. A recall effort to remove the Mayor and two council people failed almost two to one. There were lots of accusations, misinformation and false statements made. Perhaps the biggest problem was communication. We live in an area that is served by three different newspapers, each with their own following, and often none of them report in detail what is going on in Canal Fulton.

CITY OF CANAL FULTON

January 21, 2003

To address communication problems, the City started a quarterly newsletter that is mailed to every household to apprise residents of what is happening in Canal Fulton. That newsletter has been well received and hopefully will pay for itself by ads sponsored by local businesses. The City has a web page, www.cityofcanalfulton.org that is a work in progress. In 2003, we hope to continually add to the web page and use it as a tool for economic development. Also, a private monthly newsletter called "Our Town Canal Fulton" has been started to provide residents with information and articles about the area. We expect all three avenues of information to expand and grow.

In 2002, we instituted numerous capital improvements: (1) Installation of a sledge press at the sewer treatment plant. While this is definitely not a glamorous project, it will save man hours and transportation costs of sledge removal. (2) Commencement of the intersection improvement at Locust/Millfield, the most dangerous intersection in Canal Fulton. This project will be completed in the Spring of 2003 and will ease congestion of the 12,000 cars that travel there every day. (3) Several intersection improvements were made to humps in the roadways at Canal and Cherry Streets and Walnut and Market Streets. Concrete projects were done on Riverview and Stonewood.

We kept our promise to the handicapped residents at Echoing Ridge by installing sidewalks on Locust Street to the Rite Aid pharmacy. We hope to continue to extend the sidewalks so our wheelchair friends can get to shops and stores just like anyone else.

Canal Fulton grew in 2002, but at a much slower pace than in past years where there was explosive growth. We had \$5.4 million in new construction and/or remodeling. There were ten new single-family homes, 5 condos and 6 apartment complexes built. Avalon Foods constructed a million dollar addition. Our Zoning Department handled 147 zoning permits and/or requests for building projects. We believe that 2003 will see much more construction activity than 2002.

In a survey several years ago, the biggest gripe elicited was that there was a lack of sit down restaurants in Canal Fulton. As a governmental entity, we are not in the business of providing restaurants. However, we are pleased that two new restaurants saw the potential in Canal Fulton: B-N-K Restaurant and M.A.K.E.R.S. In 2003, residents can expect at least two more sit down restaurants to complement all the places to eat that already exist. There is no need to bear the traffic to Belden Village.

Income tax revenues increased in 2002 by approximately 19%. However, other sources of revenue, such as estate tax and local government sharing have and will decrease significantly. We expect, in light of the economy, that 2003 revenues will be flat. Fortunately, 2002 ended with a sizable carry over of more than \$500,000.00.

Meanwhile, our expenses have in 2002 and in 2003 will greatly be increased due to labor costs and union contracts.

Administratively, Canal Fulton has and will through 2003, negotiate union contracts with our police, clerical workers, street personnel and utility workers. Managers and supervisors are exempt from union contracts, but likewise need to be compensated fairly in order to retain them. We have enacted Civil Service rules and regulations as required by State law for Cities. We have completed job descriptions and responsibilities for every employee of the City.

Lastly, we are and will be implementing new software for our tax department, finance director and utility department to make us work smarter, faster and without the need to hire additional staff.

In 2003, because of budget concerns, we will be charging people's insurance companies for ambulance service. We will not be hiring any additional staff and we may have to have layoffs. Our capital improvements are being kept to a minimum. The wish lists submitted by all departments were slashed and only the highest priority projects were approved. We cannot count on carry overs to balance the budget in future years. I propose to Council that we put on the ballot three separate income tax increases of .10% each. Each .1% would raise approximately \$115,000.00 per year. The three separate .1% tax increases would be specifically allocated as follows: (1) Fire Department: A .1% tax would be for the specific purpose of building a new fire station, centrally located on Locust Street. The tax would have a sunset clause of five years. The money generated would go only for the building. (2) Police Department. A .1% tax would go to operation of the police department. It would supplement general fund monies that go to the police department. Presently, the police department is the biggest spender of the general fund. We cannot continue to put off capital improvements needed by other departments solely to operate and maintain the police department. The police believe that their staffing is below acceptable levels and that they are in dire need of equipment to keep up with modern police needs. The money generated by

CITY OF CANAL FULTON

January 21, 2003

this tax would be solely for police department needs. (3) Parks Department. The Parks Department has always been the poor stepsister of the City. There are many exciting things that the Park Board wishes to do, but they need money. Presently, the Park Board has no employees. They share one-half of an employee from the street department. Repairs need to be made to Community Park and Mulhauser Park. Discovery Park is barren. Talks have been instituted with the YMCA to have summer programming. Ultimately, the goal is for the Canal Fulton area to have its own YMCA and work with the Township and schools concerning design and programming.

It is my personal belief that tax levies, that is real property tax revenues, will not pass in Canal Fulton, due to increased real property taxes from the school bond levy passage. It is further my belief that the voters will want a detailed explanation pertaining to each income tax increase being requested. I am requesting that each department head of the fire, police, and park departments to itemize for the voters needs. The voters can then vote on each .1% income tax request and let each one stand or fall on their own merits.”

The Mayor went on to say that several Council people have expressed a dire concern about water to the schools. He said he has been meeting with Kirk Schuring, State Senator, on numerous occasions and in fact, spoke to him late today. Senator Schuring is somewhat hopeful after meeting with the Township Trustees last night, that there may be a way to get this issue resolved. The Mayor said any mention of the word annexation to the Trustees irritates them, even if it's an annexation that would not affect their budget whatsoever.

The Mayor said Senator Schuring proposed a joint economic development district. The Mayor said what would have to be done is that we declare the school lands as a joint economic development district, a contract drawn up, public hearings held, etc. Senator Schuring indicated that the Trustees felt that a joint economic development agreement would be a good idea because it doesn't mention annexation. He said he is meeting with Senator Schuring and the Trustees next Monday to discuss this further.

Mr. Mouse stated that he has agreed with the Mayor on some things and disagreed on others. He went on to say that the newsletter is becoming political with comments from the Mayor and Council President and he is concerned about this. He said the quality of the Millfield intersection is questionable. He said the Mayor's proposal about income tax increases, although stimulating, would place a hardship on our residents. He also said he felt the Police Department needs to be brought under control. He said their 39% increase in wages over three years is outrageous. He said he felt the issue on water to the schools is that we would be asking to place the responsibility on one group of people – the employees of the school district – to pay for the water being brought out there.

Mr. Szanto asked the Mayor that as far as legislation is concerned and a deadline for the primary, when would Council have to pass an ordinance for those tax increases. Mr. Kincaid answered that they have to get it to the Board of Elections seventy-five days before the primary. A discussion followed.

City Manager's Report.

Mrs. Loretto stated that the Building Doctor's Clinic came to her attention as we worked with OHPO on the CLG papers. Canal Fulton is the only City in Stark County they will be doing one. Mr. Mouse asked what this was. It was stated that it consisted of a seminar on a Thursday evening on the Secretary of the Interior's Standards for Rehabilitation and then the next day there will be ten site visits.

Mrs. Loretto said the application and accompanying papers for the Certified Local Government status is ready to go. She said she feels that HPC feels good about the process.

She then pointed out that the Financial Disclosure forms that elected officials need to fill out were put in Council's boxes.

She stated that the fact finding session for the Teamsters will be this Thursday and Friday. The contract will come back with what the fact finder tell us.

Parks.

Mr. Etheridge stated that the Park Board is continuing to work on the rehabilitation of the softball fields at Community Park. Tim Shetzer from the YMCA is still negotiating with the Township Trustees on the joint Summer Rec Program. He said a survey was sent to the schools to get an idea of what people are looking for in a summer program. He said he has also talked to Tim McCully of Sluggers and Putters and asked him to put together a proposal

CITY OF CANAL FULTON

January 21, 2003

for a summer program. He has also spoken to the Varsity Athletic Club and asked him to put together a proposal on a per child basis for the use of his facility.

He went on to say the Park Board is continuing to look at open space fees which they believe are too low and they will be making a recommendation to Council within the next couple months concerning user fees and open space fees.

He said the Board was looking into the idea of having a tree nursery. He said they could do that on a very cost effective basis.

Mr. Etheridge said he spoke to Dan Mayberry who told him that Phase 1 of the Community Park drawings can begin the contract with engineering and architecture sometime around July 2003 and could go to contract in July of 2004 with Phase 1.

He Said Mr. Mayberry has also applied for a grant for Discovery Park for approximately \$80,000.00. He said they are hopeful about that grant. He said Mayor Kenney had also given him information for grant money from the Stark County Community Foundation.

He went on to say there is still a vacancy on the Park Board and in deference to Mrs. Zahirsky's comment that the vacancy should be filled by a person of voting age, that is what they are doing.

Law Director.

Mr. Kincaid stated that there is an ordinance that has just been passed out. It was not finished in time to make the Agenda. It's the ordinance regarding part-time positions. He reviewed the ordinance with Council.

He also stated that Ordinances 9-03 through 12-03 will need to be tabled. Unbeknown to Clayton Hopper, Sherry Reiter, the Mayor, and himself, until after their special meeting this morning, those Ordinances need to be approved by the Planning Commission. They will have to be tabled until after the next Planning Commission meeting.

READING OF ORDINANCES

SECOND READINGS:

Ordinance 1-03: An Ordinance Amending Ordinance 31-02 Setting Forth Employee Wage Fund Allocations for Various City Employees.

Ordinance 4-03: An Ordinance Amending City Code Section 933.10 (d) Relating to Sewer Tap Fees, by Imposing a Surcharge for New Customers Within the Plum Creek Sanitary Sewer Area.

FIRST READINGS:

Ordinance 5-03: An Ordinance Providing For the Distribution of Water Revenues, and Declaring an Emergency.

Mr. Szanto made a motion to suspend the rules on Ordinance 5-03. The motion was seconded by Mr. Dane. Roll: Yes – 5. Mr. Mouse voted No.

Mrs. Zahirsky made a motion to pass Ordinance 5-03 under suspension. The motion was seconded by Mrs. Cihon. Roll: Yes – 5. Mr. Mouse voted No.

Ordinance 6-03: An Ordinance Providing For the Distribution of Sewer Revenues, and Declaring an Emergency.

Mr. Szanto made a motion to suspend the rules on Ordinance 6-03. The motion was seconded by Mr. Dane. Roll: Yes – 5. Mr. Mouse voted No.

Mrs. Zahirsky made a motion to pass Ordinance 6-03 under suspension. The motion was seconded by Mrs. Cihon. Roll: Yes – 5. Mr. Mouse voted No.

Ordinance 7-03: An Ordinance Amending Section 1181.02 (b) (6) of the Sign Regulations Chapter of the Canal Fulton Zoning Code.

Ordinance 8-03: An Ordinance Amending Section 1181.02 of the Sign Regulations Chapter of the Canal Fulton Zoning Code.

Ordinances 9-03, 10-03, 11-03, and 12-03.

Mrs. Cihon made a motion that Ordinances 9-03, 10-3, 11-03, and 12-03 be tabled. The motion was seconded by Mr. Dane. Roll: Yes – ALL.

Resolution 1-03: A Resolution Entering Into a Contract with the Local Government Services Division of the Auditor of State's Office for \$16,896.00 for Preparation of Financial Statements, and Declaring an Emergency.

CITY OF CANAL FULTON

January 21, 2003

Mrs. Kerr stated that this is due to the GASBY-34 Requirements. She said once this initial report is completed that each year she would be able to take over more so that the cost will decrease. But due to the fact that this is the first one we need something to follow as an example. A short discussion followed.

Mr. Mouse made a motion to suspend the rules on Resolution 1-03. The motion was seconded by Mrs. Zahirsky. Roll: Yes – ALL.

Mrs. Zahirsky made a motion to pass Resolution 1-03 under suspension. The motion was seconded by Mr. Mouse. Roll: Yes – ALL.

Resolution 2-03: A Resolution Authorizing the City Manager and Finance Director to Enter Into a Contract with the City of Massillon Law Department for Legal Services of the Prosecutor's Office, and Declaring an Emergency.

Mrs. Cihon made a motion to suspend the rules on Resolution 2-03. The motion was seconded by Mr. Dane. Roll: Yes – ALL.

Mr. Dane made a motion to approve Resolution 2-03 under suspension. The motion was seconded by Mrs. Cihon. Roll: Yes – ALL.

Ordinance 13-03: An Ordinance Amending Ordinances 7-02 and 14-02 Establishing Rates of Pay for Various Part-Time Positions Within the City of Canal Fulton, and Declaring an Emergency.

Mr. Szanto made a motion to suspend the rules on Ordinance 13-03. The motion was seconded by Mrs. Downing. Roll: Yes – 5. Mr. Mouse voted No.

Mr. Szanto made a motion to pass Ordinance 13-03 under suspension. The motion was seconded by Mrs. Cihon.

Mrs. Zahirsky stated that she would like Council to notice that the Fire Chief's pay is \$6,000.00 for a part-time position. She asked the Mayor what his pay is. The Mayor replied \$3,700.00. Mrs. Zahirsky said she would like everyone to keep that in mind when she comes to Council and requests a raise for the Mayor.

Roll: Yes – 5. Mr. Mouse voted No.

PURCHASE ORDERS AND BILLS:

P.O. #2097, in the amount of \$6,500.00 to Kyler Excavating, for renovation of softball fields in Community Park.

Mr. Dane made a motion to approve P.O. #2097 in the amount of \$6,500.00 to Kyler Excavating. The motion was seconded by Mrs. Cihon. Roll: Yes – 5. Mr. Mouse abstained.

P.O. #3002 in the amount of \$11,000.00 to CTI Environmental, Inc., for continued services during the construction of Locust/Millfield intersection.

Mr. Dane made a motion to approve P.O. #3002 in the amount of \$11,000.00 to CTI Environmental, Inc. The motion was seconded by Mrs. Cihon. Roll: Yes – 5. Mr. Mouse voted No.

P.O. #3004 in the amount of \$16,896.00 to the Auditor of State for services for the compilation of the general purpose external financial statement for Y/E 12-31-03.

Mrs. Cihon made a motion to approve P.O. #3004 in the amount of \$16,896.00 to the Auditor of State. The motion was seconded by Mr. Mouse. Roll: Yes – ALL.

P.O. #3036 in the amount of \$46,220.00 to Whitaker-Myers Insurance for Ohio Government Risk Plan.

Mr. Szanto made a motion to approve P.O. #3036 in the amount of \$46,220.00 to Whitaker-Myers Insurance. The motion was seconded by Mrs. Cihon. Roll: Yes – ALL.

P.O. #3039 in the amount of \$9,270.00 to Cargill, Inc. for rock salt.

Mr. Dane made a motion to approve P.O. #3039 in the amount of \$9,270.00 to Cargill Inc. the motion was seconded by Mrs. Cihon. Roll: Yes – ALL.

P.O. #3089 in the amount of \$27,000.00 to CTI Environmental, Inc. 2003 super blanket for retainer.

Mrs. Zahirsky made a motion to approve P.O. #3089 in the amount of \$27,000.00 to CTI Environmental. The motion was seconded by Mrs. Cihon. Roll: Yes – 5. Mr. Mouse voted No.

P.O. #3090 in the amount of \$18,000.00 to the City of Massillon for Prosecutor's services.

CITY OF CANAL FULTON

January 21, 2003

Mr. Mouse made a motion to approve P.O. #3090 in the amount of \$18,000.00 to the City of Massillon. The motion was seconded by Mr. Dane. Roll: Yes – ALL.

Bills in the amount of \$223,891.48.

Mr. Dane made a motion to approve the bills in the amount of \$223,891.48. The motion was seconded by Mrs. Cihon. Roll: Yes – ALL.

NEW BUSINESS:

Mr. Mouse asked about the Kent State Course for elected officials. He said he would be interested in attending. Mrs. Loretto said he should submit his request to President of Council or the Mayor, who needs to approve it.

OLD BUSINESS: None.

OTHER BUSINESS:None.

CITIZENS COMMENTS:

Mr. Etheridge asked if there was a map that shows the Plum Creek sanitary sewer area where there is a \$500.00 surcharge. Mr. Kincaid said he had one and would get it to him.

REPORT OF COUNCIL PRESIDENT:

Mr. Szanto said the Committee on Committees met and Council has been given a copy of the agenda, the minutes, and committee assignments. He said he would suggest as business comes up those committees meet, select a chair, and take care of whatever business they need to.

The regular meeting was adjourned.

Sharon Reiter, Clerk of Council

Shawn Kenney, Mayor