

CITY OF CANAL FULTON

May 6, 2008

COUNCIL MEETING

Council President Anthony Crookston called the May 6, 2008 City Council meeting to order at 7:00 PM in Council Chambers at City Hall.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Matthew Moellendick, Nellie Cihon, Anthony Crookston, Danny Losch and Diane Downing.

Absent: Mayor Grogan and James Deans

Others Present Scott Fellmeth, Law Director; Mark Cozy, City Manager; Tammy Marthey, Clerk of Council; David Frisone, Police Chief; Ray Green, Fire Chief; Ray Nida, John Hatfield and Victor Colaianni, Residents; Heather Gotshal, Fire Department; Randy Gonzalez and Tom Nezbit, SCOG; Laura Meade, Observer Reporter; Michael Freeze, Independent; Joan Porter, Repository.

CORRECTING/ADOPTING THE RECORD OF PROCEEDINGS

Mrs. Cihon moved to approve the April 15, 2008 meeting minutes, seconded by Mr. Moellendick **ROLL: Yes, ALL.**

Mrs. Cihon stated to let the record reflect that Mr. William Dorman, City Engineer was present at the April 15, 2008 meeting.

SCOG – GEOCOMM REGIONAL DISPATCH STUDY

Mr. Randy Gonzales and Tim Nezbit from the Stark Council of Governments (SCOG) were present to discuss a plan for consolidating the county's ten dispatching centers into a single regional center. SCOG hired a consulting firm, GeoComm to study the County's emergency dispatching system and recommended dispatching. The study recommended that the county's dispatch centers be phased out in favor of a central dispatch center at an estimated cost of \$13.2 million.

Chief Green expressed concerns about the center and said he would like to see it have a back-up system in case there was severe weather. He also had concerns regarding the 800MHz radios and equipment. Mr. Nezbit assured him that these issues will be discussed at length. Mr. Nezbit stated he implemented something like this in Nebraska and is very aware and sensitive to concerns as Chief Green has voiced.

This study is in its early stages. There is still a lot of planning and work that needs done before it would be implemented. There is a committee that will review the study and a lot of input will be given.

Chief Frisone stated his department was part of a pilot program for the 800MHz radios and is in favor of using them in his department.

REPORTS OF STANDING COMMITTEES - None

CITIZENS' COMMENTS – AGENDA MATTERS - None

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REPORTS OF ADMINISTRATIVE OFFICERS

SENIOR CITIZENS (Nellie Cihon)

Swiss Steak Dinner: The next dinner will be May 17, 2008, serving from 4-6:30 PM. Reservations may be made by calling the Center. They are looking for volunteers.

Middlefield Bus Trip: The trip will be on June 9th. It will include a visit to a cheese factory and bakery. They will be having a wedding feast dinner.

Mountainair Trip: A trip is being scheduled for June 24th. The cost is \$29, which includes \$5 food voucher and \$5 in coin.

COMMUNITY SERVICE COORDINATOR (*John Murphy*) – Not Present

FIRE CHIEF (Ray Green, Chief)

Open House: Chief Green reported they will be having the dedication open house of the new fire department on May 17, 2008 from 1:00-3:00 PM.

Probationary Appointment: Chief Green stated he has a probationary appointment, Heather Gotshall. She is a registered nurse who has worked in critical care units, pediatric units. She is also a paramedic. She teaches at Stark State College and works through a nursing agency in critical care. She has instructor qualifications and advanced cardiac life support, pediatric advanced life support, and trauma advanced life support. She would be a great addition to the staff. She will need to attend fire school.

Mr. Crookston stated he had an opportunity to speak with Ms. Gotshall before the meeting and he said based on the recommendation of the Chief and the Mayor, would someone like to entertain a motion.

Mrs. Downing moved to appoint Heather Gotshall as a probationary officer to the department, seconded by Mr. Losch. **ROLL: Yes, ALL.**

Activity Report: Chief Green stated they had 63 incidents for the month of April. He also included a non-incident activity report for the first quarter of the year. It shows the other things the department is involved in during the month, other than responding to calls for service.

POLICE DEPARTMENT (David Frisone, Chief):

D.A.R.E. Program: Chief Frisone stated the Northwest 6th grade students graduated today from the D.A.R.E. Program and that there were 6 police officers present, from Canal Fulton and Lawrence Township, as well as the City Manager and the Clerk of Council. There were 150 students. Melissa Kosco is to be commended for the job she does with the program.

Activity Report: Chief Frisone stated they had 280 service calls for the month of April. Their calls for service for this time of year are usually closer to 300.

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Chief Frisone stated at the last meeting there were some questions regarding drug offenses. He brought a bag marijuana that was confiscated from a vehicle last evening. He stated it appears that it was broken from a bale. He stated when marijuana is transported from down south or from Mexico normally, it is packages in bales so that it can be transported better and then is broken off when it reaches the user level. He stated this is found in most communities across the nation; and he doesn't want to alarm anyone and say it is unusual, but this is the effort they are putting forward to curb some of the cities drug abuse.

Radar Unit: The Chief reported that the department has been awarded a radar unit through a grant.

ENGINEER/STREETS/PUBLIC UTILITIES (William Dorman) – Not Present

FINANCE DIRECTOR (Scott Svab) - Mr. Svab was not present but he did submit a purchase order.

CITY MANAGER (Mark Cozy)

D.A.R.E.: Mr. Cozy stated he would like to support what Chief Frisone said about Officer Kosco. She has done a great job with the children and as part of the graduation program, there were six officers from the Township and the City together all shaking the hands of the students. The children can view the police officers not as a threat, but as an ally.

Purchase Order: Mr. Cozy stated they can't approve the purchase order until they have legislation to approve the comprehensive plan. Mr. Cozy stated if the Law Director wanted, they could do a first reading on something that they can draft this evening, if Council wants to move forward with that. He stated he has copies of the agreement with him in anyone would like to review.

Mr. Crookston asked for this to wait until next meeting. Mr. Cozy stated he would just like to stay on schedule with this because the contract is drafted, if they can get it approved in June they would be on schedule to be done by August 2009. He stated they could wait for the first reading to be at the next meeting. He stated with the Mayor not here, they could wait for him to be included in the discussion. He stated he had the purchase order prepared to show that they can budget it this year and that they have the money budgeted to do the comprehensive plan.

Zoning: Mr. Cozy stated one of the ordinances regarding the swimming pool. It will need to be amended. He reviewed the minutes from the Planning Commission meeting. He stated it is the intention of the Planning Commission to have minimum water depth of 26" and once you hit the 26" water depth capability of the pool, then you have to have a fence or a gate and this did not appear in the language in the ordinance.

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REPORT OF MAYOR (John Grogan) -

Mr. Crookston stated on behalf of the Mayor, he had a proclamation to read.

Ryan Trewin was diagnosed in April 2004 with a spinal cord tumor that has spread to his brain; and

Whereas, Ryan Trewin has underwent several surgeries, followed by radiation and chemotherapy, which caused him to lose all motor functions. Ryan has worked diligently to regain most of the use of his arms and legs; and

Whereas, Ryan Trewin has been under hospice care and was given only days to weeks to live and twice he has beaten the odds. This little boy has shown us how precious life is and to never take a single thing for granted; and

Whereas, Ryan Trewin has a very big caring heart and thinks of others before him. When someone offers prayer for him, he immediately thinks of his friend Shelbi, who is four years old who was diagnosed with a brain tumor and asks for them to pray for her as well; and

Whereas, Ryan Trewin has the determination, will, positive outlook and help of his mother, father brother Andrew and friends to see him through his medical problems.

NOW, THEREFORE, I, John Grogan, Mayor of the City of Canal Fulton proclaim that May 18, 2008 is declared Ryan Trewin day in the City of Canal Fulton, Ohio.

IN WITNESS WHEREOF, we have hereunto set our hands and cause the Seal of the City of Canal Fulton to be affixed the 18th day of May 2008.

John Grogan, Mayor

PARKS & RECREATION BOARD (Fred Fleming) – Not Present.

LAW DIRECTOR (Scott Fellmeth) - Attorney Fellmeth stated he has a third revised copy of the contract to purchase the Township Hall. He stated in an article today in the Canton Repository, it said the City officials have requested that the Trustees assure them that the building is not on the National Register of Historic Places. The City made no such request. It is not on the registry of historic places. It is a non-issue with the City.

Mr. Cozy stated it is listed as a contributing building for the Canal Fulton Historic District, but the building in itself standing alone, is not.

Attorney Fellmeth stated the Historic District it listed. There were other historic homes that were torn down for the library parking lot. He stated almost every home downtown in on the list.

Mr. Losch asked about the jail that was previously in the building. Attorney Fellmeth stated they are lost on that as well. He stated Lawrence Township Trustees bought the property in 1887 and it was designated at Canal Fulton building lot 154. The property was replated

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to its present designation, which is Lot 167. In 1930, the Lawrence Township Trustees sold a .004 acre parcel to Canal Fulton. At that time, they claimed the reservation of a right to use the jail that we had. He stated most of the jails in these municipalities are all gone because they don't meet the standards which are necessary for the operation of a jail. This is an old restriction which he found and wants it cleared up when they do the transfer so it is taken care of in the future.

SECOND READINGS

Resolution 6-08: A Resolution Approving the Northwest Annexation.
Stands As Second Reading

Resolution 7-08: A Resolution Approving the Warwick Annexation.
Stands As Second Reading

FIRST READINGS - None

PURCHASE ORDERS & BILLS

BILLS: \$71,919.59 Mrs. Cihon moved to approve the bills in the amount of \$71,919.59, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

OLD/NEW/OTHER BUSINESS

Special Event Permit Application – Canal Fulton Heritage Society, Historical & Art Festival: The event is going to be held on August 15 and 16 from 11:00 AM to 8:00 PM. The event will include wine tasting, art vendors, historical displays and live entertainment.

Mr. Losch moved to approve the Special Event Permit Application as submitted, seconded by Mr. Moellendick.

Mr. Crookston asked Chief Frisone if there were any problems last year or if he had any reservations about this event. Chief Frisone stated no.

Upon roll call: **Yes, Mr. Moellendick, Mr. Crookston, and Mr. Losch. No, Mrs. Cihon. Abstain, Mrs. Downing. Motion does not carry.**

REPORT OF PRESIDENT PRO TEMPORE (Anthony Crookston) -

Mr. Crookston reported he attended the V.F.W. Award's Banquet and stated they presented the City with two checks in the amount of \$250 for Parks & Recreation. They also gave the City new flags.

Mr. Crookston reported that Joe Parsons was honored for Fire Fighter of the Year and Melissa Kosco was honored for Police Officer of the Year.

CITIZENS COMMENTS-Open Discussion (Five-Minute Rule)

John Hatfield, Resident & Canal Fulton Heritage Society: Mr. Hatfield stated he had something would like to read.

Your Honor, Council President, Council and City Officials: Thank you for permitting me to speak to your group tonight. My subject tonight is Canal Fulton Heritage Society and canal boat update.

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The Heritage Society has given 200% to put the St. Helena III into the water against all odds and at a tremendous business gamble. We did this in order to keep the momentum we have gained over the past four years, as well as for the economic impact on our historical community.

We would like to thank the Community Service Coordinator's, John Murphy and Phil Kaster, as well as GrassMaster for their fine support on lawn care at the museum, Blank and Oberlin Houses.

Also, a special thanks to Greg Mayberry, Dennis Mayberry, Danny Losch, and Dennis Downing for all of their hard work on getting the St. Helena III ready to go back into the water.

Another special thank you to Rosemary Benson, who is donating funds to help purchase a new horse to replace the loss of "Shorty" who we lost this past month.

In closing, on behalf of the St. Helena II Restoration Committee and the Canal Fulton Heritage Society, I would like to request time for a presentation followed by a short meeting on the subject of the St. Helena II, Museum and visitors center to be attended by the following personnel: Mayor Grogan, Law Director Scott Fellmeth and all City Council members.

Thank you for your consideration and I am looking forward to your reply.

PUBLIC HEARING – 8:00 PM

Mr. Crookston stated it was 8:00 PM and a public hearing is scheduled. There wasn't any one present who wished to address any of the Ordinances.

THIRD READINGS

Ordinance 10-08: An Ordinance Amending the Planning and Zoning Code Chapter 1187, Concerning Swimming Pools and Repealing Any Ordinances in Conflict Therewith.

Mr. Moellendick moved for passage of Ordinance 10-08, seconded by Mr. Losch. **ROLL: Yes, ALL.**

Ordinance 11-08: An Ordinance Amending the Zoning Code by Zoning 32.767 Acres Recently Annexed to the City of Canal Fulton (CF Farms)

Mrs. Cihon moved for passage of Ordinance 11-08, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

Ordinance 12-08: An Ordinance Amending the Zoning code By Zoning 11.762 Acres Recently Annexed to the City of Canal Fulton (Canal Lands)

Mr. Moellendick moved for passage of Ordinance 12-08, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

Ordinance 13-08: An Ordinance Amending the Zoning Code By Zoning .866 Acres Recently Annexed to the City of Canal Fulton. (Hare)

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Mrs. Cihon moved for passage of Ordinance 13-08, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

Ordinance 14-08: An Ordinance Amending the Zoning Code by Zoning 2.084 Acres Recently Annexed to the City of Canal Fulton. (Khelp)

Mrs. Cihon moved for passage of Ordinance 14-08, seconded by Mrs. Downing. **ROLL: Yes, ALL.**

Ordinance 15-08: An Ordinance Amending the Zoning Code By Zoning 2.66 Acres Recently Annexed to the City of Canal Fulton. (Lockhart)

Mr. Moellendick moved for passage of Ordinance 15-08, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

Ordinance 16-08: An Ordinance Amending the Zoning Code by Zoning 3.855 Acres Recently Annexed to the City of Canal Fulton. (Repland)

Mrs. Cihon moved for passage of Ordinance 16-08, seconded by Mr. Losch. **ROLL: Yes, ALL.**

Ordinance 17-08: An Ordinance Amending Section 143.02 of the Administrative Code of the City of Canal Fulton Regarding Charges for Ambulance Services and Repealing Any Ordinances in Conflict Therewith.

Mrs. Cihon moved for passage of Ordinance 17-08, seconded by Mrs. Downing. **ROLL: Yes, ALL.**

This concludes the Public Hearing portion of the meeting.

CITIZENS COMMENTS (Continued)

Victor Colaianni, 1708 Bruce Street: Mr. Colaianni asked Chief Green what the status is with Lawrence Township regarding the billing.

Chief Green stated to the best of his knowledge they are not billing the City at this time. He stated the last he knew they were submitting the contract from Ohio Billing to Attorney Krash for approval. He is not certain if this has been approved or not.

Mr. Colaianni asked if they signed the Joint Staffing Agreement. Chief Green stated he believes they signed it. Mr. Colaianni stated so we are not any further ahead than we were two years ago.

Chief Green stated he didn't believe we have submitted any bills to the Township. Mrs. Downing asked if he knew why.

Chief Green stated he was waiting for the go ahead from Administration. Mr. Cozy stated there isn't any hold up. Mr. Cozy stated there is an issue with how the contract reads that they are to pay us with the money they receive from our citizens and if there isn't any money there to pay us.

Mr. Colaianni stated so they are not billing and to use Mr. Hardgrove's quote, "they have reneged on an agreement". He stated this is money down the drain.

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REPORT OF SPECIAL COMMITTEES

Mr. Crookston reported the Finance Committee and Economic Development Committee met prior to the Council meeting. Mr. Crookston has been nominated the Chairman for the Finance Committee and the Chairman for the Economic Development Committee is Matthew Moellendick.

ADJOURNMENT

Council President Crookston adjourned the May 6, 2008 meeting. The next regular scheduled meeting is May 20, 2008 at 7:00 PM.

Tammy Marthey, Clerk of Council _____
Anthony Crookston, Council President