

## CITY OF CANAL FULTON

October 7, 2003

### **REGULAR COUNCIL MEETING:**

Mayor Shawn Kenney called the October 7, 2003 Council Meeting to order at 7:30 p.m. in City Hall Council Chambers.

### **PLEDGE OF ALLEGIANCE:**

**CALLING OF THE ROLL:** Present: Bill Dane, Nellie Cihon, Linda Zahirsky, Mike Mouse, Mayor Shawn Kenney.

Mr. Szanto was absent due to the death of his mother. Mrs. Downing was absent due to the death of her father-in-law.

Mrs. Zahirsky made a motion that Mr. Szanto and Mrs. Downing be excused from this meeting. Mrs. Cihon seconded the motion. Yes – ALL.

Mr. Mouse commented that he felt if someone is absent the reason should be reflected in the minutes.

**OTHERS PRESENT:** Marge Loretto, City Manager; Dale Kincaid, Law Director; Chief Bob Hill, Fire Department; Chief Mike McNeely, Police Department, Fred Fleming, Park Board Chair; Michael Rodino, newly appointed Finance Director; Julie Scheurer, The Independent; Joan Porter, The Repository; Angela Rabatin, Our Town; Rochelle Rossi, Victor Colaianni, Bret Stephan, Bob Schaeffer, Don Schwendiman, Alice Weinreb, Dave Weinreb, all residents.

### **ADOPTING/CORRECTING OF MINUTES:**

The Mayor asked for approval of the minutes of the September 16 2003 regular Council meeting. Mrs. Zahirsky made a motion to approve the minutes of September 16, 2003. Mrs. Cihon seconded the motion.

Roll: Yes – ALL.

The Mayor then asked for approval of the minutes of the Special Council meeting of September 30, 2003. Mrs. Cihon made a motion to approve the minutes of the Special Council meeting of September 30, 2003. Mr. Dane seconded the motion. Roll: Yes – 3. Mr. Mouse abstained because he was not at the meeting because of a conflict in his schedule.

### **SPECIAL RECOGNITIONS:**

### **CITIZENS COMMENTS ON AGENDA MATTERS:**

### **REPORTS OF ADMINISTRATIVE OFFICERS:**

#### Senior Citizens.

Mrs. Cihon said there will be flu shots given on October 29, 2003, from 9:00 a.m. until Noon. She stated if someone is on Medicare, Part B, they are free. All others are \$10.00. She also said that on October 17<sup>th</sup> in conjunction with the Community Service Program, they will be taking pumpkins to the first graders in the elementary schools.

#### Community Service Coordinator.

No Report.

#### Fire Chief.

The Mayor stated that Chief Hill has made a written request that Council appoint Cleet Heck and Jessica McDonald as probationary firefighters for the Canal Fulton Fire Department.

Chief Hill said Cleet has five years of experience and has his 240 Fire Card and by the end of the year he will have his paramedic card. The Chief said he had spoken to several personal references and they were all favorable.

The Chief said Jessica McDonald lives in Canal Fulton. He said she was interviewed twice, but she will have to be sent to school for training. He said she is a team player.

The Mayor recommended to Council that Cleet Heck be appointed to the Canal Fulton Fire Department. Mr. Dane made a motion to accept Cleet Heck as probationary firefighter. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

The Mayor also recommended to Council to appoint Jessica McDonald as a probationary firefighter to the Canal Fulton Fire Department. Mr. Dane made a motion to accept Jessica

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McDonald as probationary firefighter, pending the normal physical and drug tests. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

The Chief also announced that the Fire Department received a FEMA grant somewhere in the \$21,500.00 range. He said that will give them some capital improvement money.

### Police Chief.

Chief McNeely stated that if anyone has the opportunity to watch Judge Elum's Court TV this evening, they will see one of Canal Fulton's 8<sup>th</sup> grade classes who they accompanied down to visit with Judge Elum.

Mr. Mouse said that he has been told that some of the police officers have political signs in their yards. He asked if that was legal. The answer was yes.

The Mayor asked the Chief if he anticipated any problems on Halloween night. The Chief said Northwest High will be playing a playoff football game that same evening, so there will be much additional traffic. He said he addressed the subject in the upcoming issue of "Our Town" newsletter.

### Engineer/Streets/Public Utilities.

No Report.

### Director of Finance.

In the absence of a finance director, Mrs. Loretto gave the report and passed out the end-of-month financial statements. Mr. Dane made a motion to acknowledge receipt of the bank reconciliation and monthly financial report for September. Mrs. Cihon seconded the motion. (Voice Vote). Yes – ALL.

### Mayor's Report.

No report.

### City Manager's Report.

Mrs. Loretto said the drainage problem has been corrected on the Cherry Street bridge by the County. She also said the rolled curb has been installed on Locust Street. Mrs. Loretto said they also met with the FEMA representative and viewed the areas that were damaged because of flooding.

She also said Michael Rodino, the new Finance Director, will be starting on October 20<sup>th</sup>.

### Parks.

Mr. Fleming stated that the Summer Recreation Program was one of the best he has seen in the last few years. He said work on the ball fields is supposed to begin at the end of the month.

### Law Director.

Mr. Kincaid stated he would like Council to approve or disapprove the proposed contract with Northwest Schools for the new water line.

Mr. Mouse asked if the City is going to assume all the cost of construction and then be reimbursed by Northwest Schools on a per month basis. The Mayor said that is correct. He said the City would put the project out for notes or bonds that would be repaid over a certain period of time. The City would then surcharge the School System on a monthly basis on its water bill.

Mrs. Zahirsky said the City ordinance requires that those residents that are not in Canal Fulton pay two and a half times the rate. She asked if a rate has been established yet as to what those people will be paying. Mrs. Loretto said it would be two and half times the regular amount. The Mayor said that if the City ever annexes that area, payments would cease to the City and the City would use income derived from school employee's taxes.

Mr. Dane made a motion to extend the offer of this contract to the Northwest School District. Mrs. Cihon seconded the motion. Roll: Yes – 3. Mr. Mouse voted no.

Mr. Mouse said it seems to him that the school district should have planned for this. He said they should have attempted to get the water.

### **READING OF ORDINANCES:**

### **THIRD READINGS:**

No Third Readings.

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### **SECOND READINGS:**

**Ordinance 33-03:** An Ordinance Amending Canal Fulton Codified Ordinance 351.13 (a) Changing to Four Inches the Threshold for Ban on Parking During Snow Emergencies.

### **FIRST READINGS:**

**Ordinance 35-03:** An Ordinance Approving the Editing and Inclusion of Certain Ordinances as Parts of the Various Component Codes of the Codified Ordinances of Canal Fulton, Ohio, and Declaring an Emergency.

Mr. Kincaid said he would like to see this passed under emergency because the City's Code differs from the State's Traffic and General Offense Code.

Mr. Dane made a motion to suspend the rules on Ordinance 35-03. Mrs. Cihon seconded the motion.

Roll: Yes – 3. Mr. Mouse voted No.

**Ordinance 36-03:** An Ordinance Accepting the Dedication of Buggy Alley.

**Resolution 18-03:** A Resolution Re-apportioning Funds for the Stark Council of Governments as a Result of the Approval of a Sales Tax Increase, and Declaring an Emergency.

Mrs. Loretto explained that this is part of a ten-year agreement. She said the County wants 7% this year and 7.5% for next year and the next years in the ten-year contract. She said it generates a little more local government revenue coming back to the City also.

Mr. Mouse made a motion to suspend the rules on Resolution 18-03. Mrs. Zahirsky seconded the motion. Roll: Yes – ALL.

Mrs. Zahirsky made a motion to pass Resolution 18-03 under suspension. Mr. Dane seconded the motion. Roll: Yes – ALL.

**Resolution 19-03:** A Resolution Designating the City Manger, V. Margaret Loretto, as Authorized Representative of the City of Canal Fulton, as Subgrantee, in an Agreement Between the State of Ohio and the City under a State-Local Disaster Assistance Agreement, and Declaring an Emergency.

Mrs. Loretto said this is the City's FEMA agreement and it needs to be passed under emergency because of FEMA's time frame.

Mrs. Zahirsky made a motion to suspend the rules for Resolution 19-03. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

Mrs. Zahirsky made a motion to pass Resolution 19-03 under suspension. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

**Resolution 20-03:** A Resolution Authorizing the City Manager to Enter into a Lease Agreement with Ohio Edison Company for Street Lighting for Centennial Village, and Declaring an Emergency.

Mrs. Zahirsky made a motion to suspend the rules on Resolution 20-03. Mr. Dane seconded the motion. Roll: Yes – ALL.

Mrs. Zahirsky made a motion to approve Resolution 20-03 under suspension. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

### **Purchase Orders and Bills:**

P.O. # 3556 in the amount of \$4,170.00 to Kyler Excavating for grading, seeding, moving back stop and installing back stop.

P.O. #3559 in the amount of \$5,940.00 to Clark Concrete Construction for handicap curb at High and Water Streets and sidewalks at 324 High St.

Mr. Dane made a motion to accept P.O. #3556 in the amount of \$4,170.00 to Kyler Excavating. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

Mr. Dane made a motion to accept P.O. #3559 in the amount of \$5,940.00 to Clark Concrete Construction. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

Bills: \$116,569.72

Mrs. Zahirsky made a motion to acknowledge receipt of the bills for September 14 through September 30, 2003. Mrs. Cihon seconded the motion. (Voice Vote) Yes – ALL.

### **New Business:**

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The Mayor stated that the Historic Preservation and Planning Commission have requested that City Council apply for a CLG grant for the production of a Canal Fulton Heritage Tourism Brochure.

Mrs. Reiter said this is the City's first application for a CLG grant. She said it is a 60/40 grant and they already have the matching grant for \$2,500.00 from the Stark County Visitors' and Convention Bureau through Canal Fulton Main Street.

Mrs. Zahirsky made a motion to approve the application for a CLG grant for a tourism brochure. Mrs. Cihon seconded the motion. (Voice Vote) Yes – ALL.

Mrs. Cihon also announced that the 5<sup>th</sup> grade from Sts. Phillip & James came to City Hall for a tour and mini-seminar on city government. She said they all wrote letters back thanking Mrs. Reiter, herself and all of Council. She said the letters were overwhelming. She also said that this Wednesday she and Mrs. Reiter will be doing the mini-seminar and tour for the 8<sup>th</sup> grade from Sts. Phillips & James.

### **OLD BUSINESS:**

No Old Business.

### **OTHER BUSINESS:**

### **CITIZENS COMMENTS:**

Mr. Fleming said he wanted to mention how beautiful the gazebos look and urged everyone to go out and take a look.

Dave Weinreb asked why there are so many ordinances and resolutions that have to be passed under emergency. Mrs. Loretto said that, as an example, the ones that come from Stark Council of Governments notify the City and request that it be passed under emergency because they meet so infrequently. She said the one regarding FEMA is because everything is on a strict timetable with them and they do not give the City the time for three readings. The Mayor also said that when there are routine ordinances they really do not need three readings.

Mr. Weinreb also stated that this Council needs to behave more professionally. The bickering and infighting is not appropriate for this body.

### **REPORT OF COUNCIL PRESIDENT:**

### **REPORT OF STANDING COMMITTEES:**

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Sharon Reiter, Clerk of Council

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Shawn Kenney, Mayor