

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 18, 2014**

**CALL TO ORDER**

Mayor Harbaugh called the meeting to order at 7:00pm

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Mayor/Council Members Present: Richard Harbaugh, Linda Zahirsky, Scott Svab, Danny Losch, Sean Craney, and Sue Mayberry. Nellie Cihon was absent due to illness.

A motion was to excuse Nellie Cihon by Danny Losch, second by Scott Svab. All Council Members present voted yes.

Others Present: City Manager Mark Cozy, Council Clerk Teresa Dolan, Service Director Dan Mayberry, Police Chief Doug Swartz, Fire Chief Ray Durkee, and Finance Director William Rouse

Others Present: Chell Rossi, Jim Deans, Joan Porter, Victor Colaianni, Amy Knapp, and Earl Minks, David Brown

**REPORTS OF STANDING COMMITTEES**

Sue Mayberry reported on the Public Service Committee that met prior to the meeting. Mrs. Mayberry was elected chair of the Public Service Committee.

At this time a surprise presentation was made by the Northwest High School Theatre Players. The players re-enacted the formation of the Village of Milan, now Canal Fulton, in a surprise visit to the Canal Fulton City Council meeting Tuesday. The players are Cassidy Spencer, Jake Philpot, Tyler Ferrebee, Austin Boser and Justin Trompower

Scott Svab reported on the Finance Committee that met prior to the meeting. The Committee agreed to have legislation drafted for a payroll ordinance. The committee also approved \$3,000.00 to the Bicentennial Celebration toward fireworks.

Sean Craney reported on the Economic Development Committee that met prior to the meeting. Mr. Craney was nominated chair to the Economic Development Committee.

**CITIZENS' COMMENTS – AGENDA MATTERS (Five Minutes per Individual – No Yield)**

None

**CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**

March 4, 2014

A motion was made to approve the March 4, 2014 meeting minutes by Linda Zahirsky, second by Sean Craney.

Sue Mayberry asked that on page one under reports of standing committees, fifth paragraph down to add Mrs. Zahirsky said yes. On page two under engineer, it is state that Mrs. Mayberry asked if another heater was put in. That should read Mrs. Zahirsky.

All Council Members present voted yes. Motion approved.

**REPORTS OF ADMINISTRATIVE OFFICERS**

Senior Citizens – No report.

Community Service – A written report was included in the packet.

Fire Chief – Fire Chief Ray Durkee reported that the department had assisted Lawrence Township on a call. The Chief said that the Police Department has utilized the Fire Training Building for some police training.

Police Chief – A written report was included in the packet. Police Chief Doug Swartz reported that that training at the Fire Training Building was a great success. They also want to expose the building for use to the Canton SWAT team in the future. Chief Swartz stated that there was eight hours of OVI

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saturation last weekend which resulted in five marijuana arrests. K-9 Bishop was commended. The department was sent on a call for Lawrence Township that was an accident involving injuries. The call was a driving while under the influence call. Chief Swartz commended our Fire Department on their professionalism.

Danny Losch stated he supports the Mayor in regards to signs at the entrance of the City stating that the City has a K9.

Engineer/Streets/Public Utilities – Service Director Dan Mayberry stated that the Street Department has been doing some street clean up including some patching of pot holes. Mr. Mayberry said he received a preliminary list of streets scheduled for Chip and Seal this year. Alleys will need maintenance. Mr. Mayberry stated that they are finishing up chemical feed piping.

Finance Director – Finance Director William Rouse reported that the Auditors are to the middle of the audit. The two things the auditors asked for was to have the minutes signed and they wanted to know a split on Council' salary.

The February Financials were included in the packet. Income tax is up 5% from last year. The department has made some push for collection on delinquencies. The amount that the bills totaled is high due to the second payment for Locust/Portage. OPWC pays the payment and we have to recognize it in our revenue to expenses which inflates the bill listing. Also included in the bills is the Northwest waterline debt and worker's compensation payments.

A motion was made to accept the February Financials by Linda Zahirsky, second by Scott Svab. All present Council Members voted yes. Motion approved.

City Manager – City Manager Mark Cozy stated that a written report was included in the packet. Mr. Cozy said that Council needed to appoint a person to the steering committee for the joint police study.

Sue Mayberry said she spoke with Audrey Demore. She would like to get plugged in to the City. Scott Svab said he spoke to Audrey Demore briefly.

Danny Losch stated that Victor Colaianni has a lot of experience and would bring that to the committee.

A motion was made to appoint Victor Colaianni to the steering committee for the joint police study by Danny Losch, second by Scott Svab.

Linda Zahirsky stated that Victor knew and understood the city's budget.

Sue Mayberry voted No, all other present Council Members voted yes. Motion approved.

Mr. Cozy stated that the Park Board had contacted him and would like the City to demolish the old concession stand in Heritage Park. Mr. Mayberry said that some store things in the building. Sean Craney stated that the soccer league would like to build a building. Dan Mayberry and Mark Cozy will take a look at the building and report back to Council.

Earl Minks stated that the roof was unsafe and rotting. The door to the building is unable to be unopened due to ground swell. He suggested that the building be torn down and the concrete pad underneath to remain for future use.

Mr. Cozy stated that kids hide behind the building and moving it would be beneficial for a better view for police. Danny Losch stated if the Park Board suggested that and there is a safety issue, we should move forward. Scott Svab asked if we could do the demolition in house. Dan Mayberry stated that we could. He stated that some soccer equipment is stored in there in another part of the building. Mr. Minks stated that if the river floods, any equipment in there would be water soaked. Mr. Colaianni stated that he had been coaching for two years and does not recall ever putting anything in the building. Mr. Cozy said from his recollection, all they store is nets.

Mr. Cozy stated that the Locust/Street sewer and water project status included CTI work up some numbers to give to Mr. Vandenberg who wanted to opt out of the project. Mr. Cozy said the numbers will show him how much more it will cost if we do a phase one and later a phase two of the project. This would raise the cost for Mr. Vandenberg. Mr. Cozy said he gave him the numbers last week. Mr. Cozy stated he had not heard back from him. Mr. Cozy said that Mr. Schalmo wanted to move on with the project. The individual at the end of the corporate boundary also wants the sewer, but he could be held up due to Mr. Vandenberg no longer wanting sewer at this time. We could look at the legality of extending the line on our own and compelling them to hook up later. Mr. Svab said he was in favor of that and getting the project done all the way to the corporation limit.

Mr. Losch said if the line is put in their property values would increase at that point, would Mr. Vandenberg be faced with the same charge then as it would take now? Mr. Cozy said if we move forward with the project now, we would save him money. Mr. Fellmeth asked do we have sixty

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percent of the frontage or seventy-five percent of the area to be assessed. Mr. Cozy said we did not. Mr. Fellmeth said then we are dead in the water we would need that to proceed. Mr. Craney asked if it increased our cost to do it in two phases. Mr. Cozy said the way we are setting this up, the loan payments would be paid by the property owners. It is an option to take out a smaller loan and then some pay out of pocket to pay off the loan. Mr. Craney said he agreed with Mr. Losch that one was holding us hostage. Mr. Cozy asked the law director if we do the entire project now on our own, can we compel those to hook up that have buildings. Mr. Fellmeth said he did not want to answer that now, he would like to do further research. Mr. Rouse asked if we are to do it on our own, then we are now responsible for those debt payments, at this point he did not believe the sewer fund could afford any kind of debt payment. Mr. Rouse said if we went that route, we would have to look at the rates again to make sure we are still solvent.

Mr. Cozy said transportation enhancement grant is a three year program and we have the opportunity to apply for funds. We had already discussed sidewalks on Locust. Mr. Cozy said being that the parameters the grant has changed and we could also apply for a grant to re-brick our streets. This is an eighty twenty match on this grant. Mr. Cozy said he would like to get a quote from CTI on re-bricking. The brick streets are our treasure and there is a lot of base failure in some areas.

Mrs. Zahirsky said we had been talking about sidewalks forever and this is the first time re-bricking had been brought up. People have been clamoring for sidewalks in town. Mr. Cozy said he was thinking about applying for both. Mrs. Zahirsky said she would like to see the sidewalks first. Mr. Cozy stated that they only take applications every three years. Mr. Craney asked if we do both would it hurt our chances for the sidewalk grant. Mr. Cozy said he did not think one would hurt the other. If it comes down to that Mr. Cozy would flag the sidewalk grant as top priority.

Mayor – Mayor Richard Harbaugh stated that he had two appointments for the Board of Zoning Appeals.

A motion was made to appoint Earl Minks and Sam Wilson to the Board of Zoning Appeals by Sean Craney, second by Sue Mayberry. All Council Members present voted yes. Motion approved.

Parks & Recreation Board – No Report

Law Director – Law Director Scott Fellmeth stated he had no report. He did say that he had received communication that 431 Milan Street was deemed unfit for human habitation from the Stark County Health Board. This will be similar to the property on Ash Street and we may need to have it raised.

Police Chief Doug Swartz stated that he wanted to let Council know that Kathy Lewis, an employee at City Hall had been performing Wedding Ceremonies. When asked for a cost, she will not take any payment but suggests donations for the K9. At this point there has been \$230.00 donated to Bishop.

**THIRD READINGS**

**TABLED Resolution 1:14:** A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with CTI Engineers, Inc. to Provide Professional Engineering Services for the Locust Street Sanitary Sewer and Waterline Extension and Declaring an Emergency.

**Resolution 3-14:** A Resolution by the Council of the City of Canal Fulton, Ohio to enter into a Memorandum of Understanding for the Technical Assistance between the City for Canal Fulton and the Stark County, Ohio Soil and Water Conservation District.

A motion was made to approve Resolution 3:14 by Scott Svab, second by Sue Mayberry. All present Council Members voted yes. Motion approved.

**Ordinance 5-14:** An Ordinance Amending Ordinance 9-13, Rates of Pay for Full-time Non-bargaining Employees, and Repealing Any Ordinances in Conflict Therewith.

A motion was made to approve Ordinance 5:14 by Linda Zahirsky, second by Sean Craney. Sue Mayberry abstained from the vote. All other present Council Members voted yes. Motion approved.

**SECOND READINGS**

No Second Readings.

**FIRST READINGS**

**Ordinance 8-14:** An Ordinance Amending Ordinance 30-12, Rates Of Pay For Non-Safety Service Part-Time Employees.

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**Ordinance 9-14:** An Ordinance Amending Ordinance 32-12, Rates Of Pay For Canal Boat Employees.

**Resolution 8-14:** a Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with the Canal Fulton Heritage Society for canal Boat Operations.

**P.O.s**

P.O. 9189: to Multi-Vendor in the amount of \$10,000.00 for asphalt for patching and paving roads.

A motion was made to approve P.O. 9189 by Sue Mayberry, second by Scott Svab. All present Council Members voted yes. Motion approved.

**BILLS** - \$700,965.85

A motion was made to approve the February Bills by Scott Svab, second by Sean Craney. All present Council Members voted yes. Motion approved.

**OLD/NEW/OTHER BUSINESS**

Sue Mayberry reported that she recently attended a six week Leadership Stark County Academy Class. Mrs. Mayberry said it was very thought provoking. Concepts were reiterated over and over that elected officials make communities better than they were before. Questions were asked economic development and where was the greatest return. The answer was preschool. Agro-eco systems were also discussed in regards to agriculture. This is a big part of economic development. Mrs. Mayberry said she mentioned our living together arrangement with the fire departments and possible consolidation of police and street departments. We have received accolades from not just talking about it, but doing it.

Sue Mayberry asked that the following be added for clarification:

Sue Mayberry reported that she recently attended a six week Leadership Stark County Government Academy class. Mrs. Mayberry said it was very thought provoking. Concepts were reiterated over and over that the reason we are here as elected officials is to make our communities better than they were before

A question was asked regarding community economic development – where was the greatest return on investment? The answer was pre-school. Make sure each child is ready for school. If they are not – they end up in the system instead of being a productive person in the community. Each person needs to know they are essential.

Agro ecosystems were also discussed in regards to agriculture. This is a big part of economic development.

A top theme of this course was collaboration. Mrs. Mayberry said she mentioned what Canal Fulton has done in out “living together” fire departments and the possible consolidation of our police and our street departments working together. We have received accolades for not just talking about it, but doing it.

**REPORT OF PRESIDENT PRO TEMPORE**

Scott Svab reported that the grant from ODNR for the Step Outside was received in the amount of \$500.00. The money will be used for a fishing clinic on April 19, 2014 at 11:30 at the Canalway Center. The clinic will target children kindergarten through fourth grade.

Mr. Svab also reported that he and Mark Cozy met with representatives from a consulting firm in regards to the YMCA in regards to direction. They are going to meet and take a look at the Hartville and Wadsworth YMCAs to clarify some issues such as funding and size.

**REPORT OF SPECIAL COMMITTEES** – No Report.

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

Chell Rossi presented Council with a flag that she had for the City's bicentennial.

Mark Cozy said that he is looking into the flags for the downtown area also.

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**ADJOURNMENT**

The meeting was adjourned at 8:07pm

**Minutes Prepared by:** \_\_\_\_\_

**Teresa M. Dolan, Clerk**

**Minutes Approved:** \_\_\_\_\_

**Mayor Richard Harbaugh**