

# CITY OF CANAL FULTON

December 6, 2005

## **COUNCIL MEETING**

Council President Mike Mouse called the December 6, 2005 City Council meeting to order at 7:30 PM in Council Chambers at City Hall.

## **CALLING OF THE ROLL**

**Present:** Mike Mouse, Victor Colaianni, Nellie Cihon, Linda Zahirsky, and Bob Szanto

**Absent:** Mr. Szanto made a motion that Council excuses Mrs. Downing and Mayor Grogan's absence; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL (Mrs. Downing arrived later)**

## **OTHERS PRESENT**

Patti Troccoli, Clerk of Council; Chief Ray Green, Fire Department; Chief David Frisone, Police Department; Dan Mayberry, Interim City Manager/Director Public & Utility Services; Scott Svab, Interim Finance Director; Paul J. Addressi, MACA Mold; Don Schwendiman and Bob Schaeffer, Canal Fulton Cemetery Association; Chris Pugh, The Independent; Joan Porter, The Repository; Tony Crookston, James Deans, residents

## **CORRECTING/ADOPTING THE RECORD OF PROCEEDINGS**

Mr. Szanto made a motion that Council accepts the November 29, 2005 City Council meeting minutes; seconded by Mr. Colaianni. Corrections: Under Res. 19-05, change Mr. Downing to Mrs. Downing and correct the date. **ROLL CALL: Yes – ALL**

**CITIZENS' COMMENTS – (Agenda Matters) – None**

## **REPORTS OF ADMINISTRATIVE OFFICERS**

**SENIOR CITIZENS (Nellie Cihon) – No Report**

**COMMUNITY SERVICE (Scott Svab)**

A community service worker laid down new flooring at zoning office and installed kick plates along the desk area.

**POLICE CHIEF (Chief David Frisone)**

Chief Frisone distributed the November statistics and also a press release about the OHLEG Pilot Program; Canal Fulton is one of only 13 municipalities involved in same.

**FIRE CHIEF (Chief Ray Green)**

Chief Green spoke about the Firing Line fire and the rapid response by Jackson Township with their ladder truck. He also talked about the Fire Department's involvement in the Bistro Restaurant crash, covering Jackson Fire Station, as they were tied up with another incident.

**ENGINEER (Bill Dorman) – No Report**

**FINANCE DIRECTOR (Interim Finance Director Scott Svab)**

The 2004 finance statements were received from the State Auditor. The 2006 revenue forecast was completed and emailed to all. The election results were certified by the Stark County Board of Elections.

**MAYOR JOHN GROGAN – No Report**

**CITY MANAGER (Interim City Manager Dan Mayberry)**

Mr. Mayberry distributed a letter from the Canal Fulton Cemetery Association. Don Schwendiman and Bob Schaeffer (representing same) said they are looking into working with the city to acquire property adjacent to the cemetery that's currently city-owned; they're trying to plan for future expansion, as it is "landlocked with no place to go." Mr. Kincaid related there are no deed restrictions.

**PARKS (Fred Fleming) – No Report**

**LAW DIRECTOR (Attorney Dale Kincaid)**

Re: Puffenburger Property: the 23-acre purchase has been completed. Regarding the proposed gift of an additional five acres, conditions were requested: 1) the five acres be known as Puffenburger Park; 2) there be water/sewer lines available; and 3) it be parkland in perpetuity. For the third phase of the transactions, the contributor to the purchase has not yet

# CITY OF CANAL FULTON

December 6, 2005

decided about the purchase; the contributor's lawyer and Mr. Kincaid are trying to work out issues regarding same. (Law Director's report interrupted due to the Public Hearing.)

## **8:00 PUBLIC HEARING RE: ORDINANCE 28-05**

Council President Mike Mouse opened to public hearing asking if there were any comments. Mr. Schwendiman (Planning Commission) said they want curb and gutters, regular crowns, and inspections. He said that if the (Home) Owners Associations are dissolved, the city will have to take the streets over that are not up to the city's standards. Mr. Kincaid advised Owners Associations are going to be mandatory and anyone who buys a lot is going to be warned on their deed that they must belong to the Owners Association, and if the Owners Association goes defunct that they will be held financially for taking care of the streets. Mr. Szanto questioned a portion of the Ordinance's language regarding sidewalks. Mr. Kincaid suggested amending Section 1, Subsection (c), Sentence 1 to read, "If a pedestrian circulation system is included, it shall be assigned to assure," (replacing the words, "A pedestrian circulation system should be designed to assure"). Council President Mouse asked for any further comments; there were none; he adjourned the public hearing.

**(LAW DIRECTOR – Report Resumed)** Mr. Kincaid said the Fire Dept. wants to take the first step to interview architects for the new fire station; they have written a notice requesting letters of interest. Mr. Colaianni made a motion per the Law Director's recommendation to approve a request for letters of interest for architects for the purpose of constructing a fire station; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

**FIRST READINGS** – None

## **SECOND READINGS**

**Resolution 18-05:** A Resolution Establishing the National Incident Management System (NIMS) as the City Standard for Incident Management. (Requested by Fire Department)

**Resolution 20-05:** A Resolution Adding a Stipend of \$400 per Month to Dan Mayberry for Acting as Temporary City Manager. (Requested by Council Person Bob Szanto) Mr. Kincaid produced an amended Resolution 20-05 that declared it as an emergency. Mr. Szanto made a motion that Council amends Resolution 20-05 to include the emergency clause (and it be paid from the 2005 appropriations); seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL** Mr. Szanto made a motion to suspend the rules for Resolution 20-05 as amended; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL** Mr. Szanto made a motion to pass Resolution 20-05 as amended under suspension; seconded by Mrs. Zahirsky. **ROLL CALL: Yes - ALL**

## **THIRD READINGS**

**Ordinance 28-05:** An Ordinance Providing for Private Streets in Planned Unit Residential Developments, and Declaring an Emergency. (Requested by Planning Commission) Mr. Szanto made a motion that Council amends Section (c) the first sentence after the description to include language, "If a pedestrian circulation system is included, it shall be designed"; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL** Mr. Colaianni made a motion to amend the language on Page 1, 1117.19 Private Streets, Sentence 1 to add after the words "after review and approval by the Planning Commission" a sentence to read, "and subject to review and approval by the Fire Chief and/or his or her designated representative; Ordinance 28-05 seconded by Mr. Mouse. **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion to pass Ordinance 28-05 as amended; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

## **PURCHASE ORDERS & BILLS**

**P.O. 4484** made out to Cargill, Inc. in the amount of \$3,373 for 100 tons of road salt. Mrs. Zahirsky made a motion that Council pass P.O. 4484 in the amount of \$3,373 to Cargill, Inc.; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL**

**Bills: \$262,616.65** – Mrs. Zahirsky made a motion that Council has received the check register in the amount of \$262,616.65; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

**NEW BUSINESS** - None

**OLD BUSINESS** - None

**OTHER BUSINESS** - None

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

Paul Addessi, owner of MACA Mold was in attendance to find out how to attain "No Parking" signs in front of his business. He said his office manager has made several calls; finally received a return call and was told the entire east side of Elm Ridge is to have "No Parking" signs along the entire street because all the fire hydrants are on that side of the street. Mr. Addessi said they have problems mostly on Saturday mornings when the auctions are going on, where people actually park in front of his business driveway, mailbox, and fire hydrant; and,

# CITY OF CANAL FULTON

**December 6, 2005**

if there would be a fire and a truck had to get back into there in a hurry, there might be a problem. He said last Saturday he was expecting something in the mail, but instead received an envelope from the mail carrier on Monday which stated they could not deliver the mail due to a car being parked in front of their mailbox, adding that directly behind their mailbox is a fire hydrant. People also leave a lot of trash they have to pick up on Monday mornings. Mr. Mouse said he would try to get this taken care of ASAP. Chief Green said he had made the request for signs back in March to the City Manager, but nothing resulted from same. He said the Fire Department had wanted to conduct training there, but had no access to the city's hydrants. Chief Frisone said it the first he'd heard about the issue. Tickets can be issued, and Chief Frisone will have his officers pay close attention to this issue; he has been getting complaints from the Varsity Club also.

Mr. Addressi complimented the Police Department and Officer Ardman's on the attention they pay to his business after hours. Officer Ardman had stopped one of his workers late at night at MACA Mold (who was actually doing company business), inquiring as to what he was doing there.

**REPORT OF COUNCIL PRESIDENT** – No Report

**REPORT OF STANDING COMMITTEES** – No Report

## **ADJOURNMENT**

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

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Patricia A. Troccoli, Clerk of Council

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Council President Mike Mouse