

The City of Canal Fulton

SPECIAL PARKS & RECREATION BOARD MEETING **AND PUBLIC HEARING**

Wednesday, March 24, 2004

MINUTES

PRESENT: Fred Fleming, Mary Ann Higgins, Mary Ann Hupp, Pat Tohil, Rebecca Shimer; David Prather, all Park Board Members.

ALSO PRESENT: Linda Zahirsky, President of Canal Fulton City Council; Joan Porter, The Repository; Nellie Cihon and Victor Colaianni, Members of Canal Fulton City Council, Sandra Thomas, Garnet Thomas,, John Barabasch, Antonio Williams, Robert Young, all citizens.

Public Hearing

Dog Park Presentation.

Mr. Fleming distributed informational packets. Mr. Fleming started out with describing what an “Off Leash Area” is. He said it is basically a Dog Park. It is a contained public area where dog owners may allow their dogs to run off leash. He said this is a legitimate recreational outlet for citizens and their dogs.

Mr. Fleming said in 2000 there were 600 dog parks in the United States and an additional 400 in the planning stages. He said Massillon has an operational dog park. He said much of what will be said this evening is patterned after Massillon’s dog park, rules, and ordinances.

Mr. Fleming stated some facts some people may not know about people and their pets. He said some people give their pets holiday and birthday gifts. He said 68% of dog owners take them when they travel and sign letters and cards from their dogs. He said 61% believe that caring for their dogs fulfill their needs to parent. 36% talk to their dogs on the phone or over the answering machine while they are away. 32% of the dogs sleep in their owner’s beds. 77% of the dogs spend the night indoors.

Mr. Fleming said many people do not pay attention to the mandatory leash laws and signs are not posted. Part of the problem is the means of control over dogs in public parks. He said Massillon has an ordinance that says an owner can only have a maximum of a six-foot leash on the dog in a public park. He said open space is becoming increasingly scarce. He said in Canal Fulton the lots are small, so it is hard to have a good big running place for the dogs.

He said dog owners comprise 28% of the American population. He said Mrs. Higgins checked with the Stark County Licensing Bureau, but they could not tell her how many people in the Canal Fulton area licensed their dogs by mail. But they were able to tell her that 600 dogs were licensed through True Value Hardware.

Mr. Fleming said the proponents’ justification for a dog park is that it is in the Park Board’s best interest that a compromise be reached to fulfill the needs of both parks and dog owners. They say the benefits of an off leash park is that it could be an added attraction which could be a revenue generator and as a unique recreation and social outlet for dogs and their owners.

Mr. Fleming said that some of the sources of revenue in other cities are annual pass keys. Obedience classes are held, dog shows, grooming services, and vaccination clinics.

He said potential risks would be a noise level problem, lack of upkeep, fecal matter, including the odor, the disposal, the sanitation and health concerns must be addressed. He said other risks would be dog fights and injuries, excessive use, and liabilities. He said all of these need to be addressed.

He said there is an attitude among the general public who do not really understand what is happening. They have the attitude: N.I.M.B.Y: “not in my back yard”. He said there is also competition for land use. He said there are funding issues and the City ordinances would have to be changed.

He said a site would have to be chosen, fencing picked out, other equipment at the dog park, rules, park hours, and landscaping. He said they will need parking, literature and programming.

Mr. Fleming stated as far as a site is concerned, when park land is not available, unused areas of the city should be looked at and gauge the anticipated amount of use. It should be located away from residential areas. Fences with trees and shrubs would provide a noise barrier. He said the site they are suggesting has trees and shrubs all the way around it. The ideal size of the site is one to five acres. He said Massillon’s is 130 feet x 475 feet, cut in half with double gates. He said there are two areas, one for big dogs and one for small dogs.

He said the fencing should be five to six feet high and chain link or a lumber privacy fence. He said they are going with the chain link. It should have a double gate system and self closing gates with springs. He said that may not be necessary. He said going to and from the in gate area, the dog must be on a leash.

He said the equipment needed would be clean up tools on site, water fountain with spigots on the bottom for dogs. He said there will be signs posting hours and rules. He said this will be a big sign.

Mr. Fleming then talked about the rules. He said no person can bring dangerous or aggressive dogs. He said there cannot be any dogs in heat. No more than two dogs at one time per owner. All dogs must have a current license and updated shot records. No food or drink of any kind or treats for dogs.

He said any person who brings a dog into the off leash site shall use provided materials and implements for removing and disposing of dog excrement and remove all excrement deposited by the dog in the off leash site. There will be a dispenser with bags. He said the dog must be kept under visual and voice control at all times while in the off leash park and the owner must stay in the off leash park with the dog at all times. Any holes that the dog digs must be filled. Remove the dog from the off leash site at the first sign of aggregation. The owner is fully responsible and liable for the behavior and action of the dog. People must also abide by all other city rules and codes relating to dog ownership. Any person who brings a child under the age of twelve into the off leash site shall keep that child under strict supervision. Children under six are not permitted.

He said use of the off leash site by any dog constitutes implied consent by the dog owner to comply with all conditions and regulations as posted at the site. There will be implied consent from the owner that the dog has a current license and up to date shot records. He said the park hours will be the same as all other parks in the City – dawn until dusk.

Mr. Fleming said as far as parking is concerned, all they will need is the parking that is in front of the Police Station now. He said he spoke with Dan Mayberry who said they could extend it out with a stone parking lot to give enough room for four to six cars if need be.

He said some landscaping would be done and probably a few trees will need to be planted.

Mr. Fleming said this will also be a good place to have printed materials regarding veterinarian care, vaccines, neutering and spaying, etc.

He said there is relatively low maintenance for an off leash park. He said trash containers will be emptied daily and waste scoops re-stocked.

He said concerning amending the City ordinance, there will be a general description of the park, a section with the rules and policies. Then the amendment should be submitted to City Council for approval.

Mr. Fleming said they are going to ask that whoever is interested in joining sign up for the committee who will do some of the planning, maintenance, canvassing for donations, etc.

Question and Answer Session

John Barabasch said he had heard of several different locations for this park. Mr. Fleming said it would be behind the Police Station. He said he was under the impression that the land was going to be used for a future fire department. Mrs. Zahirsky said it may well be if the City ever gets the funding for it or they may do more at the current fire station. She said if the fire station does go behind the police station, the dog park will have to move.

Mr. Barabasch asked where the money is coming from for this park. Mrs. Zahirsky said it will cost around \$7,000.00 and it is a part of the park budget. He said he feels Canal Fulton is more of a residential community and almost everyone has a yard and a back yard. He said he feels the money could be used more effectively elsewhere, for example, parks for the children. Mr. Barabasch talked about Discovery Park. Mr. Fleming said there is a plan for Discovery Park. He said they have the matching funds, but did not receive the grant funds this time around. They will be trying again in 2005.

Mrs. Zahirsky also reminded everyone that the City has a summer recreation program that has been in place for years. She said the City spends approximately \$16,000.00 a year on that project.

Mrs. Zahirsky said there may be other funds they can go after for Discovery Park and it is being looked into.

The budget process was explained to Mr. Barabasch.

Mrs. Zahirsky said most communities do not charge people to take their dogs into the dog park.

Mr. Barabasch asked who is going to enforce all the rules and regulations. Mr. Fleming said the people who use the dog parks police themselves. He said that is what Massillon has found.

Mr. Barabasch said it seems like a small group of people to use up this land and the resources. Mrs. Zahirsky said she had approximately 150 people sign a petition in different locations throughout the City for the dog park. Mr. Barabasch asked if this is something that will be completely overseen by the Park Board. He said could it be a ballot issue where the citizens could decide. Mr. Fleming said that is why people elect council members and Council approved the money for a dog park.

Mr. Barabasch, who is a Canal Fulton police officer, said he has not heard one person say anything positive about it.

Mrs. Zahirsky said there are not very many areas where a resident can let their dog run loose.

Mr. Barabasch said he felt there are other things the money could be spent on.

Sandra Thomas said, first of all, she wanted everyone to know she is an animal lover. She said she does not have a dog now, but has had dogs in the past. She said when she had dogs, she fenced the yard for the dogs so they could run. She said she feels the money that is being spent for a dog park, they could put a fence in Discovery Park. She said they had a Council meeting at Echoing Ridge and they were promised that Discovery Park would be developed and it has been two or three years. She said the picnic tables down there are all bunched together and cannot be used. She said these people have disabilities who were all enthusiastic when they were told they were going to have a park with a path. She said nothing has been done there. She said this needs to be addressed now. She said the \$7,000.00 needs to be better spent. She said not one of the people she has talked to are in favor of a dog park over doing something about Discovery Park.

Janet Shaffer, 695 W. Market Street, said she read in the paper that it was \$10,000.00 that was appropriated for the fence. Mr. Fleming said that is incorrect. That was the figure for the whole thing.

It was asked who was going to be there to make sure all the dogs have their licenses and the owners clean up after them. Mrs. Zahirsky and Mr. Fleming said the owners police themselves and take care of the maintenance.

Someone also stated that dog owners should fence in their own yards to let their dogs run. He said he cannot grasp the comparison between children and dogs.

(Verbatim) "My name is Victor Colaianni and I sit on City Council. It was a heck of a presentation. One thing I am going to encourage you to do. . . o.k. . . the budget I have and I was not a part of Council when it was approved. This was appropriated for 04. One of the things you have to consider and I know, Mr. Fleming, you have been at several meetings, one was quite difficult for you to talk about open space and land use and money. But if you look even out in the back yard here in Muhlhauser, especially at the playground down here, it's not in that great a shape. Discovery Park has already been discussed. But the question I have to ask and I'm not against this dog park, believe it or not. There's rumors flying around town that I am. I'm against this dog park happening in 2004 because Mrs. Zahirsky, Mrs. Cihon and myself we all sit on City Council. Mrs. Zahirsky a lot longer than I have. Mrs. Cihon as well. They've lamented over money. They've lamented over prioritizing things and there's even been things printed in the paper and we have the press here tonight. I gotta say that the \$7,000 or \$10,000 or whatever is budgeted for this can be better prioritized in other areas for 2004. I don't think this should be on the radar screen for 2004. Any purchase order over \$3,000 has to come to Council for approval. Once again, I'm not against this dog park, but if a purchase order comes for this to City Council for 2004 I will not vote in favor of it because I think it should be spent better on playground equipment for kids. There's a lot of it in disrepair right now. You had some destroyed by floods in Community Park which I don't know if there's FEMA money available for that. But I look through this and five or six times I see the word "liability". My concern as a City official is that we just had it come up for renewal a couple of meetings ago. I think before anything has even gone forward on this we need to talk to our insurance carrier. We've lived through a lawsuit which all of you are very much aware of over the last year and a half and we've lived through another one here recently. I think we need to talk to them first before we even go any further with this. But I am not in favor of this happening in 04. I am in favor of this happening in some point in time, but not this calendar year. When you look at a budget there's three things you have to consider. And anybody that tells you otherwise, I'd like to sit down and talk to them. You have to consider needs. You have to consider wants. You have to consider desires, in that order. This is not a need right now. O.K. It is a want and to some people it might be a desire, but . . ah. . . you've done a lot of work and I appreciate the work you've done. First thing I'd

like to see you do is have this go in front of our insurance carrier for the City. I really think you need to prioritize what you're going to do with your money for 04 before you consider this."

Mrs. Zahirsky said anyone who has been to any of the City's budget hearings knows that she has brought this up for the last four years. She said this is the year that Council said they would do it. She said it isn't that they have not tried to prioritize. It has been shoved back for four years and she believes she has enough votes to approve what it's going to cost for the fence.

(Verbatim) Mr. Colaianni. "That's fine. When you prioritize things, Linda, you look at the playground here and the playground in Community Park and you've got seven households that surround this park right here with kids under then, I'd venture to say as the voting public do not see this as a wise expenditure."

Mrs. Zahirsky stated that the Seniors at the Northwest Senior Center did not want a lot of playground equipment at Muhlhauser because they didn't want it to be the park where all the kids came. They wanted it to be more of a passive park.

(Verbatim) Mr. Colaianni: "When you look at prioritizing things, o.k., it's a great idea. I've got a neighbor who has an English Lab who's six months old and he also has a four year old and a two year old. He is not in favor of this, o.k.. He was supposed to be here and he's not, but the thing is you've got to look at where your priorities are." Mr. Fleming said they have done it for four years.

(Verbatim) Mr. Colaianni: "Let me ask you as a board this and you and Mrs. Higgins might better address this than the newer people or they can chime in as well. What bumped this up to the top of the ladder versus some other things you've been looking at over the years."

Mr. Fleming answered – time. He said they have put it off long enough that somewhere along the line they have to bite the bullet and do it.

(Verbatim) Mr. Colaianni: "The other concern I have and this is the last things I'll say, I don't want to see you get into a position – and this is probably the most heart wrenching thing for you because I know how hard you worked on the last levy. I don't want to see you in the future if you have a community that the majority is not in favor of this jeopardize anything in the future for you guys being able to pass a levy."

Mr. Fleming said he agreed 100%. He said that is why they are working so hard to get Discovery Park straightened out and to get the tennis courts moved up here this year. He said they have the money allocated for that as well.

Mrs. Zahirsky also said they are putting probably \$100,000.00 into Community Park this year. The matching funds for Discovery Park have also been allocated.

Sandra Thomas asked if anyone on the Board could give her any idea as to when they are going to do anything at all with Discovery Park. Mr. Fleming said at the moment, no. He had recently found out that there was no money in the particular grant fund they were going after. He said they are going to try to see if they can find the funds somewhere else.

She said putting \$7,000 into a dog park and doing nothing at Discovery Park does not make sense.

Mrs. Zahirsky said there are people who don't want a dog park even if the City would spend \$50 on it. She said, however, that there are many more people who want it than those who belly ache. She said she is elected to Council to spend the money and that money has been set aside. She said if people want to recall her and recall the five other people who voted for that budget then they can try.

(Verbatim) Mr. Colaianni: “One of the things I would encourage all of you as a board to do is this coming Sunday at Echoing Ridge at 2:00 there is a program they’re putting on. I’d like you to go down and sit through it and if you deem it necessary, think if you need to get Discovery Park back on the radar screen as higher priority.”

Mr. Fleming said it is not off the radar screen. He said he talks to Dan Mayberry every week on that. Mrs. Zahirsky said they need Mr. Colaianni’s help because he seems to know where those funds are.

Mr. Fleming said they have a letter from a citizen who has some dogs who wants it read into the record. The letter is from Susan Carrier, 1185 W. Comet Road, Clinton.

“I’m writing because I cannot be at the meeting on Wednesday evening regarding the dog park in Canal Fulton. I support having a dog park in Canal Fulton. I have three dogs and would love to have a place where I could take them for a walk. There is really no place I can take them that does not have small children, bikers, or joggers I must worry about. I am a very conscientious dog owner and try not to have them interfere with the lives of other people who do not have dogs or do not want to be around dogs. Having a special place that I could take them without having to worry would be wonderful. A lot of families in Canal Fulton and the surrounding Township have dogs and it would be a definite plus in the community if Canal Fulton had such a place. I hope sincerely you consider this project. Thank you. Susan Carrier.”

Someone asked if the Board felt if this did go on the ballot it would pass. Mr. Fleming said he thought it probably would.

The same person asked that since the Park levy failed, are they taking money out of other levies that passed. Mrs. Zahirsky said anything over 1% that goes to the voters can only go into that fund by law. It cannot go into any other fund. She said what they saw in the newspaper about Council putting money that went to the Police levy into the general fund is absolutely wrong – that is accusing this Council of breaking the law. She said that really angered her. She said that money hasn’t even come in yet.

The open space fees were then discussed.

Moving of the ball fields was also discussed.

Mr. Bob Young, citizen of Canal Fulton, said he wanted to thank them. He likes the idea of a dog park. He uses the dog park in Massillon. He feels it is a small amount of money to pay.

End of Public Hearing

The meeting was adjourned.

Fred Fleming, Chair