

CITY OF CANAL FULTON

April 18, 2006

COUNCIL MEETING

Mayor Grogan called the April 18, 2006 City Council meeting to order at 7:00 PM at Chapel Hill Community.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor Grogan, Tony Crookston, Victor Colaianni, Linda Zahirsky, Nellie Cihon, Diane Downing and James Deans.

Others Present: Mark Cozy, City Manager; Patti Troccoli, Clerk of Council; Officer Douglas Swartz, Police Department; Firefighter Gross, Fire Department; Scott Svab, Finance Director; Dennis Mayberry, Street Dept; Joan Porter, The Repository; Chell Rossi, HPC; Don Schwendiman, Planning Commission; Fred Fleming, Parks & Recreation Board; Dennis J. Mersky, ASLA, Senior Vice President, Floyd Browne Group; Helen V. Puffenberger and Susan Strutner; Chapel Hill Community; Garnet Thomas, Mike Mouse, Resident

CORRECTING/ADOPTING THE RECORD OF PROCEEDINGS

Mrs. Zahirsky made a motion that Council approves the April 4, 2006 City Council meeting minutes; seconded by Mr. Colaianni. **ROLL CALL: Yes – 5 Abstained – 1 (Mrs. Downing)**

PROCLAMATION: HELEN V. PUFFENBERGER

Mayor Grogan presented Mrs. Helen Puffenberger with the following proclamation and thanked her for her gift:

WHEREAS, Helen V. Puffenberger serves unselfishly contributing to the betterment of this community. She is an inspiration and dedicated citizen of our City and her outstanding qualities has set a fine example for her constituents in Canal Fulton, Ohio and elsewhere, and

WHEREAS, Helen V. Puffenberger has kindly donated five acres of land to the City to be specifically used as a city park. This land was part of the original farm property left to her by her parents Mr. and Mrs. Irvin Donenworth.

WHEREAS, Helen V. Puffenberger has been a lifetime resident of Canal Fulton, graduating from Canal Fulton High School in 1931. She was the devoted wife of Emil W. Puffenberger, who was Canal Fulton and Northwest High Schools' band director and administrator. Mrs. Puffenberger worked in the Canton Courthouse and has been a lifetime member of Canal Fulton St. John's Lutheran Church.

NOW, THEREFORE, be it proclaimed that Helen Puffenberger is hereby honored for her faithful service to the City of Canal Fulton, Ohio. I, John Grogan, Mayor of the City of Canal Fulton, Ohio, do hereby proclaim a great appreciation to Helen Puffenberger for her service to the City of Canal Fulton and to the community

REPORTS OF STANDING COMMITTEES - None

CITIZENS' COMMENTS – AGENDA MATTERS

Mr. Mike Mouse voiced concerns against the proposed ordinance to increase the license plate fee.

REPORTS OF ADMINISTRATIVE OFFICERS

SENIOR CITIZENS (Nellie Cihon) – No Report other than the tennis courts are being used often.

COMMUNITY SERVICE (Phil Kaster) – No Report

FIRE CHIEF (Firefighter John Gross)

Tornado Siren/Emergency Alarm: Firefighter Gross addressed problems with the alarm system. Mr. Colaianni said Chief Green related to him that currently somebody has to physically activate it, and in the future there should something that could be triggered automatically from the weather system, and the current system isn't capable of doing same because of the age of it. Costs to fix/buy new were discussed along with a new location for it, so everyone in the community can hear it. Mayor Grogan suggested the alarm be incorporated into new safety center and asked that the Fire Department talk to the architect regarding same.

POLICE CHIEF (Officer Douglas Swartz)

Tornado Sirens: Officer Swartz said the Chief recommended that if the city could get something in place for the time being regarding the tornado sirens that one of our officers could activate the warning siren in an emergency.

Stark Job & Family Services Flag Raising for Child Abuse/Neglect April 24, 2006: Chief Frisone will be raising the flag. There will be a proclamation.

Vehicle Purchases: Officer Swartz addressed the purchase orders for the 2006 Ford Explorer and 2007 Ford Taurus. Chief Frisone saved \$2000 on the purchase of the Explorer.

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Crime Update: There were a number of break-ins (B&L Brake, V-Li's, Workman's Auto Parts, Salon 987, and a resident on Colony); they are working with the Township as they also had a break-in at the Lion's Den (all after midnight).

ENGINEER (Bill Dorman) – No Report

FINANCE DIRECTOR (Finance Director Scott Svab)

Mr. Svab recommended the passage of Ordinance 07-06 regarding the \$5 license plate fee increase, and he addressed Mr. Mouse's concerns about same and pointed out the need to increase the level of Street Department services.

Mrs. Zahirsky made a motion that they received the financials from the Finance Director for March before the last meeting; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

CITY MANAGER (Mark A. Cozy)

Presentation - Dennis J. Mersky, ASLA, Senior Vice President, Floyd Browne Group: Mr. Mersky conducted a presentation about his firm's scope of services and his submission of a proposal for the Master Plan for the 40-acres Puffenberger parcel that is compatible with the city's plans for the adjacent fire station currently being designed. The plan will build on Canal Fulton's existing park facilities.

2006 TAP Health & Wellness Center Survey Results: Mr. Cozy said the overwhelming number of respondents were in the 45 to 60 age group. The majority of respondents wanted an indoor pool, an indoor track and an exercise equipment room. Over 90% of the respondents said they would use a center like this. Out of 1000 surveys mailed, there were 396 responses.

Sewer Surcharge: Mr. Cozy said when the consumer price index increases, the sewer surcharge should go up to keep pace with it and advised the sewer rates are going to increase.

Qualifications for the Comprehensive Plan: Mr. Cozy distributed a draft of same regarding attaining a Master Plan for the city.

MAYOR JOHN GROGAN

Reschedule the May 2, 2006 City Council Meeting to May 3, 2006 (same time): Per the Mayor's recommendation, Mr. Colaianni made a motion to move the regularly scheduled Council meeting from May 2, 2006 to May 3, 2006 due to Election Day; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

PARKS & RECREATION BOARD (Fred Fleming)

St. Helena Heritage Park: Parks & Recreation Board recommended changes to Ordinance 09-06 amending Chapter 143 (C) of the Codified Ordinance Entitled "Fees." There aren't four baseball fields; needs to be amended to three.

2006 YMCA Summer Recreation Program: Contract is signed. Program lasts from 7/17 to 8/11, Monday through Friday, 10:00 AM to 2:00 PM at Trinity Church of Christ; ages going into 1st through 8th grades. Evening signups will be from 6:30 to 7:30 PM on 6/21/06 and 7/6/06.

Tennis Courts: Sidewalks done. Mrs. Cihon suggested sharing the cost of light used by the Senior Center at the parking lot/tree line. A water fountain will be placed just outside the gates. **Change to City Ordinance Chapter 961.02 Titled "Hours":** The Park Board voted to allow the tennis courts (only) to be open from Dawn until 11:00 PM (Ord. 08-06). June 17 is the date to officially open the tennis courts; plans for a ribbon-cutting and dedication of the courts to Shawn Kenney are in process. On September 8, 2005, the Park Board voted to recommend the tennis courts be dedicated to Shawn F. Kenney. Mr. Fleming asked Council to approve same. Mrs. Zahirsky made a motion that the tennis courts in Muhlhauser Park be dedicated to the memory of Shawn F. Kenney; seconded by Mr. Deans. **ROLL CALL: Yes – ALL**

Muhlhauser Park: Plans to attain a contractor to install a new sidewalk leading to gazebo.

Canalway Center: Grand Opening is April 29 from 10 AM to 3 PM; ribbon cutting at Noon.

Discovery Park: Cawrse & Associates said the engineering drawings will be done by the end of April; bids in May would be accepted; completion date is fall. Cleanup plans for the pond is in process. They are looking into alternate sources of donations (i.e. Domino's, etc.).

Dog Park: Switched large- and small-dog sides; now have a restroom at South gate.

Puffenberger Property: Survey sent out by TAP. April 13 the Parks & Recreation Board voted to recommend the city hire Floyd Browne Group to help with the preliminary park design.

Kilbride Park: Mr. Fleming objected to the Kilbride Park being dealt with without the Park Board's involvement. Mr. Colaianni said the Ernie Kovak's motivation is that there is nothing being done currently; he's mowed it a couple of time, but people are using his business and it's not attractive.

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Mrs. Zahirsky had asked Mr. Kovak if he had gone in front of the Park Board and he said, "Yes." Mr. Fleming wants a contract is in place. Mr. Kovak is to submit a plan.

Mayor Grogan asked that in the future Mr. Fleming give them written copies of his report.

LAW DIRECTOR (Attorney Dale Kincaid) – Not in Attendance

THIRD READINGS

Ordinance 07-06: An Ordinance Enacting a \$5.00 License Plate Fee under Ohio Revised Code 4504.17 (Requested by Finance Director) Mrs. Zahirsky made a motion to pass Ordinance 07-06; seconded by Mr. Crookston. **ROLL CALL: Yes – 5 No – 1 (Mrs. Downing)**

SECOND READINGS

Ordinance 08-06: An Ordinance Amending Chapter 961.02 of the Codified Ordinances, Entitled "Hours". (Requested by Parks & Recreation Board) Mr. Colaianni made a motion on recommendation of the Chairman of the Park Board to amend Section 2 of Ordinance 08-06; instead of "Dawn until 9:30 p.m." that it read "Dawn until 11:00 p.m." **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion to suspend the rules on Ordinance 08-06; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL** Mr. Colaianni made a motion to pass Ordinance 08-06 as amended under suspension; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

Ordinance 09-06: An Ordinance Amending Chapter 143(C) of the Codified Ordinances Entitled "Fees". (Requested by Parks & Recreation Board)

FIRST READINGS

Ordinance 10-06: An Ordinance Establishing New Rates of Pay and Salaries for Employees of Canal Fulton, Effective, January 1, 2006, Except where Otherwise Noted, and Repealing Any Ordinances in Conflict Therewith, and Declaring an Emergency. (Requested by City Manager) Mr. Colaianni made a motion to suspend the rules on Ordinance 10-06; seconded by Mr. Crookston **Discussion:** Mr. Cozy asked to change the job title under Section from "Director of Public Utility Services" to "Director of Public Services." Mr. Svab asked that the funds be distributed for that position to 37.5% Water, 37.5% Sewer, and 25% General Fund. **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion that Council amends Ordinance 10-06, Section 6 to read "The Director of Public Services shall receive \$53,300.38 per year payable 37.5% from Water funds, 37.5% from Sewer funds, and 25% from General funds; seconded by Mr. Deans. **Discussion:** Mr. Svab said he didn't feel 25% should be taken out of the General Fund and suggested 20% because the bulk of the position's work is sewer and water. Mrs. Zahirsky and Mr. Deans rescinded the motion and second. Mrs. Zahirsky made a motion to amend Ordinance 10-06, Section 6 to read "The Director of Public Services shall receive \$53,300.38 per year payable 40% from Water funds, 40% from Sewer funds, and 20% from General funds; seconded by Mr. Deans. **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion to pass Ordinance 10-06; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

Ordinance 11-06: An Ordinance Establishing Rates of Pay for Various Part-time Positions within the City of Canal Fulton Effective January 1, 2006, and Repealing Any Ordinances in Conflict Therewith, and Declaring an Emergency. (Requested by City Manager) Mr. Crookston made a motion to suspend the rules on Ordinance 11-06; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL** **Discussion:** Mrs. Zahirsky questioned the need for the Temporary Utility Clerk position and was told it was not required. Mrs. Zahirsky made a motion to amend Ordinance 11-06 on Section 1 Temporary Utility Clerk to omit that line; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion to pass Ordinance 11-06 as amended under suspension; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

Resolution 13-06: A Resolution Quitclaiming a 0.006 Acre Parcel Now a Part of Locust Street to David Hofacre AKA David L. Hofacre. (Requested by Schalmo Properties via City Manager)

Resolution 14-06: A Resolution Entering Into a Contract with CTI Environmental, Inc., to Provide Engineering Services for the High Street Sanitary Sewer Extension not to Exceed \$10,000.00, and Declaring an Emergency. (Requested by City Manager) Mr. Colaianni made a motion to suspend the rules on Resolution 14-06; seconded by Mr. Deans. **ROLL CALL: Yes – ALL** Mrs. Cihon made a motion to pass Resolution 14-06 under suspension; seconded by Mr. Crookston. **ROLL CALL: Yes - ALL**

Resolution 15-06: A Resolution Authorizing the City Manager to Enter Into a Contract with YMCA of Central Stark County for the 2006 Summer Recreation Program, and Declaring an Emergency. (Requested by Parks & Recreation Board) Mr. Deans made a motion to suspend the rules on Resolution 15-06; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL** Mrs. Cihon made a motion to pass Resolution 15-06 under suspension; seconded by Mr. Deans. **ROLL CALL: Yes - ALL**

PURCHASE ORDERS & BILLS

P.O. 4623 Mrs. Cihon made a motion to approve P.O. 4623 in the amount of \$10,000 made out to CTI Environmental, Inc. for Design of High Street Sanitary Sewer; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

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P.O. 4631 Mr. Crookston made a motion to approve P.O. 4631 in the amount of \$9,000 made out to North Coast Safety Supply for Fire Boots for Entire Dept.; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

P.O. 4632 Mr. Colaianni made a motion to approve P.O. 4632 in the amount of \$8,000 made out to Witmer Association Inc. for Helmets for Entire Dept.; seconded by Mr. Crookston. **ROLL CALL: Yes - ALL**

P.O. 4637 Mr. Colaianni made a motion to approve P.O. 4637 in the amount of \$17,772.97 made out to Ohio Dept. of Public Safety for 2006 Ford Explorer; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

P.O. 4638 Mrs. Cihon made a motion to approve P.O. 4638 in the amount of \$12,850 made out to State Wide Ford for 2007 Ford Taurus; seconded by Mr. Deans. **Discussion:** Mr. Colaianni wanted to go on record to thank Chief Frisone for coming in almost \$7,000 under the vehicle budget. **ROLL CALL: Yes - ALL**

BILLS: \$31,210.41 Mrs. Cihon made a motion that Council has received the bills in the amount of **\$31,210.41**; seconded by Mr. Deans. **ROLL CALL: Yes - ALL**

OLD/NEW/OTHER BUSINESS

Computer, Electronic Communications and Internet Use Policy: Mrs. Zahirsky had submitted a revised copy that Ms. Troccoli will correct and send to everyone for review. Also, Mrs. Zahirsky stated that the Law Director and she should spend some time with the city employees to over pertinent issues of the policy regarding city business. Ms. Troccoli advised that Jamie Kurtz (who is currently working on the city's new Web site design) is going to come into city hall to ensure junk emails will be stored in a special folder on everyone's computer. Mr. Colaianni talked about a Fair Use Policy he would bring in regarding copyrights, etc.

Matt's Barber Shop/Franklin the Dog: Mayor Grogan read a letter from Matthew Schwendiman thanking all for their letter of support sent to Ohio State Barber Board requesting the Board allow his dog Franklin's presence during working hours in his barber shop.

REPORT OF PRESIDENT PRO TEMPORE (Linda Zahirsky)

Mrs. Zahirsky talked about the Barberton Herald's articles regarding Norton's ordinance for maintaining your homes that Norton's Council ended up backing away from due to complaints.

Mrs. Zahirsky made a motion that the Public Service Committee meet on 4/28/06 to go over tap-in fees and water rates at 10:30 AM; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

Mrs. Zahirsky thanked the Street and Water & Sewer Departments for the work they do. She said they do excellent work and asked Mr. Dennis Mayberry to pass along her thanks.

REPORT OF SPECIAL COMMITTEES – No Report

CITIZENS COMMENTS Open Discussion (Five-Minute Rule)

Mike Mouse, 406 Riverview St: Mr. Mouse acknowledged the Mayor's comments to Mrs. Puffenberger, saying they were "kind and generous." He said he thought it was the "little things that separate the Mayor in what he does and how he treats people and that extra touch and consideration and appreciation." He also suggested for the June City Newsletter that an article should be written about FirstEnergy's policy on trees.

Susan Strutner, Administrator, Chapel Hill Community: Thanked all for having the meeting at Chapel Hill for Mrs. Puffenberger and offered refreshments after the meeting.

ADJOURNMENT – Mrs. Cihon made a motion to adjourn. Mayor Grogan adjourned the April 18, 2006 City Council meeting.

Patricia A. Troccoli, Clerk of Council

Mayor John Grogan