

CITY OF CANAL FULTON

April 4, 2006

COUNCIL MEETING

Mayor Grogan called the April 4, 2006 City Council meeting to order at 7:00 PM in Council Chambers at City Hall.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Mayor Grogan, Tony Crookston, Victor Colaianni, Linda Zahirsky, Nellie Cihon and James Deans. Mrs. Zahirsky made a motion to excuse Diane Downing's absence due to a work commitment; seconded by Mr. Deans. **ROLL CALL: Yes – ALL**

Others Present: Mark Cozy, City Manager; Chief David Frisone, Police Department; Chief Ray Green, Fire Department; Scott Svab, Interim Finance Director; Dennis Mayberry, Street Dept; Joan Porter, The Repository; Chell Rossi, HPC; Fran Wells, Canton Resident; Matt Miller, Candidate for U.S. Congress; Garnet Thomas and Rose Rhoades, Residents

CORRECTING/ADOPTING THE RECORD OF PROCEEDINGS

Mrs. Cihon made a motion that Council approves the March 21, 2006 City Council meeting minutes; seconded by Mr. Crookston. **ROLL CALL: Yes – 4 Abstained – 1 (Mrs. Zahirsky)**

PRESENTATION: FRAN WELLS, DIRECTOR, LEADERSHIP STARK COUNTY

Fran Wells conducted a presentation regarding Leadership Stark County's educational programs, which is open to elected officials and people interested in running for office.

REPORTS OF STANDING COMMITTEES

Mr. Deans stated the Economic Development Committee met March 29 with three of the property holders along the annexed area of Portage regarding infrastructure and what the property owners want for further development.

CITIZENS' COMMENTS – AGENDA MATTERS - None

REPORTS OF ADMINISTRATIVE OFFICERS

SENIOR CITIZENS (Nellie Cihon)

April 22 - Swiss Steak Dinner, Serving Family-Style 4:00 – 6:00 PM; Reservations required.
July 11 – Bus trip to Greek Town; Cost \$49 – get \$20 back; reservations required.
May 3 – Card party; \$5; from 12:00 – 3:00 PM
May 12 – Mother's Tea; 11:30 AM – 1:30 PM; entertainment will be provided; open to all.

COMMUNITY SERVICE (Phil Kaster): Report distributed to Council.

FIRE CHIEF (Chief Ray Green)

Chief Green said they had three FD members complete the swift-water rescue training last week. Three members of the Lawrence Fire Dept. also participated in the training.

A joint training session was conducted last Saturday with Clinton, North Lawrence, and Lawrence Township on water movement using tankers. They are able to maintain a 300-gal.-per-minute flow for well over an hour just using tanker trucks.

The 800-megahertz radios that were provided by the Sheriff's Dept. were tested.

POLICE CHIEF (Chief David Frisone)

Chief Frisone passed out the March 2006 statistical report for the PD. He reported on training seminars attended by himself and Officers Muntean and Harbaugh. The Chief participated in the Stark County Safety Council Round Table Panel televised event in Canton. On April 24, there will be a Child Abuse, Neglect and Awareness flag-raising ceremony in Canal Fulton at 11:30 AM at City Hall. Chief Brink and Chief Frisone approached the DUI Task Force for Stark County and requested a joint DUI checkpoint be conducted in June (approved).

ENGINEER (Bill Dorman)

Lakewood Estates (Lake Vista AKA Smail's Pond): Still awaiting EPA approval.

Discovery Park Phase 4: Construction of sanitary sewer's complete. Construction is on hold waiting on dry weather.

Muhlhauser Tennis Courts: Meeting Friday to review project; coating possibly to be redone.

Water and Sewer Master Plan: 50% complete; draft report available in early May.

Fulton Landings (AKA Rumble Property): Site plan being revisited.

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Warwick Estates: March 9 met with developer and engineer who will be submitting a sketch plan to the Planning Commission in the near future.

Villas at Autumn Meadow Phase 20: Improvement plans approved; construction in spring.

Discovery Park Phase 5: Plans have been approved; construction should begin in the spring.

Elm Ridge Industrial Park Phase 10: Improvement plans reviewed.

High Street Sanitary Sewer Extension: Working with Dan Mayberry on same; possibly providing some additional sewer capacity.

Mrs. Zahirsky stated they discussed tabling Ordinance 03-06 and asked how soon Mr. Dorman expects getting taps for water and sewer, and was told 90 days or more.

FINANCE DIRECTOR (Interim Finance Director Scott Svab)

Mr. Svab attended the Auditor of State-sponsored Treasury Certificate Conference. Mr. Svab also has a meeting arranged with Bob Gessner about Massillon Cable regarding the franchise agreement.

CITY MANAGER (Mark A. Cozy)

Ernie Hornak – Use of Kilbride Property Behind Cherry Street Creamery: Mr. Hornak would like to set up picnic tables and plant trees; he agreed to keep the property clean, cut the brush, etc. Mr. Cozy will review the conceptual drawings and work with Mr. Kincaid on the issue. Mayor Grogan asked Mr. Cozy to present it to HPC for review/approval.

Floyd Browne Group aka Environmental Design Group: The firm will conduct four public meetings regarding the Master Plan for the Puffenberger Property. There was a short discussion about putting a survey in the City Newsletter regarding same. Earth works is the most costly portion. They will do a conceptual drawing to be reviewed by the city. Mr. Cozy would like to come to Council with an ordinance for review at the next meeting to get moving on the project. Mrs. Zahirsky asked Mr. Cozy to talk to the Park Board for approval. Mr. Cozy will request Floyd Browne Group do a presentation, after it goes to the Park Board.

Changes to Ordinances 04-06 and 05-06: The ordinances need to be amended; Executive Session requested.

MAYOR JOHN GROGAN

National Volunteer Week Proclamation: Mayor Grogan asked that the proclamation be written into the minutes (follows).

PROCLAMATION

WHEREAS, the entire community can effect positive change with any volunteer action no matter how big or small; and

WHEREAS, volunteers can connect with local community service opportunities through hundreds of community service organizations like United Way; and

WHEREAS, millions of volunteers working in their communities utilize their time and talent daily to make a real difference in the lives of children, adults and the elderly; and

WHEREAS, during this week, all over the nation, service projects will be performed and volunteers recognized for their commitment to service, and

WHEREAS, the giving of oneself in service to another empowers the giver and the recipient; and

WHEREAS, experience teaches us that government by itself cannot solve all of our nation's social problems; and

WHEREAS, our country's volunteer force of over 64 million people is a great treasure; and

WHEREAS, volunteers are vital to our future as a caring and productive nation;

NOW, THEREFORE, I, Mayor John Grogan do hereby proclaim April 23-29, 2006 as National Volunteer Week in Canal Fulton, Ohio, and urge my fellow citizens to volunteer and "light the way" in their communities. By volunteering and recognizing those who serve, we can replace disconnection with understanding and compassion.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Canal Fulton to be affixed the 4th day of April 2006.

Tornado Emergency Alert System: Mayor Grogan asked Chief Green if it worked and was told "No" because they couldn't get parts. Mrs. Zahirsky said the prior fire chief looked into what a new system cost Barberton (\$15k - \$20k), but it was never budgeted. Chief Green recommended weather alert radios. Mayor Grogan requested Mr. Svab talk to Massillon Cable about some type of alert system on TV.

Puffenberger Property Park Master Plan: The Mayor stated Patti Troccoli sent flowers to Mrs. Puffenberger to thank her for her gift to the city of 5 acres to be used for a park. Mayor

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Grogan suggested having the April 18 Council meeting at Chapel Hill. Mr. Colaianni made a motion that Council's April 18, 2006 regular Council meeting be held at Chapel Hill Community; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

Canalway Center Grand Opening on April 29: Mrs. Zahirsky requested the city include something about how we began the funding for same with the \$100,000 Starkweather donations and suggested a plaque in their memory, and to notify the attorney who is handling the estate to see if any of their relatives would like to come to the opening. Mayor Grogan suggested talking to Fred Fleming to see if he has done anything about same.

Phone System On-Hold Message: Soon, there will be background messaging and music while people are on hold that will relay current events in the city.

PARKS & RECREATION BOARD (Fred Fleming) – No Report

LAW DIRECTOR (Attorney Dale Kincaid)

Mr. Kincaid noted Ordinance 09-06 is an amended version concerning park fees.

THIRD READINGS

Ordinance 03-06: An Ordinance to Increase the Water and Sewer Tap-In Fees to Provide for the Water and Sewer Plants. (Requested by Public Service Subcommittee) Mrs. Zahirsky made a motion to table Ordinance 03-06 for an indefinite period; seconded by Mr. Colaianni.

Discussion: Reason for tabling this is that Bill Dorman's group will be providing information the first part of May so Council will be able to finalize same. **ROLL CALL: Yes - ALL**

SECOND READINGS

Ordinance 07-06: An Ordinance Enacting a \$5.00 License Plate Fee under Ohio Revised Code 4504.17 (Requested by Finance Director)

FIRST READINGS

Ordinance 08-06: An Ordinance Amending Chapter 961.02 of the Codified Ordinances, Entitled "Hours".

Ordinance 09-06: An Ordinance Amending Chapter 143(C) of the Codified Ordinances Entitled "Fees".

PURCHASE ORDERS & BILLS

P.O. 4571: Mrs. Cihon made a motion to pass P.O. 4571 made out to PPG Industries, Inc. in the amount of \$3,220.56; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

P.O. 4617: Mrs. Zahirsky made a motion to pass P.O. 4617 in the amount of \$7,724.20 to Mitchell Communications; seconded by Mr. Crookston. **ROLL CALL: Yes - ALL**

BILLS: \$34,732.56 Mrs. Cihon made a motion that Council has received the bills in the amount of \$34,732.56; seconded by Mr. Deans. **ROLL CALL: Yes - ALL**

OLD/NEW/OTHER BUSINESS

Informal Resolution to the City of Canton: Mr. Deans proposed a letter of support to the Mayor of Canton and their City Council, which involves the U.S. Post Office mail processing center; they want to close Canton's mail processing/distribution center and transfer it to Akron. The record reflects City Council is in agreement to join Canton and their cause to help retain their postal distribution center. Patti Troccoli will write a letter for all members to sign.

Computer Use Policy: Mr. Colaianni submitted in November 2005 Computer Use Policy of which there were a number of corrections and recommendations that Mrs. Zahirsky had previously provided. Mr. Cozy had Jamie Kurtz review same. Mr. Colaianni made a motion to adopt the Computer Use Policy; seconded by Mr. Deans. **Discussion:** Mrs. Zahirsky stated she still has a lot of concerns about the policy and a discussion ensued regarding same. Mrs. Zahirsky said the language of the policy needs more attention. Mr. Colaianni said the corrections he'd made to the policy were ones Mrs. Zahirsky had suggested; he did not change or omit anything. Mr. Kincaid said a copy of the Fair Use flyer that should be attached as an exhibit. Mr. Colaianni said he also has a flyer that was put together by the Ohio Ethics Commission, as well. Mr. Colaianni rescinded the motion.

REPORT OF PRESIDENT PRO TEMPORE (Linda Zahirsky) – No Report

REPORT OF SPECIAL COMMITTEES – No Report

CITIZENS COMMENTS Open Discussion (Five-Minute Rule)

Matt Miller, U.S. Congress Candidate: Mr. Miller, who is running against Congressman Ralph Regula for the 16th Congressional seat, related to Council his platform issues.

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Rose Rhoades, 423 N. Walnut: Ms. Rhoades addressed the Bender property cleanup. Mr. Cozy stated the Zoning Inspector is in the process of enforcing the cleanup efforts. There was a discussion about changing the codified ordinances to treat it like a grass issue. Mr. Kincaid said the city needs a city ordinance for junk, and that it is a health and safety issue.

Garnet Thomas, 1473 Locust St: Complimented Chief Frisone on a job admirably done, and how great he handled the televised Stark County Safety Council Round Table Panel event.

EXECUTIVE SESSION

Mayor Grogan requested a motion to convene into Executive Session for the purpose of discussing land acquisition, salaries, employment, and promotion and expecting legislative action. Mr. Colaianni made a motion as the Mayor stated; seconded by Mr. Deans. **ROLL CALL: Yes - ALL**

REGULAR SESSION RECONVENED

At 10:26 PM, Mr. Colaianni made a motion to reconvene the regular session; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

The Mayor submitted for Council's consideration his nomination for Finance Director, Scott Svab. Mrs. Cihon made a motion to appoint Scott Svab as Finance Director; seconded by Mr. Colaianni. **Discussion:** It was noted the Finance Director's effective hire date is April 2, 2006. **ROLL CALL: Yes - ALL**

ADJOURNMENT – Mrs. Cihon made a motion to adjourn. Mayor Grogan adjourned the April 4, 2006 City Council meeting.

Patricia A. Troccoli, Clerk of Council

Mayor John Grogan