

CITY OF CANAL FULTON

May 4, 2004

REGULAR COUNCIL MEETING

Mayor John Grogan called the May 4, 2004 City Council meeting to order at 7:35 PM in Council Chambers at City Hall.

PLEDGE OF ALLEGIANCE

CALLING OF THE ROLL

Present: Victor Colaianni, Nellie Cihon, Mike Mouse, Robert Szanto, and Mayor John Grogan.

Mr. Szanto made a motion that we excuse the absence of council members Linda Zahirsky and Diane Downing. Mr. Colaianni seconded the motion. **Roll Call: Yes - ALL**

OTHERS PRESENT

Marge Loretto, City Manager; Officer Ed Harbaugh, Police Department; Chief Bob Hill and Assistant Chief Mark Stewart, Fire Department; Michael Rodino, Finance Director; Joan Porter, The Repository; Matt Risk, The Independent; Rochelle Rossi, Ken Roberts, Dennis Badger, Frank & Donna Shambre, Charles Neal and Bret Stephan (all residents)

ADOPTING OF MINUTES

Mrs. Cihon made a motion to accept the April 20, 2004 City Council meeting minutes. Mr. Colaianni seconded the motion. **Roll Call: Yes – ALL**

CITIZENS' COMMENTS ON AGENDA MATTERS

No comments.

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens

May 21, 2004: Bloodmobile at the Northwest Stark Senior Center

June 12, 2004: Swiss steak dinner at the Northwest Stark Senior Center (\$10 adults/\$4 Under Age 10/Free Under Age 4)

June 24, 2004: The Diabetes Foundation is coming to the Northwest Stark Senior Center and going to give everyone that needs one a free glucose monitor. All you have to do is call for an appointment.

July 14, 2004: Sponsored trip to Greek Town for \$30 (\$20 back)

August 26, 2004: Sponsored trip to Seneca/Niagara Casino for \$33 (\$23 back)

Community Service Coordinator

No report.

Fire Chief

Chief Hill said Engine 5 was down for two weeks with pump problems; it has been repaired.

The State of Ohio had an EMS Airway Equipment Grant; they received \$2,124.83. They will be purchasing an Airway Innovation Mannequin, more bag valve ventilation devices and anything else that has to do with airways and innovation. The Innovation Mannequin goes hand-in-hand with them moving up to Region 8, as they are allowed to innovate, only after Dr. Makin says they are OK. The department will work on upgrading skills.

There are two people Chief Hill recommended to the Mayor to hire. Larry Powers (Locust Street) has his EMT card and is currently going through fire school. He recommended to the Mayor to hire Larry Powers as probationary firefighter pending physical and drug screening.

Mr. Colaianni made a motion to accept Larry Powers of 1708 S. Locust Street pending physical and drug tests. It was seconded by Mrs. Cihon. **Roll Call: Yes – ALL**

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The second person recommended to the Mayor Matthew Litten (Patterson Street). Mr. Litten does not have any training; they will be sending him to school. Chief Hill recommended to the Mayor to hire Matthew Litten as a probationary firefighter pending physical and drug tests.

Mrs. Cihon made a motion to accept Matthew Litten of 12513 Patterson Street pending physical and drug screening. Mr. Colaianni seconded the motion.

Discussion: Mr. Mouse asked, once they are approved here, how soon is it that they get into training. Chief Hill stated there was a May 25 class that is full, but the next available class they will send Mr. Litten to attend. They want to send him to EMT school first; if he can not get him into EMT school right away and there is a fire training class, he might send him there first. The rest of the firefighters do not want them on the trucks unless they have all the training. Mr. Szanto stated as a matter of record that both of these appointments recommended by the Mayor are for probationary status; they are not full hires. Mayor Grogan requested the number of fire division personnel; Chief Hill stated there were 43.

Roll Call: Yes - ALL

Police Chief

No report.

Engineer

No report.

Finance Director

No report.

Mayor

The Mayor congratulated Officer Swartz on behalf of Council and the City, who was mentioned by Mothers Against Drunk Drivers (MADD) as Officer of the Year and added "a job well-done." He believes Chief McNeely will have something in his article in *Our Town* referencing Officer Swartz.

Chief Hill and the Mayor had a meeting with Marvin Hardgrove, Trustee of Lawrence Township, the Chief Mutersbaugh of North Lawrence and Chief Stull of Lawrence. He thought it was a successful meeting; they dialogued quite a bit and got to the point where North Lawrence is agreeing to come into the Red Center, so that all the safety forces will be under the same communication umbrella. They also discussed sharing equipment lists, so that when fire departments are on the scene, they will have the accessibility to know what fire department has what in case they need that apparatus or anything else, which is something they have not done in the past. They will be meeting on a monthly basis; next meeting will be May 27, 2004 at Township Hall. Mr. Hardgrove was very accommodating, as were Chiefs Mutersbaugh and Stull. The Mayor wanted to thank Mr. Hardgrove for the invitation and believes Chief Hill can attest to the fact that it was a very comfortable meeting where they discussed not only current topics with personnel, but the future of trying to get all three entities together on a 24-hour basis. They had a positive discussion about weekend coverage with Lawrence. The Mayor will keep Council informed of all future meetings.

Mayor Grogan called on Parks, stating the last administration's Mayor had wanted to get Echoing Ridge's Discovery Park completed. It was a project of the former Mayor and Mayor Grogan believes that this administration needs to follow through with it. Mayor Grogan would hate to see a project that the former Mayor started flounder in the water – especially for our residents there. So the Park Board could begin to look at the project closer and start seeing what we can do to get that project completed.

City Manager

Regarding the Visitor's Center, the City has advertised April 30 and bid opening will be on the May 21. They are working on electricity; they put in the trenches. The underground electrical work should be done before the week is over.

They had a meeting with the Workmen's Compensation coordinator about having the State come in and develop a transitional policy to assist in helping workers return to work after any type of illness or injury. This is something they are trying to do throughout the State, and they feel that cities are lagging behind, so they doing a push to get the City to do this. They will come in, watch

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how people do the work, and try to figure out (for example) what jobs could be considered for people that are coming back that are somewhat easy.

Mrs. Zahirsky had asked Mrs. Loretto to get two representatives to discuss representing the City in negotiations on gas cost. The two that are most common for gas aggregation are the E-Group, which are FirstEnergy and Buckeye Energy brokers. She talked to North Canton, Plain and Stark County Commissioners. The Stark County Commissioners are going to put it on the ballot for all the unincorporated area in the County this November. They, plus a couple other cities, will go into the mix together so we will have some large numbers to negotiate with at that time. Hopefully, we will put this on the ballot and move ahead with seeing if our constituents really want us to go to gas aggregation. If we go with the County, it will probably be a panel that gets together to interview in-depth who would be the coordinator. (They will arrive at 7:00 PM, May 18, 2004.)

Mrs. Loretto stated they would like to have Council set the meeting with Senator Kirk Schuring on June 8, 2004 at 7:00 PM to present information about CEDA at City Hall. Mr. Colaianni asked Mrs. Loretto if we could invite Lawrence Township to the meeting. Council decided to extend an invitation to the June 8, 2004 meeting with Senator Schuring to the Township and the schools.

Mr. Szanto made a motion that Council hold a special Council meeting on Tuesday, June 8, 2004 at 7:00 PM, the purpose of the meeting would be to have an informational session with Senator Kirk Schuring on CEDA and any other business Council chooses to attend to that evening. Mr. Colaianni seconded the motion. **Roll Call: Yes - ALL**

Mr. Mouse asked that Council contact Senator Schuring's office to send Council, prior to the meeting, as much information about CEDA that he has. Clerk of Council will notify Council members upon receipt of same.

Regarding the Cherry Street Sidewalk Project, the bids opened May 4, 2004 (today) at 2:30 PM at Stark County Regional Planning. This was part of the CDBG grant (one of the two we received last year). The project is moving forward.

Parks

No Report.

Law Director

No Report.

THIRD READINGS

No third readings.

SECOND READINGS

Resolution 7-04: A Resolution Designating the Ohio and Erie Canal Corridor Coalition to Act as Fiscal Agent, and Stark Parks to be the Project Manager, for the Survey of the Canal From the Feeder System to Lock Four and Repairs to the McLaughlin Dry Dock, and Declaring an Emergency.

Mrs. Cihon made a motion to suspend the rules on Resolution 7-04. Mr. Szanto seconded the motion. **Roll Call: Yes - ALL**

Mr. Colaianni made a motion to adopt Resolution 7-04. Mrs. Cihon seconded the motion.

Discussion: Mr. Mouse asked what the dry dock was going to cost. Mrs. Loretto answered it was going to be around \$35,000 for the repairs they are going to do at this point in time. The rest of it they are going to put in the appropriation to the Federal Government by October 2004. Mr. Mouse asked about their plans for the dry dock. Mrs. Loretto responded the plans included the dry dock (the building where the boats go in during the winter for repair).

Roll Call: Yes - ALL

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FIRST READINGS

Resolution 9-04: *A Resolution Entering Into a Contract for the Northwest High School Waterline Improvements, and Declaring an Emergency.*

Discussion: Mrs. Loretto gave a printout regarding the resolution at the last Council meeting; they are hoping Council can get this to them before the fall school term starts, ready by Mid-August and not holding it another month. Council needs to suspend the rules and pass it under an emergency because we are ready to sign and award the contract as soon as this is passed.

Mrs. Cihon made a motion to suspend rules on Resolution 9-04. Mr. Colaianni seconded the motion.

Discussion: Mr. Mouse said he would vote "No" to suspend and also vote "No" for the pipeline. He stated that it is not that he is against the pipeline, stating, "If you are not aware, in the audience, that what we are doing is we're extending a pipeline out to the schools. In return, we're charging the taxpayers ourselves a premium to send water out there, and I still haven't come to grips with that logic where we charge ourselves a premium to take water out to the school system. So, that's why I'll vote No."

Roll Call: Yes – 3 No – 1 (Mr. Mouse)

Mr. Szanto immediately requested a special Council meeting, saying, "I think this piece of legislation is important enough that we have a brief meeting just to pass this under suspension. We are short two members this evening. I feel confident that we can get four votes for the suspension and for the passage."

Mr. Szanto made a motion to hold a special Council meeting Saturday, May 8, 2004 at 8:00 AM; the purpose of the meeting is a special meeting to review the legislation that is on the table. Mr. Colaianni seconded the motion.

Discussion: Mr. Colaianni countered Mr. Mouse's earlier comments that one thing Council and the public needs to make note of is, although Mr. Mouse has said it is a "premium for the public" - some of the public may not know the schools at this point cannot drop another well; it has been deemed unsafe by the EPA. If they were to drop another well, they would have to build a water tower for fire suppression. They have had estimates for water towers between \$700,000 and \$800,000 to put one in, so it would cost a lot more than what the current bid is for the \$597,000, which would be an additional premium, and more expensive.

Roll Call: Yes – ALL

Ordinance 12-04: *An Ordinance Prohibiting the Abandonment of Motor Vehicles, Providing for Impoundment and Disposition of Same, and Setting a Penalty Therefore.*

PURCHASE ORDERS & BILLS

Purchase Orders

P.O. #3934 in the amount of \$597,997.80 to Wenger Excavating, Inc. for construction of the Northwest water line needs to go with the special meeting on Saturday, May 8, 2004 because it is in the ordinance, so Council does not have to pass the motion for P.O. #3934.

Bills

Mrs. Cihon made a motion to accept the bills in the amount of \$91, 031.56. Mr. Colaianni seconded the motion. **Roll Call: Yes - ALL**

NEW BUSINESS

Mr. Kincaid said there is an encroachment of a barn at 303 South High Street that encroaches on Walnut. It came about when there were some variances to split that lot. Planning Commission has already reviewed it April 28, 2004. His suggested that Council authorizes the City Manager to write to the owner indicating that we do not contemplate any action against the encroachment.

Mr. Colaianni made a motion to authorize the City Manager to send a letter to the interested party concerning alleviating any city issues regarding any concern on the encroachment. Mrs. Cihon seconded the motion. **Roll Call: Yes – ALL**

Mr. Kincaid stated the Zoning Inspector would like to have our tree code specifically allow him to order the stump to be ground down when he orders a tree down. He will have an ordinance for Council the next time.

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Mr. Mouse said he does not know if the Public is aware that the State has been looking at whether to implement electronic voting machines. He has serious reservations with the machines without a paper trail, referencing recent California problems with Diebold's machines. It was his understanding Stark County will not be using the machines this year because of technical problems, but he would encourage Council to send a resolution to Mr. Jeff Mathews (election official in Stark County), and tell him we have no problem waiting for electronic machines if they are to be used with the paper trail. Mr. Mouse stated that right now, when we walk out of the voting booth, we have in our hand a piece of paper that shows exactly how we voted; with electronic voting, it has to be an act of faith. Mrs. Cihon said that if you make a mistake on it, you can press a button and it erases and starts over. Mr. Mouse told her to go on the website where California is contemplating suing Diebold of misrepresentation of facts. To his belief, there are too many potential problems. "Why would we rush into something and have another Florida on our hands?" He stated Ohio is going to be critical this year, so make sure you vote. Mr. Colaianni asked Mr. Mouse if there was a paper trail, would he be in favor of electronics. Mr. Mouse answered No, but he thought it added a degree of safety. Mr. Mouse stated, "That still doesn't remove the possibility of altering or tampering with the electronic machines." He would like to write a resolution for Mr. Mathews and tell him we are quite comfortable to wait until 2006 to have the machines in and with a paper trail. Mr. Kincaid stated it does not take a resolution; you can pass it by voice vote. Mrs. Loretto said they can create a letter with Council members' signatures. Mayor Grogan asked that they do that, so each of the Council members can review it as to whether they want to affix their signatures to it; all agreed. Mr. Colaianni stated some articles about the concern in California can be viewed on the 'Sacramento Bee' website, www.sacbee.com. Mr. Szanto asked if there was any other place. Mr. Mouse told him to search under U.S. newspapers and pick any in California.

OLD BUSINESS

None.

OTHER BUSINESS

None.

CITIZENS COMMENTS

Mr. Ken Roberts (259 North Canal Street) stated Mrs. Downing is the Council rep to the HPC. For the past year they have been trying to get some kind of signage for downtown, exploring every possible scenario, and this includes all the downtown businesses. HPC had approved a conceptual design subject to City Council because it has to go on City property. He referenced the sign packages that were handed out noting sign design and colors (trying to keep it a "historical look"). He spoke with Canal Fulton Main Street, and said they are supportive of same. If 40 businesses go with the sign, it is \$57 each. Wacker Signs will install it. Currently, the Canalway By-way sign is on the pole, and they would strap the new signage on in the same manner. The colors last seven to 10 years. The five locations would be one on Cherry Street, one on Canal Street, two locations at Market Street, plus one at the entrance to the Park. HPC did not want to have a 10-foot long sign and have 10 names on it and the rest of it blank because it would look as though downtown was empty, so what was discussed is they could do it in blocks of 10 names. Whoever wanted to come on board later, they would have to have increments of 10 names per block. When another 10 names come onto the sign, it would be fastened to the bottom of it, so that it would look like one sign. For Market Street, there is a pole there that has the word "Canalway." He'd asked who installed that, and stated that per John Workman (HPC), it looked like the Ohio & Erie Canal or someone had just gone ahead and installed it. So they want to strap the sign onto the same pole. He would like to get Council's approval to have the sign installed on City property. Mayor Grogan asked who sent him to Council, and Mr. Roberts stated, "HPC." Mayor Grogan asked if HPC had taken a look at it, and Mr. Roberts responded, "Yes, they liked the sign, but because it was going on City property, they could not make the call until City Council approved it; no cost to the City; it would be borne by the participating businesses downtown." Mr. Roberts went on to say that there is a pole at the entrance to the park that says "Historical District," and if you watch the people coming in, they will drive from 21, go into the park and mingle there. He doesn't think they know what is going on in the downtown, so they will turn around and head out. He stated the park entrance serves getting the foot traffic; they have done their own studies on same. Mr. Roberts said the sign would take three to four weeks to complete; National Tourism Week starts on Saturday, so right now is when the tour buses come. Mr. Colaianni spoke about the two concerns of the historic district merchants: One, people do not know where to go when they drive into town; a lot of them stop at Market or Cherry or Canal and drive right through; and two, the people that use the Varsity Athletic Club – a couple of weeks ago, they had 800 people there – a lot of them, when they came out of Elm Ridge,

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turned left to go to Jackson Township because they do not know about what is in downtown. This might assist in keeping some of that money within the City's borders and helping those businesses prosper. People that come up from the South come off of 21; they do not know what is downtown, and they beeline from Varsity and head for Belden Village and The Strip. Mr. Mouse suggested a brochure at the Varsity. Mayor Grogan said that was something that was discussed; he said at a Main Street meeting they were looking at putting together a brochure with a map that would send most of the Moms and Dads (parents of the players) back into town, showing them where some of our businesses are located.

Mr. Kincaid asked Mr. Roberts who is going to own the signs, and Mr. Roberts responded, "That was a good question." He said Main Street had indicated they wanted to maybe purchase some and bill them back as a membership-type but he did not know because they were on City property. Mr. Kincaid's concern was that if there was going to be money coming in for rental of City property, it has to go through City books and be accounted for unless we designated some organization. Mr. Colaianni stated there was a Board meeting Thursday with Main Street, and this is something that is going to be discussed. Mr. Kincaid stated that we need an ordinance because it is not provided for in our sign code, and we can do an ordinance that says the Planning Commission may approve location, so that the Planning Commission or somebody keeps control of how many of these there are, then we can avoid having the Finance Director process all of these fees. Mr. Szanto said he believed that the downtown businesses have unique needs that are not the same as the East-side merchants; they are more dependent on traffic than most of the other businesses in town because of their nature and counting on trade from outside. He said that he did not know if Council could actually vote to approve it if it doesn't agree with our sign ordinances the way they exist. Mr. Kincaid stated nobody foresaw this when they did the sign ordinance about six or seven years ago, if somebody will get that to him after the meeting, if there is a consensus that the Planning Commission will oversee this, we will have an ordinance at the next meeting. Mr. Colaianni will check Thursday to see if their treasurer and the Board would agree that Canal Fulton Main Street would be the fiscal agent for this matter. Council tabled this issue until the May 18, 2004 Council meeting.

Dennis Badger (592 Longview Drive) wanted to go on record regarding a serious water problem they are having on their street with the new owner (Mr. Smail). Mr. Badger has got a run-off that Mr. Smail did April 29 (they have pictures). It was after everybody from the City was gone home (after 4:30 PM); the water "just come gushing" behind his house, and he did have some damage. He is at the bottom of the hill. He and others met with Mr. Smail about 2½ years ago; talked about some kind of drainage system going in, and he would have thought that would have been completed before Mr. Smail "pulled what he did." Mr. Badger stated Mr. Smail cut a regular trench and just let the water bust loose; you could see the water on his shed, all over the back yard (it was a lake). This was not just Mr. Badger's home, but others as well. Mayor Grogan asked Mr. Badger if Mr. Smail came out to Mr. Badger's home the following day and was told, "No, Sir. I saw him walking through yesterday, and I yelled just casually, "Oh, are you guys from the Water Department?" He stated Mr. Smail walked over to him, shook his hand, and told Mr. Badger that this was his fault and that he should have never released it to come through this fast. Mr. Badger said Mr. Smail told him that if any damage was done to bill him; if he needed new sod, put in - or if there is any damage to the shed. Mr. Badger asked Mr. Smail where the water came from because it "smelled like sewage."

Mr. Badger called the Police Department and stated Officer Harbaugh has statements from several homes. They were told it was out of their jurisdiction and to call the Street Department. Mr. Badger called several people and Dan Mayberry called him back. Mr. Mouse stated that what allowed that to happen is the fact we do not currently have a water retention ordinance, as most communities do, which restricts what a developer can do and how they can do it. It prohibits development without water retention considerations, and it would prohibit exactly what occurred. Mrs. Frank (Donna) Shambre (574 Longview Drive) stated that the water was drained from wetlands. Mr. Mouse stated it falls under the category of water runoff. Mr. Frank Shambre said it all ended up going right through his back yard. Mr. Mouse commented that proposal was brought initially by Mr. Smail to the Planning Commission. He said there were several owners that live around the lake where that was their major concern - the water runoff and what would occur - and the builders' representative (his attorney) and a person who was going to be in charge of development kept trying to reassure all those property owners that there would not be a problem - "there wouldn't be exactly what happened to Mr. Badger and obviously other people adversely affected." Mr. Szanto stated storm water sewers and drainage issues are handled in a plat. If the developer does not adhere to those things, Council cannot do anything until after the fact. Mayor Grogan commented that at the end of the day, as a private contractor, he is still responsible for any damages. Mrs. Loretto stated if he would have started construction, the City would have had some kind of involvement. The City has turned it over to Stark County who

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turned it over the EPA. Mrs. Loretto stated that there is nothing in Mr. Smail's proposal to the City about doing a trench.

Charles Neal (679 Lakeview Drive) stated all that water comes down his back yard – that Mr. Smail has been in his house several times and told him, "If I didn't like it, sue him." Mr. Mouse asked if Mr. Smail gave a reason why he did the trench. Mr. Neal said there was never a reason and that he said, ultimately, Mr. Smail was responsible for it, and that he could have released this water slowly to come over his ground any time he so desired. Mrs. Shambre stated, "The area that was drained is going to be the drive-thru into the new allotment." (Mayor Grogan made sure everyone from the Longview area signed in as part of the record.)

Mr. Ken Roberts' second subject was that there is group called Great Ohio Bike Association (GOBA) that is going to be coming through Canal Fulton on Father's Day (Sunday, June 20, 2004). There are 3,000 bikes; it's international; Canal Fulton is the lunch stop. He contacted Clay's Park to keep them in town; they worked out a deal with a food operator (AVI). It is going to be from 8:00 AM to about 2:00 PM in the Park. AVI is paying for the food for these 3,000-plus. It's a big event; they are starting in Medina and this will be the first leg – the most important. GOBA and Canal Fulton want publicity. Main Street is going to provide a DJ (8:00 AM to 11:00 AM); live band (11:00 AM to 1:00 PM); majority of bikers coming between 11:00 AM and 1:00 PM. They are hoping for media; of course, the Repository. They'd like to get TV, work with radio, so that when they come through it will be a strong first image of Canal Fulton. GOBA is interested if Canal Fulton is going to open the museum. This is an event that opens up all of Canal Fulton. Seventy-percent of the people are family-oriented; they are going to be tired after the first day; they'll want to shop and learn more about the community. He thought the last time they were here was 1994 or 1995; stating, "We might not see them again for another decade." Their only obligation is to get to Orrville by the end of the day, so they will probably spend several hours here. These are scheduled stops; some media information is provided to them. Porta-potties provided by GOBA.

Mr. Roberts' next topic was due to the fact GOBA will be here and it's on Father's Day, we should promote it as, "Spend Father's Day in Downtown Canal Fulton." AVI is large enough that if 5,000 people show up, the food will be there. Mrs. Loretto wanted to know what AVI would charge, so we can give people an idea. Roberts stated the most expensive item is \$3. Mr. Mouse said it would help to talk to one of their representatives to see how to create a positive interaction between the community and GOBA. Mr. Roberts said they are in Columbus and can be called; GOBA is sending a media packet. Chamber is sponsoring this event and Mr. Roberts has agreed with the Chamber to spearhead it. Mr. Roberts reiterated the first day is the most important and a great chance for media coverage; we are fortunate to get the very first stop. Mr. Mouse said this could be something very positive and the better experience we create for them, perhaps we would be the first stop in future years and not just this year. Mr. Roberts said that is why they got AVI.

Mr. Roberts' last matter was along the lines of public relations. They are trying to shoot for the end of August to do a Latin Food and Music Festival in Canal Fulton. They will work with a Hispanic group out of Canton; it will draw people from all over the State – perhaps 10,000 people - tremendous possibilities. They are talking with some politicians; here again, talking state-wide or national coverage. It's set tentatively for August 28. He will keep Council informed.

REPORT OF COUNCIL PRESIDENT

No report.

REPORT OF STANDING COMMITTEES

Mr. Colaianni said the Safety Committee met prior to Council meeting today at 6:30 PM. He did distribute agendas to Council members, Mayor, City Manager and the Law Director. One thing for the Law Director that the Police Chief had asked them to take a look at was the Codified Ordinance Chapter 351 with regard to mending or adding an appeals process for parking violations. Mr. Kincaid said that what brought this up was that somebody sued the City of Massillon – there is a pending Common Pleas Court case. He would like to wait and see if the judge rules that Massillon's (or whatever procedure they enact) is kosher, and then we can adopt it with the blessing of the Common Pleas Court, which will insure we are not going to have problems with it. He will follow the case.

Mr. Colaianni stated the other issue for the Safety Committee that was prompted by our guests this evening is concern at Longview and Locust that there are people parking on both sides of the street. One of the recommendations or questions the Committee had to defer to Mr. Kincaid is they would like to see a "No Parking This Side" signs be put on one side of the

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street. The committee wanted Mr. Kincaid to give them a recommendation on it, as well as talk to the Fire and Police Chiefs about it. It has become a safety issue, as people are parking on both sides at that turn, turning off and onto Locust as well as going around the bend on Longview because the cars are on both sides and you can't really (at times) get two cars by. It was brought up that if, in the future, we go ahead and do the "No Parking This Side" signs, that you do it on the side of the street that has the fire hydrants. Mrs. Loretto said she believes she has the authority to do that, but it has never been brought to her attention. Mr. Kincaid agreed. There is no lighting on that corner.

Mrs. Cihon stated on April 22, 2004 the Public Service Committee discussed the tap-in fees for Northwest Schools and also the sidewalks on Locust Street. Mr. Colaianni wrote to the Resource Coordinator of the American Association of People with Disabilities (AAPD) about possibly getting a grant to connect the sidewalks in with Echoing Ridge. There are 10 awards given out with \$75,000 each (zero match). Mr. Szanto and Mrs. Zahirsky are going to look into CDBG for grants for the sidewalks.

In regards to the tap-in fees, they don't know who how many tap-ins going out to the school. The school gets the benefit if we go to an outside rate on 2-inch tap-ins, but nobody is going to go 2-inch out there, because there are no businesses between here and the school. The price is a little higher for outside. That benefits the school, and currently, the only people that will be able to tap in out there are residential. They are going to come in with ¾-inch or 1-inch. Mr. Colaianni state that the ordinance, as it reads now for residential, the school should pay the outside rate, but the reason why he chose the inside rate is that you have people within the community that are within the City that use the school. As far as residential, tap-in fees, he agrees with whatever rate we decide. Mr. Szanto stated fees are supposed to reflect the actual cost. Mr. Kincaid said that there are not any cases; there are cases that say you can charge for the water you deliver; there are cases that say you charge for a service about what it costs; there aren't any cases in the middle. Mrs. Loretto said that from an accounting standpoint, they tell you that you book it at cost and the other part is considered a donation (in excess of cost). Mr. Szanto was concerned about any developer using a 4-inch tap to feed a residential development rather than individual tap-ins. Mr. Kincaid stated that any such tap-ins shall comply with City ordinances and our laws require no duty to accept such customer. Mr. Mouse said because water is being taken out to the school, all of a sudden we create a burden for the taxpayers inside the City because now we are going to pay for somebody's development out there and put a strain on our water supply. Mr. Colaianni said that when we meet on June 8, Senator Schuring will answer some of the questions with the CEDA because if you do that, we do not necessary bear the other's service burdens; we can get some of that money recouped – some of it going into the General Fund.

Mrs. Cihon made a motion to adjourn.

The meeting was adjourned.

Patricia A. Schauwecker, Clerk of Council

John Grogan, Mayor