

CITY OF CANAL FULTON

June 7, 2005

REGULAR COUNCIL MEETING

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

PLEDGE OF ALLEGIANCE

CALLING OF THE ROLL

Present: Mike Mouse, Diane Downing, Victor Colaianni, Nellie Cihon, and Bob Szanto

Absent: Linda Zahirsky and Mayor John Grogan

Mr. Szanto made a motion to excuse Mrs. Zahirsky as she is out of town on business; he then amended the motion to add Mayor Grogan to be excused for the same reason; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

OTHERS PRESENT

Marge Loretto, City Manager; Dale Kincaid, Law Director; Patti Troccoli, Clerk of Council; Scot Svab, Interim Finance Director/Community Service Coordinator; Assistant Fire Chief Mark Stewart, Fire Department; Karen Hiltbrand, Income Tax Department, Courtney Blowers, Independent; Joan Porter, Repository; Tim Helline, National Land Co., LLC; T. Moueir and Chell Rossi, Residents

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

Mr. Colaianni made a motion to approve the May 17, 2005 City Council meeting minutes; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

Mrs. Cihon made a motion to approve the May 24, 2005 City Council meeting minutes; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL**

Mrs. Cihon made a motion to approve the May 26, 2005 City Council meeting minutes; seconded by Mr. Colaianni. **ROLL CALL: Yes – 4 Abstained – 1 (Mrs. Downing)**

Mrs. Cihon made a motion to approve the May 31, 2005 City Council meeting minutes; seconded by Mr. Colaianni. **ROLL CALL: Yes – 4 Abstained – 1 (Mrs. Downing)**

CITIZENS' COMMENTS ON AGENDA MATTERS – None

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens - June 18: Swiss Steak Dinner, serving 4:00 to 6:00 PM

Community Service Coordinator

Mr. Svab stated during the last few weeks they've mowed the cemetery, museum, and down through the canal area where the new water is located, painted a swing and the Blank House porch, and plan work on the museum floor. Canal Fulton Dog Park planters are being planted.

Fire Chief

Assistant Fire Chief Mark Stewart said Fire Prevention Inspector Dave Kolega and he attended a one-week State Fire School at Bowling Green State University in May. Asst. Chief Stewart is in the middle of finishing the instructor's course for teaching firefighters (finishing end of July). Inspector Kolega finished the third of three required advanced arson classes to attain the highest skill of arson investigation. He is working with joint agencies through Summit/Stark Counties to gain more arson investigation experience. Mr. Szanto found out via Chief Green's memo on the Fire Chiefs' Symposium that all municipal employees, elected officials and public safety personnel are required to become certified in the National Incident Management System (NIMS), which is a reconfiguration of the Incident Command System. During 9-11, they discovered communication skills between Police, Fire and the different Police agencies involved were insufficient. The Federal Government decided they needed a better way of talking to each other, using the same kind of terminology and having the same tiers set up so they could have an Incident Command System. They are mandating all elected officials, firefighters, Police Department personnel and city workers so that when we do have a natural disaster or a terrorist attack of any kind that everybody everywhere can use the same terminology. The instructor has to be State-certified to teach the 12-hour class, which will be open to Clinton, Lawrence Township, Canal Fulton, North Lawrence and whoever else would like to attend. The one weekend community education program (ICS-200) is planned towards year's end (within the required timeframe).

Police Chief – No Report

CITY OF CANAL FULTON

June 7, 2005

Engineer - - No Report

Finance Director

Interim Finance Director Scot Svab and Marge Loretto will be working on the County Budget that has to be submitted by July 15, 2005. A public hearing will be advertised 10 days prior to that date; he suggested 8:00 PM during the July 5th Council meeting. Mr. Szanto said since this meeting is about the Annual Tax Budget, if they can't make a decision then they'll have to pass it under suspension that evening. Mr. Svab said he would have pertinent information regarding same to Council within 10 days. Ms. Troccoli will place the ad for the meeting.

Council President Mike Mouse asked if Council wanted to take a meeting holiday in July. Mr. Mouse made a motion that Council takes July 19, 2005 as a Council holiday; seconded by Mr. Szanto. **ROLL CALL: Yes - ALL**

Mayor - No Report

City Manager

There are two change orders for the Visitor's Center; one for a flagpole and one for an electrical outlet that were not in the specs.

Sandra and Thomas Burke are attempting to procure a zone change in the Township, and requesting water/sewer hookup for their split lot on Warwick and will sign a Letter of Intent to annex into the City of Canal Fulton.

Canal Fulton Elementary School's Third Grade class toured City Hall May 25, 2005. Mrs. Loretto taught them how to conduct a Council meeting, presenting an ordinance with a 7:00 PM curfew for children under 18. They amended and passed the ordinance to reflect an 8:30 PM curfew. They also considered an ordinance where the City of Canal Fulton would either install a swimming pool or a skate park. The students voted for the skate park.

The Olde Canal Days Festival Committee has prepared signs to advertise the festival days. Mrs. Loretto stated they would like to place one in front of City Hall; there was no opposition.

Ernie from the Cherry Street Creamery requested Council consider allowing him to lease the property behind his business summer-by-summer. He would perform the maintenance and install picnic tables. Mr. Kincaid said a motion by Council on a year-by-year basis would suffice. Mr. Mouse suggested a Letter of Understanding; Mr. Kincaid agreed stating the city should inform its insurance carrier and should not charge anything, as it would lose its recreational use immunity. Mrs. Loretto will ask Ernie to come and talk with Council regarding same.

Mr. Mouse stated he had talked with Mayor Grogan about putting the status of the Utility Billing Clerk on hold for a while and that nothing more be done until they discuss the issue further.

Parks - No Report

Law Director

Mr. Kincaid talked about the Planning Commission recommending approval of a 30-acre tract located mostly in the city at the corner of Cherry and Strausser for a zone change from B-1 to R-3. Mrs. Downing said the people that attended the Planning Commission meeting came with their planner and gave a broad presentation. Planning is concerned about too much rental (preferring condos) and green space. They are redoing the site plan to enlarge the lots. A grocery store is also planned. Mr. Kincaid said it's being called "The Heritage Square Condominium Community."

Mr. Kincaid referenced Patti Troccoli attending a Public Records/Open Meetings seminar and requested she comment on Executive Session minutes. Ms. Troccoli stated in Executive Session, Council is required to take "skeletal minutes" (i.e., short/general description of matter[s] discussed). Mr. Kincaid added they do not become public, but they will be secured files.

FIRST READINGS

Ordinance 16-05: An Ordinance Amending Ordinances 7-02, 14-02, 14-03, 28-03, and 2-04 and 9-05 Establishing Rates of Pay for Various Part-time Positions within the City of Canal Fulton, and Declaring an Emergency. Mr. Mouse made a motion to suspend the rules on Ordinance 16-05; seconded by Mrs. Downing. **ROLL CALL: Yes - ALL** Mr. Mouse made a motion to pass Ordinance 16-05 under suspension; seconded by Mrs. Downing. **ROLL CALL: Yes - ALL**

SECOND READINGS

CITY OF CANAL FULTON

June 7, 2005

Ordinance 14-05: An Ordinance Authorizing the City Manager to Enter into an Agreement with American Traditions Basket Company for the Purpose of Tax Abatement in the Enterprise Zone, and Declaring an Emergency. **Discussion:** Mr. Szanto requested Council be provided with the amounts they are asking to be abated prior to the next meeting.

Ordinance 15-05: An Ordinance Increasing the Tax Credit for Income Earned in Another Municipality or Joint Economic Development District from 50% to 75%. **Discussion:** Karen Hiltbrand (Income Tax Administrator) asked to speak on this ordinance. Mr. Mouse said he preferred she did not, as the Mayor and Mrs. Zahirsky were not in attendance.

THIRD READINGS - None

PURCHASE ORDERS & BILLS

P.O. 4366 in the amount of \$13,859 made out to Valley Ford Truck Sales, Inc. for Ford Truck F250. Mrs. Cihon made a motion to pass P.O. 4366 made out to Valley Ford Truck Sales, Inc.; seconded by Mr. Szanto. **ROLL CALL: Yes - ALL**

BILLS – No bills were presented because of a CMI software problem.

NEW BUSINESS - None

OLD BUSINESS

Ordinance 13-05 Mrs. Downing requested Ordinance 13-05 (re: Historic District signage) be un-tabled. She said the ordinance is not a cure-all but will assist downtown businesses until something can be done, and added the entire Zoning Code needs redone. She estimated the cost at about \$30,000; they are trying to get in touch with Jeff Winstel regarding acquiring funds via grants. Mr. Szanto said he thought 20-sq. feet on the sign did not come close to addressing the problem; that's why he asked Ordinance 13-05 to be tabled. Mr. Colaianni said being able to put signs on backs/sides of the buildings plus increased towpath foot traffic are incentives for the downtown businesses to fix up their buildings. Mr. Kincaid said \$30,000 is just a part of the cost. He said the city is supposed to issue Certificates of Noncompliance to every property in town that whereas the new ordinance makes what they did before nonconforming. Mr. Szanto asked if Council were to pass the ordinance if the situation he described would be applied to this year if we go to new codes. Mr. Kincaid stated, "It applies to this too; it just adds another layer." Mr. Kincaid said the city would still have many properties for someone to "take a tour with his camera" even though it was specifically only relating to the Historic District. Mr. Szanto made a motion that Council takes Ordinance 13-05 off the table; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL** Mr. Kincaid did a Third Reading on **Ordinance 13-05:** "An Ordinance Amending Chapter 1175 Relating to Signs in the Historic District." Mr. Colaianni made a motion to pass Ordinance 13-05; seconded by Mrs. Downing. **ROLL CALL: Yes – ALL**

Ordinance 15-05 Mr. Szanto said Mrs. Hiltbrand had information on this ordinance and asked her to provide it via e-mail or in Council boxes prior to Council's next meeting. Mrs. Hiltbrand requested that she be able to address the issue at the next Council meeting.

Mrs. Loretto referenced the annexation ordinance regarding the Rumble property; Mr. Kincaid will attend to same.

OTHER BUSINESS

Mr. Colaianni made a motion to hold a Public Hearing on July 5th at Council's regular Council meeting at 8:00 PM regarding certifying the County Budget that Council is required to pass each year; seconded by Mr. Mouse. **ROLL CALL: Yes - ALL**

CITIZENS COMMENTS (Open Discussion, Five-Minute Rule)

Mr. Helline stated he would like to move forward on the annexation process. Mr. Colaianni encouraged him to attend a joint meeting between Canal Fulton and Lawrence Township Monday, June 13, 2005 at their new Township Hall at 7:00 PM regarding the CEDA agreement.

REPORT OF COUNCIL PRESIDENT – No Report

REPORT OF STANDING COMMITTEES – No Report

EXECUTIVE SESSION - None

ADJOURNMENT

Mr. Szanto made a motion to adjourn. Mr. Mouse adjourned the June 7, 2005 City Council meeting.

Patricia A. Troccoli, Clerk of Council

Mike Mouse, Council President