

# CITY OF CANAL FULTON

July 15, 2003

## **REGULAR COUNCIL MEETING:**

Mayor Shawn Kenney called the July 15, 2003 Council Meeting to order at 7:30 p.m. in City Hall Council Chambers.

## **PLEDGE OF ALLEGIANCE:**

**CALLING OF THE ROLL:** Present: Nellie Cihon, Bill Dane, Linda Zahirsky, Robert Szanto, Mike Mouse, Mayor Shawn Kenney. Mr. Szanto stated that he communicated with Mrs. Downing who asked to be excused this evening due to a medical situation. Mr. Szanto made a motion to excuse Mrs. Downing's absence. Mrs. Zahirsky seconded the motion. Roll: Yes – ALL.

**OTHERS PRESENT:** Marge Loretto, City Manager; Debbie Kerr, Finance Director; Dale Kincaid, Law Director; Bill Dorman, City Engineer; Scott Svab, Community Service Coordinator; Julie Scheurer, The Independent; Joan Porter, The Repository; Rochelle Rossi, Victor Colaianni, Bret Stephan, all residents.

## **ADOPTING/CORRECTING OF MINUTES:**

The Mayor asked for approval of the minutes of the July 1, 2003 regular Council meeting. Mr. Dane made a motion to approve the minutes of July 1, 2003. Mrs. Cihon seconded the motion.

Roll: Yes – ALL.

## **SPECIAL RECOGNITIONS:**

## **CITIZENS COMMENTS ON AGENDA MATTERS:**

## **REPORTS OF ADMINISTRATIVE OFFICERS:**

### Senior Citizens.

No Report.

### Community Service Coordinator.

Mr. Svab stated that Council has received a written report. He said last weekend they finished a project at the Police Department where they had eight yards of topsoil put down and made a flowerbed.

Mr. Mouse asked Mr. Svab what his version was on what happened on May 4, 2003 regarding a community service worker. Mr. Svab stated that the worker was doing a Park Board survey and was also passing out literature for the Park levy. Mr. Svab stated the community service worker signed a form stating that the Park levy was a volunteer job and he would get no community service hours for it. Mr. Svab said he heard rumors that Mr. Mouse suggested that the form had been signed after the fact.

Mr. Mouse said he hadn't said anything. Mr. Svab said he hopes Mr. Mouse did not, because it is a slam on him and his integrity.

Mr. Mouse asked what the man's driving status was at the time. Mr. Svab said he was allowed to drive while doing community service.

The Mayor stated to Mr. Mouse that this has been investigated numerous times. He said it had been turned over the Massillon Prosecutor's office. He said no charges were filed.

The Mayor stated that he wished to go on with the meeting agenda.

### Fire Chief.

A written report of the June 2003 calls had been distributed to Council.

### Police Chief.

No Report.

### Engineer/Streets/Public Utilities.

Mr. Dorman stated that Chapel Hill, Phase II, water and sewer will begin soon. He said they are done with the survey for Milan Street and will soon begin the survey for the Northwest water line and the preliminary design. He said there will be a meeting on Thursday with the developer of Lakewood sub-division around Smail's Pond.

## CITY OF CANAL FULTON

**July 15, 2003**

He said a final inspection was conducted on Schalmo senior housing.

Mr. Dorman said at the Planning Commission this Thursday the final plat for the Villas at Autumn Meadows, Phase 15, will be presented.

Mr. Szanto asked Mr. Dorman if those are new units at Chapel Hill. Mr. Dorman said yes. Mr. Szanto asked if they will be subject to the new tap-in fees for the Denshire project. The answer was yes.

The Mayor asked what would happen if the County constructs a line to a new allotment and it eventually hooks up to the sewer line with the additional tap-on fee. He asked if the City would be able to collect tap-ons even though it would be a County customer. Mrs. Loretto answered yes.

The Mayor said he was asking about this because there is a planned development north of Strausser that will consist of 40 or even 80 acres. He said it would be in the "no man's land" area. The Stark County Health Department turned down the planned development because they felt there were too many septics and the developers were ordered to get sewer. The Mayor said this property is located approximately 1,500 feet east of Chapel Hill and 1,500 feet north of Chapel Hill.

Mr. Kincaid said he believed that if the City gets the tap ons, it will depend on the contract the City has with the County.

The Mayor said it had been suggested by the Health Department that some of the City's officials and the Stark County Health Department meet with Mr. Armogida and come up with a new agreement.

### Director of Finance.

Mrs. Kerr passed out the end-of-month reports for June 2003 and the June bank reconciliation for June. Mr. Dane made a motion that Council is receiving the end-of-month reports for June. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

Mrs. Zahirsky then made a motion that Council has received the June 2003 bank reconciliation. Mr. Dane seconded the motion. Roll: Yes – ALL.

Mr. Mouse said he wanted to ask Mrs. Kerr about the statement from the Massillon regarding the new contract. He said there is an amount for booking fees from 1999 to 2003. He asked if they indicated how many people were involved. Mrs. Kerr said it was on the invoices, but she said they are all in boxes in storage. Mr. Mouse said it would be helpful to know how many people the dollar figure represented. Mrs. Kerr said it was \$80 per person per day.

### Report of Mayor

The Mayor said there was a Park Board meeting on Thursday where the City Engineer's Office and Carse & Associates, who are the landscape architects gave a presentation of the plans for the new development of Community Park. He said the plans are here at City Hall for inspection. He said there will be a joint meeting on Thursday, August 21, at 7:30 P.M. of the Park Board, the Historic Preservation Commission, the Planning Commission, along with representatives from the Engineer's Office, Stark Parks, and Canal Fulton's Heritage Society. He said he would like to encourage all Council members who are interested in giving input into the plan to attend the meeting.

### City Manager's Report.

No Report.

Mr. Szanto asked Mrs. Loretto about the fountain behind the Canal Boat Lounge, which sometimes does not work. He asked if it is broken. Mrs. Loretto said it's not broken, but what happens to it is that it is not self-contained water, it gets a lot of muck that plugs it up.

### Parks.

Mrs. Reiter said Mr. Fleming had asked her to report, as the Mayor had earlier stated, that there was a presentation from the architects regarding Community Park. There was not a quorum, so nothing could be voted on. Mr. Mouse's ordinance was on the agenda, but no business could be conducted.

Mr. Mouse asked Mrs. Reiter to get a copy of the case Mr. Fleming had referred to regarding open space fees. Mrs. Reiter gave him the case number, but she stated that it is a Portage County Common Please case, and one must go there in person to examine the file.

Mr. Mouse said he would like Mr. Fleming to get him a copy of the case.

### Law Director.

# CITY OF CANAL FULTON

July 15, 2003

No Report.

## **READING OF ORDINANCES:**

### **THIRD READINGS:**

No Third Readings.

### **SECOND READINGS:**

No Second Readings.

### **FIRST READINGS:**

**Ordinance 30-03:** An Ordinance Amending City Administrative Code Section 141.08 (g) to Provide Compensatory Time Off for Certain Employees.

### **PURCHASE ORDERS AND BILLS:**

Purchase Order #3461 in the amount of \$37,347.52 to Doheny Supplies for sewer camera with monitor and recorder. This is an approved budget item and the contract price is per the State term schedule. Mrs. Kerr said this was presented at the last Council meeting, but they were not sure at the time if it was under the State term schedule, or if it needed to be bid out. She said it was found that it did not have to be bid out; that it is under a contract price with the State.

Mr. Szanto made a motion to approve P.O. #3461 in the amount of \$37,347.52 to Doheny Supplies. Mrs. Cihon seconded the motion.

Discussion: Mr. Mouse asked Mrs. Kerr if she said it did not have to be bid out. He asked how many prices she got. Mrs. Loretto said it is on the State bid list, and the State would have gotten the bids and awarded it to the lower bid.

Roll: Yes – ALL

Mrs. Kerr then asked for a motion to acknowledge receipt of the June bills totally \$155,161.09. Mrs. Cihon made a motion acknowledging receipt of the bills for \$155,161.09. Mr. Dane seconded the motion.

Roll: Yes – ALL.

### **NEW BUSINESS:**

No New Business.

### **OLD BUSINESS:**

No Old Business.

### **OTHER BUSINESS:**

### **CITIZENS COMMENTS:**

Mr. Colaianni stated that he was looking at the budget and referred to the second page under "revenues". He asked Mrs. Kerr about tangible and real estate property. Mrs. Kerr said real estate has gone up slightly, but the tangible personal property tax depends on inventory.

### **Public Hearing**

The City of Canal Fulton's Tax Budget.

No comments were made.

Mr. Szanto made a motion to approve the City Tax Budget to be submitted to Stark county for the year 2004. Mrs. Zahirsky seconded the motion.

Discussion: Mr. Mouse stated that the City started out 2001 with a cash balance of \$678,000.00. Mr. Mouse said the City is going to end up in 2004 with a \$37,000.00 cash balance. Mr. Szanto stated this would happen only if Council chooses to spend that money, the estimate would be correct, but that Council has never spent all the cash carry over.

Roll: Yes – 5. Mr. Mouse voted No.

### **End of Public Hearing**

**CITY OF CANAL FULTON**

**July 15, 2003**

**REPORT OF COUNCIL PRESIDENT:**

**REPORT OF STANDING COMMITTEES:**

The regular meeting was adjourned to executive session.

---

Sharon Reiter, Clerk of Council

---

Shawn Kenney, Mayor