

CITY OF CANAL FULTON

May 5, 2003

REGULAR COUNCIL MEETING:

Mayor Shawn Kenney called the May 5, 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, Diane Downing, Bill Dane, Linda Zahirsky, Robert Szanto, Mike Mouse, Mayor Shawn Kenney.

OTHERS PRESENT: Marge Loretto, City Manager; Debbie Kerr, Finance Director; Dale Kincaid, Law Director; Mike McNeely, Police Chief; Joan Porter, The Repository; Sue Reed, First Energy; Bret Stephan, Dennis Downing, Rochelle Rossi, Ray Coffman, all residents.

ADOPTING/CORRECTING OF MINUTES:

The Mayor asked for approval of the minutes April 15, 2003 regular Council meeting. Mr. Szanto made a motion to approve the minutes of April 15, 2003. Mrs. Zahirsky seconded the motion. Roll: Yes – ALL.

SPECIAL RECOGNITIONS:

Mayor Kenney recognized Mr. Dan Rice from the Ohio & Erie Canal Corridor. The Mayor asked Mr. Rice for an update from his end. He said he had spoken to Council President Szanto regarding the request for the Canal bank restoration. He said Mrs. Loretto wrote a letter to Congressman Regula regarding the request and he had personally visited the Congressman regarding the issue. He said it was received favorably. He stated they have been working closely with the Heritage Society. He said they are making great progress and are working on a new brochure.

CITIZENS COMMENTS ON AGENDA MATTERS:

REPORTS OF ADMINISTRATIVE OFFICERS:

Senior Citizens.

Mrs. Cihon said they had their Swiss steak dinner this past Saturday night and served 166 people. She said the painting is done on the inside and painting on the outside will begin shortly.

Community Service Coordinator. No Report.

Fire Chief. No Report.

Police Chief.

Chief McNeely said that D.A.R.E. graduation will be at Sts. Philip and James on May 30th, at 11:00 A.M.

He said they served a warrant on an individual wanted in Summit County. He said the subject fled and burglarized a home where a mother and her children were home. He said they have also been assisting Miami Township Police. They had a fifteen year old run away who has allegedly been held against her will here in Canal Fulton. He said they arrested an adult and charged him with inappropriate sexual conduct. During that investigation they recovered evidence that led to the closure of a burglary on Milan Street.

He went on to say, just in case the public is not aware of the shortage of personnel, he had some examples. He said on Easter they were processing a domestic violence arrest and had a call where a 65 year old lady was calling about her 30 year old neighbor at her door threatening her and they had no officer to send. He said this past Friday night, they had two subjects fighting in the parking lot in front of the Police Station and had a domestic at the same time, where the husband had a gun and had no one to send out. He said they have a wanted person sitting over on Whipple and Portage with no one to pick her up.

Mr. Mouse referred to an ad in "Our Town Canal Fulton". He stated the ad said that the money for Issue 11 would be used for continued improvement in management of criminal investigations, improvement in communication systems, hiring of part time officers. Mr. Mouse said that Council was under the understanding that there would be no additional money for any improvements, that this levy was strictly to pay for salaries.

Mr. Mouse stated the ad was misleading.

The Chief stated that Mr. Mouse was correct when he said that it was never discussed. He said Council never had any discussion with him. The Chief said his only instructions were

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that when the Mayor announced that the levies were on the ballot that he expected the employees to campaign for this.

Mr. Mouse stated any money that is generated by any income tax will be used for salaries. Chief McNeely stated that City Council never communicated this to the department heads.

The Mayor stated that if the levy passes, the money could in fact be used for many of the things the Chief is requesting.

Engineer/Streets/Public Utilities. No Report.

Director of Finance.

Mrs. Kerr passed out the March bank reconciliation and the April end-of-month report. Mr. Dane made a motion to acknowledge that Council has received the April end-of-month report and the bank reconciliation for March 2003. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

Report of Mayor

The Mayor requested a short executive session after the regular meeting.

City Manager's Report.

Mrs. Loretto stated that they all had a written report from her. She said the Building Doctor Clinic went very well, and the site visits the following day also went well.

Mrs. Loretto also announced that Mayor Shawn Kenney has received an award from the Community Health Foundation as Service Professional of the Year in Government. She said he will receive his award at a dinner on May 14, 2003.

Mr. Mouse asked Mrs. Loretto if she authorized Scott Svab to use community Service workers to pass out fliers for the Park levy. She answered no. She said she would look into it.

Parks. No Report.

Law Director. No Report.

READING OF ORDINANCES

THIRD READINGS: No Third Readings.

SECOND READINGS:

Ordinance 19-03: An Ordinance Amending the Codified Ordinances of the Zoning Code of the City of Canal Fulton to add Chapter 1150, Regarding Certificate of Occupancy, Declaring that a Certificate of Occupancy shall be Required to be Obtained from the Office of the Zoning Inspector of the City of Canal Fulton before Occupancy of any Permitted or Conditionally Permitted Use in All Business and Industrial Districts within the City.

Resolution 7-03: A Resolution Authorizing the City Manager to enter into an Agreement with First Energy Solutions Corp. to Provide Aggregated Electrical Service.

Resolution 8-03: A Resolution Authorizing the City Manager to enter into an Agreement with the Northeast Ohio Public Energy Council (NOPEC) to Provide Aggregated Electrical Service.

FIRST READINGS:

Ordinance 20-03: An Ordinance Amending Chapter 143 (c) of the Codified Ordinances, entitled Fees.

There was a question regarding how the Park Board came up with the fee schedule. Mrs. Reiter, Clerk of City Council, said she would put a copy of the Park Board minutes where those fees were discussed in Council's boxes.

Mr. Kincaid pointed out that when they establish a fee for the use of the park, the City forfeits its recreation user statute, which protects the City from liability if it's a facility open to everyone.

Ordinance 21-03: An Ordinance to Change Accounting Procedures Due to Code Changes, and Declaring an Emergency.

Ordinance 22-03: An Ordinance to Make Appropriations and a Transfer from the Unappropriated Balances in Various Funds for the Purchase of a Dump Truck, and Declaring an Emergency.

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Resolution 9-03: A Resolution entering into a Contract with CTI Environmental, Inc. for Engineering Services for the Design of the Milan Street Sanitary Sewer and Waterline Improvements, and Declaring an Emergency.

PURCHASE ORDERS AND BILLS:

Bills: \$184,887.56

Mrs. Cihon made a motion to acknowledge receipt of the list of bills totaling \$184,887.56. Mr. Dane seconded the motion. Roll: Yes – ALL.

Mrs. Zahirsky said she had a question on J & J Refuse. She asked if their fees are starting to go up. Mrs. Kerr said that amount was for the sledge dump at the sewer plant, and the City has gone from one sledge dump a week to two a week.

Mr. Mouse asked about the tree bill. Mrs. Kerr said about 400 trees were purchased. She said Community Service workers paid for some of them.

NEW BUSINESS:

OLD BUSINESS:

Mrs. Cihon read several letters from students at Sts. Philip and James that she had received regarding what they thought City Council should do.

OTHER BUSINESS:

CITIZENS COMMENTS:

Mr. Colaianni stated that the Destination Imagination Team from Sts. Philip and James will be participating in the global finals in Knoxville, Tennessee. They will be participating with groups from all over the world.

REPORT OF COUNCIL PRESIDENT:

No Report.

Mr. Szanto made a motion to adjourn to executive session to discuss contracts, possibly involving the purchase of real property and also a contract regarding the Joint Economic Development District. There will be no action. Mrs. Cihon seconded the motion.

Roll: Yes – ALL.

REPORT OF STANDING COMMITTEES

Mrs. Zahirsky stated she and Mr. Dane had a meeting with the Fire Chief for Clinton and his two assistants and Chief Hill to discuss a joint program on Saturdays and Sundays. She said Clinton as well as Canal Fulton have problems with coverage on the weekend. She said she is also going to speak with the fire chief at Copley. A discussion about communications, various frequencies, and equipment followed.

The regular meeting was adjourned to executive session.

Mr. Szanto made a motion to reconvene to regular session. Mrs. Cihon seconded the motion. Voice Vote: Yes – All.

The meeting was adjourned.

Sharon Reiter, Clerk of Council

Shawn Kenney, Mayor