

CITY OF CANAL FULTON

November 19, 2002

REGULAR COUNCIL MEETING:

Mayor Shawn Kenney of the City of Canal Fulton, called the November 19, 2002 Council Meeting to order at 7:30 p.m. in City Hall Council Chambers.

PLEDGE OF ALLEGIANCE

COUNCIL MEMBERS: Present – Nellie Cihon, Diane Downing, Bill Dane, Linda Zahirsky, Mike Mouse, Robert Szanto, and Mayor Shawn Kenney.

OTHERS IN ATTENDANCE: Marge Loretto, City Manager; Debbie Kerr, Finance Director; Mike McNeely, Police Chief; Fred Etheridge, Schalmo Enterprises; Victor Colaianni, Rochelle Rossi, Dennis Downing, Bret Stephan, Michelle Shafer, Deborah McCormick, and Jennifer Kulp, all residents.

CORRECTING / ADOPTING THE MINUTES

Mrs. Zahirsky made a motion to approve the minutes of the meeting of November 6, 2002. The motion was seconded by Mrs. Cihon. Roll: Yes – 5.

Mr. Mouse made a comment that did not go into detail concerning his disagreement with the Council President. He said he would re-state the fact that the Council President wanted to get on a bully pulpit, but he does not condone his behavior.

SPECIAL RECOGNITIONS

CITIZENS COMMENTS ON AGENDA MATTERS:

Mr. Colaianni commented on the Solid Waste District Plan. He asked if every subdivision within Stark County had to approve the plan. The Mayor said that 51% of the political subdivisions had to approve it. Mrs. Loretto said she spoke to the people at the Solid Waste District and they said the point was really mute because all three counties have to approve it and Tuscarawas County did not approve it. She said now it goes to the EPA for resolution. The only thing our passing of this resolution would do would be to show support to the position that Stark County has made. That position is that the County wants an additional off ramp so the trucks do not have to go through residential districts. She also said that Mr. Mouse had asked her to check on the out-of-state dumping that comes in. She said the figures were 80/20 – 80% comes from within the state and 20% is from outside the state and they have no control over that. She said that this is a Federal issue, and the Federal government would have to be lobbied to make those changes.

Mr. Mouse said he had passed out an article that appeared in the Canton Repository on November 16, 2002, with the headline: "Landfill Operators May Issue Guidelines to Replace Old Rules". He stated since the counties have not yet agreed, that this article says that the landfill operators in those counties have submitted a set of voluntary draft guidelines. He said those guidelines may be adopted because of inaction by the counties. He said that concerns him when the landfill operators are setting the rules.

REPORTS OF ADMINISTRATIVE OFFICERS:

Senior Citizens.

Mrs. Cihon said the Senior Citizens would like to thank City Council for the new "Exit" signs and also for the outside lights. She also announced that the next Swiss steak dinner is January 25, 2003. She also said everyone should stop in and see what the new wallpaper, carpeting, and tile, etc. have done for the Center.

The Mayor asked how the rentals were doing at the Center. Mrs. Cihon said very well. She said November and December are all booked up, and bookings are already starting for next year.

Community Service Coordinator. Written report distributed.

Fire Chief.

Chief Bob Hill said the new siren is on its way. He said Engine 5 will be going into the shop when all the parts arrive. He said Mr. Colaianni has gotten the new fire station a flagpole and some flags. He thanked him for that. He said he felt they had a very productive meeting with the Mayor, Mr. Szanto, Chief McNeely, himself, and the Township discussing our joint program. He said he wanted the Mayor to know how much he appreciated his help during that meeting.

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He said that in the past City Council and the Township Trustees have had a joint meeting. He suggested that Council think about doing that again. It was stated that now was not a good time.

Mrs. Zahirsky stated that it sounded to her that our ability to go forward with the charging of ambulance service is still an issue with the Township.

The Mayor said that was the purpose of the meeting. He said they have no problem with us charging. He said we are now looking into whether this would create problems with Medicare the way the Ordinance is written, which states that we would not charge mutual aid responses. The Mayor further stated that at that meeting they jointly agreed that the day crew should have their salaries increased. He said if this is not done, we have a great chance of losing people. He said they also discussed the problems that both departments are having trouble getting crews on weekends during the day. He said Chief Hill had given him an operating cost statement concerning a weekend program. He said adding weekends would cost the City \$18,000 a year.

Mrs. Loretto asked the Mayor if the City had more than one "mutual aid" agreement. The Mayor stated yes, the City has mutual aid with all the surrounding communities. Mrs. Loretto asked if the City would also not bill those mutual aid communities. The Mayor said that is correct.

Police Chief.

Chief McNeely stated that the house on Dan Avenue where methanphetamines had been sold is now vacant. He also said they were investigating a theft a few weeks ago and found out that they had a registered sex offender from Florida living in town.

Mr. Mouse asked Chief McNeely when the new D.A.R.E. program was started. Chief McNeely stated it has been running in test cities for the last few years.

Engineer/Streets/Public Utilities

None.

Director of Finance.

Mrs. Kerr passed out the October, 2002 bank reconciliation. A motion was made by Mr. Szanto stating the Council has received the bank reconciliation. The motion was seconded by Dane. Roll: Yes – ALL.

Mrs. Kerr then stated that she and Mrs. Loretto met with someone from the State Auditor's office who was gathering information to give us a quote to help us get our beginning balances for GASB 34 Report.

Report of Mayor.

The Mayor said he was informed by the Clerk that local resident, Alan Yingling, donated a Christmas tree which will be placed in the town square. He said he would publicly like to thank Mr. and Mrs. Yingling for their generous donation.

City Manager's Report.

Mrs. Loretto stated that everything is proceeding well on the Locust/Millfield project. She said at this point they are ahead of schedule.

The Mayor stated that he had forgotten in his report to ask Council President to entertain a motion to hold a short executive session to discuss personnel and contracts at the end of the regular Council meeting. Mr. Szanto made a motion that Council adjourn at the end of the regular meeting into executive session for the purpose of discussing personnel contracts. The motion was seconded by Mrs. Zahirsky. Roll: Yes – ALL.

Parks.

Mr. Etheridge stated the Park Board has received a draft copy of the inventory of existing conditions at the park. He said they needed this tool in order to proceed with the improvements of the ball fields there. He said they will keep extending the map and continue to keep track of an inventory. He then said that Mr. Tim Shetzer of the YMCA has had ongoing meetings with Mr. Lambes and a survey form has been designed which will be sent home with the children regarding the summer recreation program. Mr. Etheridge also said Mr. Shetzer has contacted one of the Lawrence Township trustees and has scheduled a meeting concerning Lawrence Township's cooperation and participation in the summer recreation program.

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The Mayor said he had just received information from the Stark County Foundation regarding a special program they have which awards grants to municipalities for summer activities for children.

Law Director.

Mr. Kincaid said he wanted to get information on how to proceed on the aggregation issue which was just passed at the election. He said he has called several cities who have gotten into aggregation to ask for copies of their contracts. He said those cities all dropped the idea. He said he called the Ohio Consumer Council and stated they have attorneys who work for them who would be willing to brief the community on the process. He asked Council to have one of the attorneys come and speak at a Council meeting.

Mayor Kenney pointed out that there was a letter to the editor in this day's Independent regarding Ohio communities who have gone with aggregation.

THIRD READINGS:

Public Hearing

Ordinance 43-02. An Ordinance Amending the Zoning Map by Changing 4.140 acres in Outlot 155 from Zone R-2 to Zone R-4A.

The Mayor asked if there was any member of the public who wished to speak on this Ordinance.

Resident, Jennifer Kulp stated she lived across the street from the property at issue and she would like to see it re-zoned for retirement living. She said she would like it to stay a quiet calm neighborhood. So she is in favor of the zone change.

Resident, Deborah McCormick, said she also lives across the street from that property and she would also like to see it re-zoned. She said she and her husband would like to have the older residents there. She is in favor of the zone change.

Mr. Etheridge stated he was very much in favor of the zone change.

Mr. Dane stated he also was in favor of the zone change.

Mr. Mouse said he had a concern that the City is going in the wrong direction. He said he feels the City has too many duplexes and too many senior citizen complexes and will affect the City adversely down the road.

Mr. Dane made a motion to approve Ordinance 43-02. The motion was seconded by Mrs. Cihon. Roll: Yes – 5. Mr. Mouse voted no.

Ordinance 44-02. An Ordinance Amending the Zoning Code by designating as R-1 and B-2 Property Recently Annexed.

Mr. Szanto made a motion to approve 44-02. The motion was seconded by Mrs. Cihon.

Mr. Szanto asked if the large billboards in that area are grand fathered in. The Mayor answered yes.

Mr. Kincaid asked if Council would be interested in finding out whether the City could amortize billboards. He said there are ordinances and procedures where billboard amortization can be addressed. Mr. Mouse said that he felt it would be worthwhile to look into it.

Roll: Yes – ALL.

Public Hearing Over.

Ordinance 45-02. An Ordinance Accepting Streets and Public Utilities in the Colonial Hills Phase 13. Mr. Szanto made a motion to pass Ordinance 45-02. The motion was seconded by Mr. Dane. Roll: Yes – ALL.

Resolution 25-02. A Resolution Endorsing Main Street and Declaring an Emergency.

Mr. Szanto made a motion to pass Resolution 25-02. The motion was seconded by Mrs. Cihon.

Roll: Yes – ALL.

SECOND READINGS:

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Resolution 26-02. A Resolution Approving the Updated Draft Revised Solid Waste Management Plan of the Stark-Tuscarawas-Wayne Joint Solid Waste Management District and Declaring an Emergency.

FIRST READINGS:

Ordinance 47-02. An Ordinance Accepting Streets in the Discovery Park Phase 1 Project.

Ordinance 48-02. An Ordinance to Make Appropriations for the Current Expenses and Other Expenditures of the City of Canal Fulton, County of Stark, Ohio, During the Fiscal Year ending December 31, 2003, and Declaring an Emergency.

Ordinance 49-02. An Ordinance Amending Ordinances 7-02 and 14-02 Establishing Rates of Pay for Various Part-time Positions within the City of Canal Fulton, and Declaring an Emergency.

Mrs. Loretto noted that there were two with the same price. Mr. Szanto said they would need to amend that. The intermediate position should be \$10.09 per hour.

Mr. Szanto then made a motion to amend Ordinance 49-02 to reflect the change in the intermediate E.M.T. position from \$9.32 per hour to \$10.09 per hour. The motion was seconded by Mrs. Cihon. Roll: Yes – ALL.

Mr. Mouse stated that his preference would be to vote on the fire department separately because he approves of it. He said the second section he has questions with. Mr. Kincaid said the reason that all part-time employees are in one place is so that we do not have scattered ordinances all over the place.

PURCHASE ORDERS & BILLS:

No purchase orders.

Bills in the amount of \$177,161.53. Mrs. Cihon made a motion to accept the bills in the amount of \$177,161.53. The motion was seconded by Mr. Dane. Roll: Yes – ALL.

NEW BUSINESS:

None.

OTHER BUSINESS:

None.

CITIZENS COMMENTS (Open discussion, Five minute rule)

Mr. Etheridge stated that he felt the Locust/Millfield project was running very smoothly and was very well organized. The Mayor stated that the City had also received several letters of appreciation from residents thanking Mr. Mayberry's efforts on notifying them concerning the water situation.

REPORT OF COUNCIL PRESIDENT

REPORT OF STANDING COMMITTEES

REPORT OF SPECIAL COMMITTEES

Mr. Dane made a motion to break into executive session. The motion was seconded by Mrs. Cihon. Roll: Yes – ALL.

The regular meeting was adjourned.

Sharon Reiter, Clerk of Council

Shawn Kenney, Mayor