

# RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK INC., FORM NO. 10148

Held

4-1

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## CITY OF CANAL FULTON CITY COUNCIL MEETING MINUTES

April 1, 2014

### CALL TO ORDER

Mayor Harbaugh called the meeting to order at 7:00pm

### PLEDGE OF ALLEGIANCE

### ROLL CALL

Mayor/Council Members Present: Richard Harbaugh, Linda Zahirsky, Scott Svab, Danny Losch, Sean Craney, Nellie Cihon and Sue Mayberry.

Others Present: City Manager Mark Cozy, Council Clerk Teresa Dolan, Service Director Dan Mayberry, Police Chief Doug Swartz, Fire Chief Ray Durkee, and Finance Director William Rouse

Others Present: Chell Rossi, Jim Deans, Joan Porter, Tiffany Craney, Barb Schaffer, Bob Schaffer, Craig Hoffman, Tony Grosse

### REPORTS OF STANDING COMMITTEES

No Report

### CITIZENS' COMMENTS – AGENDA MATTERS (Five Minutes per Individual – No Yield)

None

### CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

March 18, 2014

A motion was made to approve the March 18, 2014 Meeting Minutes by Linda Zahirsky, Second by Sean Craney.

Sue Mayberry asked for clarification on the meeting under Old and New Business in regards to her attending Leadership Stark County.

She asked that the following be added:

Sue Mayberry reported that she recently attended a six week Leadership Stark County Government Academy class. Mrs. Mayberry said it was very thought provoking. Concepts were reiterated over and over that the reason we are here as elected officials is to make our communities better than they were before

A question was asked regarding community economic development – where was the greatest return on investment? The answer was pre-school. Make sure each child is ready for school. If they are not – they end up in the system instead of being a productive person in the community. Each person needs to know they are essential.

Agro ecosystems were also discussed in regards to agriculture. This is a big part of economic development.

A top theme of this course was collaboration. Mrs. Mayberry said she mentioned what Canal Fulton has done in out “living together” fire departments and the possible consolidation of our police and our street departments working together. We have received accolades for not just talking about it, but doing it.

Nellie Cihon abstained. All other Council Members voted yes. Motion approved.

### REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens - No Report

Community Service - No Report

Fire Chief – Fire Chief Ray Durkee included a report in the packet. Chief Durkee apologized that there were inaccuracies in the report where the graphs did not add up properly.

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**CITY OF CANAL FULTON  
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April 1, 2014

The Stark County Fire Chiefs hosted a meeting at the West Side Fire Station on March 27, 2014. The Chief said the meeting was well received.

Chief Durkee stated that he would like to request a Personnel Committee to review wages, and a Safety Committee meeting to review the Living Together arrangement status after one year of completion.

Linda Zahirsky stated that they had attempted that. We need to see if Lawrence Township would increase the raises. She has not heard back from them. In our contract we cannot increase wages without them. Chief Durkee said he understood that their hands were a little bit tied. He is afraid that they are funded through levies. They could pass a big lump sum jump and we wouldn't be able to keep pace with them. Mrs. Zahirsky said we are following the contract and Chief Durkee needed to pound on them, they could meet but the committee would put it right back on them. Chief Durkee said he would forward some thoughts that he had to the personnel committee that he had.

Mark Cozy asked if there was an idea of where we wanted to go with salaries. We could make a recommendation. Mrs. Zahirsky said the recommendation was two percent.

Police Chief – Police Chief Doug Swartz distributed a report on what our SRO accomplished at the school so that Council could see the effectiveness of the program. He wanted to point out that a grant for \$8,000 had been awarded to purchase school emergency communication radios.

Chief Swartz stated that next week a company was coming out and using our training facility for training classes. Every class that we host, we are able to have four people attend. We can increase our training by using the facility. The Fire Department is also sending a person to the training as well.

Nellie Cihon asked if Bishop had a bullet proof vest. Chief Swartz said yes he did. Chief Swartz said he is doing fundraising for the bite suit. Chief Swartz said that the departments did have shirts left in Large and Medium for the Bishop fundraiser.

Engineer/Streets/Public Utilities – Service Director stated that the City Engineer was not in attendance due to a personal issue and that he would read a report that he included in the packet.

The report was as follows:

Cherry/Locust Intersection

Current schedule was distributed to Council members as a follow-up to Sean Craney's request. See attached schedule. The design engineer has prepared and submitted an Alternative Evaluation Report which the City Administration is reviewing. The recommended Alternative will add a right-turn lane for Northbound Cherry to Eastbound Locust traffic, in order to provide an acceptable Level of Service in the 2036 design year. Only one build alternative does not require taking the corner house, but it does not provide effective improvements.

Clinton Sewer Connection

Preliminary plans have been submitted by the County of Summit DOES for review and we have provided comments to their design engineer. Flow Study at lift stations was delayed due to weather. It is scheduled to be done this month.

Locust/Portage Water & Sewer Extensions

The project has been shortened to serve the North side to the North City limits and the South side up to and including Rayl's Plaza. The recalculated assessment district acreage and frontage requirements needed to permit assessment of the adjoining properties have now apparently been met.

OEPA SWIF Grant

We have been assisting the Administration with investigating applying for this grant to construct a "demonstration project" incorporating permeable pavement and bio retention facilities into a City street or parking lot. CTI has provided a proposal to the Administration to prepare an application for the construction of hard surface parking in the Poplar St. area on the North side of the Canal and possibly on the Community Park entrance drive.

Wooster Street Storm Improvements

We have received approval from the Ohio Public Works Commission to proceed with construction.

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## CITY OF CANAL FULTON CITY COUNCIL MEETING MINUTES

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Wastewater Treatment Plant Screen Building Study  
We have completed an analysis of alternatives for a new screen building incorporating corrosion resistant construction materials which is being reviewed by the administration.

Danny Losch stated that he went on a recent field trip of the Waste Water Treatment Plant and commended Dan Mayberry and his staff for a job well done. He said it was a clean operation and well taken care of. Mr. Losch said he stopped in there to see about the options in regards to the screening building. He wanted to get a better understanding of what was needed there.

Finance Director- William Rouse stated that he would have legislation for a first reading on the salary changes discussed in a previous personnel committee meeting. He will also have March reports for the next Council meeting. Mr. Rouse said he is working on a financial forecast for a three to four year period and hopes to present that to Scott Svab, the finance committee and Council within the month.

City Manager – City Manager Mark Cozy included a report in the packet.

Mr. Cozy reported that he wanted to request a Zoning Hearing for May 20, 2014. We have a recommendation from the Planning Commission to re-zone a property at 207 E. Market Street to a suburban office district. The legislation will be ready at the next meeting and then May 20<sup>th</sup> would be slated for the hearing.

Various renditions of potential banners for the downtown were presented to Council. Prices for banners are \$60.00. They will be 24 inches wide by 48 inches long. He said he would have better illustrations at the next meeting.

Mr. Cozy made a recommendation to go forward with Resolution 1:14. For the Locust Street Water Sewer Project. The signatures are in place all the way to Ray's Plaza. We should design the whole project. Mr. Cozy recommended it getting designed and then go to bid on the project.

A motion was made to hold a Public Hearing for Zoning Change of 207 E. Market Street owned by the Heim family on May 20, 2014 at 8:00pm by Linda Zahrisky, second by Scott Svab. All Council Members voted yes. Motion approved.

Mr. Cozy stated that Mr. Guest was here and he was instrumental in helping us secure a grant to design a shelter for the St. Helena II. Mr. Guest said he wanted to support the building of the shelter of the St. Helena II to preserve it and protect it. Mr. Cozy said we did have the grant and now we would solicit for an engineer to design it. Mr. Guest said he would hope that Council would support the issue. Since the St Helena II was decommissioned that we get a shelter as part of the restoration and getting it out of the Canal and set up and restored behind the museum. It is deteriorating rapidly being exposed to the weather. It needs to be preserved and protected from the vandalism that has happened over time. Mr. Guest said he had designed some buildings and would like to get with an architect to certify and go after bids and pricing. The National Historic Register has stated that there is significance with the boat because it is the only item that anyone can see how a canal boat was built originally in the 1830s and they have feeling that there is merit in putting it on the National Register. This would certainly be a boom to Canal Fulton.

Mrs. Zahrisky asked if there was an estimate to cost for the shelter. Mr. Guest said \$11,000 to \$12,000.

Sue Mayberry asked about the additional cost on the City for the Locust Street Water and Sewer project if Mr. Vandeburg does not pay. Mr. Cozy stated that if we take the sewer to that property he will have to hook up because he has business there. Mrs. Mayberry said she was talking about constructing it. Mrs. Mayberry said weren't they all going to pay to have it constructed? Mr. Cozy said the issue is even if Sean does not sign on behalf of the property owner, he would have to hook up anyway. Mrs. Mayberry said the others would be paying more, correct? Mr. Cozy said no, they would all be paying the same price per foot. Mr. Cozy said what we didn't realize even without Mr. Vandenberg, we have enough signatures to get to the plaza and that is the property he has. He realizes he is in if he wants to be in or not. He will pay frontage just like everyone else.

Sue Mayberry asked what the status was on our Zoning Code being updated by Stark Regional Planning Commission. Mr. Cozy stated that Mary Lee Sponseller is reviewing all of our code right now. She is also the Tax Incentive Review Council Director. Hearings have been going on all of March, including Canal Fulton. Now that those are behind her, he anticipates her possibly coming to a planning commission meeting in May to give us recommendations.

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Sue Mayberry asked about Dominion East Ohio Gas and their attendance at a Council meeting in May of 2013. Dominion stated that they were going to put our stations at the top of the list for painting in our City. She does not see any of it being done. Mr. Cozy said he had met with John Workman about that issue two weeks ago. We do not have the proper contact. Johnson Belford is looking in to that.

Sue Mayberry said she had emailed the Zoning Inspector about two businesses in town that on a regular basis have tires sitting outside their establishment. Tires are everywhere at one business and summer time is coming. People are coming into the town. She would not appreciate having that eyesore to look at. She stated that there was legislation on the books that does not allow for this sort of thing. Mr. Cozy asked her to get the information to him and he would follow up with Mr. Belford on that.

Mrs. Mayberry asked about the parking on Summer Evening. There was a letter that came in about the parking. The no parking signs were taken down. Mr. Cozy said the truck is still there. Mrs. Mayberry said overall the safety and issues with snow plowing, was everything well? Mr. Cozy said it was a recommendation from our Service Departments to put the no parking signs there. Then we had several people from that street that wanted the signs taking down. One side was already established no parking. Mr. Cozy stated that the truck is an issue that the letter refers to. It is unsafe and two cars can barely pass where the truck is parked. One solution could be no parking weekdays from 8am-5pm. That way the road would be clear for maintenance. Most people are concerned about family coming over and there being no parking. They all realize that the truck was an issue. They do not want to be hampered themselves. You cannot legislate for one vehicle. Mr. Craney stated you could do it from 2am-4am in the morning.

Mayor – Mayor Harbaugh introduced Tony Grosse to speak on a proposed restaurant in town.

Mr. Grosse reported that he would like to open a restaurant at 365 Towpath. He is up against a problem and would like the Council to consider blessing a transfer of a liquor license. The town has more liquor licenses than people. If Mr. Grosse goes on a waiting list he would be third. The population would have to grow 3,500 people. The restaurant will be an Italian restaurant named “The Wild Olive”. The process of transferring of a liquor license is commonly done. He would ask for a letter stating Council’s approval. The restaurant will have 108 seats.

A motion was made to support the transfer of a liquor license for Tony Grosse and The Wild Olive Restaurant by Scott Svab, second by Sean Craney. All Council Members voted yes. Motion approved.

The Mayor said he would have Mrs. Dolan draft the letter.

Parks & Recreation Board – Mark Cozy reported that the Easter Egg Hunt will be April 19, 2014 at 10:00am.

Law Director – No Report.

**THIRD READINGS**

**TABLED Resolution 1:14:** A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with CTI Engineers, Inc. to Provide Professional Engineering Services for the Locust Street Sanitary Sewer and Waterline Extension and Declaring an Emergency.

A motion was made to take Resolution 1:14 off the table by Scott Svab, second by Nellie Cihon. All Council Members voted yes. Motion approved.

A motion was made to pass Resolution 1:14 by Linda Zahirsky, second by Nellie Cihon. All Council Members voted yes. Motion approved.

**SECOND READINGS**

**Ordinance 8-14:** An Ordinance Amending Ordinance 30-12, Rates Of Pay For Non-Safety Service Part-Time Employees.

**Ordinance 9-14:** An Ordinance Amending Ordinance 32-12, Rates Of Pay For Canal Boat Employees.

**Resolution 8-14:** a Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with the Canal Fulton Heritage Society for Canal Boat Operations

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**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES**

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**FIRST READINGS**

**Resolution 9:14:** A Resolution By the Council of the City of Canal Fulton to Enter into a Contract with Wenger Excavating, Inc. for the Construction of the Wooster Street Storm Sewer Improvements Project.

A motion was made to suspend the rules by Danny Losch, second by Sean Craney. All Council Members voted yes.

A motion was made to pass Resolution 9:14 under suspension by Danny Losch, second by Nellie Cihon. All Council Members voted yes. Motion approved.

**P.O.s**

P.O. 9198: to Friends Bicentennial in the amount of \$3,000.00 for Bicentennial Fireworks

A motion was made to approve P.O. 9198 by Scott Svab, second by Sue Mayberry. All Council Members voted yes. Motion approved.

P.O. 9196: to CTI Engineers, Inc. in the amount of \$4,150.00 for Engineering for Wooster Street Storm Sewer

A motion was made to approve P.O. 9196 by Sue Mayberry, second by Nellie Cihon. All Council Members voted yes. Motion approved.

P.O. 9194: to Reilly Sweeping, Inc. in the amount of \$3,840.00 for Street Sweeping.

A motion was made to approve P.O. 9194 by Nellie Cihon, second by Scott Svab. All Council Members voted yes. Motion approved.

P.O. 9201: to All Service Contracting Corp in the amount of \$32,390.00 for Complete Media Removal and Installation of Type II Aerialater

A motion was made to approve P.O. 9201 by Sean Craney, second by Nellie Cihon. All Council Members voted yes. Motion approved.

**BILLS** - None

**OLD/NEW/OTHER BUSINESS**

None

**REPORT OF PRESIDENT PRO TEMPORE**

Scott Svab thanked the salt crews for the good job that they did during the last minute storm last week. The water line break also set them back a couple days. They guys are working hard and he appreciated all they have done.

**REPORT OF SPECIAL COMMITTEES**

No Reports

**CITIZENS COMMENTS – Open Discussion (Five Minute Rule)**

Chell Rossi – 415 High Street

Ms. Rossi thanked Council for the contribution to the Bicentennial for Fireworks.

Jim Deans – 426 Heritage

Mr. Deans reported that the Friends of the Library is having a talk on Technology in the Civil War on April 12, 2014 at 2pm. The Pizza Shoot Out was a success and the winner was Cherry Street. Mr. Deans said the donations totaled \$160.00

**Sam Wilson – War Memorial**

Sam Wilson reported on the proposed Veterans Memorial at Mulhauser Park. He thanked Council for their support. Mr. Wilson suggested Council support in the amount of \$8,000.00

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Mr. Svab asked about the total for the project, and how much would this be supporting. Mr. Wilson said approximately 50% or more. He needed to get with Mr. Mayberry to identify the exact spot so that at the time he can get it leveled off. The flag pole will not have to be moved so that should save about \$400.00.

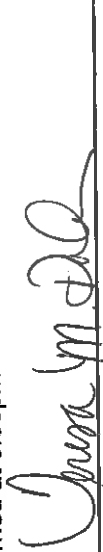
Mr. Wilson is trying to get the word out and talking to the newspapers for publicity. After discussion about the bricks and size of the memorial it was suggested by Sean Craney to bring the discussion to the Finance Committee.

A motion was made to have a Finance Committee meeting on April 15, 2014 at 6:15 to discuss the proposed Veteran's War Memorial in Mulhauser Park by Scott Svab, second by Nellie Cihon. All Council Members voted yes. Motion approved.

### ADJOURNMENT

The meeting was adjourned at 8:30pm

Minutes Prepared by:



Teresa M. Dolan, Clerk

Minutes Approved:



Mayor Richard Harbaugh