

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 10146

Held

7-2

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CITY OF CANAL FULTON CITY COUNCIL MEETING MINUTES

July 2, 2013

CALL TO ORDER

Mayor Richard Harbaugh called the meeting to order at 7:00pm. A moment of silence was held to honor the 19 firefighters that lost their lives in Arizona.

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor Richard Harbaugh, Council Members - Sue Mayberry, Scott Svab, Danny Losch and Linda Zahirsky

A motion was made to excuse Paul Bagogius and Nellie Cihon by Danny Losch, second by Linda Zahirsky all present Council Members voted yes. Motion approved.

Others Present: Fire Chief Glenn Boyd, Police Chief Doug Swartz, City Manager Mark Cozy, Law Director Scott Fellmeth, Finance Director William Rouse and Council Clerk Teresa Dolan.

Others Present: Chell Rossi, James Deans, Ken Roberts, Jeremy Graber, Mike Pfiffner, Tim Shetzer, Scott Phillips, Gregory Phillips, Logan Sundheimer, Joan Porter, Dennis Downing

REPORTS OF STANDING COMMITTEES

No Reports.

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

No Comments.

Tim Shetzer – YMCA

Mr. Tim Shetzer was in attendance from the YMCA. Mr. Shetzer discussed the Four Square Research Study. The YMCA has been very active in Canal Fulton for about three years. Canal Fulton YMCA Board made a motion unanimously to try and get the study done. This is a company that the YMCA works with. They have done over 700 of the studies. The purpose of the study is to determine what the demand is of the YMCA services, and to determine the best location for a YMCA. They talk to 600 residents and it is all scientifically done. The Company has done outstanding work. The YMCA is hoping for Canal Fulton's participation in the study.

Linda Zahirsky asked how long the study usually takes. Mr. Shetzer said that there are a number of different agencies involved. Everyone will have some input into what the questions are. That is the most important thing, to build the research instrument. Someone from the City will need to build the right questions to make sure that the right questions are asked. From start to finish, it should be somewhere between three or four months.

Mrs. Mayberry said back in 2011 we were given a report that the YMCA committee that they met with a Mr. Stazen, a property development director for the YMCA and they discussed the demographic data linked from their study. Mrs. Mayberry said there has been a series of studies along the way and it was inclusive regarding site selection, but it indicated that the Canal Fulton/Lawrence Township area may not have enough of a population base to sustain an indoor swimming pool. Mrs. Mayberry asked if that was something that had already been figured out, and is that a phrase that has already been completed. Mr. Shetzer said that the YMCA has a national office, they have staff, and the gentlemen mentioned has since retired. His job was to travel around the country and help communities like Canal Fulton do the right thing as far as the YMCA was concerned. That was his opinion, but no citizens were asked. Mr. Shetzer said we needed to get better data, and more importantly we need to hear what the citizens have to say.

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Mr. Deens said that one of the major things that the study would do, would be to show us how big a YMCA could be sustained. It would allow expansion with the study.

Mayor Harbaugh stated that about 25 to 30 years ago the village filled in the swimming pool. They were going to build another, but it never happened. He would really push for the pool if at all possible. Mr. Shetzer said that is something they would ask.

Mrs. Zahirsky said it was on the ballot, but people voted it down.

Mr. Shetzer said feel free to contact him with any other questions.

Mr. Cozy asked if the partners had been identified. Mr. Shetzer said he has verbal commitments, but he is still working on that. Whether there are three people or four, the YMCA is committed to getting it done.

Mrs. Mayberry asked what would be some contributing factors to it just not working out. Mr. Shetzer said that he could have the person that runs the company come back and speak. The primary thing would be not enough demand.

Mrs. Mayberry asked how we would define the demand. Mr. Shetzer said they would talk to 600 residents by phone and then they would build a questionnaire document. With the analysis it would be determined, mathematically how something could work or would not work.

Mrs. Mayberry asked how it would be paid for. Mr. Shetzer said if it works out, typically it would come from a lot of different things. A fundraising campaign, grant writing, there is a lot of different ways that it has been done in past years. A lot of that will be determined by the YMCA committee. Tim Shetzer said that it is usual that a YMCA serve a five mile radius.

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

June 18, 2013

A motion was made to accept the June 18, 2013 minutes by Sue Mayberry, second by Linda Zahirsky.

Linda Zahirsky asked that on the last page Scott Svab's name needed corrected. All present Council Members voted yes. Motion approved

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens- No Report

Community Service Coordinator – No Report

Fire Chief – A written report was included in the Packet. Glenn Boyd was here in place of Chief Durkee.

Police Chief - Police Chief Doug Swartz commended the City safety forces on the excellent job they did on the recent meth lab bust. The Fire department incident command was very professional. Officer Dennis Muntean was also commended on his performance.

Chief Swartz also discussed a radio agreement with the Stark County Sheriff's Department. For a period of time we were one of the test pilot sites and used the radio package for free. Now we will need to start paying. The Chief explained how the radios work and why they are necessary.

A motion was made to approve the creation of legislation to enter into a license agreement with the Stark County Sheriff by Danny Losch, second by Linda Zahirsky. All present Council Members voted yes. Motion approved.

Chief Swartz also commended Scott Svab on the Fishing Workshops held at Discovery Park. The classes were very well attended and the attendees were able to take home a fishing pole and tackle.

Engineer/Streets/Public Utilities – Dan Mayberry stated that there was a written report included in the packet. Mr. Mayberry also commented that P.O. 7844 was for Jones Fish and Lake Management in the amount of \$4,926.00 for two Fountain

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Aerators for the canal. Mr. Mayberry said he would like to have the aerators in place by Canal Days.

Finance Director – Finance Director William Rouse stated that the May Financials were included in the packet.

A motion was made to accept the May Financials by Linda Zahirsky, second by Scott Svab. All Council Members voted yes. Motion approved.

Mr. Rouse also noted that a special meeting may be needed to be scheduled to approve the July financials due to reports that are due in August to Stark County.

Mr. Rouse went over the report. The May financials included income taxes being 1.6% higher than last year, and this is due to profits from businesses in the City making more money.

City Manager – City Manager Mark Cozy stated that there is a written report included in the packet. Scott Svab asked about the Locust Sewer project. Mr. Cozy stated that a meeting is to be scheduled. Seventy percent participation is needed. He will be speaking to property owners next week.

Report of Mayor – Mayor Harbaugh said the new canal boat horse seemed to be doing a fine job. The Mayor also discussed the former finance director's contract and hours to be used if needed for questions.

Parks & Recreation Board – No Report.

Law Director – No Report. Mrs. Mayberry asked about the two resolutions on the agenda in regards to bond counsel. Mrs. Mayberry wanted to know what the process was and if there was an estimated cost. Scott Fellmeth stated that they typically hire a law firm that specializes in bonds. The cost depends; they usually work on an hourly rate. Scott Svab said the cost could be a percentage of the note. They roll it into the whole total debt. Scott Svab said there is a lot of paperwork involved and a lot of filing with different agencies. Mrs. Mayberry asked if they would present different scenarios. Scott Svab said yes, they could. Mr. Svab stated that since they did not have a full council he would like to ask that the third readings be tabled so that there would be six people to vote.

A motion was made to table Resolution 14-13 and Resolution 15-13 by Scott Svab, second by Danny Losch. All present Council Members voted yes. Motion approved.

Mrs. Mayberry asked if there were two types of obligations with a revenue bond. Scott Svab said we would probably choose general obligation. Mr. Svab said he felt to spread the infrastructure project over twenty years for future taxpayers and not deplete our finances. Mrs. Mayberry stated that there was risk. Mayor Harbaugh stated that one thing that bothered him was he was thinking about his kids and grandkids that they would be paying a debt off that we were creating. Mr. Svab stated that they would be using that intersection. Mayor Harbaugh said yes, but they could also use the intersection here today. Mr. Cozy stated the rationale was almost like an insurance policy. Mr. Cozy stated the cash was on hand to pay the local matches, but we would spend all of our cash. If there was an emergency that happened in the meantime before we would build the reserves again, then we would not have that cash on hand. Mr. Cozy stated that if things went the way they were planned they would be paying this off in five years. We could float the loan and see how the economics are. Mrs. Mayberry stated that we needed to put the money where we were not going to use it. Mr. Svab said that the money could be put in reserves.

THIRD READINGS

Held _____

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Resolution 14-13: A Resolution by the Council of the City of Canal Fulton, Ohio to Authorize the City Manager to Engage Bond Counsel for the Locust and Portage Streets Resurfacing Project. - TABLED

Resolution 15-13: A Resolution by the Council of the City of Canal Fulton, Ohio to Authorize the City Manager to Engage Bond Counsel for the Cherry and Locust Streets Intersection Project. - TABLED

Ordinance 17-13: An Ordinance by the Council of the City of Canal Fulton, Ohio to Grant William Rouse Foreign Service Credit to Determine Vacation Time Under Administrative Code Chapter 141.18 (b).

A motion was made to pass Ordinance 17-13 by Linda Zahirsky, second by Scott Svab. All present Council Members voted yes. Motion approved.

SECOND READINGS - none

FIRST READINGS

Ordinance 21-13: An Ordinance Amending Ordinance 7-13, and Providing for Supplemental Appropriations for the Current Expenses and Other Expenditures of the City of Canal Fulton, County of Stark, Ohio, for the Fiscal Year Ending December 31, 2013.

A motion was made to suspend the rules by Scott Svab, second by Sue Mayberry. All present Council Members voted yes. Motion approved.

A motion was made to pass Ordinance 21-13 under suspension of the rules by Linda Zahirsky, second by Scott Svab. All present Council Members voted yes. Motion approved.

Resolution 17-13: A Resolution by the Council of the City of Canal Fulton, Ohio to Authorize the City Manager to engage Bond Counsel for the Locust Street Sewer Extension Project.

P.O.s

P.O. 7864: to JWF Specialty Company in the amount of \$5,000.00 for liability insurance deductible for Michael Mouse lawsuit

A motion was made to approve P.O. 7864 by Sue Mayberry, second by Scott Svab.

It was noted by Mr. Rouse that this purchase order had been approved at the last council meeting, but he wanted to make Council aware that this was a then and now purchase order.

All present Council Members voted yes. Motion approved.

P.O. 7894: to Miner's Inc in the amount of \$4,290.00 for Material to Install 3" Cycle Stop 5-500 GPM Hydraulic Valve and 119 Gal WX-350 Pressure Tank on Water Well at the WWTP

A motion was made to approve P.O. 7894 by Linda Zahirsky, second by Sue Mayberry. All present Council Members voted yes. Motion approved.

P.O. 7896: to Northstar Asphalt in the amount of \$1,216,677.24 for the Locust/Portage Street Rehabilitation and Resurfacing, including Change Order #1

A motion was made to approve P.O. 7896 by Linda Zahirsky, second by Danny Losch. All present Council Members voted yes. Motion approved.

P.O. 7884: to Jones Fish and Lake Management in the amount of \$4,926.00 for two Fountain Aerators for Ohio Erie Canal

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A motion was made to approve P.O. 7884 by Scott Svab, second by Sue Mayberry. All present Council Members voted yes. Motion approved.

P.O. 7890: to Lytle Construction Inc in the amount of \$45,000.00 for CRS – 2 Tar for Chip and Seal

A motion was made to approve P.O. 7890 by Sue Mayberry, second by Scott Svab. All present Council Members voted yes. Motion approved.

P.O. 7891: to ROIO Sand and Gravel in the amount of \$4,050.00 for Number 8 # Washed Gravel for Chip and Seal

A motion was made to approve P.O. 7891 by Linda Zahirsky, second by Scott Svab. All present Council Members voted yes. Motion approved.

P.O. 7893: to PEM Properties in the amount of \$3,250.00 for Repairs to St. Helena II

A motion was made to approve P.O. 7893 by Scott Svab, second by Linda Zahirsky. All present Council Members voted yes. Motion approved.

P.O. 7895: to YMCA of Central Stark County in the amount of \$6,000.00 for Four Square Study

A motion was made to approve P.O. 7895 by Scott Svab, second by Linda Zahirsky. All present Council Members voted yes. Motion approved.

Mrs. Mayberry asked if Lawrence Township was contributing. Mr. Cozy stated that he knew that one Trustee was for the study and that Trustee would be taking it to the others.

BILLS - May Bills \$365,172.38

A motion was made to approve the May bills by Linda Zahirsky, second by Scott Svab. All present Council Members voted yes. Motion approved.

OLD/NEW/OTHER BUSINESS - None

REPORT OF PRESIDENT PRO TEMPORE

Linda Zahirsky turned to Scott Svab to report on the grant that he had received for the fishing program. Scott Svab thanked everyone for participating. The Fire Explorers had a boat safety demonstration. Children really enjoyed that. Two events were sponsored, all moneys paid by the Ohio Division of Wildlife with their aquatics grant program and Step Outside Grant. Both dates were well attended with the first having 26 attendees and the second 62. The children learned how to tie knots, education on watershed and conservation, proper fish handling and how to cast. Each child received a tackle box and fishing pole.

Linda Zahirsky reported that she and Scott Svab went to a seminar in Warren on Zoning and Planning. The seminar was very informative. Watershed grants were discussed, and grants are available to review Comprehensive Plans. Easements were also gone over.

Scott Svab said they talked about downtown revitalization, and they talked about Erie, PA and how an older building was used to discuss challenges, and ways to bring people to the area. Scott said the American Planning Association sponsored the seminar and they definitely brought some information back that could be used here.

REPORT OF SPECIAL COMMITTEES – No Report.

CITIZENS COMMENTS – Open Discussion (Five Minute Rule)

Ken Roberts, 239 N. Canal Street

Held

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Mr. Roberts handed out literature on the Comprehensive Plan model for an Arts and Entertainment District. Mr. Roberts discussed some concerns on eroding of the downtown and the importance of the downtown. Mr. Roberts said the Comprehensive Plan served a number of functions to look at the future of our City. He said that the literature that he passed out was a summary. Mr. Roberts talked about the Arts and Entertainment District. Mr. Roberts was asked to attend an Economic Development Committee Meeting, where he could discuss his concerns at length.

A motion was made by to schedule an Economic Development Committee on July 16, 2013 at 6:00pm, second by Linda Zahirsky. All present Council Members voted yes. Motion approved.

James Deans reported that Olde Canal Days was on schedule, he would like all to pray for nice weather and good crowds.

Scott Phillips, 84 Blannet Street, Medina

Mr. Phillips owns the Union Block Building. He said back years ago Fenn Place was converted from an alley to what it is now. He wanted to know what happened to the plans for tables and benches in the alley. Mr. Mayberry said that in 1990 the downtown was revitalized. Mr. Mayberry said that at one time there were benches there. Mr. Mayberry there were many benches around town. Tables have been retrieved from the canal and the conclusion was made that plaza tables were not going to work. Mr. Mayberry said Mr. Phillips could come in and discuss Fenn Place with him, and they would look into the matter.

Jeremy Graber, 379 Heritage Ave.

Mr. Graber spoke on his support for the Arts and Entertainment District. He thought the community was small and safe and people would come to visit.

Dennis Downing, 778 Denshire Drive

Mr. Downing reported on the mural which is going up. He said it would be done shortly and it will be dedicated the last Saturday in July. He also said he was in support of an Arts district.

Mike Pffifner, N Canal Street.

Mr. Pffifner plays guitar frequently on the street. He wanted to discuss his support of the Arts District also.

Mrs. Mayberry stated that the downtown was let go and it looked terrible as far as weeds and landscaping. She asked about a garden club being in existence.

Jim Guest, aka Joseph Porter

Mr. Guest spoke on the Canal Boat and the Canal. He is a canal historian and very involved with the Canal Boat. He has traveled the United States and Canal towns for 47 years. He would like to include his knowledge at the economic development meeting. He thinks there are many communities that were in total disrepair and declining. They have risen again by using tourism. Mr. Guest is also working on getting the St Helena II is on the National Historic Register. He is also working on getting a roof over the St. Helena II to help to preserve it.

A motion was made to go into executive session at 8:45pm by Linda Zahirsky to discuss the purchase of real, personal, tangible or intangible property, second by Danny Losch. All present Council Members voted yes. Motion approved.

A motion was made to return to public session at 9:14pm by Linda Zahirsky, second by Danny Losch. All present Council Members voted yes. Motion approved.

ADJOURNMENT – the meeting was adjourned at 9:15pm