

RECORD OF PROCEEDINGS

Minutes of

Meeting

SWAYDOK LEGAL BLANK, INC., FORM NO. 10146

Held 9.3

20

13

CITY OF CANAL FULTON CITY COUNCIL MEETING AGENDA

September 3, 2013

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

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

Others Present: Police Officer Ed Harbaugh, Assistant Fire Chief Ray Green, City Manager Mark Cozy, Law Director Scott Fellmeth, Finance Director William Rouse, Service Director Dan Mayberry and Council Clerk Teresa Dolan.

Others Present: James Deans, Bob and Barb Schaeffer, Chell Rossi, Gregory Mayberry, Joan Porter

REPORTS OF STANDING COMMITTEES – No Reports

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

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

A motion was made to accept the August 20, 2013 minutes by Nellie Cihon, second by Scott Svab. All Council Members voted yes. Motion approved.

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens

Paul Bagocius reported that he asked the Senior Center Director to forward the Sassy Press to the Council Clerk. He asked that that information be shared with Council when received.

Community Service Coordinator No report.

Fire Chief

Assistant Fire Chief Green was present. A report was included with the packet. Sue Mayberry asked questions on the types of calls reported. Assistant Fire Chief explained the different types of calls on the reports. A Service call could be for a carbon monoxide detector or for a fall patient assist. A Special call could be for a complaint such as a blocked hydrant. A Good Intent call could be for an open burn complaint.

Assistant Fire Chief Green reported on a Fill the Boot Drive that the fire department participated in with Lawrence Township. In a six hour period time, approximately \$3,300 was collected.

Police Chief

Officer Ed Harbaugh was in attendance. No Report.

Engineer/Streets/Public Utilities

Service Director Dan Mayberry stated that they were working on meter reading. The Parking Lot at the Senior Center is ready to park on. Asphalt work has begun on Locust.

Finance Director

Finance Director William Rouse presented the July Financials.

A motion was made to accept the July Financials by Linda Zahirsky, second by Danny Losch. All Council Members voted yes. Motion approved.

Held _____

20

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Scott Svab stated that the reports that the Finance Director had prepared were good. Mr. Svab said he would like to see a current expense report instead of a total expense report.

City Manager

City Manager Mark Cozy included a Written Report in the Council Packet. Mr. Cozy thanked Northstar Asphalt for repairing the two inch gap left in the road from the construction on Locust with temporary asphalt for Echoing Ridge residents.

Mr. Cozy stated that he would like to officially change the title of the project for Resolution 22-13 from Smail's Pond Outlet Storm Sewer to Locust Street Flooding Remediation Project. That is the purpose of the project. Mr. Mayberry said that sounded correct.

Mr. Cozy said the project could change significantly from the points that Mr. Harbaugh brought up regarding pipes. This will not stop us from applying for the grand now.

Mr. Harbaugh asked the amount on the grant. Mr. Fellmeth stated \$442,000.

Paul Bagocius asked about the shortfall for the YMCA study. Mr. Cozy said he was going to approach Mercy Medical again.

Mr. Bagocius asked if we were renting the entire Lawrence Township garage. Mr. Cozy stated only two bays. Mr. Cozy stated it would be short term. He would like to do some research on relocating our Street Garage.

Report of Mayor

Mayor Harbaugh asked if Dan Mayberry had received any bids on the horse shelter. Mr. Mayberry stated he received one and Mr. Cozy received one. Both plans are different and the Mayor would need to look the plans over and possibly make a recommendation to Council. The project should also be on the next HPC meeting. Mayor Harbaugh stated that the Senior Center parking lot turned out very well and it can be used now.

Parks & Recreation Board

Linda Zahirsky mentioned that the Dog Park was closed until further notice. There is a concern about an unexplained dog illness going around.

Law Director

Law Director Scott Fellmeth stated that he wanted to thank Mr. Cozy for his work on assessment tap-in fees and utility billing. Mr. Fellmeth strongly recommends Council bill directly to the property owners for water and sewer, not tenants. No one does this like we do. Mr. Fellmeth stated that he would like Council to give him authority to do legislation to bill the record title holder for both water and sewer bills. There is a system we could work out where we could have the bills sent to the tenants if the Landlord would so request that. The Landlord would be responsible for that. In the research on this project, virtually no one bills tenants for water and sewer. It is the property owner's responsibility.

Other than Income tax, the biggest delinquency that we collect is water and sewer, which are paid by a lot of tenants that skip. We could avoid a lot of attorney fees and collection fees.

Right now going through codified ordinances right now if a water and sewer bill is delinquent for 90 days we can request that it be certified to the tax payer's duplicate of the property owner. We need to direct the bills to the right location, which is the property owner, to ensure they are collected. Mr. Fellmeth said he thought that this would solve a majority of the problems with collection of these bills and also how to establish the tap in fees.

If Council wished to use a graduate approach to tap in fees such as five years, we could do that by separate ordinance. Where we would have to start out is we have to

Held

20

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September 3, 2013

amend Title 9 of the Codified Ordinances of Canal Fulton to make the record title holder responsible for payment of water and sewer bills.

Linda Zahirsky said she thought there was a time where the City had a Landlord that had come in and was upset because someone owed like \$2,000 on a water and sewer bill. Mr. Fellmeth said we are still billing the tenant. Mr. Cozy said sometimes the landlord has no idea what is going on and then they get slammed with a huge bill. Mr. Fellmeth said this would give the property owner the chance to monitor it as well.

Scott Svab asked if we could go to Public Service Committee with this. Scott said he felt there was a lot of debate. Paul Bagocius said he agreed to go to committee.

A motion was made to have an Economic Development Committee Meeting on October 15th at 6:00pm to discuss hotel development and a Public Service Committee meeting on October 29th, 2013 at 6:00pm to discuss Water and Sewer Tap in Fees and Billing, second by Paul Bagocius. All Council Members voted yes. Motion approved.

THIRD READINGS – None

SECOND READINGS – None

FIRST READINGS

Resolution 21-13: A Resolution by the Council of the City of Canal Fulton, Ohio to enter into a grant agreement with the Ohio Development Services Agency.

Resolution 22-13: A Resolution by the Council of the City of Canal Fulton, Ohio to apply for a grant from the Ohio Public Work's Commission for the Locust Street Flooding Remediation Project and declaring an emergency.

A motion was made to suspend the rules by Danny Losch, second by Nellie Cihon. All Council Members voted yes. Motion approved.

A motion was made to approve Resolution 22-13 under suspension of the rules by Linda Zahirsky, second by Nellie Cihon. All Council Members voted yes. Motion approved.

Resolution 23-13: A Resolution Authorizing the Canal Fulton, Ohio City Manager to prepare and submit an application to Participate in the Ohio Public Works Commission State Capital Improvement and/or Local Transportation improvement program(s) and to execute contracts as required and declaring an emergency.

A motion was made to suspend the rules by Linda Zahirsky, second by Nellie Cihon. All Council Members voted yes. Motion approved.

A motion was made to approve Resolution 23-13 under suspension of the rules by Linda Zahirsky, second by Scott Svab. All Council Members voted yes. Motion approved.

P.O.s

P.O.7958: to D.J.L. Materials and Supply in the amount of \$7,900.00 for Crack Sealer

A motion was made to approve P.O. 7958 by Nellie Cihon, second by Linda Zahirsky. All Council Members voted yes. Motion approved.

BILLS - July Bills - \$479,377.57

A motion was made to accept the July Bills by Linda Zahirsky, second by Danny Losch. All Council Members voted yes. Motion approved.

OLD/NEW/OTHER BUSINESS

Linda Zahirsky asked that Council approve a date and time for Trick or Treat.

RECORD OF PROCEEDINGS

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DUNTON LEGAL BLANK, INC. FORM NO. 10143

Held

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CITY OF CANAL FULTON CITY COUNCIL MEETING AGENDA

September 3, 2013

A motion was made to set Trick or Treat on October 31, 2013 from 6:00-8:00pm, second by Sue Mayberry. Linda Zahirsky voted no. All Other Council Members voted yes. Motion approved.

A motion was made stating any candidate up for election in November to not have an article in the fall newsletter by Paul Bagocius, second by Linda Zahirsky. All Council Members voted yes. Motion approved.

Council Clerk Teresa Dolan asked Council if they would like to wait to send out the fall newsletter until after Election Day. All Council Members said that would be good.

REPORT OF PRESIDENT PRO TEMPORE - None

REPORT OF SPECIAL COMMITTEES – None

CITIZENS COMMENTS – Open Discussion (Five Minute Rule)

James Deans, 426 Heritages.

Mr. Deans stated that the Canal Fulton Chamber of Commerce office had several upgrades and invited all to come by and visit.

ADJOURNMENT

The meeting was adjourned at 8:00pm.