

## CITY OF CANAL FULTON

August 19, 2003

### **REGULAR COUNCIL MEETING:**

Mayor Shawn Kenney called the August 19, 2003 Council Meeting to order at 7:30 p.m. in City Hall Council Chambers.

### **PLEDGE OF ALLEGIANCE:**

**CALLING OF THE ROLL:** Present: Bill Dane, Diane Downing, Linda Zahirsky, Robert Szanto, Mike Mouse, Mayor Shawn Kenney. Mrs. Cihon was absent.

Mr. Szanto made a motion to excuse Mrs. Cihon's absence and also excuse Mr. Dane's absence from the meeting of August 5, 2003. Mrs. Downing seconded the motion. Roll: Yes – ALL.

**OTHERS PRESENT:** Marge Loretto, City Manager; Debbie Kerr, Finance Director; Dale Kincaid, Law Director; Mark Stewart, Canal Fulton Fire Department; Julie Scheurer, The Independent; Joan Porter, The Repository; Rochelle Rossi, Victor Colaianni, Bret Stephan, Dennis Downing, and Donna Lemmon, all residents.

### **ADOPTING/CORRECTING OF MINUTES:**

The Mayor asked for approval of the minutes of the August 5, 2003 regular Council meeting. Mrs. Zahirsky made a motion to approve the minutes of August 5 2003. Mr. Szanto seconded the motion.

Roll: Yes – 4. Mr. Dane abstained.

### **SPECIAL RECOGNITIONS:**

#### **CITIZENS COMMENTS ON AGENDA MATTERS:**

#### **REPORTS OF ADMINISTRATIVE OFFICERS:**

Senior Citizens.

Community Service Coordinator.

No Report.

Fire Chief.

Mark Stewart said Chief Hill was on vacation. He asked if anyone had any questions about the power outage. Mr. Stewart said the station was staffed and they had power to the radios. He said the only emergencies related to people who have home oxygen units and these people were serviced.

Police Chief.

No Report.

Engineer/Streets/Public Utilities.

No Report.

Director of Finance.

Mrs. Kerr passed out the bank reconciliation for July, 2003. Mr. Szanto made a motion acknowledging receipt of the bank reconciliation. Mrs. Zahirsky seconded the motion. (Voice Vote) Yes – ALL.

Mrs. Kerr then discussed the budget review scheduling. She passed out a written list of dates.

Mr. Szanto made a motion to schedule these Council work sessions as listed in the schedule provided by Mrs. Kerr. He said they are Tuesday, September 2 at 7:00 P.M., Tuesday, September 16 at 6:30 P.M., Tuesday, October 7 at 7:00 P.M., Tuesday, October 21 at 7:00 P.M., Wednesday, November 5 at 6:30 P.M. These sessions will be for the purpose of reviewing the budget for 2004. Mrs. Zahirsky seconded the motion. Roll: Yes – ALL.

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### Mayor's Report.

The Mayor said he wished to express his appreciation and thanks to the City staff during the blackout. He commended Mr. Szanto, who was serving as acting Mayor while he was out of town. He also commended Mrs. Loretto, Dan Mayberry, Dennis Mayberry and others. He said everyone got together and did their jobs.

He said the City did learn things from this. He said there is a lack of a central command center. He said they may want to also think about hand-held radios for department heads. He said he also learned that the backup generator at the Westside Fire Station is inadequate and there is enough power to open only one door.

The Mayor also stated that he, Mrs. Loretto, Mr. Szanto, Mrs. Cihon, and Mrs. Zahirsky attended a seminar on annexation in Columbus. He said it was very worthwhile.

He also said there have been issues before the Historic Preservation Commission and the Planning Commission concerning signage to direct people off the Towpath into downtown. He said he spoke with Mr. Kincaid regarding this. The Mayor said one business owner wants to paint a mural on the back of Jeff Boak's building with the sign saying "provided by" this merchant. He said the Planning Commission was concerned about whether it was a mural or was it advertising and how does the City regulate this.

He said the same merchant wants to have signs hanging from the utility poles with directional signs to businesses. He said there are many questions still to be answered.

A short discussion followed.

He said he would rather see the City have control over something like this rather than individual business owners.

Mrs. Zahirsky said she would rather see leasing the space like the State does.

The Mayor also informed Council that there will be a joint meeting this Thursday with the Planning Commission, Historic Preservation Commission, the City Engineer's office, and the Heritage Society to finalize the plans for the Community Park renovations.

Mr. Mouse discussed tethering balloons. A short discussion followed.

Mr. Dane asked if any discussion has occurred regarding bike racks. The Mayor said the City has had bike racks, but they have been vandalized. A discussion followed.

### City Manager's Report.

Mrs. Loretto said they met with FEMA today. She said Stark County has been classified as a disaster area and individuals and businesses can be eligible for assistance.

### Parks.

No Report.

### Law Director.

Mr. Kincaid stated that the City is on standby with the Buggy Alley case for mid-September. He said the judge has called a pretrial for two weeks from today. He said he would like to request a brief executive session after the meeting.

### **READING OF ORDINANCES:**

#### **THIRD READINGS:**

**Ordinance 30-03:** As Amended: An Ordinance Amending City Administrative Code Section 141.07 (g) to Provide Compensatory Time Off for Certain Employees.

Mr. Szanto made a motion to pass Ordinance 30-03. Mr. Dane seconded the motion.

A discussion regarding the Ordinance title followed.

Mr. Kincaid said it will then need to be amended again.

Mr. Kincaid said Council could amend it now and pass it now, but it will have to be re-prepared to be signed by the Mayor.

Mr. Szanto withdrew his motion and Mr. Dane withdrew his second.

Mr. Mouse made a motion to amend Ordinance 30-03 to read "Section 141.07 (g) of the Administrative Code be amended to read: "the current superintendent of the utility department and the current director of public utilities shall receive one hour, etc."

Mr. Szanto seconded the motion. Roll: Yes – ALL.

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Mr. Mouse then made a motion to pass 30-03 as amended. Mr. Dane seconded the motion.  
Roll: Yes – ALL.

### **SECOND READINGS:**

No second readings.

### **FIRST READINGS:**

**Ordinance 32-03:** An Ordinance Providing for the Submission to the Electorate of an Amendment to the Charter of the City of Canal Fulton, Ohio, and Declaring an Emergency.

Mr. Szanto made a motion to suspend the rules on Ordinance 32-03. Mr. Dane seconded the motion.

Mr. Mouse said he had a small concern. He said he read in "Our Town" that the City Clerk made a comment regarding this. He said it is ill advised for the Clerk to make a comment on an issue like this. She is not a resident of Canal Fulton. He said the comments suggested a distrust of our electoral process. He said they could just have easily gotten a beer delivery guy to express his opinion.

Mrs. Loretto stated that Mrs. Reiter was not interviewed and only repeated what the Board of Elections and the Ohio Municipal League had told her. Mrs. Reiter told the reporter to call the Mayor or the Council President for any comments or opinions.

The Mayor told Mr. Mouse he should move to California where there are many voter initiatives and a billion dollar deficit. He said maybe Mr. Mouse should drive a beer truck.

Roll: Yes – ALL.

Mrs. Zahirsky asked Mr. Kincaid if they had to vote on this. He answered yes.

Mr. Szanto made a motion to pass Ordinance 32-03 under suspension. Mr. Mouse seconded the motion.

Mrs. Zahirsky said there are times Council is ordered to do things that she thinks are absolutely repulsive and this is one of them.

Roll: Yes – ALL.

Mr. Kincaid stated that the Board of Elections says the deadline is seventy-five days. They will need an original and three copies, all certified, of the ballot and the certificate and the Ordinance.

### **PURCHASE ORDERS AND BILLS:**

P.O. # 03512 to Pumps & Equipment Sales in the amount of \$4,798.00 for two grinder pumps for the Redwing lift station.

Mr. Szanto made a motion to approve P.O. #03512 in the amount of \$4,798.00 to Pump & Equipment Sales. Mrs. Downing seconded the motion. Roll: Yes – ALL.

Mrs. Kerr also passed out the list of checks for the first two weeks of August in the amount of \$105,556.17.

Mr. Szanto made a motion to acknowledge receipt of the list of checks. Mr. Dane seconded the motion. (Voice Vote) Yes – ALL.

### **NEW BUSINESS:**

Mrs. Downing said that several months ago there was a discussion at the Planning Commission about raising the snow ban from two inches to four inches. She said Mr. Mayberry saw no problem with that. She said if Council agrees, there would have to be legislation passed.

### **OLD BUSINESS:**

No Old Business.

### **OTHER BUSINESS:**

### **CITIZENS COMMENTS:**

### **REPORT OF COUNCIL PRESIDENT:**

### **REPORT OF STANDING COMMITTEES:**

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Mr. Szanto said he would now like to make a motion to adjourn into executive session for the purpose of discussing pending litigation. He said no anticipated legislative action would be taken. Mr. Dane seconded the motion. Roll: Yes – ALL.

**Resume Regular Session**

Mr. Szanto made a motion to re-convene into regular session. Mr. Dane seconded the motion.

The Mayor stated that there was a discussion in executive session concerning pending litigation and no action will be taken.

The meeting was adjourned.

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Sharon Reiter, Clerk of Council

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Shawn Kenney, Mayor