

# CITY OF CANAL FULTON

February 4, 2003

## **REGULAR COUNCIL MEETING:**

In the absence of Mayor Shawn Kenney, Council President, Robert Szanto called the February 4, 2003 Council Meeting to order at 7:00 p.m. in City Hall Council Chambers.

Mr. Szanto made a motion to adjourn the regular Council meeting into Executive Session for the purpose of discussing personnel and personnel contracts. He stated there would be no legislative action taken as a result of the Executive Session. The motion was seconded by Mrs. Cihon. Roll: Yes – ALL.

Regular meeting adjourned.

Mr. Dane made a motion to reconvene the regular portion of the Council meeting. The motion was seconded by Mrs. Cihon. Mr. Szanto stated for the record that during the Executive Session they discussed matters of personnel and personnel contracts. No decision or legislative action will be made as a result of the meeting.

Roll: Yes – ALL.

## **PLEDGE OF ALLEGIANCE**

**COUNCIL MEMBERS:** Present – Nellie Cihon, Bill Dane, Diane Downing, Linda Zahirsky, Mike Mouse, Bob Szanto. Mayor Kenney was on vacation.

**OTHERS IN ATTENDANCE:** Marge Loretto, City Manager; Debbie Kerr, Finance Director; Dale Kincaid, Law Director; Mike McNeely, Chief of Police; Bob Hill, Fire Chief; Fred Etheridge, Park Board Chair; Bill Dorman, City Engineer; Joan Porter, The Repository; Julie Scheurer, The Independent; Rochelle Rossi, Dennis Downing, Kaye Ketcham, Roy Coffman, Victor Colaianni, and Bret Stephan, all residents.

## **CORRECTING / ADOPTING THE MINUTES**

Mr. Szanto asked for a correcting of or adopting of the Minutes of January 21, 2003 Council meeting. Mrs. Cihon made a motion to approve the Minutes of the January 21, 2003 meeting. The motion was seconded by Mr. Dane. Roll: Yes – ALL.

## **SPECIAL RECOGNITIONS**

Mr. Szanto said he would like to take this opportunity to recognize the efforts of Sherry Reiter, our Clerk of Council. He said the City received a letter from the Ohio Historic Preservation Office, addressed to Sherry stating that they had reviewed our application for Certified Local Government status and that our Historic Preservation Ordinances and accompanying documents meet the guidelines for CLG status.

Mr. Szanto said Mayor Kenney has wanted this for a long time. He said as a CLG, we will have the ability to apply for grants that would otherwise not be available to us. He said he would also like to recognize Bret Stephan, Johnson Belford, Dan Mayberry, and the HPC Commission. He went on to name some of the grants that could be applied for.

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

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

Senior Citizens. No Report.

Community Service Coordinator. No Report.

Fire Chief.

Chief Hill reviewed the month of January. He said it was a very busy month. They had seventy calls, sixty-two squad calls, three vehicle accidents, four alarm drops, and one nasty structure fire that they helped North Lawrence with.

Police Chief.

Chief McNeely stated that approximately ten days ago, at 3:30 a.m., two subjects broke into a home on Elm Street. The home was occupied by a man and woman asleep. They beat the man. He said they have made one arrest today and they are looking for the second suspect tonight.

Engineer/Streets/Public Utilities. .

## CITY OF CANAL FULTON

February 4, 2003

Mr. Dorman stated activity has been limited because of the cold weather. He said they are in the final stages of review of two projects at the intersection of Locust and Towpath: The Shops at Towpath and Pizza Hut. He said they will be proceeding with Well #8 as soon as the work is completed.

### Director of Finance.

Mrs. Kerr passed out the January end-of-month financial reports. Mr. Dane made a motion to acknowledge receipt of the financial reports. The motion was seconded by Mrs. Cihon. Roll: Yes – ALL.

### Report of Mayor

Mr. Szanto stated the Mayor gave him a Memo to read before he left for vacation regarding supplying water to the schools. The Memo reads: "On Monday, January 27, I met with the Township Trustees and Senator Kirk Schuring regarding water to the schools. A Joint Economic Development Zone was proposed wherein the school property only would be in the Zone. There would be no annexation. At that time, Alan Krash, the Township attorney believed that the Zone would not be legal because there was no economic development. Senator Schuring believed Mr. Krash's opinion was wrong and has agreed to get an opinion from the Attorney General." Mr. Szanto said they then discussed what the J.E.D.D. agreement would contain.

He said the City would put in the water line and income tax would be collected from the employees of the School and 90% of the revenues would be used to pay the cost of the pipeline until it was done. 10% would go to the general fund of Canal Fulton. Once the pipeline is paid for the percentages would be reversed; i.e., Canal Fulton would receive 90% of the tax revenues and 10% to the Township. He said one of the Township Trustees suggested the split be 85%/15% and this is still negotiable. Lawrence Township zoning would still apply in the area, and Lawrence Township Fire and Police would service the area along with our current day and mutual aid programs.

Mr. Mouse asked what benefit the Township would derive from this. Mr. Szanto said that after the pipeline is paid for, the Township will get some percentage of the income tax revenues. A discussion followed.

### City Manager's Report.

Mrs. Loretto referred to her written report. She also thanked everyone who worked on the Certified Local Government status.

She then stated they met in Factfinding with the Teamsters for about fifteen hours.

She also stated that they will be meeting with the Stark County Visitors' and Convention Bureau to have them do some promoting of this area.

Mrs. Loretto said she asked Fred Etheridge to talk with the Park Board regarding the grant for recycled products.

She said Progressive Ford has approached the City concerning a tax abatement. They will be meeting with them again in the near future.

She stated she would also like to recognize the Street Department for the fine job they have done this winter.

### Parks.

No Report.

### Law Director.

Mr. Kincaid stated that at the next City Council meeting that the Ohio Consumer's Council will be here to talk about aggregation.

## **READING OF ORDINANCES**

### **THIRD READINGS:**

**Ordinance 1-03:** An Ordinance Amending Ordinance 31-02 Setting Forth Employee Wage Fund Allocations for Various City Employees.

Mrs. Zahirsky made a motion to pass Ordinance 1-03. The motion was seconded by Mrs. Cihon. Mr. Mouse said he felt the percentages were too high and he would vote no.

Roll: Yes – 5. Mr. Mouse voted No.

## CITY OF CANAL FULTON

February 4, 2003

**Ordinance 4-03:** An Ordinance Amending City Code Section 933.10 (d) Relating to Sewer Tap Fees by Imposing a Surcharge for New Customers Within the Plum Creek Sanitary Sewer Area.

Mr. Dane made a motion to pass Ordinance 4-03. The motion was seconded by Mrs. Zahirsky. Roll: Yes – 5. Mr. Mouse voted No.

### **SECOND READINGS:**

**Ordinance 7-03:** An Ordinance Amending Section 1181.02 (b) (6) of the Sign Regulations Chapter of the Canal Fulton Zoning Code.

**Ordinance 8-03:** An Ordinance Amending Section 1181.02 of the Sign Regulations Chapter of the Canal Fulton Zoning Code.

### **FIRST READINGS:**

**Ordinance 14-03:** An Ordinance Amending Ordinances 7-02 and 14-02 Establishing Rates of Pay for Various Part-Time Positions within the City, and Declaring an Emergency.

Mr. Szanto stated that during the time the budget was prepared a recommendation was made not to give Mrs. Loretto the raise that had been promised her. Since the City's carry over will be better than originally thought, he said he would like Council to consider an amendment to this amendment to grant Mrs. Loretto a raise from \$25,000.00 to \$30,000.00. He stated that Mrs. Loretto has worked harder and done more to form a cohesive unit at City Hall and has flat out saved the City money.

Mr. Dane said he echoed Mr. Szanto's comments and the Mrs. Loretto has been a God-send to the City. Mr. Dane then made a motion to amend Ordinance 14-03 to reflect a salary increase for the City Manager from \$25,000.00 to \$30,000.00. The motion was seconded by Mrs. Cihon.

Mr. Mouse stated they are talking about a position that is twenty hours a week and there are many people suffering financial hardships and will not make \$30,000.00 for twenty hours a week. He said he would vote no.

Mr. Szanto said Mrs. Loretto puts in more than twenty hours per week.

Roll: Yes – 5. Mr. Mouse voted No.

**Resolution 3-03:** A Resolution Declaring the Necessity of the City of Canal Fulton to Amend City Code Section 181.03 by Adding sub-Section (i) levying a Surcharge of One-Tenth of One Percent (0.1%) on Taxable Income as Defined in that Section for the Purpose of Providing Funds for the Building of a New Fire Station; Instructing the Stark County Board of Elections to Conduct an Election on Said Proposal on May 6, 2003, and Declaring an Emergency.

Mrs. Cihon made a motion to suspend the rules on Resolution 3-03. The motion was seconded by Mrs. Downing. Roll: Yes – ALL.

Mr. Dane made a motion to pass Resolution 3-03 under suspension. The motion was seconded by Mrs. Cihon. Roll: Yes – ALL.

**Resolution 4-03:** A Resolution Declaring the Necessity of the City of Canal Fulton to Amend City Code Section 181.03 by Adding Sub-Section (j) Levying a Surcharge of One-Tenth of One Percent (0.1%) on Taxable Income as Defined in that Section for the Purpose of Providing Funds for Police Department Operations; Instructing the Stark County Board of Elections to Conduct an Election on Said Proposal on May 6, 2003, and Declaring an Emergency.

Mr. Dane made a motion to suspend the rules on Resolution 4-03. The motion was seconded by Mrs. Cihon. Roll: Yes – 5. Mrs. Downing voted No.

Mrs. Zahirsky made a motion to pass Resolution 4-03 under suspension. The motion was seconded by Mrs. Cihon. Roll: Yes – 5. Mrs. Downing voted No.

**Resolution 5-03:** A Resolution Declaring the Necessity of the City of Canal Fulton to Amend City Code Section 181.03 by Adding Sub-Section (k) Levying a Surcharge of One-Tenth of One Percent (0.1%) on Taxable Income as Defined in that Section for Parks and Recreation Operation; Instruction the Stark County Board of Elections to Conduct an Election on Said Proposal on May 6, 2003, and Declaring an Emergency.

Mrs. Cihon made a motion to suspend the rules on Resolution 5-03. The motion was seconded by Mr. Dane. Roll: Yes – ALL.

## CITY OF CANAL FULTON

February 4, 2003

Mrs. Zahirsky made a motion to pass Resolution 5-03 under suspension. The motion was seconded by Mrs. Cihon. Roll: Yes – ALL.

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

No Purchase Orders.

Bills in the amount of \$72,754.44

Mr. Dane made a motion to accept the bills in the amount of \$72,754.44. The motion was seconded by Mrs. Cihon. Roll: Yes – 5. Mr. Mouse abstained; one of the bills is for his attendance at a course at Kent State.

**NEW BUSINESS:** None.

**OLD BUSINESS:** None.

**OTHER BUSINESS:**None.

### **CITIZENS COMMENTS:**

Mr. Downing asked if the Plum Creek Sewer Project includes additional tap ins. It was answered yes. He also said that a remark was made that the City has a higher carry over than expected. He said he has heard several different figures in recent months and which is it. Mrs. Loretto said coming out of this year the City will probably have \$200,000 over in the general fund. But we will end up \$300,000 in the negative at the end of 2004 if we do nothing to increase revenues.

Mr. Etheridge asked if anyone has seen the temporary sign on Locust advertising a “male revue”. He said he was very upset about it and that we did not need that kind of thing in this City. Mr. Kincaid read allowed the ordinance regarding the issue. A discussion followed.

Mr. Kincaid will look into the matter.

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

Mr. Szanto stated that resident, Joanna Smith, came to Council regarding the speed limit on Locust Street. He said he would like to schedule a Safety Committee meeting to discuss this matter. The meeting was set for 7:00 P.M. on February 18, 2003.

Mr. Mouse suggested a solution could be sidewalks on both sides of Locust. A discussion followed.

The regular meeting was adjourned.

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Sharon Reiter, Clerk of Council

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Shawn Kenney, Mayor