

CITY OF CANAL FULTON

July 1, 2008

COUNCIL MEETING

Anthony Crookston, Council President called the July 1, 2008 City Council meeting to order at 7:00 PM in Council Chambers at City Hall.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: Matthew Moellendick, Nellie Cihon, Anthony Crookston, Danny Losch, James Deans and Diane Downing.

Absent: Mayor John Grogan

Mr. Moellendick moved to excuse Mayor Grogan due to family matters, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

Others Present Scott Fellmeth, Law Director; Tammy Marthey, Clerk of Council; Daniel Mayberry, Director of Services; William Dorman, City Engineer; Scott Svab, Finance Director; David Frisone, Police Chief; John Gross, Lieutenant; Janet Deans, Michael Mouse, Rochelle Rossi, Residents; Ken Roberts, Business Owner; Michael Freeze, Independent; Laura Meade, Observer Reporter; and Joan Porter, Repository.

CORRECTING/ADOPTING THE RECORD OF PROCEEDINGS

Mrs. Cihon moved to approve the June 17, 2008 meeting minutes, seconded by Mr. Losch. **ROLL: Yes, Mr. Moellendick, Mrs. Cihon, Mr. Losch and Mr. Deans. ABSTAIN: Mr. Crookston and Mrs. Downing.**

REPORTS OF STANDING COMMITTEES - None

CITIZENS' COMMENTS – AGENDA MATTERS - None

REPORTS OF ADMINISTRATIVE OFFICERS

SENIOR CITIZENS (Nellie Cihon) - No Report.

FIRE CHIEF (John Gross, Lieutenant): Lieutenant Gross stated the fire department has been busy. They took delivery of turn out gear for the newer personnel. They have submitted four grants this year. The grants they have submitted are for staffing, a truck, jaws, and turn out gear. They total \$2M. They have hired a grant company to write the grants. This company has a very successful rate.

The department is getting ready for Olde Canal Days.

POLICE DEPARTMENT (David Frisone, Chief): No Report

ENGINEER/STREETS/PUBLIC UTILITIES (Daniel Mayberry): Mr. Mayberry stated he submitted a report to Mayor/Council with an update of the activities for the Water/Sewer and Street Departments.

Annexation Map: Mr. Dorman stated he returned the Fulton Farm Annexation (Warwick) plat to the mapping office. He needed to assign outlot numbers.

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Smal's Pond: The project is starting to gain life again. Applications and approvals which have expired are being sought again to restart the project.

Issue 2 Application: He has been assisting Administration with the Issue 2 Application.

FINANCE DIRECTOR (Scott Svab)

Purchase Order: Mr. Svab stated he has an additional purchase order. He stated they are going to try to sandblast one of the tanks and would like to possibly get it started within the next two weeks. The City will provide the paint and primer. This purchase order is for labor only. They will review the work and possibly do the two remaining tanks this season. He stated the purchase order is \$100 off. He stated Mr. Mayberry had the price at \$8,600 and the fax Mr. Svab received was not legible.

Homestead Credit: Mr. Svab stated he had Ms. Lawson, Utility Clerk, do a review of the homestead exemption credits. Last year there were 52 households receiving the credit. With the change in the plan, there are now 395 households receiving the credit. This amounts to a \$2.41 savings per month on the minimum service. Mr. Svab also indicated the savings will increase based on the average consumption of 2,000 gallons per month. The saving could reach as much as \$5.65 per month. He indicated the water department isn't taking much of a hit and it helps seniors on a fixed budget. Mr. Svab stated there are 1,836 water/sewer accounts.

Mr. Svab stated for Council's review at a later date, the purchase order that is included in the packet regarding the CTI Engineering for sewer extension to Marshallville, he has some scenarios to what it would take to roll off the debt if they bonded it out. He stated on one hand the interest rates are low, which is bad when you are trying to collect revenue on it, on the other hand it is good for us if we are going for a 15 or 20 year bond, the interest rates are 2-1/2 to 3%. If they bonded this project out, based on a rough estimate of \$500,000, which may be less because they have built up quite a bit of reserve in the sewer capital fund over the last couple years knowing that they had certain projects in mind and other than rehabilitation of the wastewater tanks and reconditioning, they also knew there was going to be some potential extensions. The sewer fund is in good shape to handle this debt. He feels the project will be well worth it. It will open up a whole new section of economic viability for Canal Fulton in the future.

Comprehensive Plan: Mr. Svab stated Mr. Cozy showed him a comprehensive plan that was done in 1972. One of the things that was mentioned then was expansion toward Rt. 21 corridor. He stated over 30 years ago planners realized there was definitely potential there in the business section. It has taken this long to move that way.

CITY MANAGER (Mark Cozy) - Not Present

REPORT OF MAYOR (John Grogan) – Not Present

PARKS & RECREATION BOARD (Fred Fleming) – Not Present.

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LAW DIRECTOR (Scott Fellmeth)

Law Director Fellmeth stated that a case has been filed against the City and WOIO Channel 19 in the Common Pleas Court. He stated one of them is claiming he was deprived of his right to freedom of speech. Attorney Fellmeth stated the group did not have permit to solicit in Canal Fulton.

Law Director Fellmeth stated he has an item he would like to discuss in executive session.

THIRD READINGS

Ordinance 19-08: An Ordinance Amending the Zoning Code to Create a new Zoning District to be Known As S-1 Suburban Office District.

Mr. Moellendick moved for passage, seconded by Mr. Losch. **ROLL: Yes, ALL.**

SECOND READINGS

Resolution 11-08: A Resolution Authorizing the Police Chief to Apply for a Grant and Enter into an Agreement for a DARE Program. **TABLED**

Mrs. Downing moved to bring Resolution 11-08 back to the table, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

Mrs. Cihon moved for passage, seconded by Mr. Deans. **ROLL: No, ALL.** Resolution fails.

Ordinance 20-08: An Ordinance Amending the Business Regulation Code of the Codified Ordinances of Canal Fulton, Ohio Amending Chapter 725.06(b) Regulating Peddlers and Solicitors. **STANDS AS SECOND READING**

Ordinance 21-08: An Ordinance Amending the Zoning Code of the Canal Fulton Codified Zoning Ordinances, in Order to Create a Light Industrial Zone (L-1) Within the City, Adding Chapter 1174, Entitled "Light Industrial Zone (L-1)" and Amending and Correcting Ordinance 18-03, Passed July 1, 2003. **STANDS AS SECOND READING**

FIRST READINGS

Resolution 12-08: A Resolution by the Council of the City of Canal Fulton to Enter into an Agreement with CTI Engineers, Inc. to Provide Professional Engineering Services for the Improvement of Erie Avenue North. **TABLED**

Mr. Deans moved to bring Resolution 12-08 back to the table, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

Mrs. Cihon moved to suspend the rules, seconded by Mr. Deans. **ROLL: Yes, ALL.** Mr. Moellendick moved for passage under suspension, seconded by Mr. Deans. **ROLL: Yes, ALL.**

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Resolution 13-08: A Resolution By the Council of the City of Canal Fulton to Enter Into An Agreement With CTI Engineers, Inc. to Provide professional Engineering Services for the Marshallville Street Sanitary Sewer Extension and Declaring an Emergency. **TABLED**

Resolution 14-08: A Resolution Authorizing the Police Chief to Apply for a Grant and Enter Into An Agreement for A D.A.R.E. Program and Declaring an Emergency.

Mrs. Cihon moved to suspend the rules, seconded by Mrs. Downing. **ROLL: Yes, ALL.** Mrs. Cihon moved for passage under suspension, seconded by Mrs. Deans. **ROLL: Yes, ALL.**

Ordinance 23-08: An Ordinance Adding Chapter 1178 Entitled S-1 Suburban Office District to the Planning and Zoning Code of the Codified Ordinances of Canal Fulton, Ohio. **STANDS AS FIRST READING**

PURCHASE ORDERS & BILLS

P.O. 5293 to CTI Environmental for Engineering Services for Marshallville Road Sanitary Sewer Extension in the Amount of \$51,000. **TABLED**

P.O. 5294 to CTI Environmental, Inc. for Engineering for Erie Avenue Improvements in the Amount of \$87,000.00. Mrs. Downing moved to suspend the rules, seconded by Mr. Deans. **ROLL: Yes, ALL.** Mrs. Cihon moved for approval under suspension, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

P.O. 5315 to GTS Maintenance & Sandblast for brush blast large waste water tank, includes white blastering of rust spots and top inside of tank and handrails labor only to prime and paint tank in the amount of \$8,500.00. Mrs. Cihon moved to approve, seconded by Mr. Losch. **ROLL: Yes, ALL.**

BILLS: \$145,771.22 Mrs. Cihon moved to approval of the bills, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

OLD/NEW/OTHER BUSINESS - None

REPORT OF PRESIDENT PRO TEMPORE (Anthony Crookston) - No Report.

CITIZENS COMMENTS-Open Discussion (Five-Minute Rule)

Mike Mouse: Mr. Mouse inquired about Ordinance 21-08 and where the district will be.

It was explained that this ordinance has been in effect since 2003, but there was an error in the Chapter. This ordinance makes the correction.

Mr. Mouse asked Mr. Mayberry if he had a list of streets that would be repaired this year, specifically Riverview and Stonewood. Mr. Mayberry indicated he did not have a list available this evening. He said it was not planned to do Riverview and Stonewood this year.

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REPORT OF SPECIAL COMMITTEES - None

EXECUTIVE SESSION

Mrs. Cihon moved to adjourn to executive session at 7:20 PM for the purpose of compensation of a public employee or official with Council, Council, Finance Director, Service Director, and Law Director present, and legislative action to be taken, seconded by Mr. Deans. **ROLL: Yes, ALL.**

RETURN TO PUBLIC SESSION

Mr. Moellendick moved to return to public session at 7:50 PM, seconded by Mr. Losch. **ROLL: Yes, ALL.**

Mr. Crookston stated as a result of executive session, there is an Ordinance to be presented.

Ordinance 24-08: An Ordinance Providing An Additional \$500.00 Per Month For the Clerk of Council and Declaring An Emergency. Mr. Deans moved for to suspend the rules, seconded by Mr. Losch. **ROLL: Yes, ALL.** Mr. Deans moved for passage under suspension, seconded by Mr. Losch. **ROLL: Yes, ALL.**

ADJOURNMENT

Mayor Grogan adjourned the June 17, 2008 meeting. The next regular scheduled meeting is July 1, 2008 at 7:00 PM.

Tammy Marthey, Clerk of Council Anthony Crookston, President ProTem