

CITY OF CANAL FULTON

October 15, 2002

REGULAR COUNCIL MEETING:

Mayor Shawn Kenney of the City of Canal Fulton, called the October 15, 2002 Council Meeting to order at 7:30 p.m. in City Hall Council Chambers.

PLEDGE OF ALLEGIANCE

COUNCIL MEMBERS: Present – Nellie Cihon, Diane Downing, Bill Dane, Linda Zahirsky, Mike Mouse, Robert Szanto, and Mayor Shawn Kenney.

OTHERS IN ATTENDANCE: Marge Loretto, City Manager; Debbie Kerr, Finance Director; Mike McNeely, Police Chief; Joan Porter, Repository; Rick Fortman, Repository; Scott Svab, Community Service Coordinator; Fred Etheridge, Schalmo Enterprises; Victor Colaianni, Rochelle Rossi, Nicholas Cosentino, John Hatfield, Dennis Downing, Bret Stephan, all residents.

CORRECTING / ADOPTING THE MINUTES

Mr. Szanto made a motion to approve the minutes of the meeting of October 1, 2002. The motion was seconded by Mrs. Cihon. Roll: Yes – 5. Mr. Dane abstained.

SPECIAL RECOGNITIONS

CITIZENS COMMENTS ON AGENDA MATTERS:

Mr. Hatfield commented that the Tax Abatement for Chapanar does not meet the requirements because it did not go through the proper procedures. He said he felt this does not meet the “substantial impact” requirement.

REPORTS OF ADMINISTRATIVE OFFICERS:

Senior Citizens. No Report.

Community Service Coordinator.

Mr. Svab said he wanted to thank Dennis Mayberry, Street Department Superintendent, who has been working with him dumping topsoil where the bridge and bike path are located. He said the project is complete. He also stated that earlier in the summer Dennis and his crew came down and pulled stumps out of that area.

He stated that Bret Stephan has been working with some of the Community Service workers on the Blank house.

Fire Chief.

None.

Police Chief.

Chief McNeely stated that during the month of September there were 14 criminal cases filed for the City of Canal Fulton. He also noted that tomorrow, October 16, is “Worldwide Anti McDonald’s Day”. He said they could expect some kind of activity at the local McDonald’s.

He also stated that Canal Fulton, along with other jurisdictions in Stark County, was recognized to have a high instance of juvenile crime. He said because of this, they have been awarded a grant that will be administered through Juvenile Court.

Mr. Mouse asked Chief McNeely if he had any figures to indicate whether the juveniles are from single dwelling homes or apartments. The Chief said not off hand, but he would get them.

Engineer/Streets/Public Utilities

None.

Director of Finance.

Mrs. Kerr passed out the September bank reconciliation and the September end-of-month financial report.

Mr. Szanto made a motion that Council acknowledges that they have received the bank reconciliation and end-of-month financial report as provided by the Finance Director. The motion was seconded by Mrs. Cihon. Yes – ALL.

Mrs. Kerr then asked if Council wanted to set up the next budget meetings. She proposed that Council meet on Tuesday, October 29, to go over the water and sewer department budget. It would be at 6:30 P.M.

Mr. Szanto made a motion that Council set a meeting for 6:30 P.M. on Tuesday, October 29, 2002. The motion was seconded by Mrs. Zahirsky. Roll: Yes – ALL.

CITY OF CANAL FULTON

October 15, 2002

A discussion followed about additional meetings for purposes of discussing the 2003 budget.

Mrs. Zahirsky made a motion that Council will have a meeting on Saturday, November 9, 2002, at 8:30 A.M. It will be a regular Council meeting with the primary purpose will be to work on the 2003 budget. The motion was seconded by Mrs. Cihon. Roll: Yes – 5. Mr. Mouse abstained.

Mr. Szanto made a motion that the November 5, 2002 Council meeting be re-scheduled to Wednesday, November 6, 2002, beginning at 6:30 P.M. The first hour would be devoted to the 2003 budget and the regular portion of the meeting will begin at 7:30 P.M. The motion was seconded by Mr. Dane. Roll: Yes – ALL.

Mrs. Kerr then passed out the CMI user list for Council to read. She also said there was a representative from CMI present to answer any questions.

Report of Mayor.

Mayor Kenney said he met with one of the crew members working on the Locust/Millfield intersection. He has indicated that they have made much progress, and they are on schedule. The Mayor said they should be finished by the December 15th deadline.

City Manager's Report.

Mrs. Loretto said she is not necessarily promoting the Chapanar tax abatement, but has passed out material that indicates they do meet the criteria.

She then stated that they had originally gone with GBS for the new software. There was much customizing for it, and it began to seem like they would fix one problem and then there would be another. Tammy Luther feels that she has given them enough consideration, so we would like to change and go with CMI. A discussion followed.

Parks.

Mr. Etheridge said at the October 10th meeting of the Park Board they spent much time discussing improvements to the ball fields. He said they also invited Tim Shetzer, who is the director of the West Stark YMCA, who gave his input for next summer's recreation program. Mr. Shetzer has identified some source of funding on a matching situation up to \$5,000.00. Mr. Shetzer volunteered to meet with the Lawrence Township Trustees to see if they would participate. Mr. Etheridge said the Y does this for many of the surrounding communities. He also said he hoped more people would attend the Park Board meetings.

A discussion also followed concerning building a YMCA in Canal Fulton.

Law Director.

None.

THIRD READINGS:

None.

SECOND READINGS:

Ordinance 41-02: An Ordinance Establishing a Charge for the Use of Ambulance Emergency Medical Services and Repealing Ordinance 18-00, as Amended.

Mr. Szanto said in Section 2 of 41-02 it states that "monies collected under this Ordinance shall be deposited . . ." "which shall be appropriated and administered by the City for payment of costs of managing, maintaining, and operating ambulance and emergency medical services". Mr. Szanto asked with this wording is it possible that we cannot use the money for a fire department building, in other words, is that language a little restrictive.

Mrs. Zahirsky said she was also concerned about the restrictive ness of the language. She said she did not mind it saying the money is to be used for the fire department. She said her concern was are we restricting ourselves from being able to use the money for a building fund. A short discussion followed.

Ordinance 42-02: An Ordinance Authorizing the Mayor and Clerk to Enter into an Agreement with Chapanar Excavating & Hauling Co., and with the Northwest Local School District, for the Purpose of Tax Abatement in the Enterprise Zone, and Declaring an Emergency.

Mr. Szanto said he was not favorable on this abatement. He stated the way he would like to see them granted when it has a substantial impact on jobs in the community. He said the City's abatements in the past have been based on attracting new jobs into the community, expanding real property.

Mrs. Zahirsky said she agreed with Mr. Szanto in that this particular abatement did not fit with what her conception of granting a tax abatement.

CITY OF CANAL FULTON

October 15, 2002

Mrs. Downing said she also agreed 100%. She said, according to the Enterprise Zone rules, they did not go through a tax incentive review council or a negotiating team.

A discussion followed.

Resolution 23-02: A Resolution Entering into a Contract with Sanderson CMI for \$29,992.00 for Accounting Software and an Annual Fee of \$3,150.00, and Declaring an Emergency.

Mr. Szanto stated at the last meeting Mr. Mouse wanted time to review it.

Mr. Szanto said he would like to suspend the rules on this and get it handled.

Mr. Mouse said he was still not prepared to vote.

Mr. Szanto made a motion to suspend the rules on Resolution 23-02. The motion was seconded by Mrs. Cihon. Roll: Yes – 5. Mr. Mouse voted no.

Mr. Szanto then made a motion to pass Resolution 23-02 under suspension. The motion was seconded by Mr. Dane.

Mrs. Kerr said they will be able to do W-2s on the new system. She said there would be training for Sue Menefee on payroll. She said the reports are more efficient.

Mr. Mouse said he is a school administrator and that the \$29,992.00 jumped out at him. He asked the CMI representative to explain the cost.

The CMI representative stated that what is included in that figure is the accounting software, general ledger, purchase order processing, and payroll software. He stated that Canal Fulton purchased this software in 1988 and chose not to update. So now it is a bigger jump.

Mr. Szanto asked if there was anything on the horizon that would make this obsolete in six months or so. The CMI representative said the original application lasted 7-8 years, and the first upgrade lasted seven years. This current upgrade that is on the table now came out a year ago and it is reasonable to assume it will stay current for 6-7 years.

Further discussion followed.

Roll: Yes – 4. Mr. Mouse voted No. Mrs. Downing abstained.

FIRST READINGS:

Ordinance 43-02: An Ordinance Amending the Zoning Map by Changing 4.140 Acres in Outlot 155 from Zone R-2 to Zone R-4A.

Mr. Etheridge showed a map of the area to be re-zoned. He explained the contemplated changes. A discussion followed.

Ordinance 44-02: An Ordinance Amending the Zoning Code by Designating R-1 and B-2 Property Recently Annexed.

The Mayor stated that this Ordinance takes in the 144 acres the City recently annexed and gives the most similar zoning that the City has as compared with Lawrence Township's zoning. A discussion followed.

Resolution 24-02: A Resolution Entering into a Contract with Sanderson CMI for \$12,300.00 for Utility Billing Software, and Declaring an Emergency.

Mr. Szanto made a motion to suspend the rules on Resolution 24-02. The motion was seconded by Mrs. Cihon. Roll: Yes – 4. Mr. Mouse voted No. Mrs. Downing abstained.

Mr. Dane made a motion to approve Resolution 24-02 under suspension. The motion was seconded by Mrs. Cihon. Roll: Yes – 4. Mr. Mouse voted No. Mrs. Downing abstained.

PURCHASE ORDERS & BILLS:

P.O. #1917, in the amount of \$29,992.00 for Accounting and Payroll Software per proposal.
(Resolution 23-02).

Mrs. Zahirsky made a motion to approve P.O. #1917, in the amount of \$29,992.00, to Sanderson CMI. The motion was seconded by Mrs. Cihon. Roll: Yes – 4. Mr. Mouse voted No. Mrs. Downing abstained.

P.O. #1969 in the amount of \$12,300.00, for Utility Billing Software, to Sanderson CMI.

Mr. Szanto made a motion to approve P.O. #1969, in the amount of \$12,300.00 to Sanderson CMI, for Utility Billing Software. The motion was seconded by Mr. Dane. Roll: Yes – 4. Mr. Mouse voted No. Mrs. Downing abstained.

Bills in the amount of \$84,451.54.

Mrs. Cihon asked about a check to Tim and Ronda McCauley. Mrs. Kerr stated that was a refund from their site pay-in deposit.

CITY OF CANAL FULTON

October 15, 2002

Mr. Dane made a motion to approve the bills in the amount of \$84,451.54. The motion was seconded by Mr. Mouse. Roll: Yes – ALL.

NEW BUSINESS:

OTHER BUSINESS:

None.

CITIZENS COMMENTS (Open discussion, Five minute rule)

Mr. Colaianne asked if there had been any progress on the water situation with the schools.

Mayor Kenney said they had an informal meeting with State Representative Kirk Schuring. Kirk Schuring, as a State Representative, authored a cooperative economic development law. He has already met with the Township Trustees to discuss how it works. He then met with us informally along with a member of the school board to discuss how these agreements work. The Mayor said Mr. Schuring has agreed to meet with him and a Township Trustee to continue a dialogue to bring us together not only for that project, but for additional projects in the future.

Mr. Cosentino stated that he has been a resident of Canal Fulton for eleven years. He said he would like to say that Senior Citizens do pay taxes. He also said that five years ago, because of our wonderful Police and Fire Department, he is still alive. He said he had an aortic aneurysm. He lived because our Police and Fire Department got him to the right place in time, approximately 4 minutes. He said the pride of this community is hurting. We need to do something to build up our pride. He said he was here to volunteer to help in any way.

Mr. Hatfield said the Party in the Park for the St. Helena II and raised \$2,200+ dollars. He said they had a good turn out and everyone enjoyed it. He said he would like to thank everyone who bought tickets and who worked on this project.

Mr. Downing asked about the Mayor's report concerning the numerous complaints about possibly putting in an additional road from Beverly that will tie into Colonial. He said Mr. Etheridge proposed that City Council issue revenue bonds to finance the construction which would include a lift station. Mr. Downing said he takes it from the Mayor's report that he is in favor of this. The Mayor stated yes, if it could be done.

Mr. Downing said that rumor has it that the Mayor represents in his legal capacity Schalmo Properties. The Mayor stated that has occasionally done evictions for one of Schalmo's entities in Massillon Municipal Court only. They have their own law firm, Black McCuskey.

Mr. Etheridge said that in regard to the bonds, none of the expense is passed on to the City. The expense of doing this would fall to Schalmo.

REPORT OF COUNCIL PRESIDENT

Mr. Szanto stated that he would like to comment on Council members abstaining from votes. He said he felt unless you have an overwhelming reason to abstain, you owe this community a vote. He said he would prefer to see someone vote "no" on a piece of legislation than abstain.

REPORT OF STANDING COMMITTEES

REPORT OF SPECIAL COMMITTEES

The meeting was adjourned.

Sharon Reiter, Clerk of Council

Shawn Kenney, Mayor