

**CITY OF CANAL FULTON
CITY COUNCIL AMENDED MEETING AGENDA**

March 20, 2018

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. REPORTS OF STANDING COMMITTEES

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

6. CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

3-6-18
3-20-18

7. REPORTS OF ADMINISTRATIVE OFFICERS

- o Senior Citizens
- o Community Service
- o Fire Chief
- o Police Chief
- o Engineer
- o Streets
- o Public Utilities
- o Planning/Zoning
- o Finance Director
- o City Manager
- o Mayor
 - Proclamation - Library
 - Appts to Civil Service Commission
 - o Sam Wilson
 - o Linda Zahirsky
- o Parks & Recreation Board
- o Law Director

8. THIRD READINGS

Ordinance 13-18: An Ordinance by the Council of the City of Canal Fulton, Ohio Approving the Cherton-Arcadia Annexation of 47.32 Acres More or Less from Lawrence Township, Stark County

9. SECOND READINGS

10. FIRST READINGS

Ordinance 14-18: An Ordinance by the Council of the City of Canal Fulton, Ohio to Replat Discovery Park (Phase Five) and Repealing and Ordinance in Conflict Therewith

Ordinance 15-18: An Ordinance by the Council of the City of Canal Fulton, Ohio for Final Acceptance of Spring Morning

Ordinance 16-18: An Ordinance by the City of Canal Fulton, Ohio Amending Ordinance No. 19-85

Ordinance 17-18: An Ordinance by the Council of the City of Canal Fulton, Ohio Amending Ordinance No. 19-85
Ordinance 17-18: An Ordinance Amending Chapter 131.03 (C) (5) of the Department of Fire Services of the Codified Ordinances of Canal Fulton, Ohio and Repealing any Ordinance in Conflict Therewith

Ordinance 18-18: An Ordinance Establishing Ticket Prices for St. Helena III Canal Boat Rides for Operations Commencing in 2018 and Repealing any Ordinance in Conflict Therewith

11. P.O.s

TABLED: P.O. 11546 to JA Chapanar Excavating in the amount of \$14,500 for demolition of the old fire station

P.O. 11669 to Ohio Muni Joint Self Ins Pool in the amount of \$49,483.00 for 2018 Property & Liability Insurance

P.O. 11668 to Canton Floors, Inc. in the amount of \$5,929.00 for New Floors

12. BILLS:

13. OLD/NEW/OTHER BUSINESS

14. REPORT OF PRESIDENT PRO TEMPORE

15. REPORT OF SPECIAL COMMITTEES

16. CITIZENS COMMENTS – Open Discussion (Five Minute Rule)

17. ADJOURNMENT

**CITY OF CANAL FULTON
CITY COUNCIL MEETING MINUTES
March 20, 2018**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

Council in attendance were Mayor Joseph Schultz, Danny Losch, Dan Bucher Jr., Eric Whittington, Sue Mayberry, Scott Svab and Bonnie Donaldson

City Staff in attendance were City Manager Mark Cozy, Fire Chief Ray Durkee, Finance Director William Rouse, Law Director Scott

Others in attendance were Ken Roberts, Margarita Roberts, Dennis Downing, Greg Mayberry

Presentation – Ken Roberts

Mr. Roberts gave a presentation on branding and tying into the Ohio Erie Canal and the Outdoor Recreation Industry. Mr. Roberts said they had an opportunity to do something that was not done in the 1930s. He gave background of the industry. He stated that we have been talking about branding for a long period of time. He wants to ask that Council consider officially adopting the branding identity that has been provided in front of them. This will establish a business identity and establish the downtown identity. It will make the downtown relevant again. It will shout out that we no longer see ourselves as a bedroom community.

Dennis Downing also spoke from Discover Canal Fulton. He created the website fourteen years ago. We have built relationships with the Stark County Visitor's Bureau as well as Summit County, the Ohio Erie Canalway Coalition and Stark Parks. The last few years the demographics have changed to 18-35. The baby boomers are aging and limited to the amount of things to do. The historical part has taken a slight back seat. The big attraction are experiences and outdoor recreation. Mr. Downing accredited a snapshot to Eric Whittington for bringing in the Eagle Ultra. Canal Days is also our brand. We can add Clay's Park and the Warrior Dash as well as Country Fest and now an inflatable 5K run. Slugger's and Putters is also another big asset to the younger generation. This is the hook that bring people to the community. Then comes in the historic value as well as restaurants and specialty shops. With the tow path and outdoor recreation, the quality of life of living here now dangles the carrot to visitors that this is a cool place to live. It is a win win situation. Mr. Downing discussed how to get the people. With the internet, print does not interact much anymore.

Mr. Downing stated he will be putting together a promotional video that will be shared with markets. It will show all of these experiences. More interaction draws people in.

Mr. Roberts stated that branding is more than just a tag line. It is to connect with you emotionally. Branding stakes something that is stable.

Mr. Whittington stated we already have everything we need to work with. Over the last few years we have been getting noticed. All videos and everything aside, we need to take what we have and grow with it.

A motion was made to have an Economic Development Committee Meeting on April 3, 2018 at 6:00pm to discuss the branding of Canal Fulton by Dan Bucher, Jr.

Second by Scott Svab.

All Council Members voted yes. Motion approved.

REPORTS OF STANDING COMMITTEES

None

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

None

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

None

CITY OF CANAL FULTON
CITY COUNCIL MEETING MINUTES
March 20, 2018

Mr. Cozy said we have been in communication with Lockhart Concrete Products and Dan Buck Chevrolet. They have showed interest in participating with us for a water tower study. Dan Buck would like to break ground next year. Just through communications with them, it seems we can get half of the study paid for by those two businesses. If that is enough for Council to move forward he will have communication with them again. He would like to get a purchase order on for the next meeting to get the study going. Right now, he has Lockhart agreeing to pay \$6,000 and Dan Buck \$3,000 towards the study. Mrs. Mayberry asked what the cost was. Mr. Cozy said approximately \$18,000. Danny Losch said the study would determine the placement of it and size of the tower. Mr. Cozy said yes, and how distribute water to and from the tower and the cost. Mrs. Mayberry asked who was going to pay for the tower. Mr. Cozy said one portion could be as in the past where the developer pays for the tap fees up front. That way, those that pay in advance helps put money towards the tower. Mrs. Mayberry asked how much does a tower cost and who is going to pay for it. She is not in favor of paying for the developer's tower. Our residents don't need that tower. Mr. Schultz said we just had a meeting about bringing more people into our community and growing our community because our corporation has to continue to grow. You cannot grow unless you have amenities to offer the people. If you want the growth then you better have infrastructure. We have to invest in it and the idea is to invest in it with the chance of recouping your investment.

Mrs. Mayberry said she needed to see some dollar bills. She said she needed figures before she even considers this water tower.

Mr. Cozy stated that right now is the study. We are going to incorporate residents. It is for fire protection.

Mrs. Mayberry said we did not budget for this. It was up to administration to say there is a potential for a tower to go up we need to budget for this.

Mr. Cozy said for the tower of for the study. Mrs. Mayberry said for anything you are talking about right now. For this year's budget. We would have to appropriate more money.

Mayor Schultz said that he though Mr. Rouse could answer this but you have a revenue source in the water and sewer department that we have money available in that account. Is that where the money would come from? Or would it come from the general fund?

Mr. Rouse said it would come from the water. Mr. Schultz said the money is in the account and the purpose of that is to reinvest to try and create new customers.

Mrs. Mayberry said she was not in favor of providing for the people that want our services. They want them, they should have to pay for them.

Mr. Losch said he understood Mrs. Mayberry's point and it is definitely valid. We are going to pay for some developer to make a bunch of money off of our citizens. Just like the sewer line off of Marshalville, we did get some grant money towards that. This is something that we have to branch out to create these possibilities for businesses to come in here.

Mr. Cozy said he wants to know what we need first. We have areas of Lawrence Township that may need water, so we may need to talk with the Trustees. The capacity would need determined.

Mrs. Mayberry asked who else would use it.

Danny Losch stated new growth would use it.

Mayor Schultz said so the investment we made on the sewer line on Marshalville street the Oser property, of someone wanted to develop that the first thing they would ask us for would be water.

Mr. Cozy stated this would replace the existing tank so everyone on this side of the river would use the tower. We have a two-tank system and essentially, we want to replace the existing tank. There are people that have water but not fire protections because there is not enough pressure.

Mrs. Mayberry asked if there was an issue with the tank that is there.

Mr. Cozy said yes, it is not high enough.

Mrs. Mayberry said this is the first time I am hearing this.

Mr. Cozy stated it was in the water study of 2006.

Mayor Schultz asked what Mr. Cozy needed from Council.

Mr. Cozy said a voice motion to prepare the purchase order between now and next meeting he will have something more solid from the two businesses to pay.

**CITY OF CANAL FULTON
CITY COUNCIL MEETING MINUTES**

March 20, 2018

Schultz said he thought the people loved it year-round. Mrs. Donaldson said people are already unhappy about not having it. Mr. Svab said there may be room at the left of the new service building.

A motion was made to have a Public Service committee meeting on April 17 to discuss a yard waste disposal area by Dan Bucher, Jr.

Second by Scott Svab.

All Council Members voted yes. Motion approved.

Mayor Schultz – Mayor Schultz had the cost of the gas bills over the last three months. The cost for the gas for the old fire station and the old garage on water street. The bill for the new service building was included. Council can look them over for their information.

Mayor Schultz discussed the bills and costs for buildings. It was good news on the costs of the new building compared to the two older buildings.

Mayor Schultz stated that the YMCA and Stark County Foundations are meeting Thursday and was hoping to have something Council members could sign with our application that we can show our support to ask for 1.75 million dollars for grant money to put towards the Canal Fulton YMCA. These foundations meet as a group. You get twenty minutes to state your case. Mayor Schultz said he would draft something and email it to Council for their approval.

Mr. Cozy asked how much we had raised locally as of now. Mayor Schultz said we were at \$1.75 million that we have raised. Originally the bar was set up \$2,083,000. They had to hire a different architect. The cost went up \$140,000. Our local target right now is \$2,248,000.

We have been in meetings with Astro-tec. The Mayor said he is excited about something happening there. Mayor Schultz asked how they could get together and prioritize where we see the future going.

Mrs. Mayberry said she felt they need to do one thing at a time. Mrs. Mayberry said it seems like you start things in different directions and then it becomes unmanageable. Mayor Schultz said Amen to that. Mayor Schultz said you start collecting information and then you get more information. Then you investigate to get more information. Mayor Schultz said it seems like he sits in meetings all the time.

Mrs. Mayberry said she is no strategic planner. She does not claim to be one. She depends on her Administration.

Mayor Schultz said give him that one thing, that is what he is asking for. It may be different from all of us. He asked if we should have a work session and open it to the public. Mrs. Mayberry said no. Dan Bucher said that could blow up.

Mayor Schultz said last year he brought to Council the footbridge. It has been a problem. The estimate to fix is \$31,000. Mr. Cozy has investigated with Dan Rice and Bob Fonte and we do anything to that bridge that involves federal dollars it has to be made ADA compliant. It is no longer a foot bridge then. It is going to be a local project that is \$31,000. Mayor Schultz said he was hoping to get support from Council that we look at it as a three to five-year plan, where we cut down trees that present a problem. That would be step one. Step two would be to shore up the structure itself. Year three could be pressure washing the metal and painting and then put new decking back on. Danny Losch said it does not need to be replaced. The timing would be dependent upon when trees need to be cut down. Mr. Whittington asked if there was something that could be put on the wood to seal it permanently.

Mayor Schultz said if we don't get the trees cut down it is a moot point and he would turn the project over to someone else. He said he was on the park board for five years and this was the number one complaint. The bridge is unsafe. Mrs., Mayberry asked who owned the bridge. Mrs. Mayberry said we have to establish that. Mr. Cozy said Stark Parks would like to own it. Mr. Cozy said he did want to let them own it. He does not want the bridge gone. Stark Parks said they would take it down but not repair it. Mr. Cozy said it is a historic bridge.

Mrs. Mayberry said if this is a Historical Preservation Commission thing, then they need to be involved in establishing this as a landmark or doing something to protect it. Mr. Cozy said it can be pressure washed but the concrete steps need replacing. If we fix that then we can replace the wood. Mr. Cozy said he was not in favor of cutting down the trees either. Mrs. Mayberry asked if we could mull this over a bit to hash it out. Mayor Schultz said yes but when he brings it back again, when you give him that one thing we need that one thing then give me the one thing. Mrs. Mayberry asked if he had to always be doing something. Mayor Schultz said yes, always doing something.

CITY OF CANAL FULTON
CITY COUNCIL MEETING MINUTES
March 20, 2018

the preservation and protection of the old historic or architecturally worthy structures and quaint neighborhoods which serve as visible reminders of the historical and cultural heritage of the City, the State of Ohio and the Nation. Parking is an essential concern for the on-going economic vitality of the Historic District and should be of primary concern.

Our Community Plan states that Canal Fulton's historic downtown district is one of the community's strongest features and that great care should be taken to preserve and enhance it.

Three structures in our Historic District will soon be facing demolition. The city's old fire station being sold to Bell Stores, and two structures next to the downtown Creamery have been deemed unsafe by the county health department and are unfit for human occupancy.

The old fire station has been well maintained as it has housed our fire crew and equipment for many years, and our Zoning Department and Inspector. It is not unsafe or in disrepair. Normally a demolition of a structure in the historic district must first go before the zoning department and then the Historical Preservation Commission, HPC. The city is exempt from this process as they own the fire station, a public building. It's been deemed to have out lived its usefulness to the city and is no longer needed.

The 1978, city code states that neither the owner or person in charge of a structure within the historic district or designated landmark shall allow that structure or landmark to fall into a state of disrepair and produce a detrimental effect upon the character of the district as a whole or the life and character of the structure or landmark in question. There are penalties associated with that violation.

Could the structures next to the Creamery have been saved by continued owner care? My home is still standing and it was built in 1885. I fully believe our elementary school could have been saved as well. Repurposing this structure was discussed in the 2009 Community Plan. The turnover of ownership does not matter - responsibility goes with each owner.

Ponder this scenario. The historic preservation commission has been requested to consider the application of a property owner's request to demolish or remove a structure, building, landmark or house in the historic district. If within a 6-month period, after following the required process and all avenues have been exhausted to save the structure from demolition or removal, either by selling to a new owner or repurposing it in another way, and no alternative agreement has been reached with the applicant, the HPC must grant a certificate of appropriateness for the demolition. The removal or demo will happen and there's nothing anyone in this room can do about it.

What other buildings could be falling into disrepair right now? Will they someday be deemed unsafe and uninhabitable? Real estate agents need to be provided with and know the requirements for potential homes buyers.

The complaint-driven, zoning violation policy will be the curse and demise of the historic district. The proactive protection of our historic structures is crucial and our code provides the means to do it. We must enforce the laws that will protect our district now and for years to come or we will fail this community.

After all we have heard this evening regarding the exciting current and future potential of our community, I implore to the administration to reassess how they are overseeing the provisions provided in our code and enforcement of the laws that will protect our investment - our historic district.

Mrs. Mayberry said she felt that needed to be brought forth and is critical.

Mayor Schultz said for him, and he was not sure how the rest of Council feels. As a realtor he has begged someone not to buy certain houses. He asked Attorney Fellmeth what kind of jurisdiction we have for someone who does not paint their house. How do we look someone in the face and say to clean up their yard when we have someone who can't paint their house and has not painted it for twenty-five years? Mrs. Mayberry said she was not trying to point fingers, but it is something that need to be. Mayor Schultz said you need to give the authority to have some teeth behind it. Mrs. Mayberry said they had that authority. Mrs. Mayberry said she did not realize that there us a six-month window. She feels this is something we need to be cognizant of.