

CITY OF CANAL FULTON

January 17, 2006

COUNCIL MEETING

Mayor Grogan called the January 17, 2006 City Council meeting to order at 7:30 PM in Council Chambers at City Hall.

PLEDGE OF ALLEGIANCE

CALLING OF THE ROLL

Present: Mayor Grogan, Tony Crookston, Diane Downing, Victor Colaianni, Nellie Cihon, Linda Zahirsky, and James Deans

OTHERS PRESENT

Patti Trocceli, Clerk of Council; Nancy Lawson, Utility Department; Chief David Frisone, Police Department; Chief Ray Green and Edward Collette, Fire Department; Scott Svab, Interim Finance Director; Chris Pugh, The Independent; Joan Porter, The Repository; Mark Cozy, resident

CORRECTING/ADOPTING THE RECORD OF PROCEEDINGS

Mr. Colaianni made a motion that Council accepts the January 3, 2006 City Council meeting minutes; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

CITIZENS' COMMENTS – (Agenda Matters) – None

REPORTS OF ADMINISTRATIVE OFFICERS

SENIOR CITIZENS (Nellie Cihon)

Jan. 28 Swiss Steak Dinner, 4:00 – 6:00 PM, \$8 adults; \$4 children age 10 and up

COMMUNITY SERVICE – No Report

FIRE CHIEF (Chief Ray Green)

Chief Green will present the Fire Depart Annual Report at next meeting (structure fire tonight)

The Fire Dept. ran 780 calls in 2005; he will have breakdown at next meeting; over 580 were EMS runs; others were fire- and service-related calls.

Lawrence Township's Fire Chief (Stull) resigned yesterday; Chief Green was approached by the Trustees to fill in as Interim Fire Chief. Chief Green spoke with Mayor Grogan who had no problem with same. Mr. Kincaid asked if there were ever any occasions when Chief Green would have to approve what he does himself under his "other hat" with Lawrence Township (one chief would have to approve what the other chief did – referencing 'common law conflict'); Chief Green answered, "No." Mr. Kincaid said if it's possible to do both jobs, no problem, but you can't supervise yourself. Mayor Grogan said the departments have worked so close together that having one chief - that Chief Green already knows their system and personnel, and it was a decision that the Trustees came to after the decision with their chief and he saw no conflicts with equipment or anything else. Mr. Kincaid commented that if Chief Green was not available, the chief officer of the host department would be in charge, so there is no conflict. Chief Green said they have a chain of command structure like Canal Fulton's, and the jurisdiction that the call occurs in, the ranking fire officer from that jurisdiction is in charge. Mayor Grogan said Chief Green has established such a strong officer's core within our department that it makes it easy for him to manage both fire departments, and there are standard guidelines they follow. Mayor Grogan spoke with Marvin Hardgrove telling him the city is prepared to help them in any way possible while they are going through the transition.

Chief Green recommended Edward Collette from Lawrence Township for appointment as probationary firefighter to serve as a firefighter with the city, stating he has his 36-hour firefighter certification and is certified as an intermediate emergency medical technician, which now under the new State revised guidelines he can perform a lot of functions that paramedics can't (certain medications, cardiac defibrillation, advanced airway management, etc.); also he has advanced training through the Ohio Fire Academy in road rescue, certified in basic, intermediate and advanced road rescue, along with commercial vehicle extrication, hazardous materials operation, and three classes that make up the management company tactical operations program. Mayor Grogan recommended to Council Chief Green's recommendation to accept Edward Collette as probationary firefighter contingent on passing the physical and drug screening. Mr. Colaianni made a motion as stated by the Mayor to approve Ed Collette as probationary firefighter; seconded by Mr. Deans. **ROLL CALL: Yes – ALL** Mr. Collette was congratulated and welcomed.

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Firefighter Sarah Scott has requested a six-month Leave of Absence, as she accepted a fulltime position with the City of Goose Creek, SC (the appointment is probationary). Mayor Grogan said he saw no problem with extending it up to a year.

POLICE CHIEF (Chief David Frisone)

Chief Frisone is still working on their annual report; will have for Council at the next meeting. He had distributed December's Police Dept. statistics. He said the drug offenses and arrest (Milan St.) were not reflected in the report, as the arrest took place in January. He noted 351 total calls for December.

Duane Worden (Worden's Custom Cycle Inc.) requested two street closure dates. Mr. Worden applied for temporary liquor permits for June 3 and 25 (approved by Chief Frisone), at which time he is planning on sponsoring a Motorcycle Cruise-In and a Charity Poker Run – both to benefit the American Cancer Society. He has done this in the past without problems. On June 25, Mr. Worden will hire an off-duty police officer from Canal Fulton.

Chief Frisone nominated Doug Swartz for the Stark County Police Officer of the Year and Garnet Thomas for the Stark County Crime Prevention Citizen of the Year. They will vote on it next week, and the Chief will keep Council and the Mayor posted on same.

Chief Frisone noted the two high-accident intersections in Canal Fulton were 1) Rt. 93 and Locust, and 2) Beverly and Locust. There are a large number of incidents, near-misses, and accidents at both Milan and Rt. 93 flashing light intersection and Rt. 93 and Strausser.

ENGINEER (Bill Dorman)

Milan St. Water and Sewer Project: Complete

Pine Manor Senior Housing: Construction of the Force Main is complete; the pump station is under construction and nearly complete.

Canal Place: All city-owned utilities and pavement have been installed. Curbs and pavement are complete - with exception of the surface course

Lakewood Estates Lake Vista (Smail's Pond): Still under EPA review.

Discovery Park Phase 4: Sanitary sewer complete; expect the rest of utility and roadway to be complete in April '06.

Canal Fulton Canalway Center: Construction complete.

Muhlhauser Park Tennis Courts: Construction and lighting are complete; still need final electrical approval.

Fulton Landing: (New subdivision being proposed/location: Erie by Luna Lake) Preliminary site plan has been submitted and will be reviewed during the next Planning Commission meeting.

Mr. Dorman attended a meeting in Columbus regarding the Muskingham Watershed Conservancy District plans and briefed Council on the progress of same, noting there will be \$270,000,000 worth of repairs. If things go as the District plans, there will be a \$12 per parcel assessment charged per year, which generates money toward the funding of the improvements. There will be flood warning, additional river gauges added, a lot of dredging so there will be more storage which will help Canal Fulton downstream either in the rivers or reservoirs, money will be provided to clean up things like log jams; also there will be matching funds regarding water quality issues for some projects in the watershed. There will be hearings and challenges on the issue; but, if passed, will go into effect Jan. 2007.

FINANCE DIRECTOR (Interim Finance Director Scott Svab)

The Certificate of the Total Amount from All Sources Available for Expenditures and Balances: Mr. Svab distributed same, which was submitted to the county, and answered questions regarding the certificate.

Regarding Resolution 04-06 (not on Agenda): Mr. Svab said he wasn't aware the Board of Elections' deadline is Feb. 16; asking Council how they want to proceed and if they wanted to put anything on the May primary. He said this piece of legislation, if they choose to enact same tonight, is just a first step - a resolution requesting the auditor certify the Certificate of Estimated Resources. He said they were looking at the 1 mil each for Fire and Police funds, which were voted on November 1998; the levy was in effect for 1999, and a tax estimate is "frozen at that point" until "Council decides to put a renewal levy on; that would not increase the millage" but it would effectively update the levy to its current status. He added we're receiving now for that 1

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mil for each fund \$70,776; our current evaluation is over \$88,000,000. So the city will have an additional \$18,000 if Council decides to put this on the ballot.

Clerk of Council asked Council's permission to change the first sentence verbiage from "WHEREAS, the Police levy is about to expire," to "WHEREAS, the Police levy has not been renewed since 1999." (Council had the corrected copies of same in their packet.

FIRST READING: RESOLUTION 04-06: A Resolution Requesting the Stark County Auditor to Certify to the City of Canal Fulton the Dollar Amount of Revenue That Would be Generated by 1 Mil for Police Purposes, and Declaring an Emergency. Mr. Colaianni made a motion to suspend the rules on Resolution 04-06; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL** Mrs. Cihon made a motion to pass Resolution 04-06 under suspension; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL**

(Returning to) The Certificate of the Total Amount from All Sources Available for Expenditures and Balances: Mrs. Zahirsky made a motion that Council has received The Certificate of the Total Amount from All Sources Available for Expenditures and Balances provided by Fiscal Officer; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

Resolutions 02-06 and 03-06: Mr. Svab requested these resolutions be passed tonight.

FIRST READING: RESOLUTION 02-06: A Resolution Authorizing the Finance Director to apply Through the Clean Ohio Trail Fund (COTF) for Grants for a Projected Bike Path Linking Discovery Park to Puffenberger Park then to the Ohio Erie Canal, and Declaring an Emergency. Mr. Deans made a motion to suspend the rules on Resolution 02-06; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL** Mr. Colaianni made a motion to pass Resolution 02-06 under suspension; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

FIRST READING: RESOLUTION 03-06: A Resolution of Support for a Projected Bike Path, and Declaring an Emergency. Mrs. Zahirsky made a motion to suspend the rules on Resolution 03-06; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL** Mrs. Cihon made a motion to pass Resolution 03-06 under suspension; seconded by Mr. Deans. **ROLL CALL: Yes – ALL**

MAYOR JOHN GROGAN

Mayor Grogan stated he was going to hold off on the State of the City address due to current developments with the City Manager position.

CITY MANAGER – No Report

PARKS (Fred Fleming) – No Report

LAW DIRECTOR (Attorney Dale Kincaid)

Mr. Kincaid commented on Resolution 01-06, stating he had indicated he'd like to have a prosecutor handle our cases. This wasn't possible, but was informed they have five fulltime prosecutors; two are assigned to each of the judges on a rotating basis. If the city calls before 2:00 PM, Prosecutor Bob Zedell who he felt was "top notch" would be handling the city's issues. Chief Frisone stated he handles most of the city's complaints currently.

FIRST READINGS (ABOVE)

SECOND READINGS

Resolution 01-06: A Resolution Authorizing the City Manager to Enter into a Contract with the City of Massillon Law Department for Legal Services of the Prosecutor's Office, and Declaring an Emergency. Mr. Colaianni made a motion to suspend the rules on Resolution 01-06 (at the Law Director's recommendation); seconded by Mrs. Downing. **ROLL CALL: Yes – ALL** Mrs. Cihon made a motion to pass Resolution 01-06 under suspension; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

THIRD READINGS – None

PURCHASE ORDERS & BILLS

P.O. 4532 made out to Summa St. Thomas Hospital in the amount of \$6,400 for paramedic training. Mr. Deans made a motion that Council accepts P.O. 4532 in the amount of \$6,400 to Summa St. Thomas Hospital; seconded by Mr. Colaianni. **Discussion:** Mr. Kincaid stated he could sign this P.O., since there was no acting city manager. **ROLL CALL: Yes - ALL**

P.O. 4534 made out to Finley Fire Equipment in the amount of \$11,500 for turn-out gear. Mrs. Cihon made a motion that Council accepts P.O. 4534 in the amount of \$11,500 to Finley Fire Equipment; seconded by Mr. Colaianni. **Discussion:** It was remarked that a grant applied for this gear was turned down. **ROLL CALL: Yes - ALL**

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BILLS: \$98,105.59 Mrs. Zahirsky made a motion that Council has received the bills in the amount of \$98,105.59; seconded by Mrs. Cihon. **Discussion:** Mrs. Downing asked about why the city was paying two office supply companies, and if we would be using them both now. Mr. Svab explained that Ms. Troccoli was trying to find the best deals between them. Ms. Troccoli stated the Quill bill was for items received last month, and that Accurate would now be our main supplier. Mayor Grogan stated he sent Ms. Troccoli an email to advise all departments to go through one source (Ms. Troccoli) for purchasing office supplies, and that we would be using Accurate. Mr. Colaianni spoke (regarding utility bills) about how high the heat was in the building and there were lights left on (9:00 PM at night); he encouraged that someone adjust the thermostat and check the lights prior to leaving the building. **ROLL CALL: Yes - ALL**

AGENDA ADDITIONS (OLD/NEW BUSINESS) - None

CITIZENS COMMENTS (Open Discussion, Five-Minute Rule) - None

REPORT OF PRESIDENT PRO TEMPORE

Mrs. Zahirsky stated the Committee on Committees met today at 6:00 PM and recommended the following appointments/committees: Finance Committee – Jim Deans, Tony Crookston, Victor Colaianni, and Linda Zahirsky; Economic Development/Zoning Committee – Victor Colaianni, Jim Deans, and Tony Crookston; Personnel/Rules Committee – Nellie Cihon, Diane Downing, and Linda Zahirsky; Safety Committee – Nellie Cihon, Victor Colaianni, Jim Deans, and Tony Crookston; Public Service – Nellie Cihon and Linda Zahirsky. Mrs. Zahirsky made a motion that the Personnel/Rules Committee meet to work on raises for city employees not covered by the contract on Tuesday, January 31, 2006 at 6:00 PM; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL**

Mrs. Zahirsky stated she would like to have a Public Service meeting in February to discuss the tap-in fees for the inside and outside water and sewer connections, and monthly water and sewer rates.

Mrs. Zahirsky made a motion that the Safety Committee meet on January 31, 2006 at 7:30 PM for the purpose of reviewing Fire Station architectural proposals and a potential timeframe for the project, suggesting Chief Frisone and Chief Green be in attendance (along with an additional 2-3 fire officers); seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

REPORT OF STANDING COMMITTEES – No Report

EXECUTIVE SESSION

Mrs. Zahirsky moved to convene into Executive Session for the purpose of interviewing for the City Manager position, and requested all members of Council and Mayor Grogan to attend same with a possibility of legislative action (Council will interview two individuals); seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

REGULAR SESSION RECONVENED

At 10:29 PM, Mrs. Cihon made a motion to reconvene the regular session where they interviewed candidates for the position of City Manager; seconded by Mr. Deans. **ROLL CALL: Yes – ALL**

Mayor Grogan recommended to Council for consideration Mark A. Cozy for the fulltime position of City Manager for the City of Canal Fulton. Mr. Colaianni made a motion that Council moves forward and accepts the Mayor's recommendation and appointment of Mark A. Cozy for the City Manager of Canal Fulton; seconded by Mrs. Cihon. **Discussion:** Mr. Colaianni thanked the Mayor et al for the open dialogue/discussion they've had during the entire long process, and stated that going forward they have a "huge opportunity here." Mr. Deans stated he thought the city was getting a bargain, and Mr. Cozy was the best choice. **ROLL CALL: Yes – ALL**

Council confirmed Mark A. Cozy for the position of fulltime City Manager.

It was noted that Phil Kaster is being considered as the new Community Service Coordinator. Mayor Grogan will confirm the decision at the next Council meeting.

ADJOURNMENT - Mrs. Cihon made a motion to adjourn. Mayor Grogan adjourned the January 17, 2006 City Council meeting.

Patricia A. Troccoli, Clerk of Council

Mayor John Grogan