

CITY OF CANAL FULTON

January 2, 2007

COUNCIL MEETING

Mayor Grogan called the January 2, 2007 City Council meeting to order at 7:00 PM in Council Chambers at City Hall.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: John Grogan, Victor Colaianni, James Deans, Diane Downing, Anthony Crookston, Nellie Cihon and Linda Zahirsky.

Others Present: Mark Cozy, City Manager; Dale Kincaid, Law Director; William Dorman, City Engineer; Tammy Marthey, Clerk of Council; Scott Svab, Finance Director; David Frisone, Police Chief; Ray Green, Fire Chief; Daniel Mayberry, Director of Public Utilities; Bob Lockhart, Chell Rossi, Paul Bagocius, Don Schwendiman, Residents; George Davis, Akron Beacon Journal, and Joan Porter, Repository

CORRECTING/ADOPTING THE RECORD OF PROCEEDINGS

Mrs. Zahirsky moved for passage of the December 19, 2006 meeting minutes, seconded by Mr. Crookston. **ROLL: Yes, ALL.**

ELECTION OF PRESIDENT PRO TEMPORE

Mr. Colaianni nominated Mrs. Zahirsky to serve as President Pro Tempore for 2007, seconded by Mr. Crookston. **ROLL: Yes, ALL.**

ELECTION OF VICE-PRESIDENT

Mrs. Zahirsky nominated Mr. Crookston to serve as Vice President for 2007, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

ADOPTION OF COUNCIL RULES

Mrs. Zahirsky moved to adopt the Council Rules as submitted, seconded by Mrs. Cihon. **ROLL: Yes, ALL**

Mr. Crookston asked about the proposed amendment from Mr. Colaianni, adding a Rule 28 under Section IV: Committee Work and Motions. Mr. Colaianni stated he is not going to forward such amendment at this time because rules can be revised or amended at anytime throughout the year. He stated at the present time it was his contention to withdraw his proposed amendment.

Mayor Grogan suggested adding quotation marks on Page 6, Rule 14: "Shall the decision of the Chair stand as the decision of Council?"

COUNCIL COMMITTEES

Mr. Colaianni moved to have the members of Council as they pertained in 2006 Council Committees be carried over to the 2007 Committee on Committee as they stand currently, seconded by Mrs. Cihon. **ROLL: Yes, ALL**

CITY OF CANAL FULTON

January 2, 2007

REPORTS OF STANDING COMMITTEES

Mr. Colaianni moved to have the members of Council as they pertained in 2006 Committee on Committee be carried over to the 2007 Committee on Committee as they stand currently, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

CITIZENS' COMMENTS – AGENDA MATTERS – None

REPORTS OF ADMINISTRATIVE OFFICERS

SENIOR CITIZENS (Nellie Cihon) – Swiss Steak Dinner: Next dinner will be held January 20, 2007 from 4:00 p.m. to 6:30 p.m. Reservations are required.

COMMUNITY SERVICE (Phil Kaster) – The Community Service man hours for the month of December was 106 and have completed numerous projects this past month.

FIRE CHIEF (Chief Ray Green) – Chief Green reported that the new ambulance has been placed in service. They have received Notice of Hearing with the Building Department regarding the new fire station. It is to take place January 4, 2007. Mr. Cozy and he will be attending the hearing. A decision could be made the same day.

POLICE CHIEF (David Frisone) – Chief Frisone reported that he distributed to council his monthly report. There were 359 calls for the month of December. The breakfast for Officer Montean to recognize him as Community Officer of the Year will be held on February 6 at 8:00 a.m. at the Canton Oldtimer's Activity Center. Chief Frisone stated he will have his annual report at the next council meeting.

ENGINEER (Bill Dorman) - No Report

FINANCE DIRECTOR (Scott Svab) - Mr. Svab reported there was a seven and one half percent (7-1/2%) decrease in health care premiums. He will also be switching the plan for the prescription plan. There will be a higher co-payment and there is a potential savings of up to \$12,000. If the prescriptions remain at what they were for 2006, we could still save \$6,000-\$9,000. The City will reimburse the difference in co-payments to employees using the prescription plan. They will be reimbursed after purchasing the prescription and show proof of purchase.

Mr. Svab stated he gave everyone a comparison of 2005/2006 salaries by department. The approximate carryover for the general fund is \$25,000. Salaries, wages, pension and workers compensation have increased \$290,490.27 from 2005. They had over a \$320,000 carryover last year. There are legal bills that increased and there was a new park program that didn't previously exist where they funded the parks, a lot of salaries and wages went out on that. This is a new program that didn't previously exist. There will be another increase in salaries due to union salary increases. Mr. Svab stated the temporary budget was passed and by next meeting everything will be in and they will be able to decide on the needed direction. Mr. Svab will have information in the packets for council on January 12. Council will be scheduling a meeting January 20 or January 27th to review the budget. The date will be determined at the January 16 meeting. It was recommended to have department heads available to attend the meeting.

Mayor Grogan suggested having a temporary spending freeze. Mrs. Zahirsky stated to definitely hold off on non-essentials.

CITY OF CANAL FULTON

January 2, 2007

CITY MANAGER (Mark Cozy) - Mr. Cozy reminded all about the work session that is scheduled with the Lawrence Township Trustees on January 11 at 7:00 p.m. at Lawrence Township Hall.

Mr. Cozy stated the city has received the 2006 community map and guide. He has concerns about the clarity of the pictures. The company provided the city with 7,000 at no cost and the city purchased an additional 2,000 at a cost of \$800. The map is paid by local advertisements placed on the map. The company did offer to give a discount of \$400. Mayor and Council voiced their displeasures with the clarity of the pictures and Mr. Colaianni stated if the proof doesn't look like the copies, the company should re-run the maps at no cost to the city. It was the consensus to have Mr. Cozy follow-up with the publishing company. Mr. Cozy asked if they wanted him to mail the maps to the Township. Mayor Grogan stated they can make them available to them.

MAYOR (John Grogan) - Mayor Grogan read the following proclamation into the record:

Diane Downing and Louise Fellabom donated money to the Canal Fulton Fire Department in memory of George Fellabom; and

Whereas, George Fellabom was a loving husband, father and grandfather; and

Whereas, George Fellabom was Assistant Chief with the City of Massillon Fire Department where he served thirty-three years and retired due to work-related health problems in 1982; and

Whereas, George Fellabom had a heart of gold and would help anyone in need; and

Whereas, with this generous donation, the Fire Department will purchase a heart monitor which will enable them to provide better cardiac care by enabling them to detect serious cardiac problems, increasing the survival rate of the patient.

NOW, THEREFORE, the City of Canal Fulton would like to thank Diane Downing and Louise Fellabom for the donation to the Canal Fulton Fire Department in loving memory of George Fellabom.

IN WITNESS WHEREOF, I have hereunto set my hand and cause the Seal of the City of Canal Fulton to be affixed the 2nd day of January 2007.

Mayor John Grogan

PARKS & RECREATION B OARD (Fred Fleming) – Not Present

LAW DIRECTOR (Dale Kincaid) – Mr. Kincaid stated he gave a memorandum at last meeting about the prosecutorial contract that ends on January 31, 2007. There was discussion on alternative representation. It was recommended to set up a meeting with Larry Chapanar before next meeting and have Mr. Cozy speak to Pelini and Associates for a quote.

THIRD READINGS

Ordinance 42-06: An Ordinance Establishing the Position of Canalway Programs Director and Establishing an Annual Wage. Mrs. Zahirsky moved to table Ordinance 42-06, seconded by many. **ROLL: Yes**, Mr. Colaianni, Mr. Deans, Mr. Crookston, Mrs. Cihon and Mrs. Zahirsky. **No**, Mrs. Downing.

TABLED

CITY OF CANAL FULTON

January 2, 2007

Ordinance 44-06: An Ordinance Increasing the Number of Operator A Under Street Department from One to Two. Mr. Crookston moved to table Ordinance 44-06, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

TABLED

SECOND READINGS

Resolution 39-06: A Resolution Approving the Khelp Annexation.
Stands as Second Reading

Resolution 40-06: A Resolution Approving the Craven-Duncan Annexation.
Stands as Second Reading

FIRST READINGS

Resolution 01-07: A Resolution Approving the Hare Annexation.
Stands as First Reading

Resolution 02-07: A Resolution Authorizing the Mayor and City Manager to Enter into a Contract with CTI Environmental, Inc. as City Engineer and Declaring an Emergency. Mr. Crookston moved to suspend the rules on Resolution 02-07, seconded by Mr. Colaianni. **ROLL: Yes, ALL.** Mr. Crookston moved for passage of Resolution 02-07, seconded by Mrs. Zahirsky. **ROLL: Yes, ALL.**

PURCHASE ORDERS & BILLS

No purchase orders submitted.

BILLS: \$53,489.55 Mrs. Cihon moved to approve the bills in the amount of \$53,489.55, seconded by Mr. Deans. **ROLL: Yes, ALL.**

OLD/NEW/OTHER BUSINESS - None

REPORT OF PRESIDENT PRO TEMPORE (Linda Zahirsky) - None

REPORT OF SPECIAL COMMITTEES - None

CITIZENS COMMENTS-Open Discussion (Five-Minute Rule)

Bob Lockhart, 559 Maynard Drive: Mr. Lockhart is present to ask for a letter to be sent to his bonding company regarding the Denshire Project. Mr. Kincaid stated the City previously wrote to his bonding company regarding the problems that were experienced in Denshire. Mr. Kincaid suggested writing another letter stating that so far if turns out to not have been his fault but that we have a long way to go to check all connections and that we don't want to release the bond yet. He stated he could send copies of the letter to a couple of other bonding companies so Mr. Lockhart is not inhibited in getting new bonds.

Mr. Lockhart asked Council what could be done about the \$4,500 he incurred in labor costs in excavating the area since the problems were found to be a result of Dominion East Ohio Gas' work and not his. He doesn't feel he will get this money back from the gas company since they didn't order him to come in, the city did. The Law Director stated the city will have a claim against the gas company and he needs to make a claim with the gas company. Mr. Colaianni offered a name of a representative from the gas company and recommended he make initial contact with her. Mr. Kincaid stated the gas company penetrated the storm sewer and knowingly covered it. He stated sometimes that is grounds for

CITY OF CANAL FULTON

January 2, 2007

recovery of attorney fees. Mr. Lockhart will call the Clerk to get the information from Mr. Colaianni. Mr. Mayberry stated they still need to camera Phase 3, 4 and 5 of Denshire to see if there is any other damage.

Mr. Kincaid stated the street has not been accepted as of this date. Mr. Cozy stated the acceptance would not be done until it passes inspection. Mr. Mayberry stated a punch list has been put together but has not been completed. Mr. Lockhart will get with Mr. Mayberry to review.

ADJOURNMENT

Mrs. Cihon moved to adjourn the January 2, 2007 meeting.

Mrs. Cihon moved to withdraw her motion to adjourn, seconded by Mr. Colaianni.
ROLL: Yes, ALL.

The Mayor stated the City Manager would like an executive session. Mrs. Zahirsky moved to adjourn to executive session at 8:12 p.m. from the regular meeting for the purpose of the consideration of the purchase of real, person, tangible or intangible property, with the Mayor, Council, City Manager and Law Director present, seconded by Mr. Colaianni. **ROLL: Yes, ALL.**

Mr. Colaianni moved to return to public session at 8:26 p.m., seconded by Mr. Deans. **ROLL: Yes, ALL.**

As a result of the executive session, there was no legislative action taken.

Tammy Marthey, Clerk of Council

John Grogan, Mayor