

# CITY OF CANAL FULTON

February 15, 2005

## REGULAR COUNCIL MEETING

Mayor John Grogan called the February 15, 2005 City Council meeting to order at 7:30 PM in Council Chambers at City Hall.

## PLEDGE OF ALLEGIANCE

## CALLING OF THE ROLL

Present: Victor Colaianni, Nellie Cihon, Mike Mouse, Diane Downing, Linda Zahirsky, and Bob Szanto

## OTHERS PRESENT

Mayor John Grogan, Marge Loretto, City Manager; Mike Rodino, Finance Director; Dan Mayberry, Utilities Superintendent; Chief Ray Green and Assistant Chief Mark Stewart, Fire Department; Officer Ed Harbaugh, Police Department; Bill Dorman, Todd Taylor and Dave Kohlmeier, CTI Environmental; Attorneys Nick Codrea and Bob Tscholl; Chris Pugh, The Independent; Joan Porter, The Repository; Mike Bagley, President of Stark County Chapter of Ohio Horseman's Council; Rick Meadows, Nancy Shuter, John Hatfield, Rochelle Rossi, Residents

## CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

Mr. Colaianni made a motion to accept the January 25, 2005 Special City Council meeting minutes; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

Mrs. Cihon made a motion to accept the February 1, 2005 City Council meeting minutes; seconded by Mr. Colaianni. **CORRECTION:** Page 1, Paragraph 2 under Fire Chief: 1997 Engine should read 1987 Engine. **ROLL CALL: Yes – ALL**

THE FLAG LADY'S FLAG STORE – Representative unable to attend; will reschedule.

CITIZENS' COMMENTS ON AGENDA MATTERS - None

## REPORTS OF ADMINISTRATIVE OFFICERS

### Senior Citizens

February 16 & March 16: Income Tax Preparation, Noon – 4:00 PM - Call for an appointment

March 5 Swiss Steak Dinner \$8 for adults; all you can eat

March 23 Trip to see "Menopause the Musical" - Price: \$71 (Includes lunch)  
Leaving 10:30 AM (Back around 5:00 PM) at Cleveland's 14 Street Theatre

Community Service Coordinator – No Report

### Fire Chief

Chief Green reported Engine 5's repairs are still in progress; a cost estimate to repair same should be available this week. A utility vehicle was approved for this year's budget; the Chief suggested a Dodge RAM 2500 pickup truck to be used as a utility vehicle and a grass fire truck (replacing the Dakota). It's being bought through the State Bid Purchasing Program; cost will be "right under \$21,000." The purchase order they will submit for the truck will not include the costs for light bar, siren, and radio; anticipated costs for those are in the \$500 range. The skid unit grass fire pump will be around \$2,600. There was a discussion about disposing of the van, whether to auction it off or, since it has no value and is unsafe to drive, it could be used for training purposes. Chief Green will get an appraisal; the results of which will show if it will be auctioned off or used for training.

Police Chief – No Report

### Engineer

**Milan Street Project:** Main line is completed and tested. They are in process of transferring all the services over from the old line. Main sewer is complete; they are making all the lateral connections. Testing of sewer needs completed, as well as all the pavement, restoration, cleanup and punch list items to restore Milan to its original state. This will take place in the spring in conjunction with the Northwest High School waterline project.

**Discover Park Phase II:** Utilities/roadways are complete with the exception of the pump station.

**Pine Manor Senior Housing/Canal Place/Lakewood Estates/Lake Vista:** Waiting on EPA approval.

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**Autumn Meadows Phase 18:** New and final plat will be before Planning Commission Thursday.

**City Map:** They revised/updated the City map.

**Hydraulic Modeling:** Mr. Dorman, Todd Taylor and Dave Kohlmeier made a presentation on the City's Hydraulic Modeling (water distribution model), saying "It is an important project they'd been working on and has great value and is one of the City's most important assets."

## Finance Director

Mr. Rodino stated he E-mailed the monthly reports to Council with hard copies given to those who requested them. Mrs. Zahirsky made a motion that Council acknowledge they received the monthly reports from the Finance Director; seconded by Mr. Colaianni. **Discussion:** Mr. Mouse asked that the Finance Director get the monthly reports to them sooner. **ROLL CALL: Yes - ALL**

## Mayor

Mayor Grogan reported on the hiring progress of the Chief of Police. The City has received 30 applications from all over the United States. The application deadline is February 18. He requested a Safety Committee meeting after the 18<sup>th</sup>, which will be discussed at the next meeting.

## City Manager

Mrs. Loretto had attached a copy of the Fire Inspection the City received to the agenda. She stated that the few items that are on the remarks are going to be done when the City puts up the expanded garage, and that it was a good inspection. Most of the items are not at the Street and Water Garage, but are in buildings on the site that's used for storage and are not accessed often.

The Fire Inspections for the Water Treatment and the Sewer Treatment Plants were not good inspections; they have quite a bit to correct. The City has had insurance inspections on an annual basis and corrected what they requested. The Workmen's Compensation Safety and Hygiene Division Board had given the City an inspection; the City corrected everything requested.

Mrs. Loretto advised there is going to be a Statewide Tornado Drill on Wednesday, March 16, 2005 at 9:50 AM, which is coordinated with the Severe Weather Awareness Week.

The rerouting of the sewer line in the Community Park has been completed, and Raider Construction is back on site.

Mrs. Loretto asked for a motion from Council to authorize her to apply for the CLG grant (for \$9,000) to upgrade Zoning in the Historic District. Mr. Szanto made a motion that Council authorizes the City Manager to apply for a Certified Local Government grant in the amount of \$9,000 for the purpose of hiring a consultant to assist the City to upgrade the Zoning for the Historic District; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

Mrs. Loretto stated when the City originally started the Milan Street water and sewer line, CTI did not "put in" for three items they would be doing for the sewer, and they need authorization for additional expenditure. A purchase order reflecting same will be forthcoming.

Mrs. Loretto requested an Executive Session regarding fact finding.

Mr. Mouse stated the Fire Inspector made certain recommendations and asked about the cost. Mrs. Loretto stated they are already in the process of attaining estimates.

## Parks

No report from the Parks & Recreation Board; however, Mrs. Zahirsky noted the need for gravel at the Canal Fulton Dog Park, as it is a "muddy mess."

**Law Director** – No Report

## FIRST READINGS:

**Resolution 03-05:** A Resolution Authorizing the City Manager to Advertise Bids for Construction of Tennis Courts in Muhlhauser Park, to Award Contracts for the Accepted Bids, Issue Required Purchase Order, and Declaring an Emergency.

**Resolution 04-05:** A Resolution Adopting a Revised Investment Policy and Declaring an Emergency. Mr. Colaianni made a motion that the Finance Committee convene a meeting on

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February 22, 2005 at 7:00 PM to review the Investment Policy Ordinance; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

**Ordinance 06-05:** An Ordinance Vacating Duke Place between High Street and Walnut Street.

**Ordinance 07-05:** An Ordinance Providing for the Issuance and Sale of Bonds in the Maximum Principal Amount of \$725,000 to Pay Costs of Improving the City's Waterworks System by Constructing Water Mains, Together with the Necessary Appurtenances Thereto and any Real Estate or Interests Therein Required Therefore, and Declaring an Emergency.

## PURCHASE ORDERS & BILLS

**P.O. 4246** in the amount of \$8,076 made out to Whitaker-Myers Insurance for an Additional \$1,000,000 of Insurance. Mrs. Cihon made a motion to accept P.O. 4246 in the amount of \$8,076 made out to Whitaker-Myers Insurance for the additional \$1,000,000; seconded by Mr. Mouse. **ROLL CALL: Yes - ALL**

**P.O. 4264** in the amount of \$5,200 made out to Homer Unkefer, Inc. for Steiner-430 Tractor with a 60" Deck and Weight Bar. Mrs. Cihon made a motion to accept P.O. 4264 in the amount of \$5,200 made out to Homer Unkefer, Inc.; seconded by Mr. Mouse. **Discussion:** Mr. Mouse asked Mrs. Loretto to let the Street Department know that Council wasn't "totally elated" about this issue. **ROLL CALL: Yes - ALL**

**P.O. 4266** made out to All American Fire Equipment in the amount of \$3,240 for Purchase of Two Akron Bass "Mercury" Quick Attack Monitor Nozzles, and the Mounting Bracket. Mr. Colaianni made a motion to accept P.O. 4266 in the amount of \$3,240 made out to All American Fire Equipment; seconded by Mrs. Downing. **ROLL CALL: Yes - ALL**

**BILLS: \$149,868.35** Mrs. Cihon made a motion that Council accepts the bills in the amount of \$149,868.35; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

**NEW BUSINESS** – None

## OLD BUSINESS

**Changing Council Meeting Start Time:** Mrs. Zahirsky stated the Rules & Personnel Committee met (a copy of a resolution with suggested changes on it was distributed); they left the time vacant on Rule 8 regarding Council's meeting time. Mrs. Zahirsky and Mrs. Cihon's recommendation regarding the time change was not to change the Council meeting time. There were other corrections noted, and Mr. Mouse suggested that Council review the changes and address same at the next meeting. Mr. Szanto suggested exchanging E-mails prior to the meeting.

Mrs. Zahirsky stated the Personnel portion of the committee did make recommendations on wage increases. For part-time police officers, they recommended \$11.82/hour. For the City employees, a 3% wage increase was recommended for those that have been here for one year. It was recommended that the Clerk of Council receive 1.3% and it was stated on the recommendation sheet that as of January 2005 when the raises become effective, Council's Clerk had 5 months of service. Mrs. Zahirsky apologized to the Clerk of Council, saying their figures were wrong and that it would probably be 1.5% based upon the fact that she had been here six months. There was no recommendation for the Police secretary, as she had only been here a month from the time they "were looking at doing raises." Mayor Grogan asked regarding the part-time Police, if Council would want to review that in Finance; he was told Finance would review same. A recommendation to set a Personnel meeting for March 1, 2005 at 7:00 PM to review the remaining part-time positions was made. Mrs. Zahirsky made a motion that the Personnel Committee meet at 7:00 PM on March 1, 2005; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

**OTHER BUSINESS** - None

## CITIZENS COMMENTS (Open Discussion, Five-Minute Rule)

**Mike Bagley, President of Stark County Chapter of Ohio Horseman's Council:** Mr. Bagley asked if Council was aware of an issue equestrians have with Stark Parks over the use of the Ohio & Erie Canal Towpath. Basically, they told them they are not allowed to use it, and they have to use the Olde Muskingham Trail. Their concerns are about the Olde Muskingham Trail not being a safe horse trail because of the close proximity of the rail line next to it. Mr. Bagley said, "Somebody is going to be on that trail. A horse is going to get scared. Somebody's going to get hurt. Somebody's going to get killed." He said Bob Fonte (Director of Stark Parks) said part of the reason they took this action is that Canal Fulton does not want the equestrians on the Towpath Trail, and the City does not want the equestrians to use Community Park's parking lot to park horse trailers. It was stated the Council never told Mr. Fonte that, and Mrs. Loretto added that she had never had any conversation with him about horses. There have been no comments from either the Mayor or Council to Mr. Fonte about this issue. Mrs. Zahirsky advised Mr. Bagley to check with Fred Fleming (Parks & Recreation Board) and gave Mr. Bagley his number. Mr. Colaianni stated Stark Parks does not own

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Community Park. Mayor Grogan suggested Mr. Bagley try to find out the person Mr. Fonte may have spoken to, and Mr. Colaianni suggested he attend the Park Board's next meeting (March 10). A lady asked if Mr. Fleming has the authority to make the rules for the parks, and Mrs. Zahirsky stated, "The Park Board does have the authority to make the rules in the park." Mr. Colaianni said if there was a recommended change to the ordinance, then it would come to Council for approval. Mr. Szanto stated there was an ordinance that you can't have an animal in a public park, but there is a difference when it comes to letting your dog run loose and taking your horse out of a trailer to take it to the Towpath, and that might be something Council would have to address in ordinance form.

**John Hatfield, 639 Locust Street:** Mr. Hatfield asked Mrs. Loretto if she signed a contract for the dry dock repair. Mrs. Loretto stated she has not received a contract for same. Mr. Hatfield then reminded everyone about the February 26<sup>th</sup> Heritage Society's Dinner and Silent Auction at the Elm Ridge Party Center, starting at 6:00 PM with dinner at 7:00 PM.

**REPORT OF COUNCIL PRESIDENT** – No Report

**REPORT OF STANDING COMMITTEES** – No Report

## **EXECUTIVE SESSION**

Mr. Colaianni made a motion that Council go into Executive Session, first portion regarding personnel performance and present would be Council and the Mayor; second portion would be to discuss fact finding based on the attorneys and the arbitrator, and at that portion, the Mayor would excuse himself; and requested Council, City Manager and Attorneys Robert Scholl and Nick Codrea be present; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

## **REGULAR SESSION RECONVENED**

Mr. Szanto made a motion to reconvene the meeting to the regular portion of the meeting, and during the Executive Session, Council discussed matters of personnel performance and labor negotiations. No decisions were made during the Executive Session and there will be legislative action taken as a result of that Executive Session; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL**

Mr. Szanto made a motion that Council approve the fact finder's report as submitted by the fact finder in regards to the current Police Department contract under negotiation at this time; seconded by Mrs. Cihon. **ROLL CALL: Yes – 5 No – 1 (Mr. Mouse)**

## **ADJOURNMENT**

Mrs. Cihon made a motion to adjourn. Council President Mike Mouse adjourned the February 15, 2005 City Council meeting.

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Patricia A. Schauwecker, Clerk of Council

Mayor John Grogan