

CITY OF CANAL FULTON

February 7, 2006

***COUNCIL MEETING**

Mayor Grogan called the February 7, 2006 City Council meeting to order at 7:00 PM in Council Chambers at City Hall.

PLEDGE OF ALLEGIANCE

CALLING OF THE ROLL

Present: Mayor Grogan, Tony Crookston, Victor Colaianni, Linda Zahirsky, and James Deans
Mr. Colaianni made a motion to excuse Mrs. Downing due to personal matters; seconded by Mr. Deans. **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion to excuse Mrs. Cihon; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

OTHERS PRESENT

Mark Cozy, City Manager; Patti Troccoli, Clerk of Council; Chief David Frisone, Police Department; Chief Ray Green, Fire Department; Dennis Mayberry, Street Dept; Bill Dorman, City Engineer; Scott Svab, Interim Finance Director; Mr. Bruce and Ms. Skylark, The Independent; Joan Porter, The Repository; Linda Keillor, Keillor's A Teddy Bear Shoppe; John Hatfield, CF Heritage Society; John Krantz, Crystal and Candle; Garnet Thomas, Resident

CORRECTING/ADOPTING THE RECORD OF PROCEEDINGS

Mrs. Zahirsky made a motion that Council accepts the January 17, 2006 City Council meeting minutes; seconded by Mr. Crookston. **ROLL CALL: Yes – ALL**

CITIZENS' COMMENTS – (Agenda Matters) – None

REPORTS OF ADMINISTRATIVE OFFICERS

SENIOR CITIZENS (Nellie Cihon) – No Report

COMMUNITY SERVICE – They assisted the Senior Center's Swiss Steak Dinner. Mayor Grogan said when Mr. Kaster returns his name will be submitted to Council for the position.

FIRE CHIEF (Chief Ray Green)

Chief Green distributed/reviewed a copy of the Fire Dept.'s Annual Report. Mr. Colaianni suggested Chief Green write some of the information into his newsletter article.

POLICE CHIEF (Chief David Frisone)

Chief Frisone stated the city has received partial reimbursement (October/November) from the State of Ohio for the Police Dept.'s overtime expenses participating in the DUI Task Force. There is continued success in the program, and it will be the newsletter topic for the quarter.

The Chief will complete the Annual Report after technical difficulties with Emergatch are resolved. He distributed the January 2006 statistics. There were 32 traffic citations (not including DUIs); 69 verbal warnings, 8 accidents, 10 arrests, 6 warrants served, misc. offenses.

Chief Frisone nominated Officer Swartz as the Stark County Police Officer of the Year. Officer Swartz finished as the "runner-up." Officer Swartz was selected as Canal Fulton's Officer of the Year for the Police Department.

Car #1's door has been repaired by Fulton Auto Body; funded totally by Liberty Mutual.

Mayor Grogan stated the warnings that were issued were 136 as opposed to 35 citations, so the officers are to be commended.

Mr. Dorman asked the Chief if he'd ranked accidents at intersections. Chief Frisone said the two high-accident intersections are the light at Cherry/Locust, and Beverly and Locust. Strausser and 93 (along with Milan at the light) produce a lot of near-miss incidents. Locust and Milfield had only one crash.

There was a discussion regarding determining who is at fault, as writing tickets is difficult, for the approximate 150-meter portion of Locust Street that's east of the Beverly traffic light, toward Giant Eagle where the road is wide enough for two-lane traffic going eastbound, but not marked; there is nothing that tells the driver there isn't or is a second lane there. Mr. Dennis Mayberry suggested establishing a right-turn-only lane. Mr. Dorman will review the situation.

ENGINEER (Bill Dorman)

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

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Fulton Landing: (New subdivision being proposed/location: Erie by Luna Lake) Preliminary site plan submitted last month. At the Planning Commission, it's being revised due to issues surrounding rezoning approval and conditional use (to be resubmitted).

FINANCE DIRECTOR (Interim Finance Director Scott Svab)

Mr. Svab produced a spreadsheet regarding Fire/EMS wages and salary. The city received the Certificate of Estimated Property Tax Revenue from Stark County Auditor. Mr. Svab said if we replace the existing levy (1 mil for each-fire and police), it would only bring in an additional \$16,842. He recommended holding off on the levies until November to produce something more substantial that would help both budgets. The Mayor said it appears it would be more prudent to review it for November as there are certain things that are hoped to be developed prior to that point, so he would rather not go to the voters this time around, but hold off and see if these other issues begin to develop and give us some time. Mr. Cozy requested research to review a property tax versus income tax, along with the cost to a citizen, perhaps dropping the levy altogether and that executing a small income tax might save the residents money. Mrs. Zahirsky added that if you look at it from the standpoint of who's going to pay for it, senior citizens on fixed incomes and those who are unemployed would not be affected.

PARKS (Fred Fleming) – No Report

MAYOR JOHN GROGAN

BOARDS & COMMISSIONS APPOINTMENTS: Mayor Grogan recommended several board and commissions replacements, along with people who wanted to continue serving that were voted on as follows:

Mr. Colaianni made a motion to approve Mrs. Diane Downing to continue serving on the Planning Commission; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL**

Mr. Colaianni made a motion to approve Mrs. Diane Downing to continue serving on HPC; seconded by Mr. Deans **ROLL CALL: Yes – ALL**

Mrs. Zahirsky made a motion to approve Mr. Paul Bagocius for the HPC (replacing Sandra Hayes); seconded by Mr. Deans. **ROLL CALL: Yes - All**

Mr. Colaianni made a motion to approve John Bailey to continue serving on the Civil Service Commission; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL**

Mrs. Zahirsky made a motion to appoint Mayor Grogan as a member of the Tax Incentive Review Council; seconded by Mr. Crookston. **ROLL CALL: Yes – ALL**

Mr. Colaianni made a motion to accept Sherri Ringler and the Mayor's recommendations of Betty Stephan, Wilma Hardgrove to continue serving and Charles Myers to be appointed to the Senior Citizens Commission; seconded by Mrs. Zahirsky. **ROLL CALL: Yes - ALL**

Mayor Grogan advised Council about two new Student Advisors serving on the Parks & Recreation Board: Brandi Klein and Kyle Storsin.

MAYOR'S BREAKFAST MEETINGS: Mayor Grogan stated these meetings were very productive. He noted that Nancy Lawson, Utilities Billing Clerk, advised that under her watch she has increased the per-month average revenue by \$6,675, which he said, "is phenomenal considering some of the things she's implemented." Ms. Lawson will be ordering brochures to be distributed to the public to advise them of "water monsters" in their homes, and she will also be supplying information for the quarterly newsletter.

Mayor Grogan spoke about storage becoming an issue and the city might want to consider how to handle same until the safety complex is completed.

Mayor Grogan read the *State of the City* for Year 2006 (attached).

CITY MANAGER (Mark A. Cozy)

Building Security: Mr. Cozy spoke with the Mayor and Police Chief who both had security improvement suggestions. The Mayor recommended a service window at the entrance of the building, which will improve service and security. Mr. Dorman advised currently there is a student group from Stark State looking at the Senior Center who can also review the City Hall security issues, reducing costs on a potential architectural study.

Ohio & Erie Corridor Coalition Meeting: They are going to change the signage leading people into our parks; signs on 21, Erie and all incoming streets. Grant money is available for the signs. Mr. Cozy distributed cards that showed examples of the signs and advised there will be a Public Hearing at Sippo Park February 28, 2006 at 6:00 PM.

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Steven Mitchell – Eagle Scout Project: Steve wants to refurbish picnic tables at Muhlhauser Park. Dennis Mayberry recommended replacement of same. Mr. Cozy is going to contact Steve to see if he is willing to build new tables.

Dept. Head Meetings: Mr. Cozy stated from his meetings with department heads, the ordinance regarding the Master Plan for water/sewer needs is critical, and everyone is poised to take advantage of same. He's reviewed the CEDA and advised he would meet with Council members (if they wish) to provide input. They are implementing a Vehicle Maintenance form that will be in all vehicles, so if a person has any problem with a vehicle, they can use the form and get it immediately to the mechanic to have the vehicle brought in for maintenance. Mayor Grogan added it's a good way of reviewing and tracking vehicle maintenance.

LAW DIRECTOR (Attorney Dale Kincaid)

Mr. Kincaid said the second reading of Ordinance 32-05 could take some explanation; he requested a member of the Planning Commission attend to explain same. He also suggested that regarding the Fire Station, they should start the process now.

Ordinance 01-06: An Ordinance Establishing the Position of City Manager and Providing Compensation Therefore, and Declaring an Emergency. (Requested by Mayor) Mr. Colaianni made a motion to suspend the rules on Ordinance 01-06; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion to pass Ordinance 01-06 under suspension; seconded by Mr. Deans. **ROLL CALL: Yes - ALL**

Resolution 07-06: A Resolution Entering Into a Contract with CTI Environmental Inc. not to Exceed \$24,600 for the Master Plan for the Sanitary Sewer and Water Study, and Declaring an Emergency. (Requested by Finance Director) Mr. Colaianni made a motion to suspend the rules on Resolution 07-06; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion to pass Resolution 07-06 under suspension; seconded by Mr. Deans. **ROLL CALL: Yes - ALL**

Resolution 08-06: A Resolution Submission of Question of a Replacement of a Tax Levy for the Purpose of Payment of Salaries for Permanent Police Personnel in the City of Canal Fulton, Stark County, Ohio, and Declaring an Emergency. (Requested by Finance Director) Mr. Deans made a motion to suspend the rules on Resolution 08-06; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL** Mr. Colaianni made a motion to pass Resolution 08-06 under suspension; seconded by Mr. Deans. **Discussion:** Mrs. Zahirsky said she was voting 'no' on this and Res. 09-06, as she doesn't believe putting either levies on the ballot was worthwhile, and they would be better off looking at income tax for these issues. **ROLL CALL: Yes – 1 (Mr. Deans) No – 3 (Mr. Crookston, Mrs. Zahirsky, Mr. Colaianni) RESOLUTION FAILS**

Resolution 09-06: A Resolution Submission of Question of a Replacement of a Tax Levy for the Purpose of Maintaining Fire Apparatus, Appliances, Buildings, Purchase Ambulance Equipment and to Provide Ambulance or Emergency Medical Services in the City of Canal Fulton, Stark County, Ohio, and Declaring an Emergency. (Requested by Finance Director) Mr. Colaianni made a motion to suspend the rules on Resolution 09-06; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL** Mr. Crookston made a motion to pass Resolution 09-06 under suspension; seconded by Mr. Colaianni. **ROLL CALL: No – ALL RESOLUTION FAILS**

SECOND READINGS

Ordinance 32-05: An Ordinance Amending the Recently Annexed 14.135 Acre Parcel Known as the Rumble Property as R-1 Single Family Low Density. (Requested by Planning Commission)

THIRD READINGS - None

PURCHASE ORDERS & BILLS

P.O. 4529 made out to CMI in the amount of \$5,407 for Support 2006 Contract. Mrs. Zahirsky made a motion to pass P.O. 4529 to CMI in the amount of \$5,407; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

P.O. 4550 made out to Valley Ford Truck Sales, Inc. in the amount of \$31,188 for F-350 pickup with plow. Mrs. Zahirsky made a motion to pass P.O. 4550 to Valley Ford Truck Sales, Inc. in the amount of \$31,188; seconded by Mr. Crookston. **ROLL CALL: Yes - ALL**

P.O. 4551 made out to Valley Ford Truck Sales, Inc. in the amount of \$14,337 for Pickup truck F250 Ford 2006. Mrs. Zahirsky made a motion to pass P.O. 4551 to Valley Ford Truck Sales in the amount of \$14,337; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

P.O. 4554 made out to CTI Environmental, Inc. in the amount of \$24,600 for Master Study Plan Sewer Water Dept. Mr. Deans made a motion to pass P.O. 4554 to CTI Environmental, Inc. in the amount of \$24,600; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

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P.O. 4555 made out to Cawrse & Associates, Inc. in the amount of \$10,400 for Discovery Park Engineering. Mrs. Zahirsky made a motion to pass P.O. 4555 to Cawrse & Associates, Inc. in the amount of \$10,400; seconded by Mr. Crookston. **ROLL CALL: Yes - ALL**

BILLS: \$187,239.69 Mr. Deans made a motion that Council has received the bills in the amount of \$187,239.69; seconded by Mrs. Zahirsky. **Discussion:** There was a discussion about an accident incident and insurance point values. The City Manager will review the policy. **ROLL CALL: Yes - ALL**

AGENDA ADDITIONS (OLD/NEW BUSINESS) - None

CITIZENS COMMENTS (Open Discussion, Five-Minute Rule)

John Krantz, Crystal and Candle (located in Blank House): Mr. Krantz addressed parking problems in the Historic District (merchants and apartment tenants parking on the street); saying it's impacting businesses downtown. He stated there are places people can park downtown (South side of Wharton's, Community Park, in front of Post Office, John Hatfield's lot, etc.). He proposed an Ordinance to keep merchants from parking on the street, except for loading and unloading. Mr. Colaianni said he knew in the past there were efforts made to ask merchants not to park in the front, but you "walk a fine line when you have people paying income tax versus citing them for parking." Mr. Mayberry said the City of Canal Fulton has an ordinance that says businesses in the downtown area have to provide off-street parking for their employees; it's just never been enforced. Chief Frisone said the mechanism to enforce same is to chalk tires. Mrs. Zahirsky asked Mr. Hatfield if his parking lot was available if someone wanted to lease a spot; Mr. Hatfield said it's available for lease. The Mayor asked if the city could put signs out that would say 'For Customer's Only,' but Mr. Hatfield said there were zoning laws and property rights. Mr. Hatfield said a survey was needed for parking. Mr. Colaianni suggested asking the merchants not to park on the street; Mr. Krantz said this has been done. Mr. Hatfield said he would again make an effort to put out flyers for parking. Chief Frisone suggested parking meters for ease of enforcement.

Garnet Thomas: Apologized for missing the State of the City address by Mayor Grogan. She wanted to personally thank the Mayor for getting the city on a forward-moving track. She said Mayor Grogan has done a good job and also commented on the professionalism of the Fire and Police Departments, in addition to welcoming Mr. Cozy.

REPORT OF PRESIDENT PRO TEMPORE – No Report

REPORT OF STANDING COMMITTEES

Mr. Crookston stated the Safety Committee met on Jan. 31 to review the resumes of the architectural firms for the purpose of building a new Fire Station; they narrowed them down to four. The Committee also created a Safety Sub-Committee consisting of Mark Cozy, Chief Frisone, Chief Frisone, a person of Chief Green's choosing from the Fire Dept., along with Mr. Crookston. They will be meeting February 15 at 1:00 PM to review the candidates' proposals – giving the candidates ½-hour to present their proposals. On February 13, there will be an 11:00 PM meeting for the Safety Sub-Committee.

Mr. Colaianni requested for the next meeting that members of the Economic Development Committee review the first and third Tuesdays of March as potential meeting nights.

EXECUTIVE SESSION

Mr. Colaianni moved to convene into Executive Session for the purpose of discussing land acquisition, CEDA and finances, and requested all members of Council, Law Director, City Manager and Mayor Grogan to attend same and not expecting any legislative action; seconded by Mr. Deans. **Discussion:** Stipulated for record with the Law Director present, if there's any part of Executive Session that falls outside the Sunshine Law, they'll stop discussion at that point and re-enter regular session. **ROLL CALL: Yes - ALL**

REGULAR SESSION RECONVENED

At 9:18 PM, Mr. Colaianni made a motion to reconvene the regular portion of the Council meeting; seconded by Mr. Crookston. **ROLL CALL: Yes – ALL** (No legislative matter in Executive Session was noted.)

Mr. Cozy said currently they are working on the City of Canal Fulton map, and he'd spoken with Malcolm with Municipal Publications. He thinks the Township map should be included on the same map. Malcolm said they would do it but it would be for distribution for the city only because they sold enough ads for that amount of people to receive it.

Mr. Cozy spoke about a Master Plan for the city, stating they are doing that now for water and sewer, but he would like to do a Master Plan for development and economic growth for the city residential development. He feels that if they do same, they should include the Township because they are "one community." Mayor Grogan said they had an estimate and a verbal

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agreement at one of the meetings with the Township where he believes it was Marvin Harbaugh who agreed to go into a joint Master Plan. Mayor Grogan has volunteers that want to be involved in a committee for same. He said they should seek an outside source that can guide the city, find out the cost and do some sort of a bid process – then see what the Township's financial commitment would be and see if they would be willing to shoulder their appropriate burden. From that point, they could start pulling people together for the committee. Mayor Grogan said it would be in the city's best interest to not only have people from (EXA) Planning on that committee, but also members of the community and business leaders from both communities, to address the Master Plan from both the city and Township's view. Mr. Kincaid said it doesn't have to be formal bidding because this involves services versus (for example) a construction project. Mr. Cozy was requested to notify the Township about same.

ADJOURNMENT – Mrs. Zahirsky made a motion to adjourn. Mayor Grogan adjourned the February 7, 2006 City Council meeting.

Patricia A. Troccoli, Clerk of Council

Mayor John Grogan