

# CITY OF CANAL FULTON

August 2, 2005

## **REGULAR COUNCIL MEETING**

Council President Mike Mouse called the August 2, 2005 City Council meeting to order at 6:00 PM in Council Chambers at City Hall. (Mayor Grogan arrived after the NIMS Training)

## **PLEDGE OF ALLEGIANCE**

## **CALLING OF THE ROLL**

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

## **OTHERS PRESENT**

Patti Trocceli, Clerk of Council; Dale Kincaid, Law Director; Scott Svab, Interim Finance Director; Interim Police Chief Chuck Kassinger; Chief Ray Green, Assistant Chief Mark Stewart David Ferrebee, John Gross, David Pratt, Cletus Heck, Chester Law, Glenn, Boyd, David Kolega, James Coughlin Jr., Erin Cappel, Jon Zalewski, Fire Department; Chell Rossi, HPC; Joan Porter, The Repository; Chris Pugh, The Independent; George Mizarek, Canal Fulton Provision; Mr. David and Mrs. Geri Frisone, Mr. Anthony and Mrs. Marlene Frisone

## **NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) TRAINING**

Canal Fulton Fire Department's Chief Ray Green trained all Council members on IS700, which is the introduction to the National Incident Management System.

## **ADJOURNING THE MEETING (TEMPORARILY)**

Mrs. Cihon made a motion to temporarily adjourn the meeting at 7:06 to reconvene at 7:30 PM; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL**

## **AUGUST 2, 2005 COUNCIL MEETING RECONVENED AT 7:30 PM**

## **CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**

Mr. Colaianni made a motion to approve the July 5, 2005 Council meeting minutes; seconded by Mrs. Cihon. **ROLL CALL: Yes – 5 Abstained – 1 (Mrs. Zahirsky)**

Mrs. Cihon made a motion to approve the July 12, 2005 Council meeting minutes; seconded by Mr. Colaianni. **ROLL CALL: Yes – 5 Abstained – 1 (Mrs. Zahirsky)**

## **CITIZENS' COMMENTS ON AGENDA MATTERS** - None

## **REPORTS OF ADMINISTRATIVE OFFICERS**

**SENIOR CITIZENS (Nellie Cihon)** – No Report

**COMMUNITY SERVICE COORDINATOR (Scott Svab)**

Community Service workers labored with Dennis Mayberry (streets/mowing).

**FIRE CHIEF (Chief Ray Green)**

A few weeks ago they sustained a direct lightning hit on the radio system, which has been "somewhat repaired," but they are still having intermittent difficulties on outgoing transmissions (calls are getting answered). They're working with the communications contractor to resolve the problem.

The Fire Department received a grant from the State of Ohio for \$4,000 for EMS equipment and training, but denied application for an ambulance.

Chief Green brought up the memo he sent to the Mayor and Council regarding officer vacancies and asked that Firefighters John Gross and Cletus Heck be promoted to the position of Lieutenant.

Mayor Grogan submitted to Council's consideration the promotion of John Gross from Firefighter to Lieutenant. Mr. Colaianni made a motion that Council approves the Mayor's appointment of Firefighter John Gross to the position of Lieutenant in the Canal Fulton Fire Department; seconded by Mrs. Downing. **ROLL CALL: Yes – ALL**

Mayor Grogan asked Council to consider Cletus Heck for promotion from Firefighter to Lieutenant. Mrs. Zahirsky made a motion to approve Cletus Heck as a Lieutenant in the Canal Fulton Fire Department; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

Mayor Grogan gave Chief Green documentation showing he completed the NIMS 100 and 700 courses (for FEMA benefit).

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## **POLICE CHIEF (Interim Chief Charles Kassinger)**

Interim Police Chief Kassinger thanked the Mayor and Council for the opportunity and experience he received as Interim Chief for the last seven months. The Mayor said that out of 33 candidates that stretched across the country, Interim Chief Kassinger was narrowed down to one of the top two, which "speaks volumes of Chuck and the effort he put forward in the Police Department and everything he has done, and it doesn't go without notice." The Mayor went on to say the decision was a very tough one and that Kassinger was a "fine officer and a tribute to this community." The Mayor and Council thanked him and all attending applauded.

**ENGINEER** – No Report

## **FINANCE DIRECTOR (Interim Finance Director Scott Svab)**

The monthly paid bills list was distributed. Mr. Szanto made a motion that Council acknowledged receipt of the list of the bills paid as of July 27, 2005, in the amount of \$322,159.31; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

Referencing Resolution 13-05, Mr. Svab said the city is only asking for 1.3 mills. Based on a \$100,000 home, homeowners would pay \$45.50 per year. With a 10% state roll-back (which is credited directly to the taxpayer), it comes to \$40.95 (divided by 12 months = \$3.41/month).

## **MAYOR (Mayor John Grogan)**

Mayor Grogan said they are beginning the process of getting in place a part-time position for a Fleet Manager who will repair and maintain the city's vehicle. A cost study reflected considerable savings. Material and parts will be stocked and on hand; the city will be billed only when used. Mr. Colaianni stated there is concern about increasing rates, and Ford and GM dealerships' labor rates have increased about 35% during the last six months. Chief Green said Findlay Fire Equipment did preventive maintenance on a fire vehicle that cost almost \$1,700 (inspected it, greased, lubed, and changed the oil and filters). Firefighter Ferreebee said he did preventive maintenance on Engine 3 (same engine that Findlay did) for \$273. Mayor Grogan said what they are gearing towards now with all the vehicles and concerns for their use is if the city can keep it in-house, it can monitor the use, wear-and-tear and track it easier, hopefully getting more life out of each of the vehicles and have more accountability.

Ms. Troccoli (Council Clerk) has been instructed to change City Hall's phone system to an automated answering system, providing her more time for other duties.

Mayor Grogan stated Dan Mayberry will temporarily assume some duties of the City Manager, until a fulltime City Manager is hired.

Mayor Grogan spoke about the intensive search for a new Police Chief and narrowing down the list to two "very fine people; one being Officer Kassinger." The Mayor introduced David Frisone. He stated Mr. Frisone was a law enforcement officer with Cuyahoga Falls, leaving as a Sergeant, who also served in Kosovo and Iraq. Mr. Frisone is currently a Lieutenant Colonel in the Army Reserve and employed with Homeland Security. Mayor Grogan requested Council consider the nomination of David Frisone for Chief of Police for Canal Fulton. Mrs. Zahirsky made a motion that Council confirms the Mayor's choice of David Frisone as Chief of Police for Canal Fulton; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL**

The Mayor stated Mr. Frisone has a commission currently with another agency, and once he has relinquished that commission and "tied up some loose ends with Homeland Security," he will be sworn in as Chief of Police. Mr. Frisone was congratulated and welcomed by all.

**CITY MANAGER** – No Report

**PARKS** – No Report

## **LAW DIRECTOR (Attorney Dale Kincaid)**

### **FIRST READINGS**

**Resolution 13-05:** A Resolution Determining to Proceed with the Submission to the Electors of the City of the Question of the Issuance of Bonds in the Aggregate Principal Amount of \$1,500,000 for the Purpose of Constructing, Furnishing, Equipping and Otherwise Improving a City Fire Station and Improving Its Site, and Declaring an Emergency. (Requested by Fire Department) Mr. Colaianni made a motion to suspend the rules on Resolution 13-05; seconded by Mrs. Downing. **ROLL CALL: Yes – ALL** Mr. Colaianni made a motion to adopt Resolution 13-05 under suspension; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

Mrs. Downing said an e-mail was received from Senator Schuring about the Army Reserve location on Erie Avenue not being a problem. The Mayor said they were meeting with the Senator next week. Senator Schuring advised the Mayor he is in constant contact with

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Congressman Regula's office, and all they need to do "as a body" is come up with an idea for use for Army Reserve building and land because that will be part of the petition requirement to the Pentagon. Congressman Ralph Regula conveyed to Mayor Grogan he will act as liaison for Canal Fulton to the Pentagon for acquisition of the property. Mr. Kincaid suggested notifying the community they are considering this. Mr. Colaianni added the only stipulation is as far as circulating information or advertising the city cannot do anything until 60 days prior to Election Day. Mr. Kincaid suggested (regarding the property) some kind of Level One environment study done. The Mayor will forward that suggestion to Dan Mayberry.

**8:00 PM Public Hearing – Open Space Fees:** Mayor Grogan opened the Public Hearing at 8:00 PM to discuss Ordinance 19-05: "An Ordinance Amending Chapter 1114 of the Planning and Zoning Code of the City of Canal Fulton by Increasing the Open Space Fee from \$200.00 per Dwelling Unit to \$400.00 per Dwelling Unit (Requested by Planning Commission)."

**Ordinance 21-05:** An Ordinance Amending Chapters 1145 Conditional Zoning Certificates, 1157 R-1 Single Family Low Density Suburban Residential District, 1161 R-2 One and Two Family Low Density Urban Residential District, and 1163 Medium Density Urban Residential District of the Planning and Zoning Code of the City of Canal Fulton (Requested by Planning Commission). **Discussion:** Mr. Kincaid said Ms. Troccoli has already set a Public Hearing for Thursday, August 18, 2005 at 7:30 PM regarding Ordinance 21-05.

## SECOND READINGS

**Resolution 10-05:** A Resolution Amending Resolution 03-05 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. (Requested by City Manager)

## THIRD READINGS

**Ordinance 18-05:** An Ordinance Accepting Streets and Public Utilities in Beverly Hills Phase No. 3. (Requested by City Engineer) Mrs. Zahirsky made a motion to approve Ordinance 18-05; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL**

**Ordinance 19-05:** An Ordinance Amending Chapter 1114 of the Planning and Zoning Code of the City of Canal Fulton by Increasing the Open Space Fee from \$200.00 per Dwelling Unit to \$400.00 per Dwelling Unit. (Requested by Planning Commission) Mrs. Zahirsky made a motion to pass Ordinance 19-05; seconded by Mrs. Cihon. **ROLL CALL: Yes – 5 No – 1 (Mr. Mouse)**

**PURCHASE ORDERS & BILLS-** No Purchase Orders; bills accepted earlier (Please see above.)

## NEW BUSINESS

Mr. Szanto and Mr. Colaianni notified Council they will not be attending the September 6, 2005 meeting.

Mr. Mouse asked permission to attend a "Better Futures through Planning" conference in Cleveland Sept. 28-30, 2005. Mr. Colaianni made a motion to approve sending Mr. Mouse to the "Better Futures through Planning" conference on behalf of the city; seconded by Mrs. Downing. **Roll Call: Yes – 5 Abstained – 1 (Mr. Mouse)**

**OLD BUSINESS** - None

## OTHER BUSINESS

Mr. Szanto said he was still concerned about the tabled Ordinance 15-05 (tax credit issue), wanting to know if it was coming back to the table. Mr. Szanto stated, "That has a great effect on the fiscal future of this community, and I would like to see this thing dealt with one way or another." The Mayor requested Karen Hiltbrand attend the next meeting to speak about what effect a 75% credit on income tax collections would produce (along with e-mailing Council and Mayor with the information ahead of the meeting), so they would have an "educated basis by which to make a decision." Mrs. Downing requested Mr. Svab provide the amount of investment interest the city receives. Mayor Grogan stated with Mrs. Hiltbrand attending the next meeting, they can pose questions directly to her regarding the Ordinance 15-05 effects. He suggested Council forward questions ahead of time to both Mrs. Hiltbrand and Mr. Svab.

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

**George Mizarek, Canal Fulton Provision, 12085 Portage Extension:** Mr. Mizarek told Council vendors hauling goods to be delivered at his business were advised there is no longer on-site or overnight stays allowed in his parking lot (effective July 25, 2005). He gave Council a copy of the letter given/sent to his vendors that also advised parking availability at the Travel Center of America or one mile south on Erie Street next to Rack Insulation. He added he is also in the process of building a "bunker" in the rear of his business (a sound barrier to help alleviate the noise). Mayor Grogan thanked Mr. Mizarek, saying the city appreciates and recognizes all the effort he put into

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the issue, and that they know how conscientious he was in looking to remedy the noise problem. Mayor Grogan added that one of the reasons why he believed Council allowed Ordinance 12-05 to be tabled was because they knew Mr. Mizarek was being proactive in trying to get the problem resolved, and they appreciated everything he was doing. Mayor Grogan said it was a difficult situation, but Mr. Mizarek was doing everything he could and "that's all that can be asked."

**REPORT OF COUNCIL PRESIDENT** – No Report

**REPORT OF STANDING COMMITTEES** – No Report

## **ADJOURNMENT**

Mrs. Cihon made a motion to adjourn. Mayor Grogan adjourned the August 2, 2005 City Council meeting.

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Patricia A. Troccoli, Clerk of Council

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Mayor John Grogan