

CITY OF CANAL FULTON

January 15, 2008

**COUNCIL MEETING**

Mayor John Grogan called the January 15, 2007 City Council meeting to order at 7:10 PM in Council Chambers at City Hall.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Present: Mayor John Grogan, Matthew Moellendick, Nellie Cihon, Anthony Crookston, Danny Losch and Diane Downing.

Absent: Jim Deans

Mr. Crookston moved to excuse Jim Deans due to medical reasons, seconded by Mr. Losch. **ROLL: Yes, ALL.**

Others Present Roy Batista, Interim Law Director; Mark Cozy, City Manager; Tammy Marthey, Clerk of Council; David Frisone, Police Chief; Ray Green, Fire Chief; Scott Svab, Finance Director; Dale Kincaid, Former Law Director; Rochelle Rossi and Paul Bagocius, Resident; Michael Freeze, Independent; Laura Meade, Observer Reporter; and Joan Porter, Repository.

**CORRECTING/ADOPTING THE RECORD OF PROCEEDINGS**

Mrs. Cihon moved to approve the January 2, 2008 meeting minutes, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

**REPORTS OF STANDING COMMITTEES**

Mrs. Downing reported that the Committee on Committees met before the Council meeting. She will be the chairperson for that committee. The members have been selected for each committee and each committee will need to meet.

Mrs. Downing stated she is the chairperson for the Committee on Committees.

**CITIZENS' COMMENTS – AGENDA MATTERS - None**

**REPORTS OF ADMINISTRATIVE OFFICERS**

***SENIOR CITIZENS (Nellie Cihon)***

**Swiss Steak Dinner:** The next dinner will be held on January 26, 2007. Call the Center for reservations.

***COMMUNITY SERVICE*** – Mayor Grogan stated Mr. Phil Kaster has resigned his position due to health reasons and it has been accepted. They will be conducting a search for a new Community Service Coordinator.

***FIRE CHIEF (Ray Green, Fire Chief)*** – Chief Green stated he distributed his year end report. There were 619 runs for the year. The total estimated property loss was \$1,280,525 and this was due from fire loss

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and both are due to arson. They are both still under investigation by the Police and Fire Department, as well as the State Fire Marshall's office. Also included in this loss is the collapse of the feed mill. The report includes the EMS assists they have done throughout the year. A call history from 2001 to 2007 was included. There was a significant increase in 2004 due to the storms that came through Canal Fulton.

The Chief reported they started moving equipment into the new station on January 9, 2008 and then on January 10, 2008 they met with the architects, Mr. Cozy, Mayor Grogan and went through the building and they received the okay to move into the building.

They gained two more paramedics last year. Mr. Litten and Mr. Wagoner completed their training and got certified. The department now has 21 paramedics.

The department has agreed to host a community blood drive. It will be held January 21, 2008, sponsored by the American Red Cross. It will be held from 12:00 PM – 7:00 PM. They will have posters to hang around the community.

Mayor Grogan asked since there has been an increase in the volume of runs, if there was a reason why the billing has steadily decreased over the past couple of years?

Chief Green stated some of the patients were transported by the Township and weren't billed. He stated they were are taking a pretty big hit on the billing side and would like to have one of his officers pull a report together to show the figures for next council meeting.

Mayor Grogan stated the grants have also gone down. Chief Green stated it is due to the competition and a lot of the departments have grant writers and Canal Fulton has done them themselves. The department is looking into hiring a grant writer. There are some local individuals that the other departments use. The cost is based on a percentage and it can be included into the grant. A lot of them will base their fees only if the grants are received.

Mayor Grogan stated he would like to see outside training classes conducted at the department and would like to see a schedule put together.

**POLICE DEPARTMENT (David Frisone, Chief)** - Chief Frisone presented his month end report for December. They had a total of 284 calls. The Chief indicated he will distribute his year end report at next meeting. He will also report the nomination for the annual officer of the year award.

Chief Frisone reported that they recently were awarded a grant for night vision goggles. The cost to purchase the goggles is \$5,432.

**ENGINEER/STREETS/PUBLIC UTILITIES (William Dorman/ Dan Mayberry)** – Mr. Dorman reported the HPC/Planning Commission meeting scheduled for Thursday, January 17, 2008 has been cancelled due to lack of activity.

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Mr. Mayberry reported the Locust Street waterline was completed on Monday, January 14, 2008. The boiling ban will probably be lifted Wednesday last afternoon.

Mr. Mayberry stated the City has several sanitary sewer projects planned:

1. High Street NW between Leaver and Plum Creek
2. Steiner Street in the area of Workman's Auto Parts, the sewer main will lay parallel with Cherry Street, behind one residential home and several businesses. It will go from Steiner Street to approximately Tom Garber's Barber shop.
3. There is an existing section of sewer that was constructed approximately two years ago on Milan Street.

Mr. Mayberry stated he would like to get Council's input, or Council may want to defer this to the Public Service Committee to discuss assessing property owners, rather than these projects being paid for out of the sewer capital project funds solely.

Mr. Mayberry stated it is typical when a municipality or county sewer district constructs a sewer in an area that previously did not have access to the sewer, that the properties are assessed a pro-rated portion of the sanitary sewer project.

It was determined for the Public Service Committee to schedule a meeting to have further discussion on this matter with Mr. Mayberry.

Mr. Losch asked about a problem in the past regarding getting a line underneath a creek that runs across High Street and wanted to know where this ties into going north?

Mr. Mayberry stated there is a trunk line that runs to Lift Station D, though they will not need to go under the creek, they will go on top of it.

**FINANCE DIRECTOR (Scott Svab):** Mr. Svab stated the income tax collection for 2007 was up 4%, with an increase of \$51,138. This is due to a large part to the aggressive collections of delinquent taxpayers from Attorney Dale Kincaid. The net profit deposits were down for 2007 by \$9,000 and the withholding taxes were down \$14,000. This reflects the business loss from FormTech, the schools, Progressive Ford and the other types of business that left. Mr. Svab stated the withholding accounts from individuals showed a slight increase, but the increase was due to the collections by Attorney Kincaid's efforts.

Mr. Svab stated he has included in the packet Resolution 1-08, which has been discussed with Mrs. Hiltbrand and Mr. Cozy, to allow Attorney Kincaid to continue for the collections for the City. In the past, when he was Law Director, this was part of his fees. Mr. Svab would request that it is passed under suspension.

Mr. Svab stated he has also included the Ordinance 2-08. This piggybacks on the idea of whoever is doing the collections in the future, that the City and taxpayers should not have to pay for the collection agencies efforts and this Ordinance addresses this. He would recommend three readings on this ordinance.

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Mr. Svab stated also included in the packet is a 2008 water and sewer increase analysis. He stated through an ordinance passed in 1981 and 2006, it allows the City to increase the water and sewer rates based on the CPI. He did a study and looked at different rates that were available. He looked at the COLA's that Social Security uses. They had 2007 at 2.3%. He stated using the 2.3%; a resident consuming 4,000 gallons would only see a .98 increases monthly, \$11.75 a year. Mr. Svab stated the total projected combined additional revenues would be \$23,504.16. Mr. Svab stated this increase is important due to an increase in expenses. In 2006 expenses were 636,201.45 and in 2007 they were 665,934.45, a \$29, 733 a year increase. He stated they had a lot of repairs on the lift stations this past year. He stated instead of waiting on a huge rate increase that would hurt a lot of consumers, he feels small increments are better and allows them to have a strong water and sewer system that they can rely on.

He stated in the packet he included there is also purchase orders and a check list.

### **CITY MANAGER (Mark Cozy)**

Public Service Committee: Mr. Cozy stated to reiterate what Mr. Mayberry and Mr. Dorman discussed at the last meeting, the Public Service Committee will need to meet to discuss the angle parking, as well as to discuss the sewer projects.

Mr. Cozy stated regarding the Milan Street project, there are ordinances in place and there are also state statutes that require people to connect, yet we have few, if any, that have connected to that line. There are questions if we assess these individual's and tell them to connect. This can become a health issue, which is the reason we put the sewer there. These issues need discussed in the Committee and brought back to Council. He stated a decision needs to be made if there is a fair share of the assessment that the citizen should be required to make. He stated in the County they do assess frontage. He recommends at this point that they don't require the amount of payments the County does and the City could subsidize a portion. There needs to be some type of reimbursement back to the City for the work.

Fire Station: Mr. Cozy stated he has the final costs for the fire station. He stated he met with the architects last week and the Mayor authorized the department to move in. Mr. Cozy stated the architect's estimate was \$1,615,850. The total final cost was \$1,491,988.62, a savings of \$46,614.38. The actual contracts came in under the estimate and the final cost came in under the contracted amount.

Mayor Grogan asked if it was completed before the deadline. Mr. Cozy stated yes. Mayor Grogan stated we came in under budget and before the deadline. Mr. Cozy stated they spent more than they initially intended to spend, but when they went to bid they decided to go forward. He appreciates Council showing the courage and the fortitude to forge ahead with the project because it is very important for our community. The station will be critical to fire and police services the way it is constructed for the next fifty years. The station is designed to be a hub of service for this entire region. If they ever go into a joint fire district with the township, this station has the capacity to handle the whole region. This station was also designed to set up command and control if there is any area wide emergency.

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Mayor Grogan stated there appears to be a line of sight issue from the left when leaving the station. This issue will be addressed.

Mr. Cozy stated he will have seven issues for executive session.

**REPORT OF MAYOR (John Grogan)**

Mayor Grogan spoke of the Vietnam Memorial that is being erected in Clinton. The project is state recognized. The group has done a fantastic group on putting a video together and other information. He stated there are other communities that have been involved in donating money to go toward trees, headstones, benches, etc. He feels the City should be a part of this and would like to have input from the Council in regards to donating monies for a park bench. All members are in favor of the City purchasing a bench. Ms. Rossi will put together a design for members to review.

**PARKS & RECREATION BOARD (Fred Fleming) – Not Present**

**LAW DIRECTOR (Roy Batista, Interim) No Report.**

**THIRD READINGS** - None

**SECOND READINGS** - None

**FIRST READINGS**

**Resolution 1-08:** A Resolution Contracting with Attorney Dale B. Kincaid to Collect Delinquent City Income Taxes, Utility Bills, and Ambulance Fees for a Contingent Fee of a Net 20%, and Declaring an Emergency.

Mr. Crookston moved to suspend the rules on Resolution 1-08, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

Mr. Crookston moved for passage of Resolution 1-08 under suspension, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

**Ordinance 2-08:** An Ordinance Amending Section 181 of the Codified Ordinances, and Creating a Section, Specifically Section 181.28, "Reserved for Future Use" to Be Entitled "Collections Outsourced and Fees Assessed" and Declaring an Emergency.

**PURCHASE ORDERS & BILLS**

**P.O. 5113** to Barco Products for 14, 6' picnic tables and 1, 8" ADA table in the amount of \$6,000.00. Mrs. Cihon moved to approve P.O. 5113, seconded by Mr. Moellendick. **ROLL: Yes, ALL.** It was stated the tables are for Heritage Park.

**P.O. 5114** to Dollar Bank for EMS Squad Payment Semi Annual – Final 2011 in the amount of \$13,398.00. Mr. Crookston moved to approve P.O. 5114 in the amount of \$13,398.00. **ROLL: Yes, ALL.**

**P.O. 5115** to the City of Massillon for Half Year Prosecutor's Contract in the amount of \$24,000.00. Mrs. Cihon moved to approve P.O. 5115, seconded by Mr. Crookston. **ROLL: Yes, ALL.**

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**P.O. 5116** to Consolidated Communications in the amount of \$26,800.00 for phone system for all departments. Mr. Crookston moved to approve P.O. 5116, seconded by Mr. Cihon. **ROLL: Yes, ALL.**

**P.O. 5117** to CMI in the amount of \$5,889.00 for annual software fee. Mrs. Cihon moved to approve P.O. 5117, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

**BILLS: \$102, 561.68** Mr. Crookston moved to approve the bills in the amount of \$102,561.68, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

**OLD/NEW/OTHER BUSINESS**

**REPORT OF PRESIDENT PRO TEMPORE (Anthony Crookston)** - No Report.

**REPORT OF SPECIAL COMMITTEES**

Mrs. Downing stated the Personnel Committee would like to meet January 22, 2008 at 6:30 PM. Mrs. Downing moved to have a Personnel Committee meeting on January 22, 2008 at 6:30 PM for the purpose of the requirement of Council Rule #7 to have its initial meeting in the first quarter of the calendar year and to select a chairperson, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

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

**EXECUTIVE SESSION**

Mr. Crookston moved to adjourn to executive session at 8:00 PM from the regular meeting for the purpose of appointment of a public employee or official, employments of a public employee or official, promotion or demotion of a public employee or official, compensation of a public employee or official, purchase of real, personal, tangible or intangible property, the sale of property by competitive bid to prevent the disclosure of information that would provide competitive advantage, preparing for, conducting or reviewing negotiations or bargaining sessions with public employees, to include Mayor/Council, Law Director, City Manager, Finance Director, and the Police Chief and Service Director for a portion of the session, with no projected legislative action to be taken, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

A motion was made by Mrs. Cihon to return to public session at 10:12 PM, seconded by Mr. Losch. **ROLL: Yes, ALL.**

Mayor Grogan stated there wasn't any pending legislative action pending.

**ADJOURNMENT**

Mayor Grogan adjourned the January 15, 2008 meeting. The next regular scheduled meeting is February 5, 2008 at 7:00 p.m.

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Tammy Marthey, Clerk of Council      John Grogan, Mayor