

# CITY OF CANAL FULTON

October 16, 2007

## **COUNCIL MEETING**

Mayor John Grogan called the October 16, 2007 City Council meeting to order at 7:00 PM in Council Chambers at City Hall.

## **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

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

Absent: Tony Crookston

Others Present: Dale Kincaid, Law Director; Mark Cozy, City Manager; Daniel Mayberry, Service Director; Tammy Marthey, Clerk of Council; Elaine Weitzel, Police Department Administrative Assistant; Mark Stewart, Assistant Fire Chief; Scott Svab, Finance Director; Matt Moellendick, Mike Mouse, Paul Bagocius, Jon Gill, Bob Stopar, Chell Rossi, Diedre Watt and Kevin Mitchell, Residents; Michael Freeze, Independent; Joan Porter, Repository; and Laura Meade, Signal.

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

Mrs. Cihon moved to approve the October 2, 2007 meeting minutes, seconded by Mrs. Zahirsky. **ROLL: Yes, ALL.**

## **REPORTS OF STANDING COMMITTEES**

Mr. Colaianni reported that he had prepared a spreadsheet for the effective millage for the Canal Fulton Fire and Police levies and the current valuation calculations.

## **CITIZENS' COMMENTS – AGENDA MATTERS**

Paul Bagocius: Mr. Bagocius asked for clarification of the numbers on the Police Monthly Report.

Mrs. Weitzel stated when an officer is dispatched to a call, it can fall under several categories.

## **REPORTS OF ADMINISTRATIVE OFFICERS**

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

Swiss Steak Dinner: The next dinner will be held on October 20, 2007 from 4:00 PM to 6:30 PM. Reservations are required. They currently have 212 reservations.

**COMMUNITY SERVICE** – None Submitted.

**FIRE CHIEF (Mark Stewart-Assistant Chief)** – Assistant Chief Stewart submitted the resignation of Scott Lowell, effective October 15, 2007. Mr. Lowell will be moving out of state.

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Assistant Chief Stewart recommended that John Gross be promoted to Lieutenant.

Mayor Grogan recommended John Gross be appointed to Lieutenant. Mr. Colaianni moved to accept the Mayor's recommendation, seconded by Mr. Deans. **ROLL: YES, Mrs. Cihon, Mr. Colaianni, Mr. Deans, and Mrs. Downing. NO, Mrs. Zahirsky.**

Assistant Chief Stewart stated the department has three individual's that they would like to have physicals and drug screens on to bring on to the department as new members. Nathan Kennedy and Rory Richards have all or part of their training done and Chad Wetzel is currently in Fire School and will be done in June. They are not asking anything from the department for their education. They don't have any experience so the department will be able to train them as they see fit for the residents.

Mayor Grogan stated based upon the recommendation of the Assistant Fire Chief and the Fire Department, he submits to Council the request of Rory Richards, Nathan Kennedy and Chad Wetzel. Mr. Colaianni stated based upon the Mayor's recommendation, he moved to approve Rory Richards, Nathan Kennedy and Chad Wetzel as probationary firefighters/EMT's pending the outcome of their medical and drug test results, seconded by Mrs. Downing. **ROLL: Yes, ALL.**

Assistant Stewart stated the department will now have 39 firefighters, with a total of 19 paramedics.

**POLICE DEPARTMENT (Elaine Weitzel)** Mrs. Weitzel stated the monthly report was included in the packet.

Mrs. Zahirsky asked Mrs. Weitzel what the difference between calls dispatched and total calls. Mrs. Weitzel stated the report shows the actual number of calls that were dispatched from the RED Center. Once the responding officer gets on scene, if it is a traffic call, for instance, the person could possibly be sited on three different things.

**ENGINEER/STREETS/PUBLIC UTILITIES (Dan Mayberry)** – Mr. Mayberry stated the Street Department is currently picking up leaves and has asked that leaves be put on the edge of their yards and not into the street. This will be easier for the street department to pick up the leaves, as well as be able to maintain the storm sewer during rain events.

Mr. Mayberry reported previously about the water main on Towpath and this project has been completed. They will then begin work on Locust Street.

**FINANCE DIRECTOR (Scott Svab):** Mr. Svab thanks Victor Colaianni for putting out the current valuation calculation. He feels some of the confusion that was involved was they first reviewed it, they said that 1 mill was equal to \$35, so as a generalization said a home valuation at \$100,000 would then be \$70. The mill that they are actually going to roll back is from 1998 and its effective millage is less than 7/10 and that is where there is a variation. The effective millage is 7/10, so new property, new construction and appraisals have come online and our property is valued higher, it takes less than a full mill to get that much money back in 1998. Resident are actually paying less than a full mill for both of these services and this should show the critical of why we need to update either

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the mills or through the ballot of Issue 52 to try to rely on income tax and give the senior citizens or those on fixed income.

Mrs. Zahirsky made a motion that they have received the current expenses, month-to-date through the end of September, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

**CITY MANAGER (Mark Cozy)** Mr. Cozy distributed the Canalway Center monthly report.

Mr. Cozy stated he has a budget for the fire station. He stated this budget was established when Council approved it. He stated he has been hearing rumors and information spreading throughout town that the fire station is over budget by \$200,000. He stated this is ridiculous. Mr. Cozy stated they have not ordered furniture for the building. If they hold off with the furniture until next year and don't include it with the building, they are only over budget by \$6,300, which is less than 1%. If they order furniture this year, they will be over budget by \$30,000, which is about 2% over budget. He stated whoever is out there spreading information, he asks them to stop because it is a ballface lie. He stated if anyone has any questions on the budget for the fire station to ask him because it is his job, not anyone else who might not like the way the project is going. There were issues early on when they were getting ready to bid the project that it was going to be more money than what they wanted to spend, but once Council approved the contracts, they set the budget. He stated the total for the fire station without the furniture is \$1.56M and they have \$1.55M in the bank. He feels they did good.

**REPORT OF MAYOR (John Grogan)** Mayor Grogan stated while they are going through the application process to retain another attorney, he would like to recommend to Council that they approve Attorney Roy Batista as Interim Law Director until such time that Council has approved through the application process the new Law Director. Mrs. Zahirsky moved to approve Mr. Roy Batista as the interim Law Director, seconded by Mr. Deans. **ROLL: Yes, ALL.**

Mrs. Zahirsky stated they are really going to miss Mr. Kincaid.

Mayor Grogan presented Law Director Kincaid a proclamation for his ten years service to the City. Mr. Kincaid has worked diligently and faithfully and assisted the City in framing the Charter. He will be part of Canal Fulton's history forever.

Mayor Grogan stated he didn't know if anyone was going to be able to fill the shoes of Mr. Kincaid. He will be missed.

**PARKS & RECREATION BOARD (Fred Fleming)** – Not Present. Law Director Kincaid stated he had a conversation with Mr. Fleming regarding the Friends of the Parks Organization and there have been a few thousand dollars contributed and wanting to form an IRS exempt organization. Mr. Kincaid asked if they would consider handling the monies how they did with the contributions for the rehab of the St. Helena II, the money to come through the finance department and appropriated.

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**LAW DIRECTOR (Dale Kincaid)** Mr. Kincaid stated if he needed any other credits, he would want to get them from the City of Canal Fulton.

Mr. Cozy stated he has had the pleasure of working with Mr. Kincaid the past two years and feels that Dale is a class act. He is a man of integrity.

**THIRD READINGS**

**Resolution 21-07:** A Resolution Approving the Canal Fulton Farms Annexation. Mrs. Zahirsky moved to approve Resolution 21-07, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

Mr. Cozy stated a lawsuit has been filed but the Judge has not filed a TRO.

**SECOND READINGS** - None

**FIRST READINGS** - None

**PURCHASE ORDERS & BILLS**

**P.O. 5021** to Watchguard Inc. in the amount of \$5,020 for an in-dash camera for the Impala. Mrs. Cihon moved to approve P.O. 5021, seconded by Mrs. Zahirsky. **ROLL: Yes, ALL.**

**BILLS: \$15,564.05**

Mrs. Cihon moved receipt of bills in the amount of \$15,564.05, seconded by Mr. Colaianni. **ROLL: Yes, ALL.**

**OLD/NEW/OTHER BUSINESS**

Mr. Colaianni moved to change the next regular meeting from November 6, 2007 due to the election to November 7, 2007 at 7:00 PM, seconded by Mr. Deans. **ROLL: Yes, ALL.**

**REPORT OF PRESIDENT PRO TEMPORE (Linda Zahirsky)** Mrs. Zahirsky reported that she would be attending the Public Records seminar on October 17, 2007 and encouraged all others to register for an upcoming seminar.

**REPORT OF SPECIAL COMMITTEES** - None

**CITIZENS COMMENTS-Open Discussion (Five-Minute Rule)**

**Jon Gill, 350 W. Cherry Street:** Mr. Gill wanted to know the status of the tree on his property. Mr. Cozy indicated they were consulting with an arborist to get an evaluation. He stated the power company has confirmed that they are not going to take the tree down. They didn't see a problem with the tree and in their estimation it is not a diseased tree and it is a low priority line for them. He stated the City's ordinances are clear if it is a diseased tree.

**Deidre Watt, 307 E. Market Street:** Ms. Watt stated she missed the last meeting regarding the dilapidated garage that the City has declared a nuisance. She stated she doesn't currently have the funds to take the garage down and asked for suggestions from the City. She realizes its condition. She states she has made many updates to the home.

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There was a discussion on a plan to take the garage down. Mr. Colaianni stated he has someone that may be able to assist her and will get contact information from her. The Mayor asked the Fire Department to get caution tape to the zoning inspector and mark it off temporarily.

Mike Mouse, 406 Riverview Street: Mr. Mouse stated there was an informational meeting a couple weeks ago regarding the income tax issue. He stated at that time there was discussion on the mills and how much they would bring in. It was his understanding that Mr. Cozy was going to get with the media and let them know that it was only going to be \$21.50. He stated he spoke with the auditor's office in May and there was no confusion on the amount.

Mr. Colaianni stated prior to Mr. Mouse's arrival, this was clarified. Mr. Mouse stated he was here when they discussed the issue. Mr. Colaianni stated it is \$21.50 each mill.

Mr. Cozy stated the information on the millage is going to be included in the newsletter.

Rochelle Rossi, 415 High Street: Ms. Rossi stated there is a Meet the Candidates Night on October 24 at 7:00 PM at Chapel Hill. All candidates from the City, Lawrence Township and the School Board will be there. The event is sponsored by the library.

*Meeting was adjourned, we had been off the record for approximately 30 seconds and there was a late motion entered by the City Manager to go into an Executive Session.*

**EXECUTIVE SESSION**

Mrs. Zahirsky made a motion to adjourn to Executive Session at 7:45 PM from regular session for the purpose of the consideration of the purchase of real, person, tangible or intangible property, with the Mayor, Council, City Manager, Law Director, and Finance Director present, seconded by Mr. Colaianni. **ROLL: Yes, ALL.**

Mr. Colaianni moved to return to public session at 8:19 PM, seconded by Mr. Deans. **ROLL: Yes, ALL.**

There was no action taken as a result of executive session.

Mrs. Zahirsky stated she will not be able to attend the Finance Committee meeting that has been scheduled for November 10, 2007 due to a work obligation.

**ADJOURNMENT**

Mayor Grogan adjourned the October 16, 2007 meeting. The next regular scheduled meeting is October 16, 2007 at 7:00 p.m.

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Tammy Marthey, Clerk of Council

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John Grogan, Mayor