

# CITY OF CANAL FULTON

February 17, 2004

## **REGULAR COUNCIL MEETING:**

Mayor John Grogan called the February 3, 2004 Council Meeting to order at 7:40 p.m. in Council Chambers at City Hall.

## **PLEDGE OF ALLEGIANCE:**

**CALLING OF THE ROLL:** Present: Victor Colaianni, Nellie Cihon, Linda Zahirsky, Mike Mouse, Robert Szanto, Diane Downing, and Mayor John Grogan.

**OTHERS PRESENT:** Marge Loretto, City Manager; Dale Kincaid, Law Director; Chief Mike McNeely, Police Department; Chief Bob Hill, Fire Department; Michael Rodino, Finance Director; Director; Donna Lemmon, Canal Fulton Chamber of Commerce; Bill Dorman, City Engineer; Fred Etheridge, Garnet Thomas, Jon Demyan, Rochelle Rossi, Paul Dort, Sis Rohr, Sean McKiernam, Bret Stephan, all residents.

## **Presentation of Finance Director**

Finance Director, Michael Rodino, gave a presentation on the purchase requisition and purchase order procedures of the City.

## **ADOPTING OF MINUTES.**

Mrs. Cihon made a motion to accept the minutes of the meeting of February 3, 2004. Mrs. Downing seconded the motion. Roll: Yes – 5. Mr. Mouse had not yet arrived.

## **SPECIAL RECOGNITIONS:**

No Special Recognitions.

## **CITIZENS' COMMENTS ON AGENDA MATTERS.**

No comments.

## **SPECIAL RECOGNITIONS.**

None.

## **REPORTS OF ADMINISTRATIVE OFFICERS.**

### Senior Citizens.

Mrs. Cihon said on Thursday there will be a bus trip to Wheeling and in May there will be a three-day trip to Michigan. She said in June they will be going to see the play "Mama Mia". She said the next Swiss steak dinner is March 13<sup>th</sup>.

### Community Service Coordinator.

Mr. Svab passed out his annual report. He said it shows the statistics of the past year.

### Fire Chief.

Chief Hill said he has a couple of people he would like approval to hire this evening. He said the first one is Sarah Scott. He said she has all of her training and is currently going to Stark Tech for her fire science degree. He said he recommends to the Mayor Sarah Scott as a probationary firefighter pending physical and drug tests.

The Mayor recommended to Council to hire Sarah Scott pending physical and drug tests.

Mr. Colaianni made a motion to approve the Mayor's recommendation to hire Sarah Scott. Mrs. Cihon seconded the motion. Roll: Yes – 5.

Chief Hill then recommended is David Faraby. He said Mr. Faraby was a firefighter in Marshallville for sometime and has now moved into this neighborhood. He does not have his EMT card yet, but that will be the first thing he does. The Chief recommended to the Mayor the hiring of David Faraby.

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The Mayor recommended to Council to hire David Faraby pending physical and drug tests.

Mr. Szanto made a motion to approve the Mayor's recommendation to hire David Faraby as a probationary firefighter. Mrs. Zahirsky seconded the motion.

Roll: Yes – 5.

### Police Chief.

Chief McNeely said the Ohio Department of Public Safety is giving away free video cameras for cruisers, which will save the City \$5,000.00. He said they will have to send someone to Columbus for forty hours of training.

### Engineer.

Mr. Dorman said they are continuing work on the Milan Street water line and sewer and they are 95% complete with the design. He said they will be submitting that to Dan Mayberry and others for review this week. He said the Northwest High School water line has been submitted to the Ohio E.P.A. He said they expect to hear back from them favorably any day.

He said the Villas at Autumn Meadows #16 construction will begin on that soon. He said Discovery Park, Phase 2 plans are in the process of being finalized. He said on the Planning Commission agenda this week Lakewood Estates, Phase 2 will be coming back for final approval.

He said they are also reviewing Redwing senior housing, which consists of 29 units.

Mr. Dorman said there is a proposal in Council packets for a hydraulic model, which the City had ask from him. He said the City's water system has expanded to such a size that it is recommended that there is a model of the system in order to plan better.

The Mayor acknowledged Councilman Mouse's presence at this time.

### Finance Director Report.

Mr. Rodino passed out the January 2004 monthly financial reports. Mr. Szanto made a motion to acknowledge receipt of the January 2004 financial reports. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

Mr. Rodino said that pertaining to P.O. #3796, he received a call from Nucom Computers this past week who asked to submit a bid for the Police Department computers. He said they gave him a quote. He passed out information comparing the difference between Nucom and Jeremy Kurtz's quote.

A discussion on various items in the quotes followed.

Mrs. Zahirsky said that this needs to go to one of the committees to look at further. She said she had also done some investigating on her own.

Mr. Mouse asked Chief McNeely if the Police Department's computer system is backed up. The Chief said it is backed up weekly. Mr. Mouse asked why it is not backed up daily. Chief McNeely said Mr. Mouse would have to ask the secretary.

It was decided to have the Personnel/Rules Committee meeting on February 24 at 6:30 P.M. and the Safety and Finance Committees would meet jointly on the same day at 7:30 P.M.

Mrs. Zahirsky made a motion to combine the Safety and Finance Committee meetings to be held at 7:30 P.M. on February 24, 2004. Mr. Mouse seconded the motion. Roll: Yes – ALL.

### Report of the Mayor.

The Mayor said there are several vacancies on some Boards. He said there is one on the Civil Service Commission, two on the Income Board of Review, and one on the Park Board.

The Mayor nominated to Council Allen Waggoner, 753 Tamwood Dr., Canal Fulton and Don G. Hare, 366 Chippewa, Canal Fulton, to the Income Tax Board of Review.

Mr. Szanto made a motion to approve the Mayor's appointments of Allen Waggoner and Don Hare to the Income Tax Board of Review. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

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The Mayor then nominated Mary Ann Hupp to the Parks & Recreation Board.

Mrs. Cihon made a motion to approve the Mayor's appointment of Mary Ann Hupp to the Parks & Recreation Board. Mr. Colaianni seconded the motion. Roll: Yes – ALL.

The Mayor nominated Edward S. Awahjee, 768 Shiredon Ave., Canal Fulton, to the Civil Service Commission.

Mr. Szanto made a motion to approve the Mayor's nomination of Edward Awahjee to the Civil Service Commission. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

### City Manager's Report.

Mrs. Loretto said she was approached with the possibility of the City contributing to a traffic light at the intersection of Rt. 93 and Strausser. She said the entire intersection is outside the City, but they could spend funds with the County and O.D.O.T.

A short discussion followed.

Mrs. Loretto said the City's insurance will be going up. She reviewed the paper work with Council.

Mrs. Zahirsky made a motion to accept the Ohio Plan numbers for the City's insurance. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

### Parks.

Mrs. Higgins, Vice Chair of the Parks & Recreation Board gave an update on the Summer Recreation Program. She said this year they will be working with the YMCA. She also said the Lawrence Township has agreed to contribute up to \$6,000.00 for their residents and that Clinton will also be participating in the program this year.

She said they are also working with Mrs. Zahirsky on the dog park. She said they are also working on moving the tennis courts, using the FEMA money that was awarded to the City for that purpose.

### Law Director.

### **THIRD READINGS:**

**Ordinance 2-04:** An Ordinance Amending Ordinances 7-02, 14-02, 14-03, and 28-03 establishing Rates of Pay for Various Part-Time Positions within the City of Canal Fulton and Declaring an Emergency.

Mrs. Zahirsky made a motion to table Ordinance 2-04. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

**Ordinance 3-04:** An Ordinance Establishing New Rates of Pay and Salaries for Employees of Canal Fulton, effective January 1, 2004, Repealing any Ordinances in Conflict Therewith, and Declaring an Emergency.

Mrs. Zahirsky made a motion to pass Ordinance 3-04. Mrs. Cihon seconded the motion.

Discussion: Mr. Colaianni said he would like to see the Police Department's clerk/typist position to be amended to a base rate of \$11.00 per hour.

Mr. Colaianni made a motion to amend to Police Department clerk/typist position to a base rate of \$11.00 per hour. There was no second.

Mrs. Zahirsky said then that person will be getting a 7% raise as opposed to the others' 3.5%. Mrs. Downing said that was not fair.

Mrs. Zahirsky stated that if there is a supervisor who wants to give an employee a raise to different level, they need to give Council something in writing to justify that raise.

Roll: Yes – 3. No – 3. Mayor Grogan broke the tie with a No Vote. ORDINANCE FAILS.

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**Resolution 2-04:** A Resolution authorizing a Mutual Aid Agreement with the Stark County Park District for Police Protection.

Mr. Szanto made a motion to pass Resolution 2-04. Mr. Colaianni seconded the motion. Roll: Yes – ALL.

### **SECOND READINGS:**

**Ordinance 4-04:** An Ordinance vacating Rutger Place and Rice Place from Locust Street to Dakota Street and Dakota Street from the Boundary between Outlot 39 and Lot 470 to the North Corner of Lot 361.

**Ordinance 5-04:** An Ordinance Naming an Extension of Tuscarawas Street in the City of Canal Fulton.

### **FIRST READINGS:**

**Resolution 5-04:** A Resolution Accepting an Easement for the Installation and Maintenance of a Sidewalk from Monogram Development X LTD, and Ordering the Preparation of Plans, Specifications, Profiles, and Cost Estimates for the Said Sidewalk.

Mr. Kincaid said they will be assessing this property owner under the term of his lease and that is a requirement. Mr. Kincaid said it would help if they suspend the rules on this Resolution.

Mr. Szanto made a motion to suspend the rules on Resolution 5-04. Mrs. Zahirsky seconded the motion. Roll: Yes – ALL.

Mrs. Zahirsky made a motion to pass Resolution 5-04 under suspension. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

**Resolution 6-04:** A Resolution Petitioning the United States Postal Service to Remove Cluster Boxes Located on Canal Street.

Mrs. Zahirsky made a motion to suspend the rules of Resolution 6-04. Mr. Colaianni seconded the motion. Roll: Yes – ALL.

Mrs. Zahirsky then made a motion to pass Resolution 6-04 under suspension. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

### **Purchase Orders and Bills:**

No Purchase Orders.

The bills were distributed by Mr. Rodino.

Mr. Szanto made a motion to acknowledge receipt of the bills. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

### **NEW BUSINESS:**

None.

### **OLD BUSINESS:**

None.

### **OTHER BUSINESS:**

None.

### **CITIZENS COMMENTS:**

Fred Etheridge commented that he was the one who designed the allotment at the intersection discussed in the City Manager's report. He said his recollection was that there was a fee simple

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dedication for half of the existing right of way plus a widening. He offered his assistance to look into that matter.

Mrs. Thomas thanked Mrs. Higgins for the continuation of the Summer Recreation Program. She also asked for a reconsideration about the dog park. She said she feels that our children need more recreation space. She said she felt our children were being deprived. She said Council should think about how best to spend the money, on our citizens or for pets.

### **REPORT OF COUNCIL PRESIDENT:**

No Report.

### **REPORT OF STANDING COMMITTEES:**

Mrs. Cihon said the Public Service Committee met last Thursday and the sidewalks on Locust Street were discussed. She said she also discussed parking downtown. It was noted that Mr. Mouse had declined to be on the Public Service Committee.

Mr. Etheridge interjected that he would like to make a comment on the sidewalks. He stated that no matter what side of the street is chosen, there will be many driveways left high and dry. He said there will be an undo hardship placed on the property owners.

Mrs. Zahirsky stated to Mr. Etheridge that what he has said would absolutely kill the project. She said the City at this time is not asking the homeowners to pay for the cost of the sidewalks, which under State law the City could do.

Mrs. Zahirsky made a motion to go into Executive Session. She said she would like the Mayor, Council members and the City Manager to be present. The purpose of the session is for the purpose of discussing wages. Mr. Mouse also said he would like to discuss litigation in the Executive Session and would ask that only the Mayor and Council be present. Mr. Colaianni seconded the motion.

Mrs. Zahirsky stated that no legislative action would be taken as a result of the Executive Session.

Roll: Yes – ALL.

### **The Meeting was Adjourned Into Executive Session**

Mr. Szanto made a motion to reconvene to the Regular Council meeting. He said in the Executive Session personnel pay and litigation were discussed and no legislative action will be taken as a result of the discussions. Mrs. Zahirsky seconded the motion. Roll: Yes – ALL.

The Mayor said they needed to change the next regular Council meeting because of the March 2<sup>nd</sup> Election.

Mr. Mouse made a motion that the meeting be changed to Monday, March 1, 2004, at 7:30 P.M. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

The Mayor said he had a letter that was sent to him, City Council, Mrs. Loretto, and Mr. Mayberry regarding the office area in the High Street Fire Station. He said Mark Stewart wrote the letter. Mr. Mouse said Mr. Stewart is asking for payment for a desk in the amount of \$1,500.00. Mr. Mouse said he would suggest letting the Fire Department have its desk and move it. Mr. Szanto said he does not feel that they should pay for anything. He said the Fire Department did that of their own accord. He said the City does not need to repay this, especially in light of the fact that Council did not throw them out of that building. To the contrary, they came to Council asking that they be moved to another location.

Mr. Mouse said the letter states that the City is going to use this space. Mrs. Zahirsky said the Zoning Inspector is going to move over there. Mr. Mouse asked why did this happen. Mrs. Zahirsky replied that the Mayor has requested his own private office and that is why Mrs. Loretto is now in Council Chambers for the time being until the cascade effect of moving offices is taken care of.

Mayor Grogan asked why Mr. Mayberry and Mr. Belford could not share the same office downstairs. He said zoning inspectors do not make a lot of friends, so he would not like Mr. Belford to be by himself. Further discussion followed.

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Mr. Szanto said the way he understood it was that Mrs. Loretto would be moved into the Administrative Assistant's office and that Mrs. Menefee would be moved to Mr. Belford's office.

Dan Mayberry's current office is too small for Mrs. Menefee. Mrs. Zahirsky stated that Mr. Mayberry's office is a broom closet anyway. Further discussion on office relocations followed.

Mr. Szanto reminded everyone that this is an administrative issue, not a Council issue. There must be room for the administration to work and do their jobs.

The meeting was adjourned.

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Sharon Reiter, Clerk of Council

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John Grogan, Mayor