

CITY OF CANAL FULTON

April 17, 2007

COUNCIL MEETING

Linda Zahirsky, President Pro Tempore called the April 17, 2007 City Council meeting to order at 7:00 PM in Council Chambers at City Hall. There was a moment of silence for the Virginia Tech tragedy and for Chief David Frisone and his family for the loss of his niece.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present: John Grogan, Tony Crookston, Nellie Cihon, Linda Zahirsky, Victor Colaianni, Jim Deans and Diane Downing.

Absent: Mayor John Grogan

Others Present: Dale Kincaid, Law Director; Mark Cozy, City Manager; Tammy Marthey, Clerk of Council; Scott Svab, Finance Director; David Frisone, Police Chief; Ray Green, Fire Chief; Daniel Mayberry, Public Service Director; Amy Knapp, Independent; Joan Porter, Repository; Laura Jean Meade, The Canal Fulton Signal; Chell Rossi, Paul Bagocius and Mike Mouse, Resident.

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

Mr. Crookston moved to approve the April 3, 2007 Council meeting minutes, seconded by Mr. Colaianni. ROLL: Yes, All.

REPORTS OF STANDING COMMITTEES - None

CITIZENS' COMMENTS – AGENDA MATTERS - None

REPORTS OF ADMINISTRATIVE OFFICERS

SENIOR CITIZENS (Nellie Cihon) –

Seneca Alleghany in New York: The Center will be taking a bus trip May 1, 2007 for a gambling trip. The cost is \$30 and you get \$20 back in coin, \$5 food voucher. The bus will depart at 7:00 AM and return around 9:00 PM.

Swiss Steak Dinner: The next dinner will be held on June 2.

Mother-Daughter Tea: A tea will be held on May 11 from 11:30 AM – 1:30 PM. Reservations are required.

Card Club Party: The next party is May 16. Reservations are required.

The Center will be closed on May 8 for the election and May 28 for Memorial Day.

COMMUNITY SERVICE (Phil Kaster) – None

FIRE CHIEF (Chief Ray Green) - Chief Green distributed his monthly report. There were 66 incidents. There were 37 in the City and 28 in the Township and an assist in another township.

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POLICE CHIEF (David Frisone): Chief Frisone thanked everyone for all the cards and flowers and support that has been provided due to the loss of his niece. It meant a lot to his family.

The Chief stated there was a vehicle theft this past weekend from Hydro hem. An employee took one of the work trucks. Officer Kosco was able to convince the suspect to bring the vehicle back from Delaware. The suspect was summoned.

ENGINEER – No Report.

FINANCE DIRECTOR (Scott Svab) - Mr. Svab stated he has included a purchase order for the general contractor for the fire station.

Mrs. Cihon moved receipt of the March through April 17 expenses, seconded by Mr. Deans. ROLL: Yes, ALL.

CITY MANAGER (Mark Cozy): Mr. Cozy stated he previously presented to Council a brochure that the city would like to print. It is a promotional piece for the St. Helena III Canal Boat and wanted approval from Council that the City can share the cost with DiscoverCanalFulton.com since all information on the internet is on that particular website. The brochure includes the cost of the boat ride and hours of operation. The City schedules the tours. The brochure will be copied in-house. DiscoverCanalFulton.com will share the cost of the brochure with the City. Mr. Cozy stated it wouldn't be more than 500 copies. Mr. Colaianni moved to approve the printing of the brochure at City Hall, seconded by Mrs. Cihon. **ROLL: Yes, Mr. Crookston, Mrs. Cihon, Mrs. Zahirsky, Mr. Colaianni, Mr. Deans. Abstain: Mrs. Downing.**

Mr. Cozy stated he received a letter back from Stark County Regional Planning Commission. He stated they provided a proposed scope of services for a comprehensive plan.

MAYOR (John Grogan) – Mrs. Zahirsky stated the Mayor requested the following appointments:

Don Schwendiman, Planning Commission: Mrs. Cihon moved to re-appoint Mr. Schwendiman to the Planning Commission, seconded by Mr. Crookston. **ROLL: Yes, ALL.**

Chief David Frisone and Chief Ray Green, LOGIC Board: Mrs. Cihon moved to appoint Chief Frisone and Chief Green to the LOGIC Board, seconded by Mr. Crookston. **ROLL: Yes, ALL.**

PARKS & RECREATION BOARD (Fred Fleming) Mr. Fleming reported that an ODNR plaque has been put up at Discovery Park. Mr. Jeff Boak embedded the sign in a sandstone block. He stated the Street Department made repairs/assessment of the playground area at St. Helena Park. They removed the seesaws, replaced the seats and chains on the swings and fixed the gate at the trail. There is fencing that needs replaced at a cost of \$2,160.

Mr. Fleming stated the fence has been repaired at the dog park. They have seeded and fertilized the dog area. The gravel for the parking area will be delivered soon. Bricks have been placed around the water spigot area to eliminate the mud.

Mr. Fleming stated he has six concerts scheduled at Muhlhauser Park for this summer. He has received \$1,150 in donations and still needs \$400.

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The Canal Fulton VFW and the Ladies Auxiliary each donated \$250 toward the summer recreation program. It has always been their desire to help residents in town who couldn't afford the fees associated with the program.

LAW DIRECTOR (Dale Kincaid): - Mr. Kincaid stated as a result of previous meetings with Lawrence Township, he wrote to Lawrence Township's Law Director about amending our contract relating to the Joint Fire Department billing issues and has not received an answer from him. Mr. Cozy stated the Trustees did not want their citizens getting a bill and we should honor that. He stated they could send the Trustees a bill and felt that is what they wanted. He stated the Township shouldn't be billing our residents when they make runs in the city. Mr. Svab stated when he spoke with Mr. Hardgrove over six weeks ago, he felt it was a finished issue and that the Township would bill our residents, and as an agreement with the Township we would collect those fees, but Ohio Billing has to remit it. Mr. Cozy stated we couldn't do it that way, that the prosecutor's opinion was that when the City would make runs in the Township, we would bill the Township directly. When the Township makes runs in the City, they would collect the money. They can't collect the money and give it to the City. They can use it as an offset out of their fund; they have to create a separate fund.

Mr. Cozy asked Mr. Kincaid to write up an agreement and send to them.

THIRD READINGS - None

SECOND READINGS - None

FIRST READINGS

Ordinance 04-07: An Ordinance Authorizing Temporary Help for the Canalway Center During the Season of 2007, and Declaring an Emergency. **Mr. Deans moved to suspend the rules of Ordinance 04-07, seconded by Mr. Colaianni. ROLL: Yes, ALL. Mr. Crookston moved for passage of Ordinance 04-07, seconded by Mr. Colaianni. ROLL: Yes, ALL.**

Mr. Crookston asked if there is a cap on what would be spent throughout the season. Mr. Cozy stated they would stay within budget. He stated the hours of operation have been cut back. He stated they are currently only open on the weekends and the day time hours will be cut.

Ordinance 05-07: An Ordinance Establishing the position of Interim Street Superintendent, and Declaring an Emergency. SEE EXECUTIVE SESSION PORTION OF THE MEETING.

PURCHASE ORDERS & BILLS -

P.O. 4853 to Miscellaneous Vendors in the amount of \$30,000 for Income Tax Refunds, 2007. Mrs. Cihon moved to approve P.O. 4853 in the amount of \$30,000, seconded by Mr. Colaianni. **ROLL: Yes, ALL.**

P.O. 4862 to Stark County Soil & Water Conservation District in the amount of \$3,000 for Storm Water Agreement. Mrs. Cihon moved to approve P.O. 4862 in the amount of \$3,000, seconded by Mr. Colaianni. **ROLL: Yes, ALL.**

P.O. 4855 to Treasurer of State in the amount of \$16,806.40 for 2008 Impala Police Cruiser-GSA Priced. Mr. Deans moved to approve P.O. 4855 in the amount of \$16,806.40, seconded by Mr. Crookston. **ROLL: Yes, ALL.**

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Chief Frisone stated the MSRP for this vehicle is \$24,925 and the Ohio State Bid minimum was \$18,067. They saved about \$12,060 what they would have gotten it through the State of Ohio. The earliest they will get delivery of the vehicle is June or at the latest September. This vehicle will eventually replace car #3 which has 87,000 miles on it. The mechanic is keeping it running but soon it will not be worth putting maintenance into it.

P.O. 4864 to Seville Developers Inc. in the amount of \$1,104,255.00 for General Contractor Awarded Bid for Construction of New Fire Station. Mrs. Cihon moved to approve P.O. 4864 in the amount of \$1,104,255.00, seconded by Mr. Colaiani. **ROLL: Yes, ALL.**

BILLS: \$75,716.00. Mrs. Cihon moved that they have received bills in the amount of \$75,716.00, seconded by Mr. Colaiani. **ROLL: Yes, ALL.**

OLD/NEW/OTHER BUSINESS –

Mr. Ray Martinez, Area Manager, First Energy Corp./Ohio Edison, was present if anyone had any questions for him. Mr. Martinez does a lot for the community.

The City Newsletter is at the printers and should be in the mail by the end of the week.

REPORT OF PRESIDENT PRO TEMPORE (Linda Zahirsky) – Mrs. Zahirsky stated she had the opportunity to meet with North Canton's Clerk of Mayor's Court.

REPORT OF SPECIAL COMMITTEES - None

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

Paul Bagocius, 451 E. Cherry Street: Mr. Bagocius thanked the City for allowing him to include the Farmer's Market Survey in the City newsletter but at this time was requesting to exclude it from the newsletter due to time constraints with the University of Akron students. It was published in Lawrence Township newsletter, which was also distributed to City residents.

Mike Mouse, 406 Riverview Street: Mr. Mouse commented that he read in the paper with Form Tech leaving the administration is going to pursue back taxes as part of the tax abatement agreement and noticed that Courtesy Chevrolet and Progressive Ford are leaving and knows that they had tax abatement and questioned if they were still under tax abatement and if so, is the City going to pursue taxes with them. Mr. Colaiani stated their tax abatements have expired.

Mr. Mouse asked Chief Frisone about the number of current cruisers and the mileage on such. He requested the Chief provide a list of the cars/make and mileage.

EXECUTIVE SESSION

Mr. Colaiani requested to adjourn to executive session at 7:51 PM from the regular meeting for the purpose of the consideration of promotion or demotion of a public employee or official; compensation of a public employee or official; and

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the purchase of real, personal, tangible or intangible property, seconded by Mr. Deans. **ROLL: Yes, ALL.**

Mr. Crookston made a motion to return to public session at 8:15 PM, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

As a result of the executive session, there were no decisions made but they do have legislation.

Ordinance 05-07: An Ordinance Establishing the Position of Interim Street Superintendent, and Declaring an Emergency. Mr. Colaianni moved to suspend the rules on Ordinance 05-07, seconded by Mr. Deans. **ROLL: Yes, ALL.** Mr. Crookston moved for passage of Ordinance 05-07 under suspension, seconded by Mrs. Cihon. **ROLL: Yes, ALL.**

ADJOURNMENT

Mrs. Zahirsky adjourned the April 17, 2007 City Council Meeting. The next regular meeting is scheduled for May 1, 2007.

Tammy Marthey, Clerk of Council

Linda Zahirsky, President ProTempore