

CITY OF CANAL FULTON

July 6, 2004

REGULAR COUNCIL MEETING

Mayor John Grogan called the July 6, 2004 City Council meeting to order at 7:30 PM in Council Chambers at City Hall.

PLEDGE OF ALLEGIANCE

CALLING OF THE ROLL

Present: Linda Zahirsky, Michael Mouse, Diane Downing, Victor Colaianni, Robert Szanto, and Mayor John Grogan (Nellie Cihon was absent due to work travel.)

OTHERS PRESENT

Marge Loretto, City Manager; Michael Rodino, Finance Director; Dale Kincaid, Law Director; Chief Robert Hill, Fire Department; Amy Geier and Officer Douglas Swartz, Police Department; Joan Porter, The Repository; Matt Rink, The Independent; Rochelle Rossi, Ken Roberts, (residents).

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

Mrs. Zahirsky made a motion to approve the June 15, 2004 City Council meeting minutes. Mr. Colaianni seconded the motion. **ROLL CALL: Yes – ALL**

CITIZENS' COMMENTS ON AGENDA MATTERS - None.

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens – No Report.

Community Service Coordinator - No Report.

Fire Chief

Chief Hill explained why Squad 8 had to be fixed; Bill Lacy offered to fix it and gave them a backup squad to use; cost = \$3,165. Mr. Mouse requested a copy of the bill.

Regarding the rain/wind storm last week, the Chief said everyone helped cutting trees and brush – working with the Street Department. He gave many thanks to Dennis Mayberry and Mark Petersen for their work, and he appreciated the Mayor showing up later after he had to go home.

Regarding the Canal Fulton Fire Station expansion, Chief Hill met with an architect and gave him the initial blueprints for additions. The architect will come up with three scenarios with different ways they could add onto the Fire Station. The Chief stated the architect comes highly recommended (he did four of Jackson's, almost all of Plain's, Green additions, etc.). There was a lengthy conversation about possible regionalization that would merge the Lawrence Township and Canal Fulton's fire departments and whether or not putting money into Canal Fulton's Fire Station would be a good venture at this time.

Mr. Szanto made a motion to approve \$3,500 for the architect; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – 4 No – 1 (Mr. Mouse)**

Police Chief

Officer Swartz stated the Chief wanted to thank the Fire and Street Departments on the excellent job they performed during the storm - along with the citizens.

Engineer - No report.

Finance Director

Mr. Rodino presented the May 2004 Month-End Reports. Mrs. Zahirsky made a motion that they received the May 2004 Month-End Reports; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL**

Mr. Rodino asked Council to review/approve the Tax Budget for FY 2005. Mr. Szanto stated (to get into the record), "This is not our Appropriations Budget; this Council makes no claim that these numbers are going to be – that revenues or anticipated expenditures will be what we've got here. This document is required by statute; we must provide this to the County Auditors for verification of basic revenues and expenditures. It does not reflect, in any way, what this Council will appropriate for next year. We don't have Capital Projects in here; we're looking at a Police contract again this year. We don't know what that contract will bring to us. This is a best-guess from the Finance Director of what things might look like next year."

Mr. Szanto made a motion that Council convenes and calls to order the scheduled hearing for the purpose of reviewing the Tax Budget for submission to the County Auditor; seconded by Mrs. Zahirsky. **ROLL CALL: Yes - ALL**

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Mr. Mouse stated he didn't get a chance to look at the Tax Budget and it wasn't in his Council box. Mr. Szanto said it was in the Council boxes a week ago, and that he'd asked the Finance Director a week ago to make sure it was here in plenty of time, which he did

Mrs. Zahirsky made a motion to accept the budget as provided by Mr. Rodino; seconded by Mrs. Downing. **ROLL CALL: Yes – 4 Abstained – 1 (Mr. Mouse)**

Mayor

Mayor Grogan (referencing storm) stated, "You guys did a fantastic job!" The Command Center was set up and running; the Street Department was there – all the heads were there – everybody given assignments. EMA sent two representatives (one was the district director); there were two trucks from the Emergency Red Cross that drove around the City to provide food, etc. The efforts put forth that night were spectacular. Mayor Grogan stayed out until 3:00 AM driving around, and said all you could see were emergency vehicles and neighbors helping neighbors; there was no looting or damage outside of the storm damage, which attests to the fact that we have a great group of people in our Safety forces, Police Department and our Road crew. The Mayor thanked everyone on behalf of Council and everybody in the City; the efforts, the hard work and everything that was put into that night – if there was any better way of doing it, he didn't know how because "you hit it right on the money and you guys did a fantastic job. It was a testament to what a close-knit City should be, and that was evident by your effort and nobody else's, and I couldn't tell you how many people just had praises and compliments for everything that you guys did." Mayor Grogan went on to thank Minute Mart (drinks); Giant Eagle (meat/cheese trays); Domino's Pizza (food); Stark County Engineers, Tuscarawas Township; Jackson Township; Lawrence Township; Asphlund Tree Experts; Home Depot (chipper); Clinton (chipper); and the Highway Patrol (offered 20 men – we took two cruisers, and they stayed while electricity was out - patrolling).

City Manager

Mrs. Loretto thanked everyone for their wonderful help during the storm.

Walnut Street Intersection Reconstruction: The bid opening is scheduled for July 9 at 10:00 AM. Milan Street Waterline and Sanitary Sewer Improvements: The bid opening is scheduled for July 9 at 10:30 AM. The waterline will get zero interest rates.

On June 22, Dennis Mayberry, Dan Mayberry, and Mrs. Loretto met with Darrell Priddy from R.J. Corman Railroad Company and Mike Forte' from the Ohio Rail Development Commission. Mike Forte' informed them that the City could expect major work on the (Cherry Street) tracks late-Fall or early-Spring of 2005, with a three-day completion time. Mr. Forte' anticipates we'll get a signal with an arm (warranted because of increased traffic). Mr. Priddy said that because of the deteriorated condition of the tracks, he will come in earlier to do temporary repairs. The trains go slowly (5 MPH) because the tracks are in such bad shape. The scrubs and excess growth along the tracks will be eliminated. (Market Street crossing requires no work at this time.)

Mrs. Loretto requested that Civil Service Commission set a date for a test for Entrance Level employees in the service departments; there's an opening for the Water/Sewer Departments. Civil Service met Wednesday; they authorized the City to do the test August 21, 2004, 10:00 AM.

The City will be back in negotiations soon; Bob Tscholl was the one that finished out the negotiations last year. Mrs. Loretto asked Council to consider him or anyone else they'd like her to approach. John Bailey wants to know the position's qualifications for the newspaper ad.

Jean Kindry wrote a beautiful letter from the Canal Fulton Library regarding how the City departments took care of everyone during the storm.

Website Improvements: Mrs. Loretto passed out a memo with attachments that the Clerk of Council wrote showing what she has accomplished within the last month (i.e., Codified Ordinances on .PDF files, weather forecast on home page, e-mail links to Mayor/Council's private e-mail addresses, updated City Calendar, old documents deleted/re-entered using .PDF file extensions, the ability to add pictures/verbiage using "Contribute 2" software, etc.). Mrs. Schauwecker asked Council about anything specific they'd want included on the website, and stated County, State and Local Governments should be on the Website, along with a number of other links. Mayor Grogan stated, "Patti, I just want to say this looks good. You've done a fantastic job with this, and I want to thank you; you've made tremendous strides . . . certainly suspect that it'll just keep getting better."

Parks – No report, but Mr. Dennis Mayberry stated the Off-Leash Dog Park sign has been created, is in the garage, and they will get the sign erected after they receive the trash receptacles.

Law Director

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FIRST READINGS

Ordinance 18-04: An Ordinance Authorizing All Actions Necessary to Effect a Governmental Natural Gas Aggregation Program with Opt-Out Provisions Pursuant to Section 4929.26, Ohio Revised Code, Directing the Stark County Board of Elections to Submit a Ballot Question to the Electors and Authorizing the Execution of an Agreement with Buckeye Energy Brokers, Inc. for Such Purposes and Declaring an Emergency.

Ordinance 19-04: An Ordinance Determining to Proceed with the Improvement of a Portion of Outlot 156 by Constructing a Sidewalk Along Locust Street NW, and Declaring an Emergency.

Mr. Colaianni made a motion to suspend the rules on Ordinance 19-04; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion to pass Ordinance 19-04 under suspension; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

Ordinance 20-04: An Ordinance Authorizing the Manager of the City of Canal Fulton to Enter Into an Exclusive “Endorsement Agreement” on Behalf of the City of Canal Fulton with a Sole Preferred Supplier for Retail Natural Gas in Order to Secure the Most Advantageous Pricing and Purchasing Terms for the City and/or Its Eligible Residents and Business Entities Who Voluntarily Choose to “Opt-In” to an Aggregated Purchasing Program.

Mr. Szanto made a motion to suspend the rules on Ordinance 20-04; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – 4 No – 1 (Mr. Mouse)** Mrs. Zahirsky made a motion to pass Ordinance 20-04 under suspension; seconded by Mr. Colaianni. **ROLL CALL: Yes – 4 No – 1 (Mr. Mouse)**

Ordinance 21-04: An Ordinance to Make Appropriations from the Unappropriated Balances in Various Funds and Declaring an Emergency.

Discussion: Mr. Kincaid stated that this ordinance approved Purchase Order 3986, so they won't have to vote on P.O. 3986 if Ordinance 21-04 is passed.

Mrs. Zahirsky made a motion to suspend the rules on Ordinance 21-04; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion to pass Ordinance 21-04 under suspension; seconded by Mrs. Downing. **ROLL CALL: Yes - ALL**

PURCHASE ORDERS & BILLS

P.O. 3979 in the amount of \$6,500 made out to D & R Supply, Inc., for materials to pave the Fire Station drive. Note: This was a FY 2004 Budgeted Item.

Mrs. Zahirsky made a motion to approve P.O. 3979 in the amount of \$6,500 to D & R Supply, Inc; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL**

P.O. 3989 in the amount of \$4,541 made out to Pumps & Equipment Sales for Parts for Lift Station F.

Mrs. Zahirsky made a motion to approve P.O. 3989 in the amount of \$4,541 to Pumps & Equipment Sales; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL**

P.O. 3997 in the amount of \$3,145 made out to Woltz and Wind Ford for emergency transmission repair to fire truck.

Mr. Colaianni made a motion to approve P.O. 3997 in the amount of \$3,145 to Woltz and Wind Ford; seconded by Mrs. Downing.

Discussion: Mr. Mouse asked Chief Hill to provide him with the places (what Ford dealerships) told him they couldn't do the work on the fire truck. Mr. Szanto stated it would be probably best if he did not enter that information into the record.

ROLL CALL: Yes - ALL

Bills: \$129,487.47

Mrs. Zahirsky made a motion that Council has received the bills in the amount of \$129,487.47; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

NEW BUSINESS

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D.A.R.E. Grant

Mayor Grogan stated there is a D.A.R.E. grant in Council members' packets, and asked for a resolution to get reimbursed for the monies for the D.A.R.E. program. The Law Director stated it only requires it be authorized by Council.

Mr. Szanto made a motion that Council authorizes the application for reimbursement (D.A.R.E. grant) in the amount of \$2,391.60; seconded by Mrs. Zahirsky.

Discussion: Mr. Mouse stated that he still doesn't think we have adequate information as far as this program. He said the last research that was done (Indiana or Illinois), stated that D.A.R.E. did not meet the goals of the program. Mayor Grogan said he gave a lot of thought about it and talked to quite a few educators, as well, and it appears that this is also one of those topics that is close to a lot of educators and administrators. However, for Canal Fulton schools and the parents there, they were grateful that it was reinstated. They had nothing but positive praise, and it's benefiting our kids and the teachers agree that it is helping them, so the Mayor feels we are operating in the best interest of our own children and our schools. Mr. Mouse asked if the Mayor had found any documentation/research that supports that D.A.R.E. actually reduces drugs in schools. The Mayor said, "Oh, absolutely! There's documentation on-line; there's documentation all over the place, but as you state there's also a document in adverse, as well. So, without taking the scales and weighing which one has the most pros or cons, we have to look towards our own community and say, 'Well, is this benefiting our children?' And, as the educators at the Middle School are telling me that it is something that the parents enjoyed. The information the kids are getting has helped them, and they're thankful that we've reinstated the program." Mr. Mouse stated, "Why, I see a letter from two educators here, but I don't see anything from our school system. Mayor Grogan is going to ask the school system to give us something, if that would help assure Mr. Mouse of the D.A.R.E. program's success.

ROLL CALL: Yes – 4 Abstained – 1 (Mr. Mouse, until the Mayor receives that information)

Upgrading Amy Geier's Position

The Mayor passed out Barrett & Associates report that was requested by Council referencing Amy Geier's job classification, increasing her status from a Grade 2 to a Grade 3 position. Civil Service Commission stated they had accepted the Barrett's study on behalf of Ms. Geier and voted in favor of changing her classification. Mayor Grogan stated that the Civil Service Commission asked why the City went through Barrett's as opposed to taking the recommendation of the division heads and letting Council review it at that point; the Mayor told Civil Service that it was the recommendation of Council to utilize Barrett's as an independent third party to assess the employee. Mr. Mouse stated that he thought the Barrett's study was flawed. Mrs. Loretto stated that might change her grade level; the only way it changes her pay scale is if Council puts it in ordinance form, so a raise doesn't go into effect until Council chooses. Mr. Colaianni asked how did someone (meaning Clerk of Council) previously employed here get paid at a Grade 4 level when they were a Grade 2 level. Mrs. Loretto stated she was \$70 or \$80 outside the top level of Grade 2, and in her opinion, the new Clerk of Council was good enough to be at the top level of Grade 2 and it isn't fair to leave her at Grade 2. Mrs. Loretto further stated that she does not think that the Clerk of Council job is a Grade Level 2 (Mr. Colaianni agreed); Clerk of Council is working on it now and will have it completed within the next few weeks.

Mr. Kincaid stated that nobody gets paid anything without an ordinance. Amy's hourly rate currently (without longevity) is \$10.63. Mr. Colaianni stated for a Grade Level 3, \$11.44 is the minimum, \$13.16 is mid-point, and \$14.88 is the maximum. Mrs. Zahirsky made the recommendation that Council raises Mrs. Geier's hourly rate to \$11.44 (without longevity) until the end of the year (a net increase of \$1,684.80 per year). The Law Director will create an ordinance for Amy Geier changing her base pay rate to \$11.44, with the effective start date of July 1, 2004.

Mr. Szanto made a motion that Council asks the Law Director to prepare an ordinance that changes Amy Geier's pay rate from \$10.63 to a base rate of \$11.44 (not including her longevity), with the effective start date July 1, 2004; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – 4 No – 1 (Mr. Mouse)**

OLD BUSINESS - None

OTHER BUSINESS

Mr. Colaianni stated there were Ken Robert's issues with the Zoning Department; subsequently there was another letter that went to Goodwill (Mary Moriarty), and ran into Ms. Moriarty. Ms. Moriarty expressed some concerns with the whole process with the Goodwill signs and what they went through with Zoning. He asked if there was an issue in the Zoning Department that we should be aware of. Mr. Kincaid's opinion is that we do not have any issues with Zoning; he stated, "The Zoning Inspector is not anybody's private advisor."

CITIZENS COMMENTS (Open Discussion, five-minute rule)

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Ken Roberts, 239 N. Canal St. Mr. Roberts congratulated the Chamber of Commerce on the GOBA event and Donna Lemmon for spearheading it. There was great team effort, as always. The Police did a fantastic job directing traffic. Chief Hill had a fire truck and EMT there. Dennis and Dan Mayberry assured everything looked good; having water and everything going. Linda Zahirsky was down there (probably for six hours), and probably welcomed every single person that attended. Mayor Grogan and Victor Colaianni were walking around acknowledging everyone, walking around. Some of the businesses downtown, as a result of GOBA, had their best days ever since they've been in Canal Fulton. GOBA attendees felt welcome, due to the City officials' involvement.

Mrs. Loretto stated she has two checks for his directional signage. Mr. Colaianni has five businesses that want their names on the directional signage.

REPORT OF COUNCIL PRESIDENT

Mrs. Zahirsky stated that she found out that it's possible at BWX Technologies to have our income tax done by payroll deduction for Canal Fulton. Akron has an additional 2.5% that a lot of people are going to owe, and with that many people asking the City to take it out automatically, they set up a specific code for Akron, so Mrs. Zahirsky wanted to know why can't they do it for Canal Fulton, so it may be possible to have voluntary payroll deduction. Mrs. Loretto said she'd pass that onto the Karen (Tax Department); Mrs. Zahirsky will advise via E-mail when it's available to us.

REPORT OF STANDING COMMITTEES - None

Mr. Szanto made a motion to adjourn; meeting was adjourned.

Patricia A. Schauwecker, Clerk of Council

John Grogan, Mayor