

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK (INC., FORM NO. 10-48)

Held

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CITY OF CANAL FULTON CITY COUNCIL MINUTES

March 5, 2013

CALL TO ORDER

Mayor Richard Harbaugh called the March 5, 2013 City Council Meeting to order at 7:00pm in Council Chambers, City Hall, Canal Fulton, Ohio.

PLEDGE OF ALLEGIANCE

ROLL CALL

Mayor Richard Harbaugh, Council Members Nellie Cihon, Paul Bagocius, Sue Mayberry, Scott Svab and Linda Zahirsky.

Others Present: City Manager Mark Cozy, Fire Chief Ray Durkee, Police Chief Doug Swartz, Finance Director James Goffe, Service Director Dan Mayberry, Engineer Bill Dorman, Law Director Scott Fellmeth and Council Clerk Teresa Dolan.

Others Present: Rochelle Rossi, Brian Bowman, Joan Porter, Jim Deans, Janet Deans, Earl Mincks, Terry Cyphert, Shawn Yerian, George Kunkle.

A motion to excuse Danny Losch was made by Linda Zahirsky, second by Nellie Cihon. All Council Members voted yes. Motion approved.

REPORTS OF STANDING COMMITTEES

Linda Zahirsky reported on the Personnel Committee that met prior to this meeting. Several issues were discussed. Questions were asked about the police officer's being at the school directing traffic. Chief Swartz answered questions on that. The subject of compensatory time for the Council Clerk. There was no resolution of asking the Clerk to only take her comp time within two weeks. The clerk can continue with what she is doing now. There was not any resolution with the Finance Director's hours at the present time. He and the Mayor are setting his hours and they are using a flex policy. The final issue that was discussed was the committee for Health Insurance. The Committee was asking that it be established. The people that the committee would like involved would be the Finance Director, Chairman of the Personnel Committee, Finance Committee, the two Union Stewards and the City Manager.

Brian Bowman – Congressman Renacci's Office

Brian Bowman, a representative for Congressman Renacci was present at the meeting on behalf of Congressman Renacci and let the City know what his office was working on. Their new office is in Wadsworth. They are also working on assisting those with Veterans Administration benefits, social security issues and any other Federal issues.

CITIZENS' COMMENTS – AGENDA MATTERS (Five Minutes per Individual – No Yield)

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

February 19, 2013 – A motion was made by Nellie Cihon to approve the February 19, 2013 minutes, second by Linda Zahirsky.

Linda Zahirsky asked that on page 6, 3rd paragraph – to change the word personnel to finance.

All Council Members present voted yes. Motion Approved.

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens

Mayor Harbaugh reported on the parking lot at the Senior Center. The lot needs to be changed from 42 spaces to 100 spaces. The Mayor has some ideas on moving the dirt. Dan Mayberry stated that he had contacted CTI to work with them on the project. City Engineer Bill Dorman said he would have something drawn up by the end of the week. Village of Clinton will be taking the chippings from the trees that will be removed for the lot.

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Community Service Coordinator

No report.

Fire Chief

Chief Ray Durkee reported on the Explorers training and that their EMT class was finishing. He also stated that on March 6, 2013 at 9:15am the statewide Tornado sirens would be sounded. Chief Durkee reported that committees were being formed to work on the Living Together arrangement with Lawrence Township also.

Police Chief

Chief Doug Swartz thanked Council for their approval for the cameras in the cells at the station. The cameras are able to catch any activity in the cells while individuals are in them. This would be important for any liability issues that may arise.

Chief Swartz reported that the safety procedures that they are working on with City schools were being used as a model for Stark County. He commended Patrolman John Barabach for the great job that he is doing with this project. He also thanked the Co Op with the SWAT team and Officer Saylor.

Chief Swartz reported on arrests that were wrapped up on drug charges and a burglary that Patrolman Nick Antonides solved; warrants were issued and firearms that were stolen were returned.

There was discussion on records retention for social media and bringing this up in the next Records Commission meeting.

Chief Swartz mentioned all of the great support that the department has received on Bishop. The Massillon AAA mad a \$2,500 donation and the Friends of the Library made a \$132.50 donation.

Engineer/Streets/Public Utilities

City Engineer Bill Dorman reported that he is working on the Wooster Street Storm Sewer and has prepared an easement. Dan Mayberry and Dave Koontz are working with property owners on that. Discovery Park Sewer – one of Schalmo Sewers had some issues. One of the bellies needed inspected for three to four days – the issue is corrected at this time. Locust Street Cost Opinions are being worked on. The Senior Center Parking lot is being worked on now to. Mr. Dorman is working from the Park Master Plan and carve out a piece of the plan to not have to reinvent anything to incorporate parking at the Senior Center. He is working on a proposal on the grading plan and hopes to have that to Dan Mayberry this week.

Service Director Dan Mayberry reported on the grit building. Scott Svab asked where the equipment from the west side fire station was being stored. Mr. Mayberry said some equipment such as Christmas Decorations are moved to the Senior Center from the west side fire station and things are being shuffled to the downtown station. Other equipment may have been taken back to the Street department where space was opened up by organizing. The insurance claim for the building was denied. Weather needs to be on our side for some of the work. Scott Svab then asked about the status on the grit building. Mr. Mayberry said the insurance claim was denied. Mr. Mayberry stated that he agreed with their findings to deny the claim. Allen Keith came out and stabilized the building. Some of the roof sheeting and shingles will need replaced but not all of it. There is no rough estimate on a final cost as of yet. Mr. Mayberry will have more contractors take a look at it also. A written report was also included in the Council packet.

Finance Director

Finance Director James Goffe submitted the January financial reports.

A motion was made to accept the January Financial Report, second by Scott Svab. All Council members present voted yes. Motion approved.

Mr. Goffe state the income tax revenue was down about three percent and he thought it was a timing issue. February we are down 2.75 percent. There was a large amount taken in though on March 1. He stated that he was not concerned and that April would be a good time to look at the collection amounts. Scott Svab asked what the status on payroll

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DAVTON LEGAL BLANK, INC. FORM NO. 101-08

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was and contacting PayCor. Mr. Goffe said he contacted them and they had requested information to form a proposal. Mr. Goffe said he had not had an opportunity to work on that. Mrs. Zahirsky asked where the cost for the parking lot would come from. Mr. Goffe stated it would be the carryover from capital projects in the general fund.

City Manager

City Manager Mark Cozy stated that he had a written report in the Council packet. In that report he said that the ad for the Locust Cherry project was published and several engineers have approached him about the project. He stated that he would like to have a committee put together to review the proposals and then to take the next step at entertaining the proposals from different engineering firms. The committee should be in place by the next council meeting. Mr. Cozy stated the chair from the Public Service Committee, the chair from the Finance Committee, any other council member that has an interest in the project should be on the committee, Dan Mayberry and the City Manager will also be on the committee. We would be working under the leadership of the City Engineer, Bill Doorman. The meetings would be scheduled after March 25th, which is the deadline on the ad.

Mr. Cozy also stated that he submitted the application for the grants from the Local Government Innovation Fund.

CTI has given us estimates on the Locust Street Sewer project. We have 14 different properties and 12 of them are on board and at least interested in the project. If we divide the project cost evenly it would be \$65,000, which is very costly. But if we bond it out and spread it over twenty years for them it comes \$3,257 a year which is more palatable. Mr. Cozy stated that he had questions for our Law Director about the project. The next order of business would be to get the costs assembled and then meet with the property owners to discuss the project and cost.

The Hatfield Parking Lot Lease has expired. If Council wants to continue leasing we would have to redo the lease. Mr. Hatfield is acceptable to the terms from the last lease. We spend approximately \$350 a month on the parking lot and we get have of the money back from area businesses that help to maintain the lease. The lease will be for two years. Legislation will be prepared for the next meeting.

The Canal Boat agreement did lose money last year and that it was contributed to weather and the intention was to raise the rates. The rates are going up by one dollar per level. The boat will be run with four people instead of five this year. Mr. Bagocius complimented the administration on accepting and moving forward to not losing money. Mr. Cozy stated that Keri Lantz has done a tremendous job with the boat.

Mrs. Mayberry asked about the protective cover for the boat that is stationery. The steps are gone and people are leaving it alone. Someone was going to look for some kind of a cover. She thinks that it needs to be protected from the elements during the winter months. Mr. Cozy stated that he thought the Heritage Society have some prices for a roof. She said she thought about something to go over it like we have for the other boat. Mrs. Mayberry asked about repairs to the damages to the boat. Mr. Cozy said there is \$6,500 in the budget for repairs and they are meeting with a local contractor on the repairs.

Mayor Harbaugh asked about the horse. Mr. Cozy stated that the Heritage Society has an agreement with Mr. Hershberger. According to the agreement he is to provide us with a horse. The Heritage Society was to meet with Mr. Hershberger last week. We are waiting for the report from the Heritage Society.

Report of Mayor

Mayor Harbaugh said he would like to reappoint Karl Blanding on the Planning Commission.

A motion was made by Nellie Cihon that the rules be waived for the appointment for the appointment of Karl Blanding to the Planning Commission retroactive January 1, 2013, second by Linda Zahirsky. All Council Members present voted yes. Motion approved.

A motion was made that Council accept Karl Blanding for appointment to the Planning Commission for the four year term by Sue Mayberry, second by Nellie Cihon. All Council Members present voted yes. Motion approved.

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DAYTON LEGAL BLANK, INC. FORM NO. 10108

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Parks & Recreation Board

No Report

Law Director

No Report. Scott Fellmeth stated that everything is going fine with the Building Department process.

THIRD READINGS

Resolution 7-13: A Resolution by the Council of the City of Canal Fulton, Ohio to enter into the Fifth Amendment to the 1997 Contract for Joint Staffing and Fire Services with Lawrence Township, Stark County, Ohio.

Paul Bagocius asked if Linda Zahirsky was going to make a motion for an amendment to the agreement to remove the language in regards to a joint fire district.

A motion was made to amend the agreement on Section 10 of the agreement to take out the words on the third line until a joint district is formed and eliminate "a joint fire district is formed or" and it read "until it is terminated by the parties. In Section 11 put a period after strategic goals and eliminate the rest of section 11 by Linda Zahirsky, second by Paul Bagocius. All Council Members present voted yes. Motion approved.

A motion was made to approve Resolution 7-13 as amended by Paul Bagocius, second by Linda Zahirsky. All Council Members present voted yes. Motion approved.

SECOND READINGS

Resolution 10-13: A by the Council of the City of Canal Fulton to enter into an Agreement with CTI Engineers, Inc. to Provide Professional Engineering Services for the Locust Street/Portage Street Pavement Rehabilitation Bidding and Construction.

FIRST READINGS

Resolution 11-13: A Resolution by the Council of the City of Canal Fulton, Ohio Proclaiming Support for Issue Seventeen on May 7, 2013

P.O.s

P.O. 7701: to the City of Massillon in the amount of \$8,725.00 for 2013 Prisoner Transport and Booking Fees

A motion was made by Linda Zahirsky to approve P.O. 7701, second by Scott Svab. All Council Members present voted yes. Motion approved.

P.O. 7705: to the Auditor of the State in the amount of \$25,900.00 for the FY2012 Financial Audit

A motion was made by Nellie Cihon to approve P.O. 7705, second by Scott Svab. All Council Members present voted yes. Motion approved.

P.O. 7713: to Star2Star Communications in the amount of \$10,148.60 for VOIP Phone Service

A motion was made by Nellie Cihon to approve P.O. 7713, second by Linda Zahirsky. All Council Members present voted yes. Motion approved.

P.O. 7714: to First Merit Bank in the amount of \$10,290.97 for the Lease Payment for 2012 Street Truck

A motion was made by Sue Mayberry to approve P.O. 7714, second by Nellie Cihon. All Council Members present voted yes. Motion approved.

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P.O. 7716: to Huntington National Bank in the amount of \$41,516.25 for Northwest Schools Waterline Debt Principal and Interest

A motion was made by Scott Svab to approve P.O. 7716, second by Nellie Cihon. All Council Members present voted yes. Motion approved.

BILLS - January \$ 284,956.54

A motion was made by Nellie Cihon to approve the January Bills, second by Linda Zahirsky. All Council Members present voted yes. Motion approved.

OLD/NEWTOTHER BUSINESS

Finance Director James Goffe stated that he had been accepted into Ohio Northern University for their Law School program in the fall of 2013. He will be resigning later this summer. He does not have an exact date. It should be sometime around July 26, or August 9, 2013. He would prefer to have his replacement to start July 1, 2013. Scott Svab that six weeks before hand would be even more adequate.

Linda Zahirsky stated that an Economic Development Committee needed to have their 1st quarter meeting as per the rules.

A motion was made to have an Economic Development Committee Meeting on March 19, 2013 at 6:15pm, second by Nellie Cihon. All Council Members present voted yes. Motion approved.

REPORT OF PRESIDENT PRO TEMPORE

Linda Zahirsky reported on Insurance Claims and the importance of incident reports. All department heads should be aware of this. It is important to submit all incident reports to insurance whether there is liability or not. This will prevent denial of coverage.

REPORT OF SPECIAL COMMITTEES

No report.

CITIZENS COMMENTS – Open Discussion (Five Minute Rule)

James Deans, 426 Heritage, thanked Council for supporting the Library Levy.

ADJOURNMENT

The meeting was adjourned at 8:17pm