

RECORD OF PROCEEDINGS

Minutes of

Meeting

DAYTON LEGAL BLANK, INC., FORM NO. 101H

Held 6-18

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CITY OF CANAL FULTON CITY COUNCIL MINUTES

June 18, 2013

CALL TO ORDER

Mayor Richard Harbaugh called the meeting to order at 7:00pm.

PLEDGE OF ALLEGIANCE

ROLL CALL

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

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

Others Present: Assistant Chief Ray Green, Police Officer Ed Harbaugh, City Manager Mark Cozy, Law Director Scott Fellmeth, Finance Director James Goffe and Council Clerk Teresa Dolan.

Others Present: Earl Minks, Chell Rossi, Bob Schaeffer, Barb Schaeffer and James Deans

REPORTS OF STANDING COMMITTEES - None

CITIZENS' COMMENTS - AGENDA MATTERS (Five Minutes per Individual - No Yield) - None

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

June 4, 2013

A motion was made to approve the June 4, 2013 minutes by Nellie Cihon, second by Scott Svab.

Sue Mayberry made a clarification to page six, second paragraph as follows:

Will you please revisit my statement on the recording depicted on the last page of the minutes, second paragraph, and half way down, "In a performance evaluation is our finance director....."

My question was, how our new finance director (not being HR) will be able to do a performance evaluation on his new assistant when half her job will be HR.

All Council Members present voted yes, motion approved.

REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens: No report.

Community Service Coordinator: a monthly report was included in the packet.

Fire Chief: Assistant Chief Ray Green was in attendance. It was reported that Squad 7 and Squad 8 were both out of service. Repairs were being made. It was noted that the Living Together Arrangement benefited times such as these. Squad 8 will be back in service this week, and was out due to a wiring harness. Assistant Chief Green also reported that the training center was coming along nicely.

Police Chief: The monthly report was included in the packet. Officer Ed Harbaugh was in attendance.

Engineer/Streets/Public Utilities: Service Director Dan Mayberry stated that the Senior Center roof should be complete by the end of the week. Quarterly meter reading was being completed which would take about 80 hours. Downtown concrete repairs will be going on this week.

Finance Director: No report.

City Manager: City Manager Mark Cozy stated that Lawrence Township had received \$800,000 in estate taxes. The City will be discussing the Tornado Sirens with them.

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Mr. Cozy is also speaking with Les Kamph in regards to the Foursquare YMCA study and the possibility of splitting the cost between the Township and City. The LGIF grant is pending with the results coming around July 8th. Mr. Cozy stated that the Silver Sneakers program is in progress at the Senior Center with eight participants. The Canal Fulton Library has a new director, David Brown. Mr. Cozy reported on the Heritage Society and the possible purchase of a new horse. He also commended Jim Guest on his quest for the horse and stated that we would be reimbursing him mileage for his travels.

Sue Mayberry asked what the status on the mural was. Mr. Cozy said that the mural should be hung up next week with a dedication during Canal Days.

Mrs. Mayberry also asked about a question that a resident had asked her about fluoridation in the City's water. She asked for recommendations on how to respond. Mr. Cozy had a handout on fluoridation and said that he would respond to her. Mr. Fellmeth stated that it is EPA requirements that dictate the fluoridation in water.

Mrs. Mayberry also asked about the YMCA study and why it needs to be done. Mr. Cozy stated that he would check with Tim Shetzer about attending the next Council meeting.

Report of Mayor: Mayor Harbaugh stated that he would like to see something on the scrolling sign at the Safety Center about the Living Together arrangement with the City and Township fire departments. There would be no expense to this. Mr. Cozy stated that there was a message in process being sent to the assistant at the Police department to upload to the sign.

Parks & Recreation Board: No report.

Law Director: Law Director Scott Fellmeth stated that he had no report. Mr. Fellmeth requested an executive session to discuss possible litigation.

THIRD READINGS - None

SECOND READINGS

Resolution 14-13: A Resolution by the Council of the City of Canal Fulton, Ohio to Authorize the City Manager to Engage Bond Counsel for the Locust and Portage Streets Resurfacing Project.

Resolution 15-13: A Resolution by the Council of the City of Canal Fulton, Ohio to Authorize the City Manager to Engage Bond Counsel for the Cherry and Locust Streets Intersection Project.

Ordinance 17-13: An Ordinance by the Council of the City of Canal Fulton, Ohio to Grant William Rouse Foreign Service Credit to Determine Vacation Time Under Administrative Code Chapter 141.18 (b).

FIRST READINGS

Resolution 16-13: A Resolution by the Council of the City of Canal Fulton, Ohio to Authorize the City to Enter into a Contract for Consulting Services for the Finance Department.

A motion was made to suspend the rules by Scott Svab, second by Linda Zahirsky. All Council Members present voted yes. Motion approved.

A motion was made to pass Resolution 16-13 by Linda Zahirsky, second by Scott Svab. All Council Members present voted yes. Motion approved.

Ordinance 20-13: An Ordinance Amending Ordinance 7-13, and Providing for Supplemental Appropriations for the Current Expenses and Other Expenditures of the City of Canal Fulton, County of Stark, Ohio, for the Fiscal Year Ending December 31, 2013.

A motion was made to suspend the rules by Linda Zahirsky second by Scott Svab. All Council Members present voted yes. Motion approved.

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A motion was made to pass Ordinance 16-13 by Linda Zahirsky, second by Nellie Cihon. All Council Members present voted yes. Motion approved.

P.O.s

P.O. 7864: to JWF Specialty Company in the amount of \$5,000.00 for liability insurance deductible for Michael Mouse lawsuit.

A motion was made to approve P.O. 7864 by Scott Svab, second by Nellie Cihon. All Council Members present voted yes. Motion approved.

P.O. 7866: to Downtown Ford in the amount of \$5,427.52 to replace PD Car #4 Engine and Installation.

A motion was made to approve P.O. 7866 by Nellie Cihon, second by Scott Svab.

Mayor Harbaugh asked why our mechanic could not do the work. Dan Mayberry stated that the job is a two day job for two people and if the company did the job, it would be covered by warranty. All Council Members present voted yes. Motion approved.

P.O. 7869: to Ohio Treasurer of State in the amount of \$3,113.81 for refund of DARE Grant Overpayments.

A motion was made to approve P.O. 7869 by Linda Zahirsky, second by Nellie Cihon. Scott Svab stated that he was not happy with the ball being dropped on this. Mr. Svab stated that he felt that this was not handled properly and he was voting no.

Vote is as follows: Linda Zahirsky – yes, Danny Losch – absent, Scott Svab – no, Sue Mayberry – yes, Nellie Cihon – yes, Paul Bagocius – absent. Motion fails.

P.O. 7873: to Tri-C Concrete & Excavating in the amount of \$4,750.00 for downtown concrete sidewalk repairs.

A motion was made to approve P.O. 7873 by Sue Mayberry, second by Linda Zahirsky.

Scott Svab asked if there was more than one vendor contacted on this job. Dan Mayberry stated that this particular job there was not but he felt that this was the company for the job. Scott Svab said in the future he would like to get two quotes on jobs.

All Council Members present voted yes. Motion approved.

P.O. 7877: to CTI Engineers, Inc. in the amount of \$24,000.00 for general engineering services.

A motion was made to approve P.O. 7877 by Nellie Cihon, second by Linda Zahirsky. All Council Members present voted yes. Motion approved.

P.O. 7879: to Hooligan Welding and Fabrication in the amount of \$19,000.00 for Welding Repairs on Waste Water Treatment Plant Tank #1.

Scott Svab also asked if there were two quotes on this. Dan Mayberry stated that Hooligan had done the other tank at the plant, and yes he had looked into other vendors for the job. Mayor Harbaugh stated that most good welders are working in the field which leaves a scarcity. Dan Mayberry stated that they were happy with Hooligan.

A motion was made to approve P.O. 7879 by Linda Zahirsky, second by Nellie Cihon. All Council Members present voted yes. Motion approved.

BILLS - None

OLD/NEW/OTHER BUSINESS

Law Director Scott Fellmeth stated that regarding Purchase Order 7869 for reimbursement for the DARE grant repayment, that the Law Director's opinion that the refund could be issued. His opinion was that the Purchase Order passed.

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Clerk of Council Teresa Dolan stated that she would like to send out condolences to Rochelle Rossi on the passing of Donna Lemmon. Donna did a lot for this City and Mrs. Dolan would take up a collection as her wishes were to have in lieu of flowers, donations made to the Alzheimer's Association in California where Donna's family is from. Ms. Rossi thanked everyone.

Susan Mayberry stated that the Codified Ordinances needed updated on the website and the books in the office. Mrs. Dolan will check into the companies that update the codified ordinances.

Susan Mayberry stated that the website needs updated and that she was informed by the Clerk of Council that there were some issues with the website provider. The provider may need some incentive to get updates and fixes done. Mrs. Dolan stated that the website needed updated and it would be best in the near future to look into a new site. Scott Svab stated that he agreed. He would like to see it be more current.

Mr. Goffe stated that he knew there was preliminary discussion with the Administration since Ms. Dolan started that with the new staffing changes it would allow the Administration to pursue the project. Mr. Cozy stated that it would need put in the budget for the upgrade or change. Mrs. Dolan said she would love the opportunity to do the project and she hopes as Mr. Goffe had said that with the changes in staff that she could work on things like that. She also stated that there were many things in Administration that needed updated such as public records and she felt that these things would start to move along. Mrs. Dolan stated that she was appreciative of the comments.

REPORT OF PRESIDENT PRO TEMPORE – no reports.

REPORT OF SPECIAL COMMITTEES – James Goffe stated that the selection committee for the Locust/Cherry Intersection met in regards to follow up with the initial proposal from EDG Engineering.

A meeting will need to be scheduled after July 4, 2013 after the City Engineer meets with the company.

CITIZENS COMMENTS – Open Discussion (Five Minute Rule)

Jim Deans, 426 Heritage, stated that Olde Canal Days was July 11-13. The plans are going well. There are six bands this year and watch for posters in area windows.

Earl Mincks, 627 South Canal St., stated that Terry Cyphert was in the Massillon City Hospital, if people would like to send cards or stop in and see him.

A motion was made to go adjourn into Executive Session at 7:56pm for the purpose of consideration of a conference with the law director or other retained counsel concerning pending or imminent court action and preparing for, conducting or reviewing negotiations or bargaining sessions with public employees by Linda Zahirsky, second by Nellie Cihon. All Council Member present voted yes. Motion approved.

A motion was made to return to public session at 8:24pm by Linda Zahirsky, second by Sue Mayberry. All Council Members voted yes. Motion approved.

ADJOURNMENT

The meeting was adjourned at 8:25pm.