

CITY OF CANAL FULTON

March 1, 2005

REGULAR COUNCIL MEETING

Mayor John Grogan called the March 1, 2005 City Council meeting to order at 7:30 PM at Chapel Hill Community.

PLEDGE OF ALLEGIANCE

CALLING OF THE ROLL

Present: Victor Colaianni, Linda Zahirsky, Bob Szanto, and Mike Mouse (who arrived late)

Absent: Diane Downing and Nellie Cihon (scheduling conflict)

Mayor Grogan said that since there was no quorum present (at that time) that they would not be able to proceed with any legislation. The meeting continued with agenda matters that did not require a quorum.

OTHERS PRESENT

Mayor John Grogan, Mike Rodino, Finance Director; Chief Ray Green, Fire Department; Interim Chief Charles Kassinger, Police Department; Mary Ann Higgins, Parks & Recreation Board; Susan Strutner, Administrator, Clara Gindlesberger and Dwight Shawk, Residents, Chapel Hill Community; Chris Pugh, The Independent; Joan Porter, The Repository.

REPORTS OF ADMINISTRATIVE OFFICERS

Fire Chief

Chief Green stated Engine 5 came back with all repairs completed; waiting on bill for same. They are back up to two front-line fire pumpers. This coming Friday starts the application process for the FEMA grant; they want to ask for \$54,000 in equipment (new helmets, boots, protective clothing, upgrading gear that is 15 – 16 years old). The City would have to contribute 5% of that total cost. They plan on also entering into their own grant for protective clothing and new pagers to switch over to the UHF system. Chief Green spoke with Chief Stull. They are going to pursue a joint grant with Lawrence Township for a new self-contained breathing apparatus. Mayor Grogan (referencing the grant) asked Chief Green to forward exactly what they are going to apply for in the grant to Council and him.

Chief Green stopped at the Village of New Franklin prior to tonight's meeting. He stated that two of their firefighters were recently certified as Ice Rescue Instructors. They want to know if Canal Fulton is going to participate in the South Summit Technical Rescue and Operations Team, which involves water rescue, trench rescue, rope rescue, etc. They will give Canal Fulton access to their dive team, trench rescue equipment out of the City of Green, and rope rescue equipment, which we have. Chief Green stated we have six of our members trained in rope rescue; two trained in trench and 17 have gone through ice rescue training. The next step is going to be swift water. This joint venture allows Canal Fulton access to their equipment and vice versus; all currently in planning stage. Mr. Szanto questioned if the City has a mutual aid agreement with New Franklin. Mr. Kincaid said he hasn't made a mutual aid agreement in the six years he's been with Canal Fulton with anybody, but he will look into same.

Mayor Grogan (referencing a 2/25/05 memo from Chief Green) recommended William Joshua Bleakley as probationary firefighter for the Canal Fulton Fire Department, contingent on Mr. Bleakley passing the required physical exam and drug screening and based on Chief Green's recommendation. Mr. Colaianni made a motion to accept William Joshua Bleakley for probationary appointment to the Canal Fulton Fire Department, contingent upon the passing physical exam and drug screening; seconded by Mr. Mouse. **ROLL CALL: Yes – ALL**

MR. MOUSE ARRIVES: *Mayor Grogan reverted back to following the agenda from the beginning.*

CHANGE OF MEETING LOCATION VOTE

Mrs. Zahirsky made a motion that Council meets at the Chapel Hill Nursing Home for the March 1, 2005 City Council meeting at 7:30 PM; seconded by Mr. Szanto. **ROLL CALL: Yes - ALL**

ROLL CALL: EXCUSED ABSENCES

Mr. Colaianni made a motion to excuse Diane Downing from tonight's Council meeting due to a scheduling conflict (children's school function); seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL**

Mrs. Zahirsky made a motion to excuse Nellie Cihon from tonight's Council meeting due to a scheduling conflict (granddaughter's school function); seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

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CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

Mr. Szanto made a motion to accept the February 15 2005 City Council meeting minutes; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL**

CITIZENS' COMMENTS ON AGENDA MATTERS – None

(Continuing) REPORTS OF ADMINISTRATIVE OFFICERS

Senior Citizens – No Report

Community Service Coordinator – Mr. Svab had submitted a March 1, 2005 report.

Police Chief

Chief Kassinger gave Council the 2004 Year-End Report and the January and February monthly reports. Mayor Grogan asked him to copy Council on same (report is in DOS). Chief Kassinger stated Canal Fulton's Record Management software is "on the blink," and he is meeting with Emergatch to review cost and transference of new software. This software records all the calls and provides vital information for FBI reports, etc. Mrs. Zahirsky spoke on a "rash of burglaries that were reported in the paper." Chief Kassinger stated there have been 16 B & E's since November; they have a suspect they are looking at currently. Suspect would pry a door to get into one business (strip mall-type), get inside and go through the drywall to get into attached businesses.

Engineer – No Report

Finance Director

Mr. Rodino stated that FY 2003 Audit has been completed and released by the Auditor of State, so it is now official. They received an unqualified report, which is the best you can get. Secondly, the Auditor made a management recommendation that the City has a City cell phone policy regarding personnel use of cell phones; Mr. Rodino is working on same.

Mayor – No Report

City Manager – (Mrs. Loretto was unable to attend but her written report follows.)

Mrs. Loretto received a notice from Gwen Clements from *Our Town Canal Fulton*. She has made a decision to discontinue publishing their monthly newsletter.

The Board of Education would like their agreement for the School Waterline changed to reflect that the \$1,500 fee for tapping into the waterline going out to the school be credited to their account for the length of time that it takes for the Board of Education debt to the City be satisfied. Currently, it states they only receive the fee for a period of 10 years.

There was a gas aggregation meeting on Tuesday, and it was decided that the City would go with DirectEnergy. Their adder fee was \$1.61 per cmf. The next lowest adder was Shell Energy, which was \$1.616 per cmf. This will make the two programs easy to merge together. If the City had gone to Shell, it would have had to have two programs for another year or residents would have had to drop one program and request to go into the other. The City will need to sign a contract for this part of the aggregation only. The City has not decided to strike for the actual gas rate yet but is trying to get in when the price is at its best.

Also, the Rumble property annexation was passed.

Parks

Mary Ann Higgins stated the Parks & Recreation Board met with the Heritage Society and Bob Fonte from Stark Parks to discuss the future Visitors Center. They decided to set another meeting within the next 30 days with the Heritage Society to talk about how they'll work together; then they plan to go back to Mr. Fonte with an agreement. Everyone agreed they wanted Stark Parks there. Mayor Grogan asked about the lease Mr. Fonte had submitted; Mrs. Higgins stated that's what they want to revise. Mayor Grogan commented on some of the language that was of a concern in the lease, and that will be addressed with the Parks & Recreation Board and the Heritage Society, which will be reported on to Council.

Mrs. Higgins said the YMCA is "all ready to go and work with us" if Council approves the resolution that will be read tonight. The YMCA Summer Recreation Program is basically the same as last year's. They will be using SARTA buses.

Mr. Mouse asked about the Heritage Society's Auction and was told it went well.

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Law Director

Mr. Kincaid spoke about the Rumble annexation that was approved by the county commissioners. There will be a 90-day wait before it is final. He said he spoke with Clayton Hopper about rezoning property that the City annexed, and he encouraged him to do that. Mr. Szanto questioned the possible need for a public hearing on any zoning changes. Mr. Kincaid said he would check with the attorney handling the annexation for Council.

FIRST READINGS:

Resolution 05-05: A Resolution Authorizing the City Manager to Enter Into a Contract with YMCA of Central Stark County for the 2005 Summer Recreation Program, and Declaring an Emergency. (Requested by the Parks & Recreation Board) Mr. Szanto made a motion that Council suspends the rules on Resolution 05-05; seconded by Mr. Colaianni. **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion to pass Resolution 05-05 under suspension; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

Resolution 06-05: A Resolution Amending the Contract with the Northwest Local School District Pertaining to the Extension of a Waterline to the Northwest Schools. (Requested by the City Manager)

SECOND READINGS:

Resolution 03-05: A Resolution Authorizing the City Manager to Advertise Bids for Construction of Tennis Courts in Muhlhauser Park, to Award Contracts for the Accepted Bids, Issue Required Purchase Order, and Declaring an Emergency. **Discussion:** Mr. Kincaid stated this was done by the Clerk of Council to assist him and he appreciated her help, but “we can’t award a contract in this ordinance when we don’t know what the contract is going to be yet; so, we’ll be doing another version of this later.”

Resolution 04-05: A Resolution Adopting a Revised Investment Policy and Declaring an Emergency. Mr. Colaianni made a motion to suspend the rules on Resolution 04-05; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion to pass Resolution 04-05 under suspension; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

Ordinance 06-05: An Ordinance Vacating Duke Place between High Street and Walnut Street.

Ordinance 07-05: An Ordinance Providing for the Issuance and Sale of Bonds in the Maximum Principal Amount of \$740,000 to Pay Costs of Improving the City’s Waterworks System by Constructing Water Mains, Together with the Necessary Appurtenances Thereto and any Real Estate or Interests Therein Required Therefore, and Declaring an Emergency. Mr. Colaianni made a motion to suspend the rules on Ordinance 07-05; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL** Mrs. Zahirsky made a motion to pass Ordinance 07-05 under suspension; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

THIRD READINGS: - None

PURCHASE ORDERS & BILLS

P.O. 4277 in the amount of \$18,800 made out to CTI Environmental for Agreement for Engineering Services for Construction Observation of the Milan Street Waterline & Sanitary Sewer. Mrs. Zahirsky made a motion to approve P.O. 4277 in the amount of \$18,800 made out to CTI Environmental; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

P.O. 4281 in the amount of \$20,616 made out to Charlie’s Dodge Inc. for a Dodge Ram 2500 Pickup Truck to be used as a Utility Vehicle and a Grass Fire Truck. Mr. Colaianni made a motion to approve P.O. 4281 in the amount of \$20,616 made out to Charlie’s Dodge Inc.; seconded by Mrs. Zahirsky. **ROLL CALL: Yes - ALL**

BILLS: \$256,390.60 Mrs. Zahirsky made a motion that Council has received the bills in the amount of \$256,390.60; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

MR. SZANTO MADE NOTE OF MRS. CLARA GINDLESBERGER’S ATTENDANCE

Mr. Szanto stated Mrs. Gindlesberger was a payroll/utility clerk for Canal Fulton for 11 years. Mrs. Gindlesberger worked from 1979 to 1990, also doing other work such as transcribing minutes. Mr. Szanto thanked her for her years of service, saying it was a pleasure to see her. Mr. Mouse also thanked her for her service.

NEW BUSINESS – None

OLD BUSINESS

Mr. Colaianni said he received another E-mail regarding the Pauli Street tree trimming. Mrs. Zahirsky stated, “I still don’t see where it is something that City Council can do. When you

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give easement rights to the Utility, you give them the right to cut trees that are under their power lines, and I think that is not an issue that City Council can make any policies regarding.” Mr. Colaianni responded, “My concern is not so much that they’re trimming the trees, but if you’ll drive down my street and one block behind me is where Pauli Street is; on my street, they were very careful with how they trimmed them; and, on Pauli, it was just halfway up. I did distribute to you guys at that same meeting the one that the City of Indianapolis did with Indianapolis Power & Light. If you take a look at that, it wasn’t so much a policy; it was an agreement of notification between the two. This gentleman had no notification; he did not even get the door hangar that Mr. Osoro got, so he came home one day to find his tree cut – no notification or anything from FirstEnergy or the tree company. That’s why he was more than upset.” Mr. Mouse stated, “I would support Mr. Colaianni to this extent.” He said FirstEnergy should be talked to so as to find out what their pruning process parameters are and see if it’s being complied with to that extent. Mrs. Zahirsky said she still sees it as a problem with the home owner and FirstEnergy. Mayor Grogan questioned if the City could express concerns that the citizens are voicing, just to open up dialogue. Then Mr. Colaianni referenced dangers of ice issues on trees where a tree could actually fall onto a house. Mr. Szanto said what Council could do is act like advocates for the residents, perhaps sending a letter, but he agreed with Mrs. Zahirsky.

OTHER BUSINESS

Mrs. Zahirsky stated they tried to have a Personnel Committee meeting, but Mr. Mouse was ill and Mrs. Cihon had a prior commitment, so they need to reschedule that meeting. Mrs. Zahirsky made a motion that they have a Personnel Meeting on March 8, 2005 at 7:00 PM; seconded by Mr. Mouse. **ROLL CALL: Yes – ALL**

Discussion: Due to the Clerk of Council’s illness, someone else on staff will have to publicize the meeting. Mr. Kincaid stated for the ordinance, he needs to know the particulars about any new positions created along with the salary, and he needs to know the date the wages are changed. He needs this information ASAP after the Personnel Meeting to put in ordinance form.

CITIZENS COMMENTS (Open Discussion, Five-Minute Rule)

- Susan Strutner, Administrator of Chapel Hill, thanked Council for conducting their meeting there.
- Dwight Shawk, Chairman of Residential at Chapel Hill: Mr. Shawk stated the one thing everyone should keep in mind is good communications.
- Clara Gindlesberger, Resident: Mrs. Gindlesberger stated she enjoyed tonight’s meeting. She added comments about the Grange building that is going to be sold in Canal Fulton. She is going to talk to the Grange about donating \$2,700 to the Fire Department to match the 5% needed for the grant Chief Green spoke about.

Mr. Mouse offered a ride to Council meetings to both Mrs. Gindlesberger and Mr. Shawk. Mayor Grogan asked Ms. Strutner if there was any type of residential transportation and was told there was, and he said welcomed residents’ attendance to Council Meetings.

REPORT OF COUNCIL PRESIDENT – No Report

REPORT OF STANDING COMMITTEES

Mrs. Zahirsky stated they had a Finance Committee Meeting and sent copies of the minutes to all.

ADJOURNMENT

Mrs. Zahirsky made a motion to adjourn; seconded by Mr. Szanto. Mayor Grogan adjourned the March 1, 2005 City Council meeting.

Patricia A. Schauwecker, Clerk of Council

Mayor John Grogan