

# CITY OF CANAL FULTON

September 21, 2004

## REGULAR COUNCIL MEETING

Mayor John Grogan called the September 21, 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, Nellie Cihon, Victor Colaianni, and Mike Mouse

Mrs. Zahirsky made a motion to excuse Mrs. Downing due to her mother's serious fall, and Mr. Szanto due to his wife's sister's death; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

## OTHERS PRESENT

Marge Loretto, City Manager; Dale Kincaid, Law Director; Mike Rodino, Finance Director; Officer Ed Harbaugh, Police Department; Chief Robert Hill, Fire Department; Joan Porter, The Repository; John Hatfield, Bret Stephen, Rochelle Rossi (residents).

## CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

Mrs. Cihon made a motion to accept the September 7, 2004 City Council meeting minutes; seconded by Mrs. Zahirsky.

*Discussion:* Corrections as follows: Page 2 of 3, under "Senior Citizens" – change Mr. Cihon to Mrs. Cihon; Page 2 of 3, under "Police Chief" – change Chief Hill to Chief McNeely; Page 2 of 3, under "Purchase Orders & Bills" – Mr. Mouse wanted the Clerk to note why he abstained "from the CTI situation" reflected in the minutes; Mr. Mouse prefers that Council does not use CTI for work and then also use them as City Engineer.

**ROLL CALL: Yes – ALL**

**CITIZENS' COMMENTS ON AGENDA MATTERS** – None

## **REPORTS OF ADMINISTRATIVE OFFICERS**

### **Senior Citizens**

Mrs. Cihon thanked the City for putting the new flooring in the Senior Center's building foyer.

October 23, 2004: Swiss Steak Dinner

October 28, 2004: Gambling Trip Planned to Mountaineer

December 6, 2004: Christmas Trip to Hardwood Acres in Pennsylvania

**Community Service Coordinator** – Report Attached

### **Fire Chief**

Chief Hill stated that the Clerk of Council typed a memo to Council members and the Mayor about hiring Erin Cappo as a firefighter. Ms. Cappo has completed her fire training and her EMT classes and lives close to the fire station. Chief Hill recommended to the Mayor that they hire Erin Cappo as probationary firefighter pending physical and drug tests. Mr. Colaianni made a motion to accept Chief Hill's recommendation to hire Erin Cappo as probationary firefighter pending physical and drug tests; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL**

Chief Hill thanked the City Manager for the Fire Department's new generator. He also thanked Mr. Dan Mayberry for making sure there was a dedicated gas line to the generator. Mr. Mouse asked Mr. Rodino for a final cost on the generator. Mr. Rodino stated the purchase order was \$4,800 for the generator and that included installation.

Chief Hill stated he'd been here quite a few years (25) and accomplished all of his goals for himself and for the Fire Department, saying, "I stayed and finished the job." Chief Hill said he will be retiring on December 31, 2004. Mayor Grogan and Council thanked the Chief for his service.

**Police Chief** – No Report

**Engineer** – No Report

### **Finance Director**

Mr. Rodino passed out the August 2004 Monthly Reports. Mr. Colaianni made a motion that Council receives the August 2004 Monthly Report; seconded by Mrs. Zahirsky. **ROLL CALL: Yes – ALL**

Mr. Rodino asked Council to decide when they want to do the Departmental Budget Hearings. Mrs. Zahirsky made a motion that Council have a meeting on October 23, 2004 at 8:30 AM to begin departmental meetings for the appropriations; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

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Mr. Mouse stated that Council should get with Mr. Rodino before starting the process of the budget hearings; he requested Mr. Rodino supply Council with copies of the departmental budgets prior to meeting with them. Mr. Mouse then requested from Mr. Rodino that if there is an increase over the previous year, he would like to see the percent of the increase and an explanation for same. Mrs. Zahirsky made a motion that Council meets with Mr. Rodino on October 19, 2004 from 7:00 PM to 7:30 PM to go over financial information; seconded by Mrs. Cihon.

**ROLL CALL: Yes – ALL**

## Mayor

Mayor Grogan asked if Main Street or any other group has considered doing some sort of a "Christmas on the Canal" or something like that. Mr. Colaianni stated talks are progressing on same; there's not a definite date. Mayor Grogan said, "If one group is going to do the Christmas, how about the Chamber looking at something towards an Adopt a Family-type program for Thanksgiving for needy families that are not going to be receiving food." Mr. Mouse stated the idea is commendable, and we need to find out how many families that the City has who are deemed "needy" and set a criterion. There was a discussion regarding how to find out who these families are in Canal Fulton and the best way to help them at Thanksgiving and Christmas. The Mayor said the "Adopt a Family" is where you would match up the businesses as a co-sponsor to some of these families. Mrs. Loretto asked if there was anybody at the table willing to help. Mr. Colaianni stated at next week's meeting, he would speak with Terry O'Connor from Avalon. Mayor Grogan said he was certain he could get some of the volunteer fire personnel that would be willing to do this, along with others. Mrs. Cihon said you could get the list from MECCA, which is a group that helps anybody that needs help in Canal Fulton; they have the Community Cupboard. All Council members offered to participate in delivering gifts/food.

## **Motion to Pass Section 5.7 Applicant Anonymity of Civil Service Rules**

Mr. Bailey, Chair Civil Service Committee, had stated during the September 2, 2004 Civil Service meeting that there were problems with Section 5.7 of the Civil Service Rules surrounding Applicant Anonymity. He stated then that the rules sound vague, so Mr. Bailey rewrote/made adjustments to the Civil Service Rule to clarify and wanted Council to pass a motion to accept his following verbiage:

"To assure objectivity and anonymity, each applicant, at the start of the examination, shall identify himself or herself with a current driver's license or state photo ID. They must print and then sign their name and list their social security number on a declaration or sign-in sheet.

All tests and answer sheets shall be numbered and the applicant's name or other identification shall not appear on either. Each applicant will be given a numbered test and corresponding answer sheet and this number will be the only way to identify him or her. A key listing the applicant's name and the number on the test they are taking will be placed in a sealed envelope and placed in a safe depository at the Canal Fulton City Hall. This sealed envelope shall be opened only after the grades have been determined to identify the applicants."

Mr. Kincaid suggested applicants use the last four digits of their social security number for the test as an identifier. He also stated somebody should look at it to make sure they're writing down the right numbers. That way, if it becomes a public record, it will not be a problem.

Mr. Mouse made a motion to accept Section 5.7 as Mr. Bailey rewrote it, with the changes as outlined by Council and the Law Director; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

## City Manager

### **Issue #13 – City of Canal Fulton – Natural Gas Aggregation**

Mrs. Loretto received notice from the Board of Elections that our gas aggregation issue will be Issue 13. Mr. Mouse wants the broker to be asked what happens, if for any reason, they can't get the supplies from their supplier; how do we protect ourselves from that? The Mayor wanted to know, since we have that "middleman," what insurance do we have that the place that he's purchasing the gas (if there is a natural disaster) - that they're insured or their insurance won't pick up the additional cost and not defray it onto us? Mr. Kincaid will look at the contract that is entered into on the City's behalf with the supplier and also the copy of the contract the broker entered into with the supplier, and he will write them asking pertinent questions regarding same. Mr. Colaianni stated the letter he received was somewhat confusing, and that when the broker was here at the last meeting, he believed the broker said they get most of their gas from the Louisiana area (hit by the storm). Mr. Mouse had a concern for the senior citizens on a fixed budget. Mr. Kincaid stated the customer can "bale out."

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## **Cherry Street Sidewalks Project**

Of the 1,700 feet of sidewalk construction proposed under this contract, as of September 15, 2004, 656 feet has been built. Due to erratic weather conditions this past construction season, the contractor has requested and been granted a time extension for completion of the project. The original completion date was September 28, 2004; new completion date is October 15, 2004.

## **Milan Street Water and Sewer Line**

The Notice to Proceed has been issued for this project. The scheduled completion date for the work is April 4, 2005.

## **Walnut Street Improvements**

Notice to Proceed has been issued for this project. The scheduled completion date for the work will be December 17, 2004.

## **Ohio Public Works Commission Grants**

On September 17, 2004, the City submitted for the Ohio Public Works Commission (OPWC) grants for Poplar/Steiner Streets Waterline and for High/Walnut/Norton Streets Storm Sewers. The one for Poplar/Steiner Streets Waterline is \$205,000, of which the City is hoping to get a grant of \$152,000, which leaves \$53,000 for the City's share. The High/Walnut/Norton Streets Storm Sewers is \$306,000, of which the City is hoping to get a grant for \$227,000, which leaves \$79,000 for the City's share. Mrs. Loretto should know in December if we get either one or both, but the funds would not be released before July 2005.

## **Visitor Center**

The bids will be opened for the Visitor Center September 27, 2004 at 10:00 AM.

## **Ohio Municipal League's Reverse Auction**

This is going to be talked about in Akron next week at the Ohio Municipal League meeting.

## **Christmas Decorations**

Mrs. Loretto stated there were many complaints about the shabbiness of the City's Christmas decorations and asked Council to start spending money to replace the decorations over a three- or four-year term. Mr. Mouse stated he would prefer use that money helping families rather than doing the "superficial things" like buying decorations for the City, and he thought they should start thinking about long-term conserving. Mrs. Loretto said she thought the old decorations should not be put up because of their condition and because of the high number of complaints about them. There was no action taken.

## **Parks – No Report**

## **Law Director**

Mr. Kincaid asked that the Council meeting on Election Day (Nov. 2) be changed to November 1. Mrs. Cihon made a motion to change the regular Council meeting from November 2, 2004 to November 1, 2004 at 7:30 PM; seconded by Mr. Colaianni. **ROLL CALL: Yes - ALL**

Mr. Kincaid referred Ordinance 26-04 to the Planning Commission to be reviewed at their next meeting. The intent of the ordinance is from here on out, anyone that wants to occupy a premise for business has to get a check by the Zoning Inspector before anybody can occupy the premise for business - ensuring that it is, in fact, zoned properly and being properly occupied.

Mrs. Zahirsky made a motion that Council forwards Ordinance 26-04 to the Planning Commission; seconded by Mr. Mouse. **ROLL CALL: Yes - ALL**

## **PURCHASE ORDERS & BILLS**

**P.O. 4071** in the amount of \$10,000 paid to Robert J. Tscholl for contract for legal services pertaining to the contract negotiations between the City of Canal Fulton and the Fraternal Order of Police. Not to exceed \$10,000.

Mrs. Zahirsky made a motion to approve P.O. 4071; seconded by Mrs. Cihon. **ROLL CALL: Yes - ALL**

## **BILLS: \$106,032.18**

Mrs. Cihon made a motion that Council accepts the bills in the amount of \$106,032.18; seconded by Mr. Colaianni.

*Discussion:* Mr. Mouse wanted to know about the street sweeping bill of \$1,347.50 - asking the Finance Director what streets were swept. Mr. Rodino will let him know after he asks the Street Department "came to."

**ROLL CALL: Yes – ALL**

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**NEW BUSINESS** - None

**OLD BUSINESS**

**Chapter 741 Garbage and Refuse Collection and Chapter 749 Tow Trucks**

Mr. Kincaid said we should get out of the business of licensing garbage trucks, and he doesn't believe the City needs to put identity plates on tow trucks. Mr. Kincaid will prepare a draft for each item.

**OTHER BUSINESS** - None

**CITIZENS COMMENTS (Open Discussion, Five-Minute Rule)** - None

**REPORT OF COUNCIL PRESIDENT** – No Report

**REPORT OF STANDING COMMITTEES** – No Report

**OTHER BUSINESS - EXECUTIVE SESSION**

Mrs. Zahirsky made a motion that Council go into Executive Session for the purpose of discussing personnel issues, and no action will be taken as a result. She requested members of Council, the Mayor, the Law Director, and the City Manager to attend; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

**REGULAR SESSION RECONVENED**

Mrs. Zahirsky made a motion to reconvene the regular portion of the City Council meeting of September 21, 2004. During Executive Session, Council discussed appointment of personnel, and no action was taken; seconded by Mrs. Cihon. **ROLL CALL: Yes – ALL**

**ADJOURNMENT**

Mrs. Cihon made a motion to adjourn; meeting was adjourned.

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Patricia A. Schauwecker, Clerk of Council

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Mayor John Grogan