

CITY OF CANAL FULTON

April 1, 2003

REGULAR COUNCIL MEETING:

Mayor Shawn Kenney called the April 1, 2003 Council Meeting to order at 7:30 p.m. in City Hall Council Chambers.

PLEDGE OF ALLEGIANCE:

CALLING OF THE ROLL: Present: Nellie Cihon, Diane Downing, Linda Zahirsky, Robert Szanto, Mike Mouse, Mayor Shawn Kenney. Mr. Dane was absent.

OTHERS PRESENT: Marge Loretto, City Manager; Debbie Kerr, Finance Director; Dale Kincaid, Law Director; Mike McNeely, Police Chief; Robert Hill, Fire Chief; Fred Fleming, Park Board; Joan Porter, The Repository; Julie Scheurer, The Independent; Sue Reid, First Energy; Donna Lemmon, Chamber of Commerce, Scot Svab, Community Service Coordinator;; Mark Stewart, Fire Department, Victor Colaianni, Bret Stephan, Dennis Downing, Rochelle Rossi, Ray Coffman, Shannon Waggoner, Ray Kidaloski, all residents.

Mr. Szanto made a motion to consider Mr. Dane's absence an excused absence this evening. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

ADOPTING/CORRECTING OF MINUTES:

The Mayor asked for approval of the March 18, 2003 regular Council meeting. Mrs. Zahirsky made a motion to approve the minutes of March 18, 2003. Mrs. Downing seconded the motion. Roll: Yes – ALL.

SPECIAL RECOGNITIONS:

Mayor Kenney stated the Park Board has had a vacancy for sometime. He said he received an application from Shannon Waggoner for appointment to the Park Board. He then asked Ms. Waggoner to say a few words.

Ms. Waggoner said she has been a resident of Canal Fulton for four years. She said she has three small children and is looking for a way to serve the community and she felt this would be a good way.

Mayor Kenney made a recommendation that Shannon Waggoner be appointed to the Park Board. Mr. Szanto made a motion to approve the Mayor's recommendation of Shannon Waggoner's appointment to the Park Board. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

CITIZENS COMMENTS ON AGENDA MATTERS:

REPORTS OF ADMINISTRATIVE OFFICERS:

Senior Citizens.

Mrs. Cihon reminded everyone that there will be a spaghetti dinner on Saturday, April 5, from 5:00 – 7:00 P.M. She said it was to go along with the Park levy, but she said so far no one from City Hall or the Park Board has signed up.

Community Service Coordinator.

Mr. Svab stated that one of the community service workers was putting bat houses together and had one to show Council. Bat habits and migration were discussed.

He also said they were working with the Lyons Club a couple of weeks ago on a car wash. He said they raised \$180.00.

Fire Chief.

Chief Hill stated that there is a new law which will take effect in a couple of weeks. It's called "Health Insurance Portability and Accountability Act". He said he sent two of his people to a seminar regarding this. Chief Hill said what the law basically says is that they will not be allowed to give out information – or very little – about patients to anyone. They will be very restrictive on what the Fire Department is allowed to talk about or release. He said all run reports must be locked up.

He said in the past when insurance companies or law firms asked for certain information, it was given. He said with the new law, the guidelines of giving out that information are very strict. Assistant Chief Stewart said that information will not be denied, but they will keep a log of everyone who calls and asks for information and a log of what information was given.

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Chief Hill said this past weekend a BTLS Class was held at the High School, which was conducted by Region 8 instructors. He said it was excellent.

Police Chief.

Chief McNeely stated that the man who had the marijuana growing operation has been indicted. He said the person operating the meth lab has also been indicted.

Engineer/Streets/Public Utilities.

Director of Finance.

Mrs. Kerr passed out the March 2003 financial reports. Mrs. Cihon made a motion to acknowledge receipt of these reports. Mrs. Zahirsky seconded the motion. Roll: Yes – ALL.

She said the next thing was the dump truck lease. She said she had put memos in Council's boxes last week regarding this.

Mrs. Zahirsky stated that they are trying to decide how much the City can afford for raises for the people who have not yet received raises. She said everyone has cold feet about going forward with raises until they know where they stand regarding how much money we had carried over and where our projected income is going to be for the remainder of the year.

She said when Mrs. Kerr makes a recommendation that the City splurges and pays cash for a dump truck, they sit here floored because they're afraid to give a 4% raise not knowing whether or not the City has the money. She said Mrs. Kerr seems fairly confident that the money is there so cash can be paid for the dump truck. She said if the City does that, can it afford raises?

Mrs. Kerr said the estimated carry over in the Street Fund was estimated at \$95,000.00. But the carry over is actually \$90,000 more than that.

Mrs. Kerr said the next thing she will do is a two-three year spread sheet regarding revenues and expenses. She said she would feel better not leasing the truck. Mrs. Zahirsky said, but the cash flow is important. She said she doesn't want to get into a predicament where they pay cash for the truck and then not have money.

Mr. Mouse asked if the truck purchase could be put off for another year. Mrs. Loretto said it is a thirteen year old truck, which broke down already this year.

Mr. Mouse said, since they started talking about raises, he said the City does not have the money to pay for raises. The only way they would be paying for raises is by spending the cash carry over. He said in 2004 they won't have the money and in 2005 they won't have the money. He said like gangrene, if they let it go it will be worse in 2004 and 2005.

Mrs. Loretto said he is asking seven people to not get raises while everyone else did.

Mrs. Zahirsky asked Mrs. Kerr to give them harder numbers before a decision on the dump truck is made. Mrs. Zahirsky said they don't know if the City has the money. She said Mrs. Kerr is saying they have the money, but Council does not know that. She said they are still sitting in the dark, because Council doesn't know what Mrs. Kerr knows.

Report of Mayor No Report.

City Manager's Report.

Mrs. Loretto said they met with NOPEC and First Energy and they both gave a presentation this past week regarding aggregation. The Law Director said he looked at the NOPEC proposal and he said there is a cash back provision, which says if you leave the organization and they've incurred expense based on our anticipated membership, they can charge back some of their costs. He said he is looking into this further.

Mr. Mouse asked Mrs. Loretto to summarize those two proposals. Mrs. Loretto said NOPEC was 6% discount for residential, 6% for public buildings, and 4% for small businesses. She Said First Energy Solutions gave three options: residential gets a 4% discount and businesses get 6%, or where both get a 5% discount, or the third being where residential gets 6% and business gets 4%. Further discussion followed.

Mayor Kenney stated that NOPEC is a group of 114 government entities and they are looking to offering discount buying and bulk services for things such as health care plans, etc. He also said that have no members from Stark County, Canal Fulton by becoming a member, would be entitled to a seat on their Board.

Mr. Kincaid said in becoming a City they are now into all the things they did not have to contend with before. He said the City has a limited administrative capacity. He said he did

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not mean limited in talent, but limited in time. He said if they go with someone like NOPEC, they will not have to do this again in two years.

Mrs. Loretto also stated that continued work on the Locust/Millfield project would resume sometime during the first half of April. She said Council also has a sample in front of them of a booklet that was put together for our residents, entitled "How To Prepare for Any Emergency". She said it costs the City \$2.75 to produce and that would be the charge for anyone who wants one.

She went on to say they are in the process of developing a City Emergency Preparedness Program. She said there is a lot of data and after it is put together it will be confidential, because, obviously, they are no good if they are not confidential.

She said the State audit is finished. She said it was a very good audit. She said the State Auditor's office asked if the City would want to waive the post audit conference.

Mrs. Loretto also pointed out that each Council member had a Building Doctor brochure in front of them. She said the Ohio Historic Preservation Office will be running the seminar.

Parks.

Mr. Fred Fleming said they are working on a brochure for the Park levy. He said there is still work being done on the reconditioning of the ball fields at Community Park. He said they are still working on the summer recreation program. Mr. Svab stated the Y has decided, because of funding, that they will not be doing anything with the City this year. He said whatever is introduced will be local, but they would like to open it up to all Northwest School children.

Law Director.

Mr. Kincaid stated that sometime this week the City will be filing an action in Stark County Common Pleas Court to acquire a street easement for "buggy alley".

Public Hearing on Ordinances 9-03, 10-03, 11-03, and 12-03.

READING OF ORDINANCES

THIRD READINGS:

Ordinance 9-03: An Ordinance amending the Historic District Code of the Canal Fulton Historic District Codified Ordinances, Chapter 1175, to include historic district definitions.

Ordinance 10-03: An Ordinance amending the Historic District Code of the Canal Fulton Historic District Codified Ordinances, Chapter 1175, to include Criteria for Designation.

Ordinance 11-03: An Ordinance amending the Historic District Code of the Canal Fulton Historic District Codified Ordinance, Chapter 1175, Section 1175.04 (d), to include the power and duty of the Historic Preservation Commission to review resources nominated for designation as either a historic landmark or structure and actions to be taken after the proposed designation.

Ordinance 12-03: An Ordinance amending the zoning code of the Canal Fulton Codified Zoning Ordinances, and adding Chapter 1150 entitled "Designation of Historic Landmarks and Historic Districts."

SECOND READINGS: None.

FIRST READINGS: None.

PURCHASE ORDERS AND BILLS:

P.O.#3254 in the amount of \$50,000.00 to CTI Environmental for contract for engineering services for Phase 1 of the Community Park Improvement Project.

Mrs. Zahirsky made a motion to approve P.O. #3254 in the Amount of \$50,000.00 to CTI Environmental. Mr. Szanto seconded the motion. Roll: Yes – ALL.

Mrs. Kerr said they had talked to Mr. Kincaid concerning an ordinance for a contract, that the associated purchase order should be included with it as a package, instead of having to bring the P.O. back to Council separately.

P.O.#3255 in the amount of \$7,500.00 to the Treasurer of State for audit services for the period ending 12/31/02. Mrs. Loretto said she went down and talked with them almost every day to see how things were going. She said the auditors complimented the reports.

Mr. Szanto made a motion to approve P.O.#3255 in the amount of \$7,500.00 to the Treasurer of State. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

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P.O.#3260 in the amount of \$34,618.50 to National Waterworks, Inc. for water meters with meter reading equipment. A short discussion followed.

Mrs. Cihon made a motion to approve P.O.#3260 in the amount of \$34,618.50 to National Waterworks, Inc. Mrs. Zahirsky seconded the motion. Roll: Yes – ALL.

P.O.#3264 in the amount of \$13,200.00 to Concrete Construction Co. for concrete sludge improvements. Mr. Szanto made a motion to approve P.O.#3264 in the amount of \$13,200.00 to Concrete Construction Co. Mrs. Cihon seconded the motion. Roll: Yes – ALL.

Bills: \$104,639.94

Mrs. Kerr said the State auditor said that this is the first City she has seen that Council approves the list of checks. She said she thinks that when they were a Village they had to do it that way. The Mayor said it has always been done as a courtesy to Council. It was decided to continue to supply Council with a copy of the bills and Council would formally acknowledge receipt of those copies.

Mr. Szanto made a motion to acknowledge the Council has received copies of the list of bills paid since the last meeting. Mrs. Zahirsky seconded the motion. Roll: Yes – ALL.

NEW BUSINESS:

OLD BUSINESS:

OTHER BUSINESS:

CITIZENS COMMENTS:

Mrs. Donna Lemmon introduced herself. She said she has recently been hired by the Canal Fulton Chamber of Commerce.

REPORT OF COUNCIL PRESIDENT:

No Report.

REPORT OF STANDING COMMITTEES

Mrs. Zahirsky said the Personnel Committee met this evening and it was decided to hold decisions on salary increase for those who have not received increases until Mrs. Kerr gets the spread sheet ready regarding anticipated revenues and expenses.

The regular meeting was adjourned.

Sharon Reiter, Clerk of Council

Shawn Kenney, Mayor