

## CITY OF CANAL FULTON

March 3, 2009

### COUNCIL MEETING

Mayor John Grogan called the March 3, 2009 City Council meeting to order at 7:00 PM in Council Chambers at City Hall.

### PLEDGE OF ALLEGIANCE

#### ROLL CALL

Present: Mayor John Grogan, Matthew Moellendick, Linda Zahirsky, Nellie Cihon, Diane Downing, Danny Losch and James Deans.

Others Present Scott Fellmeth, Law Director; Mark Cozy, City Manager; Tammy Marthey, Clerk of Council; Dave Frisone, Police Chief; Glenn Boyd, Captain; Scott Svab, Finance Director; Chell Rossi and Michael Mouse, Daniel Tickerhoof, Diana Tickerhoof and Andrew Colon; Residents, Eric Williams, Pellini & Associates; Joan Porter, Repository and Amy Knapp, Independent.

### OFFICER OF THE YEAR

Mayor Grogan presented to Mr. Daniel Tickerhoof the 2008 Officer of the Year Award for exceptional performance for the year. He had 48 arrests, 219 traffic citations and 8 OVI arrests for 2008. He is an officer that came from Youngstown.

### EXECUTIVE SESSION

Mrs. Cihon moved to adjourn from the regular session into executive session for the purpose of the consideration of compensation of a public employee or official; and a conference with the law director or other retained counsel concerning pending or imminent court action at 7:17 PM, seconded by Mr. Deans. Present for the session is the Mayor, Council, Mr. Cozy, Mr. Williams, Law Director Fellmeth and Police Chief, Fire Department Captain; Finance Director and Clerk of Council. **ROLL: Yes, ALL.**

Mr. Losch moved to return to regular session at 7:41 PM, seconded by Mr. Deans. **ROLL: Yes, ALL.**

There will be legislative action as a result of the executive session, Ordinance 11-09.

### CORRECTING/ADOPTING THE RECORD OF PROCEEDINGS

Mrs. Cihon moved to approve the record of proceedings for February 17, 2009, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

### REPORTS OF STANDING COMMITTEES

Safety Committee: Mr. Losch was nominated as chairman.

There was discussion of the creation of a non-classified position of a lieutenant for the police department. The chief will be moving forward with interviews. The position is anticipated to be filled in May.

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

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**REPORTS OF ADMINISTRATIVE OFFICERS**

**SENIOR CITIZENS (Nellie Cihon) - None**

**COMMUNITY SERVICE COORDINATOR - None**

**FIRE CHIEF (Glenn Boyd, Captain)**

Grants: Captain Boyd stated the department has applied for two grants.

**POLICE DEPARTMENT (David Frisone, Police Chief)**

Grants: Chief Frisone showed the binoculars, Stedi Eye that the department received from a grant. They have night vision lenses.

**ENGINEER/STREETS/PUBLIC UTILITIES (William Dorman/ Dan Mayberry):** Not Present

**FINANCE DIRECTOR (Scott Svab)**

Purchase Orders: There are two additional purchase orders, numbers 5601 and 5604

GAAP Conversion: The State Auditor's are working on the cash GAAP Conversion. They should be done by May.

**CITY MANAGER (Mark Cozy)**

Consignment Shop: There is a new consignment shop in town at the Warehouse on the Canal which opened for business today.

High Street Sanitary Sewer: Bids were opened for this project and Wenger Excavating is the apparent low bidder.

Community Plan Meeting: The next meeting is March 9 at 7:00 PM at City Hall.

Heritage Society Meeting: Mr. Cozy distributed an agreement between the City and the Heritage Society.

All facets of the operation would need to be insured by the City. Mr. Cozy stated the boat, the horses and all facets would need to be insured.

Mrs. Zahirsky stated she has a problem with the City running the boat and doesn't feel it is a government function. Mr. Cozy stated there are four boats in Ohio and they are run by the Parks Departments and government entities.

Mr. Cozy stated this is a one year agreement and there is a 90 day escape clause on either side. The Heritage Society has been struggling and the Mayor asked him to look into this matter as an enterprise.

Mr. Cozy stated the Heritage Society did receive a grant to make repairs to the boat. If they are unable to run the boat, they would possibly have it docked by the Canalway Center and host events on the boat.

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Mayor Grogan stated the Heritage Society has done a lot to keep the boat running. They do not have the resources to keep it running and to be able to continue to operate it. He stated it needs to be a self sustaining venture.

Mrs. Zahirsky asked if the crew is going to be on the City's payroll and if we are going to have to take care of the horses as well.

Mr. Cozy stated yes. The Heritage Society will still own the horses.

The Mayor stated he would like all of Council to review the agreement. He stated he welcomes all concerns and input regarding the same.

Mr. Cozy stated he has a draft MOU between the City and Lawrence Township for a CEDA. It was felt by members of Council that this issue should be dropped and to put our efforts on other areas at this time.

**REPORT OF MAYOR (John Grogan) - None.**

**PARKS & RECREATION BOARD (Fred Fleming) – Not Present**

**LAW DIRECTOR (Scott Fellmeth)**

Internet Auctions: Law Director Fellmeth stated at the previous council meeting he discussed the internet auctions. He has prepared legislation for the next meeting regarding same. He stated anything over \$1,000 will fall under these regulations. The Council will need to pass a resolution annually. The auctions will need to be posted on the City's website as well.

**THIRD READINGS**

Ordinance 7-09: An Ordinance Amending Ordinance No. 61-97 Regulating the Use of Time Cards and Time Sheets by City Employees. Mrs. Zahirsky moved to approve, seconded by Mr. Moellendick. **ROLL: Yes, ALL.**

**SECOND READINGS**

Ordinance 8-09: An Ordinance Transferring the Debt for the Northwest Schools Water Line Expansion from the Income Tax Fund to the Water Fund. **Stands as a Second Reading**

**FIRST READINGS**

Ordinance 11-09: An Ordinance Authorizing the City Manager to Enter into a Contract By and Between the City of Canal Fulton and the City of Massillon Law Department for Providing Prosecution of Criminal and Traffic Offenders in the Massillon Municipal Court and Performance of Other Related Traffic and Criminal Legal Services for Canal Fulton, and Declaring the Same to Be An Emergency. Mr. Deans moved to suspend the rules, seconded by Mrs. Cihon. **ROLL: Yes, ALL.** Mrs. Cihon moved for passage under suspension, seconded by Mrs. Zahirsky. **ROLL: Yes, ALL.**

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**PURCHASE ORDERS & BILLS**

**P.O. 5601** to LOGIC for 10 Months Dispatch Services in the Amount of \$39,440.00.

Mrs. Downing moved to approve P.O. 5601, seconded by Mr. Deans.

**ROLL: Yes, ALL.**

**P.O. 5604** to CTI Environmental, Inc. for 2009 Blanket for Administration Engineering in the Amount of \$50,000.

Mrs. Cihon moved to approve P.O. 5604, seconded by Mrs. Zahirsky.

**ROLL: Yes, ALL.**

**P.O. 5574** to OPERS for Ohio Public Employees Retirement Employer Contributions in the Amount of \$133,455.48.

Mrs. Cihon moved to approve P.O. 5574, seconded by Mrs. Zahirsky.

**ROLL: YES, ALL.**

**P.O. 5579** to Clarke Mosquito Control Inc. for 55 Gallon Drum Mosquito Spray in the Amount of \$3,327.50

Mrs. Downing moved to approve P.O. 5579, seconded by Mr. Moellendick.

**ROLL: Yes, ALL.**

**P.O. 5580** to Nextel Communications for One Year Estimated Usage Cell Phones in the Amount of \$6,061.55.

Mrs. Cihon moved to approve P.O. 5580, seconded by Mrs. Zahirsky

**ROLL: Yes, ALL.**

**P.O. 5587** to Nimishillen Township Fire Department for 10 Month Dispatch Fees for 2009, Previous P.O. 5570 for Jan-Feb 2009 in the Amount of \$14,733.30.

Mrs. Cihon moved to approve P.O. 5587, seconded by Mr. Moellendick.

**ROLL: Yes, ALL.**

**P.O. 5588** to Dominion East Ohio for 2009 Natural Gas Blanket Purchase Order for \$22,231.55.

Mrs. Downing moved to approve P.O. 5588, seconded by Mrs. Cihon.

**ROLL: Yes, ALL.**

Mr. Losch asked if we have an energy management plan in effort. Mr. Svab stated they have winterized the west side fire department. They will be using the station as street department storage and will be holding off on any changes to the street department garage due to the economic situation.

**P.O. 5591** to Miscellaneous Vendors for Blanket for Income Tax Refunds in the Amount of \$30,000.00

Mrs. Cihon moved to approve P.O. 5591, seconded by Mrs. Zahirsky.

**ROLL: Yes, ALL.**

**P.O. 5592** to Ohio Police and Fire Pension Fund for Quarterly Pension Payment in the Amount of \$21,929.28.

Mr. Moellendick moved to approve P.O. 5592, seconded by Mr. Deans.

**ROLL: Yes, ALL.**

**BILLS: \$164,943.35** Mrs. Cihon moved to approve the bills, seconded by Mr. Losch. **ROLL: Yes, ALL.**

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Mr. Moellendick asked for an explanation on a couple of the bills and was answered by the Finance Director.

**OLD/NEW/OTHER BUSINESS** - None

**REPORT OF PRESIDENT PRO TEMPORE (Nellie Cihon)** - None

**REPORT OF SPECIAL COMMITTEES** - None

**CITIZENS COMMENTS-Open Discussion (Five-Minute Rule)**

Michael Mouse: Mr. Mouse asked if Mr. Cozy had a list of the five projects that they were working on for the stimulus project. He stated they have the Locust Street Project, Milan Street Waterline, High Street Culvert/Erie Street Widening, Marshallville Sanitary Project, Locust Street East Water and Sewer Project. The total projects are \$3,2816,072.00.

Mr. Mouse asked if the monies being collected from the schools is going to be put on hold or how is that money being handled. Mayor Grogan stated it will continue as is until a decision has been made. Mr. Mouse wanted to know if they were going to put it in an escrow account. It was stated there wouldn't be any changes to how things are currently being handled.

**ADJOURNMENT**

Mayor Grogan adjourned the March 3, 2009 meeting at 8:30 PM. The next regular scheduled meeting is March 17, 2009 at 7:00 PM.

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Tammy Marthey, Clerk of Council

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Mayor John Grogan