

**CITY OF CANAL FULTON  
CITY COUNCIL MEETING MINUTES  
March 4, 2014**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

Mayor/Council Members Present: Richard Harbaugh, Linda Zahirsky, Scott Svab, Danny Losch, Sean Craney, Sue Mayberry and Nellie Cihon.

Others Present: City Manager Mark Cozy, Council Clerk Teresa Dolan, Service Director Dan Mayberry, , Police Chief Doug Swartz, Fire Department – Glen Boyd

Others Present: Chell Rossi, Jim Deans, Joan Porter, Roger Foulk, Jim Fellikor, Tiffany Craney

**REPORTS OF STANDING COMMITTEES**

Linda Zahirsky reported on the Personnel Committee that met prior to the meeting. Salaries were discussed for Fire Department and part-time personnel.

A motion was made to adopt Amended Council Rules by Linda Zahirsky, second by Scott Svab.

Sue Mayberry asked about Rule 27, Legislation Procedures Matters of Finance. The very last sentence said all other legislative items can be submitted directly to council. Mrs. Mayberry asked what other items would that be. Mrs. Zahirsky said any other items that are not covered with finance or financial matters.

Mrs. Zahirsky said if there was something that was controversial you would probably want to take it to committee first. You would probably want your Council President to send it to committee to hash out.

Mrs. Mayberry said where Rule 18 said Council President Protem may assign it to a committee... Mrs. Zahirsky said or he can send it on to full Council. Mrs. Mayberry asked "But any person on Council can submit legislation at a Council Meeting directly?" Mrs. Zahirsky said we have had that happen before. Mr. Bagocius did that last year a couple of times. Mrs. Mayberry asked and that is ok? Mrs. Zahirsky said yes.

Mrs. Mayberry stated she just wanted to clarify it. Mrs. Zahirsky said there are just some things to go to committee, especially if it is controversial.

Mrs. Svab asked if Mrs. Mayberry was suggesting the rule be stricken. Mrs. Mayberry said no, she was just asking. Mr. Svab said he would support that because it does become ambiguous to what is going on in the rule. Rule 18 does clarify the procedures and then Rule 27 talks more about finance. Mrs. Zahirsky said that there are other legislative items that come to Council that come through our Finance Director. She suggested that we not strike it.

All Council Members voted yes. Motion approved.

**CITIZENS' COMMENTS – AGENDA MATTERS (Five Minutes per Individual – No Yield)**

**Swearing In Part-Time Police Officer**

Mayor Harbaugh swore in new part time Police Officer Chad Hinds.

**CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS**

February 18, 2014

A motion was made to approve the February 18, 2014 Meeting Minutes by Nellie Cihon, second by Scott Svab.

Danny Losch asked that the word not be added to Page 4 fourth paragraph down where he was talking.

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All Council Members voted yes. Motion approved.

**REPORTS OF ADMINISTRATIVE OFFICERS**

Senior Citizens – No Report

Community Service – No Report

Fire Chief – Glen Boyd was in attendance for Chief Ray Durkee. Mr. Boyd said he had no report, but did let Council know that the department had been on a mutual aid call for Jackson.

Police Chief – Police Chief Doug Swartz said that his annual report was included. Chief Swartz said that that the 1<sup>st</sup> Steering Committee Meeting for the Police Study had been held. He was in attendance and said he liked what he saw and heard. Chief Swartz said he looked forward to working with the committee.

Chief Swartz reported that Bishop had assisted in an arrest. In the stop the suspect had asked for the dog to not get up against the car for fear of scratching it. Chief Swartz noted that the car was an older vehicle and not in very good shape. The officer went ahead and searched the vehicle and found drugs. All suspects in the car were from Summit County.

Danny Losch asked about the fleet status with the Police Department and asked what the estimated cost was for maintenance and repair for the fleet. Chief Swartz said that there were expenses for a new motor and transmission which would inflate cost for 2013. Chief Swartz said Nate Leonard does a wonderful job extending the life of the vehicles. Mr. Losch asked if there was software for fleet maintenance. Mr. Mayberry said that we do have software, but do not have time to enter into a program. Mr. Losch asked if we were in the process of entering it, and Mr. Mayberry stated that we were. Mr. Losch said he would like that to be followed up on so that there was no liability.

Engineer/Streets/Public Utilities – Engineer Bill Dorman reported on projects being worked on. Mr. Dorman said the bidding for the Wooster Street Storm Sewer project was on schedule. The Locust Street Water and Sewer project is on hold. Mr. Dorman said he was working with Mr. Mayberry on the Waste Water Treatment Plant Screening and with the building collapsing that they will be looking at the project and ways to minimize the cost.

Mr. Dorman said that they were also reviewing the Clinton Sanitary Sewer Project that would be coming into Lift Station D.

Mrs. Zahirsky asked for a better feel for where we went wrong in regards to the building collapsing at the Waste Water Treatment Plant. Mr. Dorman said that he was not involved in that. He said it was designed by another firm. There was a disaster about ten years ago, and it was rebuilt by a disaster construction company. This most recent failure a year ago, from what Mr. Dorman understood it was being taken care of by a contractor that was selected, but he was not involved. At this point and time the building probably was more than needed. The large tankage that was enclosed does not need to be enclosed except for the screening being looked at now.

Mr. Mayberry said the original building burnt down in 1998. Our insurance covered a like building so we build what was there originally, but nothing was taken into consideration of the cause of the fire. The electrical heater was compromised by the atmosphere in the building itself. Mrs. Zahirsky asked if we put another heater in. Mr. Mayberry said yes, but we stopped using it three years ago for the same fear. We have replaced ventilation motors in the building on one occasion after it was rebuilt. The exhaust system was not a system that was designed to operate continually. It was a system that was built and designed to run while personnel was in the building. Mr. Mayberry said he looked at many things from 2012 to 2013 to address the ventilation in the building and knowing that the mechanical fans that the motors were burning up and improve the ventilation with turbine fans. Now, we see that we should have sheeted and re-shingled the roof. No one had walked on the roof since December of 2012. We knew there would be areas of shingles that would need replaced, but we didn't think that we would have to replace the entire roof. Physically from looking at it from the ground it looked ok, but it was dry rotted, it was compromised.

Mr. Craney asked if the original building was burned down because of the heater failure, why would you build a like building. Mr. Mayberry said that was not considered at that time. The lead was followed that the insurance company gave us essentially.

Mr. Losch said if he was hearing right, this was a disaster. The building was designed by disaster relief?

Mr. Mayberry said no, reconstructed by the contractor. Mr. Losch said this is a caustic environment obviously, so the structure may not have been fit for the environment. Mr. Mayberry said right and we will continue to have this in the smaller building to be constructed. At this step, a great deal of effort is going to be trying to reduce the size of the building. Mr. Losch said he agreed with Mrs. Zahirsky and we need to look into all aspects. Mr. Mayberry said he filled CTI's plate with his thoughts. Mr. Dorman said it is a building that they routinely design.

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Sean Craney asked Mr. Dorman about the Locust Cherry Intersection progress. Mr. Dorman said it was delayed a year due to funding. They will reapply for funding this year. Mr. Craney said he would like to see the design in regards to the Ryan Trewin Sign. Mr. Cozy said even with the grant there will be a delay due to the Historic District. There is a house that was built over a log cabin. Not the original house in question, but another one. Consensus has been done, and there will be a plan to take to the federal park service to review.

Mr. Mayberry said he had no report but would be happy to answer any questions.

Finance Director – Finance Director William Rouse was not in attendance.

City Manager – City Manager Mark Cozy's written report was in the packet. Mr. Cozy state Mr. Cozy reported on the steering committee for the Joint Police study. Mr. Cozy stated that he had two more that were interested in serving on the committee. Audrey Demor and Victor Colaianni. Before the next meeting in March we will have to appoint one more person to the steering committee. Mr. Cozy stated that by the next Council Meeting he would like to have an appointment.

Mr. Cozy said he emailed everyone a copy of the 2006 Park Master Plan, along with the proposal from Environmental Design Group to incorporate the YMCA and trail connections to the park plan.

Mr. Cozy stated the Locust Street Water and Sewer project property owners were contacted. Mr. Vandeburg no longer wishes to do the project. Mr. Schalmo wants to continue and signatures from Mr. Schalmo and Mr. McCaulley have been collected. Mr. Chapanar has also showed interest. We could do half roughly half the project. If we scale back the project we would be down to \$39,900.00 for engineering costs. We do have petitions in place already to move on it. Participation can be guaranteed. Mr. Cozy said he could let Mr. Vandeburg know what the price is today and what it would be in the future to see if he wanted on board.

Mr. Cozy submitted the Canal Boat Operations Agreement. We usually break even on the boat. It is a \$40,000 commitment and we paid \$1,700 in costs last year.

A motion was made to authorize legislation to be drafted on the Canal Boat Operations Agreement by Linda Zahirsky, second by Scott Svab. All Council Members voted yes. Motion approved.

Mr. Cozy stated that a Stark County Health Department representative needed to be established. The representative needs to be an appointed or elected official. He asked if there was a Council Member that would have any interest in attending the meeting on Thursday, March 6. Mrs. Mayberry volunteered.

A motion was made to appoint Sue Mayberry as Stark County Health Board Advisory Council representative for the City of Canal Fulton by Sean Craney, second by Scott Svab. All Council Members voted yes. Motion approved.

Mayor – No Report

Parks & Recreation Board – No Report

Law Director – No Report

**THIRD READINGS**

**TABLED Resolution 1:14:** A Resolution by the Council of the City of Canal Fulton, Ohio to Enter into an Agreement with CTI Engineers, Inc. to Provide Professional Engineering Services for the Locust Street Sanitary Sewer and Waterline Extension and Declaring an Emergency.

**Ordinance 2-14:** An Ordinance Amending Ordinance 31-13, and Providing for Changes to Previously Authorized but Not Yet Executed Transfers

A motion was made to approve Ordinance 2-14 by Linda Zahirksy, second by Nellie Cihon. All Council Members voted yes. Motion approved.

**SECOND READINGS**

**Resolution 3-14:** A Resolution By the Council of the City of Canal Fulton, Ohio to enter into a Memorandum of Understanding for the Technical Assistance Between the City for Canal Fulton and the Stark County, Ohio Soil and Water Conservation District.

**Ordinance 5-14:** An Ordinance Amending Ordinance 9-13, Rates of Pay for Full-time Non-bargaining Employees, and Repealing Any Ordinances in Conflict Therewith.

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**FIRST READINGS**

**Resolution 7-14:** An Resolution by the Council of the City of Canal Fulton, Ohio to enter into a Contract with Teamster Local 24, AFL/CIO Retroactive to January 1, 2014 and Declaring an Emergency.

A motion was made to suspend the rules by Danny Losch, second by Nellie Cihon. All Council Members voted yes. Motion approved.

A motion was made to approve Resolution 7-14 under suspension of the rules by Linda Zahirsky, second by Sean Craney. All Council Members voted yes. Motion approved.

**Ordinance 7-14:** An Ordinance Establishing a Video Service Provider fee to be Paid by and Video Service Provider Offering Video Service in the City of Canal Fulton, Ohio and Authorizing the Mayor to Five Notice to the Video Service Provider of the Video Service Provider Fee and Declaring and Emergency.

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

A motion was made to approve Ordinance 7-14 under suspension of the rules by Linda Zahirsky, second by Nellie Cihon. Sean Craney abstained. All other Council Members voted yes. Motion approved.

**P.O.s**

P.O. 9172: to First Merit Bank in the amount of \$20,582.00 for 2012 International Chassis Cab Lease Payment.

A motion was made to approve P.O. 9172 by Nellie Cihon, second by Sue Mayberry. All Council Members voted yes. Motion approved.

P.O. 9166: to Massillon Law Department in the amount of \$25,200.00 for Prosecutor Legal Services.

A motion was made to approve P.O. 9166 by Scott Svab, second by Nellie Cihon. All Council Members voted yes. Motion approved.

**BILLS** - No bills.

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

**REPORT OF PRESIDENT PRO TEMPORE**

A motion was made to have Finance Committee Meeting March 18, 2014 at 6:00pm to review personnel recommendations as related to finance, second by Scott Svab. All Council Members voted yes. Motion approved.

Scott Svab stated that we might get a small grant from ODNR to be used for fishing poles. The grant would be for 30-40 poles for kids K-4. He said he should know by next week.

**REPORT OF SPECIAL COMMITTEES** - None

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

Jim Deans, 426 Heritage.

Mr. Deans reported on Olde Canal Days and stated that there is a lot of miscommunication. At the meeting held this morning there was some flack straightened around. He said that communication will be straightened out as to who will be in the show. Mr. Cozy asked for the Committee to remember those merchants on Canal Street that will sign the road closing permit.

The Junior Friends of the Library will be having their Pizza Show Down on March 15<sup>th</sup>, 2014 from 1:00 to 4:00pm.

Rochelle Rossi reported and modeled the Bicentennial Canal Days T-Shirts. They are available at City Hall for \$10.50. Window Clings are also on sale.

**ADJOURNMENT**

The meeting was adjourned at 8:00pm

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**Minutes Prepared by:** \_\_\_\_\_

**Teresa M. Dolan, Clerk**

**Minutes Approved:** \_\_\_\_\_

**Mayor Richard Harbaugh**