

**MINUTES OF THE JANUARY 16, 2018
SPECIAL MEETING OF THE ALLIANCE CITY COUNCIL**

The meeting was called to order by Council President Garnes at 6:00 P.M.

ROLL CALL: Larry Dordea, James Edwards, Cindy King, Roger Rhome and Brian Simeone present. Sheila Cherry and Julie Jakmides arrived at 6:05 P.M.

Clerk Yost read the notice of the special meeting.

President Garnes announced the reasons for the meeting and Councilman Dordea was given the floor.

Councilman Dordea thanked the Clerk for reviewing the rules and making suggestions for changes. Councilman Dordea suggested that the Clerk's suggestions be adopted.

Councilman Dordea expressed concern that there should be a seating rule that indicates that Council face the public. The Constituents elected Council Members and it seems Members have their backs to the public or at least don't make it easy for the public to see and hear what is being discussed.

Councilwoman Jakmides also agreed that the public should not feel excluded from the process and it seems uncomfortable to have your back to the people who elected you.

Clerk Yost expressed concern if Members are facing away from the Chair and Clerk that it is difficult to hear to keep the minutes and manage the meeting. The Clerk expressed to members he will set up the room however Members desire, however locking into a design by rule could be a problem.

Councilman Dordea also expressed that it is an even bigger problem during public speaks when Council is not facing the speaker. Clerk Yost pointed out that there used to be another microphone that was used for public speaks and when the microphone stand broke it was not replaced. Clerk Yost also pointed out that extra tables used to be present for council use but they came up missing a few years ago and the addition of the prisoner area and computer monitors that were added took up room that used to be used for Council set up.

Councilman Rhome suggested some sort of semicircle arrangement where there is an ability for the Clerk and President to hear without backs to the audience.

Councilman Edwards stated that he believed the best solution is a rule that simply says Council members will not sit with their backs to the audience.

Motion and Second to insert Rule 4.02 **SEATING**. Council Members shall be seated in such a fashion so as to not have their back facing the public audience area of Council Chambers. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

Motion and Second to adopt the rule modification changes suggested by the Clerk's memo including changes to rule 1.03, 3.06, 6.10, 10.00, 12.02, and 12.04(b). **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

Councilman Dordea expressed concern with limitations on Members speaking and members being cut off because they were not on Committee report topic or beyond the five minute limit. President Garnes explained that keeping a member on topic within committee reports keeps organization to the meeting and keeps the flow of the meeting but recognized that there is no real place for members to express concerns or ideas other than Committee reports.

Councilman Edwards suggested that other organizations and boards have a time for this that they simply call "Roundtable" discussion.

Councilwoman Jakmides agreed that there is no real place in the current Order of Business for a Council member to address issues of concern outside of their committee reports and a Roundtable item in the agenda would accomplish this.

Clerk Yost suggested inserting an Order of Business item in Rule 4.00 between (g) Public Comment and (h) Third reading of Ordinances and Resolutions that would be a new section (h) Council Member Roundtable discussion.

Motion and Second to amend Rule 4.00 **ORDER OF BUSINESS** to insert a new section (h) Council Member Roundtable discussion. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

Motion and second to amend Rule 6.01 **SPEAKING** to permit no more than ten minutes at one time. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

Councilwoman Jakmides pointed out Rule 7.06 limits the modification of Council rules to a procedure of a committee review and recommendation.

Councilman Dordea stated that this is basically the procedure we are doing tonight.

President Garnes agreed that at the last meeting a committee of the whole was appointed to review and make recommendations which is what is being done tonight.

Councilwoman Jakmides stated that it seems unnecessary to have this rule and recommended its removal.

Motion and second to strike Rule 7.06 **AMENDMENTS** completely. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

President Garnes then asked if there were any other rule changes suggested. Hearing none, President Garnes directed Council to the next item of business which was the review of Ordinance 78-17 and gave Councilman Dordea the floor.

Councilman Dordea discussed his view of recent problems involving the Safety Service Director including the removal of a Distribution Director and replacing with an individual from Florida; the changing of 4-way stops throughout the City causing dissatisfaction with residents; a very hectic water meter system change which resulted in residents, including the former Safety Service Director having service shut off; management problems with Westville Lake causing Westville residents to complain to council; a suspension of the police chief and an officer causing serious disruption to the department; the process of eliminating the Assistant Police Chief's position which resulted in the demotion of a qualified serving Captain; and letters of no confidence from both the Police Department and Fire Department. Councilman Dordea went on to say Mr. Dreger is competent with managing the service aspects of the City but he has serious concerns on his Safety forces management ability. Mr. Dordea further stated that the job is just too big for one individual to do adequately. Asked Council to support his effort to split the job into two positions of Safety Director and Service Director and split the salary between them

Councilwoman Jakmides stated that she got an e-mail from a citizen expressing concern over the proposal of splitting the position and did not respond but felt the need to address it here. Ms. Jakmides stated that she recognizes the financial situation of the City and creating a new position is not what you normally want to do when trying to save money but see the issues Mr. Dordea is setting forth. Ms. Jakmides also stated she believes the current position is overwhelming for one person to do.

Councilwoman Cherry acknowledged there have be some problems but questioned if enough effort has been made to sit down with the Mayor and Safety Service Director to address the issues before we take this drastic step.

Councilman Edwards stated that he understands Mr. Dordea's desire to split the position but stated the current proposed Ordinance 78-17 is a bare bones ordinance and needs some serious overhauling before can be passed. Mr. Edwards further questioned the structure and if the two positions would be full time or part time and if benefits would be included. Mr. Edwards expressed concern with the qualifications of individuals seeking to fill these positions for low pay and no benefits. Mr. Edwards questioned if we would get qualified individuals to take the jobs.

Councilman Dordea stated the jobs could be part time and without benefits which may even result in some savings to the City while we are looking to cut costs.

Councilman Rhome questioned where money is going to come from to pay two individuals for a job currently done by one and questioned if they could be part time jobs. Mr. Rhome further questioned Mr. Dordea's reasoning and noted other individuals have been left go with little to no explanation by former Safety Service Directors. Mr. Rhome Stated he is not in favor of the proposal.

Councilman Simeone questioned what duties would be assumed by each position and would it be an equal split of duties.

Mayor Andreani stated that the Ohio Revised Code sets forth what responsibilities fall with a Safety Director and what fall with a Service Director and stated he duties probably wouldn't be equal.

Councilwoman King questioned how often contracts come up that involve collective bargaining and require the Safety Service Director to negotiate. It was stated by Mayor Andreani that there are 13 different bargaining units and the City is almost constantly in the process with at least one unit.

Councilman Dordea stated that it is likely that the individuals taking the two positions would be qualified retired individuals looking to supplement retirement. Mr. Dordea further stated that is nothing new as the current Director and at least the three before him were all retired individuals when they took the Safety Service Director's job.

Auditor Knowles stated that Ordinance 78-17 is inadequate to allow the payment of two individuals as no payment codes are set out.

Councilman Dordea stated the current form of Ordinance 78-17 is not adequate but is looking for support of the idea.

President Garnes then asked if there were any other issues to address with Ordinance 78-17. Hearing none, Presidents Garnes directed Council to the next item of business which was the review of Ordinance 80-17 and the Mayor's line item veto and gave Councilwoman Jakmides the floor.

Councilwoman Jakmides stated that she need clarification on the Mayor's intent and belief as to what the result of the veto was.

Mayor Andreani stated that the line item veto is allowed by statute and that the Law Director's opinion clarifies his ability to do so. Mr. Andreani stated that he was clear in his letter that his intent was only as to the amendment of line item code #101-7-241-53139 and not any other portion of the Ordinance.

Councilwoman Jakmides stated she never questioned the ability of the Mayor to veto an Ordinance or even a line item in a fiscal ordinance but she did question the ability of a mayor to veto a change or amendment to an ordinance prior to adoption and therefore restore items not approved by Council

Mayor Andreani again stated that he intended only to address code 101-7-241-53139 and Council's appropriation of \$0.00 in that line item. Mr. Andreani went on to say that Council has no authority to determine who gets hired to perform services, that is in the Mayor's area of control and Council has to appropriate the funds, that is in Council's authority

Councilman Edwards questioned if an amended appropriations ordinance can be done to pay necessary bills if a temporary budget did not allocate funds

Councilman Dordea clarified that it was not his intent to refuse to pay bills by the amendment. Mr. Dordea stated that he simply did not want to write a check for \$10,000 with no oversight "rubber stamping" the actions of the Administration when Council already questions some expenditures in this area last year. Dordea stated his intent was merely to have oversight over the expenditures and pay them as they were incurred.

Mayor Andreani stated the temporary budget line item was considerably less than previous years.

President Garnes questioned the ultimate effect of the Mayor's veto as it pertains to money in code 101-7-241-53139. The Law Director stated that pursuant to her legal opinion distributed late last week, it is her opinion that the veto of the amendment is a line item veto and it restores code 101-7-241-53239 to \$10,000.

Councilwoman Cherry suggested a motion to restore \$10,000 in code 101-7-241-53239. The Law Director clarified that the Mayor's veto did that so the proper procedure would be to move to over-ride the mayor's veto and then vote down that motion. Councilwoman Cherry withdrew the suggested motion.

ADJOURNMENT: Noting no further business presented or discussed with Council, President Garnes adjourned the special meeting of City Council at 7:05 P.M.

ARTHUR GARNES, COUNCIL PRESIDENT

GERARD YOST, COUNCIL CLERK