

**MINUTES OF THE FEBRUARY 20, 2018
REGULAR MEETING OF THE ALLIANCE CITY COUNCIL**

The meeting was called to order by President Garnes at 7:00 P.M. Councilman Dordea then gave the invocation and led the meeting in the Pledge of Allegiance.

ROLL CALL: Sheila K. Cherry, Larry Dordea, James Edwards, Julie Jakmides, Cindy King, Roger Rhome, and Brian Simeone present.

Minutes of the February 5, 2018 Regular Council Meeting and the February 5, 2018 Special Council Meeting were distributed electronically to all members prior to the meeting. No additions, deletions or corrections were offered by Council Members. Minutes were received and filed as presented.

COMMUNICATIONS

1. Notice of February 20, 2018 Special Council Meeting
2. Memorandum From Mayor Andreani RE: Parks Levy Ballot Language
3. Memorandum From Mayor Andreani RE: Veto of Ordinance S78-17
4. Memorandum From President Garnes RE: Roundtable Discussion Guidelines
5. Notice of February 21, 2018 Downtown Special Events Commission Meeting
6. Second Printed E-mail from Firefighter's Union RE: Splitting of the Safety Service Director position and Union No Confidence vote
7. Letter and resume from Keane Toney RE: Interest in Safety Director Job
8. Notice of February 9, 2018 Historic Preservation Commission Meeting
9. Corrected Notice of February 9, 2018 Historic Preservation Commission Meeting
10. Notice of February 14, 2018 Special Parks Board Meeting
11. Letter from the Stark County Board of Elections RE: Certifying the Levy issue for the Ballot

Motion and second to receive and file all communications tendered to the Clerk. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

ADMINISTRATIVE REPORTS:

Mayor Andreani: Reported that the Recovery Plan is in progress and is due in about 30 days. The process will be to finalize the 2018 budget, formulate the mandated 3 year fiscal forecast and then set forth the recovery plan.

Noted the Parks levy has been certified to the ballot by the Board of Elections as issue 10.

Reported that Sanders Brothers are moving forward with the plan to re-open the former Thornes on South Union Avenue. They are announcing taking applications on social media and appears an opening will occur in April.

Councilman Dordea addressed the veto of Ordinance 78-17 and the "No Confidence" vote of the safety forces unions that the Mayor stated that this is somewhat expected due to negotiations but asked if the Mayor has spoken to the Union Reps. about this. Mayor stated "no" that it is his interpretation due to what was in the letters. Dordea went on to state that the public he has talked to states that Council should fire the Safety Service Director and he has explained that it is not within the Council's ability to fire a Mayor's appointee but asked if the mayor is

investigating the actions of the Director. The mayor stated that The Director is acting within his directives.

Councilman Edwards questioned if Sanders Brothers would be re-opening both former Thornes' Locations and Mayor Andreani stated no because they did not own the East State Street location, it was merely leased space.

Safety Service Director Dreger: Informed Council that parking tickets were issued due to the violations of the last Snow Parking ban violations. This approach was used rather than the more time consuming notification and towing.

Informed Council that the Street Department has moved off of the plowing split shifts to better deal with the pot holes in the day time. It may cause some overtime if we need to plow but was necessary to get crews busy on the pot holes.

Updated Council on the City's winter salt usage. Supply is back up due to the relative good weather and low usage.

Reviewed Ordinance 16-18.

Noted a Clerical error in Ordinance 15-18 and it was corrected prior to reading it tonight.

Councilman Edwards questioned the status of the EMS Sole Provider proposals. Director Dreger reported that they still reviewing the top 2.

Councilwoman Cherry requested the Director provide a corrected copy of Ordinance 15-18 and Mr. Dreger stated he would provide it.

Councilman Dordea commended Director Dreger for being present at the recent Police Department commendation ceremony but questioned why Mr. Dreger didn't speak up and congratulate the individuals. Mr. Dreger stated he spoke with the individuals personally.

Law Director Arnold: Reported that she has changed the manner of preparing Ordinances for Council. Stated that the requesting sponsor will get the Ordinance ahead of other members to allow for review. Director Arnold stated there are new request forms for legislation preparation designed to reduce confusion in content. She stated she will also distribute them in "Word Format" electronically.

Addressed the bidding of the Fire Billing Ordinances and reasons to find bidding not necessary.

Ms. Jakmides questioned the Law Director's examination of the legislation from North Canton and Director Arnold stated that she looked at what they billed for but not the process to see if it was bid or not. Ms Arnold stated that she never said North Canton's Law Director stated that the Contract should be bid. Ms. Jakmides questioned Ms. Arnold's change in position over the need to bid such a contract and Ms. Arnold stated she was merely trying to accommodate Ms. Jakmides desire not to bid the process. (The discussion culminated with Ms. Arnold distributing an e-mail chain between the two on the subject earlier in the day)

Auditor Knowles: Reviewed Ordinance 17-18 and various line items in the 2018 appropriations.

Councilwoman Cherry asked if we need some extra meetings to approve the budget and Mr. Knowles stated yes. Mayor Andreani stated he would check availability and set a special meeting.

STANDING COMMITTEE REPORTS:

Properties and Lands: Cherry: No formal report.

Safety & Judiciary: Dordea: Commended Chief Hunt for the work on attaining grants for the Fire Department.

Noted the recent Police Department Commendation Ceremony and stated it was a very profound ceremony. The only complaint was that the room was too small to get everyone in and do the ceremony justice.

Stated that he understands that the timing isn't right to ask to reconsider and over ride the Mayors veto of Ordinance 78-17 but he will ask to do so at a later date and hopes Council supports this

Stated that he supports Ordinance 15-18 because the Police Department needs the equipment but stated he is a little concerned that he Ordinance is vague. Director Dreger stated the Ordinance is intentionally vague to leave options open and get some equipment however it works out financially. Auditor Knowles stated that the amount is in the budget to accommodate this.

Utilities: Edwards: Reported support for Ordinances 13-18, 14-18, and 16-18.

Finance: Jakmides: Reported she met with Auditor Knowles to review Ordinance 17-18 and look at the numbers contained in the 2018 budget. Looking at potential across the board cuts to various department budgets. Also addressing the Legal Resources fund to divide it into more specific funds to better control the use of that fund since it was a real point of disagreement in 2017. Splitting the fund into smaller funds would better clarify its use and give a little more control.

Addressed the proposed Ordinance 18-18 and informed Council that 18-18, 19-18, 20-18 and 21-18 are really different versions of the same ordinance. The intent is to only present one (as 18-18) and disregard the other versions. Clerk Yost explained that only one version will be introduced and the numbers 19, 20, and 21 will be used later on future ordinances. This process made more sense than introducing all 4 and clearly intending to defeat 3 of the 4.

Councilwoman Cherry thanked Councilwoman Jakmides for the work on this process but stated that she believes more work needs to be done with the administration instead of a back and forth debate.

Councilman Edwards stated that the issue needs to be done rather quickly so that it can be included in the recovery plan and the deadline is coming quickly

Councilwoman Jakmides stated that her desire would be to utilized Ohio Billing since they are a local company and any contract dispute would be dealt with locally rather than in California

Councilman Dordea asked Chief Hunt if he had any preference and Chief Hunt stated he found

no problems with either company to which Mr. Dordea stated he too would prefer a local company.

Ms. Jakmides stated it seems the consensus of Council is, and her desire was to introduce Ordinance 18-18 as the version with “Soft” billing using Ohio Billing.

Community Development: King: No formal report but noted the Street Department is working hard to address the pot holes and asked the public to be patient.

Streets & Alley: Rhome: No formal report

Planning Zoning and Housing: Simeone: No formal report.

Public Speaks: John Connor of 1180 W. Milton addressed Council on the situation at our local schools with the recent lock downs, suicides, and threats. Stated that something needs to be done to address the kids and try to address the situation. Mr. Connor volunteered to be part of the solution and help address the problem if there is any avenue to do so.

Councilwoman Cherry thanked Mr. Connor and stated that the Johnson Athletic screening of Black Panther was an attempt to get kids together and help address these situations. She would be glad to work with Mr. Connor to try to do more.

ROUND TABLE DISCUSSION:

Councilwoman Cherry: Discussed Johnson Athletic Club movie screening of the new Marvel Black Panther Movie on February 17th and thanked all the organizations that participated including the YMCA and University of Mount Union It is important to support our community High School and Middle School Children.

Expressed support for Chief Hunt and Councilwoman Jakmides in efforts to bill for fire department activity but want to be sure it is done right.

Councilman Dordea: Questioned our Council rules regarding abstaining (it was explained that abstaining is only permitted if authorized by the body). Wanted to make sure Council understood you can't just abstain if you don't want to vote on something

Questioned a letter he was given prior to council (clerk explained some unopened mail addressed to certain members of council was in the packet and was given to the members. Clerk stated he did not open or preview the mail as it was sealed and addressed to the individuals)

Addressed Mr. Connor's concerns with our Youth and Schools. Stated we as a community need to do something more because it is becoming out of control much like the opioid epidemic.

Stated he still desires to address the Mayor's veto of Ordinance 78-17 when the timing is right

Councilman Edwards: Thanked Mr. Connor coming and expressing his concerns. Stated the community needs to come together and address the situation.

Thanked the media for the coverage of the Police commendation ceremony and also stated the room was too small to properly address this significant event.

Councilwoman Jakmides: Addressed concerns of the Law Director in the performance of her duties over the past several months. Pointed out problems with the Parks Levy getting on the ballot and getting language correct in the resolutions. Stated the Mayor had to appear at a Board of Elections meeting to get it on the ballot.

Stated that the Law Director didn't supply documents requested in discovery in the Okey Open meetings lawsuit resulting in problems and a continuance

Stated that the Law Director continues to flip flop on the need to bid the fire billing contract and would not draft the requested legislation as requested.

Stated that she is glad Law Director Arnold distributed the e-mail correspondence between them so other members can see the problems and stated she is trying her best to do her job as a councilman for the city in spite of the efforts of the Law Director to stop her.

Councilwoman King: Thanked Mr. Connor coming and expressing his concerns. Stated the community needs to come together and address the situation. Stated she has children in the school that were under lockdown today and understands the fear the kids have.

Discussed the veto of ordinance 78-17 and stated she is undecided how she feels about the mayor's veto

Councilman Rhome: Thanked Mr. Connor coming and expressing his concerns. Stated the community needs to come together and address the situation and he will help however he can.

Asked citizens to be patient while the street department addresses the pot holes. They are working hard to correct them.

Councilman Simeone: Stated that he is against the Mayor's veto of Ordinance S78-17. Stated that even if he had voted against 78-17 he would vote to over ride a veto because he doesn't think it is right for a Mayor to over turn the vote of Council.

THIRD READINGS:

Ordinance 07-18: Introduced by Rhome: An Ordinance making appropriations and transfers of funds to provide for necessary expenses and adjustments; and declaring an emergency. Motion and Second to Adopt with intent to defeat. Voice Vote: Unanimous. **DEFEATED.**

SECOND READINGS:

Ordinance 09-18: Introduced by Jakmides: An Ordinance establishing and implementing a program to charge mitigation rates for the deployment of emergency and non-emergency services by the Fire Department for services provided/rendered by the City of Alliance. Motion and Second to suspend the rule requiring 3 readings. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

NEW BUSINESS:

Ordinance 12-18: Introduced by Cherry: An Ordinance authorizing and directing the Director of Public Safety and Service to enter into separate lease agreements of lands bordering Westville lake Reservoir situated in Knox Township, Columbiana County, Ohio. Motion and Second to suspend the rule requiring 3 readings. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

Ordinance 13-18: Introduced by Edwards: An Ordinance authorizing and directing the Director of Public Safety and Service to negotiate and enter into professional services contract(s) for multi-year asset management for the engineering, repair, management and maintenance of water storage tanks and appurtenant facilities owned, operated and maintained by the City; and declaring an emergency. Motion and Second to suspend the rule requiring 3 readings. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

Ordinance 14-18: Introduced by Edwards: An Ordinance authorizing and directing the Director of Public Safety and Service to enter into an agreement with Utility Service Partners for the marketing of service line insurance to Alliance water and sewer customers. Motion and Second to suspend the rule requiring 3 readings. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

Ordinance 15-18: Introduced by Dordea: An Ordinance authorizing and directing the Director of Public Safety and Service to enter into contract for the purpose of purchasing up to three new or used police vehicles. Motion and Second to suspend the rule requiring Finance Committee review: Voice Vote: Unanimous. Motion and Second to suspend the rule requiring 3 readings. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

Ordinance 16-18: Introduced by Edwards: An Ordinance authorizing and directing the Director of Public Safety and Service to extend water services to an area outside the City limits and currently without water service; and declaring an emergency. Motion and second to excuse Councilman Rhome. Voice Vote: Unanimous. Motion and Second to suspend the rule requiring 3 readings. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

Ordinance 17-18: Introduced by Jakmides: An Ordinance making permanent appropriations for 2018 for the general fund, water fund, sewer fund and other city funds, and authorizing the auditor to draw payments from those appropriations upon receiving proper certificates and vouchers; and declaring an emergency. **NO FORMAL ACTION.**

Ordinance 18-18: Introduced by Jakmides: An Ordinance establishing and implementing a program to recover costs for the deployment of Emergency and Non-emergency services by the Fire Department for services provided / rendered by the City of Alliance, and amending Chapter 143. Motion and Second to suspend the rule requiring 3 readings. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

OLD BUSINESS:

Ordinance S59-17 - Introduced by Cherry. An Ordinance amending Alliance Codified Ordinance Section 1501.14 Fee Schedule, Ohio Fire Code. Motion and Second to bring Ordinance 59-17 forward from old business. Voice Vote: Unanimous. Motion and Second to substitute Ordinance S59-17. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

Ordinance S61-17 – Introduced by Jakmides. An ordinance amending Chapter 143 and implementing a program to recover costs associated with the delivery of public safety services that are required due to an individual’s negligence and are beyond the usual basic public safety services. Motion and Second to bring Ordinance 61-17 forward from old business. Voice Vote: Unanimous. Motion and Second to substitute Ordinance S61-17. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

OLD BUSINESS:

ADJOURNMENT: Noting no further business to come before this Council, President Garnes adjourned the meeting at 9:10 PM

SUMMARY OF ACTIONS TAKEN:

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| Ordinance 09-18 | ADOPTED |
| Ordinance 12-18 | ADOPTED |
| Ordinance 13-18 | ADOPTED |
| Ordinance 14-18 | ADOPTED |
| Ordinance 15-18 | ADOPTED |
| Ordinance 16-18 | ADOPTED |
| Ordinance 17-18 | ADOPTED |
| Ordinance S59-17 | ADOPTED |
| Ordinance S61-17 | ADOPTED |

ARTHUR GARNES, COUNCIL PRESIDENT

GERARD T. YOST COUNCIL CLERK