

**MINUTES OF THE JANUARY 2, 2018
REGULAR MEETING OF THE ALLIANCE CITY COUNCIL**

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

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

APPOINTMENT OF TEMPORARY CLERK: President Garnes appointed Kevin Knowles as temporary clerk

APPOINTMENT OF CLERK: President Garnes informed Council that he received one letter of interest from Gerard Yost expressing a desire to continue as Council Clerk. He then asked if there were any other individuals of interest or what the desires of Council were. Motion and second to appoint Gerard Yost as Council Clerk of City Council: **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

ELECTION OF PRESIDENT PRO-TEM: President Garnes asked for nominations for President Pro-Tem of City Council. Councilman Dordea was nominated. With no other nominations there was a motion and second to elect Larry Dordea President Pro-Tem of Alliance City Council: **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

ADOPTION OF RULES: President Garnes noted some recommended amendments to the rules existing rules provided by the Clerk. Councilman Dordea noted the needed to examine the existing rules and suggested a workshop to examine, discuss and possibly amend the existing rules. Noting the need for operating rules until such time as new amended comprehensive rules could be adopted, Council Clerk suggested adopting the existing rules on a temporary basis. Motion and second to adopt Rules of Council in effect for the last session of City Council with the understanding that a workshop will be set to examine them further: **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

COUNCIL COMMITTEE APPOINTMENTS: Motion and second to approve the following committee assignments: **Property and Lands:** Cindy King, Larry Dordea and Shelia Cherry (Chairman); **Safety and Judiciary:** Julie Jakmides, Cindy King and Larry Dordea (Chairman); **Utilities:** Roger Rhome, Brian Simeone, and Jim Edwards (Chairman); **Finance:** Larry Dordea, Roger Rhome and Julie Jakmides (Chairman); **Community Development:** Sheila Cherry, Brian Simeone, and Cindy King (Chairman); **Streets and Alleys:** Jim Edwards, Sheila Cherry, and Roger Rhome (Chairman); **Planning, Zoning, and Housing:** Julie Jakmides, Jim Edwards and Brian Simeone (Chairman) **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

Motion and second to approval the minutes of the December 28, 2017 Special Council Meeting. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

COMMUNICATIONS:

1. Notice of Cancellation of the December 29, 2017 Special Council Meeting.
2. Notice of Cancellation of the December 30, 2017 Special Council Meeting
3. Memorandum from Mayor Andreani RE: Appointments to Boards and Commissions.
4. Certificate of Estimated Property Tax Revenue from the Stark County Auditor.
5. Notice from University of Mount Union RE: Human Trafficking Awareness meeting
6. Mayor's Report to Council on the State of the City
7. Law Director's report on pending litigation
8. Notice of 2018 City legal holidays
9. Notice of 2018 City Council Regular meeting dated
10. Mayor's notice of line item veto of Ordinance 80-17

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

ADMINISTRATIVE REPORTS:

Mayor Andreani: Absent. No report.

Motion and Second to confirm the Mayor's appointments to the various Boards and Commissions including Arnold Hirvela to the Board of Zoning Appeals; Sarah Mastroianni and Pat Stone to the Green Commission; Tonia Burley and Patricia Tucker to the Health Board; Stacy Digianantonio to the Historic Preservation Board, Leigh Mainwaring and Vince Obmann to the Shade Tree Commission; and Richard Burton, Vince Obmann and Sheilah Smith to the UDAG Revolving Loan Fund Committee. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

Motion and Second to appoint David Dreger to the Water and Sewer Advisory Board. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

Safety Service Director Dreger: Handed out the Mayor's written notice of veto regarding Ordinance 80-17

Noted the Damage to a police patrol vehicle involved in a traffic crash. Stated the city is awaiting insurance assessment of the damage.

Reported the State Fire Marshal's grant will purchase MARCS radios for the City

Reported that the City is moving forward on the single provider EMS contract award. Proposals have been submitted and are being reviewed by the Fire Chief.

Questioned by Councilman Dordea regarding the authorized strength of the Alliance Police Department and specifically the authorized number and current Captains. Mr. Dreger stated the authorized strength is 2 Captains but the department currently has 3. Dordea questioned the legality of this and asked the Law Director to investigate the legality and liability of this situation.

Law Director Arnold: Reviewed the report she distributed on pending litigation involving the City

Distributed and reviewed a report on the Ordinance changes that would be necessary if Ordinance 78-17 passed splitting the Safety Service Director's Position into two positions.

Received questions from Councilwoman Jakmides regarding items in the Litigation report including the Lamar advertising litigation.

A second Question was raised by Jakmides about the legality of the Mayor's line item veto of Ordinance 80-17 and how the Mayor can veto an amendment to an ordinance.

Councilman Edwards questioned the status of the Terry's Tire Town Case and if the settlement money is secured. Law Director stated the settlement proceeds are escrowed with the Court so no money will be lost while the disbursement issue is resolved.

Councilwoman Cherry asked the Law Director to provide a clearer report on the necessary changes ordinance 78-17 cause.

Councilman Dordea asked if all the changes as well as the splitting of the position could be incorporated into one single ordinance and the Law Director stated that it could.

Councilman Dordea questioned if the Mayor's action regarding Ordinance 80-17 hindered the City's

ability to operate under a temporary budget. Law Director was asked to research this situation further for the next meeting.

Auditor Knowles: Reviewed the Resolution 3-18, and Ordinances 72-17; 73-17; 74-17; 75-17; 76-17; 77-17; and 79-17.

Reported that the Auditor's office is currently working on final balances for 2017.

Councilman Dordea questioned the status of the contracts for the collective bargaining agreement ordinances and Auditor reported the agreements were ratified by the bargaining units everyone is just reviewing and double checking the specific language and our labor counsel still needs to review once Council approves. Dordea further questioned if we can afford these agreements and the Auditor stated we really can't afford much but most of these are not general fund employees.

STANDING COMMITTEE REPORTS:

Safety & Judiciary: Dordea: Thanked fellow Council members for electing him President Pro Tem.

Thanked the Clerk for taking the time to review the Council Rules and make suggestions for modifications. Stated that he believes Council should take a comprehensive look at the rules to make things better and maybe streamline things

Thanked the Law Director for the comprehensive work on ordinance modifications necessary if Ordinance 78-17 were to pass.

Motion and second to hold a special workshop session of Council on January 16, 2017 at 6 P.M. in Council chambers to review Council Rules, review Ordinance 80-17 and the Mayor's veto and Ordinance 78-17. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

Stated that he is in favor of Resolution 3-18 and that makes him a little more accepting of the various collective bargaining agreements that are pending.

Finance: Jakmides: Expressed her dissatisfaction with the mayor's veto of "the amendment" to Ordinance 80-17. Questioned the mayor's ability to veto an amendment to legislation by Council. Jakmides further expressed dissatisfaction with the Administration's attempt to assume Council's duty to manage the City's finances.

Jakmides expressed a desire to work more closely and communicate better with the Administration and fellow Councilmembers in the new year but held reservations after receiving the mayor's written veto at the meeting without prior communication and without the mayor present tonight to address his actions.

Expressed a desire to spend time examining Ordinance 78-17 and the various options

Expressed a desire to seek the Stark County Building Department's help at streamlining our building department and maybe utilizing the County to handle our building matters.

Expressed extreme dissatisfaction with the continued use of Clemons Nelson in the City's Labor issues. Noted the need for labor counsel in these matters but classified Clemons Nelson as a cancer that is destroying our city and causing dysfunction among our employees.

Community Development: King: No formal report.

Planning, Zoning, & Housing: Simeone: No formal report but looking forward to the work ahead.

Utilities: Edwards: No formal report.

Streets & Alley: Rhome: No formal report but thanked the Street Department for the work on the streets in the bad weather over the holidays.

Properties and Lands: Cherry: No formal report.

Public Speaks: Kim Cox of 2930 South Union read a prepared statement asking for support of a Property tax levy to support the park system.

Jennifer Mastroianni of 1135 Glamorgan Street spoke on behalf of the Parks Board asking for support of a Property tax levy to support the park system.

Motion and Second to take business out of Order and address Resolution 3-18. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

Resolution 3-17: Introduced by Council as a Whole: A Resolution certifying to the Board of Elections the issue of a 3Mill additional tax levy for Park and Recreation purposes pursuant to Ohio Revised Code Section 5705.19(H) for a period of five years to be voted upon by the electors of the City of Alliance; and declaring an emergency. Motion and second to suspend the rule requiring 3 readings. Voice Vote: Unanimous. Motion and Second to adopt. Roll Call Vote: 4 in favor 3 (Cherry, King and Simeone) against. **ADOPTED.**

THIRD READINGS:

Ordinance 72-17 - Introduced by Jakmides. An Ordinance adopting sections 718.80, 718.81, 718.82, 718.83, 718.85, 718.851, 718.86 718.87, 718.88, 718.89, 718.90, 718.91, 718.92, 718.93 718.94, and 718.95 of the Ohio Revised Code and amending sub-sections 182.03(1) and 182.03(14)(A)(i) and 182.03(a)(A), 182.03(23), 182.03(44) 182.062(D), 182.063(B), and 182.07(C) of the Codified Ordinances of the City of Alliance; and declaring an emergency. **NO FORMAL ACTION.**

Ordinance 73-17 – Introduced by Council as a Whole. An Ordinance ratifying a Contract between the City of Alliance and the Alliance Water and Sewer Distributing Employees Association; and declaring an emergency. Motion and Second to Adopt: Voice Vote: Unanimous. **ADOPTED.**

Ordinance 74-17 – Introduced by Council as a Whole. An Ordinance ratifying a Contract between the City of Alliance and the Alliance Water Pollution Control Employees Association; and declaring an emergency. Motion and Second to Adopt: Voice Vote: Unanimous. **ADOPTED.**

Ordinance 75-17 – Introduced by Council as a Whole. An Ordinance ratifying a Contract between the City of Alliance and the Alliance Wastewater Treatment, Water Treatment, Water Distribution, and Street Department Employees Association; and declaring an emergency. Motion and Second to Adopt: Voice Vote: Unanimous. **ADOPTED.**

Ordinance 76-17 – Introduced by Council as a Whole. An Ordinance ratifying a Contract between the City of Alliance and the Administrative and Finance Employees Association; and declaring an emergency. Motion and Second to excuse Councilman Rhome due to a conflict of interest. Voice Vote: Unanimous. Motion and Second to Adopt: Voice Vote: Unanimous. **ADOPTED.**

Ordinance 77-17 – Introduced by Council as a Whole. An Ordinance ratifying a Contract

between the City of Alliance and the Federation of United Employees; and declaring an emergency. Motion and Second to Adopt: Voice Vote: Unanimous. **ADOPTED.**

Ordinance 78-17 – Introduced by Dordea. An Ordinance repealing Alliance Codified Ordinance 139.01. **NO FORMAL ACTION.**

Ordinance 79-17 – Introduced by Council as a Whole. An Ordinance amending Ordinances 7-91, 161.99 and 30-15 wages, salaries and work benefits for employees of the City of Alliance who are not represented by a collective bargaining agreement; and declaring an emergency. Motion and Second to Adopt: Voice Vote: Unanimous. **ADOPTED.**

Second Readings: None

New Business:

Ordinance 1-18: Introduced by Council as a Whole: An Ordinance authorizing and directing the Director of Public Safety and Service to enter into a two-year contract to provide legal counsel to indigent persons charged with loss of liberty offenses in the Alliance Municipal Court; 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 2-18: Introduced by Councilman Simeone: An Ordinance accepting and approving the replat of lot 11790 and part of outlot 11 located at 1000 North Union Avenue in the City of Alliance, County of Stark and State of Ohio. Motion and Second to refer to the Planning Commission. Voice Vote: Unanimous. **REFERRED TO PLANNING COMMISSION.**

Proclamation: Introduced by Council as a Whole and the Administration: A Proclamation honoring Don Kline for his dedication, commitment and service to Alliance. Motion and Second to Adopt: Voice Vote: Unanimous. **ADOPTED.**

ADJOURNMENT: Noting no further business to come before this Council, President Garnes adjourned the meeting at 8:38 P.M..

SUMMARY OF ACTIONS TAKEN:

Ordinance 72-17	THIRD READING
Ordinance 73-17	ADOPTED
Ordinance 74-17	ADOPTED
Ordinance 75-17	ADOPTED
Ordinance 76-17	ADOPTED
Ordinance 77-17	ADOPTED
Ordinance 78-17	THIRD READING
Ordinance 79-17	ADOPTED
Ordinance 1-18	ADOPTED
Ordinance 2-18	REFERRED TO PLANNING COMMISSION
Resolution 3-18	ADOPTED

ARTHUR GARNES, COUNCIL PRESIDENT

GERARD T. YOST, COUNCIL CLERK