

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

The meeting was called to order by President Garnes at 7:00 P.M. Councilwoman Cherry 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 January 2, 2018 Regular Council Meeting were distributed electronically to all members prior to the meeting. No additions, deletions or corrections were offered. Motion and second to receive and file the Minutes. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

**COMMUNICATIONS:**

1. Notice of January 16, 2018 Special Council Workshop Meeting
2. Memorandum From Mayor Andreani RE: Re-appointments to Historic Preservation Commission
3. Notice of January 18, 2018 Park Board Meeting
4. Memorandum from Law Director Arnold RE: Legal Opinion
5. Minutes of the September 19, 2017 Board of Zoning Appeals meeting
6. Memorandum From State Auditor Knowles RE: Statement of Cash Position
7. Memorandum From Mayor Andreani RE: Receipts collected in December 2018
8. Memorandum From Stark County Board of Elections RE: Requirements for filing ballot issue
9. Letter from David Putterbaugh RE: Interest in re-appointment to the Water and Sewer Advisory Board

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

Motion and second to re-appoint David Putterbaugh to the Water and Sewer Advisory Board. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

**ADMINISTRATIVE REPORTS:**

**Mayor Andreani:** Asked Council to take action on the confirmation of the re-appointment of Robb Hyde and Kris Benedetto to the Historic Preservation Commission.

Motion and second to confirmation of the Mayor's re-appointment of Robb Hyde and Kris Benedetto to the Historic Preservation Commission. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

Reported that a number of years ago the City appointed a "Blue Ribbon Committee" to look at the City's operation looking for way to save money. This would be a requirement if the City were placed in Fiscal Emergency but is a good idea no matter what the status is actually set by the State Auditor. Asked the Council to consider utilizing a similar panel called an advisory board and asked that the Finance Chairman and Council President be part of that.

Distributed a report on the various “permits” on the books for the city along with an accounting of the revenue generated from them. Discussed the various antiquated permits and the old antiquated language, particularly the definitions associated with them. Advised Council that these should all be looked at and if any are retained the language should at least be updated.

Councilman Dordea questioned if a permit is needed currently for the pop-up parking lot carnivals that come along. The Mayor stated the permits talk about “Circus” permits but not “Carnival” permits and no one can remember the last “Circus” to come to town.

Councilwoman Jakmides stated that she believes the Ohio Department of Agriculture inspects the portable rides for the carnivals and stated we should check the regulations to see if we have any additional regulatory power over these carnivals.

**Safety Service Director Dreger:** Discussed water quality and stated that the MIB levels have been extremely high over the past several months. Stated the treatment processes have been in full operation and it seems to be working to mostly eliminate odor and taste problems. It is at least working better than the old methods when the levels were this high in the past. Told Council to expect the treatment processes to be in place until about April.

Stated that the City issued a parking ban this past weekend due to the snow fall. No Towing took place and although there were more than a hundred cars on City Streets when you spread it out throughout the City it wasn't that bad. Mr. Dreger stated that he is working on a system of ticketing these vehicles rather than towing in the future. Towing accomplishes the goal of getting people to comply and is far less labor intensive and time consuming than locating owners and towing.

Stated that the first quarter statistics using the recycling carts is in and it appears our City wide recycling tonnage has about doubled. This will mean more income coming back to the City to fund Keep Alliance Beautiful and similar programs. This was the projected outcome and so far the projections were right.

Announced the Civil Service Commission meets this week and we should have an active list for Fire Department candidates soon. This will give the Fire Department an active pool to draw new hires from.

Reviewed Ordinances and Resolutions 4-17; 5-17; and 6-17

Councilman Edwards questioned what invokes a parking ban and Mr. Dreger explained.

**Law Director Arnold:** Reported that she investigated the question of Skyping information from a potential vendor into a committee meeting. Ms. Arnold reported that her opinion is that the participation of a potential vendor by way of Skype would be okay but has reservations if the meeting is anything more than informational. Therefore Ms. Arnold advised holding one meeting to obtain information and a separate meeting or at least a distinctly separate time in the meeting to discuss, debate, and vote on any action.

Reported that she examined the staffing levels of the Alliance Police Department, particularly the authorizing of 2 Captains and the current staffing level of 3. Ms Arnold stated that she

believed it to be okay since it is a temporary thing and the department is expected to return to 2 Captains relatively soon. Ms Arnold distributed a settlement agreement in the Jenkins grievance matter to show the intended outcome of staffing levels.

Ms. Jakmides question who prepared the settlement and Ms Arnold stated that she did not and was not sure who did.

Ms. Jakmides questioned the legal opinion issued on the veto matter and asked Ms. Arnold how the cases cited support her conclusion. Ms. Arnold answered that she stands behind her opinion based upon her research whether or not Council members agree.

**Auditor Knowles:** Reviewed the Statement of Cash Position and General Fund Recapitulation

Stated that he expects a determination from the State Auditor very soon and a plan needs submitted by the City within 60 days. It will probably be necessary to schedule a meeting or finance committee meeting to start formulating a plan fairly quickly

Councilman Dordea pointed out the carry over this year is relatively the same as last year and questioned why Fiscal Watch or Fiscal Emergency now when it wasn't last year on the same facts. Mr. Knowles explained that the State has a criteria and part of it is performance over a number of years.

Councilman Edwards asked the timing for a response to the State Auditor and Mr. Knowles explained.

Councilman Dordea asked if the formation of the Mayor's requested Advisory Panel and the proposed ballot issue for a park levy satisfy the State Auditor of a plan for fiscal repair. Mr. Knowles stated it would help but unsure if it would be enough.

Councilwoman asked if a follow-up meeting with the individuals from the State Auditor's office would be beneficial to see what they were expecting in the 60 day plan.

#### **STANDING COMMITTEE REPORTS:**

**Properties and Lands: Cherry:** No formal report but the Community Development Committee met last week and it was brought to her attention a possible plan to work with Green City Growers in Cleveland to institute a similar plan in the North End of Alliance.

**Safety & Judiciary: Dordea:** Reported again on the concerns of the operations of the Safety Service Director and again stated he believes the job is too big for one person. Mr. Dordea asked for support of his proposal in Ordinance 78-17 but admitted it is too vague in its current format and needs amended. Requested that the Law Director sit down with him and discuss specifics to incorporate duties, salary, benefits, hours, residency requirements (or none), and the other specific ordinances that would be amended to reflect "Safety Director" or "Service Director" within it. Ms Arnold stated she would make herself available to meet, just contact her.

Mr. Dordea questioned the possibility of a water line maintenance insurance similar to that of other utility companies that would cover customer costs in the event of a major incident or

break. Mr. Edwards relayed to Mr. Dordea that this issue is on the agenda for the next Water and Sewer Advisory Board meeting. Mr. Dreger stated that the question has been raised before but the Water and Sewer Advisory Board has never taken any action on it so maybe this board will.

**Utilities: Edwards:** No formal report.

**Finance: Jakmides:** Reported she is setting up a committee meeting to gather information of Ordinance 61-17. In light of the Law Directors report there will likely be two scheduled meetings.

Addressed the Mayor's line item veto of Ordinance 80-17 and the subsequent Law Director's opinion on the issue. Ms. Jakmides stated that she strongly disagrees with the Law Director's opinion and believes the Administration is attempting to remove Council's fundamental responsibility as the body responsible for setting the appropriations. Ms. Jakmides stated that she has discussed the matter with at least three other attorneys who all came to the opposite conclusion of the Law Director. Ms. Jakmides stated that since this is an item for legal services the Law Director has an apparent conflict of interest but chose to issue the opinion supporting the appropriation of money. Ms. Jakmides stated that she is not yet aware of what remedy is available to her to remedy this situation but she is seeking it.

**Community Development: King:** No formal report.

**Streets & Alley: Rhome:** No formal report

**Planning Zoning and Housing: Simeone:** No formal report.

**Public Speaks:** None

**THIRD READINGS:** None

**SECOND READINGS:**

**Ordinance 2-18:** Introduced by Councilman Edwards: 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. **NO FORMAL ACTON.**

**NEW BUSINESS:**

**Resolution 04-18** – Introduced by Jakmides. A Resolution authorizing the sale, by internet auction during calendar year 2018, of City owned personal property which is not needed for public use or which is obsolete or unfit for the use for which it was acquired. Motion and Second to suspend the rule requiring 3 readings. Voice Vote: Unanimous. Motion and Second to Adopt. Discussion was had on the language naming a provider within the body of the ordinance and if other options were available. After the discussion, the motion to adopt was withdrawn. **NO FORMAL ACTON.**

**Ordinance 05-18:** Introduced by Dordea: An Ordinance authorizing and directing the Director of Public Safety and Service to apply for an Ohio Bureau of Workers Compensation (BWC)

Firefighters Exposure to Environmental Elements Grant (FEEG) for \$15,000.00 to purchase safety equipment needed by the Fire Department; 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 06-18:** Introduced by Dordea: An Ordinance authorizing and directing the Director of Public Safety and Service to apply for an Assistance to Firefighters Grant (AFG) for \$150,000.00 to purchase safety equipment needed by the Fire Department; 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 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 suspend the rule requiring 3 readings. Voice Vote: 3 (Cherry, King, Rhome) in favor 4 (Dordea, Edwards, Jakmides, and Simeone) against. Motion fails. **NO FORMAL ACTON.**

**OLD BUSINESS:**

**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. Motion and Second to bring forward. Voice Vote: Unanimous. Discussion about the consequences of not passing it and status of the Lawsuit against it. 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 8:32 PM

**SUMMARY OF ACTIONS TAKEN:**

<b>Ordinance 72-17</b>	<b>ADOPTED</b>
<b>Ordinance 02-18</b>	<b>SECOND READING</b>
<b>Resolution 04-18</b>	<b>SECOND READING</b>
<b>Ordinance 05-18</b>	<b>ADOPTED</b>
<b>Ordinance 06-18</b>	<b>ADOPTED</b>
<b>Ordinance 07-18</b>	<b>FIRST READING</b>

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**ARTHUR GARNES, COUNCIL PRESIDENT**

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**GERARD T. YOST COUNCIL CLERK**