

**MINUTES OF THE JULY 6, 2020
REGULAR MEETING OF THE ALLIANCE CITY COUNCIL**

The meeting was called to order by President Garnes at 5:30 P.M. and he then gave the invocation and led the meeting in the Pledge of Allegiance.

ROLL CALL: Kris Bugara (remotely), Sheila Cherry (remotely), James Edwards (remotely), Andrew Grove (remotely), Edward Lohnes (remotely) and Phillip Mastroianni (remotely).

Minutes of the June 15, 2020 Special Council Meeting were distributed electronically to all members prior to the meeting. No deletions or corrections were offered by Council Members. Minutes of the meeting were received and filed.

COMMUNICATIONS:

1. Memorandum from Auditor Knowles RE: Income Tax Recapitulation

Motion and Second to record and file the communications tendered to the Clerk. Roll Call: Unanimous. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

ADMINISTRATIVE REPORTS:

Mayor Andreani: (remotely): Updated the City continuity of operations amid the COVID-19 situation. Noted that 59 Alliance residents have tested positive and 2 residents have died. The Administration is in the process of reviewing the Governor's color grading system and reviewing the requirements. The Current stay at home order is due to expire on July 7th so the City must be ready to be in compliance with the new requirements. The Administration is reviewing mandatory mask requirements and how a statutory city would enact such an ordinance if it becomes necessary. Most localities that have enacted such requirements are Charter Cities so Alliance has to review how a Statutory City would act. Consulting with the Law Director and Council may be asked to act if necessary.

Updated everyone on the City participation in the census. The City has reached out to area pastors to utilize them to get the word out to their congregations to participate. Reporting in Alliance is at about 64% with the State average at 66% and this is relatively the same as last month. It seems that reporting has reached a plateau and is not progressing

Encouraged citizens to take the COVID-19 situation seriously and continue efforts to stop the spread. Encouraged citizens to wear a mask/face covering, maintain social distancing and continue to be diligent in sanitation efforts.

Councilwoman Cherry questioned Mayor Andreani about possible locations for a voter registration and census participation drive. Mayor Andreani suggested private churches and other locations and suggested the 10 person maximum and social distancing should be followed.

Councilman Mastroianni questioned if any other community in Stark County is considering mandatory face covering requirements. Mayor stated that Communities throughout the State where it has been put in place all appear to be Charter Communities. The three major cities in Stark County are all Statutory Cities so the process may be quite different. All are looking at what may need to be done in the event Stark County's Color classification worsens. Stated that it is unclear if the Cities need to enact regulations or if the County does it.

Safety Service Director Dreger: (remotely): Discussed the fact that the Ohio EPA is now allowing water shut offs for non-payment beginning Friday July 10th. This has not been a major

problem but the City will begin sending notices to delinquent customers in the July bill and work with individual customers to get on a payment plan to avoid shut offs the City will not begin delinquent account shut offs until August if necessary. Mr. Dreger encouraged any delinquent customer to contact the City to avoid being shut off.

Announced that based upon the success of the concrete street rehab program last year, the Street Department crews are out rehabbing more concrete streets with an overlay throughout the City.

Reviewed Ordinances 52-20 and 53-20. Asking for action on those ordinances tonight so that work can proceed.

Announced there will be a Civil Service test administered for the police department and stressed the public meeting the requirements should apply.

Councilwoman Cherry questioned the clean up of the former gas station at Arch and Oxford. Director Dreger stated there is nothing new since last meeting. It is not where we want it to be but there has been some improvement. Economics with Marathon Oil has slowed progress but they are still cooperative about clean up.

Councilwoman Cherry also questioned efforts to slow speeding traffic on Pike Street with enforcement, monitoring equipment of speed bumps. Director Dreger stated the Police Department has been monitoring and the City is struggling to keep the speed monitoring equipment working. Director Dreger also stated that speed bumps are no longer sanctioned by the uniform traffic code. Councilwoman Cherry stated that there were speed bumps in the area years ago. Mayor Andreani stated that he did not remember the speed bumps in the area but affirmed that the Uniform Traffic Code no longer sanctions installation of speed bumps on public roadways.

Law Director Arnold:

Reported the City held its first Jury Trial since the pandemic last week. The Firehouse Theater was utilized to accommodate social distancing and all went well.

Auditor Knowles: Described that the “Guest” window on the meeting screen was designated to the public kiosk in the Administration lobby for the Public hearing. Mr. Knowles stated that there is a monitor in the lobby and how the public comment would be conducted.

Reviewed the Income Tax recapitulation and 2019 comparison and reminded everyone that the filing deadline for 019 income taxes is approaching on July 15th.

Announced that the bids for 2019 paving are due on July 8th and when reviewed there can be a decision made on what will be paved.

Reported that \$527,000.00 was received by the City in Cares Act funding. The Administration is currently reviewing what it can be used for. It cannot be used to replace lost general revenue but rather has to be used directly for reimbursement of expenses related to COVID.

PUBLIC HEARING: At 6:01 pm President Garnes announced we would be entering the Public Hearing on Ordinance 25-20 and what the procedure would be. Clerk Yost read the Notice of the Public Hearing. Councilman Mastroianni then announced that he had received eight e-mails from citizens regarding the public hearing in accordance with the instructions

within the notice. Mr. Mastroianni then read the aforementioned e-mails aloud into the record. E-mails were received from the following individuals:

1. Cheryl Lundgren, a member of the City Planning Commission submitted an analysis of the proposal to change the South Side of Hartshorn from R-1 to B-2. Ms. Lundgren outlined the reasons for granting the change including the expansion of businesses with a State Street address, space for additional parking options for State Street business, and for ingress and egress to Hartshorn St. for State Street business parking lots. Ms. Lundgren went on to describe the businesses that exist on the North Side of State Street are mostly small businesses with adequate space and formed with full knowledge of the zoning when established. Ms Lundgren stated the benefits to the State Street businesses would be modest at best and would not lead to substantial growth. Ms. Lundgren stated the negative impact on the neighboring residential properties including more parking lot lighting, ingress and egress options resulting in headlights/taillights shining into north side of Hartshorn houses, greater potential for viewing dumpsters and garbage trucks, and business signage. She stated the property values on the North side of Hartshorn Street would likely decrease making it difficult to sell property as an owner occupied, single family home and making it likely that owner occupied homes would, over time, become rental property. In conclusion Ms. Lundgren stated that there is no compelling reason to change the zoning on the south side of Hartshorn Street from R 1 to B 2.
2. John Christian asked for support of the proposal to change the South Side of Hartshorn from R-1 to B-2. Mr. Christian stated that this section does not face the front of any neighborhood properties and the Walton-Schrader Funeral Home has used access to Hartshorn Street since the 1950's.
3. Jodie Sherban, Owner of Miabella Salon, asked for support of the proposal to change the South Side of Hartshorn from R-1 to B-2. Ms. Sherban stated that this is an opportunity to improve the safety of the citizens of Alliance. Ms. Serban cited the numerous traffic accidents in or near the 1000 block of West State Street due to the heavy traffic in the area. She stated that the rezoning would provide safer exits for West State Street businesses without having to exit onto the high traffic State Street. She stated that customers frequently use Fairway, Hartshorn and Parkway to avoid the congested traffic on State Street. Ms. Serban states that the 2016 change to another block of Hartshorn was done for the very same reasons and has not resulted in negative effects to the properties or neighborhood in that area.
4. Brad Goris asked Council to reject the proposal to change the South Side of Hartshorn from R-1 to B-2. Mr. Goris stated residents purchased homes on Hartshorn or adjoining streets over the past 50 years on the basis of the street being zoned residential on both sides and to make this radical zoning change in their neighborhood would be a betrayal of these residents. Mr. Goris stated owners of businesses along State Street in that area, most of which are currently offices, established themselves there with the full knowledge that the business zoning only goes back for half of the block. If they thought that they might someday need more space, they should have located on a larger site to begin with. He stated that if the south side of Hartshorn is developed commercially, the property values of residents on the north side, as well as adjoining streets, will most likely decrease due to increased traffic, noise, lighting at night, and the loss of that neighborhood feel. Mr. Goris stated that there is no apparent shortage of commercial property availability in Alliance. There are numerous unoccupied commercial properties on both East and West State Street. The need for additional commercial land has not

been established.

5. Larry Lacher of 1819 Fairview Place stated he wanted Council to reject the proposal to change the South Side of Hartshorn from R-1 to B-2. Mr. Lacher stated that noise from early morning garbage and delivery trucks already disrupts his sleep. Mr. Lacher cited the possible increased truck traffic in the neighborhood and possible winter street damage as reasons the proposal should be rejected. Mr. Lacher has concerns on the effect of his property value and what would happen with his real estate taxes.
6. Tom Moushey asked Council to reject the proposal to change the South Side of Hartshorn from R-1 to B-2. Mr. Moushey stated that nearly four years ago City Council approved the re-zoning of the one block of Hartshorn Street from Rockhill to Parkway on both the north and south sides of the street with an implication that a commercial development would happen soon and there was even a vague promise of a hotel within this same block that would generate \$300,000 in taxes for the City. This never happened and there is no commercial development, no additional taxes, and there appears to be no demand by commercial developers for the re-zoned properties. Mr. Moushey stated he is opposed to the proposed change because there has been no careful analysis by the City or developers regarding the need for the zoning change. The Committee was not presented with any specific reasons for the change other than the vague statements that some West State Street property owners have made their request. Mr. Moushey stated the demand for additional commercial property has not been established and there are numerous unoccupied commercial properties on both East and West State Street in Alliance. Alliance has a high residential rental rate. No significant developments of new homes are occurring within the city. He stated re-zoning would significantly impact approximately 30 residential properties that are mostly owner occupied and the proposed re-zoning would contribute further to the problem of fewer owner occupied residential properties within the city. Mr. Moushey said proponents of the change have implied that this would increase property values. While the proposal could increase some property values when commercial developers make a purchase of those properties; properties that are adjacent to the newly developed commercial property or across the street from the newly developed commercial property would be adversely affected and could see a decline in their property values. Mr. Moushey believes the residential neighborhood could see substantial increase in traffic flow, noise and lights for parking lots, all of which would be unattractive for residential property owners. Mr. Moushey stated that the adoption of this proposed zoning change would send a clear message to homeowners in Alliance that residential zoning does not necessarily protect their properties and is subject to change based upon the desires of commercial developers with vague promises.
7. Brad Goris listed reasons why the West side of South Union, between the Sandy Antonasanti property and Maplewood Dr. should be changed to B-4 (Office Service) and NOT B-3 (Mixed Commercial). Mr. Goris stated B-3 would allow: Auto Parts Stores, Gas Stations w/ Convenience Stores, Auto Repair Shops, Home Improvement Stores, Hotels/Motels, Pawnshops, Restaurants (Fast food & Dine-In), Retail Stores up to 40,000 sq ft., Bars and Night Clubs. Further Mr. Goris stated that conditionally, B-3 would allow: Auto Body Shops, Theaters, Drive-Thru's, Rental Stores w/outside display, Retail Stores over 40,000 sq ft., Self-Storage Warehouses. Gr. Goris stated that South Union is one of the more attractive entrances to the City, with the Middle school & Silver Park along the route and it shouldn't be turned into another West State St. Mr. Goris stated there are still quite a few nice homes on both sides of the street in the area

in question with a few being used as offices. There are also some nice apartment buildings (residential) and a small church. B-4 would compliment the uses already there, would not conflict with current residential uses, and would preserve this attractive entrance from the South.

8. Larry Dordea of 191 Maplewood Drive Alliance wrote asking Council to reject the proposed change to South Union Avenue. Mr. Dordea first pointed to some discrepancies on the map regarding some unimproved streets and alleys. Mr. Dordea questioned the basis for the change citing the 2016 change to Hartshorn to accommodate a proposed commercial development. Mr. Dordea questioned what would be gained by the proposed change to South Union Avenue. Mr. Miller stated the fact that a large apartment complex, dentist office and a bed and breakfast and a Mary Kay “beautybarn” already exist on this area of Union Avenue it is not needed for commercial development. Mr. Dordea further stated that the proposal would change a portion of Maplewood Drive potentially disrupting it’s “parklike” setting. Mr. Dordea asked Council to deny the zoning change because it is not necessary and it has the real potential to permanently and negatively change landscape and property values in the area. In the alternative Mr. Dordea asked if would not deny the change, then restrict it to Union Avenue and allow Maplewood Drive to retain its historical residential parklike setting.

Additionally two individuals appeared at the public kiosk to address council. Those individuals were:

1. Edward Epp of 994 West Hartshorn Street who spoke against the proposed change to Hartshorn street. Mr. Epp expressed concern that there is no overall development plan for the area if the zoning change occurs. Mr. Epp is concerned the proposed change would have a negative impact on the value of his property and the neighborhood. Mr. Epp stated that he is concerned that he will end up living next door to parking lots, trash bins / dumpsters, and pass through traffic from State Street businesses.
2. Darla Richards of 991 West Hartshorn also spoke against the proposed change to Hartshorn street. Ms. Richards stated that she doesn't want to live across the street from Parking lots and dumpsters and stated that her grandchildren frequent her house and she doesn't want to lose the quiet beauty of the neighborhood. Ms. Richards stated that there is plenty of under utilized commercial property in Alliance and there is no need for this proposed change. Ms. Richards also stated that if the change to commercial is done it should be done to both sides of Hartshorn, not just the South Side. She stated that she doesn't want to look out her front window to the back of State Street commercial property.

The Public hearing concluded at 6:43 pm and Council resumed regular session.

STANDING COMMITTEE REPORTS:

Streets & Alley: Bugara: No formal report.

Properties and Lands: Cherry: Putting together a Resolution to oppose Racism and expect to get it to the Law Director to present to Council at the next meeting.

Utilities: Edwards: No formal report.

Finance: Grove: No formal report.

Community Development: King: Absent. No formal report.

Safety & Judiciary: Lohnes: Asking for action on Ordinances 49-20 and 52-20. Reported he received more requests to move forward with the legislation directed at feral cats. Passage would allow moving forward with the catch, spay/neuter, release program.

Planning Zoning and Housing: Mastroianni: Thanked all who gave input at tonight's public hearing on Ordinance 25-20.

PUBLIC COMMENT: Mayor Andreani reported that there was one correspondence received regarding Ordinance 49-20 which was forwarded to Councilman Lohnes who will address it during comment on the Ordinance.

THIRD READINGS: None

SECOND READINGS:

Ordinance 49-20: Introduced by Lohnes: An Ordinance amending Alliance Codified Ordinance section 505 animals and fowl. Mr. Lohnes stated that he had received correspondence regarding feral cats and addressing them. Reported he received more requests to move forward with the legislation directed at feral cats and passage would allow moving forward with the catch, spay/neuter, release program. Motion and Second to Suspend the rule requiring three readings. Roll Call: Unanimous. Motion and Second to adopt. Roll Call: Unanimous. **ADOPTED.**

Ordinance 47-20: Introduced by Mastroianni: An Ordinance vacating a part of two twenty (20) foot alleys, bounded on the North by lot 12084, a 20' alley and lot 12085; bounded on the South by lot 5792 and outlot 87; bounded on the East by lot 11623, lot 11624 and outlot 87; bounded on the West by North Union Avenue/SR 183 in the City of Alliance, County of Stark, and State of Ohio. Mr. Mastroianni asked if this Ordinance had been reviewed and approved by the Planning Commission and Mr. Dreger stated that it had. Motion and Second to Suspend the rule requiring three readings. Roll Call: Unanimous. Motion and Second to adopt. Roll Call: Unanimous. **ADOPTED.**

NEW BUSINESS:

Ordinance 51-20: Introduced by Cherry: An Ordinance accepting the proposed annual consolidated plan for the City of Alliance pursuant to the FY-2020 Community Development Block Grant Program in an amount not to exceed \$624,019.00; and declaring an emergency. Motion and Second to Suspend the rule requiring three readings. Roll Call: Unanimous. Motion and Second to adopt. Roll Call: Unanimous. **ADOPTED.**

Ordinance 52-20: Introduced by Lohnes: An Ordinance authorizing and directing the Director of Public Safety and Service to enter into a contract for the purpose of purchasing two new police cruisers through the cooperative purchasing programs of the State of Ohio or to advertise

for bids and enter into contracts with other vendors at the lowest and best price and to purchase necessary items to equip the cruisers, but for a cost not to exceed \$100,000.00 in any case; and declaring an emergency. Motion and Second to Suspend the rule requiring three readings. Roll Call: Unanimous. Motion and Second to adopt. Roll Call: Unanimous. **ADOPTED.**

Ordinance 53-20: Introduced by Edwards: An Ordinance authorizing and directing the Director of Public Safety and Service to advertise for bids and enter into a contract at a cost not to exceed \$75,000.00 for the replacement of the Water Treatment Plant roof; and declaring an emergency. Motion and Second to Suspend the rule requiring three readings. Roll Call: Unanimous. Motion and Second to adopt. Roll Call: Unanimous. **ADOPTED.**

Ordinance 54-20: Introduced by Mastroianni: An Ordinance accepting and approving the replat of all of Lots 7736, 7737, 7738, 7739 and 7740 located at 545 Buckeye Avenue, in the City of Alliance, County of Stark, and State of Ohio. Motion and Second to refer to the Planning Commission. Roll Call: Unanimous. **REFERRED TO THE PLANNING COMMISSION.**

OLD BUSINESS:

Ordinance 25-20: Introduced by Mastroianni: An Ordinance amending the Alliance City Zoning Code as adopted by Ordinance 130-05 and subsequently amended. Motion and Second to table action on Ordinance 25-20 until review of input from the Public Hearing. **NO FORMAL ACTION.** Mr. Edwards commented on the references made earlier to the re-zoning of Hartshorn from Rockhill to Parkway done in 2016. Mr. Edwards stated that part of the reason the proposed development never occurred was due to the time it took to get zoning approval and the project was no longer feasible.

MISCELLANEOUS BUSINESS:

Councilman Bugara: Wished everyone health and well wishes.

Councilwoman Cherry: Wished everyone health and well wishes. Asked everyone to be kind and to take the COVID virus seriously. Please wear a mask and sanitize.

Councilman Edwards: Stated be well, happy 4th of July holiday to everyone.

Councilman Grove: Expressed gratitude to everyone for well wishes during his recovery.

Councilman Lohnes: Asked everyone to continue social distancing, mask wearing and sanitization procedures.

Councilman Mastroianni: Thanked Council for patience getting through all of the email correspondence during the Public Hearing tonight

Council President Garnes: Reminded everyone that the virus is real. Stated that it seems until it reaches your family, people don't believe it is real.

Councilman Bugara asked if it were appropriate to excuse Councilwoman King as he didn't believe we addressed that at the beginning of the meeting. Auditor Knowles stated he got a text message after the meeting had started indicating she was unable to log in since her work ran over.

Motion and Second to excuse Councilwoman King due to work. Roll Call: Unanimous.
MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.

Motion and Second to adjourn the meeting. Roll Call: Unanimous. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

ADJOURNMENT: Noting no further business to come before this Council President Garnes adjourned the meeting at 7:04 PM.

SUMMARY OF ACTIONS TAKEN:

Ordinance 25-20	NO FORMAL ACTION
Ordinance 47-20	ADOPTED
Ordinance 49-20	ADOPTED
Resolution 51-20	ADOPTED
Ordinance 52-20	ADOPTED
Ordinance 53-20	ADOPTED
Ordinance 54-20	REFERRED TO THE PLANNING COMMISSION

**ARTHUR GARNES,
COUNCIL PRESIDENT**

**GERARD T. YOST
COUNCIL CLERK**