

**MINUTES OF THE OCTOBER 15, 2018  
REGULAR MEETING OF THE ALLIANCE CITY COUNCIL**

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

**ROLL CALL:** Sheila Cherry, James Edwards, Andrew Grove, Cindy King, Roger Rhome, and Brian Simeone.

Minutes of the October 1, 2018 Regular Council Meeting were distributed electronically to all members prior to the meeting. Noting no additions, deletions or corrections offered by Council Members. Minutes were received and filed.

**COMMUNICATIONS:**

1. Notice of the October 15, 2018 Public Hearing on Ordinance 64-18
2. Notice of the October 15, 2018 Public Hearing on Ordinance 67-18
3. Memorandum from Auditor Knowles RE: Sunshine Law Training
4. Notice of October 15, 2018 Claims Board Meeting
5. Notice of October 15, 2018 Community Development Committee Meeting Notice of October 15, 2018 Utilities Committee Meeting
6. Notice of October 18, 2018 Parks Board Meeting
7. Memorandum from Law Director Arnold RE: Claim of Albert and Crystal Nicholson
8. Minutes of the October 1, 2018 Claims Board Meeting
9. Notice of October 16, 2018 Ohio Edison Informational Meeting
10. Agenda for the October 16, 2018 Board of Zoning Appeals Meeting
11. Minutes of the September 18 Board of Zoning Appeals Meeting.
12. Memorandum from Mayor Andreani RE: Receipts in September 2018
13. Letter from James Dyke RE: EMS situations

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

**ADMINISTRATIVE REPORTS:**

**Mayor Andreani:** Related that he had a meeting with the Director of NOPEC and Mr. Mazola will be appointed to the NOPEC Board as the Stark County Representative. The “No Knock” directory is being formed for city residents and should be ready for enforcement in November.

Announced that The Chamber of Commerce held it’s annual Business Alliance Awards and Alliance Ventures was named small business of the year, Alliance City Schools was named large business of the year, and Scott Robertson was named the Spirit of Enterprise Winner for this year.

Announced Halloween Trick or Treat will be on Wednesday October 31 from 5 to 7 PM. Residents should turn on their porch light if they wish to participate.

Councilman Simeone questioned how the “No Knock” lists are distributed to vendors and the mayor explained the formation and distribution process.

Councilman Edwards questioned Resolution 71-18 and asked if this was new due to the park levy. Mayor and Auditor Knowles explained this is an annual thing done every year and is routine.

Councilwoman Cherry questioned if NOPEC was going door to door to solicit sign up. Mayor and Safety Service Director explained NOPEC enrollment is automatic and they are not going door to door, but that other aggregates are doing it trying to get business. No one to date has obtained a permit for this so if it happens report it to the administration.

**Safety Service Director Dreger:** Updated Council on the status of the NIP Program and stated that 117 houses have been obtained through the program and 105 of those are demolished and reimbursed to the City. To date the program has provided over \$1 Million to the City in acquisition and demolition costs.

The deer Creek boat ramp / marina project is progressing with lower water levels in Deer Creek. This may cause an increase in manganese in the water system which will cause discoloration in laundry. It hasn't happened but citizens should be aware that it could.

Announced that all but 200 water meters in the City system have been converted to the radio read system. Letters are going out to the final customers to schedule to have the conversion prior to any further enforcement methods. Hoping to get compliance without shut offs.

Reviewed Ordinances 72-18; 73-18 and 74-18

Question from Councilman Simeone about new cameras

**Law Director Arnold:** No formal report.

**Auditor Knowles:** Reviewed Resolution 71-18 and the need for action tonight.

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

**Properties and Lands: Cherry:** No formal report.

**Safety & Judiciary:** No formal report

**Utilities: Edwards:** Noted the Water and Sewer Advisory Board met on October 5, 2018 at 10:00 AM in the City Administration Building 2<sup>nd</sup> floor conference room and some action will be coming to Council for approval.

Reviewed the Utilities Committee meeting at 6:30 PM on October 15<sup>th</sup> in Council Chambers to meet with Ohio Edison and discuss infrastructure improvements.

**Finance: Grove:** Reviewed the General Fund “Detailed Trial Balance” and the “Statement of Cash Position” for the first 9 months of the fiscal year.

**Community Development: King:** No formal report but asking for support for Ordinance 70-18

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

**Planning Zoning and Housing: Simeone:** Asked for no action on Resolution 68-18 tonight.

**PUBLIC SPEAKS:** James Dyke of 761 Walnut Avenue spoke of problems with the sole provider EMS system.

Motion and second to adjourn or recess the regular meeting to allow the Claims Board to meet to review the Albert and Crystal Nicholson liability claim submitted against the City of Alliance. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

Council recessed the regular meeting at 7:30 PM

#### **CLAIMS BOARD MEETING:**

The Claims Board convened the meeting at 7:30 PM and Board Chairman Andrew Grove read the public notice. Mr. Grove then called the roll with members Grove and Rhome present.

Mr. Grove then stated the purpose of the meeting was to review written opinion of Law Director Arnold and other investigative evidence regarding the Albert and Crystal Nicholson liability claim submitted against the City of Alliance for a sewage back up that occurred on August 26, 2018 and make recommendations regarding disposition. Mr. Grove stated that Mr. and Mrs. Nicholson were notified of tonight's meeting on several occasions but have not appeared here tonight. Mr. Grove went on to outline the Law Director's written opinion and recommendation regarding the disposition of the claim as well as all of the facts obtained from the investigation. Mr. Grove then made a motion to deny payment of the claim which was seconded by Mr. Rhome. Voice Vote: Unanimous. Claim was denied.

Mr. Grove stated that a written letter regarding the denial will be sent to Mr. and Mrs. Nicholson and a written report on the action taken will be submitted to the clerk of Council.

With no further business before the Claims Board, the meeting was adjourned.

Council re-entered regular session at 7:38 PM

#### **ROUND TABLE DISCUSSION:**

**Councilwoman Cherry:** Nothing to discuss or report.

**Councilman Edwards:** Questioned the EMS minimum manning/squad requirements of the EMS contract and how the call priority is determined. Mr. Dreger responded with the contract requirement information.

**Councilman Grove:** Nothing to discuss or report.

**Councilwoman King:** Nothing to discuss or report.

**Councilman Rhome:** Nothing to discuss or report.

**Councilman Simeone:** Stated that he spent time with the Fire Department over Fire Appreciation week. Questioned a delay at getting repairs done at Station 1 and on the trucks. Mr. Dreger and Chief Hunt responded with information.

### **THIRD READINGS:**

**Ordinance 67-18:** Introduced by Simeone: An Ordinance to amend the Zoning Map of the City of Alliance by rezoning lot 11857 from single family residential district (R-1) to multiple family residential district (R-2) under the Alliance City Zoning Ordinance. Motion and Second to set a public hearing on November 5, 2018 at 7:35 PM. Voice Vote: Unanimous. **NO FORMAL ACTION.**

### **SECOND READINGS:**

**Resolution 68-18:** Introduced by King and Simeone: A Resolution temporarily suspending the authority of the Downtown Special Events Commission under Alliance Codified Ordinance 176; and declaring an emergency. **NO FORMAL ACTION.**

### **NEW BUSINESS:**

**Ordinance 69-18:** Introduced by Simeone: An Ordinance accepting and approving the replat of all of lots 1027, 12475, 12476, 12477, and 12478; outlot 434; and part of outlots 282 and 299 located at 2855 South 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 THE PLANNING COMMISSION.**

**Ordinance 70-18:** Introduced by King: An Ordinance authorizing and directing the Director of Public Safety and Service to enter into a contract with the Stark County Regional Planning Commission to provide housing rehabilitation technical assistance services to the City of Alliance; and declaring an emergency. Motion and Second to suspend the rule requiring three readings. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

**Resolution 71-18:** Introduced by Grove: A Resolution accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Auditor. Motion and Second to suspend the rule requiring three readings. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

**Resolution 72-18:** Introduced by Council as a Whole: A Resolution authorizing participation in a joint grant application by the City of Alliance, the City of Canton, and the City of Massillon; and declaring an emergency. Motion and Second to suspend the rule requiring three readings. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

**Ordinance 73-18:** Introduced by Council as a Whole: An Ordinance authorizing and directing the Director of Public Safety and Service to apply for and assistance to Firefighters grant (AFG) for \$50,000.00 to purchase safety equipment needed by the Fire Department; and declaring an emergency. Motion and Second to suspend the rule requiring three readings. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous. **ADOPTED.**

**Resolution 74-18:** Introduced by Council as a Whole: A Resolution authorizing the City of Alliance Fire Department to utilize Gatchell Grant Resources LLC for an assistant with grant funds; and declaring an emergency. Motion and Second to suspend the rule requiring three

readings. Voice Vote: Unanimous. Motion and Second to Adopt. Voice Vote: Unanimous.  
**ADOPTED.**

**OLD BUSINESS:**

**Ordinance 52-18:** Introduced by Rhome and Simeone: An Ordinance vacating the remaining portion of the fifteen (15) foot North-South alley from West Chestnut street between lot 13058 and lots 13033, 140 and 149 and the remaining portion of a fifteen (15) foot East-West alley from Penn Avenue between lot 13033 and Lot 140, and accepting and approving the replat of lots 13033, 140 and 149 and the vacated portions of the fifteen (15) foot North-South and East-West alleys from Chestnut Street and Penn Avenue located in the 100 block of West State Street in the City of Alliance, County of Stark and State of Ohio. Discussion on need for Ordinance in light of potential changes to the developer's plans. Law Director recommended no action until we know what the developer wants to do and then the Ordinance can be amended or defeated for a new one. **NO FORMAL ACTON.**

**Ordinance 56-18:** Introduced by Dordea: An Ordinance providing for the submission to the Electors of the City of Alliance the question, "Shall a Commission be chosen to frame a Charter?" and for the election of members of the Charter Commission. **NO FORMAL ACTON.**

**Ordinance 64-18:** Introduced by Simeone and Rhome: An Ordinance vacating part of an unnamed 17.4' alley, bounded on the North by OL 332 & 333, Bounded on the South by lots 8185, 8186, 8187, 8188, & 8189, Allen Street, and lots 8190 & 8191, Bounded on the East by an unnamed 17.4' alley, and bounded on the West by an unnamed 17.4' alley; vacating part of Allen Drive bounded on the North by an unnamed 17.4' alley, bounded on the South by West Harrison Street, bounded on the East by lot 8190, and bounded on the West by lot 8189; and accepting and approving the replat of part of OL 332 & 333, all of lots 8185, 8186, 8187, 8188, 8189, 8990 & 8991 a vacated part of an unnamed 17.4' alley and a vacated part of Allen Drive, located in the 800 block of West Harrison Street in the City of Alliance, County of Stark and State of Ohio. **NO FORMAL ACTION.**

**ADJOURNMENT:** Noting no further business to come before this Council, President Garnes adjourned the meeting at 7:55 PM

**SUMMARY OF ACTIONS TAKEN:**

<b>Ordinance 52-18</b>	<b>NO FORMAL ACTON</b>
<b>Ordinance 56-18</b>	<b>NO FORMAL ACTON</b>
<b>Ordinance 64-18</b>	<b>NO FORMAL ACTON</b>

<b>Resolution 67-18</b>	<b>THIRD READING</b>
<b>Ordinance 69-18</b>	<b>REFERRED TO PLANNING COMMISSION</b>
<b>Ordinance 70-18</b>	<b>ADOPTED</b>
<b>Resolution 71-18</b>	<b>ADOPTED</b>
<b>Resolution 72-18</b>	<b>ADOPTED</b>
<b>Ordinance 73-18</b>	<b>ADOPTED</b>
<b>Resolution 74-18</b>	<b>ADOPTED</b>

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**ARTHUR GARNES,  
COUNCIL PRESIDENT**

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**GERARD T. YOST  
COUNCIL CLERK**