

**MINUTES
LOUISVILLE CITY COUNCIL
OCTOBER 28, 2013
7:00 P.M.**

Louisville City Council met in regular session with Mayor-Council Member Fallot presiding.

7:00 P.M. – CALL TO ORDER

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried to amend the October 28, 2013 Council agenda adding an Executive Session for the purpose of discussing property acquisition and inviting Director of Service Operations Jim McBeath. The vote: All yea.

Council Members bowed their heads for a moment of silent prayer followed by the Pledge of Allegiance.

MEMBERS PRESENT

Patricia Fallot, Mayor-Council Member
Cheryle Casar, Council Member
Guy Guidone, Council Member
Richard Guiley, Council Member
Thomas McAlister, Council Member

CITY OFFICIALS PRESENT

E. Thomas Ault, City Manager
Peggy Howald, City Clerk
Robert Duffrin, Law Director
Jina Turowski, Finance Director
Andy Turowski, Police Chief
James McBeath, Director of Service Operations
Rod Bordner, Interim Fire Chief

Mayor-Council Member Fallot presented the City Clerk's Certificate of Open Meeting.

MINUTES OF THE OCTOBER 7, 2013 COUNCIL MEETING

Mayor-Council Member Fallot declared the minutes of the October 7, 2013 Council meeting approved as presented.

MAYOR'S COURT REPORT OF RECEIPTS AND DISBURSEMENTS FOR THE MONTH ENDING SEPTEMBER 30, 2013

Computer Fund \$352, City General Revenue \$790, City revenue from fines \$1,270, Total to City \$2,412

Victims of Crime \$203, Indigent Defense Support Fund \$570, Drug Law Enforcement Fund \$70, seat belt fine \$60, Total to State \$903

Indigent Driver Alcohol Treatment Fund \$30, Cost of Magistrate -\$220, total to other -\$190, TOTAL REVENUE \$3,125

CITY MANAGER'S REPORT

City Manager Tom Ault reported on the following items:

- Requested each member of Council to appoint one person to the Board of Building Appeals.
- There is a special Design Review meeting tomorrow for the purpose of reviewing revisions submitted by Auto Zone.
- FEMA has approved the flood map revision. This affects approximately 20 property owners. The City will notify them.

ORDINANCE NO. 13-42 – BEING AN ORDINANCE MAKING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LOUISVILLE, STARK COUNTY, STATE OF OHIO, FOR THE YEAR BEGINNING JANUARY 1, 2013, AND DECLARING AN EMERGENCY

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried for the first reading of Ordinance No. 13-42. The vote: All yea.

MAYOR-COUNCIL MEMBER FALLOT MOVED, SECONDED BY COUNCIL MEMBER GUILLEY, and the motion carried to suspend the rules to allow for the emergency adoption of Ordinance No. 13-42. The vote: All yea.

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried for the emergency adoption of Ordinance No. 13-42. The vote: All yea. Mayor-Council Member FalLOT declared Ordinance No. 13-42 duly passed and enacted.

ORDINANCE NO. 13-44 – BEING AN ORDINANCE OF THE COUNCIL OF THE CITY OF LOUISVILLE, STARK COUNTY, OHIO; AMENDING SECTION 157.01 AND 157.06 OF THE CODIFIED ORDINANCES OF THE CITY OF LOUISVILLE RELATIVE TO THE EMPLOYMENT PROVISIONS OF THE EMPLOYEES OF THE CITY

COUNCIL MEMBER GUIDONE MOVED, SECONDED BY COUNCIL MEMBER GUILLEY,

Council and staff had a lengthy discussion on employee wages and benefits.

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER CASAR, and the motion carried to amend Ordinance No. 13-44 removing Section 157.06(e) Education Pay. The vote: All yea.

ORDINANCE NO. 13-45 – BEING AN ORDINANCE AMENDING THE SCHEDULE OF FEES TO BE EFFECTIVE JANUARY 1, 2014

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE,

Council and staff discussed water and sewer rates.

and the motion carried for the first reading of Ordinance No. 13-45. The vote: Fallot yea, Guidone yea, Guiley yea, McAlister nay, Casar yea.

ORDINANCE NO. 13-46 – BEING AN ORDINANCE MAKING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LOUISVILLE, STARK COUNTY, STATE OF OHIO, FOR THE YEAR BEGINNING JANUARY 1, 2014

COUNCIL MEMBER GUIDONE MOVED, SECONDED BY COUNCIL MEMBER GUILLEY,

Council and staff discussed 2014 appropriations.

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried to amend Ordinance 13-46 reducing Leisure Time Activities – Special Events from \$15,000 to \$10,000. The vote: All yea.

RESOLUTION NO. 13-47 – BEING A RESOLUTION STATING MUNICIPAL SERVICES TO BE PROVIDED TO PROPOSED SHALLENBERGER ANNEXATION AREA

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried for the adoption of Resolution No. 13-47. The vote: All yea.

ORDINANCE NO. 13-48 – BEING AN ORDINANCE ACCEPTING THE ANNEXATION OF CERTAIN TERRITORY CONTAINING THREE ACRES IN NIMISHILLEN TOWNSHIP TO THE CITY OF LOUISVILLE, AND DECLARING AN EMERGENCY

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER MCALISTER, and the motion carried for the first reading of Ordinance No. 13-48. The vote: All yea.

MAYOR-COUNCIL MEMBER FALLOT MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried to suspend the rules to allow for emergency adoption of Ordinance No. 13-48. The vote: All yea.

COUNCIL MEMBER GUIDONE MOVED, SECONDED BY COUNCIL MEMBER MCALISTER, and the motion carried for the emergency adoption of Ordinance No. 13-48. The vote: All yea. Mayor-Council Member FalLOT declared Ordinance No. 13-48 duly passed and enacted.

ORDINANCE NO. 13-49 – BEING AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BURGESS & NIPLE FOR PROFESSIONAL SERVICES FOR THE DESIGN AND BIDDING OF THE SR44/RENO DRIVE WATER MAIN & SANITARY SEWER EXTENSION PROJECT, AND DECLARING AN EMERGENCY

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER CASAR, and the motion carried for the first reading of Ordinance No. 13-49. The vote: All yea.

MAYOR-COUNCIL MEMBER FALLOT MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried to suspend the rules to allow for the emergency adoption of Ordinance No. 13-49. The vote: All yea.

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER MCALISTER, and the motion carried for the emergency adoption of Ordinance No. 13-49. The vote: All yea. Mayor-Council Member FalLOT declared Ordinance No. 13-49 duly passed and enacted.

ORDINANCE NO. 13-50 – BEING AN ORDINANCE AMENDING SECTION 351.17 WAIVER BY AMENDING THE FEES AS FOLLOWS IN THE CODIFIED ORDINANCES OF THE CITY OF LOUISVILLE

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried for the first reading of Ordinance No. 13-50. The vote: All yea.

RESOLUTION NO. 13-51 – BEING A RESOLUTION GIVING CONSENT FOR THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO COMPLETE THE STATE ROUTE 62 CULVERT REPLACEMENT

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried for the adoption of Resolution No. 13-51. The vote: All yea.

ORDINANCE NO. 13-52 – BEING AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE YEAR CONTRACT WITH THE STARK COUNTY PUBLIC DEFENDER COMMISSION

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER CASAR, and the motion carried for the first reading of Ordinance No. 13-52. The vote: All yea.

NEW BUSINESS

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried to increase the cash drawer change \$100 to Tax Agent in Finance Department (Total \$410). The vote: All yea.

COUNCIL MEMBER GUIDONE MOVED, SECONDED BY MAYOR-COUNCIL MEMBER FALLOT, and the motion carried to suspend the rules to allow Stephanie Murphy to speak. The vote: All yea.

Stephanie Murphy of 1302 Baier Avenue addressed the Council regarding the City's \$40 shut off fee for late payment of water/sewer bills. She indicated that she paid her bill before the water was shut off but was still charged the \$40 fee. She doesn't feel that it's fair to have to pay for a service she never received. City residents receive notice of a shut off date. There are approximately 20 to 30 shut offs every month. Some residents play the system. Council Member Guiley commented that he is very dissatisfied with this procedure.

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried to suspend the rules to allow David Scheurer to speak. The vote: All yea.

David Scheurer addressed the Council asking how Ms. Murphy can be charged when her name is not on the contract. In a rental situation the contract is with the landlord who many times passes the bill on to the tenant.

COUNCIL MEMBER MCALISTER MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried for the Council to move into Executive Session for the purpose of discussing property acquisition. The vote: All yea.

There will be no further business following the Executive Session.

COUNCIL MEMBER GUIDONE MOVED, SECONDED BY MAYOR-COUNCIL MEMBER FALLOT, and the motion carried for the Council to move out of Executive Session. The vote: All yea.

The meeting was adjourned.

Respectfully submitted,

Peggy Howald, CMC
City Clerk