

**MINUTES
LOUISVILLE CITY COUNCIL
AUGUST 25, 2014
7:00 P.M.**

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

Mayor-Council Member Fallot conducted the formal swearing in of School Resource Officer Kelly Crowl.

Sheriff George T. Maier conducted the formal swearing in of Stark County Deputy Sheriff Kelly Crowl.

Police Chief Andy Turowski commented that Officer Crowl will serve as a police resource officer for the Louisville Schools and as a deputy, can serve North Nimishillen students. This program is a joint venture between the Louisville Public Schools, the Louisville Police Department and the Stark County Sheriff's Office.

7:00 – PUBLIC HEARING:

ORDINANCE NO. 14-37 – BEING AN ORDINANCE AMENDING THE BOUNDARIES OF THE ZONING DISTRICTS AS PROVIDED BY ORDINANCE NO. 79-33 WHEREBY CHANGING THE LANDS DESCRIBED HEREIN FROM B-5, B-2 & R-2 TO PC-D PLANNED CONSERVATION DEVELOPMENT DISTRICT & B-5 GENERAL RETAIL, OFFICE AND MOTORIST SERVICES BUSINESS DISTRICT

Steve Coon and John Dempsey addressed the Council regarding the proposed rezoning of 133.40 acres of land situated at State Route 62, Broadway Avenue and Peach Street. The rezoning would allow Redwood Living, Inc. to construct 245 condominiums. The rezoning would change 65 acres of residential to commercial use and 70 acres of commercial to residential use. Mr. Coon and Mr. Dempsey gave an overview of the project. The units would rent for between \$1,200 and \$1,500 per month.

Michelle Rokosky of 4735 Eastland Avenue addressed the Council asking what happens when you can't get renters at those prices. She is concerned about safety, increased traffic and storm water run-off.

John Silagy of 4795 Fruitland addressed the Council with concerns about not being able to rent the condos and feels this project would create nothing but problems.

Virginia West of 3022 55th Street addressed the Council asking about buffers between the residential housing and the commercial areas. Steve Coon informed her that there would be landscaping buffers.

Lou Johnson, Nimishillen Township Trustee addressed the Council informing them that his board is against the rezoning with concerns about drainage and crime.

A resident from 249 Indiana addressed the Council asking why the project isn't moved to the Mahoning Road corridor.

David Yeagley of 303 North Nickelplate addressed the Council questioning why the zoning needs to be changed. What is the need for PC-D? He commented that Steve Coon has done great projects.

Jackie Clapper of Franlon Estates addressed the Council stating she has lived there for 22 years and has been flooded twice. The County sewer system is already over-taxed and she is concerned about increased traffic. Mr. Dempsey informed her that they are working with the City to tie into the City's sewer system. Director of Service Operations James McBeath informed the Council that he saw no problems with the City's system handling Redwood Development.

Dale Riggerbach, Nimishillen Township Zoning Inspector addressed the Council with concerns of long term flooding west of Broadway along the Fairhope Ditch. He distributed photos of flooding this summer.

Jerry Pryor of Alliance addressed the Council with concerns of a home he owns at Peach and Broadway. He thinks the development is a bad idea and has concerns with drainage.

Todd Gain of 4741 Broadway addressed the Council informing them that he has lost three mailboxes and one car due to flooding. He has concerns about truck traffic and safety.

Jennifer Schumacher from Hammontree Engineers, the City's engineer addressed the Council informing them that there are three retention ponds in the plan. Louisville's Ordinances protect the residents.

CALL TO ORDER

MAYOR-COUNCIL MEMBER FALLOT MOVED, SECONDED BY COUNCIL MEMBER GUILLEY, and the motion carried to amend the August 25, 2014 Council agenda allowing Amy Hathaway to speak. 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
Vince Marion, Director of Planning & Development
Rodney Bordner, Interim Fire Chief

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

MINUTES OF THE AUGUST 4, 2014 COUNCIL MEETING

Mayor-Council Member Fallot declared the minutes of the August 4, 2014 Council meeting approved as presented.

MAYOR'S COURT REPORT OF RECEIPTS AND DISBURSEMENTS FOR THE MONTH ENDING JULY 31, 2014

Computer Fund \$349, City General Revenue \$826, overpayment/adjustment \$5.00, City revenue from fines \$1,270, Total to City \$2,450

Victims of Crime \$194, Indigent Defense Support Fund \$600, Drug Law Enforcement Fund \$77, seat belt fine \$60, Total to State \$931

Indigent Driver Alcohol Treatment Fund \$32, Cost of Magistrate -\$220, total to other -\$188, TOTAL REVENUE \$3,193

CITY MANAGER'S REPORT

City Manager Tom Ault had no report.

PERSONS APPEARING BEFORE COUNCIL

Amy Hathaway of 1301 Monter Avenue addressed the Council regarding a break in her water line. According to City Ordinances this line is the homeowner's responsibility. Ms. Hathaway had a difficult time finding a company to replace the line and had estimates as high as \$20,000. Director of Service Operations Jim McBeath commented that with his experience, the job should cost no more than \$7,000.

Council Member Guiley thanked everyone for attending and asked if anyone was able to help Ms. Hathaway in finding a remedy to her problem, to speak with her after the meeting.

ORDINANCE NO. 14-37 – BEING AN ORDINANCE AMENDING THE BOUNDARIES OF THE ZONING DISTRICTS AS PROVIDED BY ORDINANCE NO. 79-33 WHEREBY CHANGING THE LANDS DESCRIBED HEREIN FROM B-5, B-2 & R-2 TO PC-D PLANNED CONSERVATION DEVELOPMENT DISTRICT & B-5 GENERAL RETAIL, OFFICE AND MOTORIST SERVICES BUSINESS DISTRICT

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER CASAR, and the motion carried for the second reading of Ordinance No. 14-37. The vote: Guidone yea, Guiley yea, McAlister nay, Casar yea, Fallot nay. Mayor-Council Member Fallot declared Ordinance No. 14-37 duly passed and enacted.

Council took a ten minute recess.

Council reconvened.

ORDINANCE NO. 14-38 – 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, AND DECLARING AN EMERGENCY

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried for the first reading of Ordinance No. 14-38. 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. 14-38. The vote: All yea.

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER CASAR, and the motion carried for the emergency adoption of Ordinance No. 14-38. The vote: All yea. Mayor-Council Member Fallot declared Ordinance No. 14-38 duly passed and enacted.

ORDINANCE NO. 14-43 – BEING AN ORDINANCE OF THE COUNCIL OF THE CITY OF LOUISVILLE, STARK COUNTY, OHIO; AUTHORIZING A ONE-TIME TRANSFER OF MONIES MADE TO VARIOUS FUNDS IN 2014, AND DECLARING AN EMERGENCY

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried for the first reading of Ordinance No. 14-43. 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. 14-43. The vote: All yea.

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried for the emergency adoption of Ordinance No. 14-43. The vote: All yea. Mayor-Council Member Fallot declared Ordinance No. 14-43 duly passed and enacted.

ORDINANCE NO. 14-44 – BEING AN ORDINANCE AUTHORIZING THE MAYOR-COUNCIL MEMBER TO ENTER INTO A THREE-YEAR CONTRACT EXTENSION WITH E. THOMAS AULT

COUNCIL MEMBER GUIDONE MOVED, SECONDED BY COUNCIL MEMBER MCALISTER, and the motion carried for the first reading of Ordinance No. 14-44. The vote: Guidone yea, Guiley yea, McAlister yea, Casar yea, Fallot nay.

ORDINANCE NO. 14-45 – BEING AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED REAL ESTATE EXCHANGE AGREEMENT AND LEASE-BACK WITH THE BOARD OF TRUSTEES OF THE LOUISVILLE PUBLIC LIBRARY

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried for the first reading of Ordinance No. 14-45. The vote: All yea.

RESOLUTION NO. 14-46 – BEING A RESOLUTION STATING MUNICIPAL SERVICES TO BE PROVIDED TO PROPOSED STATE ROUTE 44 ANNEXATION AREA

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER MCALISTER, and the motion carried for the adoption of Resolution No. 14-46. The vote: All yea.

ORDINANCE NO. 14-47 – BEING AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED FOR A 2015 STREET PAVING PROJECT, AND DECLARING AN EMERGENCY

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried for the first reading of Ordinance No. 14-47. 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. 14-47. The vote: All yea.

COUNCIL MEMBER GUILLEY MOVED, SECONDED BY COUNCIL MEMBER GUIDONE, and the motion carried for the emergency adoption of Ordinance No 14-47. The vote: All yea. Mayor-Council Member FalLOT declared Ordinance No. 14-47 duly passed and enacted.

NEW BUSINESS

COUNCIL MEMBER GUIDONE MOVED, SECONDED BY COUNCIL MEMBER GUILLEY, and the motion carried authorizing the City Manager to issue a tapping license to Barnett and Son Trucking & Excavating. The vote: All yea.

COUNCIL MEMBER GUIDONE MOVED, SECONDED BY COUNCIL MEMBER GUILLEY, and the motion carried authorizing the City Manager to issue a tapping license to Blind and Sons, LLC. The vote: All yea.

Mayor-Council Member FalLOT informed the Council that she has an application for the parade.

The meeting was adjourned.

Respectfully submitted,

Peggy Howald, CMC
City Clerk