

**MINUTES OF OCTOBER 5, 2009
REGULAR MEETING OF THE ALLIANCE CITY COUNCIL**

The meeting was called to order by President Benincasa at 7:00 P.M. Councilman Ryan gave the Invocation and led the meeting in the Pledge of Allegiance.

ROLL CALL: Alan Andreani, Roy Clunk; Steve Okey, Roger Rhome, Sue Ryan, and Larry Thompson present.

Motion and second to excuse Councilperson Phillips who s absent due to a death in the family. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

Motion and second to approve the minutes of the September 21, 2009, Regular Council Meeting. **MOTION PASSED BY ACCLAMATION OF ALL MEMBERS.**

COMMUNICATIONS:

The Clerk noted the following communications tendered to the clerk for Council:

1. Memorandum from Auditor Knowles RE: September 2009 Alliance Municipal Income Tax Recapitulation.
2. Letter from Auditor Knowles RE: Resolution 90-09
3. Letter from Stark County Commissioners RE: St. Nicholas Romanian Orthodox Church Annexation 2 Approval Resolution.
4. Letter from Stark Metropolitan Housing Authority RE: Comprehensive Public Housing Plan.
5. Memorandum from Brooke Riley / Recreation Dept. RE Fall Festival and need for volunteers.
6. Letter from American Nonsmokers' Rights Foundation RE: tobacco control laws.
7. Memorandum from Mayor Middleton RE: Receipts collected in Mayor's Office in September 2009.
8. Memorandum from Mayor's Office RE: 9-11 Memorial.

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

ADMINISTRATIVE REPORTS:

Mayor Middleton: Absent, no report

Safety Service Director Blaser: Discussed the water filter credit application program and final costs.

Discussed the 9-11 memorial application.

Discussed need to act on Ordinance 55-09.

Discussed the land application of sludge and the effect on water treatment.

Law Director Andrew Zumbar: Reported on the St. Nicholas Annexation hearing and reported that the Commissioners did approve the application. We are currently awaiting the time limitations for acceptance.

Auditor Knowles: Reviewed September 2009 Alliance Municipal Income Tax Recapitulation and Resolution 90-09 and asking for action tonight to comply with time restrictions.

STANDING COMMITTEE REPORTS:

Safety & Judiciary: Andreani: Reported on the September 28, 2009 meeting that reviewed Ordinance 78-09. Committee recommended passage with some modifications.

Properties and Lands: Clunk: No formal report.

Finance: Okey: Will meet October 14, 2009 @ 8:30 am with Utilities Committee to discuss Ordinance 55-09.

Reported PTC Alliance has declared bankruptcy and the future of the company is uncertain.

Community Development: Phillips: Absent, no report

Utilities: Rhome: Deferred to Councilman Andreani that reported on the morning meeting. Reported

that there is minimal Ice damage to the Rosemont tower and discussed the MIB counts at the resevoirs.

Streets & Alley: Ryan: Reported on the Public Involvement meeting involving the Union Avenue Underpass reconstruction meeting. Construction set to take place in 2012 at a cost of over \$3 million with 10% from local sources.

Planning, Zoning, & Housing: Thompson: No formal report. Asking council to hold off on action on Ordinance 87-09.

PUBLIC SPEAKS: None.

THIRD READINGS:

Ordinance 78-09-A: Introduced by Okey: An Ordinance to authorize the Fire Department of The City of Alliance, Ohio, to provide Emergency Medical Services at Higher Levels of skill and Certification; and to declare an emergency. Motion and Second to substitute Ordinance 78-09-A for Ordinance 78-09: Roll Call: Unanimous for substitution. Motion and second to adopt: Roll Call: Unanimous: **ADOPTED.**

SECOND READINGS:

Ordinance 82-09: Introduced by Ryan: An Ordinance vacating part of the unnamed alley West of Scranton Avenue between West Cambridge Street and West Summit Street, in the City of Alliance, County of Stark, and State of Ohio; and declaring an emergency. **NO FORMAL ACTION.**

Ordinance 83-09: Introduced by Thompson: An Ordinance accepting and approving the replat of Lots 1965, 1967, 1969, 3931, 3932 and part of a vacated 20 foot unnamed East-West alley between West Cambridge Street and West Summit Street, in the City of Alliance, County of Stark, and State of Ohio; and declaring an emergency. **NO FORMAL ACTION.**

Ordinance 87-09: Introduced by Rhome & Andreani: An Ordinance authorizing the Director of Public Safety and Service to accept a bid from a prior bidding if available or to advertise for bids and enter into a contract for the purpose of purchasing a new sludge applicator truck for the Wastewater Treatment Plant; and declaring an emergency. **NO FORMAL ACTION.**

NEW BUSINESS:

Ordinance 89-09: Introduced by Rhome: An Ordinance authorizing and directing the Director of Public Safety and Service to enter into a grant agreement for recycling with the Stark-Tuscarawas-Wayne Joint Solid Waste Management District; and declaring an emergency. Motion and second to suspend rules: Roll Call: Unanimous for rules suspension. Motion and second to adopt: Roll Call: Unanimous: **ADOPTED.**

Resolution 90-09: Introduced by Council as a Whole: 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 rules: Roll Call: Unanimous for rules suspension. Motion and second to adopt: Roll Call: Unanimous: **ADOPTED.**

Law Director further reported on the status of the PTC Alliance bankruptcy and the preparation the City is taking and the nature of our Planning Development Department in the process.

ADJOURNMENT: Noting no further business to come before this Council, President Benincasa adjourned the meeting at 7:50 P.M.

SUMMARY OF ACTIONS TAKEN:

Ordinance 78-09-A	ADOPTED
Ordinance 82-09	SECOND READING
Ordinance 83-09	SECOND READING
Ordinance 87-09	SECOND READING
Ordinance 89-09	ADOPTED
Resolution 90-09	ADOPTED

JOHN BENINCASA, PRESIDENT

GERARD YOST, COUNCIL CLERK