

**MINUTES
LOUISVILLE CITY COUNCIL
OCTOBER 15, 2007
7:00 P.M.**

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

7:00 P.M. – CALL TO ORDER

COUNCIL MEMBER THORLEY MOVED, SECONDED BY COUNCIL MEMBER GUILLEY, and the motion carried to amend the October 15, 2007 agenda moving the first three persons appearing before Council to speak after Mr. Rumble. The vote: Guiley yea, Kerchner yea, Thorley yea, Brown nay, Conner yea.

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

MEMBERS PRESENT

Cynthia Kerchner, Mayor-Council Member
Jerry Brown, Council Member
Peggie Conner, Council Member
Richard Guiley, Council Member
David Thorley, Council Member

CITY OFFICIALS PRESENT

Thomas Ault, City Manager
Peggy Howald, City Clerk
William Rouse, Director of Finance

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

MINUTES OF THE SEPTEMBER 17, 2007 COUNCIL WORK SESSION

COUNCIL MEMBER THORLEY MOVED, SECONDED BY COUNCIL MEMBER CONNER, and the motion carried to accept the minutes of the September 17, 2007 Council Work Session as presented. The vote: All yea.

MINUTES OF THE SEPTEMBER 17, 2007 REGULAR COUNCIL MEETING

COUNCIL MEMBER THORLEY MOVED, SECONDED BY COUNCIL MEMBER KERCHNER, and the motion carried to accept the minutes of the September 17, 2007 regular Council meeting as presented. The vote: All yea.

CITY MANAGER'S REPORT

City Manager Tom Ault submitted his City Manager's report which included the following items:

- Received correspondence from the Stark County Department of Jobs and Family Services notifying us that the flag raising ceremony to promote child neglect awareness will be April 1, 2008 at noon.
- Men Who Cook sponsored by Catholic Charities will be held on November 5, 2007 at Walsh University.

MAYOR'S COURT REPORT OF RECEIPTS AND DISBURSEMENTS FOR THE MONTH ENDING SEPTEMBER 30, 2007

Total fines \$70, total forfeitures \$2,175, total computer costs \$530, total court costs \$520, subtotal \$3,295, total Reparation Rotary Fund \$360, total General Revenue Fund \$600, subtotal (State Victims of Crime) \$960, Total Revenue \$4,255

Credited to city General Fund \$3,075, credited to State Treasurer \$960, cost of Magistrate \$220, Total Disbursements \$4,255

FINANCIAL REPORT OF RECEIPTS AND DISBURSEMENTS FOR THE MONTH ENDING SEPTEMBER 30, 2007

Council was presented with a financial statement prepared by the Department of Finance indicating the City's financial status for the month ending September 30, 2007.

PERSONS APPEARING BEFORE COUNCIL

Georgeanne McGinnis of 415 West Broad Street informed the Council of Meet the Candidates Forum on October 24, 2007 at the Constitution Center.

Kevin Ellis of 1014 Danielle Avenue addressed the Council opposing the proposed transfer station. He commented the concept of C&DD was developed to offer a cheap alternative to more comprehensive plans for disposal of other solid wastes. It is not environmentally friendly. It typically contains asphalt shingles, metals, corrugated cardboard, brick, plastic, arsenic treated wood, aggregate, drywall, insulation, mercury fluorescent lights, lead paint, cadmium and ammonia. He went on to say average tipping fee per ton for non-hazardous waste in the northeast is \$67.33, but only \$39.30 in Ohio.

Donna Middaugh, Osnaburg Township Trustee addressed the Council opposing the proposed transfer station. She feels Louisville will become a garbage town. It is proposed to be 1,000 feet from a church; 1,500 feet to Fairhope School and close to many homes. There are also water problems on this site. She cited the

Passaic, New Jersey company Hudson Logistics has had fires, spillage, leeching into the creek, odors, heavy truck traffic, leaking trucks.

Mark Rumble of 3094 Ravenna Ave., NE addressed the Council opposing the proposed transfer station. He cited environmental concerns including a weak inspection process, no EPA oversight, increased truck traffic, safety problems and the unlimited amount of waste going through Louisville.

Mayor-Council Member Kerchner performed a formal swearing in ceremony of Joseph Peck as the Louisville City Safety Forces Piper.

Fire Chief John Fetty and Police Chief Andy Turowski awarded the Louisville Safety Forces Life Saving Ribbon to Police Officer Ed Collins, Fire Captain George Starr, Firefighter/EMT John Henkle, Fire Captain/Paramedic Tom Ruskin, Firefighter/EMT Tony Criss and Firefighter/Paramedic Alex Thorley.

Mayor-Council Member Kerchner presented a formal Resolution to Rhonda Piccoli for exceptional service to the community in assisting in life saving measures to Beatrice Davis.

Beatrice Davis of Alliance showed her appreciation to the safety forces that saved her life on July 25, 2007 while attending a function at St. Thomas Aquinas High School.

Tracy Skelton, Community Programming Coordinator for Recreation presented an update.

- Summer programs: baseball, jump rope clinic, tennis went well
- Fundraising ideas for skate park
- Fall programs: kid's bowling, fishing derby, volleyball
- New programs: horseback riding, ice skating, bus trips

BOARD OF CONTROL

COUNCIL MEMBER THORLEY MOVED, SECONDED BY MAYOR-COUNCIL MEMBER KERCHNER, and the motion carried authorizing the expenditure of \$21,225 to Robertson Industries Inc. for security improvements to the Water Treatment Plant. The vote: All yea.

COUNCIL MEMBER THORLEY MOVED, SECONDED BY MAYOR-COUNCIL MEMBER KERCHNER, and the motion carried extending the fuel contract from Speedway Superamerica LLC in order to hold the price quoted in this year's bid (prime + 7 cents) through March of 2010. The vote: All yea.

City Manager Tom Ault commented on the proposed transfer station issue. There was not a zoning change in the matter. Planning Commission recommended I-2 zoning and approved by Council prior to any request by the owner to place the lease on the property. The company only approached the City requesting zoning information and it is a permitted use. The City had no prior knowledge of the company. There was no prior knowledge that this use was being contemplated.

COUNCIL MEMBER THORLEY MOVED, SECONDED BY COUNCIL MEMBER GUILLEY, and the motion carried requesting the Planning Commission to immediately begin review and recommend language changes specific to additional transfer stations. The vote: All yea.

COUNCIL MEMBER THORLEY MOVED, SECONDED BY COUNCIL MEMBER GUILLEY, and the motion carried placing a 90 day moratorium against any future transfer station operations until the Planning Commission can change the wording in the zoning code. The vote: All yea.

COUNCIL MEMBER THORLEY MOVED, SECONDED BY COUNCIL MEMBER GUILLEY, and the motion carried instructing staff to forward correspondence to the Stark County Health Department informing them that City Council has placed a moratorium on any C & D transfer and solid waste transfer stations for a period of 90 days while the Planning Commission makes recommendations to City Council on appropriate modifications to the current zoning legislation. The vote: All yea.

ORDINANCE NO. 07-51 – BEING AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LEASE AGREEMENT WITH GREAT LAKES ENERGY PARTNERS, LLC

MAYOR-COUNCIL MEMBER KERCHNER MOVED, SECONDED BY COUNCIL MEMBER THORLEY, and the motion carried for the first reading of Ordinance No. 07-51. The vote: Guiley abstained, Kerchner yea, Thorley yea, Brown nay, Conner yea.

COUNCIL MEMBER THORLEY MOVED, SECONDED BY MAYOR-COUNCIL MEMBER KERCHNER, and the motion carried to suspend the rules to allow for emergency adoption of Ordinance No. 07-51. The vote: Guiley abstained, Kerchner yea, Thorley yea, Brown nay, Conner yea.

There were not sufficient votes for emergency adoption of Ordinance No. 07-51.

RESOLUTION NO. 07-52 – BEING 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

MAYOR-COUNCIL MEMBER KERCHNER MOVED, SECONDED BY COUNCIL MEMBER GUILLEY, and the motion carried for the adoption of Resolution No. 07-52. The vote: All yea.

ORDINANCE NO. 07-53 – BEING AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A TWO-YEAR CONTRACT WITH THE CITY OF CANTON PROSECUTOR’S OFFICE

COUNCIL MEMBER THORLEY MOVED, SECONDED BY MAYOR-COUNCIL MEMBER KERCHNER, and the motion carried for the first reading of Ordinance no. 07-53. The vote: All yea.

ORDINANCE NO. 07-54 – BEING AN ORDINANCE AMENDING THE BOUNDARIES OF THE ZONING DISTRICTS AS PROVIDED BY ORDINANCE NO. 79-33 WHEREBY ADDING THE LANDS DESCRIBED HEREIN TO R-1 SINGLE-FAMILY LOW DENSITY RESIDENTIAL DISTRICT

COUNCIL MEMBER THORLEY MOVED, SECONDED BY MAYOR-COUNCIL MEMBER KERCHNER, and the motion carried for the first reading of Ordinance No. 07-54. The vote: Guiley abstained, Kerchner yea, Thorley yea, Brown yea, Conner yea.

ORDINANCE NO. 07-55 – BEING AN ORDINANCE AMENDING THE BOUNDARIES OF THE ZONING DISTRICTS AS PROVIDED BY ORDINANCE NO. 79-33 WHEREBY CHANGING THE LANDS DESCRIBED HEREIN FROM I-1 RESTRICTED INDUSTRIAL DISTRICT TO B-5 GENERAL RETAIL, OFFICE AND MOTORIST SERVICES BUSINESS DISTRICT

MAYOR-COUNCIL MEMBER KERCHNER MOVED, SECONDED BY COUNCIL MEMBER GUILLEY, and the motion carried for the first reading of Ordinance No. 07-55. The vote: All yea.

RESOLUTION NO. 07-56 – BEING A RESOLUTION OF APPRECIATION TO RHONDA PICCOLI FOR EXCEPTIONAL SERVICE TO THE COMMUNITY

MAYOR-COUNCIL MEMBER KERCHNER MOVED, SECONDED BY COUNCIL MEMBER GUILLEY, and the motion carried for the adoption of Resolution No. 07-56. The vote: All yea.

NEW BUSINESS

City Council will meet as scheduled on November 5, 2007

The meeting was adjourned.

Respectfully submitted,

Peggy Howald, CMC
City Clerk