

COUNCIL MINUTES
December 21, 2015

St. Clairsville City Council met in Council Chambers on Monday, December 21, 2015 with the following present

Terry Pugh, Council President	Robert Vincenzo, Mayor
Mark Bukmir, Council 3 rd Ward	Tom Murphy, Planning & Zoning Administrator
Libby Heintzelman, Council-At-Large	Dennis Bigler, Service Director
Perry Jones, Council-At-Large	Richard Myser, Law Director
Jake Olsavsky, Council, 1 st Ward	Cindi Henry, Finance Director
David Trouten, Council, 4 th Ward	Jeff Henry, Police Chief
Frank Sabatino, Council, 2 nd Ward	
Jim Weisgerber, Council-At-Large	

The meeting was called to order by Council President Terry Pugh

CITIZENS HEARING:

Terry Jensen: I am not quite sure how this is done but if I do something wrong let me know. I am with Blue Racer Midstream Company and the reason why I have come tonight is I would like to ask the City Council for two things on behalf of Blue Racer. One is we would like to have a RUMA (Road Use Maintenance Agreement) on four different roads within the city limits. Also I would like to request if we could a right-of-way across two parcels up near the ballfields. I brought documents, these are our documents I don't know maybe you have your own and we can piece the two together. But to give you an idea what we are asking for I brought these and if I can I will give one to everybody. There is a map attached. **Terry Pugh:** So what you are presenting tonight is just background information? **Terry Jensen:** A request. **Terry Pugh:** Generally I would be saying you should be meeting with Mr. Bigler the Service Director, It is good that the Council is aware so if you would be willing to hand out the information and discuss it but there would not be any action taken tonight. **Terry Jensen:** Ok that is fine and I just need to understand the process. I understand I needed to come to City Council first to give an idea I guess what is going on and then find out what the next step is. The first form I gave you says City of St. Clairsville Roadway Use Maintenance Agreement. That is our RUMA agreement. If you turn to the last page there is a picture showing the four roads we would like to use and the distances as we see them on those roads. You can see a green and black line, that represents our pipeline that we are going to be installing. You can see that these city roads will get us to those areas, of course we are going into the County and the Township as well and we are requesting RUMA's from them having worked with them before. The RUMA describes in our terminology the agreement between the City of St. Clairsville and Blue Racer and how things would be handled, particulars on how that road use would be handled. Some of you may be familiar with those. That gives us the opportunity to have permission from the city to use those roads with our construction equipment, loads, bringing in equipment, bringing in pipe that kind of thing as well as the workers. The other two forms the right-of-way agreement and the addendum have to do with the right-of-way we would like to use. There is a copy of the addendum showing those parcels we would like to cross. In that case the red and black line is the pipeline right-of-way and it shows it crossing those two parcels. You can see the ballfield just to the north of the pipeline and there is a road as all of you know leading up to the ballparks. We would like to use

that portion of the road that goes up to our pipeline right-of-way that goes up to the right-of-way its self. There is also a 30 x 30 temporary work space are where we can utilize the space for storage or parking or those kinds of things during construction times. The intent would be to use that road to get to the right-of-way and then of course we would turn off and go to the right or left to get on to the right-of-way it's self in order to do the construction. You can see the approximate distance from one edge of the parcel to edge of the second parcel is 1,065 feet the length of road that we are requesting to use is 860 feet. It is a lot to digest in just a few minutes. If you have questions give me a call. **Mayor Vincenzo:** I do have a couple of comments on the RUMA agreement. As far as the use of the streets are concerned, every one of these streets are congested. North Market Street can be very difficult to travel with that heavy equipment getting over to the ballfields. I see you also have North Sugar Street at the red light of Main Street. Going down North Sugar Street trucks will not be able to make turns it is going to be a traffic congestion all the way through. When a car is coming off North Sugar Street waiting for the light to turn and your trucks are coming down wanting to make a right hand turn onto North Sugar Street nobody is going to move. Your trucks will not be able to make that turn. **Terry Jensen:** What do you think the length of a truck bed that could make the turn would be so I can pass that along? **Mayor Vincenzo:** The average trailer is 52 feet. Every once in a while we get a truck held up in that intersection for that very same reason. You are going to have them coming there daily, maybe hourly and North Market Street has cars parked on it that is going to be a problem. **Jim Weisgerber:** Even if they came up Route 9 and turned right on Newell and left on North Market they are going to have a problem making those two turns. **Mayor Vincenzo:** With another company that had come in earlier we asked for a template on those roads and turns. As assessment on the width of Crescent Road. You will find there is no berms on that road. I am just pointing that out to Council. **Terry Jensen:** That is great, we appreciate that information. What we would seek if there are those kinds of limitations maybe the RUMA would be approved that it could handle this size of truck at this time of day, those kinds of things. This is our suggestion and obviously we would like it to handle anything and everything and 24 hours a day and all these kind of things but recognizing it is a mutual thing for you to let us use the roads and we have to understand that there often times limitations. **Terry Pugh:** I appreciate you bringing the information. I think it is an awful lot for people to digest. Who would get the ball rolling in the city is the Service Director. **Dennis Bigler:** We need to schedule an appointment with Tom Murphy and myself and I would like to involve many of Council in something like this.

MINUTES

Everyone received the December 7th minutes. Are there any additions or deletions? Do I have a motion to accept the minutes as presented? A motion was made by Jim Weisgerber and seconded by Jake Olsavsky to accept the minutes of the December 7, 2015 meeting as presented.

Roll Call Vote

Bukmir	Yes	Sabatino	Yes
Heintzelman	Abstain	Trouten	Yes
Jones	Abstain	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Five (5) Yes	Zero (0) No	Two (2) Abstain
			Motion Approved

REPORTS

Service Director, Dennis Bigler

- We continue to interview candidates for the water/wastewater
- Working on the bidding of vehicles
- Cleaning up on the two big projects, the road project and the tunnel
- I hired a secretary and you will meet here at the next meeting
- I would just like to thank this Council for its cooperation this term

Mayor, Robert Vincenzo

- I have some good news. We have been given a 2/3 acre site in the St. Clair Commons property to be used for a future water tank provided we use it within 25 years. The granter is GDNG, Inc. That gives us the full opportunity to supply the water system for that area out there. The site was an area of concern finding the right place to put the water tank. That will be deeded to the city. The papers were signed this past week.
- As you know this is my last Council meeting and I certainly had the privilege of being in this city for this period of time and working with Council. I don't have much more to say about that except there are two important things in the city that I think really has to have a lot of attention to in order for the development of the city to continue and with this new development. There are a lot of things on the horizon that are going to happen out there. The other thing that has to be paid attention to is our water/wastewater facilities. Both of those are needed upgrades. We have a contract ready to be signed. The financing is being worked on at this time for the upgrade to the wastewater system. Our water system will have to be treated equally. In order to maintain those services I hope that Council looks at this very seriously and moves on with it. I also hope that the projects that are in line I hope they can continue to move forward with them and continue with the progress that we have made in the last few years.
- With that I want to thank everybody for all their cooperation through the years.
- We also have two Council people who are leaving this evening I want to wish the best for them also Perry Jones and Libby Heintzelman.

Police Chief, Jeff Henry

- I would like to thank the Council for their support for the Police Department also the Mayor and all City officials

Finance Director, Cindi Henry

- I have two ordinances tonight that I told you about last meeting. We will be doing the first one No. 2015-51 where I have gone in and covered the shortages on the appropriations from one line item to the next. I found this to be the most effective way to do it for audit as well as myself. Since I prepared this there has been an additional one that I will put on with other legislation for the next meeting. I still have additional posting of receipts and expenditures that will occur right up to the last day of the month. I am sure that will blow one of these line items to the negative.
- No. 2015-52 every month Finance Committee meets and I move money between General Fund to the shortages in Street, Rec., Police, Landscape and Biketrail maintenance. I

have this approved by the Finance Committee and the Auditor likes for us to have legislation stating that these monies were moved from the general fund.

- The new software that I have been setting up and will be live on January 1. I will be moving money to Street, Police and Rec. in the future.
- No. 2015-53 is the Capital Asset policy. We contracted with a company this year and reevaluated all the assets the city had. That has finally been completed. This is a model put together from several other cities asset policies. We worked with the asset company that came in and did this and with LGS of the Auditor of State's Office we increased the threshold to \$10,000 on a Capital Asset. This is an updated policy and procedure that they wanted enacted that would basically cover the work we had done this year for auditing purposed for this year's Audit. **Jim Weisgerber:** Are we planning to have a special meeting at the end of the year or is this going to take care of everything for us? **Cindi Henry:** This should take care of everything until we go into next year. The only problem I am having now is the adjustments that the auditors were supposed to have to me by today. They did not get to me so if something happens I may have to call a special meeting.

Planning & Zoning Administrator, Tom Murphy

- Just to remind Council that Ordinance No. 2015-48 the Cappelletti zone change request does have the emergency language in it. At the previous meeting we didn't have six members so I guess that could not be finalized so you have that before you again today.

COUNCIL COMMITTEES:

Finance, Libby Heintzelman – No Report

Utilities, Frank Sabatino

- The Mayor summed it up best Utilities infrastructure all important

Police, Perry Jones - No Report

Street North Side, David Trouten – No Report

Street South Side, Jim Weisgerber – No Report

Safety, Libby Heintzelman – No Report

Building and Grounds, Mark Bukmir – No Report

Planning Commission, Jim Weisgerber – No Report

Fire District, Frank Sabatino

- The Fire Board met on December 10th in a special session to discuss personnel. There was no action taken.
- Our next regular scheduled meeting will be December 30th at 11:00 a.m. we will have our reorganization meeting and follow that with a regular meeting at the Main Station.

Recreation, David Trouten – No Report

Park District, Perry Jones – No Report

ORDINANCES & RESOLUTIONS

Law Director, Richard Myser

We have three Ordinances that are carry overs from our last meeting 2015-48, 2015-49 & 2015-50. 2015-48 Tom just explained to you. It is a zoning district classification change. This is the second reading tonight and if you want to suspend the rules and pass it tonight it will become effective immediately. The next two 2015-49 & 2015-50 will both be read on the second reading. Once again if you want to suspend the rules we can pass them tonight. There is emergency language in them and they can become effective tonight if you pass it. They both deal with purchasing equipment. 2015-50 allows our Service Director to put out bids for a 1 ton truck and a ½ ton truck. 2015-49 allows the Service Director to put out competitive bids for certain equipment and that equipment is set forth in the Ordinance.

There was presented and read to Council on its third and final reading by title only, RESOLUTION NO. 2015-46; A RESOLUTION PROHIBITING THE INSTALLATION OF ANY FURTHER UTILITY LINES OR FIBER OPTIC LINES BEING ATTACHED TO UTILITY POLES LOCATED ALONG THE U.S. ROUTE 40 CORRIDOR AND DECLARING AN EMERGENCY. A motion was made by Jim Weisgerber and seconded by Jake Olsavsky that Resolution No. 2015-46 be passed by Council. The three new ordinances we have for the first reading tonight Cindi explained to you 2015-51 & 2015-52 they are dealing with funds that she has that need to be moved around at the end of the year. 2015-53 is the adoption of a Capital Asset Policy. I sent this out to you on Friday so you could take a look at it. Once again it has the emergency language in it if you want to suspend the rules and pass it tonight we can and it will become effective immediately.

I also want to thank the Council for working with them and the two Council people who are going off I wish you the best I have enjoyed working with you. The Mayor is also going off and I have enjoyed working with you. **Mayor Vincenzo:** Thank you Richard.

There was presented and read to Council on its second reading by title only, ORDINANCE NO. 2015-48; AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF A 0.53 ACRE PARCEL OF REAL PROPERTY COMMONLY KNOWN AS 235 WEST MAIN STREET FROM (CD) CORRIDOR DISTRICT TO DOWNTOWN DISTRICT (DD) AND DECLARING AN EMERGENCY. Libby Heintzleman moved that the rules requiring ordinances and resolution to read on three separate readings be suspended and declaring an emergency; Jake Olsavsky seconded the motion.

Roll Call Vote

Bukmir	Yes	Sabatino	Yes
Heintzleman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes	Zero (0) No	Two (2) Abstain
	Motion Approved		

There was presented and read to Council on its third and final reading by title only, ORDINANCE NO. 2015-48. a motion was made by Perry Jones and seconded by Jim Weisgerber that Ordinance No. 2015-48 be passed by Council.

Roll Call Vote

Bukmir	Yes	Sabatino	Yes
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Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes Zero (0) No	Two (2) Abstain	Motion Approved

Ordinance No. 2015-48 was declared adopted.

There was presented and read to Council on its second reading by title only, ORDINANCE NO. 2015-49; AN ORDINANCE PROVIDING AUTHORIZATION TO THE DIRECTOR OF PUBLIC SERVICES TO SOLICIT COMPETITIVE BIDS FOR CERTAIN EQUIPMENT AND VEHICLES UNDER THE COOPERATIVE PURCHASING PROGRAM, AUTHORIZING AN EXPENDITURE IN EXCESS OF \$25,000.00 AND DECLARING AN EMERGENCY. Libby Heintzelman moved that the rules requiring ordinances and resolution to be read on three separate readings be suspended and declaring an emergency: Jake Olsavsky seconded the motion.

Roll Call Vote			
Bukmir	Yes	Sabatino	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes Zero (0) No	Two (2) Abstain	Motion Approved

There was presented and read to Council on its third and final reading by title only, ORDINANCE NO. 2015-49: A motion was made by Perry Jones and seconded by Jim Weisgerber that Ordinance NO. 2015-49 be passed by Council.

Roll Call Vote			
Bukmir	Yes	Sabatino	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes Zero (0) No	Two (2) Abstain	Motion Approved

Ordinance No. 2015-49 was declared adopted.

There was presented and read to Council on its second reading by title only, ORDINANCE NO. 2015-50: AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICES TO ADVERTISE FOR BIDS FOR THE PURCHASE OF A USED 1 TON 4WD PICKUP AND USED ½ TON 4WD PICKUP AND AUTHORIZING AN EXPENDITURE IN EXCESS OF \$25,000.00 AND DECLARING AN EMERGENCY. Libby Heintzelman moved that the rules requiring ordinances and resolutions to be read on three separate readings be suspended and declaring an emergency; Jim Weisgerber seconded the motion.

Roll Call Vote			
Bukmir	Yes	Sabatino	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes Zero (0) No	Two (2) Abstain	Motion Approved

There was presented and read to Council on its third and final reading by title only, ORDINANCE No. 2015-50;; A motion was made by Jim Weisgerber and seconded by Perry Jones that Ordinance No. 2015-15 be passed by Council;

Roll Call Vote

Bukmir	Yes	Sabatino	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes Zero (0) No	Two (2) Abstain	Motion Approved

Ordinance No. 2015-50 was declared adopted.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2015-51; AN ORDINANCE TO MAKE LINE ITEM TRANSFERS WITHIN THE FUND FOR NORMAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ST. CLAIRSVILLE, STATE OF OHIO, FOR THE PERIOD JANUARY 1, 2016 THROUGH DECEMBER 31, 2015 AND DECLARING AN EMERGENCY. Libby Heintzelman moved that the rules requiring ordinances and resolutions to be read on three separate readings be suspended and declaring an emergency; Jake Olsavsky seconded the motion.

Roll Call Vote

Bukmir	Yes	Sabatino	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes Zero (0) No	Two (2) Abstain	Motion Approved

There was presented and read to Council on its third and final reading by title only, ORDINANCE NO. 2015-51. a motion was made by Perry Jones and seconded by Jim Weisgerber seconded the motion.

Roll Call Vote

Bukmir	Yes	Sabatino	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes Zero (0) No	Two (2) Abstain	Motion Approved

Ordinance No. 2015-51 was declared adopted.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2015-52; An ORDINANCE FOR MONTHLY TRANSFERS OF FUNDS FOR THE NORMAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ST. CLAIRSVILLE, STATE OF OHIO, FOR THE PERIOD JANUARY 1, 2015 THROUGH DECEMBER 31, 2015 AND DECLARING AN EMERGENCY.

Roll Call Vote

Bukmir	Yes	Sabatino	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		

Roll Call Vote Seven (7) Yes Zero (0) No Two (2) Abstain Motion Approved

There was presented and read to Council on its third and final reading by title only, ORDINANCE NO. 2015-52. a motion was made by Jim Weisgerber and seconded by Perry Jones that Ordinance No. 2015-52 be passed by Council.

Roll Call Vote

Bukmir	Yes	Sabatino	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		

Roll Call Vote Seven (7) Yes Zero (0) No Two (2) Abstain Motion Approved

Ordinance NO. 2015-52 was declared adopted.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 20150-53. AN ORDINANCE APPROVING AND ADOPTING A CAPITAL ASSET POLICY AND DECLARING AN EMERGENCY Libby Heintzelman moved that the rules requiring ordinances and resolutions to be read on three separate readings be suspended and declaring an emergency: Jim Weisgerber seconded the motion.

Roll Call Vote

Bukmir	Yes	Sabatino	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		

Roll Call Vote Seven (7) Yes Zero (0) No Two (2) Abstain Motion Approved

There was presented and read to Council on its third and final reading by title only, ORDINANCE NO. 2015-53, a motion was made by Jim Weisgerber and seconded by Perry Jones that Ordinance No. 2015-53 be passed by Council.

Roll Call Vote

Bukmir	Yes	Sabatino	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		

Roll Call Vote Seven (7) Yes Zero (0) No Two (2) Abstain Motion Approved

Ordinance No. 2015-53 was declared adopted.

Richard Myser: It has come to my attention that we may need to go into Executive Session tonight under Ohio Revised Code Section 121.22 (G) (2) to consider the purchase and or sale or use of property for public purposes.

EXECUTIVE SESSION:

A motion was made by Jim Weisgerber and seconded by Jake Olsavsky to go into Executive Session per Ohio Revised Code Section 121.22 (G) (2) to consider the purchase and or sale or use of property for public purposes.

Roll Call Vote

Bukmir	Yes	Sabatino	Yes
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Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes Zero (0) No	Two (2) Abstain	Motion Approved

A motion was made by Jim Weisgerber and seconded by Perry Jonesy to return to regular session.

Roll Call Vote			
Bukmir	Yes	Sabatino	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes Zero (0) No	Two (2) Abstain	Motion Approved

There being no further business to come before Council a motion to adjourn was made by Jim Weisgerber and seconded by Perry Jones.

NEXT MEETING: The next regular scheduled meeting will be Monday, January 4, 2016 at 7:30 in the Council Chambers.

Kathleen M. Kaluger, Clerk

D. Terry Pugh, Council President