

COUNCIL MINUTES
January 4, 2016

St. Clairsville City Council met in Council Chambers on Monday, January 4, 2016 with the following present

Jim Weisgerber, Council President	Terry Pugh, Mayor
Mark Bukmir, Council 3 rd Ward	Tom Murphy, Planning & Zoning Administrator
Linda Jordan, Council-At-Large	Dennis Bigler, Service Director
Beth Oprisch, Council-At-Large	Richard Myser, Law Director
Jake Olsavsky, Council, 1 st Ward	Cindi Henry, Finance Director
Frank Sabatino, Council, 2 nd Ward	Don Smithberger, Electric Superintendent
David Trouten, Council, 4 th Ward	Jeff Henry, Police Chief
	Shelley Fortney, Utility Office Manager

The meeting was called to order by Council President Pro-Tem Frank Sabatino

Frank Sabatino: I want to welcome everyone family and friends of the candidates. This is our first meeting of the St. Clairsville City Council for 2016. Council you have received a copy of the order of the business and for the first part we will follow that agenda. We want to congratulate Terry Pugh on being elected Mayor and all the other new Council people on your election.

SWEARING IN OF NEWLY ELECTED OFFICIALS

Law Director Richard Myser

Sworn in were Mayor Terry Pugh, Council Members Jim Weisgerber, Linda Jordan and Beth Oprisch.

Frank Sabatino: Prior to being elected Mayor, Terry Pugh served as President of Council. We need to nominate and vote on a person to serve for the unexpired two year term for Terry Pugh. That person by title will be the President of Council. I would like to nominate Mr. Jim Weisgerber to that position. Jake Olsavsky seconded the motion.

Roll Call Vote:

Bukmir	Yes	Olsavsky	Yes
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Trouten	Yes
		Weisgerber	Yes

Roll Call Vote: Seven (7) Yes Zero (0) No Motion Approved

Richard Myser administered the Oath of Office to Jim Weisgerber

Richard Myser:

Under the Charter of the City of St. Clairsville the office of President of Council is an elected position so in addition to being sworn in as a Council Member I have the pleasure of swearing Jim Weisgerber in as President of Council.

Jim Weisgerber:

Our next order of business is to elect a President Pro-Tem which was the position that Mr. Sabatino had. The President Pro-Tem has to be a Council Member. A motion was made by Linda Jordan and seconded by Beth Oprisch to reappoint Frank Sabatino as President Pro-Tem.

Roll Call Vote:

Bukmir	Yes	Olsavsky	Yes
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Trouten	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

We now have to address the Council with me moving up to Council President. So we do have an open seat and it would be for Council at Large which would be anyone in the city would be eligible. **David Trouten:** I agree with what Beth was suggesting which was that we open it up. We do only have thirty days so we have to act quick. I think we should open it up to see what qualified candidates are interested and then make the best choice. **Beth Oprisch:** We had someone come to the meeting a couple of weeks ago so we know someone is interested. Mike Kasper indicated his interest so I think there should be something in the paper because we have a short window here. **David Trouten:** A lot of people would not know of this unless they were following it closely until now. **Jim Weisgerber:** The Charter does state that if we don't fill the vacancy within 30 days then the Mayor can bring to Council a name that we could accept or reject at that point. **David Trouten:** Before I was ever on Council this happened once before when Council interviewed people and selected someone I don't know how that worked if they had a committee or the whole Council interviewed people after the committee weeded them out. I don't know what happened. Who all was here then? **Richard Myser:** If I could address that, the city charter doesn't necessarily call for a committee. So it is going to be up to you however you want to do it. **David Trouten:** I know there isn't any format. I am just suggesting is we only have one more meeting unless we call a special meeting that I may have to do in this situation. **Council Clerk:** I believe we accepted applications and all Council were provided those applications. **Beth Oprisch:** Do they go to you or to the Mayor or Council President? **Council Clerk:** They can just come to the Mayor's Office. **David Trouten:** So then we Council Members can review them and say we want to interview some. **Frank Sabatino:** My only reply to that is if we go that way everyone on this Council has to make a commitment to attend that meeting. Past history has shown that it is hard to coordinate everyone's schedule. Everyone is planned in for the 3rd Tuesday of the month. Otherwise I would be in favor of nominating a person tonight. **David Trouten:** Actually what we could do is see who is interested and at the net session we could discuss it and then we would have to call a Special meeting prior to the thirty days. **Richard Myser:** I am not sure that is something you can go in to Executive Session to discuss. This is an elected position. We can go into Executive Session to discuss our own personnel. We can discuss contracts that we may have, we can discuss communications with Legal Counsel but this is a matter that is open to the public. **David Trouten:** That doesn't change what I said, we can still discuss it at that meeting. **Richard Myser:** You might want to take a few minutes at the beginning of the meeting to allow them to introduce themselves. **Cindi Henry:** I am actually going to ask for a special meeting either Thursday or Friday of this week to do appropriations could we not take care of it then before this meeting. **Beth Oprisch:** We do need to think about time frames. I think two days is too short and two weeks is too long. I don't know what the happy ground is but we do need to get the

clock starting right now. **Jim Weisgerber:** We have 30 days from today. Letters of interest should be dropped off at the Mayor's Office by next Monday.

APPOINTMENTS:

Law Director, Richard Myser

The Charter provides that there are three positions in the City of St. Clairsville, the Law Director, The Finance Director and the Director of Public Services be appointed when a new Mayor is elected and those three positions serve at the pleasure of the Mayor until the next election.

Dennis Bigler from now to July 15, 2016

Terry Pugh, Mayor

I will be making three appointments tonight Dennis Bigler, Director of Public Services, Richard Myser, Law Director and Cindi Henry, Finance Director.

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2016-03; A RESOLUTION CONFIRMING THE APPOINTMENT OF DENNIS BIGLER AS THE DIRECTOR OF PUBLIC SERVICES FROM AND AFTER JANUARY 1, 2016 TO JULY 15, 2016, AND DECLARING AN EMERGENCY. David Trouten moved that the rules requiring ordinances and resolutions be read on three separate readings be suspended and declaring an emergency; Jake Olsavsky seconded the motion.

Roll Call Vote:

Bukmir	Yes	Olsavsky	Yes
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Trouten	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

There was presented and read to Council on its third and final reading by title only, RESOLUTION NO. 2016-03. a motion was made by David Trouten and seconded by Linda Jordan that Resolution No. 2016-03 be passed by Council.

Roll Call Vote

Bukmir	Yes	Olsavsky	Yes
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Trouten	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

Resolution No. 2016-03 was declared adopted.

Prior to Resolution No. 2016-01 being read David Trouten questioned the Law Director's duties in the light of the City hiring a H.R. firm to handle Union negotiations. Mayor Pugh informed Council that there is no change in salary and that in return for not handling the Union negotiations his firm will be paying for their own Ohio Revised Code books. Richard is going to be very busy this year with the St. Clair Commons project.

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2016-01; A RESOLUTION CONFIRMING THE APPOINTMENT OF RICHARD A. MYSER AS THE DIRECTOR OF LAW FROM AND AFTER JANUARY 1, 2016, AND DECLARING AN EMERGENCY. Mark Bukmir moved that the rules requiring ordinances and resolutions be

read on three separate readings be suspended and declaring an emergency; Beth Oprisch seconded the motion.

Roll Call Vote

Bukmir	Yes	Olsavsky	Yes
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Trouten	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

There was presented and read to Council on its third and final reading by title only, RESOLUTION NO. 2016-01. a motion was made by David Trouten and seconded by Jake Olsavsky that Resolution No. 2016-01 be passed by Council.

Roll Call Vote

Bukmir	Yes	Olsavsky	Yes
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Trouten	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

Resolution No. 2016-01 was declared adopted.

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 201-02; A RESOLUTION CONFIRMING THE APPOINTMENT OF CINDI HENRY AS THE DIRECTOR OF FINANCE FROM AND AFTER JANUARY 1, 2016 AND DECLARING AN EMERGENCY. Mark Bukmir 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	Olsavsky	Yes
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Trouten	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

There was presented and read to Council on its third and final reading by title only, RESOLUTION NO. 2016-02. a motion was made by Mark Bukmir and seconded by Linda Jordan that Resolution No. 2016-02 be passed by Council.

Roll Call Vote

Bukmir	Yes	Olsavsky	Yes
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Trouten	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

Resolution No. 2016-03 was declared adopted.

Jim Weisgerber

We have to appoint a Council Clerk. I recommend that we reappoint Kathy Kaluger. A motion was made by Jake Olsavsky and seconded by Mark Bukmir.

Roll Call Vote

Bukmir	Yes	Olsavsky	Yes
Jordan	Yes	Sabatino	Yes

Oprisch	Yes	Trouten	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

MINUTES

Minutes of the December 21st meeting were distributed to Council. Beth Oprisch mentioned a mistake in some of the votes in the minutes. The Clerk said they will be corrected. A motion to accept the minutes of the December 21st meeting as corrected was made by David Trouten and seconded by Jake Olsavsky.

Roll Call Vote

Bukmir	Yes	Olsavsky	Yes
Jordan	Abstain	Sabatino	Yes
Oprisch	Abstain	Trouten	Yes
Roll Call Vote:	Four (4) Yes	Two (2) Abstain	Motion Approved

REPORTS

Service Director, Dennis Bigler

- Mayor and Council thank you very much for your faith in me again
- The City looks great. We are about to take down the Christmas decorations
- We have all the old wreaths in the basement yet. I would like to advertise those and go ahead and sell those hopefully a local Township or a local Village. There are approximately 70 wreaths
- A second item, we have been talking in the Utility Committee for a long time and in Council about the upgrades to the wastewater treatment plant and you will remember that we had taken bids and we received bids that were \$600,000 less than what the estimate was for that upgrade. In order to award the contract we have to have funding for that nearly two million project either on hand or in the process of collection. At the December 7th Council meeting I made Council aware that we were going to have to raise rates in order to pay for this upgrade. This is a serious issue that we are faced with. We are under very strict permit restriction from the National discharge permit and we are having difficulty meeting those permit limitations. Some of our equipment at the plant is out of operation so what this project will do is build new equipment and replace that 30 some year old equipment that is there. In order to do that we do not have the funds on hand and we will have to borrow those money's. To be able to borrow those money's we have to have rates that support the borrowing. I have been working with Cindi and her with OWDA to prepare the applications. We have RCAP which is a consortium that helps small cities and villages in doing this kind of work. They are preparing the paperwork with Cindi. Their deadline is January 15th. This ordinance is proposed to be an emergency however we will be giving it multiple reading. If we didn't make it an emergency it would not take effect until the middle of March. No one likes to raise rates but it is something that we have to do. **Beth Oprisch:** Am I correct the last rate increase was in 2011? **Dennis Bigler:** Correct.
- I have had four assistants in my almost 36 years in the city and my newest assistant is starting her first day today and she has lasted all day without quitting. I asked her to come up. Her name is Roberta Mertz. This is the face that will be on the end of the phone if you call in. She spent nearly 20 years on Capitol Hill working for three Congressmen as a legislative assistant and became a legislative Director. And became a

Chief of Staff for a Congressman from North Carolina for several years. She has a Bachelor's Degree in Political Science from Ohio Northern and lives just right outside the city welcome Roberta.

Mayor, Terry Pugh

- I really don't have anything to report but I just want to say I am going to look forward to working Council and all the City Employees. I know one thing, my position is only as good as the people we have around us. So I should be a star with the people around me. I look forward to working for the city and working with you all.

Police Chief, Jeff Henry - No Report

Finance Director, Cindi Henry

- First off thank you for my reappointment
- We are going to have to have a special meeting the only reason being I have the appropriations done however with going from one software to another software I really need to reread them before I feel comfortable with you implementing them. I also will have all the moves I had to make to get the books in line and that will need Board approval. If I get them done tomorrow I will email them to you. **Beth Oprisch:** If they are emailed to us tomorrow we could meet on Wednesday, that will give us time to read them. **Mark Bukmir:** I can be here at 7:00.

Planning & Zoning Administrator, Tom Murphy

- The Planning Commission has a meeting on Monday February 1st. at 6:00 p.m. For the new Council Members those meetings are held here. There is one item on the agenda, it is related to the St. Clair Commons, many of you are familiar with that proposed development. Equity the developer for the project is submitting a preliminary subdivision plat. It is being proposed to divide the property into five lots. At this point there are plans for a senior living facility located on lot 4. Anyone can attend that meeting from City Council. Jim is the representative from City Council on the Planning Commission and Terry being the Mayor is on the Commission also.
- One of our members on the Commission Ken Davison's term expired at the end of 2015. I did talk to him and he said he is interested in serving again. What has happened in the past the Mayor asks Council to reappoint him and have Council vote on that person. Ken lives in the community and is an engineer.
- **Mayor Pugh:** I would like to recommend Ken Davison for the Planning Commission with Council' approval. A motion was made by Jake Olsavsky and seconded by Mark Bukmir to reappoint Ken Davison to the Planning Commission.

Roll Call Vote

Bukmir	Yes	Olsavsky	Yes
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Trouten	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

COUNCIL COMMITTEES:

Finance, David Trouten – No Report

Utilities, Frank Sabatino

- Committee met this evening and we welcomed Mr. Weisgerber and Beth Oprisch as members of the Utility Committee this year.
- Dennis spoke will on sewer rate increase. It nothing we want to do but nothing but nothing has been done for so long. One thing we can't afford in the City of St. Clairsville is an infrastructure that is not working. Shelley and Donnie were at the meeting and I want to thank them.
- **Don Smithberger, Electric Superintendent:** Just like to express our thank you for the year past and look forward to working with you folks this year.
- **Shelley Fortney:** We are closing down the year and starting a new one. We have the yearend reports for members that are not on the Utility Committee if you would like a copy of the report.

Police, Mark Bukmir

- I spoke with Jeff today and we are going to have a meeting with the members and myself so he can go over some things with us to get us oriented. We will be meeting after the meeting tonight

Street North Side, Jake Olsavsky – Just be careful on the ice

Street South Side, Linda Jordan – No Report

Safety, Beth Oprisch – No Report

Building and Grounds, Mark Bukmir – No Report

Planning Commission, Jim Weisgerber – Mr. Murphy gave a report

Fire District, Frank Sabatino

- The Fire Board met in reorganization on December 30th and had our regular meeting following. The re-organization the Township Trustee will now be the Chairman, I am the City appointee so I am Vice Chairman. We re-appointed Lance Rice Fire Chief, Mark Summers Assistant Chief, and Matt King as Fiscal Officer. We urge all the Citizens to check the batteries in the smoke detectors and carbon monoxide detector and make sure they are working. Be careful for the safety of all.

Recreation, David Trouten – No Report

Park District, Linda Jordan – I will no longer be able to serve on the Board so we will have to appoint someone else. I have a couple of recommendations.

ORDINANCES & RESOLUTIONS

Law Director, Richard Myser

- I would also like to thank the Mayor and Council for the support with confirmation of the appointment
- This evening the only thing I have is Ordinance No. 2016-04 that Mr. Bigler explained to you and wants to read on the first time only tonight.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2016-04; ORDINANCE AMENDING CODIFIED SECTION 933.02 (B) TO ESTABLISH SEWER RATES EFFECTIVE AT THE EARLIEST DATE DETERMINED BY LAW.

NEW BUSINESS;

John Swan: I want to bring up a safety issue on Greentree. My concern is snow is approaching us and on Parshall Avenue north and south there are a lot of parked vehicles. Previously we used to have signs no parking on Parshall Avenue and they are not there anymore. I just wondered if we could get them erected again. We had that bad squall a couple of weeks ago and there were a couple of cars turned around down that way and going backwards. I think if those cars are going to be on the side there are going to be some accidents there. **Jeff Henry:** It's on my list of no parking signs. The west side of Parshall Avenue is no parking. It has been no parking ever since I was a little kid. As far as the snow signs, there are signs that say no parking when snow exceeds 2 inches from midnight until six. That will help the street a little bit but those signs have since disappeared. They have been stolen or knocked down. They definitely need replaced but Parshall if you have just one side parking it makes a big difference. We are just waiting for the Street Department to put signs up.

There being no further business to come before Council a motion to adjourn was made by Jake Olsavsky and seconded by Linda Jordan...

NEXT MEETING: The next regular scheduled meeting will be Tuesday, January 19, 2016 at 7:30 in the Council Chambers.

Kathleen M. Kaluger, Clerk

Jim Weisgerber, Council President