

COUNCIL MINUTES
July 6, 2015

St. Clairsville City Council met in Council Chambers on Monday, July 6, 2015 with the following present

Terry Pugh, Council President	Robert Vincenzo, Mayor
Libby Heintzelman, Council-At-Large	Tom Murphy, Planning & Zoning Administrator
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	Dennis Bigler, Service Director
Jim Weisgerber, Council-At-Large	Don Smithberger, Electric Superintendent
	Shelley Fortney, Utility Office Manager
	Lindsay Piccolini, Recreation Director

The meeting was called to order by Council President Terry Pugh

PRESENTATION:

Mayor Vincenzo: At this time we have a visitor with us Mr. Brandon Poddany he is from AMP and he is here to perform a very nice task tonight. He is here to present an AMP scholarship to Miss Anna Davies. **Brandon Poddany:** I am the Manager of Marketing and Member Relations with AMP and I am honored to be here to present Anna with this scholarship. I am going to tell you a little bit about AMP for those of you who may not be familiar. I want to tell you a little bit about the scholarship and some of Anna's highlights. Then we will let you get on with your business and send Anna off to Ohio Wesleyan. AMP stands for American Municipal Power we are the nonprofit power provider for members in nine states, 132 different municipalities combined and serves 637,000 customers. We provide services including power supply, planning, engineering, financial, environmental, generation, legal, public relations and other support services. Members receive their power supply from a diversified resource mix including hydro, wind, solar, coal and natural gas. That is a little bit about AMP. A little bit about the Lyle B. Wright Scholarship that Anna has been chosen to be the recipient of. There are four scholarships given annually for \$2,000 each. AMP has awarded over \$272,000 in scholarships since the program began in 1988. This particular scholarship is named in the name of Lyle B. Wright a strong public power advocate who served on AMP and OMEA boards. The scholarship is awarded to graduating high school seniors. The Wright Scholarship is offered to students whose households receive electricity from an AMP member community. This year there were 28 students nominated for the Wright Scholarship. The students wrote an essay about Public Power and those with the top scores became finalists. The finalists took a test about Public Power and the AMP Board of Trustees approved four recipients based on their scholastic record, personal achievement and the test score. AMP is pleased that a strong Municipal Electric supporter like St. Clairsville was home to one of this year's recipients. That is enough about me and AMP. A little bit about Anna. Anna is the daughter of Al and Lenora Davies. She is a graduate of St. Clairsville High School and is planning on attending Ohio Wesleyan University majoring in English and minor in Theater. Anna was extremely involved in school and may activities. Some of her highlights include being on the honor roll all four years of High School, a member of the National Honor Society, a recipient of the Rotary Youth Leadership Award, the

Chamber of Commerce Academic Achievement Award, participated in theater and variety show productions, chamber choir, show choir, Spanish Club, Culture Club and Youth for Christ. In 2013 she won the best supporting actress for her performance in the production of Fiddler on the Roof. In 2014 Anna was in the National Thespian Society. So we find Anna to be a talented student with a promising future and I am pleased on behalf of AMP and its Board of Trustees to present Anna with the check for her \$2,000 scholarship.

Bill Jeffers

Terry Pugh: Bill you are on the agenda and you have your five minutes. **Bill Jeffers:** Really, you discriminate against me. **Terry Pugh:** Bill you are wasting your time. I am not going to go through this each time. You have been disruptive so far to a nice ceremony. **Bill Jeffers:** Again you put me last and we will see you another day. Have a nice day. You will receive everything I was going to direct you by fax or registered mail. And by the way thank you for the piece of material you put on my property. **Terry Pugh:** Are you talking about the guardrail? **Bill Jeffers:** I don't know there were no names mentioned, yes that is my property so it is my guardrail. Have a nice day. **Terry Pugh:** You too.

Council Minutes: You all received their minutes of the June 15, 2015 Council Meeting. Are there any additions or changes? If not do I hear a motion to accept the minutes? A motion to accept the minutes as written was made by Jake Olsavsky and seconded by Libby Heintzelman.

Roll Call Vote:

Heintzelman	Yes	Trouten	Yes
Jones	Yes	Sabatino	Yes
Olsavsky	Yes	Weisgerber	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

REPORTS:

Service Director, Dennis Bigler

- I want to let you know that the contractor finished work last week on the Route 9 North water line. That project is now finished. When Shelley & Sands starts on Route 40 & Route 9 we are hoping to direct them there first so that will be one of the first places that they plane. Obviously it is rougher then we want it to be but it is for a short duration so we can post some signs on it today and hopefully we will get that smoothed up right away with some planeing and some paving.
- The only other thing that I will point out just to make everyone aware is we have a number of trees on Route 9 and Route 40 that we believe we are going to have to go in and cut the dead out of and do some removal particularly from 40 & 9 down the hill towards Butler. That is a concentrated area with those Ash trees and you see a lot of die back and we are concerned about the number of dead limbs that are above the street. I think we really need to get on that so between Don Smithberger and Brian Kralovic I would like to see right away us get on that so I just wanted to make Council aware of that.

Mayor, Robert Vincenzo - No Report

Police Chief, Jeff Henry – No Report

Finance Director, Cindi Henry

- I provided electronic copies and hard copies for those who were here for the budget herring tonight. If you have any questions after you review them feel free to track me down.
- I will be meeting on Wednesday with the Health Plan to go over our renewal rates for next year and the only indication is that it is not pretty.

Planning & Zoning Administrator, Tom Murphy

- You all have a copy of the Road Use Management Agreement we are handing out tonight. Dennis did you want to add anything or did you just want Council Members to look at it and see if they had any comments. **Dennis Bigler:** Yes I wanted to get it out there because Gulfport is asking about it. **Terry Pugh:** But there are some changes to this particular one. **Dennis Bigler:** We are going to have to add to it with the flagmen and the slip. We will just tie it to the plans. They have submitted plans showing the repairs of these areas and that was what the discussion with me today was about. We will incorporate those plans by reference. When I first saw this a long time ago I questioned do we need this but I see other jurisdictions doing it so. **Richard Myser:** I don't have legislation to adopt it tonight and I don't think you necessarily wanted to adopt it tonight. I think you want Council to take a look at it and you say there are some changes? **Dennis Bigler:** There are a few items and a typo or two. A few items we want to change and we can incorporate them in the plans by reference. **Richard Myser:** Two weeks from now I will have legislation for that and the legislation will be to adopt the agreement in the final form.
- The only other item I have is related to the East Main Street job. The contractor we have out there has great, the foreman on the site whenever a driveway has to be shut down when they were putting the culvert in they would knock on the door talk to the property owner, make arrangements for them to put their vehicle in another driveway if need be. Everything so far has been going real well you like to think it would be wrapped up quicker but obviously that is in a perfect world. The whether slowed them down a bit but they have been working very quickly. They had to put the last section of culvert in and the catch basin set in front of Convenient so all the foundations for the catch basins are in and during the next week to week and a half they will be putting in the new curb and new driveway ramps. They are starting to finish off that part of the project. Obviously the second part of that is to make sure that all the base is consistent. One of the requirements ODOT had was that they saw cut that east bound lane where the work took place. They have 6" of aggregate and 7" of the base course and then ultimately the intermediate and the surface course before the project gets finalized. Shelly & Sands, their hope is to next week start the milling on Route 9 and in a perfect world again they did say that they could have the milling completed on Route 9 in two days if the weather cooperates and the machinery cooperates. So that is some good news that part of the project will be starting. Dennis did talk to them about starting the project around Union Cemetery and come south because those people have suffered quite a bit. We would like to get thing out of that area as quickly as possible.

COUNCIL COMMITTEES:

Finance, Libby Heintzelman – No Report

Utilities, Frank Sabatino

- The Utility Committee met before our regular meeting and talked about some of the projects going on as Dennis alluded to. We had citizens from Spring Park with us this evening to discuss an issue and a resolution was achieved. We discussed some personnel
- Don Smithberger, Electric Superintendent: Nothing this evening
- Shelley Fortney, Utility Office Manager: I have nothing either

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, John Bukmir – Not Present

Planning Commission, Jim Weisgerber – No Report

Fire District, Frank Sabatino

- The Fire Board met on June 17th in Regular Meeting
- The new squad car is in service and in case you see it around town it has a black stripe which is different than the traditional white stripe that we had. That is how you can tell it is the new squad car
- We discussed some contract issues
- Our next regular meeting will be July 22nd at 3:00
- The Fire Board will have a special Board meeting on Wednesday, July 8th at 3:30 at the Main Station. The meeting will be to hold a tax budget hearing, to approve the budget and discuss any other matters deemed necessary by the Board, Fire Chief or Fiscal Officer

Recreation, David Trouten

- Lindsay is here and I can tell you she has hit the ground running and things are going well at the Rec. Center.
- I have a long list of things that she is working on and rather than read through this I am going to run copies and put it in everyone's box.
- **Lindsay Piccolini:** Nothing big we have our big shoot out coming up and we are just working on finding a new normal and kind of updating and modernizing and if anyone has any ideas feel free to come down

Park District, Perry Jones

- On July 12th they are having free Community Day beginning at 1:00

ORDINANCES & RESOLUTIONS

Law Director, Richard Myser

We have several Ordinances tonight.

- The first one is 2015-26 and that will be a Resolution to approve the Management Consultant Agreement with Clemans, Nelson & Associates, Inc. regarding Human Resources and this ordinance will be presented as an emergency measure to authorize the Mayor and the Service Director to sign.

- The second resolution I have is 2015-27, it is a resolution to approve an Asset Valuation and Management Consultant Agreement with HCA Asset Management basically it is resolution to adopt a proposal that they have given us and I think that I have sent that proposal to everyone to review. It also will be adopted as an emergency measure this evening.
- The third ordinance that we have is 2015-28 and this is an ordinance adopting the budget for the City of St. Clairsville for the year 2016.
- Tom and I have been working on the letters that went out to various different citizens regarding grass cutting. The letters went out and I think we had a pretty good response to that. Several of the citizens did not respond and Tom and I have been following up on that and we found out that some of the properties are in estates and as a matter of fact I sent a letter out today to the executor and to the attorney representing the estate on one of them. Two others are in foreclosure and not only are we having trouble finding them but the banks are having trouble finding the property owners too. I will be following up on all of those. Tom just gave me another one this evening that we will be sending a letter out. **Mayor Vincenzo:** I had one in my Mayor's Court this evening it is in a foreclosure, a bank out of Columbus were sending mowers but they haven't mowed for quite awhile. We are going to have the phone number tomorrow to contact the bank. I will talk to them unless you want it turned over to you. **Richard Myser:** If you want me to I don't have any problem with it.
- We will need to go into Executive Session to discuss personnel matters per Ohio Revised Code Section 121.22 (G)(1) & (4)

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2015-26; A RESOLUTION FOR APPROVAL OF MANAGEMENT CONSULTANT AGREEMENT WITH CLEMANS, NELSON & ASSOCIATES, INC. FOR CONSULTING SERVICES IN ACCORDANCE WITH THE TERMS AND CONDITIONS AS SET FORTH IN THE AGREEMENT ATTACHED HERETO 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:

Heintzelman	Yes	Trouten	Yes
Jones	Yes	Sabatino	Yes
Olsavsky	Yes	Weisgerber	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. 2015-26. A motion was made by Perry Jones and seconded by Jim Weisgerber that Resolution No. 2015-26 be passed by Council.

Roll Call Vote:

Heintzelman	Yes	Trouten	Yes
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Jones	Yes	Sabatino	Yes
Olsavsky	Yes	Weisgerber	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

Resolution No. 2015-26 was declared adopted.

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2015-27; A RESOLUTION FOR APPORVAL OF AN ASSET VALUATION AND MANAGEMENT CONSULTANT AGREEMENT WITH HCA ASSET MANAGEMENT, LLC FOR CONSULTILNG SERVICES IN ACCORDANCE WITH THE TERMS AND CONDITIONS AS SET FORTH IN THE AGREEMNT ATTACHED HERETO 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:

Heintzelman	Yes	Trouten	Yes
Jones	Yes	Sabatino	Yes
Olsavsky	Yes	Weisgerber	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. 2015-27. A motion was made by Perry Jones and seconded by Jim Weisgerber that Resolution No. 2015-27 be passed by Council.

Roll Call Vote:

Heintzelman	Yes	Trouten	Yes
Jones	Yes	Sabatino	Yes
Olsavsky	Yes	Weisgerber	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

Resolution No. 2015-27 was declared adopted.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2015-28; AN ORDINANCE ADOPTING THE BUDGET FOR THE CITY OF ST. CLAIRSVILLE, OHIO FOR THE CALENDAR YEAR 2016, AND DECLARIING 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:

Heintzelman	Yes	Trouten	Yes
Jones	Yes	Sabatino	Yes
Olsavsky	Yes	Weisgerber	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, ORDINANCE NO. 2015-28. A motion was made by Jim Weisgerber and seconded by Perry Jones that Ordinance No. 2015-28 be passed by Council.

Roll Call Vote:

Heintzelman	Yes	Trouten	Yes
Jones	Yes	Sabatino	Yes
Olsavsky	Yes	Weisgerber	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

Ordinance No. 2015-28 was declared adopted.

EXECUTIVE SESSION:

A motion was made by Jim Weisgerber and seconded by Perry Jones to go into Executive Session per Ohio Revised Code Section 121.22 (G) (1) & (G)(4) Personnel.

Roll Call Vote:

Heintzelman	Yes	Trouten	Yes
Jones	Yes	Sabatino	Yes
Olsavsky	Yes	Weisgerber	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

RETURN TO REGULAR SESSION:

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

Roll Call Vote:

Heintzelman	Yes	Trouten	Yes
Jones	Yes	Sabatino	Yes
Olsavsky	Yes	Weisgerber	Yes
Roll Call Vote:	Six (6) Yes	Zero (0) No	Motion Approved

NEXT COUNCIL MEETING: The next meeting will be held on Monday, July 20, 2015 at 7:30 in the Municipal Building.

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

Kathleen M. Kaluger, Clerk

D. Terry Pugh, Council President