

COUNCIL MINUTES
June 6, 2016

St. Clairsville City Council met in Council Chambers on Monday, June 6, 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	Cindi Henry, Finance Director
Beth Oprisch, Council-At-Large	Dennis Bigler, Service Director
Jake Olsavsky, Council, 1 st Ward	Richard Myser, Law Director
Frank Sabatino, Council 2 nd ward	Mike Troullos, Police Lieutenant
Mike Smith, Council-At-Large	
David Trouten, Council, 4 th Ward	

The meeting was called to order by Council President Jim Weisgerber

MINUTES

Minutes of the May 16, 2016 regular meeting were distributed to Council. A motion to accept the minutes was made by Linda Jordan and seconded by Beth Oprisch.

Roll Call Vote

Bukmir	Yes		
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Smith	Yes
Olsavsky	Yes	Trouten	Yes
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

CITIZENS HEARING:

Mr. William Jeffers, 199 Young Lane

Before the meters were changed over I caught the guy jacking up the meters. I caught him on mine. **Jim Weisgerber:** Are you insinuating that we are adding extra to your water meter? **Mr. Jeffers:** I am not insinuating he put the meter up from where it did not register. I go up to check the water and they said I used 4,000 gallons. I have slips here that I only used 1,000 gallon. I can't read my meter because it is a mud hole because since you did work on the first house you have underground crocks or something that directly goes underneath because I got asphalt stains coming up from when you paved. I need you to move the meter so I can read it. I don't need to be lied to. She said I used 4,000 gallon. I put a few in my pool but I watch because I give you guys nothing. I probably average 1,500 gallon but I watch. **David Trouten:** Don't we have a procedure that he can contest with the water department? **Jim Weisgerber:** We do. **David Trouten:** Wouldn't this be better addressed by that? **Jim Weisgerber:** It should be. **Mr. Jeffers:** I need the meter put where I can read it because it is a mud hole in my basement because you have a direct line outside of water coming from Neff Street with the catch basin that you bragged about that should help. All the water runs down the main road then it goes underneath the road down into my basement. I don't know what my bill is now but something isn't right. Do you want to see my bill? **Jim Weisgerber:** No I don't want to see it, I am listening to you sir. **Mr. Jeffers:** Well because I don't lie. I don't appreciate being overcharged for my utilities. If you need the money just get a jar and put a collection out. What can we do about these papers with my Social Security number typed up on five different sheets typed by the Court Clerk. This is public record. Do you want to see them? **Jim Weisgerber:** No, I want to know where you are going with this. **Mr. Jeffers:** What are you going to do to secure that my

Social Security Number has not reached out. **Jim Weisgerber:** Well since I wasn't aware of it and I believe it is standard procedure and it is not on line I don't feel there is anything that should be done about it at this point. **Mr. Jeffers:** Really, standard procedure five times? **Mayor Pugh:** All of this was sent to Western Division Court? **Mr. Jeffers:** There is a mole around here somewhere. **Beth Oprisch:** These are Court documents? **Mr. Jeffers:** Yes. **Clerk:** They are summons into Court. **Beth Oprisch:** Is this something we did. **Clerk:** It has been changed we no longer put Social Security numbers on anything. **Jim Weisgerber:** We are just about out of time, you know you have your five minute limit. **Mr. Jeffers:** Really. Back to five minutes. What are you going to do about changing my meter so I can read it? Obviously they don't know how to add or subtract down there and some of your minutes prove that. **Mayor Pugh:** I have one question Mr. Jeffers, how big is your pool? **Mr. Jeffers:** I know how much I put in it. I have been adding a little bit to it for the last three months which is about 400 or 500 gallons. **Mayor Pugh:** How big is your pool? I can figure out how much water it holds. **Mr. Jeffers:** I didn't use 3,000 gallons. **Mayor Pugh:** I said how big is your pool? **Mr. Jeffers:** 18' x 4' don't say I filled up my pool because I didn't. **Mayor Pugh:** You just said your pool is filled. **Mr. Jeffers:** I left it $\frac{3}{4}$ filled over the winter. You are going to gouge me and charge me for sewage and charge me for water that I didn't use. **Jim Weisgerber:** Mr. Jeffers you are aware that when you fill your pool you can get a pool meter so you are not charged for sewage. **Mr. Jeffers:** I am well aware of that, I haven't gotten one for years and I didn't use that much water. They tell me the wrong thing here it is in black and white from these quality people. I don't know where you get them because they can't add or subtract. **Jim Weisgerber:** ok we have had enough, we will look into it. I don't know what we will do but we have had enough this evening. **Mr. Jeffers:** I need my meter changed. **Jim Weisgerber:** We have listened to what you have to say, we will take it under advisement. **Bill Jeffers:** I have a question for you Mr. Mayor, how many people voted for you that were dead? **David Trouten:** Once again nothing we are discussing is anything that Council can decide on. This is all superfluous. **Mr. Jeffers:** Are you the Attorney now? **David Trouten:** I am simply saying that we the Council vote on matters. Nothing you brought up is for Council to address. **Jim Weisgerber:** I think you are trying to pick a fight here, I am not going to answer that and your time is up. You have stated your case, thank you for coming to the meeting.

Horizon Network Partners:

I don't know how much has been presented prior from Tom Murphy and Don Smithberger we are attempting to build a fiber optic service to Ohio Valley Medical Center's offices behind Riesbeck's. Right now we plan on an aerial build on the east side along the back lot behind all the businesses all the way around. Once we get to what we refer to as riser poles, we will be dropping into the customer's conduit and into the facility from there. **Tom Murphy:** I reviewed this with Council at the last meeting. I did present to them a few brief paragraphs along with a map showing the outline. Don Smithberger did review the drawings and had no issues or problems with it. It is no new poles it is just fiber optic cable. It is going to be an advantage because it will improve the connectivity between OVMC & East Ohio Regional to these outlying medical offices. They can get real time information from one facility to the next. There is no ordinance required it is just a vote of Council saying you find it acceptable and you are fine with it. I did not have any questions over the last two weeks so I assume that everyone is onboard.

Horizon: This is providing a secure point to point communication between several outlying clinics all the way back to Martins Ferry Hospital and the main Wheeling Hospital. It is going to be a lot better than what is being provided now, a lot more secure. **Jim Weisgerber:** Can we do this in the way of a motion? **Richard Myser:** Yes, I don't think you need an ordinance or resolution for this. We had an ordinance regarding limitation along Route 40 Corridor. This

doesn't affect the Route 40 corridor. A motion was made by Jake Olsavsky and seconded by David Trouten to allow Horizon to install a fiber optic line from Route 40 extending south in order to reach the two medical facilities located at the southern end of Plaza West.

Roll Call Vote

Bukmir	Yes		
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Smith	Yes
Olsavsky	Yes	Trouten	Yes
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

Service Director, Dennis Bigler

- We have Resolution NO. 2016-22 authorizing the Service Director to advertise for bids for the resurfacing of streets.
- We have a resolution tonight that will authorize the Mayor to execute an agreement with the Governor's Office of Appalachia. Last week we got word that they would have funding available for a short period of time. This is very highly sought after funds, very competitive across the State. It is called the Rapid Response Funds. We got one of those grants a year or two ago. So they basically said you put the application in and you will get the funding. We have prepared that and are submitting it. It will be a \$1000, 000 grant and the city needs to basically match it with \$100,000 match. The source of the \$100,000 will come from one of the developers in the St. Clair Commons. It is for the water lines to run from Young Lane through the water system on the connector road. That will give that subdivision full water supply.

Mayor, Terry Pugh

- Presented to Don Smithberger, Electric Department Supervisor and Employees a Safety Award for their excellence and No Lost Time Accidents. No injuries is something that I or any Mayor is happy to hand out so I hope we have many more in the future and I know we will. Congratulations to all of your men.

Police Report for May, 2016

Calls and Complaints	185
Special Teams Call Outs	0
Accidents	7
Arrests	17
Parking Tickets Issued	26
Traffic Stops	37
Miles put on Cruisers	5,814
Gasoline Used	523.2 gallons

WE are glad to see the cruisers out in the neighborhood and the citizens are too, we want to thank the Police Department. **Linda Jordan:** I had a couple of people commending the City for the Police presence, they were so pleased.

- Another thing is a reminder that JB Green Team will be moving the recycling bins on June 15th to the parking lot to the west of the Recreation Center.
- The other thing we have been receiving in my office is complaints about people walking their dogs in the city and not only on the biketrail but in other areas and not cleaning up and disposing after their dogs.

- Beth Oprisch:** Regarding the safety report is there something we could do to recognize the employees for having such a good safety record? They just had a picnic is that something we could put money towards? **Cindi Henry:** With Workers Comp anytime you have a Safety Council which we belong to Belmont County's Safety Council, they advise you that you should reward your employees for no lost time. We have been fortunate enough since I have been here to only have had what they call two first aid injuries that result in no lost time from work. I actually felt as though we do get together before Memorial Day every year and the Electric Department spearheads this. We all donate and bring covered dishes for the employees. We had a really good turnout this year from all the employees but again it is on the backs of our employees to have this. I think as a reward to our dedicated employees and their service in trying not to have accidents and keeping us accident free, I think the least we could do is provide the refreshments and food annually as a token of our appreciation because it keeps our rates done immensely and we do have great rates Comp wise for that reason. But in order for me to be able to do that and spend taxpayers money it would require a motion by Council setting a threshold on what can be spent on this event. Donnie and I have talked and we think that somewhere between \$500 and \$1,000 would cover all the cost. **David Trouten:** I am in favor of it, I think it is a small price to pay to improve moral. **Cindi Henry:** I think they appreciate that more than getting a piece of paper saying congratulations. **Beth Oprisch:** I make a motion that the City contribute not to exceed \$1,000 for the annual Memorial Day Picnic in honor of the outstanding safety record of all City Employees. Jake Olsavsky seconded the motion. **Cindi Henry:** A line item will be added to next year's budget for that purpose. **Beth Oprisch:** I think it is appropriate to reward the employees for their hard work.

Roll Call Vote

Bukmir	Yes		
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Smith	Yes
Olsavsky	Yes	Trouten	Yes
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

Police Chief, Jeff Henry – No Report

Jim Weisgerber: I want to reiterate the job the guys are doing out there. Their presence makes a big difference out there. It is proving that to me so thank you.

Finance Director, Cindi Henry

- I hope everyone received the Moody's report that we received last week. Dennis Bigler and I spent over an hour on the phone doing a conference call with the analyst from Moody's regarding this a couple of weeks ago. The City was assigned an A-2 rating. This in regard to the various purpose bond that we were doing to get rid of the old bond and it did trim off almost \$24,000 of the overall cost of the bond. **Frank Sabatino:** I just want to thank Cindi for the fantastic job that she has done since she has been here.

Planning & Zoning Administrator, Tom Murphy: No Report

COUNCIL COMMITTEES

Finance, David Trouten: No Report

Utilities, Frank Sabatino

- Utilities met this evening I want to thank Scott Brown, Shelley Fortney and Don Smithberger for attending.

- Pool meters are still available

Police, Mark Bukmir - No Report

Street North Side, Jake Olsavsky – No Report

Street South Side, Linda Jordan - No Report

Safety, Beth Oprisch – No Report

Building & Grounds, Mark Bukmir -- No Report

Planning Commission, Mike Smith – No Report

Fire District, Frank Sabatino

- Met in Regular Session on Wednesday, May 18th
- We replaced 4 part time employees and replaced 1 full time employee due to a resignation
- Next meeting will be Wednesday, May 18th at the Main Station

Recreation, David Trouten

- Introduced Alan McMillan a Recreation Department employee.
- Summer concerts start tomorrow night
- We started summer camps today. It was a basketball emphasis this week. They are scheduled to go every Monday from 9 to 11. Each week is something different
- We also have summer gymnastics starting tomorrow from 18 months to 7 years old
- We have a new Rec Board, it is working very well so far. Lindsay is pleased with the way things are getting done. She was able to get them to make some committees to settle some issues. One is for the Community Days Concert on July 5th
- Two weeks from Saturday we are having a small kid's track meet called the Red Devil Classic for kids from 1 year to 6th grade.

Park District, Linda Jordan

- The Board approved the job description for the Park Manager
- They approved the Public Records Policy
- Looking into whether they need to have By-Laws per the Ohio Revised Code they don't think that they do.
- The pool has been filled
- Next meeting Monday, June 13th

ORDINANCES & RESOLUTIONS:

Law Director, Richard Myser

I have a number of different Ordinances to discuss this evening. The first one is Ordinance No. 2016-21, we read it for its third reading two weeks ago. This is the Ordinance to make permanent appropriations for normal expenses and other expenditures. It is up for a second reading tonight.

The next Resolution that we have is 2016-22 it is a Resolution to authorize the Service Director to put out bids to advertise for resurfacing of streets. We will read it for a second reading tonight

The next Resolution we have is 2016-24 Authorizing the City to apply for a grant for Construction of the Commons Mall Crossing Waterline. It also has the emergency language in it.

Ordinance No. 2016-25 is basically asking the City to give consent to the Director of Transportation to pave 1.6 miles of connector road. All we are doing is giving them permission to pave within the City limits. All it is saying is we are accepting it when finished. This also has emergency language.

Tom Murphy and I have been sending out a number of different letters on grass cutting and properties that are littered and junk laden and two cases that came out of Mayor's Court this last month have been transferred to Western Division Court and we will be having hearing on those.

Tonight we need to go into Executive Session per Ohio Revised Code Section 121.22 (G) (3) to confer with Counsel on Legal Matters.

There was presented and read to Council on its third and final reading by title only, ORDINANCE NO. 2016-21; AN ORDINANCE TO MAKE PERMANENT APPROPRIATIONS FOR THE NORMAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ST. CLAIRSVILLE, STATE OF OHIO, FOR THE PERIOD JANUARY 1, 2016 THROUGH DECEMBER 31, 2016, AND DECLARING AN EMERGENCY. A motion was made by Jake Olsavsky and seconded by Mark Bukmir that Ordinance No. 2016-21 be passed by Council.

Roll Call Vote

Bukmir	Yes		
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Smith	Yes
Olsavsky	Yes	Trouten	Yes
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

Ordinance No. 2016-21 was declared adopted.

There was presented and read to Council on its second reading by title only, RESOLUTION NO. 2016-22; A RESOLUTION AUTHORIZING THE DIRECTOR OF PUBLIC SERVICES TO ADVERTISE FOR BIDS FOR THE RESURFACE OF STREETS ACCORDING TO ATTACHED EXHIBIT A IN THE CITY OF ST. CLAIRSVILLE 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		
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Smith	Yes
Olsavsky	Yes	Trouten	Yes
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

There was presented and read to Council on its third and third and final reading by title only, RESOLUTION NO. 2016-22. A motion was made by David Trouten and seconded by Jake Olsavsky that Resolution NO. 2016-22 be passed by Council.

Roll Call Vote

Bukmir	Yes		
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Smith	Yes
Olsavsky	Yes	Trouten	Yes

Roll Call Vote: Seven (7) Yes Zero (0) No Motion Approved
Resolution No. 2016-22 was declared adopted.

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2016-24; A RESOLUTION AUTHORIZING THE APPLICATION FOR A GRANT FOR CONSTRUCTION OF THE COMMONS MALL CROSSING WATERLINE AND DECLARING AN EMERGENCY. Jake Olsavsky moved that the rules requiring ordinances and resolutions to be read on three separate readings be suspended and declaring an emergency; Linda Jordan seconded the motion.

Roll Call Vote

Bukmir	Yes		
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Smith	Yes
Olsavsky	Yes	Trouten	Yes
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

There was presented and read to Council on its third and final reading by title only, RESOLUTION NO. 2016-24. A motion was made by Beth Oprisch and seconded by Jake Olsavsky that Resolution No. 2016-24 be passed by Council.

Roll Call Vote

Bukmir	Yes		
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Smith	Yes
Olsavsky	Yes	Trouten	Yes
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

Resolution NO. 2016-24 was declared adopted.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2016-25; CONSENT STATEMENT, BEING IN THE PUBLIC INTEREST, THE LPA GIVES CONSENT TO THE DIRECTOR OF TRANSPORTATION TO COMPLETE THE 1.66 MILE CONNECTOR ROADWAY. Jake Olsavsky moved that the rules requiring ordinances and resolutions to be read on three separate readings be suspended and declaring an emergency; Linda Jordan seconded the motion.

Roll Call Vote

Bukmir	Yes		
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Smith	Yes
Olsavsky	Yes	Trouten	Yes
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

There was presented and read to Council on its third and final reading, ORDINANCE NO. 2016-25. A motion was made by Mark Bukmir and seconded by David Trouten that Ordinance No. 2016-25 be passed by Council.

Roll Call Vote

Bukmir	Yes		
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Smith	Yes
Olsavsky	Yes	Trouten	Yes
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

Ordinance No. 2016-25 was declared adopted.

OLD BUSINESS:

Beth Oprisch: The gentleman who came in and we looked at cameras has that been resolved?

Dennis Bigler: We can't find that there is anything wrong on our end. We are trying to monitor that situation. We couldn't get the camera through in one area. **Beth Oprisch:** If I recall we were going to monitor it when big rains came. **Dennis Bigler:** I haven't heard anything from Rich Smith to indicate that there is any issue there. It is such a large pipe. I guess we are still keeping an eye on it.

NEW BUSINESS:

Mark Bukmir: I think the Boys Track Team and Individual State Champions should be recognized by the City somehow.

CORRESPONDENCE: Thank you notes to Chief Henry for his help with the Sam Mumley Race and the Spring into Shape Race

EXECUTIVE SESSION:

A Motion was made by Linda Jordan and seconded by Mike Smith to go into Executive Session under Ohio Revised Code Section 121.22 (G) (3) to meet with Legal Council on Legal Matters.

Roll Call Vote

Bukmir	Yes		
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Smith	Yes
Olsavsky	Yes	Trouten	Yes
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

A motion was made by Jake Olsavsky and seconded by David Trouten to return to Regular Session.

Roll Call Vote

Bukmir	Yes		
Jordan	Yes	Sabatino	Yes
Oprisch	Yes	Smith	Yes
Olsavsky	Yes	Trouten	Yes
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

NEXT MEETING:

The next meeting will be held on Monday, June 20, 2016 at 7:30 in Council Chambers.

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

Kathleen M. Kaluger, Clerk

Jim Weisgerber, Council President