

COUNCIL MINUTES
March 2, 2015

St. Clairsville City Council met at the Recreation Center on Monday, March 2, 2015 with the following present

Terry Pugh, Council President	Robert Vincenzo, Mayor
John Bukmir, Council, 3 rd Ward	Cindi Henry, Finance Director
Libby Heintzelman, Council-At-Large	Tom Murphy, Planning & Zoning Administrator
Perry Jones, Council-At-Large	Dennis Bigler, Service Director
Jake Olsavsky, Council, 1 st Ward	Al Davies, Law Director
Frank Sabatino, Council, 2 nd Ward	Jeff Henry, Police Chief
Jim Weisgerber, Council-At-Large	Don Smithberger, Electric Superintendent
	Doug Frye, Water/Wastewater Superintendent
	Shelley Fortney, Utility Office Manager

The meeting was called to order by Council President Terry Pugh

Minutes:

Terry Pugh: The minutes of the February 23, 2015 meeting were just distributed so we are going to give you a chance to read through them and we will bring them up for discussion at the next Council meeting.

CITIZENS HEARING:

Bob Whipp, Gulfport Energy

I am with Gulfport Energy we have an office here on Woodrow Avenue. A little bit of background. Last year one of our men had this nightmare and decided they wanted to build a pad close to the city of St. Clairsville. So they came to me and said find a way there. The first thing I did I went our Barton Road to 250 and that road is just not acceptable to narrow, to many curves. So the other option is to come in off of Route 40 on to Barton Road. The intent would be that we come from the east all of the trucks and leave to the east. Try to keep everything from being downtown except for maybe some passenger vehicles. Actually the design we have right now a truck would not be able to make that turn very easily coming from downtown anyway. It will be designed so they can make the turn right in left out. Anyway we met with the Mayor a couple of Council Members and discussed it. One of the things they brought up was the amount of traffic at that intersection, people trying to get out. Looking at what traffic we would add, most of it would only be heavy at certain times like when we go out and build a pad and move the equipment out. Then there wouldn't be much traffic just passenger vehicles (trucks). Then when we would do the cement and stone we would have traffic. Then there wouldn't be much traffic until we put the rig in. Moving the rig in is 70 loads which would be over a matter of a week. But then there would be increased traffic, passenger vehicles several trucks a day. That would last for depending on how many wells we drilled at once anywhere from one to three months. After that moved out we would come back and do our completion or fracturing people would know it better. Then you would have another time when you would have heavy traffic. When that is done then production people move in and you would have a little bit of traffic moving equipment but after that it is just mainly production trucks. That could be anywhere from one truck a day to ten trucks a day especially in the beginning. The other thing is there may

be two pads out there so that would be double time or double traffic during that time. Anyway we discussed the need for a traffic signal there. I had our design engineers who is CESO out of Dayton do a traffic study and they said it is warranted under current conditions without any addition. We went ahead and did a design we have a model of it which actually shows the vehicles and how it is expected to react. We threw in extra traffic for us and I brought it back to the city. I met with the city people and there were a lot of complications with it. First off when you are going east on 40 right past the old Thomas place up that hill there is no sight distance. Where you need 250 feet sight distance for 25 miles per hour you only have 130 feet. So now you have that complication thrown in and there is no adequate sight distance so you would have time to stop if traffic backed up to a certain point. What else you can do there is we would have to put up another preliminary signal up there. One of the ones you have probably seen that says prepare to stop and it would flash in conjunction with the light turning red down below. Another complication that comes in is a whole bunch of driveways in that area. You put in a traffic signal it is going to back traffic up I believe there are three streets there. What you have there is Barton Road and I believe there is a church across from it with a driveway. Right above it Forest Lawn then there is another driveway above that maybe two driveways on each side of the road. You get up to the top of the hill there is Orchard Drive and a driveway across from that. You are making things a little more complicated with all of those driveways. I have made the offer, well I made two offers. I guess that is why I am here tonight. Number one we would be willing to pay for the signal however it would be through a contract with the city not us. And as happens with anything of this nature the city would have to take liability for it. We do not put in a signal and have liability for the signal. It becomes a feature from the city. It becomes a traffic control measure. We are not allowed to institute traffic control ourselves. We are a private company, we have nothing really to do with the road we have no rights to it. There was some concern over it. Some people say nay some people say yea. Talking to your Police Chief that there is accidents there. I don't know if the signal would increase or decrease that. The biggest thing I see is a rear end accidents when you are going east on 40. The other option I threw out is do not do the signal, during our periods of high traffic we would put flaggers out with appropriate signage. There would be one at the top of the hill going east to warn people. We would have one at the intersection and one coming from the west. So that when traffic backs up on Barton Road we could let them out or do whatever it takes to keep traffic flowing. So I guess in that sense does anyone have any questions for me. **Frank Sabatino:** You keep mentioning church you know that is a home health. **Bob Whipp:** I'm sorry there is a big building there. **Frank Sabatino:** I know in your report it mentioned church too. **Bob Whipp:** Wasn't there a church there? **Clerk:** It is both. **Bob Whipp:** I was thinking it was a day care but it is a home health thing. **Perry Jones:** When do you need a decision on this? **Bob Whipp:** Well to be honest I am in no hurry. This kind of fell off the schedule last week so it is not planned in the near future. And I was promised they would not change their mind this week. Our schedule right now is the same as any other operator we are very undecided what we are doing. The price of crude and the price of dry gas being so low we are still in the mode of what do we do is it going to come back up. What you try to do you already have so much coming in from what we are already producing

You try not to go over what you are spending based on what is coming in. It is just a matter of economics. So how many drill rigs do you have? One of the things about this one is it has to go under the urban rules. Under that it takes a lot longer to get it approved so if we do anything, I can't see us doing anything until late summer. There is no hurry and like I said it is not even on

the schedule now come tomorrow it may be different. **Jake Olsavsky:** You are either going to put flagmen in certain spots or you are going to put a light up? **Bob Whipp:** Well I am offering to put a light up. It is warranted and there is a lot of concern on everybody's part right now about the safety of going east, about people being able to get out of their driveways. If that is not what people want then we would put flaggers in when we have increased traffic. **Dennis Bigler:** You are thinking that would be a permanent installation? **Bob Whipp:** Yes, I could do a temporary if you would prefer that. But on the same token it is still back to the safest way is probably the flaggers because you can control them at the top of the hill. But on the same token we would not be there during normal traffic times it would only be high traffic. Once the wells are drilled are completed and we are just in pure production you probably won't even notice the difference in traffic. Six months after we have started production we will probably have most of our water out and there really wouldn't be that many trucks hauling anything. After that point traffic will be normal. **Al Davies:** If council decides to do the light you made reference to another warning light that would flash to warn. You offered to pay for the light includes the offer to pay for that flashing light to I assume. **Bob Whipp:** Yes. **Jake Olsavsky:** Where would that be? **Bob Whipp:** It would be right around the top of the hill (Orchard Drive). Where you are going up and you would see the lights flashing. You don't want it too far back because you want it far enough to warn traffic as you are going up that hill. **Jeff Henry:** That light would just flash when the light turns red east and west. **Bob Whipp:** Normally a few seconds before that so it is a warning. You let it go a couple seconds longer so that starts to clear out. It is just a warning to say be careful. But you still do not have the line of sight you need. **Jeff Henry:** That is a concern with flaggers also. You could still have rear end accidents. **Bob Whipp:** Whenever you are in traffic, you know that. **Tom Murphy:** So are you looking for guidance from Council on whether or not they want the option of a traffic signal or flaggers. **Bob Whipp:** Well yes I am here to see if they want it or not. Like I said I don't really need a vote tonight. Right now it is not scheduled for this year. Even if it was scheduled late in the year it would be mid-summer before we move forward. Since I forgot my manners this is Bradley Wells he is my Road Foreman he is the one who will be out in the field when the work is going on checking the roads. Chris Bledsoe is one of the land men. He is like me he is from West Virginia. He just started with us a couple of months ago and he just wanted to come along and see how things are. **Terry Pugh:** Thank you very much, we appreciate it. Council will discuss it and we will get back to you. **Bob Whipp:** Thank you, we appreciate your time.

Chris Munn - Volunteer Energy

We are your natural gas aggregation program and I am here tonight for your Community Reinvestment annual check. It is \$6,952.04 presenting it to Mayor Vincenzo. Does anyone have any questions on the program?

REPORTS:

Service Director, Dennis Bigler - No Report

Mayor, Robert Vincenzo

- I was in Columbus Friday for a Legislative update for items that concern Cities & Villages in the State of Ohio. One of the areas is the Local Government Funds. It has not changed and it does not look like we will be getting any more than we are getting now. There is nothing in the program to increase local government funds that will be substantial in our end unless it comes directly from the County with the increase in sales tax they may have within the County. There are several other pieces of legislation that could have an effect. None of these that are in committee now are up for a vote on the floor but you never know how this legislation is going to move. They give us a warning, a period of time to keep us apprised of the action from the State Legislators as to how these bills are moving. A couple of these bills will have a direct effect on some cities may be larger than us, it may not have such a direct effect on us but ultimately it is an effect on everyone but not as severe as a major city. With all that we are trying to get our acts together when we plead our case next week. I have a letter that I am adapting today to get out to the Ohio Municipal League so that they get our version also of the effects that the industry. The big issue in there right now is the severance tax. The Governor wants to put a certain percent severance tax on the oil and gas industry, however this increases is to reduce the state income tax. He wants to decrease the state income tax and with that said, I testified last year in front of the committee and my statement was that when a major city gets a large industry such as an automobile factory or something of that magnitude we don't share in their wealth. Now we have the gas and oil out of our area and this is to be shared throughout the rest of the state of Ohio. It leaves us without anything to take care of our problems here. That is the issue that our Representatives are putting before these committees to fight for these areas and say we need more than just a 2% of that sales tax to come back to Belmont County. It figures out that is about what the amount would be. No one really knows any of these figures and they just suspect it could be this amount, or it could be that amount. They haven't figured out just how much this industry is going to generate. It is a guess even what is coming out of the ground. There is a lot of taxes that are going to be generated from this and this severance tax that he wants to develop now is up in the air, but that is the main issue that we are faced with now. It is all in committees now and some of these committees aren't being listened to or maybe not enough support for the committees that are not in favor of the severance tax.

Police Chief, Jeff Henry

- I forgot my Monthly Report, I will have it for the next meeting
- Officer Greg Clark lost his home in a house fire and we lost all of our City owned equipment and some County owned equipment the radio. I have been working all day trying to get him back in a uniform and get his equipment replaced. I figured it up it is

right about \$10,000 with the 911 radio and if we can recover the 911 radio the 911 Board has insurance on those radios so it is about \$4,400 for our walkie-talkie so that will help. We are not sure if his insurance will cover some of it or if the City insurance is going to have to cover it. We are working on it right now. Maybe by the next meeting I will be able to let you know. We are trying to get him back outfitted and get him back to work.

Al Davies: Was his house a total loss? **Jeff Henry:** Yes.

- The new cruiser is ordered, it should be here in May get it on the road.

Finance Director, Cindi Henry - No Report

Planning & Zoning Administrator, Tom Murphy

- There is a Board of Zoning Appeals meeting on March 10th at 5:30 it is a conditional use at 251 East Main Street and a variance at Kennedy Park request. If anyone has any questions you can contact me or you can attend that hearing.
- The Planning Commission met this evening and I did hand out their report to Council. Nancy Mack had a minor subdivision plat approval request at 239 South Marietta Street. It was taking a roughly one acre parcel and dividing it into two ½ acre lots. The Planning Commission did vote unanimously to recommend the approval of that minor sub-division to City Council. If you have any questions on the report feel free to ask me. I will get together with Al Davies and we will draw up an ordinance for first reading at the next meeting.
- ODOT did receive the bids this past Thursday in regards to the Rt. 40 & Rt. 9 project. The bids did come in above the estimate. Their final estimate was \$1.5 million and the bids come in at \$1.7 million. ODOT did send me an email to say that the City would be responsible for \$36,000 more. I did talk with Cindi Henry to make sure that we had the funds available for that so unless there are any objections from Council I will contact ODOT and say move forward with that project.

COUNCIL COMMITTEES:

Finance, Libby Heintzleman - No Report

Utilities, Frank Sabatino

- Utilities met this evening and it is always nice to see Donnie, Doug and Shelley
- **Don Smithberger, Electric Superintendent:** Nothing at this time it is business as usual. We will start trimming soon.
- **Shelley Fortney, Utility Office Manager:** Just business as usual, closing down February and getting rolling on March.
- **Doug Frye, Water/Wastewater Superintendent:** Just waiting on the weather to get a little nicer and get things rolling.
- **Frank Sabatino:** Thanks to the three of you and to all of your employees out in this weather.

Police, Perry Jones

- The prisoner bench is in that the Police Department has ordered if any council member would like to go in and see what it is and what they needed to do it is available.
- The next Police Committee meeting will be March the 19th at 1:00

Street North Side, David Trouten - Not Present

Street South Side, Jim Weisgerber - Lots of pot holes

Safety, Libby Heintzelman - No Report

Building and Grounds, John Bukmir - No Report

Planning Commission, Jim Weisgerber - Mr. Murphy covered it tonight

Fire District, Frank Sabatino:

- The Fire District met last Wednesday in a special meeting to discuss contract negotiations with the firefighters.
- Next meeting is Wednesday, March 18th at 3:30 in the Main Station

Recreation, David Trouten - Not Present

Park District, Perry Jones

- The tennis courts are going to be redone and hopefully they will be done by the beginning of Summer
- They want to know if there is any chance that the City could make any donations to the Park. Help them out with what they are doing.
- The Board would like to talk to Dennis Bigler again about the trees, lumbering that they would like to make a combination City and Park doing both of that.

ORDINANCES & RESOLUTIONS

Law Director, Al Davies

- I don't have any new legislation tonight for Council to consider and I do not need an Executive Session tonight.
- The only other issue I have is last week I did raise the question what Council position was on the proposed resolution to adopt a solid waste management plan for the Jefferson-Belmont Solid Waste Management Authority. If Council intends to approve of that plan we need to pass legislation at our next Council Meeting. **Perry Jones:** If we don't do it the State will mandate it is that what that is? Do you know what their projected thoughts are? **Mayor Vincenzo:** We have no idea but what the J.B. Green Team is saying is it could be more severe. What they are saying is their plan will not be as strict as the State. I have no more information than what you have here. The Commissioners have been dealing with a lot of people that have been objecting to the increase of their bills. People are not satisfied with it but I tell you if this is going to be better than what the State will do I don't know. I don't think they know either and I thought that they should have representatives out there talking to the people about this besides this publication. I suppose there are public meetings they are having but I have never seen when they were scheduled. **Perry Jones:** You are saying we have to have this done by the next meeting?

Al Davies: If you are going to vote in favor of it you have to have it done by the next meeting. If you don't want to do it then not passing it is the same as a no vote. There is a web site you can go to get a summary of the plan. **Mayor Vincenzo:** It would be my suggestion that the Law Director prepare some legislation for next meeting and in the meantime Council People can get in touch with people who know more about this than I do and get some information back besides what is printed. **Jake Olsavsky:** Next meeting is not too late? **Al Davies:** No it has to be in by March 23rd so we can pass it on an emergency and get it filed. **Frank Sabatino:** Isn't Commissioner Coffland on that Board? **Mayor Vincenzo:** Ginny Favade is now the President. **Terry Pugh:** Is Martins Ferry or Bellaire in it? **Mayor Vincenzo:** Martins Ferry and Steubenville are not in the program. Their solid waste is going out of the state. That is another issue that they are dealing with. The cost out of state is cheaper than this program. **Al Davies:** Did everybody get the letter that was sent to the Mayor on January 23, 2015? **Mayor Vincenzo:** I made copies for everyone.

NEXT MEETING; The next regular scheduled meeting of the City Council will be Monday, March 16, 2015 at 7:30 at the Recreation Center.

There being no further 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