

COUNCIL MINUTES
March 16, 2015

St. Clairsville City Council met at the Recreation Center on Monday, March 16, 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
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

Minutes: Minutes of the February 23, 2015 Council Meeting were distributed to Council. A motion to accept the minutes as presented was made by John Bukmir and seconded by Libby Heintzelman.

Roll Call Vote:

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

The Minutes of the March 2, 2015 Council Meeting were distributed to Council. A motion to accept the minutes as presented was made by John Bukmir and seconded by Perry Jones.

Roll Call Vote:

Bukmir	Yes	Trouten	Abstain	
Heintzelman	Yes	Sabatino	Yes	
Jones	Yes	Weisgerber	Yes	
Olsavsky	Yes			
Roll Call Vote:	Six (6) Yes	One (1) Abstain	Zero (0) No	Motion Approved

CITIZENS HEARING:

Vicky Falcone, Representing Barton Area Residents & Fire Department

We are here concerning the traffic light proposed to be erected at the intersection of Route 40 and Barton Road in the future. The residents of this county who travel this road daily feel there is a need for this light. Over the past two years it is evident that traffic on Rt. 40 is increasing. The increase in traffic has made it more difficult entering Rt. 40 from Barton Road. There are several fire and EMS departments especially Barton VFD who are concerned with this intersection. When answering either mutual aid calls for the Cumberland Trail Fire Department or while transporting critical patients to the hospital they have come upon this intersection with backed up cars 10 to 12 long. We have people traveling this road daily who may not live in St. Clairsville but who pay city income tax since they work in the city. I notice more and more cars

turning onto Walnut and Spring Park to avoid the congestion at the intersection. I am sure the residents on these streets do not appreciate the increased traffic. I understand that Gulf Port has offered to pay the cost of installing the traffic light. I read in the paper that some members of Council do not see a need for a traffic light. We are here to tell you there is a need.

Charlotte Hill, Forest Lawn:

I agree with a lot of what Vicky is saying but what might at first seem like heaven for some, it could be a different story for people who live near the intersection of Barton Road and Main Street. It may cause even more traffic on Walnut and Forest Lawn as people try to get past the light. I also am concerned about the children who cross the road on their way to and from school. You need to consider how it is going to effect the whole town. Think very seriously what is going to be best for everyone.

REPORTS:

Service Director, Dennis Bigler

- Ordinance No. 2015-14 is to replace a roller in the Street Department. The current one which we have had since 1980 is inoperable. The cost is less than the original quote so it will be less than the ordinance. We will have to purchase a trailer to haul the roller, that will cost about \$5,000.

Mayor, Robert Vincenzo

- I attended the American Municipal Power Legislative Rally in Washington, D.C. last week. There was much discussion on impending Legislation that will have an effect on us as electric suppliers.

Police Chief, Jeff Henry - No Report

Finance Director, Cindi Henry

- The Ordinance I have tonight Ordinance No. 2015-11 is for the appropriation of the money that was placed into the Capital Improvement Fund. That is all I have.

Planning & Zoning Administrator, Tom Murphy

- Just one item for Council, it is Ordinance NO. 2015-12. It is the first reading for the Nancy Mack subdivision.

COUNCIL COMMITTEES:

Finance, Libby Heintzelman - No Report

Utilities, Frank Sabatino

- We have Resolution No. 2015-15. We have discussed that in Utility Committee before and it is a much needed project for the City.
- We have a scheduled meeting this Thursday at 3:00

Police, Perry Jones

- The Police Committee will meet on Thursday at 1:00

Street North Side, David Trouten - No Report

Street South Side, Jim Weisgerber - No Report

Safety, Libby Heintzelman - No Report

Building and Grounds, John Bukmir - No Report

Planning Commission, Jim Weisgerber - No Report

Fire District, Frank Sabatino:

- The Fire District had a special meeting last week to discuss contract with the firefighters. We have a regular meeting this Wednesday at 3:30. We have reached a tentative agreement pending passage by the firefighters. Hopefully we will get it signed and sealed.

Recreation, David Trouten

- There is an Easter Egg Hunt going to be held on March 21st at 9:00 a.m. at the Recreation Center for children ages 1 to 12
- Spring outdoor soccer registration is Friday
- We received a \$6,000 funding grant from Belmont County Tourism
- We will be having interviews this Wednesday for the Recreation Director

Park District, Perry Jones

- The final plans for the tennis courts are being done. The courts are going to be red with white and gray lines. Also they are planning on putting lights at the tennis courts and would like to know if the City would be able to give them some assistance with that. Either helping putting them in or maybe see if we have any lights that would be available for them to use.
- The pool will be opening on May 23rd and closing September 6th.

ORDINANCES & RESOLUTIONS

Law Director, Al Davies

- The legislation that I have prepared for you tonight has already been spoken too except for one piece of legislation. Ordinance No. 2015-12 Mr. Murphy indicated that is the first reading on the subdivision of what is known as the Nancy Mack property.
- I have prepared Resolution No. 2015-13 which is a resolution to adopt a Solid Waste Management Plan for the Jefferson/Belmont Region Solid Waste Management Authority and declaring it an emergency. This is drafter as if Council is going to approve that plan. It is drafted as an emergency as you know the Authority requested that if you are going to be in support of this by passing legislation they need to have it by March 23rd. That is the reason for the emergency language.
- Ordinance No. 2015-14 was addressed by Mr. Bigler and Mr. Sabatino in regards to purchasing a roller. I did put in there that the current roller is obsolete and inoperable which I think fits the bill.
- Resolution No. 2015-15 is a resolution which determines the lowest and best bid for the water line replacement project on Maple Avenue. An Ordinance authorizing the bids was passed in February and apparently they bid of J.S. Bova has been determined to be the

lowest and best bid so this is the resolution authorizing a contractual arrangement with that company.

- I do need an executive session tonight under Ohio Revised Code Section 121.22 (G) (3) which pertains to pending litigation and under 121.22 (G) (4) which pertains to collective bargaining with our unions.
- **Dennis Bigler:** On that water line that is only for the Route 9 water line. We have not taken bids yet on the Hutchinson Drive line. They turned out to be totally different projects.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2015-11; AN ORDINANCE TO MAKE ADDITIONAL PERMANENT APPROPRIATIONS 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. Libby Heintzelman moved that the rules requiring ordinances and resolutions to be read on three separate readings be suspended and declaring an emergency; David Trouten seconded the motion.

Roll Call Vote:

Bukmir	Yes	Trouten	Yes
Heintzelman	Yes	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	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, ORDINANCE NO. 2015-11. A motion was made by Perry Jones and seconded by John Bukmir that Ordinance No. 2015-11 be passed by Council.

Roll Call Vote:

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

Ordinance No. 2015-11 was declared adopted.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2015-12; AN ORDINANCE ACCEPTING THE FINAL PLAT OF THE NANCY MACK PROPERTY SUBDIVISION TO THE CITY OF ST. CLAIRSVILLE, OHIO

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2015-13; A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR

THE JEFFERSON/BELMONT REGIONAL SOLID WASTE MANAGEMENT AUTHORITY AND DECLARING AN EMERGENCY. **Terry Pugh:** I thought this was going to be discussed, is there any discussion of this particular ordinance? **David Trouten:** First of all what I have read about all of this do 60% of the municipalities have to pass it for it to be in effect for all of them? Am I reading that right? **Mayor Vincenzo:** That is correct. **David Trouten:** So we know if the other municipalities have passed it? **Al Davies:** I don't know. **David Trouten:** If it doesn't pass I understand that the State will come in but do we know the process as to how that works or what it will include or whether we would have input in it? **Mayor Vincenzo:** I can help you out on that, if we do not pass this it is a no. **David Trouten:** I understand that. **Mayor Vincenzo:** If they don't reach the 60% majority of Belmont County then the State will then determine what these fees and rates will be. With everything I have been told the fees could be much greater. **David Trouten:** Have there been other programs like this throughout the state where the state came in? **Mayor Vincenzo:** To my knowledge this is the first time that anything has ever been put out this way that it is mandatory passage or consequences. **David Trouten:** Is our local area the test case? **Mayor Vincenzo:** It is all over the state. **David Trouten:** Is it all happening at once? **Mayor Vincenzo:** All over Belmont County. **David Trouten:** If we went to like Cleveland. **Mayor Vincenzo:** It is a landfill issue and I am sure that other counties are in the same situation as us but I do know that it does directly affect Belmont County. The state will determine the rate. It is a six of one half a dozen of the other. **David Trouten:** I understand that I just but we have no guidance as to what other places have done? **Al Davies:** That 60%, it has to include the County Commissioners and it has to include the city of Martins Ferry because Martins Ferry has the greatest population in Belmont County. **David Trouten:** It is either all or none it either happens in the whole Jefferson/Belmont or not. **Mayor Vincenzo:** Right. **Al Davies:** Did the Commissioners pass this? **David Trouten:** I thought they did but I could be wrong. **Mayor Vincenzo:** So far Martins Ferry has done nothing. **David Trouten:** The other thing I wonder because it is \$12 and some change based on any property with a structure on it. And that doesn't matter if it is a house or the Mall. **Mayor Vincenzo:** There is a definition in your literature that you have of a structure. A lot of people have been to the County Auditor's office and the Treasurer's office complaining about this. They are very much dissatisfied with this. It is already on your bill. I can't understand the legislation as such because here we are voting for something that is already on our bill and I am not sure what the procedure is to erase it. **David Trouten:** If we vote no or just ignore it and it gets imposed by the State which State Department puts the guidelines out? **Mayor Vincenzo:** It comes under the auspices of the EPA with the landfill. Ultimately it come from the Department of Taxation. **David Trouten:** I am just afraid to charge ourselves with something just because they might charge us with something. I realize it may be worse but how do we know. **Mayor Vincenzo:** The County is of the opinion that it probably will be worse. **David Trouten:** But they haven't shared with us why. I have a hard time voting for something that I don't really have a good grasp on. **Mayor Vincenzo:** And I don't blame you. I feel the same way you do about this. **David Trouten:** I want to hear other opinions but right now I am

not really for it. **Terry Pugh:** What concerns me again is we are being charged \$1, out of state is only being charged \$1 but if you come from Guernsey County and bring it to Belmont or Jefferson you are charged \$2. **David Trouten:** That is already part of the plan. **Mayor Vincenzo:** They have stopped taking out of state. I can say the City of Steubenville has not used the landfill. But the City of Steubenville will be part of the program. There are representatives on the Committee and one of the representatives is our County Commissioner and you would think that we would get our representation from our County Commissioner. **David Trouten:** I would think that if they were asking us to pass this that they would come and give us a presentation. **Al Davies:** The Interim Director did state in this letter if you did have questions to call him and he did give his number. I suppose he would have come down if we would have asked him to do so.

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2015-13; A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE JEFFERSON/BELMONT REGIONAL SOLID WASTE MANAGEMENT AUTHORITY 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	Trouten	No
Heintzelman	Yes	Sabatino	No
Jones	No	Weisgerber	Yes
Olsavsky	Yes		

Roll Call Vote: Four (4) Yes Three (3) No Motion Not Approved
 Not enough votes were for passing this Resolution on an Emergency

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2015-14, AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICES TO PURCHASE A ROLLER FOR USE BY THE CITY OF ST. CLAIRSVILLE'S STREET DEPARTMENT UNDER THE COOPERATIVE PURCHASING PROGRAM WITH THE OHIO DEPARTMENT OF TRANSPORTATION 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	Trouten	Yes
Heintzelman	Yes	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	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,

ORDINANCE NO. 2015-14. A motion was made by Perry Jones and seconded by David Trouten that Ordinance No. 2015-14 be passed by Council.

Roll Call Vote:

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

Ordinance No. 2015-14 was declared adopted.

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2015-15; A RESOLUTION DETERMINING THE LOWEST AND BEST BID FOR THE REPLACEMENT OF A 6 INCH WATERLINE ON MAPLE AVENUE AND AWARDED THE CONTRACT TO J. S. BOVA 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	Trouten	Yes
Heintzelman	Yes	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	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. 2015-15. A motion was made by Perry Jones and seconded by Libby Heintzelman that Resolution No. 2015-15 be passed by Council.

Roll Call Vote:

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

Resolution No. 2015-15 was declared adopted.

OLD BUSINESS:

Charter Review: Terry Pugh

We have asked all Council Members to give names for the Charter Committee and that needs to be finalized tonight. So if you haven't given Kathy any names would you please try to do that?

Mayor Vincenzo: Sue Douglass said she would serve again if you need someone to fill the position. **David Trouten:** How many do you need? **Kathy Kaluger:** We need nine. **David Trouten:** How many do you have? **Kathy Kaluger:** Eight now counting Sue. They cannot be Council Members and must reside in the City.

NEW BUSINESS: Mayor’s Report to Council:

The Mayor’s Collection for February 2015 was \$3,756.50. A motion to accept the Mayor’s Report was made by Jim Weisgerber and seconded by Perry Jones.

Roll Call Vote:

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

CORRESPONDENCE: Relay for Life

The Clerk read a letter Chelsea Edwards of the American Cancer Society asking permission to use the amphitheater and surrounding area on Saturday, August 22nd for the Relay For Life “GLOW for Goal” 5 K Run and Walk. The course will run down Market Street, on the Biketrail, and end across Woodrow back to the amphitheater. This is the course we have used and worked with the police department on for the past 3 years. **Jim Weisgerber:** Does that work for your Jeff? **Jeff Henry:** Yes, I think the Mumley Race is going to change and do the same thing, that is a lot better than shutting Main Street off. A motion was made by Jim Weisgerber and seconded by Jake Olsavsky to allow the use of the amphitheater and the race on the course approved by the Police Chief.

Roll Call Vote:

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

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) (3) Pending Litigation and 121.22 (G) (4) Collective Bargaining.

Roll Call Vote:

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

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

Roll Call Vote:

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

NEXT MEETING; The next regular scheduled meeting of the City Council will be Monday, April 6, 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