

COUNCIL MINUTES
May 4, 2015

St. Clairsville City Council met at the Recreation Center on Monday, May 4, 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	Dennis Bigler, Service 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	Richard Myser, Law Director
Jim Weisgerber, Council-At-Large	Don Smithberger, Electric Superintendent
	Shelley Fortney, Utility Office Manager

The meeting was called to order by Council President Terry Pugh

Minutes: Minutes of the April 20, 2015 regular meeting were distributed to Council. A motion to accept the minutes was made by Perry Jones and seconded by Libby Heintzelman.

Roll Call Vote:

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

CITIZENS HEARING: There were several citizens present who wished to address Council.

Terry Pugh: I know we have some Citizens here that would like to address Council. I have a list of three people that have called up and requested to address Council. I would like for you to make it as brief as possible. Usually we limit the address to five minutes. If you are all talking about the same subject you can decide if you want one person to be your spokesperson that is fine we can go with whoever wants to speak.

Colleen Matkovich: Mayor Vincenzo and Council thank you for allowing the residents of Wellington Woods to be present tonight. If you are not familiar with Wellington Woods that is Tudor Drive, Westminster, Windermere, Chaucer Court and Becket Court. Our first concern is the old Sewer Plant that is located on St. Clair Street adjacent to our neighborhood. The stench that is being emitted from this old sewage plant is concerning to us. A mild odor is reaching our homes in the neighborhood. I literally can stand in my driveway and smell it. Sewer Gas when I look this up comes from solid waste from humans and animals. The gas contains ammonia, methane, hydrogen and sulfide all of which are toxic when inhaled. Bacteria, viruses and fungi also travel through the air from the sewage. Once breathed they can attack the respiratory system. This problem has existed for years and years in Wellington Woods but it is becoming more frequent and is lasting for longer periods of time. We had a lot of rain in April the old basins

were completely filled up in fact I called the Police Department one night because the gate was totally open. I have seen people go in there before when I was walking. It seems like once they fill and they empty out is when you can really detect the odor. Also on the opposite side of the road there is a concrete piece to this old sewage system, I am not sure what it is but you can hear it running and running and after a lot of hard rains it is even overflowing. Some of these other residents live even closer that I do they can't even sit on their back porch, you can't be out in your driveway, you can't open your windows that stench is filtering throughout the entire neighborhood. Also the other problem that is bothering us is the Recycling Dumpsters. Again they are on St. Clair Street adjacent to our neighborhood right as you come into Tudor Drive. We have pictures where people come and drop toilets off, mattresses, electronics. Believe me I appreciate the fact that these are for recycling and we use them properly. I appreciate the eco friendliness of it but people aren't doing what they are supposed to do. I have seen people pull in and I believe I can't prove for certain there were containers full of oil because when they see you walking by they just sit in their truck until you are passed by. Tires have been left there, just everything. It has become a dumping ground. There is always trash thrown around there. Many times the dumpsters are totally full and people just put all of their recycling and all of their trash outside of the dumpsters. You can imagine if you were us living in that neighborhood, we take a lot of pride in our neighborhood. We always maintained our homes and we just feel like this needs to be addressed and would appreciate if you would do so. If you would please just let us know where this is going so we can follow up with it. I just personally want to thank Frank Sabatino because anytime any of us have ever had a problem we call Frank, or we talk to him and he helps us out and addresses it and we appreciate it. **Dan Cencula:** We live closest to the dumpsters at 123 Tudor. My property is probably the closest to the dumpsters and to the old sewage plant. I even go out of my way to cut the grass on the other side of my property to keep it nice but if you go over 50 feet it is a dumping ground. My wife and I can't ever sit on our porch because the stench is so bad. My father-in-law was there and we did notice two rats. I won't say that is a problem but we never noticed them before. **David Trouten:** The stench is from the Sewer? **Dan Cencula:** Yes it is. Just driving here right now it was bad. **Terry Pugh:** And this smell has progressively gotten worse? **Colleen Matkovich:** Over many years but it didn't seem as frequent. I don't remember noticing this odor in April before it was usually in June or July. **Frank Sabatino:** I was just down there yesterday after Colleen called me about it and it is definitely an odor. This time of year too we are not even into the hot months. **David Trouten:** If it doesn't serve any purpose anymore does it? **Dennis Bigler:** Yes it does. They are catching storm water surges storing them and then releasing them. The issue is if the ponds are working as I think they should it is the follow up that isn't happening. We have to get back to it. It is an operational issue. We need to hose down those tanks after every surcharging event. I suspect that is what is not happening. I sent an email out today to the operator to get it done. **David Trouten:** So it is a question not of it not operating correctly but that it is not cleaned? **Dennis Bigler:** I think that is what it is. There are settings on the valves too determine how much wastewater goes in there and we want to make sure that is still where it should be. **Colleen**

Matkovich: You just said wastewater. **Dennis Bigler:** It is wastewater. **Colleen Matkovich:** I thought it was a catch basin for overflow. **Dennis Bigler:** It is a wastewater equalization basin. **Colleen Matkovich:** Is it actually a sewage system that is functioning because I thought there was one put down the road that was supposed to be the operational one now. **Mayor Vincenzo:** It is not operational. **Dennis Bigler:** It is not treating any wastewater that is going to our main plant. **Colleen Matkovich:** But there is some wastewater somewhere that is what the odor is. **Dennis Bigler:** It is waste water mixed with storm water. **Colleen Matkovich:** As I said that has got the bacteria, the viruses, the fungi. I thought once sewer systems were no longer functioning they were closed, concreted up or filled with dirt that is what I read on line. That is the EPA. **Dennis Bigler:** This facility is permitted by the EPA so that we don't have surcharges into the creek at the frequency that we once did. **Colleen Matkovich:** They allow that odor? **Dennis Bigler:** If we hose down the tanks after every event you won't have the odor. **Colleen Matkovich:** What do you mean by every event? **Dennis Bigler:** Every time it surcharges. Every time that wastewater gets into that equalization basin. **David Trouten:** If it's empty right now it needs hosed out now? **Dennis Bigler:** It should have been a day or two after. **Dan Cencula:** I talked to an employee today and he said it has not been hose down since early last year if that. **Colleen Matkovich:** You can look at the picture of this sediment in the bottom of this. It is always like that. **Mayor Vincenzo:** I will talk about the JB Green Team recycling. I am in contact with them. Whenever they get an overflow down there I immediately get ahold of them and they send someone out within an hour to clean up that debris left there. It happens over the weekends. Yesterday morning when I was down there it was all clear. There wasn't anything except in the bins and all the lids were down on the bins. I suppose people got busy in the afternoon, but if I do get a complaint on it I get on the phone with JB Green right away and a picture such as you have it is a problem for them and they have to dispose of these articles themselves. There is no recycling of those type of articles. These should not be there but they do come in as prompt as they can be to take care of them. As we speak they are supposed to bring gravel into that area but it wasn't graveled yesterday. I will be contacting them to see when they will be putting gravel in there. **Colleen Matkovich:** With all due respect I think our point was we would like to see them to be relocated. That is the entrance to our neighborhood. **Mayor Vincenzo:** I don't have an answer for that. That location was determined and I am not sure how but I know the County had a big part in determining those spots. **Dennis Bigler:** It is a central location. We don't have that much open space. **Mayor Vincenzo:** It was further up the road and then they moved it down to that area because they couldn't get their trucks in and out to pick up the containers. I will do everything I can to keep the litter from accumulating down there. **Dan Cencula:** There is a sign down there that people should be responsible enough to follow but of course that has never happened. I would suggest maybe if it was possible to put a camera in there and when stuff is left we can get these people and maybe they will get the idea they are doing something wrong. They will keep doing it if they don't get caught. **Mayor Vincenzo:** The problem is when you have something that is convenient for people there is always somebody who has to come along and do something different to mess up the situation.

The successful part of it is the amount of garbage less that you are putting in your garbage pickup as opposed to what is being recycled. It is well over 40%. **Colleen Matkovich:** I was told there are some over at the City Park is there any way they can be relocated it is a central location as well. The whole point is we live in the neighborhood we pay the city taxes and we should not have to be subjected to having toilet seats in the entrance of our neighborhood. It looks like a dump. It is embarrassing when you are bringing relatives and people to visit you. We have lived here 33 years and we love St. Clairsville and we love our neighborhood but not what is happening right now. We have a new resident that only moved in here and one of the first things out of his mouth is what that odor is. He might never have bought a house there if he had smelled that. **Mayor Vincenzo:** I can't say I disagree with you. **Colleen Matkovich:** We can come back and you will have a follow up for us as to where this might go? **Mayor Vincenzo:** Well we can assure you that we will make sure that those basins are hosed out at the proper time. I will work to do the best that we can do with the recycling. I don't have an answer for it and I will need some other input from some other people as to where we might be able to relocate without being offensive to anyone. That may be no location. We can take them out of the city completely if that is what the people really want. I will tell you everybody's garbage cans are going to fill up fast.

Lacy Shanks: I am here to discuss the issue that I have with the no parking sign that was installed in front of the residence that I own and my sister resides in. My husband and I own 106 Park Street. She came home from work one morning and there was no sign. She works nights and when she woke up from her nap there was a giant no parking sign next to the sidewalk straight in the middle of the piece of property that we own. We don't disagree with the no parking. From the whole time that I lived there it was common knowledge that you only parked on one side of the street not the other. That is just the way it had been. There had never been signs. Now all of a sudden this sign shows up in the center of her yard which is an eyesore. I am afraid it is going to affect our property value. I am afraid that it is going to impact or movability once we do sell because now we have this sign with an arrow pointing in one direction but there is no ending sign. I was told there will be another sign installed but this sign has been there for two weeks and there is no end sign. There are people parking in what is now a no parking zone. The placement of the sign really doesn't have any impact where she parks. It doesn't change anything she still has clearance. I was told that the city complained because they couldn't get their snow plows up and down the road. I used to have hedges in front of my house, they are not there anymore because the city plows straight down the hill across the street and into the yard and killed all the bushes. The bush had to be removed. When they plow our street straight down the hill it comes right into our yard. The way they plow it makes it almost impossible to park in the driveway because of the angle of the driveway and getting traction. So my sister who is a single mother and works two jobs mostly night shift in the winter she didn't have time to keep up with the shoveling from where the city plowed her in so she could get to work. Then the neighbor who lives up the hill, Bob Wallace supposedly complained to Mr. Bigler about the

situation and now we have a sign in front of our house. Rich Smith said it wasn't because of his snow plows that the sign was installed, he said specifically that it was because of Bob Wallace's complaint. I came here because I felt that the appropriate thing to do was to address it to people who could handle the situation and not just use the good old boy system. We don't disagree there might be an issue with the parking but the issue is the placement of the sign. In no other part of the city does anybody have a sign right in the center of their yard. They are on property edges, they are on telephone poles. We don't mind a sign and a no parking zone citation. It is just that they can be moved 10 feet closer to the edge of the property or put it on a telephone pole or something a little less obtrusive would be appreciated. The curb could be painted, there could be something done and the neighbor still doesn't have their sign. From Bob Wallace's complaints, he said to my sister she has a driveway she needs to use it. He can't get his trailer out when he wants to leave. I have never seen him take a trailer out, he also has the option to leave and go up on to Marietta Street he doesn't have to come down the hill into another neighborhood which I feel it would be more difficult to get it out anyway. He has a fifth wheel parked in his yard not in any way approved by the ordinance that says no fifth wheels no RV vehicles to be parked in a front yard after April 1st and it is still there and it hasn't moved since at least October that I can be aware of. So he is in direct violation of a code that I feel like needs to be addressed as well. I am willing to file a formal complaint about that if I have to. I am not saying I don't want the sign there I am just saying I would like an alternative. That is my concern. **Terry Pugh:** I will say this, there are signs in yards because I paid attention. You go out Bett-Mar there is a couple of yards with signs in the middle of the yard, no parking signs. I was told that a second sign was going to be put up in the neighbor's yard with the arrows going to both sides so nobody parks in there. **Lacy Shanks:** I have been told that also but it has not been installed. **Terry Pugh:** I am not going to talk over Rich Smith but he has been ill, he was not here, he was not on the job last winter so I don't know how Rich Smith knows if there is a problem or not with plowing the snow after the winter we went through. That is what I know so those are my answers to you. I know it is unsightly in the middle of the yard but I was under the impression the whole purpose of this was to make it easier for the snow plows to turn onto Park Street. **Dennis Bigler:** Mr. Wallace has about an annual complaint with me. Mr. Wallace is certainly no chum or good old buddy of mine. I understood there was a problem with the snow plow turning, getting through the alley, passing through the alley, it was crowded. I talked to the Street Department about it and I thought I talked to the Chief about it. **Jeff Henry:** These signs were supposed to be erected two years ago. **Dennis Bigler:** I don't like you having a sign in your yard I just want to get traffic through. Bob Wallace is no buddy of mine. Whatever Council wants to do, if you want to pull it we will pull it. That is why it was put there. It was pressing the alley, they were having trouble getting through so we erected a sign. **Jeff Henry:** There is going to be more complaints as more no parking signs get erected. There is a whole list of signs that need to be replaced and set up and for basically the same thing, the snow plow can't get out of the alleys. You are going to have people on Talbot and North Sugar be jumping up and down when they don't have a parking place. It is the safety aspect. There are plenty of signs

in people's yards, right in the center of their yards. They try to do it on the corner but in your situation they can't do it because they don't want to eliminate parking completely in front of your house, they want you to have a parking spot which I think you still do. That gentleman they didn't want to put it close to his driveway but I told them it has to be we can't have an arrow to nowhere so they are going to get that sign up. **Lacy Shanks:** Are they going to be ticketed because today there are about 6 vehicles in that spot. **Jeff Henry:** No there won't be any tickets until they get that other sign up. **Lacy Shanks:** Where the sign is and if you park in the parking area there is still not any better clearance when you make that turn. Coming down the hill there is room for a truck or a trailer. **Jeff Henry:** I think there is and the Street Department thinks there is. They are the department that made the complaint, they are the guys that plow. This I complaint was made to me two years ago. Not this winter, last winter. **Lacy Shanks:** I don't even want to park in front of my house. I just don't want to look at that sign. **Jeff Henry:** There is nothing I can do about what the sign looks like, it is a nice shiny sign. **Lacy Shanks:** But it is right next to my sidewalk. **Jeff Henry:** I can't help you on that. **Terry Pugh:** Painting the curb isn't going to help in the winter. **Lacy Shanks:** In the winter it is irrelevant because the snow plow piles the snow right there and you can't park there anyhow. They come straight down the hill and plow it into the yard. Is the plow now going to plow the snow into the yard? **Jeff Henry:** No it will plow snow into the yard I am sure. **Lacy Shanks:** Then what was the purpose of the sign? **Jeff Henry:** So the trucks can make the turn. **Lacy Shanks:** But they come down the hill and push the snow right into my yard and then they back up and go down. **Jeff Henry:** A lot of times they can't back up because it is icy. A lot of times we have had to have cars moved. **Terry Pugh:** There are other signs, take a ride out Bett-Mar and take a look. All these signs are for safety issues. I went by tonight and I saw that your car has room to park in front of the sign over towards your driveway. **Lacy Shanks:** Did you see down the street further the neighbor had four cars in front of his house and the person across the street has said to me I can't get out of my driveway when they park on that side of the street. **Terry Pugh:** I appreciate your coming and expressing your concerns unfortunately it is a safety issue and the sign is going to have to remain there. **Frank Sabatino:** Mr. President can Street Southside be assigned to look into it? **Terry Pugh:** Sure. **Jim Weisgerber:** I can look into it but as a person who has a snow plowing business I can understand what is going on. **Jeff Henry:** It is not only snow plows also a fire truck. **Terry Pugh:** We will also take a look at the Recreation Vehicle parked in the yard.

Billie Amos: I live at 149 Newell Avenue, Marietta Street coming down Route 9 going towards Cadiz sitting at the stop sign by the Dentist office to make a left. Do you remember where Tom Armstrong lived beside the printing alley? That alley and those houses all that street water comes down on my house I live across the street. I bought the house in 2007 and I noticed the problem in 2008. I have been blessed by people who are here who have addressed it over the years and when I first moved in I can honestly say that you all did come and in a fashion tried to fix it. You put a type of a culvert in my yard to try to divert the water from coming down on my

house. There is a culvert that goes underneath the alley beside my house. There are two houses down there. I have to maintain that. My maintenance man does that. To make a long story short I got ahold of Dennis Bigler thru the Mayor's Office. The man never returns any phone calls. He might be a nice guy, a good worker I don't really know him but he is not really helping me. But he did send somebody. The last person who was at my house was Brian Kralovic a nice man, he came in the rain. We stood outside together and he saw my problem. Also from my expense I can't keep a driveway. I have tenants that park in front of my house. I have a blacktop driveway down beside my house which because of your water I have foundation problems. Gary Helms dug across my driveway to divert some of the water from my house. I have done everything I possibly can. I have a list of several people that I have talked to over the years and basically I kind of knew that I was told when the new road came in they would take care of it. The road

When you stand at my house the angle of the road is wrong. The angle of the road is all down towards me. I am sure that was not the proper intention. There is not any type of drainage from the alley. The closest any type of culvert at all is going up the street on Route 9 it doesn't get any of that water, you have to be coming down the street to hit it. So the water needs to go away from my house, the road has to be leveled down away from my house. **Terry Pugh:** There is no catch basin on Route 9 there? **Billie Amos:** No sir it's my yard. **Terry Pugh:** Dennis with the new work will it be addressed? **Billie Amos:** Sorry Dennis, you send great people though.

Dennis Bigler: I have done absolutely nothing for you though. **Billie Amos:** I said you put the culvert in. The reason I am here is the new road is coming and I truly believe if it is not written in the survey or whatever for that problem to be addressed it is not going to be done. **Dennis Bigler:** Mr. Kralovic who you are praising and rightfully so talked to ODOT today about that situation. ODOT's concern is if they plane in there like what we want that they may pool water in the intersection. That is the impediment to the ODOT fix however, they said they would consider it and do everything they could. We met with their inspector and their consultant. That was Brian's work at my request. Previously we paved a trench there. That was Rich Smith as a result of your request to my office. **Billie Amos:** You did and that culvert Brian did stick his foot down there that day and tried to open it up and it wasn't open. **Dennis Bigler:** That is what we understand is the remaining piece of work that we could probably do there is try to get that culvert open. Nobody knows where it goes, it obviously go into that ravine somewhere down that alley near Mr. Ferren's studio. With that I don't know what else we can do there. **Billie Amos:** On the other hand you realize when the trucks come from town on Route 9 and they make that turn they do not have enough room to make the turn. They got to come into my yard, they are too big of trucks not to come into my yard. You can see the deep ruts. I have never complained. Nobody can say they heard me complain one time. A lot of times it is because the vehicles are too close to the traffic sign and they have to swing that big to make the turn and a lot of times it is just too big to make the turn and it has to come in my yard. I can handle that, I can't handle the water on my foundation. **Dennis Bigler:** So your solution is what then? **Billie Amos:** Fix the water. Put a drain across the street by the alley. You have a place to attach it to

coming from Route 9 on Marietta it is just up about 6 to 8 feet to far. Tap it into that, catch the water from uptown from that. At my next meeting do you want me to bring pictures? **Dennis Bigler:** No, I know what you are talking about. **Billie Amos:** The drain is there you just need to add one by the alley by the printing place. No road is supposed to be all angled one way. **Dennis Bigler:** You want to do that Council? You want us to get at it, we can **Terry Pugh:** I drive by there every day I live on down Route 9. Personally I have never paid attention but I have watched gravel in real storms come out onto Route 9 from that alley. **Billie Amos:** I haven't said a word, I have been paying to keep all of that taken care of. I can take some, I will be a nice neighbor. I want to live there I just can't afford the foundation problems. You wouldn't want it either, I should not have to live like that. **Dennis Bigler:** The street has been there for eons. If you knew of every request we have to magically take the water off the street and move it a different way there is no way the city can do that financially. We open the flood gates so to speak and start doing that. I think you were at the right stage at one point. When you are trying to work to keep the water off of your own house I think people have to take some responsibility for that. I think the city is due you to open up that culvert that is there. Brian tells me he thinks that would be a large benefit if we would open that culvert. It isn't always as easy as just putting a catch basin here. Maybe we could, I am not sure. You would have to negotiate a lot of underground utilities in that area to get a large pipe in there in a street that has existed for decades. Certainly as long as I have been here and now we are going to change the pitch and the grade of it and usually what I find is that affects somebody else somewhere. It becomes legally dangerous to change that. **David Trouten:** What is the address again? **Billie Amos:** 149 Newell Avenue. **David Trouten:** I will take a look at it not that I am an expert anyway but I don't know what you are talking about. I know the general area. **Terry Pugh:** We will take a look at it and someone will get back to you in the very near future.

Minutes: Minutes for the April 20, 2015 meeting were distributed to Council. A motion to accept the minutes as presented was made by Perry Jones 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

- Route 40 and Route 9 had inspectors in today doing some layout work with the contractor and getting acclimated with issues such as the one we just discussed. Trying to take care of some low spots like in front of Mike Green's office the cul-de-sac back there and the catch basin there. One out by Goodman's and any other special places like that where we

just need to adjust the asphalt a little bit to get it to drain. They are expected to start work in the next week to ten days on Route 40 and Route 9.

- Work in going real well on the Route 9 North water line. We are going to start first with the catch basin around Convenient and moving the storm line there and moving the water line to facilitate the new storm line. Probably about a month later is when the paving will start. Hopefully our water line work will be out of the way so they can get started with the paving.

Mayor, Robert Vincenzo

- I have a safety award plaque to award to Don Smithberger and his Light and Power. This is the 2014 Electric Utility Safety Award for meritorious achievement in obtaining a low accident frequency for the year 2014, first place for systems with less than 15,000 worker hours of exposure. Congratulations to your group. I think it is about 18 or 19 years in a row that we have received this award. Safety is always the greatest concern in all the departments. Every time you get in that bucket safety has to be the greatest concern.
- Last meeting we have been getting complaints from the people about the gas aggregation and having to resubmit to say they don't want to be in the aggregation. For a better explanation of this and this past week I have had a lot of the residents call me personally and are very upset that they have to resubmit each time. This is not a regulation of the aggregation company it is the Public Utilities Commission that has stated that it must be a requirement of reaffirmation if you want to opt out. One individual checked with the PUCO and were told that the electric aggregation does not have to opt out. Without being able to gather any more information Mr. Fred Holmes at my request will be here at our next meeting to directly explain to the public why electric aggregation does not have to be opted out but one time and gas needs to be opted out every two years.
- We are in the mowing season we have grass mowing now and people are already complaining about the high grass. They will be notified of the regulation. I am putting everybody on warning of noncompliance.
- The last thing is not a Council matter but it is a Mayor's Court matter. People who are summoned to the Mayor's Court and fail to appear for a traffic ticket or a parking ticket whatever your summons might be. If you do not appear or fail to pay your name will be sent into a special department and you will not be able to license your automobile until that fine has been taken care of. This is just a warning from Mayor's Court to the public. This is a new way of taking care of this it can be sent to the BMV and this is an immediate thing. Mayor's Court is no different than any other Court in the State of Ohio and all the rules and regulations apply.

Monthly Police Report - April 2015

Calls and Complaints	98
Accidents	16
On Roadway	11
Private Property	5

Arrests	43
Traffic	32
Criminal	3
Domestic	4
Juvenile	2
Warrant	2
Parking Tickets Issued	63
Traffic Citations Issued	32
Warnings Given	23
Domestic Calls	3
Alarm Drops Answered	3
Assist Other Agency	11
Breaking & Entering	0
Theft	4
Burglary	0
Miles Put on Cruisers	7,233
Gasoline Used	646.9 gallons

Police Chief, Jeff Henry

- The missing cruiser is in Chicago and it is demolished. It must have been wrecked on the car carrier. Ford is working with us.

Finance Director, Cindi Henry

- On a good note we put the Electric Department Bucket Truck on Gov. Deals and were fortunate enough to sell it last week so I feel we did pretty good on that. We should be getting the money at the end of the week.

Planning and Zoning Administrator, Tom Murphy

- I just wanted to let Council know that a week ago Dennis and I went up to the ODOT preconstruction meeting for the Route 40 and Route 9 paving job. The tentative plan now is to start that job on May 15th. You may recall the Shelley & Sands will be doing that work. The contractor did say that they were going to start that culvert/waterline portion along East Main Street first and get that totally complete. An ideal goal would be two weeks but as you know the weather always extends things. Hopefully it takes less than a month. Once they complete that they will move in with the paving equipment and start the paving of Rote 40 & Route 9. The completion date is July 31st but again with the weather cooperating.

COUNCIL COMMITTEE

Finance, Libby Heintzelman - No Report

Utilities, Frank Sabatino

- Utility Committee met this evening
- Congratulations to Don Smithberger and his crew we never get tired of receiving that award
- The Mayor updated us on the work being done at the Wastewater Plant and the work being done on the RCV's
- We discussed the new line on Maple Avenue, it is coming along very well. Any Council that has the time should go over and look at it.

Police, Perry Jones

- WE have a tentative date of May 15th for the Police Committee Meeting

Street North Side, David Trouten - No Report

Street South Side, Jim Weisgerber

- I have two questions. One the North side or Route 40 out by Barton Road our city pave the south side of 40 going east but didn't do the other side. There a couple of really nasty pot holes out there. When people swing to miss a couple of them get us into trouble. I would like for our guys to address this. I know we are going to pave but it really needs to be addressed. The other question I have is something Mr. Sabatino brought up a month or so ago there is one particular garbage truck that every time it stops it is dragging its wheels one of them is locking up. What is concerning me is when we get the new pavement in that truck stopping on Main Street is going to start to tear it. It takes a while for that asphalt to really set properly. I am concerned about the damages and I am wondering if maybe Jeff or one of us could contact that company and ask them to either get the truck fixed or get another one in town. **Jeff Henry:** I talked to Troy today from J & J and they were unaware of that problem. I talked to them on another matter but also asked them to take a look at it so I will get back with him before the next Council meeting to find out. Really you could go out on your street the next day and see if there is any fresh marks every place he stops. He said he would like to get that problem fixed on his truck because it can't be a good thing. I think it is just when he jumps out the truck is still moving.

Safety, Libby Heintzelman - No Report

Building and Grounds, John Bukmir - Not Present

Planning Commission, Jim Weisgerber - No Report

Fire District, Frank Sabatino

- Our next meeting will be May 20th at 3:30 at the Main Station

Recreation, David Trouten

- I am going to ask when the time comes if we can go into executive session to discuss the Recreation Director position.

Park District, Perry Jones

- The Park Board will be asking Don Smithberger about the light situation even though I gave them your papers they have some questions about that.
- They are working to update the rooms, the pavilions and the grounds trying to get all of that taken care of before it gets any more active than what they already are.

ORDINANCES & RESOLUTIONS

Law Director, Richard Myser

• I emailed all the ordinances in advance. I trust that everybody got them. The plan was to get them to you on Friday so you would have the weekend to review them and sometimes these ordinances are last minute put together. They were put together this morning and they went out today. I will try to get them out the Friday before the meeting if at all possible for you to take a look at them in advance. From last Council Meeting we had Resolution No. 2015-19, it was read for a first reading. This is the Resolution determining the lowest and best bid for Bikepath Portal Liner and awarding the contract to Suburban Maintenance and declaring it to be an emergency. Since we did not have a quorum last meeting we had the first reading and it is up for this meeting. The Service Director has asked that we suspend the rules and pass it tonight as an emergency. Ordinance No. 2015-20 is an Ordinance for an amendment to the Charter. I met with the Charter Committee. They met very faithfully and come up with three different amendments to the Charter. Whenever I draft legislation amending an ordinance or a statute or in this case the Charter I like to put in the ordinance what the previous section was then how it is amended so you can see what they are. The big one is the Finance Director no longer needs to be a resident of the City of St. Clairsville. The Law Director's requirement to be a resident of the city was changed when that position was no longer an elected position. We thought that this one should also be changed. If you have any questions Kathy and I were both at the meeting and could answer any questions you may have. The Ordinance will be read on its first reading tonight. This particular type of ordinance has to be read on three different times. After the third reading you can pass it. It will then be placed on the ballot to be voted on. **Mayor Vincenzo:** Do I see that the residency is not mentioned in the second part of the section? **Richard Myser:** That is the point it was a requirement and we omitted the requirement. Resolution No. 2015-21 is approving and authorizing the Intergovernmental agreement between the City of St. Clairsville and the Belmont County Transportation Improvement District. This is drafted in an emergency fashion so that if you want to act on it tonight the three reading rule can be suspended and it could become effective tonight if you so wish. Dennis distributed this agreement at the last meeting. I have looked at it I have read it I don't necessarily see any red flags. It deals with the grant that you are getting and the maximum amount of commitment that you are going to be exposed to is \$225,000. **Dennis Bigler:** The TID pays the bills and gives us a copy. We make the draws to the State. The State pays us and we pay back the TID. **Terry Pugh:** I am just curious, do you do the same thing with the County and the Township or is it just because of this grant with the City? **Dennis Bigler:** We tried to

have this grant given directly to the TID initially the answer was yes then months later at the last minute someone new took over and said we want this grant to go to the City not the TID. **Terry Pugh:** I guess I was thinking about like the County put up 1.9 million for the road do you have to have the same kind of agreement with the County and the TID? We do have an intergovernmental agreement with them. The next Ordinance is 2015-22 that addresses wages for non-union full-time and part-time employees. Attached to it is a schedule for each different employee what their wages will be increased on a per pay basis. The Finance Committee met last week on this and there was a lot of discussion on these pay raises and this is what the Finance Committee is proposing. The only thing you will see in the ordinance is under Section 2, the wage increase for the Service Director's Secretary will not be effective until she completes her six month probationary period. This is drafted as an emergency ordinance which means if you want to pass it tonight suspend the rules and it will take effect immediately. **David Trouten:** I understand the emergency part but why would we suspend the readings? **Richard Myser:** Otherwise we would have to read it three times and the thought was that this be in effect immediately. As of today May 4th the increases would go into effect. **David Trouten:** This chart that accompanies it, that is what it cost more. **Richard Myser:** Correct. **David Trouten:** Is this raise across the board? **Cindi Henry:** There are some variables that would have to be discussed in executive session. **Terry Pugh:** This was agreed to by the Finance Committee. **Richard Myser:** Do you want to go into Executive Session to discuss this? Procedurally when you go into Executive Session you need to announce each subject that we talk about in Executive Session. I know we will be going into Executive Session to discuss personnel for the Rec. Board and issues regarding the Collective Bargaining with AFSCME and wage increases for non-union employees.

There was presented and read to Council on its second reading by title only, RESOLUTION NO. 2015-19, A RESOLUTION DETERMINING THE LOWEST AND BEST BID FOR THE BIKEPATH NORTH PORTAL LINER AND AWARDDING THE CONTRACT TO SUBURBAN MAINTENANCE & CONSTRUCTION, INC. 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	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	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. 2015-19. A motion was made by Jim Weisgerber and seconded by Perry Jones that Resolution No. 2015-19 be passed by Council.

Roll Call Vote:

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

Resolution No. 2015-19 was declared adopted.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2015-20; AN ORDINANCE PROVIDING FOR THE ELECTION OF AMENDMENTS TO THE CITY CHARTER PURSUANT TO THE RECOMMENDATION OF THE CHARTER REVIEW COMMISSION.

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2015-21; A RESOLUTION APPROVING AND AUTHORIZING INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF ST. CLAIRSVILLE AND THE BELMONT COUNTY TRANSPORTATION IMPROVEMENT DISTRICT 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	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	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. 2015-21. A motion was made by Jim Weisgerber and seconded by Perry Jones that Resolution No.2015-21 be passed by Council.

Roll Call Vote:

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

Resolution No. 2015-21 was declared adopted.

NEW BUSINESS:

Mayor's Report: The Mayor's Collection for April 2015 was \$5234.30. A motion to approve the Mayor's Report was made by Jim Weisgerber and seconded by Perry Jones.

Roll Call Vote:

Heintzelman	Yes	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Trouten	Yes		
Roll Call Vote:	Six (6) 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 under Ohio Revised Code Section 121.22 (G) which is to discuss personnel for the Rec. Board and issues regarding the Collective Bargaining with AFSCME and wage increases for non-union employees.

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	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Trouten	Yes		
Roll Call Vote:	Five (5) Yes	Zero (0) No	Motion Approved

After much discussion it was decided to read Ordinance No. 2015-22 on its first reading and schedule a meeting later in the week to read it on its second reading.

There was presented and read to Council on its first reading by title only; ORDINANCE NO. 2015-22; AN ORDINANCE AUTHORIZING WAGE INCREASES FOR NON-UNION FULL-TIME AND PART-TIME EMPLOYEES AND DECLARING AN EMERGENCY

NEXT MEETING: Monday, May 18, 2015 at 7:30

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