

COUNCIL MINUTES
May 18, 2015

St. Clairsville City Council met in Council Chambers on Monday, May 18, 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

CITIZENS HEARING:

Chris Munn, Volunteer Energy

I understand some of you had some questions about your natural gas aggregation program.

Mayor Vincenzo: I have had several calls because the people have been informed that if they have opted out of the program they have to re-opt again according to the letter that they received and they were quite concerned about that. I am trying to explain that to them. I understand that it is legislation that requires them to do that again. **Chris Munn:** What we do is refresh every year. That letter goes out to all the people that are not taking advantage of the program or people who have moved in or who were behind on their bills before. That is once a year. Yes you do have to opt out but there is a permanent opt out list, all they have to do is call and get on that.

Mayor Vincenzo: They are quite confused because they called the PUCO and found out that they don't have to do this for electric aggregation. **Chris Munn:** No, doesn't St. Clairsville have their own electric program? **Mayor Vincenzo:** They are very confused. They opted out once and they just don't feel like they should have to opt out every time. **Chris Munn:** They can contact me any time, I have a permanent opt out list. Kathy has my number but I can leave some cards. Also my number is in the very first paragraph of the letter that goes out, my extension is in that paragraph. You can tell them that and I can put them on that permanent list any time. If they call me I can explain it to them better and maybe they won't want to opt out.

Mayor Vincenzo: I wanted you here to explain this to Council because I am sure they have had calls also. **Chris Munn:** It is once a year we do that refresh and plus every two years we send a letter to existing customers to remind them that they are allowed to opt out and cancel at any time at no cost. People could move here and not know about the aggregation so that is basically what the letter is for. **Mayor Vincenzo:** Thank you for taking your time to come and explain that to Council it certainly has been a concern. **Chris Munn:** If you want you can email or call me and I can call the people back.

Bob Whipp, Gulfport

I was here a couple of months ago. WE were discussing Barton Road signal work. At the time I told you we were in no hurry, it's on the back burner. It got moved up to the front burner for this week, it may be on the back burner next week. I would like to discuss it a little more in detail. As we said before there is a signal warranted under existing conditions. We are not promoting it but we are offering to pay for it if you all feel that it needs to be done. I have developed the plans and I have done an analysis of it. The plans are 90% done but we still haven't brought in the one if we would do it. If you would like to do it that is your decision. I saw where there were some groups that came in for the meeting after and discussed it. If you want to go through that way we will be offering to pay for it. The City would have to let the contract and take the liability of it because it is under existing warranted condition it is not because we are coming. We are offering to pay. I will give you the updated set of plans and another copy of the analysis. At some point here in the near future I would like to have a yea or nay on it. The next thing on the list is your slide. About 500 feet from Route 40 there is an existing slide, you have patched it for several years. We had an analysis done of it Hammontree right behind you worked on it. The Engineer that does the slide designs worked with me for 30 years so I feel very comfortable with him. We looked at the possibility of doing the regular piling wall, it will work that is not the problem. We also looked into the soil nails. I don't know if any of you are familiar with that. Soil nails is somewhat of a new type of system they use to do slide repairs. It is a company called Geo Stabilization and basically what they do is they come in and ram in (it says nails) big long nails like a 30 ft. nail. They actually developed the machine from a World War II type of thing they had to launch something with and they built it to drive the nails into the ground. When I was with West Virginia and the company was just starting we used them on a couple of projects and had great luck with them. We are very happy with their work and it is very comparable. What it will do though it will prevent us from having to move all the utilities. It is about the same price but in the overall scheme I don't have to get into utility movement. What it does, they will go in do an excavation put the soil nails in put mesh over it and plates then do a shockcrete wall on the outside of it. I have used it several times and I still go back and look at them just for history on my part and it is working. So I do have that. There is a proposal here from GSI. I have told them at this time to go ahead and proceed with the Engineered plan with they propose to do. We will be paying for all that and handling all that. The slide is very slow moving but when we go out, it is not going to hold up under our loading. We are proposing to go ahead and take care of that. The third thing I have is road use maintenance agreement. I took the County's and modified it into the City of St. Clairsville. I have to apologize to your Law Director because I went on line and could not find an effective date of when you took over so I put Law Director no name. I am going to ask you to look over it. It is the exact same thing as Belmont County is using. A lot of it is what we are required to do. I would like before this is signed by the Mayor we go in and address the slide and the signal and add them to the agreement. I think that should be added in not just talked about. It also says we will go in and do Geo-Tec or post a bond. The Geo-Tec actually came back and said a 3 in. overlay would be

sufficient. We are going to do widening on the road besides because of the size of the trucks that will be using it. I have a set of plans that will show the widening. We have the initial section after you go past the first yard on Barton, we want to go into the hillside and do a closed drain system then it will be piped across the road. Same place it is going no just a different way of getting there. That will put it over closer to the side and away from the poles. You can take the plans and look at. At some point in the near future I would like to have it addresses. If you have any questions you want to talk about now or what. **Terry Pugh:** Do you have any time schedule on this? **Bob Whipp:** As soon as the drainage work is done out here we would like to start on the road. I will probably go ahead and let the project and we can start out at the far end. We have two pads on Barton Road and the job is almost two miles long so I am looking at probably the 1st of July. Like I said the signal is your decision I can't say either way it is something that is your decision and can't recommend or not recommend it. **Perry Jones:** By next meeting? **Terry Pugh:** I would hope by the next meeting. **Bob Whipp:** Would you like for me to come back? **Terry Pugh:** Yes, June 1st. **Tom Murphy:** That culvert that runs underneath Barton Road where that slip is what was your intentions there? Was it to have a catch basin? **Bob Whipp:** We will be going over to the bank. It will be a closed system on the other side. There will be a catch basin in the asphalt on the shoulder. The road will actually move over widen out to the bank so the water will run down on the paved shoulder kind of like a city street actually.

Jan Martin, AARP: We had a meeting today and we were wondering about the Director for the Rec. Center and I thought maybe we would just come and kind of back up Eric Gay. He is a good guy we think and we thought perhaps that decision was going to be made tonight. **Terry Pugh:** It is up to Council. We have to make a decision shortly that is for sure. **Jan Martin:** It is very well needed. **David Trouten:** I didn't catch who you all were. **Jan Martin:** We are from AARP we have our meetings over there and we know what goes on at the Rec Center and we deal with Elsie all the time.

REPORTS

Service Director, Dennis Bigler

- Kevin Barr worked up the Concert Series and that report got out today that is coming up soon

Mayor, Robert Vincenzo

- We have had some mowing complaints people calling about lawns that are not mowed, Kathy and Tom are going to get that list together. It is something that does get out of hand. You have renters in these houses that aren't paying attention to the grass and it is very annoying to the next door neighbor. I really want to get these things taken care of because the longer we go the higher the grass gets and the worst the problem becomes. You have to get your lawns mowed or we are going to have to bring you into Mayor's Court.

Police Chief, Jeff Henry

- I definitely would like to talk to Council about the Barton Road project whenever the time comes. **David Trouten:** Any reason why we can't get his input now? **Jeff Henry:** There are a lot of things but myself and Dennis went over the plans today and I was under the impression that there were going to be three lanes a North bound lane and two South bound lanes. A turning lane to the Mall and a turning lane to St. Clairsville. In those plans that is not there. That would help considerably. It would also help with a traffic light because a lot of times people are turning toward St. Clairsville. You have one car turning left and clogs everything up. The only time that the light would activate would be when the cars are stacked up in the left hand turning lane. This is my opinion and I have worked a lot of accidents there in my days here and a lot of injury accidents. The injury accidents will slow down now since we did reduce the speed. That has helped considerably. I still think a light would work but a light won't work there without the turning lanes. If you don't decide to put a light there I think that you should demand turning lanes. **Dennis Bigler:** Your only challenge is going to be the room you have to work with there. **Davis Trouten:** We don't just have to say yes or no to them, we can negotiate, and we can say maybe we will do it but we need that extra lane. **Jeff Henry:** I talked to Bob Whipp here today and said I thought there were two turning lanes there. He said no. You know they have to acquire the land from the land owner and on the other side I don't think they want to move that utility pole to the west side of Barton Road. Those are things we want it to work and work for the future. I think that is something that Council ought to look into or force the issue. **David Trouten:** When you say there is a lot of accidents there what is the cause of most of those accidents? **Jeff Henry:** People pulling out in front of people. **David Trouten:** People pulling off of Barton Road? **Jeff Henry:** Right I would say that is 99% other than maybe a rear end accident at the stop sign on Barton Road. I really think that Council should look into it deeper and if you don't want the light at least force them to two turning lanes. **Richard Myser:** I haven't seen the plans but does Barton Road have sufficient right-of-way to put in a turning lane? **Dennis Bigler:** It is probably a forty foot right of way isn't it? **Jeff Henry:** I couldn't tell you. **Mayor Vincenzo:** I think they checked that right of way to widen that turn. **Dennis Bigler:** To the East I know they are acquiring land to widen the lane. **Mayor Vincenzo:** They checked it and it is still City right of way they will be on. **Dennis Bigler:** To the East the acquired land the West is a little wider but they would probably have to do the same thing. **Jeff Henry:** I don't see why they couldn't it would be a few more dollars but just update the intersection it has been needed for a long time. I am all for a light if they put turning lanes in but if they don't put turning lands in I am not. **David Trouten:** Can we communicate that to them and see if they would pay for it? **Dennis Bigler:** I don't know what to say. I don't have an opinion, Jeff and I have been talking about it. My approach would probably be to hire our own engineer to look at this stuff. **David Trouten:** That certainly makes sense. **Terry Pugh:** No one on

Council has seen the plans, they are right here. It might be to our advantage to have someone take a look and in the meantime the plans will be down in Kathy's office whenever you can come in and look at the plans and you will have a good idea. **Jeff Henry:** You almost have to be an engineer to figure those plans out. Dennis had to explain to me what was what and I thought there was a turn lane.

Finance Director, Cindi Henry - No Report

Planning and Zoning Administrator, Tom Murphy

- The East Main Street culvert portion of Route 40 & Route 9 project is proposed to start next Wednesday, May 27th give or take a day or two due to the weather. That is the goal of the contractor. As a reminder on street parking will be prohibited from Parshall Avenue to the Design Studio. Two letters have been sent out to the property owners in the area making them aware of that and reminding them if they can't get off street to be looking at some alternatives. Thomas Jeep and Eagle have offered the use of their lot as long as the person contacts them and lets them know that. **Mayor Vincenzo:** I was in further contact with Thomas's today and Brian said that they may be willing to open up the upper lot for some of the people. **Tom Murphy:** I spoke with Brian and he said he would do that. The second letter we sent out did give Brian's phone number so they can contact him. Businesses in the area have been given a phone call and all understand. They are aware of the project and they are going to work with us. The goal is that it will be completed in two to four weeks. I always go on the high end because you never know what might happen. Once that is complete the contractor will start on the paving portion in roughly late June. According to the contract it does have to be completed by July 31st.

COUNCIL COMMITTEE

Finance, Libby Heintzelman - No Report

Utilities, Frank Sabatino - No Report

Police, Perry Jones

- **Jeff Henry:** I got a call from Ford Motor Company today and they said production date is June 1st for our replacement cruiser.

Street North Side, David Trouten - No Report

Street South Side, Jim Weisgerber - Not Present

Safety, Libby Heintzelman - No Report

Building and Grounds, John Bukmir - Not Present

Planning Commission, Jim Weisgerber - Not Present

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

- Finishing up their projects. Working on the roads, the buildings and so forth to get ready for the Park to be really opened up for the summer. **David Trouten:** I played on the tennis courts they are very nice. The pool opens Memorial Day.

ORDINANCES & RESOLUTIONS

Law Director, Richard Myser

This evening the only Ordinance I have id we have a second reading of Ordinance No. 2015-20 that is the Ordinance to amend the City Charter. We will need to go into Executive Session to discuss Collective Bargaining Issues some pending litigation and personnel matters under Ohio Revised Code Section 121.22 (G) (1)

There was presented and read to Council on its second 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.

CORRESPONDENCE:

The Clerk read a letter from Calvary Presbyterian Church requesting Council’s permission to have a portion of St. Patrick’s Alley closed on Saturday, May 30, 2015 from 2 to 7 for a free end of the year party for all of the elementary school children. A motion was made by David Trouten and seconded by Jake Olsavsky to allow the partial closing of St. Patrick’s Alley on May 30, 2015 from 2 to 7.

Roll Call Vote:

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

The Mayor received a note of thanks from the National Council of Churches for the City’s assistance in supplying the tent for the Bible Reading and the National Day of Prayer. Also for the traffic control on that day.

EXECUTIVE SESSION:

A motion was made by Perry Jones and seconded by David Trouten to go into Executive Session under Ohio Revised Code Section 121.22 (G) (1) to discuss Collective Bargaining Issues some pending litigation and personnel matters

Roll Call Vote:

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

RETURN TO REGULAR SESSION:

A motion was made by Perry Jones and seconded by David Trouten 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

A motion was made by Perry Jones and seconded by Frank Sabatino to offer the job of Recreation Director to Lindsey Piccolini at a specific salary of \$40,000.

Roll Call Vote:

Heintzelman	Yes	Trouten	Abstain
Jones	Yes	Sabatino	Yes
Olsavsky	No		
Roll Call Vote:	Three (3) Yes	One (1) No	One Abstain (1) Motion Approved

NEXT MEETING: Monday, June 1, 2015 at 7:30 at the Municipal Building

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