

COUNCIL MINUTES
December 15, 2014

St. Clairsville City Council met at in Council Chambers on Monday, December 15, 2014 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	Jeff Henry, Police Chief
Perry Jones, Council-At-Large	Al Davies, Law Director
Jake Olsavsky, Council, 1 st Ward	Tom Murphy, Planning & Zoning Administrator
David Trouten, Council, 4 th Ward	Dennis Bigler, Service Director
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 December 1, 2014 Council Meeting were distributed to Council. A motion to accept the minutes with the correction was made by David Trouten and seconded by Perry Jones.

Roll Call Vote:

Bukmir	Yes	Olsavsky	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Sabatino	Yes
		Weisgerber	Yes

Roll Call Vote Seven (7) Yes Zero (0) No Motion Approved

CITIZENS HEARING:

Bill Jeffers:

Terry Pugh: Bill you would like to address Council tonight? **Bill Jeffers:** How long do we have? I have had less than two minutes. **Terry Pugh:** Bill it is Christmas and if you have anything worthwhile to say to Council I wish you would, but we are not going to rehash old items. **Bill Jeffers:** You never did answer my questions and when they say they are going to arrest me for protecting my property. You see all of this equipment. This is what I had when I was in a nursing home. I lay on my back for three months, I was broke in half. You never did anything to help me when I first started telling you my property was getting washed away. He (Jake Olsavsky) got a little thing on his foot. **Jake Olsavsky:** I have had this for two years. **Bill Jeffers:** I am four years. **Terry Pugh:** What do you want to address Council about that Council may help you with? **Bill Jeffers:** I need the Police Report when Officer Arbenz came down walked 60 feet one way and 60 feet the other way and told me you have to turn your music down, I complied with what he said. It has not been presented to me. I constantly have asked

and asked. Number two about my white decorated fence it could be 15 inches on your right of way now there are fences on Windermere like I put in mine. The ordinance says I am allowed to have a fence on my property line. **Terry Pugh:** We have talked about this a number of times. Council cannot do anything for you. **Bill Jeffers:** You took my fence. He threatened to arrest me. I was trying to keep my property where it was. **Terry Pugh:** I told you before and a number of other people have told you that you are not in compliance with our ordinance on your fence and where the property line is. **Bill Jeffers:** You want to read it? **Terry Pugh:** Read what? **Bill Jeffers:** The Ordinance. **Terry Pugh:** I know what the ordinance says. If you feel this serious about it I think it is time, because Council can't handle this for you it is time for you to go and seek legal Council and bring it to the City. **Bill Jeffers:** I have brought it to the City. You put wires on my property. You threatened me if I fill in my ditch which I am going to. I have stones I am going to put in according to the Ohio Constitution. **Terry Pugh:** How many times have you said this before Council before? **Bill Jeffers:** This is number seven, **Terry Pugh:** I feel bad for you Bill. **Bill Jeffers:** Oh yes you did you took my fence that protected my driveway because I got buried five times in one day. It was engineered that it could be taken up within thirty seconds so it could be out of your way. It protected me and my driveway. **Terry Pugh:** Bill we have been through this before. **Bill Jeffers:** I know and you do nothing about it. It was on my property. **Terry Pugh:** It is time for you to go hire an attorney and bring your complaint to the City through Courts. **Bill Jeffers:** I just want my police reports from Officer Arbenz. **Al Davies:** Mr. Jeffers I think what Mr. Pugh is saying to you is what we have been saying from day one. That is the dispute you have in regard to the right of way. You want to argue that it is not valid. We are real sure that it is valid. Unless and until a Court says otherwise we are operating on the understanding that we have a valid right of way and anything in that right of way is subject to removal by the City. If you want to pursue that as you told me three months ago you were going to bring a law suit. Another thing since you have threatened litigation I have advised Council not to answer any of your questions. Your conflict is not going to be resolved in this Council. It is going to be resolved in a Court of Law and you are going to have to bring a law suit. Again we are going to operate that our right of way is valid. If you put things in there they are subject to be removed. Your issue with Officer Arbenz, your case for allegedly violating the sound ordinance is scheduled for trial on Wednesday in Northern Division County Court in front of Judge Berhalter. If you have issues you want to address in that regard that is the forum you need to do that. Your time is up, you have had your five minutes. **Bill Jeffers:** That is all I get. You have a major bill, are you going to pay your bill?

REPORTS:

Dennis Bigler:

- The automated meter reading system that we have been working of for two years is essentially complete. We have ordered all of the equipment, the equipment is here. All of the meters have been installed. There are two or three that are a special type but the project is basically done. We started out from scratch, found a consultant, and scoped the

kind of system we wanted because there are various types of systems. We did the project and interfaced their metering system with our billing system. We worked choosing the type of backhaul bringing the information from the meters back into our system. We selected the meters, bid the meter types. We have been to every home at least twice. I commend and tell them thanks if you see them Shelley Fortney, Don Smithberger, Doug Frye for all the work they have done over the years. The good news is we were higher in some areas and lower in some areas but overall we were just under \$70,000 below budget. It was about \$1,600,000 project.

- Things we are working on for next year of course the Route 9 & Route 40 paving project that Council has already considered is one of the biggest things we are working on. We are also working on the Highlands, we have a proposal in on subsurface evaluation there.
- The National Bikeway tunnel portal repairs will be done next year using a grant with ODOT.
- We have met with the engineers for the Wastewater treatment plant evaluation.
- We are looking at replacing a water line on Maple Avenue where we have had repeated breaks and also on Hutchinson Drive.
- Along with that we are looking at doing a valve replacement to replace valves that we have been having trouble with in the city. It is very important when we have water breaks that we have valves that operate. Most of ours thankfully do but we have some that we need to get caught up on.
- Council heard last week that the connector road construction the T.I.D. plans to start its section in January.
- And last we hope to upgrade our construction standards.
- **Frank Sabatino:** About the T.I.D. project, I was at the meeting last Tuesday, it is a great project. Back in the Spring Mr. McAdam said that this project would cost the city of St. Clairsville and the tax payers not a penny, is that still the case? **Dennis Bigler:** Yes it is.
- One thing I have meant to tell Council is that in the last few weeks we have had two other retirements. Rich Funkhouser who has over 20 years with the City in Water/Wastewater and has worked as the Wastewater Plant Operator retired in November along with Mike Chase who worked as a lineman so we are busy trying to replace them.
- Also on Kevin Barr, he has been here 33 years. When I came here the city did not have a recreation program. We did not have the ballfields, we didn't have the amphitheatre and we did not have the Recreation Building you can see how busy it is now. As the Mayor says 18 hours a day 7 days a week this building is humming. Kevin was responsible for that and has been a good friend to many of us like me and many of us here, we will miss him and wish him well in retirement. Kevin the Mayor and I have been talking about this retirement a good deal and we talk about projects we need to start designing on the Recreation building next year. This building is 30 some years old with a lot of wear and tear on it. It need some help in a lot of places and I think it needs rehabilitated and upgraded. I think this is something the city needs to be thinking about to remain a viable

city and attract the new influx of wealth and things that are coming into the city this is an excellent opportunity to be able to do that. It needs to be enlarged. **Mayor Vincenzo:** I would also like to add this building was done with a capital improvement grant for \$750,000 and no match money. Kevin worked with Congressman Doug Applegate to help move this through and did a lot of ground work to make this happen and it was a prize plum to come up with that money. So we are sitting in a building that did not cost us anything to build and I think that is a great testimonial to Kevin. I do appreciate his 33 years of service to the City and he will be missed.

Mayor Vincenzo:

- I have a very pleasant thing to do this evening. I did invite some special people to come in this evening and I am kind of surprised that they are here this evening and are not planting anything. All of Council realizes that we have new Christmas decorations in this city and even today I had two compliments in my office on how great the city looks, how beautiful the lighting and everything was. They said it looks so much different this year. I said that is because it is all brand new and it is due to the efforts of an organization that raised this money for the city and they made it a beautification project. I would like to invite all of them to come up and receive a certificate of appreciation to the Gardner's Forum. **Charlotte Hill, President:** Thank you to everybody and for those of you who are not familiar with our Gardner's Forum we are just a social club 28 women strong whose purpose is to encourage the beautification and the love of gardening. It is not designed to be a charitable organization. We are not to raise money and I don't know who we got involved in this. With that said we for 73 years have been helping our city decorate our beautiful St. Clairsville for Christmas. Each year we fluffed those poor wreaths, replaced the lights that the City hung up and we even helped the County around the Sherriff's house and all. We just want to say that we are pleased that we can help our community and hope those decorations last another 20 years. **Lorrinda Saxby:** Every one of the bows were handmade by Pauline Henry and Brenda Ponzanni using bolts and bolts of ribbon.
- The other thing that I have to announce tonight is the resignation of our Recreation Director, Kevin Barr

Police Chief, Jeff Henry - No Report

Finance Director, Cindi Henry

- Next meeting we will be doing all the necessary resolutions of money moves that had to be completed in 2014. Hopefully I will have the appropriations by that time and you can pass those. If not we may have to meet later in the week.

Planning & Zoning Administrator, Tom Murphy - No Report

COUNCIL COMMITTEES

Finance, Libby Heintzelman - No Report

Utilities, Frank Sabatino - No Report

Police, Perry Jones

- Had a Police Committee meeting two weeks ago and there are some things that the Police Department needs and hopefully we will be able to address them the first of the year.

Street North Side, David Trouten - No Report

Street South Side, John Bukmir - No Report

Safety, Jake Olsavsky - No Report

Building and Grounds, John Bukmir - No Report

Planning Commission, Jim Weisgerber - No Report

Fire District, Frank Sabatino

- I don't know if any of you have seen the big truck going through town. We took possession of our new #32 on Thursday. Take a good look at it, the top of the cab is a little different with the school colors. It is not your traditional all one color. It is a very nice looking truck. We are pleased to have that and to the Citizens and voters from the Cumberland Trail Fire District we thank you. With your support we are able to keep up the equipment. St. Clairsville is a growing town and the Township also and we need to keep up with the equipment so we are able to handle any situation.
- Our next meeting will be December 29th. We will have a reorganization meeting at 8:00 and at 8:15 we will go into our regular meeting.

Recreation Report, Libby Heintzelman - No Report

Park District, Perry Jones - No Report

ORDINANCES & RESOLUTIONS

Law Director, Albert Davies

- I have no new legislation tonight but we do need to go into Executive Session per Ohio Revised Code Section 121.22 (G)(4) to review matters concerning Collective Bargaining negotiations with the F.O.P.

There was presented and read to Council on its third and final reading by title only, ORDINANCE NO. 2014-42; AN ORDINANCE ADOPTING AND APPROVING A POLICY MANUAL FOR THE ST. CLAIRSVILLE POLICE DEPARTMENT. A motion was made by Perry Jones and seconded by Jim Weisgerber that Ordinance No. 2014-42 be passed by Council.

Roll Call Vote:

Bukmir	Yes	Olsavsky	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Sabatino	Yes
		Weisgerber	Yes

Roll Call Vote Seven (7) Yes Zero (0) No Motion Approved
Ordinance No. 2014-42 was declared adopted.

There was presented and read to Council on its second reading by title only, ORDINANCE NO. 2014-43; AN ORDINANCE ACCEPTING THE FINAL PLAT OF THE JC DEVELOPMENT LLC (SPIFFY SHINE/ STATE CLEANERS) PROPERTY SUBDIVISION TO THE CITY OF ST. CLAIRSVILLE, OHIO

EXECUTIVE SESSION:

A motion was made by Jim Weisgerber and seconded by Perry Jones to meet in Executive Session per Ohio Revised Code Section 121.22 (G)(4) to review matters concerning Collective Bargaining negotiations with the F.O.P.

Roll Call Vote:

Bukmir	Yes	Olsavsky	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Sabatino	Yes
		Weisgerber	Yes

Roll Call Vote Seven (7) Yes Zero (0) No Motion Approved

A motion was made by Libby Heintzelman and seconded by Jim Weisgerber to return to regular session.

Roll Call Vote:

Bukmir	Yes	Olsavsky	Yes
Heintzelman	Yes	Trouten	Yes
Jones	Yes	Sabatino	Yes
		Weisgerber	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, January 5, 2014 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