

COUNCIL MINUTES

October 20, 2014

St. Clairsville City Council met at in Council Chambers on Monday, October 20, 2014 with the following present

Terry Pugh, Council President	Robert Vincenzo, Mayor
John Bukmir, Council, 3 rd Ward	Dennis Bigler, Service Director
Libby Heintzelman, Council-At-Large	Cindi Henry, Finance Director
Perry Jones, Council-At-Large	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 October 6, 2014 Council Meeting were distributed to Council. A motion to accept the minutes was made by Libby Heintzelman and seconded by John Bukmir

Roll Call Vote:

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

CITIZENS HEARING:

RITA - Amy Arrighi & Chuck Hawk

Amy Arrighi: My name is Amy Arrighi I am Chief Legal Counsel for the Regional Income Tax Agency. I oversee all of the compliance and enforcement programs that we run. Chuck Hawk is here with me as well as my driver but not really, he is our Marketing person. I wanted to thank you for inviting us here to talk to you about the administrative subpoena program that we ran for the city at the end of September. The administrative subpoena program is a program designed to reach out to individuals who we expected to file a tax return for your city but did not file a tax return for one or more tax years since your tax has been in effect. The way the program works we arrange the program with the city in advance. We reach out to taxpayers who we have in our system who we expect a return from but have not filed. We reached out to 1,075 residents who were on our tax rolls but appeared to be missing a tax return for one or more tax years since your tax has been in effect. We did have about 276 of those individuals did respond to that first letter. Those that didn't respond by the due date that was on that letter were issued an administrative subpoena which ordered them to appear here I believe in this room with their tax documents necessary for them to file the tax returns that they had not filed. While I was not here for that program myself we had two of our Auditors staffed here. I understand the program was less than

ideal the way that it ran. Tax payers were unhappy not only with why they were here to file tax returns but there were long waits and they were unhappy in general with the way the program was run. First let me simply apologize for the way that the program unfolded. It is certainly not our goal to come in and cause this much upheaval as it sounded like occurred that day on September the 24th when our Auditors were here. We have seen some success for you already with the program from the returns that we have received from these individuals. We have already identified over \$80,000 in liabilities that are owed to the city from tax returns that had not previously been filed. So as we continue to identify liabilities from that program those folks will receive billing statements from us and move along the process to get those liabilities paid. So the program did identify several tax payers who owed you returns. Hopefully now that we have got them into compliance, it is a newer tax folks understand what they have to do and when then we will continue to see better compliance going forward. If this is a program the city wants to do again in the future maybe in another year or two to look back again and see how many non filers you have we have already discussed with the Mayor and the members of your Finance Committee a more ideal location to hold a program like that so there is more room for folks to wait their turn to have their taxes done. I am happy to answer any questions that you have.

Frank Sabatino: It sounds like with the committee you recognize your short comings, you know you sent two down and that will be rectified in the future, down the road. **Amy Arrighi:** Yes we have developed a history or a president. If we do this program again here in this community we know that we will be looking at your Recreation Center as a different location. We will look back and see how many folks appeared, how many are we issuing subpoenas to. What we usually see us about 14% of the people who are issued subpoenas will show up that day and actually file their return. That is what happened just under 14% of the people who received subpoenas actually came here that day. So everything kind of fit our model. A lot of the folks had never filed so it was more than one tax year that had to be done for a lot of the folks that showed up and it took our Auditors a little bit longer and we will consider that in the future about how many and possibly a second day instead of doing it in one day. **Mayor Vincenzo:** I would just like to add that after my meeting with them in Columbus they agreed to come here immediately to address the situation. After our meeting tonight we have set some parameters that are agreeable to both sides and I think that we have taken care of the issue and they are more than willing to take care of all of the problems that we have had and address them because they are very concerned also and they want to make sure that this program is right. I personally want to thank you for making the trip down and explaining to the committee and I think we all had a wealth of information that does help out quite a bit. **Chuck Hawk:** Thank you Mayor. **Terry Pugh:** I also want to thank you for coming and explaining the program. I am sure like the Mayor said it is going to be a different ballgame if we do it again.

Bill Jeffers, 199 Young Lane

Terry Pugh: Bill you would like to address Council again? **Bill Jeffers:** Yes. **Terry Pugh:** Is this some new issues? **Bill Jeffers:** I want to address the one that I have 1.5 to 1.7 seconds or

minutes to address the last time which I didn't get. **Terry Pugh:** You only have about five minutes because this is getting old and I think if you have concerns for Council you can write it down and send it to the Council members and they can become more knowledgeable. **Bill Jeffers:** It really is getting old. I will give you the four I gave you last time and you can give me a reply. **Terry Pugh:** Bill I am President of this Council you have five minutes so go ahead. **Bill Jeffers:** I need to sit down. **Terry Pugh:** Pull that chair out and sit down. **Bill Jeffers:** I need to sit down at a table. **Terry Pugh:** You are using up part of your five minutes. **Bill Jeffers:** That is what you did to me the last time. Just make a note of these and you can answer them whenever you feel like it. Have you seized my property? My land, have you seized my land? You can answer that whenever you like. **Terry Pugh:** You have four minutes Bill. **Bill Jeffers:** I know I have just enough time to sit down. That is one question, you have it? You have the permits for me for the cables that you put in my yard without permission. Do you have those? **Terry Pugh:** Bill I have no idea what you are talking about. **Bill Jeffers:** The cables that run off the telephone pole. There are 10 of them. I don't have 10 different services from the city of St. Clairsville. **Terry Pugh:** I have no idea what you are talking about. **Bill Jeffers:** I addressed it last time. **Terry Pugh:** Have you called the telephone company, the cable company and anybody else? **Bill Jeffers:** Well when I left they weren't there when I came back because I told the guys don't put them cables on my property and they did it when I was gone. **Terry Pugh:** Who did it? **Bill Jeffers:** You find out from the Director who gives permits out Mr. Bigler. He can tell you exactly who did it. **Terry Pugh:** We will check on it. **Bill Jeffers:** Number two, that is one and two right. Number three is that your thing when you removed my fence which was under ordinance which was on my property which I didn't need a permit ok. And you stolid my fence. Number four when they came down and stolid my fence which was done by two officers, when he brushed up against me the second in charge and the first one in charge threatened me by "arrest him if he stops you from removing the fence" it was well engineered, it was designed to take out in 20 seconds and you stolid my fence ok. You can address that. It was under city ordinance. I have all the ordinances of course. **Terry Pugh:** You have one minute Bill. **Bill Jeffers:** Let's see, is that what you use duress to threaten to arrest me. You want to ask this gentleman (Chief Henry)? **Terry Pugh:** If you talk over the five minutes I will ask you to leave the meeting. If you will not leave the meeting I will ask the Chief of Police to escort you out of the meeting. Now you got about a half minute left. **Bill Jeffers:** Am I going to get a response to these or do I keep coming back. **Terry Pugh:** I will consult with the Service Director, the Mayor and the Legal Director and we will get back something to you in writing. **Bill Jeffers:** Ok because that fence was put up there for two reasons to stop the rocks that you don't clean off and to stop the snow which you plow over my driveway. I have disabilities, I am an American with Disabilities which I can prove without a shadow of a doubt. **Terry Pugh:** You are over your five minutes, I am going to ask you to leave. **Bill Jeffers:** I wouldn't even come here, I don't even want to know you people I really don't. So I got 18 minutes last time and I goat 1.75 minutes to address. **Terry Pugh:** You will get an answer back in writing. **Bill Jeffers:** I want everything addressed, wrote down tell me if I

am in violation of city ordinance when the fence was under 48". **Terry Pugh:** Go Bill I can remember everything you said. **Bill Jeffers:** You do nothing about it. So Merry Christmas, we will do something about it someday. I need the minutes and the CD's from all the times I have been here and requested, she says she doesn't have them and won't give them to me. I have been two years trying to get information from Mr. Davies which he has. What are you hiding?

REPORTS

Service Director, Dennis Bigler

- Just two items tonight. Any of you have been over to the Highlands you can see what we are up against with the work we are doing over there. We just don't have the equipment to do a job that size yet a job that size is too big for us and too small for a paving company. In the words of the Street Superintendent we have to pave that street next year. We have no choice. It is breaking out on us as soon as we fix it. The trucks that we are running over it as we fix it are breaking out additional areas. And the garbage trucks moving around our patches are breaking out additional areas. We have a 1980 roller we are trying to fix it with and a 1992 backhoe we are trying to dig with. It is just too big. It looks like we are up against a mountain when we are over there. What we are doing we are a little bit under budget from what we told you but we are not near done. We will have it patched this year but next year that street just needs more extensive work. What I would like to do is do some analysis on it do some cores and go from there for next year.
- It came to my attention that one of our residents has written a book on our namesake. It is very nicely done, a very neat historical sided reference book. It is called Arthur St. Clair the Invisible Patriot. The book was written by a resident of the west side of town Dick Phillips who I told has to be the country's definitive expert on Arthur St. Clair. It is very interesting. I haven't had time to read it in its entirety but I have glanced at it and I was impressed by it. I mentioned to Dick to maybe stop up tonight, something like this Dick has talked to different groups in town but this is something that is lasting and hope it will be used by future generations to show where this town came from. **Mayor Vincenzo:** I also have a copy and I can tell you before Dick started with this research Arthur St. Clair was just a name of St. Clairsville's namesake and that was about all. He got into the depth of it and the more that he researched the more he found out and I am very pleased to say he has got it into a book and very well delivered, very well written and like Dennis said I think we ought to be very proud that Dick a resident of our city has done this for our city and really appreciate your effort. It took five years to do this that is a labor of love. He has had a memorial plaque put up by the Courthouse that he was responsible getting it authorized by the Ohio Historical Society which doesn't happen to often. He persevered and he got it done. If you go out to the left side of the Courthouse you will see that sign has been up for over two years. Dick thank you very much. **Dick Phillips:** My wife and I moved out here from Scottsdale, Arizona where everybody

usually goes to retire. We came out here to be near our family. I had closed my public relations business and I really didn't have a lot to do so I started looking at Historical figures and started writing articles in the paper and etc. They were pleasant and they thought they were interesting. I wrote about half a dozen different people. The one of my fellow Rotarians suggested that I should take a look at St. Clair. I started looking at him and I started asking people first of all and found out nobody seemed to know much about him and he wasn't being taught in the schools and I thought I will never change that. At least maybe I can change a few things and get St. Clairsville on the map since I live here it is important to me. One day Bob calls me and he said I got a call from across the county and they got your articles. Of course that spurred me on. It didn't take much. The plaque he was talking about, what really triggered me what made me an advocate of St. Clair, I started out as objectively as possible. I was in journalism, I know the ropes but by the same token when I went to the Ohio Historical Society I began to see that in their 75 years of existence they had issues over 1,500 plaques throughout Ohio and not one positive plaque about Arthur St. Clair had been issued. Of course they don't do it themselves they have to have funding but they approve it and they control it. Well I started working with them and a few years later we finally settled we could have a plaque and now you have to find someone to fund it. Fortunately I was able to go to my Rotary Club the Noon Rotary Club and get the funding to buy the plaque and they came out and helped install it, dedicate it. The Mayor and a bunch of other Officials were there and it was a nice day. So it is there silently educating people new visitors and old visitors alike. So anyway after that people started saying why don't you write a book. Especially I started hearing from St. Clair's descendants from all over the country. Because only two books had been written this guy since 1882 and the last one was 1944. So I thought maybe it is time we resurrected this man's reputation. As I began digging away layer after layer I thought this guy is a super patriot and he doesn't get anything from Historians. There are reasons for that which I found out and I won't go into them now, they are in the book. But the idea is I don't like to talk about conspiracy but every historian for the last 200 years have ignored this guy. They ignored what he did for Washington, they ignored his brilliant strategy to get out of Ticonderoga. They tried to court marshal him and they tried to nail him and they didn't very easily with the loss of the Wabash which really was not totally his fault in fact just a little. But we are talking about 84 years here 1734 to 1818. He grew up in Scotland he was of Scottish decent. Actually from Scottish Royalty if you take it back to 1500. He was educated in medicine at the University of Edinburg. He understudied one of the first Doctors in England and that was when the Duke of Cumberland decided the French were about to take over our Canadian Colony. He put together an Army and St. Clair being only 23 he said I want to do that. He came over as a Lieutenant, fought five years in what they call the French & Indian seven year war. Then he retired and became granted some land in Ligonier Valley and he married the niece of the Governor of Massachusetts and they settled in

Pennsylvania. He reupped with the British Army because his third cousin was General Thomas Gage who was head of the North American Troops for the British Army. He spent 12 years helping Governor Penn establishing Pennsylvania. He resigned his British allegiance and joined the Continental Army and became one of Washington's closest associates. Pennsylvania sent him to Congress and he was there for a couple years and Congress elected him the 8th President before the Constitution. He became the Governor of the Northwest Territories. He was in Ohio for 15 years. **Dennis Bigler:** There are two things this Council can do for Dick. First you can buy the book and second anyone who does this much work deserves a round

Mayor, Robert Vincenzo:

- Like I said before, I was able to get to Columbus and meet with RITA and set up the situation for tonight and without a doubt they were very apologetic and I know it will not happen again.
- The other thing was I was in Columbus Friday to do my Mayor's Court updates of General Court and also the Drug & Alcohol reapplication.
- Our afternoon session was the most impressive thing I have seen in years. We had two people who put on a drug program and it was so powerful that I am going to bring it back into St. Clairsville. I am going to work with the schools to see if we can get it done in the schools. I would like to see if we can maybe get the public also into it. I will make sure that I acquire the financing to bring them in because I feel it is that important to both our school system both St. Mary's & St. Clairsville and maybe other schools that want to come in on it to be part of it. It is a program that only one other person that I know has seen that program because Kathy was there the week before for her training and saw the same program. It is a very powerful program. These two gentlemen are law officials but more importantly they are schooled in this whole area. They have worked for the FBI, they have worked for the CIA, they have worked for other people in the country and they are now dedicated fully to this drug program. It has so much impact you will not believe it until you see it. What we see here doesn't even scratch the surface of what they put up with and what they do. They won't be available until sometime after the first of the year but I know I can get enough people who will finance this program to bring it in without a problem and I will see that we have it. I will meet with the school officials and we will work it out.
- Ron Bischoff the Mayor of Barnesville passed away. It was announced on Friday. They will have the funeral on Wednesday. I want to express the City of St. Clairsville's condolences for Ron. Ron was a very compassionate person that held Barnesville with the highest esteem and worked very hard.

Police Chief, Jeff Henry - No Report

Finance Director, Cindi Henry

- The paperwork that I passed out to you was the result of our Executive Session last Council meeting so if you have any questions call me.

Planning & Zoning Administrator, Tom Murphy

- The V Bakery and Bistro opened up on East Main Street over the weekend. They are located across from the Marathon Gas Station where Century 21 was located. It has been in the works for a couple of years.

COUNCIL COMMITTEES

Finance, Libby Heintzelman - No Report

Utilities, Frank Sabatino - No Report

Police, Perry Jones

- The stop signs will soon be in operation hopefully this week.
- The parking lots will soon be in operation too

Street North Side, David Trouten - No Report

Street South Side, John Bukmir - No Report

Safety, Jake Olsavsky - Not Present

Building and Grounds, John Bukmir - No Report

Planning Commission, Jim Weisgerber - No Report

Fire District, Frank Sabatino

- Our next meeting will be Wednesday, October 22 at 3:30 at the Main Station.

Recreation Report, Libby Heintzelman

- The Rec. Center will be holding their Annual Halloween Costume Judging Contest on Tuesday, October 28th at 6:30 p.m. in the Gym. The contest is for boys & girls ages 1 thru 12. Trophies will be awarded to the funniest, prettiest, scariest & most original and there will be runners up in each age division and candy grab bags will be given to the first 200 children who sign up.
- **Mayor Vincenzo:** Saturday night the VFW is sponsoring dark in the park at the Amphitheatre and they had over 500 children registered. It is from 5:00 to 9:00.
- Trick or Treat in St. Clairsville is Thursday, October 30th from 6:00 to 7:30

Park District, Perry Jones

- There are a lot of projects that they are trying to get involved with tennis courts, repairing some of the roads that they are looking for assistance for. **David Trouten:** They are redoing the two basketball courts? **Perry Jones:** They are trying to find out what it is going to cost, yes they are doing both of them. It is very expensive.

ORDINANCES & RESOLUTIONS

Law Director, Albert Davies

- No new legislation tonight and I do not need an executive session tonight

NEXT MEETING: The next regular scheduled meeting of the City Council will be Monday, November 3, 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