

COUNCIL MINUTES

September 2, 2014

St. Clairsville City Council met at in Council Chambers on Tuesday, September 2, 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
David Trouten, Council, 4 th Ward	Al Davies, Law Director
Frank Sabatino, Council, 2 nd Ward	Tom Murphy, Planning & Zoning Administrator
Jim Weisgerber, Council-At-Large	Doug Frye, Water/Wastewater Superintendent
	Brian Kralovic, Acting Street Superintendent
	Officer Matt Arbenz

The meeting was called to order by Council President Terry Pugh

Minutes: Minutes of the August 18, 2014 Council Meeting will be distributed to Council at a later date.

CITIZENS HEARING:

Roger Durst, Territory Manager, Planet Aid: My name is Roger I am with Planet Aid, I am the Territory Manager, Jordan is the outreach coordinator for Planet Aid we do the clothing and shoe recycling, we are a nonprofit. We have been trying to partner up with J.B. Green Team and placing our bins at the locations where they have their bins. Basically it creates a one stop shopping for the consumer to donate, to do all their recycling. We have had a lot of success. A few of the areas that we have been able to get the bins placed such as the Rayland Fire Department, we have four bins there. It is tremendous. The Toronto Municipal, we have two or three bins there and we recently put one at Stratton and it is doing really well. I see you guys have the setup over there and thought it would be a great area for us to place some of our bins. That is why I am here tonight. **Jim Weisgerber:** How often do you come to pick up? **Roger Durst:** Twice a week. Also as a Territory Manager you have my business card and if there is any kind of overflow I will be out there within 24 hours I will be out there, me personally. Sometimes they will leave a television; we don't have a whole lot of furniture issues but since televisions are getting difficult to get rid of people are putting them there. We take them and we get rid of them. **Terry Pugh:** How many bins are you anticipating? **Roger Durst:** I would say three or four, our bins are considerably smaller. They are 4 x4 and 6 ft. tall. I would say three or four at least so we don't have the overflow issue. We recently opened a relationship with Gabriel Brothers so we do have two bins there and they are doing very well. They haven't been there very long but they are doing well so that tells me that people are looking for a place to donate clothes. **Mayor Vincenzo:** Do you have one out at St. Clair Auto right now? **Roger**

Durst: I do not. Is that the NAPA Auto Parts? We actually rode by there today. I don't know if you saw it but there are clothes outside. **Mayor Vincenzo:** That is the reason I asked. **Roger Durst:** That is the biggest concern. Ours are the yellow bins. We actually spotted that today and if I had the authority I would have picked it up today. But I can't do that. **Mayor Vincenzo:** I saw that over the weekend and I wondered if that was yours. That is the problem. People on weekends clean their house and they start dumping everywhere. **Roger Durst:** I promise you, you will have my card with my cell phone number and within 24 hours. I can't guarantee I will be out there in a few hours obviously we are in Pittsburgh but definitely within 24 hours. That is one of the things I offer as a territory manager. Even if you wanted to do it as a trial, if it didn't work out there is no commitment at all. You say we want them gone and they are gone. We were down there tonight and I saw that those bins are pretty full so it tells me that people are recycling big time. **John Bukmir:** I make a motion that we put it on a trial basis. If it works out fine if they service it as they should then it will be fine. **Jim Weisgerber:** I second the motion. **David Trouten:** What is this for, who does it benefit? **Jordan:** Basically two areas, both locally and internationally. Our nonprofit is set up basically from recycling; our proceeds go to our different schools we have set up in Africa, teaching different trades. Basically teaching a man how to fish, we want to promote self sustainability in a lot of third world countries. Locally us in Pittsburgh in general we work with a lot of the homeless shelters reaching out there. But we are willing to do that in any towns. We do clothing drives during the winter time. Last winter since it was so cold we approached businesses for blankets, jackets, etc. we had a great turn out; we had great success to give to the shelters and homeless people, food banks, things like that. We also help with a lot of the disaster relief stuff after the tornados last year we were out locally helping with the flooding. Really anywhere there is need. We can get toys to kids, we get toys a lot. **Roger Durst:** We are willing to help with different programs you may have going. You can approach us and we would do that. The biggest thing is with Good Will, Planet Aid, St. Vincent DePaul everybody is collecting these clothes and at that only 15 % is being collected the rest is ending up in the landfill. At the end of the day that is pretty huge. **David Trouten:** Are you from Pittsburgh? **Roger Durst:** I was born and raised in Philly and I live in Pittsburgh now and Jordan is from Pittsburgh. **David Trouten:** I mean the organization is it local? **Roger Durst:** It is nationwide we just service this area. **Frank Sabatino:** Is your truck coming from Pittsburg? **Roger Durst:** Pittsburg that is correct, we actually have a branch in Columbus but we are handling this area. It is a little bit closer. We are coming twice a week but as I said if need be we will come down more often. I drive a company van I pick up clothes all the time. **Frank Sabatino:** Have you approached anyone else in the City about a location? **Roger Durst:** I believe we have a location at the Exxon Service Station; it doesn't do to well because it is kind of tucked away by the air pump. It has been out here maybe six months; it just doesn't do real well, probably because of the location. We are actually trying to be more strategic as a company now and go where there is recycling. It started when we went to Monongahela County in Morgantown, they had a big recycling company, we have had a relationship for a year now. They have all their business placed for instance at Sam's Club near

the University, they have a whole setup there so we approached the Recycling Company we partner with them. They have ten different locations where they have this setup. It is unbelievable, the Sam's Club we have 5 bins there and we collect twice a week and they are full twice a week. Every time the guy is there picking up the clothes there are people recycling, doing bottles and cans it flows so it is excellent for all concerned. **Frank Sabatino:** Where the recycling bins are right now it's in my Ward and it is kind of by its lonesome. I noticed because I am down there twice a week, I was down there today but increasingly more and more people are just putting whatever and on the East end of town Goodwill had a shed and towards the end I don't know why they pulled it but they were dumping anything and everything. **Roger Durst:** In the clothing donation bin? **Frank Sabatino:** Well they excepted everything like household goods and there were the most awful mattresses and we all know what is going on with mattresses today and it was just becoming a dumping ground and I know it starts out well and they take advantage of it and I get complaints about so much paper down there and people just dumping things like Styrofoam. Today there was a couple of bins I think there was wooden lawn furniture there. **Roger Durst:** Somebody took it because it is gone now but honestly we don't get a whole lot of furniture at any of our bins and we are in some really bad areas in the City in Pittsburgh and they kind of respect our bins. I am not going to say that there is not going to be an occasional mattress or a television but I will come out the next day and grab it. **Frank Sabatino:** Mattresses are expensive to dump. **Roger Durst:** If we can't recycle those we have a giant dumpster. We try to recycle the electronics that people like the televisions which is a good thing so they are not going in the landfill as well. **Jordan:** We have electronic recycling places in Pittsburgh. **Roger Durst:** We do get some household goods in there occasionally but all in all people are pretty good with our bins. They clearly state clothes and shoes. The Goodwill and St. Vincent DePaul I think sometimes they are a little more broad and will take other things. So maybe that gives the people the ok to give mattresses and couches. **Frank Sabatino:** Like I said it was on Route 40. **Roger Durst:** Was that a little house thing, I saw it. **Frank Sabatino:** Like I said it was just there with neighbors all around and I hear about it. **Roger Durst:** That is why I said with a trial basis, if it didn't work we will just pull them out. **David Trouten:** I would like to wait at least until the next meeting so we can do some research on your organization. **Terry Pugh:** We had a motion and a second on the floor. **Frank Sabatino:** I am like Dave I would like to see it tabled to study it. **John Bukmir:** If that is alright with to wait two weeks I will withdraw my motion. **Roger Durst:** Absolutely.

REPORTS

Service Director, Dennis Bigler

- The metering project probably about 95% complete. The contractor that was doing installations has moved out now. The remaining meters about 30 some on the short list that we will be working on ourselves. These are the folks that haven't granted us access and forcing us to do disconnects to leverage the access.

- James White construction is working on Ruggles they are roughly half way done and Gudenkauf on the Plaza Drive area they are drilling for pipe today.
- Don Smithberger and the electric Department is working on the Eastern side of the city where they have installed underground cable.
- Brian Kralovic is here for the Street Department and Landscape & Grounds. They have been swamped with storm water issues and patching where we have had water line breaks. We have a number of streets that still need attention but we are having some financial difficulties.
- **Jim Weisgerber:** I have a comment for the guys on the Street & Water Departments. I appreciate the quick response to the water break on Johnnet this weekend. They were out there really fast and I don't see any water leaking right now. Good job, thank you. **Doug Frye:** Thank you, I will pass that along to the men.

Mayor, Robert Vincenzo:

- I have a report from the Probate Court of Belmont County. Gretchen A. Young having submitted her resignation as a Park Commissioner it is hereby ordered that Linda Jordan of 112 Hickman Avenue be appointed to the unexpired term of Gretchen Young which terminates on December 31, 2014. Judge Costine also informed the city that he understands that Randy Bernard has undertaken additional duties with the United States Attorney's Office and may consider resigning as well. This appointment is made by Judge Costine so there is no action to be taken by Council.

Monthly Police Report

Calls & Complaints	76
Accidents	16
On Roadway	9
Private Property	7
Arrest	32
Traffic	23
Criminal	6
Domestic	1
Juvenile	1
Warrant	1
Parking Tickets Issued	94
Traffic Citations Issued	23
Warnings given	69
Domestic Calls	1
Alarm Drops Answered	7
Miles put on cruisers	5873 miles
Gasoline used	575 gallons

Police Chief, Jeff Henry - Not Present

Finance Director, Cindi Henry

- Met with the State Auditors and the LGS on Thursday last week and the GAAP report has been completed and they will be finalizing our actual financial audit here shortly. They did stress the fact that they want to move on getting a new asset management put in place. We will discuss that later in Finance.
- I will be going to SSI's training at the end of the month for the new software system.

Planning & Zoning Administrator, Tom Murphy - No Report

COUNCIL COMMITTEES

Finance, Libby Heintzelman - No Report

Utilities, Frank Sabatino

- The Utility Committee met this evening, Dennis Bigler covered the highlights
- **Doug Frye, Water/Wastewater Superintendent:** Nothing further at this time
- The Reservoir is full

Police, Perry Jones - Not Present

- **Frank Sabatino:** Council has taken turns thanking Chief Henry, the Chief is not here tonight but Officer Matt Arbenz is here. Matt we don't often get to see you but on behalf of Council we want to thank you guys for all your patrolling, monitoring and visibility. Each one of us Council Members has had positive feedback from the residents so thank you and we appreciate it.

Street North Side, David Trouten

- I wanted to bring up about the Highlands streets. I mentioned it before and I talked to Dennis Bigler about it. It is going to cost he indicates about \$12,000. If you all haven't seen it, it is very bad. I would urge us to give Dennis the authority to find the money to fix that. It looks like a battle zone or the surface of the moon. It is in a location where people might be heading to the softball fields driving by there and it kind of makes the city look bad when people are driving through there and seeing that. I think we should address that. **Terry Pugh:** Is part of the problem drainage over there Dennis? **Dennis Bigler:** I don't think we know right now. It seemed the areas that we have fixed are holding but it is kind of moving on us. That pavement is pretty old. I think that subdivision was built in about 1992. **David Trouten:** But if we patch that up it is going to last years. Even if there is water under there it is still going to last a long time. **Dennis Bigler:** If we encounter water we will try to treat it. We have under drainage on that street our maps show. Whether something is crushed or plugged it, it just doesn't seem like it is working so if we get in there and probably put in another under drain line would probably be cheaper than trying to figure out what is wrong with what is there. It would be a glorious patch is what it would be. We will go in and spend some time, we will dig it out we will base it in and take our paving box over and fix it the best we can but that street really needs to be repaved. It is getting late this year to try to go in and do that. To start now and try to get it done right unless you declare it an emergency and just really buckle down on that. You almost need to do some investigation on something of

that dimension because we have been into this before when we got into it and it was worse than we thought. Bett Mar was where we assumed a foot of excavation and in places we ended up excavating three feet. We found ravines that had been filled with logs and things like that. **Brian Kralovic:** Since we initially went over and measured that area it has grown in size by about 15 to 20 feet in both directions. So the soft spot is moving up and down the hill. **David Trouten:** What time frame is that? **Brian Kralovic:** It was a month or two. **David Trouten:** So the longer we wait especially with winter coming it will just get worse. **Brian Kralovic:** It won't be driveable. You almost can't get through it now. **David Trouten:** Then don't we have to address it? **Dennis Bigler:** We have never not patched the entire city in my time here. I don't know what we do. Cindy certainly points to the financial problems that we have. **Brian Kralovic:** You have the other side of Edinburgh also not just the hill by Shaheen's house that is just as bad. And then we have John Street that is almost as bad. **David Trouten:** So where do we go from here, what do we have to do? **Dennis Bigler:** Conceivably we can use license money over there but we are trying to hoard the license money for next year's match to ODOT for Route 40 and Route 9. We never had to match that before so this is something new we have to have 20% of the cost now. **Jim Weisgerber:** It's in the city limits we have to fix it as best we can. We can't leave it get to the point that it is impassable. It just doesn't make sense. **Dennis Bigler:** The next thing Cindy will ask me where I am going to pull the money from. That is one problem but we estimate we about \$21,000 to finish patching the entire city. **Brian Kralovic:** We have two or three water breaks every week right now. **Dennis Bigler:** I would urge that the water break asphalt be assigned to the water department. But the one that are pure street issues like the Highlands. **David Trouten:** This is a critical thing that has to be done. We are going to have money coming in with the oil and gas leases borrow and do it. **Cindi Henry:** the only liquidable cash you have is your motor vehicle license money that is hoarded for the matching amounts. **David Trouten:** If we spend that money can't we put it back if we do have money. **Cindi Henry:** Put more money into what? **David Trouten:** The fund to match down the road. We have to spend now. **Cindi Henry:** How much is that project Tom? **Tom Murphy:** The estimate is \$350,000 for the city's share. I am sure when the final estimate comes in and the bids that there is going to be more than that. As time goes by and the costs increase when they put it up for bid we can guess that the city's share could be more. Again that is not science it is just guess work at this time. **David Trouten:** That is to pave everything next year? **Tom Murphy:** Route 40 & Route 9. It is a huge project. **Cindi Henry:** And we still have to come up with the paving to do our portion of Ruggles we have to come up with a percentage on that. That was left out of the paving last year because of the water line that needed to be replaced. So we are scraping the bottom of the barrel at this stage of the game. **Mayor Vincenzo:** I want to make one comment. It cannot go through the winter. It is as simple as that. Have all of you been over there to look at it? **David Trouten:** Every person needs to go over there and take a look it is bad. **Mayor Vincenzo:** Snow plows won't be able to take care of it. **Terry Pugh:** I guess my only concern is if it is

a water problem you are just pouring money down a hole if you don't fix the water issue.

David Trouten: But if it grew 15 feet in two months. **Terry Pugh:** It's been raining a lot in two months. I agree with fixing it but I am saying just to pour money down a hole it won't make it through the winter. You get a couple freezes and thaws and that will be it. **Brian**

Kralovic: We have to go pretty much from curb to curb so if we find water we will find it then. The catch basin is at the bottom of the hill so it just depends if we have to excavate two feet or as Dennis said over three feet. We won't know until we start digging. **Dennis Bigler:**

If you are going to do the whole street I think what we have learned in the past it will pay to have a soil analysis done before you start to know what you are going to get into. But here we are not saying to do that but it will cost \$150,00 to rebuild the whole street. But if we get in there we will definitely run some under drain on the inside of the curb line and go down through there. We are going to excavate it anyhow. **Terry Pugh:** All we have to do is find

the money. **Dennis Bigler:** That is what we are asking here. **Terry Pugh:** Can money be replaced in that fund? **Cindi Henry:** The money is periodically replaced. It generates more money each year. You don't have to use it every year but we get more money every year.

David Trouten: We can put our own money into it down the road. **Cindi Henri:** Where

from? **David Trouten:** Well assuming we have money somewhere down the road we can

put money in it. **Cindi Henry:** Right now your general fund is subsidizing your Street Department by over 50%. **David Trouten:** But the one fund that we can use, you say that it

gradually replenishes. But what I am saying is can we help everybody. Let's say that the good fairy came and gave me a billion dollars could I put it into that fund? **Cindi Henry:**

Technically it depends on where it comes from, generally it goes to the General Fund and you can put it anywhere once you put it in the General Fund. **Mayor Vincenzo:** Anything

you receive has to go to the General Fund first. **Cindi Henry:** If it is not tied to a specific

fund it has to go to the General Fund initially. You can't just say you gave me \$500,000 and I am sticking it here for this purpose. It has to go to the General Fund then we can push it to

any other fund we want it to go to. **David Trouten:** Then I think we should just do it. We

should fix it. I make a motion that we allocate the money to fix the roads in the Highlands.

Jim Weisgerber seconded the motion. **Libby Heintzelman:** Where are we getting this

money from? **Cindi Henry:** It comes in from the County. They receive it and we tell them what we are doing with the money. It comes from motor vehicle license. Every time you

buy a license there is a fee. **Libby Heintzelman:** Is this what we are stockpiling for the

project next year? **Cindi Henry:** Yes. Those multiple streets that were paved this last

summer our portion of the grant was matched with that money. I know for the two years that I have been here we sat on that money so at least three of four years of stockpiling occurred

to have the match money for the OPWC grant. **Libby Heintzelman:** Well we have to fix it,

it has to be done. **Frank Sabatino:** I have a similar situation in Anita Woods not to that

extent but some soft spots. Brian told me of the situation with the money. How do I tell my

people in my Ward, again the Highlands is a bigger scale. I have been there it is horrible.

But if we can do one we can do the others. **Brian Kralovic:** That is my question about

Edinburg am I fixing all the bad spots or just the really bad spots? There are three bad spots over there. **Frank Sabatino:** I would agree with the vote, it needs to be done. I know money is tight, Brian told me and Cindi has told me and we have to finish out the patching season.

• **Roll Call Vote**

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

Dennis Bigler: Let me understand this vote was that just Edinburg? **Terry Pugh:** It was just the worst parts in the Highlands was my understanding. **Dennis Bigler:** Just the Highlands not to finish the city. **Al Davies:** This motion was just for the Highlands. **David Trouten:** My motion was just for the Highlands, we all acknowledge this is very bad.

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

- The Fire Board met in regular session on August 20th we hired one full time employee and the Lieutenant position will be posted
- Wednesday the 27th we opened bids for the sale of the damaged brush truck. We had four bids and it was awarded to a salvage company out of Cadiz.
- Our next regular Fire Board Meeting will be Wednesday, September 17th at 3:30 at the Main Station

Recreation Report, Libby Heintzelman

- Taking registration for flag football for grades K-5, registration ends Sept 5th
- Fall outdoor soccer registration has ended, Games start Sept 9th

Park District, Perry Jones - Not Present

ORDINANCES & RESOLUTIONS

Law Director, Albert Davies

- I provided Council one Ordinance for tonight for first reading. It is Ordinance No. 2014-33. I reviewed this Ordinance with you at the last meeting. This is an Ordinance to establish permit parking in the city parking lots adjacent to South Market Street. That is the two lower lots behind the Library. That is the only legislation I have.
- From the discussions we have had I would encourage Council to move forward with a decision on considering an Oil & Gas Lease with either Rice Energy or AEU that have been under discussion. I know with the infrastructure discussion we had tonight and

there are a number of other infrastructure issues that the city has and of course that would provide a substantial amount of funds to address a lot of things that need to be addressed here for the city. So I am certain that both of those companies are waiting to hear back from the city as to where we are on the issue.

- I do need an Executive Session under Ohio Revised Code Section 121.22 (G)(4) which is the statute which allows executive sessions to discuss Collective Bargaining. What I need to do is discuss collective bargaining of both the FOP and AFSCME.

There was presented and read to Council on its second reading by title only, ORDINANCE NO. 2014-32; AN ORDINANCE MANDATING RESIDENTS TO USE PAPER BAGS FOR BAGGING LEAVES TO BE PICKED UP BY CITY STREET DEPARTMENT AT THE EARLIEST DATE DETERMINED BY LAW.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2014-33; AN ORDINANCE ESTABLISHING PERMIT PARKING IN THE CITY PARKING LOTS ADJACENT TO SOUTH MARKET STREET.

OLD BUSINESS:

David Trouten: Will we know on the oil and gas lease, Dennis will be getting any response from AEU by the next meeting? **Dennis Bigler:** Yes I would say by the next meeting. I need to meet with Al Davies basically at this point.

CORRESPONDENCE:

The St. Clairsville High School Student Council would like permission to have their homecoming parade on Friday, October 10th at 6:15 p.m.. The parade will start at the First Presbyterian Church parking lot and travel down Main Street to the football stadium. A motion to permit the Homecoming Parade was made by John Bukmir and seconded by Jim Weisgerber.

Roll Call Vote

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

The Belmont County Tea Party is requesting permission to host an event at the Belmont County Courthouse on September 30th at 6:30 p.m. A motion at permit the Belmont County Tea Party event on September 30th was made by Jim Weisgerber and seconded by David Trouten.

Roll Call Vote

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

A thank you letter was received from the St. Clairsville Band Parents for allowing them to provide the concessions for the Summer Concert Series. The money raised at the concerts helped them to reach their fundraising goal to purchase new band uniforms which will make their debut at the first football game.

EXECUTIVE SESSION

A motion was made by Jim Weisgerber and seconded by John Bukmir to go into executive session per Ohio Revised Code Section 121.22 (G)(4) which is the statute which allows executive sessions to discuss Collective Bargaining.

Roll Call Vote

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

A motion was made by Jim Weisgerber and seconded by John Bukmir to return to regular session.

Roll Call Vote

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

NEXT MEETING; The next regular scheduled meeting of the City Council will be Monday, September 15, 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 Libby Heintzelman.