

COUNCIL MINUTES
September 15, 2014

St. Clairsville City Council met at in Council Chambers on Monday, September 15, 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
Jake Olsavsky, 1 st Ward	Jeff Henry, Police Chief
David Trouten, Council, 4 th Ward	
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 September 2, 2014 Council Meeting were distributed to Council. A motion to accept the minutes was made by John Bukmir and seconded by David Trouten.

Roll Call Vote:

Bukmir	Yes	Trouten	Yes	
Heintzelman	Yes	Sabatino	Yes	
Jones	Abstain	Weisgerber	Yes	
Olsavsky	Abstain			
Roll Call Vote	Five (5) Yes	Two (2) Abstain	Zero (0) No	Motion Approved

CITIZENS HEARING:

Josh O’Farrell, Tzangas, Plakas, Mannos, Ltd.

Thank You to the Mayor and Council for letting me come here tonight. As I expressed to Council I am here to answer any questions you might have. The Council and the City has two options. The first option is to do nothing and the second option being making a decision between Rice Energy and AEU. What is a lease agreement? First and foremost that is the document that will govern the relationship between you and whatever Company you decide to go with. It is extremely important that it is fashioned in a way that will protect the City economically. I am not sure what AEU has come back with as a counter offer but whatever it is Rice Energy has agreed to match it. There is good lease language in both Rice Energy and AEU. That is important but it is second to the royalties. Without seeing the other lease agreement, with the Rice agreement no costs are taken from your Royalties. That is extremely important; it could mean the difference of hundreds of thousands of dollars over the life of the lease. Another extremely important thing is who you want operating the well. All of your acreage can be included in a production unit. That is important because the only way you can receive Royalties

is to be included in a production unit. I think I know what the preference is, so all things be equal you are doing what you believe is in the best interest of the City. We are not going to lose a deal for \$50. One thing I have tirelessly done is protect Rice's image. We worked with Belmont County Commissioners twice. Rice's Big Foot well is the highest producing well in the State of Ohio. Rice will offer the City of St. Clairsville \$8650 per acre. **Frank Sabatino:** Part of the land we are leasing is our out reservoir, what does Rice do if our water supply is affected? **Josh O'Farrell:** It is in the lease, they will test for quality or quantity. Rice will do the testing and if necessary will provide water that the City residents can use at Rice's expense. They will keep bringing it until the situation is rectified. **Al Davies:** I have handed out to Council Ordinance No. 2014-29. Because the subject has been reviewed for a considerable amount of time it is time to move forward. The Ordinance is declared an emergency.

REPORTS

Service Director, Dennis Bigler - No Report

Mayor, Robert Vincenzo:

- I have received a letter from Randy Bernard stating that he is resigning from the St. Clairsville-Richland Township Memorial Park Board effective October 1, 2014. He stated that he has been appointed to the position of Criminal Chief for the United States Attorney's Office for the Northern District of West Virginia. Perry Jones has a list of candidates and will discuss it with his Committee.
- We are making progress on the roads in the Highlands. It is too big of a job for City crews and too small for a paving company, however we are going to get the material and our crews will do the best we can to get them through winter.
- **Frank Sabatino:** We have been hearing about other communities have trouble getting salt, what is our status? Salt has been ordered at the established price of \$73.50 per ton. If we had ordered later it would have been \$30 more per ton. Our bins are completely filled.

Police Chief, Jeff Henry - No Report

Finance Director, Cindi Henry - No Report

Planning & Zoning Administrator, Tom Murphy - Not present

COUNCIL COMMITTEES

Finance, Libby Heintzelman - No Report

Utilities, Frank Sabatino

- The Ruggles and Plaza Drive will both be done by the end of this week.

Police, Perry Jones - No Report

Street North Side, David Trouten

- Thanks for the effort to get the Highlands paved before winter

Street South Side, John Bukmir - No Complaints

Safety, Jake Olsavsky - No Report

Building and Grounds, John Bukmir - No Report

Planning Commission, Jim Weisgerber - No Report

Fire District, Frank Sabatino

- The next regular meeting will be September 17th at 3:30 at the Main Station

Recreation Report, Libby Heintzelman - No Report

Park District, Perry Jones

- Thanked Randy Bernard for his service on the Park Board and asked any city residents who are interested to apply before the next Council meeting.

ORDINANCES & RESOLUTIONS

Law Director, Albert Davies

I am presenting two new ordinances tonight. 2014-29 is the Oil and Gas Lease with Rice Energy and is declared an emergency

Ordinance No. 2014-34 is the plan of operation and governance for the city's gas aggregation program and is also an emergency.

I will need a brief Executive Session per Ohio Revised Code Sections 122.22 (G)(1) Personnel, 122.22 (G)(3) Litigation and 122.22 (G)(4) Labor Negotiations

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2014-29; AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF ST. CLAIRSVILLE TO EXECUTE AN OIL AND GAS LEASE, AND ALL OTHER DOCUMENTATION ASSOCIATED WITH THE SAME, 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:

Bukmir	Yes	Trouten	Yes
Heintzelman	Yes	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes	Zero (0) No	Motion Approved

There was presented and read to Council on its third and final reading by title only, ORDINANCE NO. 2014-29. A motion was made by Jim Weisgerber and seconded by Perry Jones that Ordinance No. 2014-29 be passed by Council.

Roll Call Vote:

Bukmir	Yes	Trouten	Yes
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Heintzelman	Yes	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes	Zero (0) No	Motion Approved

Ordinance No. 2014-29 was declared adopted.

There was presented and read to Council on its third and final 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. A motion was made by Perry Jones and seconded by Jim Weisgerber that Ordinance No. 2014-32 be passed by Council.

Roll Call Vote:

Bukmir	Yes	Trouten	Yes
Heintzelman	Yes	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes	Zero (0) No	Motion Approved

Ordinance No. 2014-32 was declared adopted.

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

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2014-34; AN ORDINANCE TO APPROVE THE PLAN OF OPERATION AND GOVERNANCE FOR THE CITY OF ST. CLAIRSVILLE NATURAL GAS AGGREGATION PROGRAM. 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:

Bukmir	Yes	Trouten	Yes
Heintzelman	Yes	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes	Zero (0) No	Motion Approved

There was presented and read to Council on its third and final reading by title only, ORDINANCE NO. 2014-34. A motion was made by Jim Weisgerber and seconded by Perry Jones that Ordinance No. 2014-34 be passed by Council.

Roll Call Vote:

Bukmir	Yes	Trouten	Yes
Heintzelman	Yes	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes	Zero (0) No	Motion Approved

Ordinance No. 2014-34 was declared adopted.

NEW BUSINESS: The Clerk advised that people were inquiring when Trick or Treat will be held in St. Clairsville this year. Council decided that Thursday, October 30, 2014 for 6:00 to 7:30 would be selected. A motion was made by Jake Olsavsky and seconded by Jim Weisgerber.

Roll Call Vote:

Bukmir	Yes	Trouten	Yes
Heintzelman	Yes	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes	Zero (0) No	Motion Approved

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)(1) personnel, 122.22 (G)(3) litigation and 122.22 (G) (4) to discuss Collective Bargaining.

Roll Call Vote:

Bukmir	Yes	Trouten	Yes
Heintzelman	Yes	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	Yes		
Roll Call Vote	Seven (7) Yes	Zero (0) No	Motion Approved

A motion was made by Jim Weisgerber and seconded by Perry Jones to return to regular session.

Roll Call Vote:

Bukmir	Yes	Trouten	Yes
Heintzelman	Yes	Sabatino	Yes
Jones	Yes	Weisgerber	Yes
Olsavsky	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, October 6, 2014 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 Pro-Tem