

**COUNCIL MINUTES
NOVEMBER 6, 2017**

St. Clairsville City Council met in Council Chambers on Monday, November 6, 2017, with the following present:

Jim Weisgerber, Council President
Mark Bukmir, Council 3rd Ward
Linda Jordan, Council-At-Large
Beth Oprisch, Council-At-Large
Mike Smith, Council-At-Large
John Tomlan, Council 4th Ward

Terry Pugh, Mayor
Jim Zucal, Service Director
Jeff Henry, Police Chief
Cindi Henry, Finance Director
Tom Murphy, Planning & Zoning Administrator
Richard Myser, Law Director

The meeting was called to order by Council President Jim Weisgerber.

MINUTES

Minutes of the October 16, 2017 regular meeting were not received by Council. They will be distributed before the next meeting.

CITIZENS HEARING: There were no Citizens present who wished to address Council.

REPORTS:

Service Director: Jim Zucal

Before you tonight is Resolution No 2017-48. We do not have enough members here tonight. I was going to ask for emergency passage to meet the timeline of the Appalachian Regional Commission. This is the application for funding under the Governor's Office of Appalachia for \$200,000.00 for the water tower at the St. Clair Commons site. I talked to the Council President and if there is a problem we might have a special meeting to get this passed to get it to Columbus. I did not have this prior to the meeting because the funding packets we have been working thru ARC and OPWC was just presented to me last week.

I want Council to know that once again we do have an opening in the water/wastewater department for a Superintendent. We do have some applicants. The Mayor and I are taking a look at those candidates and evaluating. Also Don Smithberger had a vacancy in the Light and Power for laborers position. We do have some applicants for that position and we are pursuing a person to fill that.

I also want to inform the President and Council it was brought up before in regards to the Personnel Policy Manual that I was to do evaluations for all the Department heads. I have completed that in the last couple of weeks. The evaluations have been looked at by Clemans & Nelson and they are in each individuals personnel file.

Mayor: Terry Pugh:

I want to congratulate the St. Clairsville Football Team for making the play-offs. They had a great season.

I just want to make you aware that we have the Durapatcher and we had the individual come in last Tuesday to train both our personnel and the Township personnel. The City is taking it out on Thursday or Friday and start to use it. It is definitely going to be a valuable asset for us and the Township.

I want to remind everybody that we started the leaf pickup today. We are going Ward by Ward starting with Ward 1. We are asking that the residents rake their loose leaves at least 10 feet from the road. We will also be picking up the bagged leaves.

There is a local committee that meets for the Ohio Public Works Commission to evaluate projects to assign numbers. This committee met on the 25th. Jim Zucal submitted our project of the water tower and we are happy to say that we received the full support of the other committee members giving us the total points. We should hear shortly if our project will be awarded.

Our paving project with the Township at the Recreation Center is almost complete. We actually expanded it and paved up to the stadium, we did the gravel areas next to the buildings. I want to thank St. Clairsville Schools, they donated money and the booster clubs donated money. When it was all said and done we ended up completing it for about 1/3 of the estimated cost. The last thing we have to do is paint the lines for the parking and the project will be totally done.

There is an Ordinance for Medical Marijuana. We have experienced developers calling in and asking if we have an ordinance about dispensing medical marijuana. My personal position is we are not against it but we don't want any dispensaries in the city. What I am asking is to read the Ordinance on three readings and have it go into effect immediately.

I gave Council a paper with the Planning & Zoning code regarding political signs. I did have some concerns addressed to me. In the future we will try to inforce the ordinance better.

Police Report for October 2017

Calls and Complaints	267
Special Teams Call Outs	0
Accidents	18
Arrests	26
Parking Tickets Issued	58
Traffic Stops	77
Miles put on Cruisers	5,556
Gasoline Used	595.9 gallons

Police Chief, Jeff Henry: No Report

Finance Director, Cindi Henry: No Report

Planning & Zoning, Tom Murphy:

On Monday, December 4th there will be a Planning Commission Meeting. The item on the agenda is the final plat of St. Clair Commons that is the sub-division where the St. Clair Commons is located.

In regard to the ordinance to prohibit medical marijuana distribution in the City the State has quite a few specific laws on how far a dispensing agency has to be from a school, public park, playground, library and places of worship. In my opinion in mapping out where our commercial districts are there are really very few if any places where that can take place. Another interesting fact is the State has set up there can only be two dispensing retailers in a four county area.

COUNCIL COMMITTEES:

Finance, Mike Smith: No Report

Utilities, Frank Sabatino: Not Present

Beth Oprisch: AEP is raising 3 cents per kilowatt. It will be for a project that they are doing. On 8:30 a.m. on November 13th there will be a status hearing regarding South Central Power. AMP is providing assistance with our legal costs.

Police, Mark Bukmir:

No meeting tonight we will meet after the next Council meeting.

Street North Side, Jake Olsavsky: Not Present

Street South Side, Linda Jordan: No Report

Safety, Beth Oprisch: No Report

Building & Grounds, Mark Bukmir: No Report

Planning Commission, Mike Smith: No Report

Fire District, Frank Sabatino: Not Present

Recreation, Linda Jordan:

The Fit Funtastic classes have restarted under the direction of Theresa Smith and they are held on Tuesday morning and Friday evenings at \$5 per child. Bantam Basketball sign up has been extended to November 11th.

Park District, Linda Jordan:

The next meeting is Monday, November 13th.

ORDINANCES & RESOLUTIONS

Law Director, Richard Myser:

The first Resolution tonight is Resolution No. 2017-48. It is authorizing the Mayor to submit an application to participate in the Appalachian Regional Commission programs and execute contracts. The grant is in the amount of \$200,000 for the water tower project. When we find out when this application has to be in we may have to schedule a special meeting to get the Resolution signed.

Ordinance No. 2017-49 is to prohibit medical marijuana distribution within the City. We are presenting this for Council to review and discuss. **Tom Murphy:** Recently it was approved by the State. They have a deadline of September 2018 for all of the applications to be in. Groups are starting to put together their applications and they are contacting Cities and Townships to find out if they have zoning laws to prohibit this type of business. They are looking for the easiest path. **Mark Bukmir:** I do approve it from a Pharmacy side. The Board of Pharmacy never contacted the Ohio Pharmacy Association which is a group that pretty much all Pharmacists belong to. The OPA was pretty much against legalizing marijuana but the State proceeded with it. The beginning of this year it was thrown in the Pharmacies lap saying the Board of Pharmacy has to take care of regulating this, who is going to be in supervision roles, where placements are going to be. It is pretty much still up in the air because none of these decisions have been made. It is very confusing

Doctors are not going to prescribe it, they will suggest it. There is not going to be any supervision in the dispensaries as far as a medical person. A retail clerk can dispense. Those are my problems as far as professionally. **Beth Oprisch:** What is your view on this ordinance? **Mark Bukmir:** Personally I think what the big issue is because it is such a big button issue. The reason a lot of places are approving it and want the distribution center is because of the tax money. I don't think people want that type of business in the City limits. My personal opinion is I don't really care for it. **John Tomlan:** Is the reason the Doctor can't write a prescription because Federally it is still not legal? **Mark Bukmir:** The Federal statutes still say it is illegal.

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2017-48; A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ST. CLAIRSVILLE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE APPALACHIAN REGIONAL COMMISSION AND/OR OHIO GOVERNOR'S OFFICE OF APPALACHIA PROGRAMS AND TO EXECUTE CONTRACTS AS REQUIRED AND DECLARING AN EMERGENCY.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2017-49; AN ORDINANCE TO PROHIBIT MEDICAL MARIJUANA CULTIVATION, PROCESS AND RETAIL DISTRIBUTION WITHIN THE CITY OF ST. CLAIRSVILLE AND DECLARING AN EMERGENCY.

NEW BUSINESS: Mayor's Report

The Mayor's Collection for October, 2017 was \$3,037.00. A motion to accept the Mayor's Report was made by Linda Jordan and seconded by Mike Smith.

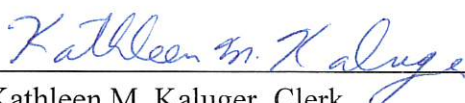
Roll Call Vote

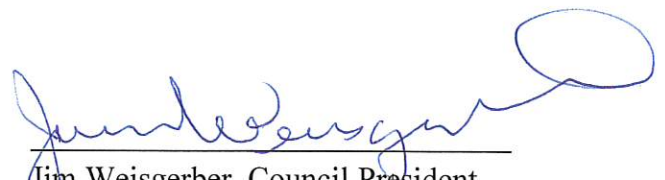
Bukmir	Yes		
Jordan	Yes	Smith	Yes
Oprisch	Yes	Tomlan	Yes
Roll Call Vote:	Five (5) Yes	Zero (0) No	Motion Approved

NEXT MEETING:

The next Council meeting will be Monday, November 20, 2017 at 7:30 P.M. in Council Chambers.

There being no further business to come before Council a motion to adjourn was made by Beth Oprisch and seconded by Mike Smith.


Kathleen M. Kaluger, Clerk


Jim Weisgerber, Council President