

COUNCIL MINUTES
February 4, 2019

St. Clairsville City Council met in Council Chambers on Monday, February 4, 2019 with the following present:

Tim Porter, Council President	Terry Pugh, Mayor
Perry Basile, Council 1 st Ward	Cindy Henry, Finance Director
Mark Bukmir, Council 3 rd Ward	Richard Myser, Law Director
Linda Jordan, Council-At-Large	Tom Murphy, Planning & Zoning Administrator
Beth Oprisch, Council-At-Large	Jim Zucal, Service Director
Frank Sabatino, Council 2 nd Ward	Jeff Henry, Police Chief
Mike Smith, Council-At-Large	Don Smithberger, Director of Services
Jim Velas, Council 4 th Ward	

The meeting was called to order by President, Tim Porter

MINUTES: Minutes of the January 22, 2019 meeting were distributed to Council. A motion was made by Jim Velas and seconded by Linda Jordan to approve the Minutes of January 22, 2018.

Roll Call Vote:

Basile	Yes	Sabatino	Yes
Bukmir	Yes	Smith	Yes
Jordan	Yes	Velas	Yes
Oprisch	Yes		
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

CITIZENS HEARING:

There were no Citizens present who wished to address Council.

REPORTS:

Service Director, Jim Zucal:

I put before Council tonight a table of organization that we worked out with Clemans Nelson Our HR, Labor Relations Attorney's. One of the main reasons for this table of organization was for our new asset plan for city water and wastewater we had to have that so I thought it was important that we share it with Council. If you see anything there you have questions about contact me. I think it is well done, I shared it with the Mayor. It also because various boards and organizations around the city have asked for that so I think it is important that we have it.

We do get a lot of notices from the Ohio EPA. I like to share with Council what is going on in the world of EPA and our compliance and noncompliance issues. I am going to do a better job of sharing with you the notices that come in so that you have them before you and you can understand. They are typically addressed to the Mayor and Council. It is my job to make sure that we are in compliance. We did get a second notice of violation pertaining to our INI which is the infiltration of storm water mixed with sanitary sewage. We do have a plan in place. I am working with Kendal our Water/Wastewater Superintendent, working with Curt Hanstine our Engineer from Diversified. We have a plan in place and I am going to address the issue so that the EPA can

hopefully be satisfied with what we are doing. I want to keep you informed and communicate with you about that. **Beth Oprisch:** This is the plan of action they want done by February 28th? **Jim Zucal:** Yes, they always list the course of action that need to be done within 30 days. This is what they have always done. Kendal and I have already talked about that, we are working with Curt, the Engineer to get all of that done. We will give them the status report, we have a control plan in place. We have contracted with a company to come in and do some camera work in the sewer lines. We are also going to start working with Diversified to do some smoke testing this summer. I will give you that letter when they say we are happy with what you are doing. **Beth Oprisch:** This is a second notice? **Jim Zucal:** We received an earlier notice, we had to work on the plan. We actually have a written plan and Curt who is a licensed engineer, we had to address that and Kendal had to do some work on his end. I was involved, they want it done in a timely fashion so before we got it all done they hit us with another notice but we will have it to them by the end of the month. **Beth Oprisch:** They said we failed to comply, is that accurate? **Jim Zucal:** Yes because it is a task. They wanted us to identify all the areas in the city where there is cross connection. We have to supply maps. That is why our GIS is important and we had to contact the contractor that we worked with out of Cranberry Township close to Pittsburgh who came in already and has done some camera work but we need to do more camera work. We also have to go out again and do some smoke testing. From what I have found out this has been going on around the city for about 20 years. It is a never ending process. That is the problem we have down on Bellview . We know what the problem is but it cost a lot of money.

The group who were in here from the Mid-East Ohio Building Department talked to us about localizing our building inspection with Ohio code. They talked to me again. Jason is a licensed engineer. I think that when we have more of a local building department you get more of a local flavor. Right now we are going with the State. I talked to the Mayor, we talked to Richard. What happens you have to create a building department, Tom is a big part of that and I will be glad to work with him, we can piggyback with Mid-East to do our building inspection. We have an Ordinance tonight and it is up for three readings. **Mayor Pugh:** The only reason I had the emergency language put in there was so that we don't have the thirty day waiting period. The plus for this is if you have someone who is going to build a commercial building in the city they might start in March and we will have this approved. The reason I feel very strongly that we should consider this is because of the bathroom that we built by the Rec. Center that took us 8 months because of the State. If we are going to ask somebody to invest in commercial property in St. Clairsville and they are going to go through the same problems we went through with that little bathroom it is ridiculous. The County is supporting this group, they are pushing for development. **Tim Porter:** If we go with this group that will eliminate us going through the State? **Mayor Pugh:** Yes. **Tom Murphy:** Right now within the municipal limits of St. Clairsville if you build more than a three unit residential structure or do commercial work on a building or constructing a new commercial building you have to go through the State of Ohio. They do the plan review and then the inspection. This new group will do basically the same as the State does. **Mayor Pugh:** The only reason we have the emergency language in these ordinances is so that they do not have wait the thirty days after they are passed. **Tom Murphy:** This is only for commercial buildings not for single family residential. The City does not pay anything the builder has to pay. **Jim Zucal:** There is plenty of time for three readings. **Perry Basile:** Do we actually have businesses waiting in line or is it just something you are preparing for? **Tom Murphy:** For example the Laroche project are applying to the State now because that is who we are using now. I have not

heard that there are people waiting. We have other people like Pizza Malano, they are planning a big renovation. Those two businesses still have the Ohio code, they are applying under those requirements. **Mike Smith:** On page two of Ordinance No. 2019-05 it mentions Ohio Administrative Code 4101:1 and 4101:2 I could not find those two anywhere. **Tom Murphy:** I can double check these codes and let you know where they are.

Frank Sabatino: One day we are salting and with the winter comes the pot holes. Are we able to use the dura patcher? **Jim Zucal:** That was a great topic of discussion today. Our guys are getting caught up from all the snow plowing and salting. I was hoping today we could get that machine out, the machine will be out first thing in the morning. We are also going to grab a load of cold mix but we know that is money that is not well spent but sometimes you need it.

Mayor, Terry Pugh:

I want to apologize for missing the last Council Meeting. I am sure most of you are aware of Barry Sigmon passing on January 31st. Barry was a class three water operator for the City. He became sick suddenly. He came down with cancer that spread to his whole body.

We have a vacancy on our storm water quality board. Bill Street was a member and you must have an engineer on the Board. It does not meet very often. **Tom Murphy:** The only time they would get involved is if there is grading for an acre or more. It is good to have an engineer on the board. Frank Sabatino is on the board and Darin Pytlak, our Street Superintendent. We would like to add Curt Hanstine to the Board to fill the engineer spot. **Terry Pugh:** Curt has done a lot of work in the city especially on Bellview and Overbaugh. A motion to appoint Curt Hanstine to the Storm Water Quality Board was made by Beth Oprisch and seconded by Linda Jordan.

Roll Call Vote:

Basile	Yes	Sabatino	Yes
Bukmir	Yes	Smith	Yes
Jordan	Yes	Velas	Yes
Oprisch	Yes		
Roll Call Vote:	Seven (7) Yes	Zero (0) No	Motion Approved

Police Chief, Jeff Henry: No Report

Finance Director, Cindi Henry: No Report

Planning & Zoning Administrator, Tom Murphy:

Thanks for appointing Curt to the Storm Water Board.

The Planning Commission will have a meeting on Monday, March 4th at 6:00. The purpose of that meeting is the recent rezoning we had for 243 West Main Street. They are proposing their final site plan at that meeting.

COUNCIL COMMITTEES:

Finance, Mike Smith: No Report

Utilities, Frank Sabatino:

The Utility Committee met this evening. I want to thank Donnie and Anita for attending. A lot was discussed. I noticed the Electric Department was out taking Christmas decorations down in the rain.

Police, Mark Bukmir: No Report

Street North Side, Jim Velas:

The Street Department did a great job with the snow fall. I think they handled it pretty well. Some of the people unfortunately do not remove their cars from the street when they are trying to plow. Some of the questions I received was why is the snow ordinance not being enforced. I tried to explain to them that it was being enforced as much possible. There is specific wording in the ban as to when the vehicles have to be off the street and unfortunately that ban doesn't take effect until midnight and if you have some snow falling early in the morning or all day long, you have got vehicles parked on the street and that makes it hard for them to plow. Many people do have places to park off the street and don't. I try to explain that it is not that the Police Department does not want to enforce the ordinance it is just because of the strict guidelines. We have a lot more cars in the city than we did when this law was passed. **Mayor Pugh:** One thing I have talked to the Chief about is there are certain areas in the city that we are actually going to try to target.

Street South Side, Beth Oprisch: Thompson needs patching.

Jim Zucal: They are going out tomorrow. We have a list of streets and Thompson is on it. **Frank Sabatino:** Large hole on the Cul-De-Sac on Locust Lane

Safety, Jim Velas: No Report

Building and Grounds, Perry Basile: No Report

Planning Commission, Mike Smith: No Report

Fire District, Frank Sabatino:

I would commend Robert DeFrank he did a wonderful article on Fire Chief, Tim Hall and John Slavic. Next meeting will be Wednesday, February 6th at 3:00.

Recreation, Linda Jordan: Next Meeting is Monday, February 18th at 4:30.

Park District, Linda Jordan:

Anyone wishing to make a shelter rental this summer can call Katie Banks at 740-298-1139
The next meeting is Monday, February 11th

Law Director, Richard Myser:

We have two pieces of legislation that will come before Council for the first reading. We have already discussed them. They are 2019-04 and 2019-05.

No one has contacted me about going into Executive Session this evening.

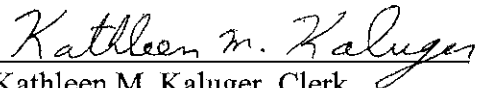
There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2019-04. AN ORDINANCE TO ESTABLISH THE CITY OF ST. CLAIRSVILLE BUILDING DEPARTMENT AND DECLARING AN EMERGENCY. **Beth Oprisch:** Tom Murphy is going to look up the codes for us. **Perry Basile:** I have the list of costs to compare between the State and Mid-East Ohio Building Department and they are cheaper than the State.

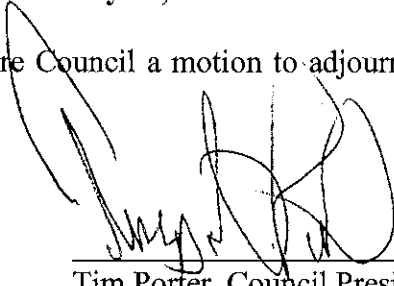
There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2019-05. AN ORDINANCE AUTHORIZING A REQUEST TO THE BOARD OF BUILDING STANDARDS TO CERTIFY THE CITY OF ST. CLAIRSVILLE TO EXERCISE

ENFORCEMENT AUTHORITY IN ACCORDANCE WITH THE OHIO BASIC BUILDING CODE WITH THE CONDITIONS THAT THE MUSKINGUM COUNTY BUILDING DEPARTMENT PERFORM ALL INSPECTIONS AND AUTHORIZING AN AGREEMENT FOR SUCH ENFORCEMENT BETWEEN THE CITY OF ST. CLAIRSVILLE AND MUSKINGUM COUNTY, OHIO AND DECLARING AN EMERGENCY.

The Next Council Meeting will be Tuesday, February 19, 2019 at 7:30 in Council Chambers.

There being no further business to come before Council a motion to adjourn was made by Jim Velas and second by Beth Oprisch.


Kathleen M. Kaluger, Clerk


Tim Porter, Council President