

**COUNCIL MINUTES**  
**February 19, 2019**

St. Clairsville City Council met in Council Chambers on Tuesday, February 19, 2019 with the following present:

Tim Porter, Council President	Terry Pugh, Mayor
Perry Basile, Council 1 <sup>st</sup> Ward	Cindi Henry, Finance Director
Mark Bukmir, Council 3 <sup>rd</sup> 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 <sup>nd</sup> Ward	Jeff Henry, Police Chief
Mike Smith, Council-At-Large	Don Smithberger, Director of General Services
Jim Velas, Council 4 <sup>th</sup> Ward	

The meeting was called to order by President, Tim Porter

**MINUTES:** Minutes of the February 4, 2019 meeting were distributed to Council. A motion was made by Linda Jordan and seconded by Jim Velas to approve the Minutes of February 4, 2019.

**Roll Call Vote:**

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

**CITIZENS HEARING:**

**Tim Hall: Chief, Cumberland Trail Fire District.**

I have a business card for each of you. It is my old card with my old title but it has my email address and the station phone number. You are more than welcome to stop by the Fire House anytime you would like, the doors are always open. Any questions you may have feel free to call on me. I truly believe we have a great fire department in the city to protect not only the city but also the township. The department had a great foundation long before me with the administrators, governing body and most of all the Community support we have day in and day out for the Fire Department. Thank you for having me.

**Jason Baughman, Chief Building Official, Mid-East Ohio Building Department (Muskingum County)**

Thanks for having me. I understand there has been a couple of readings of an Ordinance for possibly changing to have the Mid-East Ohio Building Department to do inspections on commercial buildings in the City of St. Clairsville. I understand there are some questions so I thought I would be available to answer any questions you might have. I brought some handouts to show the difference in our fees and the State of Ohio fees. Explained the different fees. When the project is done you will get a certificate of occupancy. For a small project I will do a field inspection fee that covers the cost of sending an inspector. I approve drawings, the approved

inspector goes to the field. Their job is to compare the work to the approved drawings. If they match, everything is approved. They sign off and they head out. If they don't match the approved drawings, they are required to deny the inspection. The contractor can change the work, change the drawings or appeal it to the state. The re-inspection fee comes into play when the contractor continually calls for inspections without building to the approved plans. They waste our time and I will tell them the next time we come out we are going to charge you a re-inspection fee. **Tom Murphy:** Mike Smith had some questions about sections of the State code. I researched that and I worked with Jason. Unfortunately State codes change from time to time and in this case it had changed so the correct state codes are in the Ordinance that you have now. **Jim Zucal:** Jason I want to thank you for the order of the group. I can tell you that with Tom and I working with Jason we already have gotten off to a good start. I appreciate him coming in tonight. He changed his schedule to come to Council. I appreciate what Tom has done in following up with Council's questions. I have experience working with another local authority and I think the local flavor means a lot. I want to thank Richard for getting the legislation corrected. I feel this will be a good move for the City and the best interest of the City.

#### **REPORTS:**

##### **Service Director, Jim Zucal:**

I passed out for all of Council some history of the utilities here in the city in particular the water department. There is some good reading there and I want to validate concerns and the questions that we all have and that the EPA has notified us of. There is a notice of violations dated 2015 and 2018. I want to assure Council that the Mayor, Cindi and I and all our department heads are working on fixing a lot of the problems and we continue to do that. It comes down to one word, capital. It takes a lot of money to fix things. I wanted to validate those concerns and what the EPA sends to the city. There is some documentation. There is some information that we had from an operator of record that we had at one time. The water is at maximum capacity, maximum flow, and maximum deliverable. It is a good read, there is some good information. There is also three articles written about the trend today and what is happening in water and what is predicted in the future, and some of the mistakes that have been made in the past and why cities have gotten into problems. I feel that we all have a chance. I think we are at a crossroads in the city with what we are going to decide so I want to make sure that we get it right. I think we want to be very methodical, we want to take our time. I appreciate Council's working with the Administration because regardless it is going to have to happen. As another step in the process in the right direction we are going to reserve the Recreation Center on Thursday, March 7<sup>th</sup> from noon to 8:00 p.m. to have an open house, public interest, citizens meeting. There will be media attention, there will be notification coming, I wanted Council to know first. We are going to put a program together with some video, some documentation, some parts and pieces and just have an open forum. We want to be transparent with the public to show them what we have in particular with water. We will be there, there will be representatives of Aqua. We will have videos and pictures. We will try to do our best to describe what is going on in the city. I think it is a good first step. **Beth Oprisch:** What information have we shared with the employees? **Jim Zucal:** We met with the Union. We shared this with them up front. No decision has been made yet. What will happen if this comes to fruition there will be a request for qualifications. We will take in applications from qualified parties. Then we would go out to requests for proposal. That is Ohio law. It is very structured but if it would come to fruition Aqua would offer all of our employees' jobs. That was clearly shared with the union. We have to do what is best for the customers. That has been told

to them loud and clear. There is not much more that we can tell them at this point. We met with the union people with our HR people and the union rep. **Mayor Pugh:** It is a long process and until a decision is actually made, there is nothing to talk to the employees about. It is our responsibility to provide the citizens with safe drinking water. I also want the employees to get the best deal they can get even if it is not with the city. Quite honestly today my priority is the citizens of St. Clairsville. **Jim Zucal:** We have done everything we can do. We followed Ohio law. Our facilities are listed as very poor. The lifespan of the water plant is three years according to the EPA. You can see there are numerous violations. We have this one chance to make it right. There was neglect over the years to raise the rates, we don't have the revenue to fix the problems. I think as a body of Council, we have to react to this and we are trying to do what we think is best for the city. **Tim Porter:** All that being said our water is safe, our problem is the structures.

**Mayor, Terry Pugh:**

We have had some water breaks over the last couple of weeks. We have also had the flu going around our crews. We had to pull from other departments to get the breaks taken care of. I just want to commend them all.

We are expecting some snow starting tomorrow morning. We were discussing how to tell people to move their cars. One thing we were talking about is the levels that the Sherriff puts out in case of big snows. Those go out to all of the media. We could let people know if it was level 2 cars need to be off the roads. That would require a different ordinance from Council. That might be a solution. **Jim Velas:** We would have to change the ordinance to go by the snow not the time of day. **Mayor Pugh:** Jeff, Jim & I have a meeting tomorrow with Bryan Minder of 911. When we have a power outage or a water problem and the calls start coming into 911 they have a hard time handling them. There is a possibility that a real 911 call could be missed with all those calls coming in. I have secured some bids on an answering service to take the utility calls off 911. The price is very reasonable and it will only be in effect when the Utility Office is closed.

**Police Chief, Jeff Henry:** No Report

**Finance Director, Cindi Henry:** No Report

**Planning & Zoning Administrator, Tom Murphy:**

We have a resume for Karen Iles Burge for the Architectural Board of Review. Karen was on the Board before but had to resign. She has the knowledge and the experience and would be a good member of that board. A motion was made by Linda Jordan and seconded by Perry Basile to reappoint Karen Burge to the Architectural Board of Review.

**Roll Call Vote:**

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

There is a Board of Zoning Appeals meeting on Thursday, March 7<sup>th</sup> at 6:00 p.m. There are two items on the agenda. One is a Special Exception request from the Community Improvement

Corporation of Belmont County. The request is for 133 Woodrow Avenue. The second request is by Thoburn United Methodist Church at 209 E. Main Street. They would like to add additional signage to what they already have.

**Frank Sabatino:** I want to thank Tom Murphy for his prompt attention with an issue that came up in the 2<sup>nd</sup> Ward recently.

The Planning Commission will meet on Monday, March 4<sup>th</sup> at 6:00 p.m. for approval of the final site plan for Changes Family Hair Salon & Office at 243 W. Main Street.

**COUNCIL COMMITTEES:**

**Finance, Mike Smith:** No Report

**Utilities, Frank Sabatino:** No Report

**Police, Mark Bukmir:** No Report

**Street North Side, Jim Velas:**

Just changes in the Ordinance on parking during snow. We hope to come up with something that works for the Fire Department, the Police Department and the road crews.

**Street South Side, Beth Oprisch:** No Report

**Safety, Jim Velas:** No Report

**Building and Grounds, Perry Basile:** No Report **Jim Zucal:** You are aware we started on the old Fair building? **Perry Basile:** Yes I stopped by Saturday.

**Planning Commission, Mike Smith:** No Report

**Fire District, Frank Sabatino:**

I would like to thank Chief, Tim Hall for taking the time out of his busy schedule to come to the meeting. The next meeting will be Wednesday, March 20<sup>th</sup> at 3:00.

**Recreation, Linda Jordan:** No Report

**Park District, Linda Jordan:** No Report

**Law Director, Richard Myser:**

We have two pieces of legislation to come before Council for the second reading they are Ordinance No. 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 second reading by title only, ORDINANCE NO. 2019-04. AN ORDINANCE TO ESTABLISH THE CITY OF ST. CLAIRSVILLE BUILDING DEPARTMENT AND DECLARING AN EMERGENCY.

There was presented and read to Council on its second 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.

**NEW BUSINESS:**

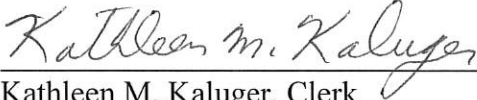
The Mayor's Report to Council for January, 2019 was \$2,473.15. A motion to accept the Mayor's Report was made by Jim Velas and seconded by Mike Smith.

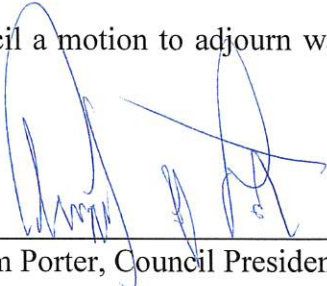
**Roll Call Vote:**

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

**The Next Council Meeting will be Monday, March 4, 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 Mike Smith.

  
Kathleen M. Kaluger, Clerk

  
Tim Porter, Council President