

COUNCIL MINUTES

May 6, 2019

St. Clairsville City Council met in Council Chambers on Monday, May 6, 2019 with the following present:

Tim Porter, Council President

Terry Pugh, Mayor

Perry Basile, Council 1st Ward

Cindi Henry, Finance Director

Mark Bukmir, Council 3rd Ward

Richard Myser, Law Director

Linda Jordan, Council-At-Large

Don Smithberger, Director of General Services

Beth Oprisch, Council-At-Large

Jim Zucal, Director of Public Services

Frank Sabatino, Council 2nd Ward

Jeff Henry, Police Chief

Mike Smith, Council-At-Large

Jim Velas, Council 4th Ward

The meeting was called to order by President, Tim Porter

MINUTES: Minutes of the April 15, 2019 meeting were distributed to Council.

Voting to accept the minutes was tabled until a few corrections are made. Minutes with corrections will be voted on next meeting.

CITIZENS HEARING: Larry Barnes, Commander, American Legion Post 159

This letter was written in support from different Veterans for Mayor Pugh and Jeff Henry.

To the Honorable Mayor, Terry Pugh. We want you to know that the local Veterans totally support you and Chief Henry though this ordeal. If you ever need our support we will gladly be there. We cannot condemn enough the untruths and leaking of untruths committed by those who have an agenda of self-motivation and greed and jealousy. You have the local Veterans support. **Tim Porter and Council Members:** Thank You.

Louis Snead & Shirley Brown: My name is Shirley Brown and I have lived in St. Clairsville since 1965. About a month ago I had a man come down taking pictures. I just happened to be on the porch. He said are these your cars? I said yes and he said they will have to be moved, not even nice. **Beth Oprisch:** Where do you live? **Shirley Brown:** Jefferson Street, down by St. Clair Lumber. It is a dead end. Since I have been there we have had cars sit on the street with no plates and I told him I will move the cars and put them in the yard. OH no you can't do that with expired plates. Why am I paying taxes if they can tell me what I can do with my property? That was my main concern of coming here tonight. Also because it is a dead end cars come flying down thinking they are on St. Clair Avenue. I would like a sign put up because my greatgrandchildren play in the yard and they are little and I don't want them getting hit. Since I have been there, no snow plow no street cleaner has ever come to the end of the street and I would like for that to happen. **Beth Oprisch:** Do you know who was taking the pictures? **Mr. Snead:** It was a City employee. **Shirley Brown:** It was Tom Murphy. I told him that is why I have a door bell. All he had to do was ring the door bell and ask me if they were my cars. If they are parked beside my house naturally they are my cars. Not only that it cost about \$200 because we

had to get plates or tow them. All of this was uncalled for because of it being a dead end. You ride all over St. Clairsville and you see cars broke down, on jacks, on blocks with no plates so what is going on? **Mr. Snead:** There was one car that was parked on the street for over two years with no tags on it. They just removed it recently. If you are going to come and do one person you should do all of them. Everybody should be treated equally. **Mayor Pugh:** We have zoning requirements in St. Clairsville. Mr. Murphy goes out, I can show you a very thick file where people are brought into Mayor's Court because they won't comply. The thing is we are only trying to insure that property values remain steady in St. Clairsville. That is Mr. Murphy's job and he does it very well, he does it by code and he sends a letter out usually with pictures of whatever the offense was and the code. If there is no action taken the Law Director sends the next letter out and they are invited to Mayor's Court. This is done all over St. Clairsville. I would be happy for you to come into my office and I will show you the file. **Mr. Snead:** There was a green Pontiac parked for two years on Ruggles with no tags on it. I never saw anybody do anything about that car. I think everyone should be treated equal. **Mayor:** I assure you Mr. Murphy tries his best, I do, the Police Officers are out and if they see cars without tags on them it is brought to Mr. Murphy's attention. I am not saying the City is perfect but we try to take care of every road in the City whether it needs plowed or swept. We never had a street sweeper until last year. They are out using it and they are supposed to be covering every street in the city. Jefferson Street need to be re-tarred, it is all cratered. They put some rocks down but they need to be tarred before the rain washes them away. **Mayor:** I assure you we will be out to look at Jefferson Street. **Tim Porter:** We thank you for your comments, we will see what we can do for you.

Bill Brooks: I am back again about the water situation. I made some recommendations that a committee be appointed. That an outside contractor look at our plant and tell us how much it will cost to get it in operating condition and approximately how much it will cause our bills to go up. As of yet none of this has happened, however, it was in the paper that he is not going to appoint a committee, but they took two citizens and Councilman Velas to a town and I don't think any of them have degrees in Chemistry or Engineering. I am not going to stand up here and complain about the way things are being ran even though I don't like the way they are being ran. The Mayor refuses to let the Citizens decide if they want to sell their water. The water belongs to everybody. What are we going to do next, sell our oxygen, do we have to pay for our air? We have people who are barely making it in St. Clairsville. They are cutting their pills. They are not paying a bill so they can pay another bill. This company is not coming in here to bail us out from the goodness of their heart. They are coming in here to make a profit. It is easy for Council to say we are going to go with this other company because they are going to wipe out the dept. That does not take care of the problem. The citizens cannot afford this. I am asking once again that we do not sell our water plant, that we look into fixing our water plant and look into professionals to tell us how much it would cost us to fix our water plant. For some reason no one has gone to see if we can get grants, loans and nothing else. It is a done deal. Aqua takes you to a town that they know they are going to get a good report on and everybody comes back happy. I am still going to ask the Council and the Mayor to once again investigate, to let the citizens decide if they want to sell their water plant or not. It belongs to us, not just Council. I appreciate you letting me have your time. **Tim Porter:** Thank you Mr. Brooks. **Beth Oprisch:** The Mayor is not going to appoint a committee? **Mayor:** What we are looking at doing, and I have talked to a

couple of engineers, is once the bids are open we are going to appoint a committee that will include technical people. Jeff Vaughn is already on it. He is the engineer for the County's water system. I will ask Mr. Brooks today if he wants to be on it that is fine. I have talked to A. J. Smith who is an engineer with Hull and Associates. He has done the engineering on our reservoir. There is a lady who has a chemistry degree, she has come in and talked to us. When the time is right we will have people that will be on a committee to evaluate this. Mr. Brooks has said what he feels, it is going to be ridiculous for me to say what I feel because we are not going to agree on it but I am willing to talk any time but I am not willing just on emotions to say this is the best thing for the citizens of St. Clairsville because what we are going through with the EPA, money is no object with the EPA and if you think the rates are going to go up they are really going to go up if we keep being dictated to with what we have to do to comply with the EPA requirements. **Bill Brooks:** Anyone in here who has cable knows that every other month they add on 99 cents, they make you buy channels that you don't want. Mr. Mayor I am going to agree to be on the committee that you asked me to be on but I am going to say this much, we need a professional company to come in here and appraise, not people off the street. A professional company to tell us what it is going to take to get that water plant into shape and approximately how much it is going to cost the citizens to get the water plant in shape. You could get Miss Beth and Sabatino. They could all come back with a story but they don't know they are not professional in this expertise. But the citizens know our water bill is going to go up, we know that but we still own the water, our kids will own the water. They are not going to pay off eight million in debt out of the goodness of their hearts. Mr. Mayor if you would just appoint the correct people, not even me. I don't know what it would take. Get an independent company and let the citizens know, an independent company said this is the best way to go. **Beth Oprisch:** Did we hear anything from RCAP? **Bill Brooks:** Have we heard from anyone besides Aqua Ohio? **Jim Zucal:** We have two.

REPORTS:

Service Director, Jim Zucal

Thank you Mr. Brooks, I appreciate all of your Comments but I want the Citizens to know we have had Chemists, Engineers and private companies look at the Water Plant many times. I can assure you the whether this comes to fruition or not the rates will go up. We answer to the Ohio EPA and they look at future grants and loans. The previous Administration was told that to replace that water plant it would cost in the 12 to 15 million amount. It would take in the two to three million amount to band aid the plant and make it functional. The problem is the city owns reservoirs which are surface plants. The EPA states that to get grants and loans the minimum water/sewer bill for the City of St. Clairsville would have to be \$136, we are currently at \$42. We would have to triple our rates. Keep in mind that we have a surface plant with surface water, we do not have wells. Mr. Brooks got out of control and was asked to take his seat by the Chief.

There will be yard waste pick up May 13th to 17th by Ward. There will be hydrant flushing next week. Our crews are very busy.

I did talk to Julie Ward at RCAP. We had a nice conversation. You are welcome to call her. Her number is available in my office. Keep in mind I have been doing this for 30 years. The RCAP Field day is coming up. They are a service provider. They do not administer funds, they are not

a financial outlet where we can get money. I did get a list of services that they do provide and an invitation to their field days. I can tell you that the City's water/sewer has been looked at back in 1984 by Burgess & Niple out of Columbus. The City has spent thousands of dollars to get the same answer every time.

Mayor, Terry Pugh:

The Charter Review met for the last time last week. Law Director, Richard Myser will put it in Ordinance form and present it to Council for approval. A couple of the Committee members are here tonight and I would like to thank them for taking their time to serve on the committee.

I have the April Police Report which will be available in the Mayor's Office. I appreciate the Officers being out in the neighborhoods and doing a good job for us.

Tim Porter: I want to say at our last meeting I said that I was to keep our meeting in order and under control. As we know there was a ridiculous outburst by our Mayor accusing Council for releasing a report to the public. That did not happen by anyone on this Council. There were many copies of that report out before Council received it. That being said I think the Mayor should apologize to this Council and myself for his actions. **Mayor Pugh:** Mr. President I meant every word I said. You were given the draft, no one else was, so I stand by every word. **Tim Porter:** The next time this happens, any person or persons who gets out of order will be removed from the meeting. **Perry Basile:** Just for the record. Tim and I have been discussing this for a while with the city and did not ask for an outside investigation, where we found out was from you Mayor during a meeting in your office and we were quite surprised that somebody was hired to do this. **Mayor Pugh:** I don't know why because I stated in the meeting that when you accused me of being part of it that I would have to get someone outside to do the investigation and that is what I did. **Perry Basile:** I am just saying we didn't ask for it. **Mayor Pugh:** You asked for it.

Police Chief, Jeff Henry: No Report. **Frank Sabatino:** Thank you and all your officers for all you do.

Finance Director, Cindi Henry:

You all have copies of Resolution No. 2019-09, many years ago the City collected deposits on people who lived here. The amount has changed over the years. It should have been refunded in a short period of time but that did not happen. We have worked on this for three plus years and finally got it ironed out. They have given every one their deposits back throughout the city that we had records of. As a result of that there is \$37,550.86 left in the Utility Deposit Fund. Due to the fact that we cannot find out who it belongs to we are putting a Resolution in place to remove these funds from the Utility Fund and placing them in the General Fund. If by chance someone has a receipt feel free to bring it in and we will refund your money.

Frank Sabatino: The infamous report from Clemens Nelson that Mr. Porter and Mr. Basile initiated, what has the cost been to the City and the Citizens? **Cindi Henry:** It is between \$14,000 and \$15,000 just for the investigation and the report associated with the investigation. **Sabatino:** Is that tab still running? **Cindi Henry:** Every month I get a bill if something is added, yes. **Perry**

Basile: How much was it just for the report? **Cindi Henry:** \$14,000 to \$15,000. **Beth Oprisch:** Who did the investigation? **Cindi Henry:** Carrie from Clemens Nelson.

Planning & Zoning Administrator, Tom Murphy: Not Present

COUNCIL COMMITTEES:

Finance, Mike Smith: No Report

Utilities, Frank Sabatino:

Utility Committee met tonight. Don Smithberger had nothing to report. Meeting consisted of discussion of privation of the water and sewer plants in St. Clairsville.

Police, Mark Bukmir: No Report

Street North Side, Jim Velas:

Do you have a date for the paving on North Market? **Jim Zucal:** Not yet. We are still in the process where the companies are picking up the bids. We have had two picked up so far. My goal is mid-summer to get it done before school starts.

Street South Side, Beth Oprisch: No Report

Safety, Jim Velas: The Safety Meeting for this month will be the last Thursday of the Month and the program will be Defensive Driving.

Building Perry Basile: No Report

Planning Commission, Mike Smith: No Report

Fire District, Frank Sabatino: Fire Board Meeting will be Wednesday, May 22nd at 3:00 at the Main Station

Recreation, Linda Jordan: Next meeting will be Monday, May 20th

Park District, Linda Jordan:

Pool passes are available at Riesbeck's and Kirke's Ice Cream. They are discounted thru Memorial Day. Pool Passes are \$100 for family, \$60 for individuals and \$45 for seniors. The next meeting is Monday, May 13th.

On behalf of the public Bible Reading I would like to thank Council for letting us hold the event, thank the Belmont County Residents who came out, thanks to County and City Officials Mark Bukmir, Jim Zucal and Mayor Pugh who not only opened us up on the first day but came back on a second day when we needed a fill in. I want to commend the Mayor for the powerful statement that he made before you did your proclamation. It obviously brought down the house, Thank You.

Perry Basile: Can we go back to the investigation? Just for the record. Tim and I have been discussing this for a while with the city and we did not ask for an outside investigation, where we found out was from you Mayor during a meeting in your office and we were quite surprised that somebody was hired to do this. **Mayor Pugh:** I don't know why because I stated in the meeting when you accused me of being part of it that I would have to get someone outside to do the investigation and that is what I did. **Perry Basile:** I am just saying we didn't ask for it. We asked you to look into it. **Mayor Pugh:** You asked for it when you accused me of being part of the cause. **Perry Basile:** That's true. **Mayor:** Therefore I couldn't do the investigation. **Perry Basile:**

Also if we can see a receipt for the investigator. **Cindi Henry:** Just like what you asked for before?
Perry: Yes. **Cindi:** I can get those for you.

Law Director, Richard Myser:

This evening we have one piece of legislation to come before Council. That is Resolution No. 2019-09, this is the Resolution that Cindi Henry talked to you about. We can read this Resolution tonight and pass it on an Emergency or we can read it three times. **Cindi Henry:** It makes no difference to me.

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2019-09: A RESOLUTION TO TRANSFER BALANCE OF ALL FUNDS FROM THE UTILITY DEPOSIT REFUND FUND TO THE GENERAL FUND AND DECLARING AN EMERGENCY.

NEW BUSINESS:

The Mayor's Collection for April was \$4,381.90. A motion to approve the Mayor's report was made by Linda Jordan and seconded by Mike Smith.

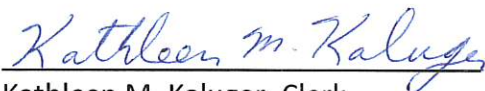
Roll Call Vote:

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

The Next Council Meeting will be Monday, May, 20, 2019 at 7:30 in Council Chambers.

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



Kathleen M. Kaluger, Clerk



Tim Porter, Council President