

COUNCIL MINUTES

July 1, 2019

St. Clairsville City Council met in Council Chambers on Monday, July 1, 2019 with the following present:

Tim Porter, Council President  
Mark Bukmir, Council 3<sup>rd</sup> Ward  
Linda Jordan, Council-At-Large  
Beth Oprisch, Council-At-Large  
Frank Sabatino, Council 2<sup>nd</sup> Ward  
Jim Velas, Council 4<sup>th</sup> Ward

Terry Pugh, Mayor  
Richard Myser, Law Director  
Tom Murphy, Planning & Zoning Administrator  
Jim Zucal, Director of Public Services  
Jeff Henry, Police Chief  
Don Smithberger, Director of General Services  
Cindi Henry, Finance Director

The meeting was called to order by President, Tim Porter

**MINUTES:** Minutes of the June 17, 2019 meeting were distributed to Council. A motion was made by Linda Jordan and seconded by Jim Velas to approve the June 17<sup>th</sup> minutes.

Roll Call Vote:

Bukmir	Yes	Sabatino	Yes
Jordan	Yes	Velas	Yes
Oprisch	Yes		

Roll Call Vote: Five (5) Yes      Zero (0) No      Motion Approved

**Richard Myser:** In line of some of the recent developments few have had I think it is incumbent of me as the Law Director to remind Council and to remind the Citizens that we have a Council not a Committee Meeting tonight and that we conduct our Council Meetings according to Roberts Rules of Order. We also have an ordinance that we have passed. The ordinance says that the public or any member of the public who wishes to address council they must contact the Council Clerk before 4:30 p.m. one business day before the scheduled meeting to be placed on the agenda. Our meetings are open to the public but they are meetings to address and work out Council and City affairs. They are not a forum to debate issues. If you have questions tonight that you present I will either answer those questions at a later time or the Mayor or Council Members will be doing that. **Beth Oprisch:** Is Council allowed to ask questions if the Citizens bring something up and we don't understand? **Richard Myser:** If Council desires you can do that but that is not what the Charter provides for. It is not intended to be a discussion or a debate session with the electorate. If they have questions they can contact me or the Mayor.

**CITIZENS HEARING:**

**Mark Thomas:** I have no questions, I just have a comment and then I am going to leave. I come here tonight for one purpose only and that is my love for the City of St. Clairsville and all of Belmont County. I thank you for your time. I will be as brief as possible. I have had the honor of serving on this Council and being its Law Director for almost 8 years back in the 90's. So I am very familiar with how St. Clairsville government works. I have lived in and or owned a business in St.

Clairsville for 50 years. As you can probably imagine I have also been working with our local governments for 30 years in my various capacities of elected or appointed Public Official. I am here tonight very concerned about recent actions concerning Council, the Administration and certain members of the Community. I felt compelled to come and just speak my mind as a resident and business owner in the City. From what I see and what I read I have concerns that there seems to be a lack of communication. I hate to think that there would be personal agendas or simply an unwillingness by some people to not want to work as a unified body on behalf of the citizens of St. Clairsville. In my mind an effective government at whatever level can only succeed if it first recognizes that it works for the residents who elected them to be there. I say this because I recognized it in all the years I had the good fortune to serve St. Clairsville and also Belmont County. The key is to effectively and professionally communicate with everyone. That is what concerns me now. I am not seeing that and I am simply here to request that any finger pointing and arguing in any personality immediately please stop. I implore all of you to commit to working as one cohesive body for the City of St. Clairsville, not only to run the day to day business but to address such issues as you are dealing with as the water and sewer. I am not going to speak on that, if anyone wants to talk to me. We did that in the County and we have had many conversations between the County and St. Clairsville. We worked hard in Belmont County to keep our system going, upgraded, etc. We are very proud of that and I am still proud of it being 6 months out of office. As you can imagine as each local government goes, prospers in Belmont County so does the County. We are all one. This County is on the verge of an economic explosion in the next 5 to 10 years. Every Local Government plays an equal roll in that growth. What bothers me with what I just said is there are people outside, developers from the outside watching what is going on in Belmont County. If they are watching what is going on here on occasion, not all the time, you are doing a great job, they would be concerned. It is easy to follow what is going on in St. Clairsville, Belmont County any other Local Government. We must work together to grow this County. That is why I come here tonight and I respectfully request that all of you try to work together, civilly. I say this too concerned residents who are here asking questions because if this continues it will simply be a black eye on what is a great city and a great County. I want to thank all of you for allowing me the time to speak.

**Bill Brooks:** What Mr. Thomas said rang true, we need to work together. I have spoken with many of you Council Members and we all seem to agree on two things:

1. We need to do something about the water plants.
2. We really don't have the expertise to fully evaluate the water system.

Therefore, I am requesting that you City leaders not vote to accept selling our water plant and that you request an outside independent consultant be hired to review the water plants and inform Council and the Water Bid Review Committee (which the Mayor has disbanded) of the best options. I also respectfully ask that the Mayor and the City Service Director not be able to pick this independent consultant. We need to protect our senior citizens and our hardworking families and their heirs.

**Kathryn Thalman:** Thank you Council for letting me come in to voice my concerns. As I have said I am nothing more than a Citizen and to be honest I am embarrassed to say I have not been involved in our government before. I have been asked to be on this committee to evaluate the

water. I have a lot of questions and I have to say to you I am disappointed because my questions have not been answered. I point blank ask questions such as if it is bid will there be a buy back clause. Is there a clause in here for performance? Will we be able to put the money in trust if we need to get our water back? Nothing has been answered to my satisfaction. I have asked repeatedly has our City Law Director evaluated this bid. I was told no he was on vacation but it will be looked at by Attorneys in Columbus. I then asked could we please meet after the wording is hammered out. No. So this is my first experience with being in government and I will tell you that I have been stopped by countless people in the stores begging me to please hold firm until all of the questions are answered transparently about our privatization. Let me throw some of these questions out that I have been getting. First of all and I will ask you for the third time Mr. Zucal was any other paper work received from anyone but AQUA? **Jim Zucal:** First of all I don't appreciate you raising your voice to me. There was and it is public record. You are welcome to stop by tomorrow and I will give that to you. **Kathryn Thalman:** Thank you, I will do that. What was the turnaround time for the bid information? Was there time for someone to send a bid in? **Jim Zucal:** It is all public record, it was advertised nationwide not only in the State of Ohio. We gave you those documents. **Kathryn Thalman:** Yes you did and I will ask one more question. Who wrote the RFP's? **Jim Zucal:** I did. **Kathryn Thalman:** Did anyone help you? **Jim Zucal:** No I have been doing this for thirty years. **Kathryn Thalman:** I am just asking what someone else has asked me. I am not totally against privatization I just want all the facts on the table. Thanks for this opportunity. I pray that all of this will resolve for the very best for the Citizens.

**REPORTS:**

**Service Director, Jim Zucal:** No Report

**Mayor, Terry Pugh:**

I have a lot of thank you's to hand out for Community Days. First is for our new Recreation Director Sean Hanley with his staff went over and above to have an organized, safe enjoyable time and even the weather cooperated in the end. We had our Council Woman, Linda Jordan open with the National Anthem. There was a lot of people there and we thank them for coming. I have to mention Riesbeck's and Unified Bank for providing the best Fireworks display we ever had. A lot of hard work went into it and it went off without a hitch.

John Nemeti has resigned from the Recreation Board. We want to thank him for being a member. We received a recommendation for Becky Mozina to replace John. A motion was made by Frank Sabatino and seconded by Linda Jordan to appoint Becky Mozina to the Recreation Board.

Roll Call Vote:

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

**Police Chief, Jeff Henry:**

Asked Councilman Bukmir to have a brief Police Committee meeting after the Council Meeting.

**Finance Director, Cindi Henry:**

We had our budget hearing at 7:00 with a couple of people in attendance. I need a motion to approve the fact that the Budget was prepared by the Finance Director. A motion was made by Jim Velas and seconded by Linda Jordan to approve that the Budget was prepared.

Roll Call Vote:

Bukmir	Yes	Sabatino	Yes
Jordan	Yes	Velas	Yes
Oprisch	Yes		

Roll Call Vote: Five (5) Yes      Zero (0) No      Motion Approved

I did email the Finance Committee if they wanted the Audit Team to come here to give you the results of our audit and I heard back from no one. So I assume that is not going to happen. The audit should be released in the next 30 to 60 days and I will provide all of you with a copy. I am proud to say that this is the first time that the city has not even had a recommendation on their audit for years.

Kathryn, the statute speaks to what would happen if we were to sell the water, where the money would have to go to. In the end it would all have to be put into a capital projects fund and also dictates what capital project it can go to. **Kathryn Thalman:** Thanks for following up on it.

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

The Board of Zoning Appeals met June 20<sup>th</sup> regarding the parking lot on North Marietta Street. It was approved. The Planning Commission met this evening regarding the final plan for that parking lot. That was approved. It is a small lot 10 spaces for the employees and customers of Print N' Copy and the Tri-County Help Center.

**COUNCIL COMMITTEES:**

**Finance, Mike Smith:** Not Present

**Utilities, Frank Sabatino:**

Utility Committee met this evening. Discussed utilities. Agreed to a work session to discuss the AQUA bid. **Don Smithberger:** No Report

**Police, Mark Bukmir:** No Report

**Street North Side, Jim Velas:** No Report

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

**Safety, Jim Velas:**

The monthly safety meeting was held last Thursday at the City Garage. The topic was communication between the workers particularly in electric areas to be aware what everybody else is doing. It was well presented and worthwhile. The next Safety meeting will be the last Thursday of July anyone can attend. I think it is worthwhile listening to what is going on.

**Building Perry Basile:** Not Present

**Planning Commission, Mike Smith:** Not Present

**Fire District, Frank Sabatino:**

The Fire Board met in regular session last Tuesday. Usual business. Approved to have the parking lot worked on. The next meeting will be Wednesday, July 17 at the main Station.

This being the 4<sup>th</sup> of July weekend, this in no way reflects on the fireworks at Community Days, they were excellent. The 4<sup>th</sup> of July is a big holiday and rightly so. Years ago Council passes an Ordinance called possession, sale or discharge of fireworks. In the past few years it seem like people are getting their hands on dangerous high explosives. I cringe to think what would happen if it went off on their body. Around children it is very disturbing and seems to be coming prevalent. It clearly states that no person shall possess fireworks in this municipality or possess for sale fireworks except for a licenses manufacturer.

**Recreation, Linda Jordan:**

In addition to the Mayor's comments, on behalf of the Board I would like to thank the volunteers who came out to help, the vendors, citizens and non-citizens who came out to support us. A Special Wish provided us with an impromptu celebrity guest in Travis the Terror Clark he stayed in the dunk tank for about an hour and he made a challenge out of it. Whoever dunked him first would receive two tickets to one of his fights. There was a long line but the first person to toss it dunked him. We also want to thank the St. Clairsville Area Chamber of Commerce for sponsoring tomorrow night's band which is Easy Street. The next meeting is Monday, July 15<sup>th</sup>.

**Park District, Linda Jordan:**

Tuesday & Thursday from 8 to 10 they will have moonlight swims. This coming Friday there will be the nighttime movie which will be 9:20 p.m., the movie will be Jaws. It is \$3.00 per person and inflatables are permitted.

**Law Director, Richard Myser:**

We have two pieces of Legislation tonight to address. They are up for their third reading. The first piece of legislation is 2019-13. This is an Ordinance providing for the election of amendments to the City Charter. We had a charter committee that was organized and made some recommendations to Council to make some changes to the charter. The next Resolution is 2019-15, it is a Resolution to make supplemental appropriations within the 2011 Fund.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2019-13; AN ORDINANCE PROVIDING FOR THE ELECTION OF AMENDMENTS TO THE CITY CHARTER PURSUANT TO THE RECOMMENDATION OF THE CHARTER REVIEW COMMISSION AND DECLARING AN EMERGENCY. A motion was made by Jim Velas and seconded by Beth Oprisch that Ordinance No. 2019-13 be passed by Council.

Roll Call Vote:

Bukmir	No	Sabatino	No
Jordan	No	Velas	Yes
Oprisch	Yes		

Roll Call Vote: Two (2) Yes      Three (3) No      Motion Not Approved

There was presented and read to Council on its third reading by title only; RESOLUTION NO. 2019-15; AN RESOLUTION TO MAKE SUPPLEMENTAL APPROPRIATIONS WITHIN THE 2011 FUND FOR THE NORMAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ST. CLAIRSVILLE, STATE OF OHIO, FOR THE PERIOD JANUARY 1, 2019 THROUGH DECEMBER 31, 2019, AND DECLARING

AN EMERGENCY. A motion was made by Jim Velas and seconded by Mark Bukmir that Resolution No. 2019-15 be passed by Council.

Roll Call Vote:

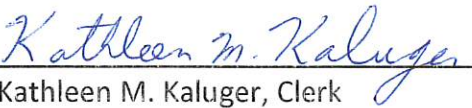
Bukmir	Yes	Sabatino	Yes
Jordan	Yes	Velas	Yes
Oprisch	Yes		
Roll Call Vote: Five (5) Yes		Zero (0) No	Motion Approved

Resolution No. 2019-15 was declared adopted.

**NEW BUSINESS:**

The Next Council Meeting will be Monday, July 15, 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 seconded by Linda Jordan.

  
Kathleen M. Kaluger, Clerk

  
Tim Porter, Council President