

COUNCIL MINUTES
July 15, 2019

St. Clairsville City Council met in Council Chambers on Monday, July 15, 2019 with the following present:

Tim Porter, Council President	Terry Pugh, Mayor
Perry Basile, Council, 1 st Ward	Jim Zucal, Director of Public Services
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	Cindi Henry, Finance Director
Frank Sabatino, Council 2 nd Ward	Jeff Henry, Police Chief
Mike Smith, Council-At-Large	Don Smithberger, Director of General Services
Jim Velas, Council 4 th Ward	

The meeting was called to order by President, Tim Porter

We are going to change the agenda a little bit. We have a Resolution for our Patrol Dog "Beau" who is retiring.

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2019-16; A RESOLUTION AUTHORIZING THE CITY COUNCIL TO RECOGNIZE THE OUTSTANDING SERVICE OF "BEAU" TO THE CITY OF ST. CLAIRSVILLE AND TO PERMIT HIS TRAINER TO PURCHASE HIM UPON BEAU'S RETIREMENT FROM SERVICE AND DECLARING AN EMERGENCY. Linda Jordan moved that the rules requiring Ordinances and Resolutions to be read on three separate readings be suspended and declaring an emergency; Jim Velas seconded the motion.

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

There was presented and read to Council on its third and final reading by title only, RESOLUTION NO. 2019-16. A motion was made by Jim Velas and seconded by Mark Bukmir that Resolution No. 2019-16 be passed by Council.

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

Resolution No. 2019-16 was declared adopted.

Mayor Pugh: I just want to take this opportunity to say that Beau has done a great job but if it wasn't for Lieutenant Troullos's hard work and the fact that Beau actually stayed at his house

with his family. Lieutenant Troullos cared for him day in and day out and that is a big job and we do appreciate it. **Chief Henry:** I want to thank Lieutenant Troullos for getting Beau healthy and keeping him healthy for his retirement. He did a good job and his family also taking care of Beau. Thank You. **Lieutenant Troullos:** Thank you.

MINUTES: Minutes of the July 1, 2019 meeting were distributed to Council. A motion was made by Linda Jordan and seconded by Jim Velas to approve the July 1st minutes.

Roll Call Vote:

Basile	Abstain		
Bukmir	Yes	Sabatino	Yes
Jordan	Yes	Smith	Abstain
Oprisch	Yes	Velas	Yes

Roll Call Vote: Five (5) Yes Two (2) Abstain Zero (0) No Motion Approved

CITIZENS HEARING:

Bill Brooks: I received a letter earlier this week from the Law Director, it said. Dear Mr. Brooks, as City Law Director, I have been asked to request that you no longer contact or interfere with our city employees while they are working, nor come onto city property during working hours. Many of our working areas are safety restricted areas which are not open to the public for safety purposes. Because of this we are asking that you not contact our employees during regular working hours. You may speak to our employees, however we ask that you contact either the Mayor or the Service Director to set up an appointment to speak with these employees. Should you wish to discuss this matter further please feel free to contact my office. Let me say that this is America, I have never gone any further (and this has been four months) than the office where our workers work. I have never threatened one of them. I never swore around any one of them, I never asked them for testimony. I don't feel this is right. We have other people who go down there and talk with them but do they get a letter? Mr. Mayor, City Council Members if I didn't love this city I would be at the Civil Rights Committee right now, because you have never issued a letter like this that I have known of in the history of this town to an individual. I don't want to cause trouble for this city. You already have law suits caused by you guys. Thank you, God bless you, have a great day.

Kathryn Thalman: I would like to say Mr. Mayor and esteemed Council, I appreciate the opportunity to speak to you once again concerning a matter of utmost importance to the Citizens of St. Clairsville, the care of our water and the ability to keep it safe and affordable. Our common ground is that the water system does need addressed. It definitely has issues. I appreciate the position that our elected officials are in. They find themselves with a can that has been kicked down the road. Being given an opportunity to be on a board that reviewed the proposal from AQUA gave information that piqued community interest and a lot of questions. When our board was abruptly disbanded those questions went unanswered. At the last Council Meeting I asked if there were other companies that placed a bid. All I got was that only one proposal had been submitted to the Service Director's Office. In reviewing the RFP and doing some diligent research I found out the time of turn around on this was 30 days. I know for a fact that AQUA has been given the position of being in our city for over a year to study our water system. An unfair

advantage would be that no other company was provided the same time span and provided the opportunity to analyze and provide a comprehensive plan that might include other options that might be available including not selling our water. Could that be why we only had one bid? Belmont County just received a 60.5 million dollar grant to upgrade their water systems. Part of that criteria was the County had to show the ability and desire to help themselves first of all by gradually increasing the water rates. We know the City has not increased the water rates for years that is a tough political football. I have asked if other grants have been looked at and all I was told is it is based on median income. Is every other grant based solely on median income? Are there other criteria such as helping ourselves first? I would like to know how many grants have actually been applied for. And finally to Council, I would like to remind you that you do not work for the Mayor, you don't work for Mr. Zucal, and you work with them. But otherwise you work for your constituents, the people of St. Clairsville. The people you represent, the older people who are reaching out to me in droves. I want to thank the Council people who did come out and speak to the people and in that vein I think we need to have another community meeting. There is so much interest now and so many questions I think it would be in our best interest. I respectfully request that this further be discussed before it is put out for vote. I really want to know that every other option is off the table. **Jim Velas:** I don't think it was a 60 million dollar grant that the County got. They got a 15 million dollar grant and the rest was a loan. There is not that much grant money available.

Karen Donathan: Thank you for your time this evening. First of all we appreciate the \$800,000 to repair the sewage system on Bellview Street. Also we appreciate this Council talking to us but having to wait until next spring doesn't seem feasible. We have been flooded three times in the last 12 months. This isn't good for health issues and we can't keep living this way worrying every time it rains. We heard that the bids are not even out yet for our project. One question is what do we do with the RITA tax? Can't we use it to repair the storm system? People can't keep losing their personal items especially if they are not covered by insurance. What is going to be done on this matter? We have a lot of sewage backup and water coming in. We have a lot of damage to our homes and a lot of expense if you don't have the insurance. We are wondering if something can be done before the spring of 2020. **Jim Zucal:** Thank you. Karen lives on Bellview Street and has had an infiltration problem for many years. They have been talking to the City for maybe 20 years. What happens when it rains is our sanitary sewers and storm sewers are connected. When it rains many of the people on that street get sewage in their basements. According to records that I have found the problem was identified 25 years ago. The Mayor and I met with those folks three years ago and we started applying for grants and loans immediately to see what we could find. Right now we have now secured \$800,000 in OPWC funds. It is a loan not a grant. The estimate for that project is 1.5 million dollars. We still have to come up with seven hundred thousand. We are taking it seriously but in Government everything takes time. **Cindi Henry:** As far as the RITA tax, when it was implemented back in 2011 the Council at that time took action at that time to put half of the tax in a permanent improvement fund and the other half in the general fund. It was needed at that time because of the changes at the State level that kept robbing the local governments of the Local Government money. Half of the money was used for the engineering study for this project which is quite pricy. **Mayor Pugh:** In our contract with AQUA this project was brought up because it concerns the water, sewer and storm water. AQUA

included \$500,000 in their bid towards this project. If it ends up that they would buy the system then we are still looking for \$200,000 to finish the project.

REPORTS:

Service Director, Jim Zucal: No Report

Mayor, Terry Pugh:

The EMA contacted us Friday afternoon about any storm damage around the city. I have made an attempt to get the information out to anyone we know of who has had damage or anyone who has called us or about damage. If anyone had damage they can call the EMA office to apply for help. The number is 740-695-5984. **Beth Oprisch:** What problems did the City have? **Tom Murphy:** Some of the things we are going to submit to the Belmont County EMA are slip clean up along the trail north of the tunnel. There are two smaller slips behind the football stadium. We included the private property slip behind the library. We had lift station failures due to electrical outages also. We estimate what the cost will be and submit it to Belmont Co. EMA and they submit it to FEMA to see if they are going to declare it a disaster. It is a lengthy process.

Police Chief, Jeff Henry: No Report

Finance Director, Cindi Henry: No Report

Planning & Zoning Administrator, Tom Murphy:

There will be a Board of Zoning Appeals meeting on Thursday, August 15th at 6:00 p.m... The Belmont County Animal Rescue League is requesting a special exception permit located at 273 E. Main Street. Many of you may remember this as the St. Clair Animal Hospital that was run by Dr. Steed. If you have any questions feel free to ask me.

COUNCIL COMMITTEES:

Finance, Mike Smith: No Report

Utilities, Frank Sabatino: Don Smithberger: Finishing work on our transformer from the storm. With the heat wave coming you may have your power blink a time or two. That is not a problem with the city electric, it is most often the power supplier.

Police, Mark Bukmir: The last meeting we met with the Chief he commented that Beau was going to be retired. I just wanted to say thank you to Officer Troullos.

Street North Side, Jim Velas: No Report

Street South Side, Beth Oprisch: No Report

Safety, Jim Velas:

The monthly safety meeting will be held Thursday, the 25th at the City Garage. Everyone should try to attend. It is very informative.

Building Perry Basile: Except for the damage from the rains I have no report.

Planning Commission: Mike Smith: Dr. Steed's will that come before the Planning Commission?

Tom Murphy: No that will be for the Board of Zoning Appeals.

Fire District, Frank Sabatino:

The Fire Board will meet on Wednesday, July 17th at 3:00 at the Main Station.

Recreation, Linda Jordan: I want to thank the Mayor and Jim. I had several questions from citizens regarding the privatization. They took the time to answer all of those questions and I really appreciate that and the Citizens do as well. No Rec report, there was no meeting tonight.

Park District, Linda Jordan:

Tuesday & Thursday from 8 to 10 they will have moonlight swims. Thursday there will be a movie shown at 9:20 p.m. It is \$3.00 per person and inflatables are permitted.

Law Director, Richard Myser:

We have three pieces of Legislation tonight to address.

The first piece of legislation is 2019-16. This is the Resolution that we already passed tonight recognizing the outstanding service of our police dog, Beau.

The second piece of Legislation 2019-17 comes to us tonight. After the last meeting a Council Member came to me and told me that he would like to change his vote on the resolution that we voted down, deciding not to put the amendments to the Charter on the general election that is coming up. I told him that we could not change the vote but we could bring it up again with a new Ordinance with a different number. There is a time limitation we are facing here. With this reading we still have time if Council wants to suspend the rules and pass it tonight.

The third Resolution 2019-18 is opposing the proposed Class II injection wells proposed for Richland Township. There is emergency language in this resolution.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2019-17; 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. Jim Velas moved that the rules requiring Ordinances and Resolutions to be read on three separate readings be suspended and declaring an emergency; Frank Sabatino seconded the motion.

Roll Call Vote:

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

There was presented and read to Council on its third and final reading by title only, ORDINANCE NO. 2019-17. A motion was made by Frank Sabatino and seconded by Jim Velas that Ordinance No. 2019-17 be passed by Council.

Roll Call Vote:

Basile	Yes		
Bukmir	No	Sabatino	Yes
Jordan	No	Smith	Yes
Oprisch	Yes	Velas	Yes
Roll Call Vote: Five (5) Yes		Two (2) No	Motion Approved

Ordinance No. 2019-17 was declared adopted

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2019-18; A RESOLUTION OPPOSING THE PROPOSED CLASS II INJECTION WELLS IN RICHLAND TOWNSHIP, BELMONT COUNTY, OHIO AND DECLARING AN EMERGENCY. Linda Jordan moved that the rules requiring Ordinances and Resolutions to be read on three separate readings be suspended and declaring an emergency; Beth Oprisch seconded the motion. **Mayor Pugh:** I proposed this Resolution because I went to the meeting and I spoke with Senator Hoagland and he is the one that asked if we would consider passing a resolution, he felt that would give them more ammunition to help stop this well. My biggest concerns are all of the mine shafts in this area and our reservoirs. **Beth Oprisch:** Is there anything good about this Injection Well? **Kathy Kaluger & Cindi Henry:** Nothing at all. The Township will not benefit at all from this project. Three hundred homes are located within one mile of this proposed project, there are schools, churches, gas stations, a prison, the County Jail, numerous county offices including the Emergency Management office. There will be as many as 200 trucks a day causing a back up of traffic. This gentleman came in from New Jersey, he does not own any land, and he only has an option to buy the land if he is given permission to go ahead.

Roll Call Vote:

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

There was presented and read to Council on its third and final reading by title only, RESOLUTION NO. 2019-18. Jim Velas made a motion and Beth Oprisch seconded the motion that Resolution No. 2019-18 be passed by Council.

Roll Call Vote:

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

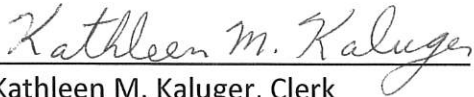
Resolution No. 2019-18 was declared adopted.

NEW BUSINESS: Jim Zucal: We will start milling the streets on Wednesday and start paving on Monday.

We will have a special meeting on Thursday, July 18th at 7:30 p.m. If Council so decides they may go into Executive Session regarding contract matters.

The Next Council Meeting will be Monday, August 5, 2019 at 7:30 in Council Chambers.

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



Kathleen M. Kaluger
Kathleen M. Kaluger, Clerk



Tim Porter, Council President