

COUNCIL MINUTES  
August 5, 2019

St. Clairsville City Council met in Council Chambers on Monday, August 5, 2019 with the following present:

Tim Porter, Council President	Terry Pugh, Mayor
Perry Basile, Council, 1 <sup>st</sup> Ward	Jim Zucal, Director of Public Services
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	Cindi Henry, Finance 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 July 15, 2019 meeting and the July 18, 2019 Special Meeting were distributed to Council. A motion was made by Linda Jordan and seconded by Beth Oprisch to approve the July 15<sup>th</sup> and July 18<sup>th</sup> minutes.

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

**CITIZENS HEARING:**

**Bill Brooks:**

I wanted to address Council and let them know about the meeting – rally that we are having Wednesday at 6:30 in front of the Courthouse. Several of the people who are on the Committee that I am with wanted me to ask questions. Mr. Sabatino, have there been any meetings, discussions as a group about the water and AQUA? **Frank Sabatino:** I don't understand the question. **Bill Brooks:** Council was to go over the bids and have a work shop about the water. Has there been? **Jim Zucal:** There was a workshop. **Bill Brooks:** There was? Mr. Bukmir, the same with you? **Mark Bukmir:** Yes there was. **Bill Brooks:** I thought the Mayor said that these workshops were going to be open to the public. You have already got it where we can't speak at the workshops but I thought he made the statement that it was going to be 100% transparent. **Mayor Pugh:** What I said Bill was the bid review would take no questions from the public however you can write a question and we would answer it in the future. **Bill Brooks:** Yes but you said Council would be having workshops and you invited the public to attend. I came and then you went into executive session. So I am asking you, and it is in writing that you said it was going to be transparent. **Mayor Pugh:** It was a Council meeting and it went into executive session I didn't have anything to do with that either. As Mayor I don't have a vote. **Bill Brooks:** No sir but

you said there would be a workshop about the bid from AQUA. You told everyone and even had it in the paper that it would be transparent and we could come and attend this meeting. **Mayor Pugh:** I don't think I ever said that.

#### **REPORTS:**

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

I would like to start my report this evening by updating you on our 2019 paving effort. Again I want to thank Council for supporting the administration on an expanded paving initiative. I would like to thank Don Smithberger and the crews of the City. We do some milling, some catch basin repair. We prepped ahead of time. We think we have got it right, we are profiling the streets putting down a thicker layer of asphalt and we are making the storm water flow to the catch basin. We are putting in new risers and valve boxes where needed. We think we are on top of that, we think it was a very successful project and again I want to thank Council for their support. We evaluated the needs throughout the city with an effort to balance investment across all four city wards. We identified portions of 11 streets as needing the most critical attention. Council approved the contractor Shelly & Sands based in Zanesville, Ohio. We distributed approximately 18,000 tons of blacktop this year. We completed the project on time and on Council's approved budget of less than \$200,000. We finished well before the School year started. I am distributing the list of streets that were improved and encourage you all to notice the positive changes where we were able to work. Both Pinecrest and Walnut are high on the list for paving next year as well as several others. If Council does have any requests for next year, please share them with me.

I am proud to report that we just finished painting the J.B. Martin Recreation Center. We hired Fitzpatrick painting from Barnesville. We are pleased with the results. I urge Council to take a look at it. It is a very nice paint job on a nice building. It had not been refreshed with any paint since it was built in the 80's. The painting job was also done on time and on budget. It is very much improved.

We received notice that St. Clairsville was again recognized as a tree city U.S.A. for 2018. Not only does that give us bragging rights it gives us a leg up when we compete for grants and loans for beautification projects.

Finally I would like to address some misconceptions among some members of the community about the state of our water treatment plant and distribution system. Our 90 year old water treatment plant and aging distribution system are quickly reaching the end of their useful life. While our sewer plant is in better shape, the waste collection system that feeds the plant is full of leaks that allow water into the system, making treatment costs skyrocket whenever we get a hard rain. I don't have to tell you that with the rain we have had over the past several months, our staff has been working overtime to keep up and make sure we keep the environment clean. Back to the water treatment and distribution system: I would like to thank the Council members who have visited the plant to see first-hand the condition of the facility. Because of some claims made recently a few important facts need to be addressed. Our current plant is simply not up to modern treatment standards and some parts are literally crumbling. The roof is currently leaking and needs repair. The building itself is in poor shape.

The Water Plant needs a complete overhaul:

- There is very little electronic monitoring of the treatment process
- We are unable to continue treatment while we perform maintenance
- While we have the ability to use the emergency interconnect with the Belmont County water system which we have to open up whenever we do maintenance
- Belmont County does not have the capacity to supply the volume of water we need for more than a day or two and if they did the rate they charge us per gallon for treated water is more than we collect from our customers
- That would leave no funds to pay our staff or maintain our system

The City has known about these problems for decades, but leaders were slow to act because of the cost and unwillingness to increase rates. For the water plant alone, what was once a \$10 million problem has grown to what could be as high as \$16 million. Just adding on, isn't really an option either. Adding onto the plant if there was room which there isn't would cost as much as \$9.4 million. And that would still leave us with half of the plant falling apart.

Our network of water mains throughout the city needs \$7 million just to replace pipes that are too small to provide adequate water flows for modern fire protection standards. It will cost more to completely address the common taste, odor and discoloration complaints. To bring our water storage and instrumentation up to date, we'll need to spend another \$1 to \$2 million.

To update our water plant, replace our undersized water mains and improve our storage and instrumentation it will cost the city between \$20 and \$25 million. Not to mention, we are carrying over \$3.5 million in debt for past water and sewer projects.

Some people have suggested we find someone else to pay to fix our water and wastewater problems. They have said, "we could get the state or federal government to pay for it" trust me, I would love it if we could simply find someone else to make our problems go away. In order to even be able to compete against other Ohio cities for scarce grants and loans for these kinds of projects, we have been told we need to at least double our water and sewer rates. Mayor Pugh believes that doubling water and sewer rates would have an unreasonable impact on our residents especially those coping with low or fixed incomes.

All options are still on the table. We cannot afford to wait years until Belmont County builds their new plant and we don't have any guarantees that they would be able to fill all our needs if we could wait. Mayor Pugh has directed me to continue to seek options for state or federal loans and grants that would work for us. In the meantime, the Administration is continuing to investigate questions that came from the City's water advisory committee. I am seeking answers from AQUA, other Ohio communities they serve and from third parties like the Public Utilities Commission of Ohio and the EPA. We have asked AQUA if they would consider making changes to their proposal based on council and committee input. I will update you on our findings at a future meeting and any proposed agreement will be brought to Council for consideration.

I want to announce that the City is publishing a new page on our website. It will allow anyone in the community to collect facts surrounding our water and wastewater discussions. They can link

to our homepage at stclairsville.com. and look for the link water & sewer facts. That will be updated every day.

**Mayor, Terry Pugh:**

The only thing I have tonight is the Police Report from June. A copy of the report is available in the Mayor's office.

**Perry Basile:** I want to thank Mr. Zucal and Mayor Pugh for all the hard work and effort they have put forth for this project but I would like to make a motion to stay the negotiations between the City of St. Clairsville and AQUA Ohio. The basis of my motion is to allow Council sufficient time to look at other options, look at the information we have before us to make rational, reasonable and fiscally responsible decisions for our residents. We need to slow this process down a little bit take a look at the information we have here and see what our other options are. I think with this in hand and doing an actual water rate assessment with actual numbers can help us know where we are at and I would like to see that proceed before we get to far into AQUA and have something to balance off of. We have got to have more than one option. **Beth Oprisch:** I have a question where are we in this process. We have a bid, we had an executive session on the contents of the bid, we now have a contract and are consulting with an attorney. The Attorney will look over the contract and it will then come before Council, is that accurate? **Jim Zucal:** That is accurate. **Beth Oprisch:** Where are we with that? **Jim Zucal:** The critical data is being shared by the Attorney's, we have met with them to share data on our end and they compiled data on theirs and they are meeting to come up with a draft proposal for council. We are expecting that to take around thirty days. Thirty days from last Thursday. **Beth Oprisch:** So around September 1<sup>st</sup>. Perry in you motion what are you asking? **Perry Basile:** I am asking that we slow this down before we get in any contracts and sit before AQUA and sign papers with them, I would like to see this information taken and we need an alternative to look at still and we have to look at all of our options. According to this we are talking about making up grades to our water plant. Let's sit with the EPA and talk to them about it. What other options do we have? We have not seen any other options. **Mike Smith:** I want to ask Jim, simultaneous to the Attorney's discussing it we are still looking at other options? **Jim Zucal:** I talk to people within the EPA organization every day. I share that with the Mayor and the group. I am certainly with these plans no advocating building a water plant I am sharing the facts. People will ask what would it cost and where did you get your numbers. I have licensed engineers that are saying that. I can tell you there is a track record here that dates back to 1984 that this has been talked about. I am by no means trying to push this through, we have been talking about this for two years and we have had public meetings since February and open houses. We had a written request that was sent throughout the country with no offers. In the meantime our system crumbles. We are going to have a web site fact page so by no means no one is pushing this. We have been doing this step by step along the way. **Beth Oprisch:** The company Erath Link, what do they do? **Jim Zucal:** That Company inquired, I believe they were referred to us by RCAP Rural Water which is out of North Carolina, and they have a Columbus office. They manage your system. They don't own or operate. They made inquiries but they don't have capital. The best thing that AQUA is proposing is they have capital. I would defer to Mr. Myser, I don't know if you can slow down an administrative function. **Richard Myser:** According to the City Charter City Council takes action

either through Resolutions or Ordinances passed. I have no Resolution or Ordinances tonight regarding whether the progress or any action what so ever on the water system. This is completely unknown to me Mr. Basil what you wanted to bring up tonight. Now Council can make motions which are nothing more than recommendations or suggestions either to Council or to the City Administration but we can't take any official action tonight. **Perry Basile:** can we vote? **Richard Myser:** If that is what you want to do is make an unofficial recommendation you can do that but that would not be an official action tonight. **Beth Oprisch:** This vote has no official baring on anything. You could have a resolution drawn up. **Jim Velas:** I understand where Perry is coming from but my concern is conversations like we are having happened 25 years ago and they said lets slow down and see what we can do with it and that is what got us into the situation we are in now. All we can do is try to find a solution that is going to make it better. You have to be careful that you don't keep kicking the can down the road. **Perry Basile:** If this has been going on for 30 years what can it hurt to take a small amount of time and instead of privatizing take the things that are screaming at us in our water and sewer and see if we can do those by ourselves. If we take a look at our income and raise the rates a little bit. There are specific areas that need attention drastically but. **Mayor Pugh:** The other variable here is the EPA they are not going to stand for us not fixing the water. The other thing is I want it at a reasonable rate. We just can't continue to do nothing. **Frank Sabatino:** The Times Leader had an article last week that there is a nearby community that has undertaken a water project and I believe they replaced 400 feet of waterline for one to two million, quite expensive. **Mayor Pugh:** If I might say one thing, the other variable here is the EPA. This is all being dictated by the EPA and their regulations and the position we are in right now. It is true that AQUA is the only company in Ohio that will buy and put money into a water system.

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

**Finance Director, Cindi Henry:**

The state has released our Audit. I will have copies at the next meeting.

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

There will be a Board of Zoning Appeals meeting on Thursday, August 15<sup>th</sup> at 6:00 p.m.

The first is a variance for 138 Walnut Avenue. Where they are proposing to build it will be too close to the property line. They want to construct an addition

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:** No Report

**Police, Mark Bukmir:** No Report

**Street North Side, Jim Velas:**

People are happy with the paving

**Street South Side, Beth Oprisch:**  
Happy Pinecrest will be next year

**Safety, Jim Velas:** No Report  
**Building Perry Basile:** No Report

**Fire District, Frank Sabatino:**  
Next meeting will be August 4<sup>th</sup> at 3:00 at the Main Station

**Recreation, Linda Jordan:** Will be discussing fee increases  
**Park District, Linda Jordan:** The final movie night will be August 21<sup>st</sup>. School back pool will only be open on weekends

**Law Director, Richard Myser:**  
I am going to suggest that we go into executive session per Ohio Revised Code Section 121.22 (G) (3) for conference with Legal Counsel to discuss legal matters. A motion to go into executive session was made by Mike Smith and seconded by Jim Velas

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

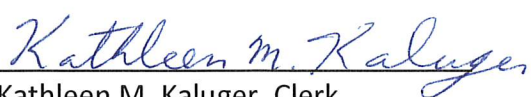
A motion to return to regular session was made by Mike Smith and seconded by Beth Oprisch.


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

**NEW BUSINESS:** Mayor's Report  
The Mayor's collection for July was \$1,975.50.

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

There being no further business to come before Council a motion to adjourn was made by Perry Jones and seconded by Linda Jordan.

  
Kathleen M. Kaluger, Clerk

  
Tim Porter, Council President