

## COUNCIL MINUTES

January 21, 2020

St. Clairsville City Council met in Council Chambers on Tuesday, January 21, 2020 with the following present:

Jim Velas, Council President  
Perry Basile, Council, 1<sup>st</sup> Ward  
Terra Butler, Council, 4<sup>th</sup> Ward  
Linda Jordan, Council-At-Large  
Beth Oprisch, Council-At-Large  
Frank Sabatino, Council 2<sup>nd</sup> Ward  
Mike Smith, Council-At-Large

Kathryn Thalman, Mayor  
Jim Zucal, Public Service/Safety Director  
Mike Troullos, Acting Police Chief  
Tom Murphy, Planning & Zoning Administrator  
Elizabeth Glick, Law Director

The meeting was called to order by Council President Jim Velas. President Velas led Council and attendees in the Pledge of Allegiance. Mr. Velas thanks everyone for coming and asks the Clerk to call the roll.

### ROLL CALL:

Basile Here	Oprisch Here
Butler Here	Sabatino Here
Jordan Here	Smith Here

**Minutes:** President Velas asks if any Council members have questions about the January 6, 2020, minutes. A motion was made by Councilwoman Jordan and seconded by Councilman Smith to approve the minutes of January 6, 2020.

### ROLL CALL:

Basile Yes	Oprisch Yes
Butler Yes	Sabatino Yes
Jordan Yes	Smith Yes

Roll Call Vote:      Six (6) Yes    Zero (0) No    Motion Approved

Council President Velas states that Councilman Mark Bukmir has an excused absence.

**CITIZENS HEARING:** There are no Citizens on the agenda to speak to Council this evening.

### REPORTS:

**Public Service/Safety Director, Jim Zucal:** Mr. Zucal shows Council a photo of the water tank which is fully functional now. DN Tanks has supplied training to the City's employees, and everything is working out quite well. The City has been notified that it did not receive funding through the Ohio Department of Transportation (ODOT) oil and shale traffic-impacted communities grant program for paving a portion of Route 9; while the state only had \$2.5 million available for Southeast Ohio annually, ODOT received requests for \$10 million so communities more impacted than St. Clairsville received the grants. Mr. Zucal thanked City employees for treating the roads during bad weather and getting patching completed. **Councilman Smith** asks

when the old water tank is coming down. Mr. Zucal states that February 5 is the startup date for the new water tank at the Commons; once we know we are secure with the system and the new tank is in place, the contractor will remove the old tank. **Councilman Sabatino** asks if there is any update from the Ohio Environmental Protection Agency (OEPA). Mr. Zucal mentions that the City has received notification of a few violations, and he has spoken with Russell Flagg, the new Interim Chief of the Southeast District Office. **Councilman Sabatino** thanks Mr. Zucal for his service to his Ward and throughout the City, using his knowledge to get things done.

**Mayor, Kathryn Thalman:** Mayor Thalman thanks everyone for attending and for all of their interest and help. She reports that she has been busy, including meeting with the Belmont County Commissioners. Commissioner Josh Meyer and Belmont County Port Authority's Executive Director Larry Merry met with her, along with Jim, earlier today to discuss development at the Commons since the City has invested money in the Commons already; we want to work together to be a part of what is coming to our area. The Police matter has been resolved, based on the recommended measures of two law firms. We hope the Chief will be named by the next Council meeting as it has been advertised. We've got a stellar group of people in the Police Department including the part-time officers (who offered ideas from other communities) when we held individual meetings with the police officers which were positive. Advertising is in place for the positions of Finance Director and Public Service/Safety Director with a deadline of January 27, 2020 for receipt of resumes. We've met with an executive of Aqua regarding an extension of the April 6, 2020 deadline because we are getting ready to pursue the independent engineering study which the citizens wanted. **Councilwoman Jordan** asks about Aqua's possible deadline extension and if the EPA is OK with that. Mayor Thalman states that she has not talked to the OEPA about that yet, but that she will be meeting with Mr. Flagg shortly. The City's request for an extension will allow independent research to be done to explore the option of retaining the City's control of these utilities. **Councilman Sabatino** asks how many people have applied for the two director positions; Mayor Thalman reports 3 candidates for the Public Service/Safety Director, and 2 for the Finance Director. **Councilman Sabatino** asks if the search is being done in accordance with the City Charter, and questions the Public Service/Safety Director wording of "limited oversight of Police operations" and whether the Finance Director is responsible for payroll. **Councilman Sabatino** asks Mayor Thalman if she's received certification for Mayor's Court, and she replies that it is scheduled for February. He also asks if the Council will have a written report on the findings of one officer; Mayor Thalman states a report will be made available to Council, but it will not be made public. Mayor Thalman states she will speak with legal counsel about the report going into the officer's file. **Councilman Sabatino** cites a complaint he received about dogs in the City Building, seeks to learn about any City liability should there be an incident, asks who is responsible if the carpet is soiled and why a sign on the front door about service animals was removed. The City building was built and is funded by the taxpayers; it is not a kennel. **Law Director Elizabeth Glick:** Any liability would be handled on a situation-by-situation basis. **Council President Velas** references earlier incidents when non-service animals were brought into the Council chamber for meetings and once in the Municipal Utilities Office when someone was bit. **Councilman Sabatino** asks the Mayor to get back to him on the posted positions and dog issue.

**Acting Chief, Mike Troullos:** The Police Department is investigating a new Police cruiser through Doan Ford and the special equipment which is needed to outfit it. Mayor Thalman has

posted a position for a police officer because we are one officer short. Acting Chief Troullos reads a summary of the Police Department's Activities in 2019: calls and complaints = 3,597; Special Teams call outs = 2; mutual assists of other agency = 36; accidents = 141; arrests = 1,439; parking tickets issued = 235; traffic citations issued = 205; warnings = 857; domestic calls = 51; alarm drops answered = 147; thefts = 20; burglaries = 10.

**Finance Director, Cindi Henry:** President Velas states that the Finance Director is not attending tonight due to an illness, but she helped today with the appropriations.

**Planning & Zoning Administrator, Tom Murphy:** Mr. Murphy asks Council to approve the Mayor's appointment of Mr. Brewster Martin to the Board of Architectural Review (BAR) after reviewing his resume. Mayor Thalman asks for a motion to approve of the appointment of Mr. Martin. Councilwoman Jordan offers a motion to accept the nomination of Brewster Martin to the BAR; and Councilwoman Oprisch offers a second.

Mr. Murphy fields Council members' questions about the number of members on the BAR, their terms which Mr. Murphy points out are three years per the Board of Architectural Review's guidelines, and whether it looks at long-term City planning. Mr. Murphy clarifies that the City's Planning Commission handles all planning issues whereas the BAR looks at the City's downtown historic district, facades, and signage primarily. Mr. Murphy will follow up with Council on the terms of current BAR members whose names are listed on the City's website. Mr. Murphy states the names of the Planning Committee members also are on the City's website and a reminder that the Planning Commission meets Monday, February 3, at 6:00 P. M.; Council members and residents are welcome to attend.

Mr. Murphy offers an update on his efforts to get information distributed about the census, including having posting it on the City's website now, and asks Council members to help by promoting the census in their wards. Between March 12 and 20, 2020, residents will get a notice which tells them it is time to fill out the questionnaire. This is the first time the census will be conducted online, with assistance provided by U.S. Census Bureau employees who will go door-to-door to help residents unable to complete the task online. He outlines why an accurate count in the census is important to the City.

**ROLL CALL (on the motion to appoint Brewster Martin to the Board of Architectural Review):**

Basile Yes	Oprisch Yes
Butler Yes	Sabatino Yes
Jordan Yes	Smith Yes
Roll Call Vote:	Six (6) Yes    Zero (0) No    Motion Approved

#### **COMMITTEE REPORTS:**

**Finance, Chair Mike Smith:** There is an Ordinance for the appropriations which will be brought up for a vote tonight on an emergency basis since we can't wait until the middle of February to pass it. No questions were directed to the Chair on this topic.

**Utilities, Chair Beth Oprisch:** The first Monday of February (3<sup>rd</sup>) is the next meeting of the Utilities Committee.

**Police, Chair Mark Bukmir:** President Velas states that Mark [Councilman Bukmir] is not here.

**Streets-North, Chair Terra Butler:** No report.

**Streets-South, Chair Beth Oprisch:** No report.

**Safety, Chair Terra Butler:** No report. **Mr. Zucal** adds a reminder that there is a safety meeting tomorrow (Wednesday) at 9 A. M.

**Building & Grounds, Chair Perry Basile:** On Tuesday, members will tour all of the buildings again, including a focus on the walls/stalls in the bathrooms at the Recreation Center. **Mayor Thalman** references the historic train station on Sugar Street and her hope that the City can get grants to restore it. Chair Basile mentions that he has investigated this possibility with Belmont College and Belmont County Tourism in the past and will look again at getting funds. **Mr. Zucal** adds that the former Director of Public Service/Safety, Dennis Bigler, had applied for a grant to restore the train station for education purposes; and he will be glad to help Chair Basile look into it.

**Planning Commission, Chair Frank Sabatino:** The next Planning Commission public hearing is scheduled for February 3, 2020, the first Monday of the month.

**Fire District, Chair Frank Sabatino:** The Chair reports that the Fire Board's reorganization and regular meeting was held. Kathy Kaluger will replace former Richland Township Trustee Greg Reline as the township representative along with Todd Witchey. He praises Tim Hall who has been reappointed as the Fire Chief, and the fiscal officer is Matt King. Chair Sabatino thanks Pat Halloran of Halloran Pizza for his generous donation when the pizza shop closed recently. A new part-time fire fighter is being hired; a vehicle is to be sold in as is condition; and permission was granted to the Fire Chief for specs for a new tire truck to be secured. The Chair states a copy of the 2019 Fire Board Annual Report is available in the Mayor's office, cites the number of calls and that Tuesdays typically are the heaviest call day of each week. Chief Hall wants to let Council know that \$2,000 in donations was received by the Fire District. There is a special (or closed) meeting upcoming to discuss personnel, and the next open meeting of the Fire Board is Wednesday, February 19, 2020 at 3 P. M. Councilwoman Oprisch asked who the City representatives are and whether the openings are advertised. Councilman Frank Sabatino represents the City Council, and Perry Jones is the second City representative. Councilman Sabatino states the positions are advertised when the time comes, and the City representatives' terms are 4-years. Councilwoman Oprisch asks for a copy of the Fire Board's bylaws.

**Recreation, Chair Linda Jordan:** The Chair reports that indoor soccer and roller hockey registration deadlines are approaching, January 25 and the 3<sup>rd</sup> week of February respectively. "Community Day" will be held on Saturday, June 27, 2020. The Recreation Board wants to thank the bantam basketball shirt sponsors: Two Villains Comic Shop, Buckeye Pest Management, and Belmont County Safety Council. The Summer Concert Series begins June 2<sup>nd</sup>

and runs through August 4<sup>th</sup> and will include the Vince Villanova Band, with Hoard and Jones opening the season. **Mayor Thalman** expresses a desire that the concert series be advertised more than in the past. The Chair reports that the next meeting of the Recreation Board is February 17. **President Velas** asks for ages and fees for the programs, and Chair Jordan mentions the information is posted on the website.

**Park District, Chair Linda Jordan:** The Chair thanks Don Smithberger for the City crews' work on the culverts with Richland Township. Memorial Park will be closed in the winter from December 15 to March 15 due to the condition of the roads and no plumbing. The next meeting is February 10.

**ORDINANCES & RESOLUTIONS:**

**Law Director, Elizabeth Glick:** An Executive Session will precede consideration of Resolution Number 2020-2, and this legislation will be handled last tonight.

There was presented and read to Council on its first reading by title only, ORDINANCE NO. 2020-1; **AN ORDINANCE TO MAKE PERMANENT APPROPRIATIONS FOR THE NORMAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ST. CLAIRSVILLE, STATE OF OHIO, FOR THE PERIOD JANUARY 1, 2020 THROUGH DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.** Councilman Basile moved that the rules requiring Ordinances and Resolutions to be read on three separate readings be suspended and declaring an emergency; Councilman Smith seconded the motion.

**ROLL CALL:**

Basile Yes	Oprisch Yes
Butler Yes	Sabatino Yes
Jordan Yes	Smith Yes
Roll Call Vote:	Six (6) Yes    Zero (0) No    Motion Approved

There was presented and read to Council on its third and final reading by title only, ORDINANCE NO. 2020-1. A motion was made by Councilman Smith and seconded by Councilman Basile that Ordinance No. 2020-1 be passed by Council.

**ROLL CALL:**

Basile Yes	Oprisch Yes
Butler Yes	Sabatino Yes
Jordan Yes	Smith Yes
Roll Call Vote:	Six (6) Yes    Zero (0) No    Motion Approved

Ordinance No. 2020-1 was declared adopted.

**Law Director Glick** reminds Council that we are going to skip over Resolution No. 2020-2. This is Resolution No. 2020-3. There is an inadvertent omission from the title, specifically And Declaring An Emergency, which can be corrected.

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2020-3; **A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ST.**

**CLAIRSVILLE, TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT AGREEMENT FOR CONSTRUCTION OF THE NEW RESERVOIR AND DECLARING AN EMERGENCY.**

**Mr. Zucal:** This is the same resolution which we had previously for the supplemental loan for the water tank, but now we need language carrying it over to a new administration. I would appreciate emergency passage. **Councilman Sabatino** asked Mr. Zucal to elaborate on Section 2 of the resolution "That the dedicated source of repayment will be water customer usage charges." Mr. Zucal confirms, yes, that is part of the loan agreement for the supplemental (additional) monies. **Law Director Glick** clarified that the previous measure was Resolution Number 2019-24, which Council adopted on October 7, 2019.

**President Velas:** Since Mr. Zucal has requested that we pass this on an emergency basis, can we have a motion to suspend the rules. Councilman Smith moved that the rules requiring Ordinances and Resolutions to be read on three separate readings be suspended and declaring an emergency; Councilman Basile seconded the motion. President Velas asks for a roll call vote.

**ROLL CALL:**

Basile Yes	Oprisch Yes
Butler Yes	Sabatino Yes
Jordan Yes	Smith Yes
Roll Call Vote:	Six (6) Yes    Zero (0) No    Motion Approved

There was presented and read to Council on its third and final reading by title only, RESOLUTION NO. 2020-3. A motion was made by Councilman Basile, seconded by Councilwoman Jordan that Resolution No. 2020-3 be passed by Council.

**ROLL CALL:**

Basile Yes	Oprisch Yes
Butler Yes	Sabatino Yes
Jordan Yes	Smith Yes
Roll Call Vote:	Six (6) Yes    Zero (0) No    Motion Approved

Resolution No. 2020-3 was declared adopted.

**Council President Velas** states that there is a request to go into Executive Session for a discussion of Resolution No. 2020-2. **Councilman Sabatino** asks if we have to elaborate that it is for personnel? **Law Director Glick** states the reason is for personnel matters.

**Executive Session:**

A motion to go into executive session regarding personnel matters according to Ohio Revised Code 121.22 (G)(1) is made by Councilwoman Oprisch and seconded by Councilwoman Butler.

**ROLL CALL:**

Basile Yes	Oprisch Yes
Butler Yes	Sabatino No
Jordan Yes	Smith Yes
Roll Call Vote:	Five (5) Yes    One (1) No    Motion Approved

**Council President Velas** states Council now is in Executive Session and asks everyone to step out.

**Return to Regular Session:**

A motion was made by Councilwoman Oprisch and seconded by Councilman Basile to return to regular session.

**ROLL CALL:**

Basile Yes	Oprisch Yes
Butler Yes	Sabatino Yes
Jordan Yes	Smith Yes
Roll Call Vote:	Six (6) Yes    Zero (0) No    Motion Approved

There was presented and read to Council on its first reading by title only, RESOLUTION NO. 2020-2; **A RESOLUTION CREATING THE POSITION OF CHIEF OF STAFF/ DIRECTOR OF DEVELOPMENT.** Councilman Basile moved that the rules requiring Ordinances and Resolutions to be read on three separate readings be suspended and declaring an emergency; Councilwoman Oprisch seconded the motion.

**ROLL CALL:**

Basile Yes	Oprisch Yes
Butler Yes	Sabatino No
Jordan No	Smith Yes
Roll Call Vote:	Four (4) Yes    Two (2) No    Motion not agreed to

**Council President Velas** states that the resolution cannot be passed as an emergency on a 4 – 2 vote, so this vote will be considered the first reading of the legislation.

**Law Director Glick** asks if there is any other business.

**Councilman Sabatino:** After three weeks, I am very disappointed in the Mayor for creating and not advertising a new position, after promising when she ran to cut taxes, and here we are creating a new position which will cost the taxpayers anywhere from \$48,500 to \$53,500 a year, plus benefits. The person she has in mind, I question her qualifications, and it would happen to be the Mayor's best friend who is not a city resident.

**Councilman Basile:** I've been here for two years. We've had nothing but dissension in the City except for the new water tank project. It's been a nightmare. We've been fighting back and forth. We've got nothing done. The environment has not been conducive to business and development. I've watched angry business owners on Main Street with nothing good to say. We need a new face on this city. We need to put someone in that position who's going to go out and bring businesses into this city. We don't need a bureaucrat. We need someone with a business background who knows how to get stuff done.

**Councilwoman Oprisch:** Questioning the qualifications of a person does not set well with me. Wanting to be a good steward of the taxpayers' money is absolutely our job. We should question and we should express our opinions, but we also shouldn't disagree just to disagree.

A motion to adjourn is offered by Councilman Sabatino and seconded by Councilman Smith.

The next meeting will be Monday, February 3, 2020 at 7:30 in Council Chambers.

  
Roberta Mertz, Council Clerk

  
Jim Velas, Council President