

**ST. CLAIRSVILLE CITY COUNCIL**  
**May 4, 2020 Meeting**

[Teleconference format in compliance with temporary changes to Ohio's Open Meetings Act]

Jim Velas, Council President  
Perry Basile, Council, 1<sup>st</sup> Ward  
Mark Bukmir, Council, 3<sup>rd</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  
Open, Public Service/Safety Director  
Annette Williams, Finance Director  
Elizabeth Glick, Law Director  
Don Smithberger, Super. of General Services  
Tom Murphy, Planning & Zoning Administrator

The meeting was called to order by Council President Jim Velas at 7:35pm. President Velas led Council in the Pledge of Allegiance and called roll.

**ROLL CALL:**

Basile	HERE	Oprisch	HERE
Bukmir	HERE	Sabatino	Absent
Butler	HERE	Smith	HERE
Jordan	HERE		

Six (6) Present      One (1) Absent

**NEW BUSINESS:**

President Velas stated a Council Clerk needs to be appointed since Roberta Mertz announced last month she would be stepping down from the role. Councilwoman Jordan made a motion to appoint Jason Garczyk as Council Clerk; Councilman Smith seconded the motion.

**ROLL CALL:**

Basile	YES	Oprisch	YES
Bukmir	YES	Sabatino	Absent
Butler	YES	Smith	YES
Jordan	YES		

Roll Call Vote:      Six (6) YES    Zero (0) NO    One (1) Absent      Motion Approved

Mayor Kathryn Thalman stated that St. Clairsville Light & Power was presented with the American Public Power Association Safety Award of Excellence from Washington, D.C. on April 20, 2020 for its outstanding safe operating practices in 2019. The first place award in the utilities category was earned with 9,135 worker hours. More than 335 utilities entered the competition. Utilities were ranked according to worker hours and the most incident-free records per OSHA guidelines.

Don Smithberger stated it would not be possible without a team effort and further stated the workers work hard and are very dedicated.

**MINUTES:**

President Velas confirmed all councilmembers received the minutes from the April 20, 2020 meeting. There were no questions or corrections.

**ST. CLAIRSVILLE CITY COUNCIL**  
**May 4, 2020 Meeting**

Councilman Smith made a motion to approve the minutes from the meeting of April 20, 2020; Councilwoman Butler seconded the motion.

**ROLL CALL:**

Basile	YES	Oprisch	YES
Bukmir	YES	Sabatino	Absent
Butler	YES	Smith	YES
Jordan	YES		

Roll Call Vote:            Six (6) YES    Zero (0) NO    One (1) Absent            Motion Approved

**MAYOR'S UPDATE:**

**Mayor Thalman** stated the deadline to accept or reject the Aqua proposal was today, May 4. All options would be explored before coming to a decision, including a presentation and study by engineer Jeff Vaughn. Mayor Thalman listed the factors that led to her decision-making:

- 1) EPA orders, which fourteen (14) out of sixteen (16) have been completed
- 2) Funding sources including RCAP and OMEGA
- 3) Meetings with Aqua and a presentation to council
- 4) Meetings with county personnel
- 5) Report completed by Jeff Vaughn

After receiving the report by Mr. Vaughn and the proposal from Aqua, the mayor stated she fully believes the city can maintain its own water system and connecting with the county is a viable option. She asked council to consider several points: (1) do councilmembers and their constituents accept that revenue made by Aqua will not stay in our area, (2) do councilmembers and their constituents accept that Aqua will be using contractors and purchasing supplies from outside the local area, (3) as the county seat, St. Clairsville should strive to maintain its own system, and (4) the mayoral election was a referendum on the water issue and that the people do not want to sell the water system. While selling our system may be easy, Mayor Thalman stated it would not be the correct thing to do to serve future generations.

President Velas added that the old Aqua contract could not be voted on since the change in EPA mandates on the city. A renegotiation must take place with Aqua, if council desires. President Velas stated he and Mayor Thalman were on a phone conference with Aqua on Friday and Aqua is interested in renegotiation. Potential changes in the contract were forwarded to council following that meeting. Aqua requested that council vote if they are interested in pursuing renegotiation. President Velas also noted a decision needs to be made quickly so that a solution can be made within the EPA's two year timeframe.

**CORRESPONDENCE:** No correspondence.

**REPORTS:**

**Mayor Thalman** stated Jody Williams accepted a position with a private firm, giving a three weeks' notice. Negotiations with AEP have taken place to find suitable locations for lines to be in non-detrimental places. A press conference regarding the water situation occurred on Thursday to discuss the findings, orders, and progress. The mayor has had discussions with

**ST. CLAIRSVILLE CITY COUNCIL**  
**May 4, 2020 Meeting**

RCAP and OMEGA about funding. Negotiations with the FOP have continued. The mayor has also talked to Thrasher Engineering to assist in funding and grant writing for the pump station should the city partner with the county.

**Police Chief Matt Arbenz** reported that he and Fire Chief Tim Hall would be looking into rewriting language regarding open burning in the city, hoping for an ordinance easier to read and understand.

Councilwoman Oprisch and Councilman Smith asked if enough supplies are on hand and what would be needed. Chief Arbenz said many supplies have been donated, but if needed, the Belmont County Health Department has offered supplies.

**Finance Director Annette Williams** stated income tax revenue is slightly down from last year's numbers. Finance Director Williams also said she will be working with Anita Robinson in the utilities office regarding collections during the pandemic.

**Planning & Zoning Administrator Tom Murphy** reported that renovation and restoration has commenced at 166 East Main Street in the Historic Downtown District. The building's addition will be removed. Mr. Murphy noted this structure was one of the few remaining buildings in the Downtown District that needs restored. Mr. Murphy also stated that work continues on updating the city's GIS mapping.

Councilwoman Jordan added the American flags placed by the St. Clairsville Rotary Club on Route 40 and Route 9 in the city look great. All agreed. President Velas suggested a written thank you to Rotary for their work.

**COMMITTEE REPORTS:**

**Finance Chair Mike Smith** addressed concerns about when mass gathering restrictions would be released and in-person meetings may commence. President Velas opined that teleconference meetings will continue until June.

**Utilities Chair Beth Oprisch** reported no meeting was held due to the mass gathering restrictions. The utilities committee decided past practices will continue for water customers to be permitted to check out pool meters from April through September. Also, water credit will be given to Allen Pool at Memorial Park for their first fill-up consisting of 175,000 gallons. This has been done annually. Councilwoman Jordan stated opening the pool for Memorial Day weekend is doubtful. Utilities Chair Oprisch stated legislation will be voted on this evening to suspend late fees and disconnections of utilities for the month of May. Additionally, the committee intends to review existing ordinances when all can meet in person to see if any changes need to be made. Ms. Robinson stated if anyone has trouble paying their utilities bill to call the office. The utilities office is closed on Memorial Day.

**Police Chair Mark Bukmir:** No report

**Streets – North Side Chair Terra Butler:** No report

**ST. CLAIRSVILLE CITY COUNCIL**  
**May 4, 2020 Meeting**

**Streets – South Side Chair Beth Oprisch:** No report

**Safety Chair Terra Butler** reported no meetings have taken place.

**Building and Grounds Chair Perry Basile** said he would contact Streets – North Side Chair Terra Butler regarding calls he has received.

**Planning Commission Chair Frank Sabatino:** No report due to absence

**Fire Chair Frank Sabatino:** No report due to absence

**Recreation Chair Linda Jordan** reported registration for summer basketball and track can be completed online. Plans are still being made.

**Park District Chair Linda Jordan:** No report.

**ORDINANCES & RESOLUTIONS:**

**Law Director Elizabeth Glick** introduced before Council a resolution authorizing a waiver of the past due penalty assessed on all utility bills for one billing period, May 1, 2020 to May 31, 2020, in response to the COVID-19 crisis and soft opening. It has emergency language.

**RESOLUTION NUMBER 2020-9: A RESOLUTION AUTHORIZING A WAIVER OF DISCONNECT ORDERS AND A WAIVER OF THE PAST DUE PENALTY ASSESSED ON ALL UTILITY BILLS OF ST. CLAIRSVILLE MUNICIPAL UTILITIES FOR THE BILLING PERIOD OF 05/01/2020 TO 05/31/2020, ONLY, AND DECLARING AN EMERGENCY**

A motion was made by Councilwoman Oprisch to suspend the rules and pass the legislation on an emergency basis; seconded by Councilwoman Jordan.

**ROLL CALL:**

Basile	YES	Oprisch	YES
Bukmir	YES	Sabatino	Absent
Butler	YES	Smith	YES
Jordan	YES		

Roll Call Vote:            Six (6) YES    Zero (0) No    One (1) Absent

Rules requiring three readings suspended

A motion was made by Councilwoman Jordan in favor of adopting Resoluion 2020-9. Motion was seconded by Councilwoman Oprisch.

**ROLL CALL:**

Basile	YES	Oprisch	YES
Bukmir	YES	Sabatino	Absent
Butler	YES	Smith	YES
Jordan	YES		

Roll Call Vote:            Six (6) YES    Zero (0) NO    One (1) Absent    Motion Approved

**ST. CLAIRSVILLE CITY COUNCIL**  
**May 4, 2020 Meeting**

**Law Director Elizabeth Glick** brought forth the second matter before council: to determine whether a renegotiation of another contract with Aqua Ohio should take place. Aqua has requested a decision be made. Legal fees would be incurred.

**President Velas** noted the two year timeframe to carry out the EPA mandates and to cease using the reservoirs. Aqua is willing to renegotiate. The last contract was negotiated at under \$33,000. Councilwoman Jordan inquired about the “per your request” printed on the Aqua letter of interest and requested a copy of the initial document sent. Law Director Glick advised that the mayor requested Aqua place the information in writing for council. No written request was given from the city. Councilwoman Jordan further asked about the \$600,000 – \$700,000 of annual purchased water expenses and whether those figures came from the county or Martins Ferry. President Velas stated these were the numbers sent to the city after negotiating on the telephone – the numbers are non-binding and were proposed by Aqua. President Velas also stated Aqua believes that they could purchase water cheaper than the city could and that those figures come from the county. Councilman Basile added that getting water from Martins Ferry would not be possible due to the expenses to running pipe from US 250. President Velas added that per the opinion of Mr. Vaughn, it would cost roughly \$6 million to run a line from Martins Ferry to St. Clairsville; costs would not be near that to redo the station by Rehm Road. Councilwoman Jordan expressed concern that the county would not be able to provide the city enough water currently. President Velas replied that between building the new station and continuing to utilize the county line currently available to the city, more than enough water would be available. President Velas further added that the city may not be losing as much water as previously thought, especially if the city can pinpoint leaks and unmetered facilities. Water loss may be less than 20%. Councilwoman Jordan also inquired about the \$800,000 loan to be used for the Bellview project, noting July is the deadline, and if it would be lost. She also asked if the county would assist should be partner with them. President Velas stated the county would not assist and that the county would only be providing water to the city. The city would have to seek another loan since the funds would not be in place and the loan was to be specifically used for the Bellview project. Money may be available in the future when maintaining the water plant and reservoirs are no longer necessary. As part of the deal, Aqua was going to supply \$500,000 for the project and the city would foot \$300,000. Councilman Basile added that the numbers in Mr. Vaughn’s report included the Bellview project. Councilman Bukmir read from the report: “One of our first priorities would be to renegotiate with the County to reduce the purchased water cost since it is about \$200,000 more than we would expect to pay (based on other contracts we have within the state). Should we be successful, the rate increases below would be reduced to reflect the savings in this expense.” Councilman Bukmir commented that the city should renegotiate with the county for a lower rate. President Velas replied that Aqua believes the bulk water price from the county is high and would attempt to negotiate a lower rate, not only with buying power, but especially with the opportunity to invest capital in the county’s new water plant. The city is not in that position. Councilman Basile noted that the city is not currently a consistent customer, but once tied into the county lines, purchasing water in bulk regularly may bring the purchasing rate down. President Velas agreed. No other questions were asked or comments made.

President Velas asked council if they wished to make a motion to renegotiate another contract with Aqua for the possible purchase of the city’s water system. No motion was made.

**ST. CLAIRSVILLE CITY COUNCIL**  
**May 4, 2020 Meeting**

Law Director Glick advised that Aqua wants formal notice from council regarding their intentions by May 18, 2020 if the city intends to open negotiations again. President Velas asked council if they wished to make a motion not to renegotiate another contract with Aqua. Law Director Glick clarified that an affirmative vote would halt any negotiations with Aqua.

Motion was made by Councilman Basile; seconded by Councilwoman Butler.

**ROLL CALL:**

Basile	YES	Oprisch	YES
Bukmir	YES	Sabatino	Absent
Butler	YES	Smith	YES
Jordan	ABSTAIN		

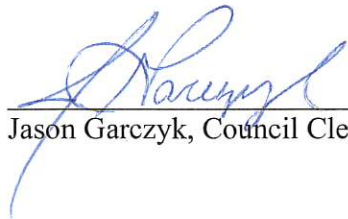
Roll Call Vote:     Five (5) YES     Zero (0) NO     One (1) ABSTAIN     One (1) Absent  
Motion Approved

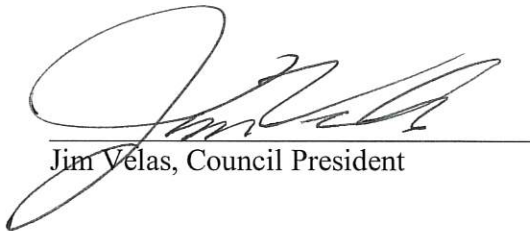
**OLD BUSINESS:** No old business.

**ADJOURNMENT:**

President Velas adjourned the meeting at 8:41pm.

Next meeting will be held Monday, May 18, 2020 at 7:30pm via teleconference.

  
\_\_\_\_\_  
Jason Garczyk, Council Clerk

  
\_\_\_\_\_  
Jim Velas, Council President