

**ST. CLAIRSVILLE CITY COUNCIL**

**December 21, 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  
Jeremy Greenwood, Public Service/Safety Director  
Don Smithberger, Super. of General Services  
Annette Williams, Finance Director  
Matthew Arbenz, Chief of Police  
Tom Murphy, Planning & Zoning Administrator  
Elizabeth Glick, Law Director

The meeting was called to order by Council President Jim Velas at 7:31pm. President Velas led Council in the Pledge of Allegiance. Members of the public were thanked for listening.

**ROLL CALL:**

Basile	HERE	Oprisch	HERE
Bukmir	HERE	Sabatino	HERE
Butler	HERE	Smith	HERE
Jordan	HERE	Seven (7) Present	Zero (0) Absent

**MINUTES:** President Velas confirmed all councilmembers received the minutes from the last meeting. Councilman Basile made a motion to approve the minutes from the December 7, 2020 Council meeting; motion seconded by Councilwoman Jordan.

**ROLL CALL:**

Basile	YES	Oprisch	YES
Bukmir	YES	Sabatino	YES
Butler	YES	Smith	YES
Jordan	YES		
Roll Call Vote:	Seven (7) YES	Zero (0) NO	Minutes Approved

**NEW BUSINESS:** A motion was made by Councilwoman Jordan to appoint Megan Shaw as Clerk of Council effective January 1, 2021; second by Councilwoman Butler.

**ROLL CALL:**

Basile	YES	Oprisch	YES
Bukmir	YES	Sabatino	YES
Butler	YES	Smith	YES
Jordan	YES		
Roll Call Vote:	Seven (7) YES	Zero (0) NO	Motion Carried

Larry Taylor presented before Council regarding the city's natural gas aggregation program with Volunteer Energy Services and requested renewal of the contract. The current agreement expires March 2021; the city has participated for 11 years and has received civic grants for being a participant. Legislation will be prepared for the next meeting; it is requested to be passed by early February, whether emergency or not.

**REPORTS:** Mayor Kathryn Thalman reported she has participated in many meetings including OMEGA and the Municipal League. Contract negotiations have been finalized with AFSCME. The city has spent all allocations received through CARES Act funding; no funds were returned. The mayor also thanked all who helped in the Christmas parade on Saturday including: Band Director Justin Schwertfeger, Sweet Harmony, Director Wayne Berk, Officer Jennifer and Jersey the therapy dog, Jeep Clubs, Fire Chief Tim Hall, Barton Volunteer Fire Department, the Belmont County Sheriff's Department, Officers TJ Weyand, Greg Clark, and TJ

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Stewart, Senior Suites, as well as all the many volunteers and students. Thank you to Whiteside's and Riesbeck's for their donation of snacks. The mayor wished all a Merry Christmas.

Councilman Sabatino asked whether residents are able to participate in the Council meeting through citizens hearing adding three political candidates were allowed to speak on October 5. President Velas said written notice must be submitted to the Council Clerk one business day prior to the Council meeting (4:30pm on Friday for regular Council meetings). Consideration will be given to speaking in person or dialing-in.

**Service/Safety Director Jeremy Greenwood** reported on many meetings he has participated in including with Terry Foster, CTI Engineers, Belmont County EMA for contingency/emergency planning, and the Ohio EPA for securing lead service line replacement funding. Findings and orders are being completed per the request of the Ohio EPA. Mr. Greenwood has been working with Clemans Nelson on several employee policies and ensuring the city is covered. Building projects are still underway as discussed in previous meetings. It is planned to add urinals to the men's restrooms at the city building. Mr. Greenwood discussed the first quarter budget for approval this evening, meetings with department heads, and COVID funding. Appropriations are listed in the legislation and the city is looking to donate some funds to certain organizations. Supplies continue to be received. The AFSCME contract negotiation was passed unanimously by all members last Wednesday. Executive session will discuss this further. Many residents' utilities bills have not been received; all were mailed out December 4. Delays through the USPS are the cause. A Code Red was sent informing residents as well as a notice on the city's website. Residents may call the Utilities Office to know their amount due. Mr. Greenwood suggested Council consider waiving fees for the month of December. A report of the new water tank on Dorothy Place revealed ongoing issues; a meeting with engineers took place last month. The water tank will not function to its intended capacity until the entire Mall Crossings area is developed. The entire system was not used as model prior to the construction due to costs. Complaints about water quality have been received from Senior Suites; samples have been taken – no results yet. An update was received on the recent snowstorm; 75 tons of salt used so far – more being delivered. Residents were reminded not to park on the streets when snow is anticipated. Downtown businesses were asked to shovel snow from the sidewalk to the curb – not into parking spots. Also, residents were told to call the city building if they have any bagged leaves to be picked up. A nurse will be at the city building for rapid testing of city employees on Tuesday around 12pm and Wednesday from 3pm-5pm. City building employees and former Chief Greg Reline were thanked for their donations for the fuel used for the ladder truck during the recent Christmas parade. Mr. Greenwood also clarified that the \$72 monthly fee for emails would be for a total of 10 emails being added – namely for Council.

Councilman Sabatino asked which organizations would be receiving COVID funds from the city. Mr. Greenwood said consideration is being given to the St. Clairsville Food Bank and the two mutual aid fire departments to Cumberland Trail – Barton and Neffs. Councilman Sabatino asked about electric truck activity on Orchard Dr.; Mr. Greenwood would look into it. Councilwoman Jordan clarified her question about the email monthly fee was about the source of funding. Several councilmembers expressed their desire to learn more about the water tank issues.

Mr. Greenwood reported \$96 was collected through donations and given to the fire department for fuel use during the recent Christmas parade after Councilman Basile asked for clarification. It was not known if this had been done in the past. President Velas stated it was a compromise

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between the Fire Chief and the Fire Board. Councilman Sabatino stated Chief Hall said he would drive the firetruck and would pay for the fuel himself if necessary. No one on the Fire Board stipulated the city must pay for the firetruck's fuel.

Discussion about waiving late fees took place. Anita Robinson said Council would need to take action prior to December 30 – when late fees would be applied. Payments are due December 23. Law Director Glick advised Council to pass a motion if it is their desire to waive late fees.

A motion was made by Councilwoman Butler to waive late fees for December's utilities bill due to USPS delays; seconded by Councilwoman Jordan.

**ROLL CALL:**

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

Roll Call Vote:           Seven (7) YES           Zero (0) NO           Motion Carried

**Police Chief Matt Arbenz** was not present.

**Finance Director Annette Williams** said she has been working on COVID funding. Temporary appropriations legislation will need to be passed tonight for the city to operate into 2021.

**Planning & Zoning Administrator Tom Murphy** reported the Board of Zoning Appeals met on December 17 regarding the establishment of a new business – M.A.A.S. Training – at 273 E. Main Street (former St. Clair Animal Hospital). Mr. Murphy met with Dan Garcia, engineer for Bellstores, to discuss the fine-tuning of the project's variances. Owners of the Convenient Food Mart (at former Crosby Oil) submitted a plan to be heard before the Board of Architectural Review on January 4. Much progress has been made on the city's mapping system. Mr. Murphy brought a reappointment to Council's attention.

Mayor Thalman approved and introduced the reappointment of Chris Hudson to the Board of Architectural Review. Motion made by Councilman Basile; seconded by Councilwoman Butler.

**ROLL CALL:**

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

Roll Call Vote:           Seven (7) YES           Zero (0) NO           Motion Carried

**COMMITTEE REPORTS: Finance Chair Mike Smith** reported the committee met prior to tonight's meeting. Councilman Smith recommended the passage of Ordinance No. 2020-37 and Ordinance No. 2020-38. Obtaining quotes was discussed in committee.

**Utilities Chair Beth Oprisch:** No report; policies to be discussed at next meeting.

**Police Chair Mark Bukmir:** No report

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

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

**Safety Chair Terra Butler:** No report

**Building and Grounds Chair Perry Basile:** No report

**Planning Commission Chair Frank Sabatino:** No report

**Fire Chair Frank Sabatino** reported the Fire Board met on December 16 with John Slavik as the newest member of the Board. The Board approved the purchase of a new Chevrolet Silverado from Whiteside's for \$38,676 under the state purchasing bidding pricing. Federal CARES Act funding was received from Richland Township. The Township was also thanked for their donation to the Cumberland Trail Fire District. Upgrading the phone system was approved at \$3,650. Also approved was to allow Heritage Fire Company to modify a pump module on the 2014 fire engine for \$10,000. Purchase of a new fire truck was approved for \$580,963.50. Negotiations with the fire union have commenced. Reorganizational meeting immediately followed the regular meeting. Next meeting: Wednesday, January 13, 2021 at 3pm.

Councilman Sabatino said Clemans Nelson would be conducting the contract negotiations after asked by Councilwoman Oprisch.

**Recreation Chair Linda Jordan:** No report.

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

**EXECUTIVE SESSION** was recommended by Law Director Elizabeth Glick per ORC §121.22 (G)(1) to discuss personnel matters. President Velas reminded residents that they may continue to stay on the line during the Executive Session; public meeting to resume following.

A motion was made by Councilwoman Oprisch to enter Executive Session; seconded by Councilman Basile.

**ROLL CALL:**

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

Roll Call Vote:        Seven (7) YES        Zero (0) NO        Executive session entered 8:36pm

Councilman Basile made a motion to exit Executive Session and resume open Regular Session; seconded by Councilwoman Butler. Regular Session resumed at 9:57pm.

President Velas noted that a special Council meeting will take place Wednesday, December 30 at 7pm to discuss Resolution No. 2020-39 – on its first reading tonight – and future legislation Ordinance No. 2020-40.

**ORDINANCES & RESOLUTIONS:** Law Director Elizabeth Glick addressed the three pieces of legislation before Council.

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A motion was made by Councilman Basile that the rules requiring three separate readings be suspended on Ordinance No. 2020-37 and that the ordinance be passed on an emergency basis; seconded by Councilwoman Oprisch.

**ORDINANCE No. 2020-37: AN ORDINANCE TO MAKE REALLOCATIONS WITHIN THE FUNDS AND SUPPLEMENTAL APPROPRIATIONS TO THE FUNDS 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**

**ROLL CALL:**

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

Roll Call Vote: Seven (7) YES Zero (0) NO Rules requiring three separate readings suspended

Vote to pass Ordinance No. 2020-37:

**ROLL CALL:**

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

Roll Call Vote: Seven (7) YES Zero (0) NO Motion Carried

A motion was made by Councilwoman Basile that the rules requiring three separate readings be suspended on Ordinance No. 2020-38 and that the ordinance be passed on an emergency basis; seconded by Councilwoman Butler.

**ORDINANCE No. 2020-38: AN ORDINANCE TO MAKE TEMPORARY APPROPRIATIONS FOR THE NORMAL EXPENSES AND OTHER EXPENDITURES OF THE CITY OF ST. CLAIRSVILLE, STATE OF OHIO, FOR THE PERIOD JANUARY 1, 2021 THROUGH DECEMBER 31, 2021; AND DECLARING AN EMERGENCY**

**ROLL CALL:**

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

Roll Call Vote: Seven (7) YES Zero (0) NO Rules requiring three separate readings suspended

Vote to pass Ordinance No. 2020-38:

**ROLL CALL:**

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

Roll Call Vote: Seven (7) YES Zero (0) NO Motion Carried

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Resolution No. 2020-39 was read for its first time; no action taken.

**RESOLUTION No. 2020-39:** RESOLUTION APPROVING TENTATIVE AGREEMENT BETWEEN CITY OF ST. CLAIRSVILLE AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, LOCAL 3393 OHIO COUNCIL 8, AFL-CIO; AND DECLARING AN EMERGENCY

**EXECUTIVE SESSION** was recommended by Law Director Elizabeth Glick per ORC §121.22 (G)(3) to discuss pending litigation.

A motion was made by Councilman Basile to enter Executive Session; seconded by Councilwoman Oprisch.

**ROLL CALL:**

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

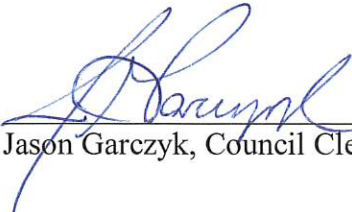
Roll Call Vote:      Six (6) YES      Zero (0) NO      One (1) ABSTAIN

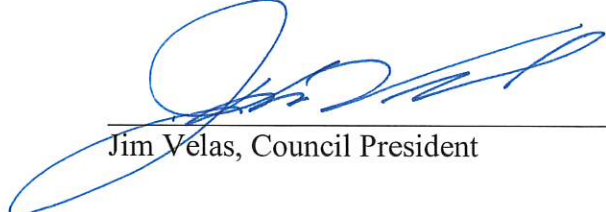
Executive session entered 10:07pm

Councilman Basile made a motion to exit Executive Session and resume open Regular Session; seconded by Councilwoman Oprisch. Regular Session resumed at 10:19pm.

**ADJOURNMENT:** With no further business to come before Council, Councilman Basile made a motion to adjourn. Meeting adjourned at 10:20pm.

A special meeting has been called for Wednesday, December 30, 2020 at 7:00pm via teleconference; regular meeting will be Monday, January 4, 2020 at 7:30pm via teleconference.

  
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Jason Garczyk, Council Clerk

  
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Jim Velas, Council President