

ST. CLAIRSVILLE CITY COUNCIL

March 15, 2021 Meeting

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

Jim Velas, Council President
Perry Basile, Council, 1st Ward
Mark Bukmir, Council, 3rd Ward
Terra Butler, Council, 4th Ward
Linda Jordan, Council-At-Large
Beth Oprisch, Council-At-Large
Frank Sabatino, Council 2nd 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 7:35 pm. 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. A vote was taken to approve the minutes from February 16, 2021.

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 |

MINUTES: President Velas confirmed all councilmembers received the minutes from the last meeting. A vote was taken to approve the minutes from March 1, 2021.

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: Mayor reappoints Lucinda Weisgerber and Jennifer Johnson to the Rec Center board and made a new appointment of Erica Basile.

Lucinda Weisgerber

ROLL CALL:

| | | | |
|-----------------|-------------|-------------|--------------------------------|
| Basile | ABSTAIN | Oprisch | YES |
| Bukmir | YES | Sabatino | YES |
| Butler | YES | Smith | YES |
| Jordan | YES | | |
| Roll Call Vote: | Six (6) YES | Zero (0) NO | One (1) ABSTAIN Motion Carried |

Jennifer Johnson

ST. CLAIRSVILLE CITY COUNCIL
March 15, 2021 Meeting

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 |

Erica Basile

ROLL CALL:

| | | | |
|-----------------|--------------|-------------|----------------------------------|
| Basile | ABSTAIN | Oprisch | YES |
| Bukmir | YES | Sabatino | ABSTAIN |
| Butler | YES | Smith | YES |
| Jordan | ABSTAIN | | |
| Roll Call Vote: | Four (4) YES | Zero (0) NO | Three (3) Abstain Motion Carried |

Councilman Basile asked if Council has an appointment that needs made; Law Director Elizabeth Glick stated Council has 2 appointments and 1 will be up in April. Councilman Basile made a nomination of Lisa Amos for one of the appointments; Councilman Basile said she is active with her children's school district, has experience with public outreach, and in youth activities. Councilwoman Oprisch asked when the appointment is up, do we have 1 or 2 appointments up, and when will Council need to fill the vacancy. Councilman Sabatino asked whose position will be replaced. Mayor Thalman stated both Council appointees, Diane Schubert and Alicia Freeman, expire 4/17/21. Councilwoman Jordan asked why we are changing something that works well, and replacing the Council appointees when they are involved, devoted members. Councilwoman Oprisch asked who Councilwoman Jordan would recommend; Councilwoman Jordan nominates to reappoint Diane Schubert and Alicia Freeman. Law Director Elizabeth Glick recommends having the nomination and vote next Council meeting, April 5th. Councilman Basile requested to vote on Lisa Amos at tonight's Council meeting. Councilman Basile nominated Lisa Amos for the appointment position; seconded by Councilwoman Butler. Councilman Bukmir asked if the two current members are wanting to keep the position on the board. Law Director Elizabeth Glick advised Council to wait until April 5th Council meeting due to there being 2 vacant positions with 3 potential nominations; Councilman Basile withdrew his nomination.

REPORTS: Mayor Kathryn Thalman reports that she had several meetings, including with Councilman Basile regarding ward issues, Law Director regarding several issues, Ms. Williams concerning the 3 revolving loans that were discovered, and a Police committee meeting. Mayor met with Jeff Vaughn to discuss pump station issues and the wastewater plant. Spoke with Darin to discuss preemptive measures for the heavy rains. Officer Greg Clark and the Mayor participated in the food drive and delivered food to elderly and citizens in need; planning on distributing food at the Rec Center periodically in conjunction with the Council of Churches. Mayor thanked Mr. Smithberger and the Street department for their hard and efficient work patching holes from the winter; contact Mr. Greenwood with any potholes that need attention. Mayor attended the Ohio Municipal League meeting [via zoom] which discussed disbursement and guidance on how local government can spend the Covid funding. Mayor attended the East Ohio Regional Hospital Board Meeting on March 10th and it is having a grand opening Memorial Day weekend; they reported that nurses are needed and to apply at East Ohio. Met with Chief

ST. CLAIRSVILLE CITY COUNCIL
March 15, 2021 Meeting

Arbenz regarding the recent drug bust and commend the officer's hard work. The Mayor accepted the invitation to read at the Bible Reading Marathon in April. Mayor will be speaking at 2 Rotary meetings in the next few weeks.

Councilman Sabatino asked if the first Mayor's Court was held; Mayor stated the first Mayor's Court was February 24th but we had no offenders.

Service Safety Director Jeremy Greenwood had several meetings, including with the law director on various projects, Police committee meeting, lawyer regarding a citizen's utility tap, and with Vaughn, Coast & Vaughn regarding wastewater plant issues. Spring cleanup is being scheduled and will have dates for this soon. GIS receiver was order and received the computer for the Leak Detection equipment. Mr. Greenwood is working with the Rec Center and the Master Gardeners on the layout of the Community Garden. Belmont County Soil and Water is looking at finances before continuing with consideration of renting the building on S. Sugar. Projects still in progress: fire department building to Cumberland Trail Fire District, touchless fixtures in the City and Rec Center buildings, and renovating the Train Station. Legislation to hire a Wastewater Superintendent is presented to Council tonight. Wastewater had a blower fan break due to lack of maintenance and will cost approximately \$49,800 to replace. The treatment procedure is being updated; treated 6 months out of the year but have had chlorine and E. coli issues. Mr. Greenwood is still working on updating the Administrative Policies and Procedures. Waiting on funding to be approved on the East End Water Connection. Application has been submitted for the Ohio EPA WSRLA (Water Supply Revolving Loan Account) regarding the Water Distribution System. Health insurance has increased 1.9% from last year. With Covid money the City was able to purchase 2 more AeroClave machines; the City is donating 1 AeroClave machine to St. Clairsville Schools to help disinfect the schools. Continuing with dam repairs. Electric department are doing utility locates, equipment maintenance, service work, and trimming trees. Water/Wastewater is fixing water line breaks and jetting the sewers. Street department has been cleaning catch basins, clearing bike trail, repairing streets and alley, Dura Patching and cold patching, and equipment repairs; trying to find another supplier for emulsion due to the State cutting off sales. Police department is working on youth and elderly programs and training. Mr. Greenwood congratulated Officer Justin Work for his new hire. One employee is out with Covid exposure.

Councilman Basile asked why the State has cut off sales; Mr. Greenwood stated there was not an agreement made for purchasing the emulsion. Mr. Greenwood is trying to get a contact to set up an agreement. Richland Township is also looking to purchase a tank to potentially make the emulsion.

Councilman Sabatino asked the credentials on the newly hired officer; Mr. Greenwood stated Chief Arbenz is going into further detail in his report on the new hire. Councilman Sabatino asked if there are any plans to redo the section of Route 9 off of Woodrow Ave.; Mr. Greenwood stated it is on the list to review with the Street Superintendent, but no plans have been made yet. Councilman Sabatino stated Toni Lane and John Ave. has a soft spot asked what the plans are to fix it; Mr. Greenwood stated he has not seen this area but will review this with the Street Superintendent and will get back with more information.

ST. CLAIRSVILLE CITY COUNCIL
March 15, 2021 Meeting

Police Matt Arbenz reports there were 311 calls, 90 traffic stops, and 16 criminal arrests. Chief Arbenz states the FAA has approved the drone program to operate in Belmont County; Officer Klotz will hold a demonstration for any Council members who are interested. Officially enrolled in ATF's eTrace program and have had our first submission sent in for analysis. The department has had 4 drug arrests in the past two weeks and working on some further investigations. The Dart Range simulator arrived today; once the system has been set up a demonstration will be scheduled for Council. The department has hired a new officer, Justin Work; 8 years' experience in law enforcement, worked at Belmont County Sheriff's office, once a member of Belmont County SWAT team, crisis intervention team, and has many certifications and good recommendations.

Councilman Sabatino stated when the FOP contract was signed, it was stated that the budget is tight and asked what the new hire's salary would be; Chief Arbenz stated he will start out at \$24/hour. Councilman Sabatino asked if this officer will receive benefits; Chief Arbenz stated he will receive the standard medical, eye, dental benefits. Councilman Sabatino asked if the new officer was budgeted in and approved; Chief Arbenz said yes, he was budgeted into 2021 police budget that was passed. Councilwoman Oprisch stated the new hire was promised to the department when the dispatchers were terminated.

Finance Director Annette Williams emailed the February management reports to Council; Council will receive manage reports monthly. Tonight, Council will vote on a Resolution that will allow Ms. Williams to opt-in to a UAN feature that will directly email communications to the Mayor and Council that the Fiscal Officer did not post bank rec affiliation to UAN in approximately 60 days; this was recommended by the State Auditor.

Planning & Zoning Administrator Tom Murphy reports the variance hearing for the Convenient Food Mart Express [188 E. Main] is March 24th at 6 pm at the Rec Center. JP Phillips was issued a demolition permit for the Car Wash [S. Marietta St.]. The utility bill contained the construction permit reminder and Mr. Murphy has received a large number of calls concerning code, applications, and permit requirements. Business is moving to 157 E. Main Street called Lux Boutique that sells women's clothing and accessories. Audrey and Chad Brahler will be establishing a gelato and a sandwich shop [166 E. Main Street]; they will be before the Board of Architectural Review at the April 5th meeting.

COMMITTEE REPORTS:

Finance Chair Mike Smith: At tonight's Finance committee meeting, insurance increased 1.9%. Ms. Williams is preparing information for the State Auditor. Tonight, we have an Ordinance for Council that the State is requiring to reconcile bank accounts in a timely manner.

Utilities Chair Terra Butler: No report.

Police Chair Beth Oprisch: Police committee meeting was March 8th. The budget has been passed for the department. The department hired a new employee, Justin Work; this position was promised to the department after the dispatchers were terminated. Councilwoman Oprisch stated that the department is looking into a new cruiser. Chief Arbenz discussed the new simulator and drone; he will be holding demonstrations for Council on each system. Councilwoman Oprisch updated us on the Juvenile Program; Belmont County Juvenile Court has partnered with the

ST. CLAIRSVILLE CITY COUNCIL
March 15, 2021 Meeting

department to help fund this program and have spoken with other people who always want to help. Councilwoman Oprisch congratulated Officer Greg Clark for employee of the month, to Officer Duplaga for his certification for the SWAT team, and to Officer Yates whose quick efforts saved someone's life. Next committee meeting will be April 12th via teleconference.

Councilman Sabatino asked how many cruisers the department has; Chief Arbenz stated we have 5 cruisers, and the oldest one (Crown Vic, 130,000 miles) does not possess a City or County radio and it will be replaced.

Streets – North Side Chair Perry Basile: No report. Sending a list of streets and sewer issues to Mr. Greenwood.

Streets – South Side Chair Frank Sabatino: No report

Safety Chair Frank Sabatino: No report

Building and Grounds Chair Perry Basile: Councilman Basile states they are still negotiating with Belmont County Soil and Water on renting the building on S. Sugar. There will be roof repairs needed to the Electric department building.

Planning Commission Chair Frank Sabatino: No report

Fire Chair Frank Sabatino: No report. Next meeting March 25th at 3 pm.

Recreation Chair Linda Jordan: No report.

Park District Chair Linda Jordan: Memorial Park is officially open. The Rotary shelter is decreasing in being rented out. Disc golf course is officially finished with 18 baskets.

Councilman Basile asked if the disc golf course was bringing in people; Councilwoman Jordan stated Katie, Park manager, said that more people are coming to play disc golf.

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

RESOLUTION No. 2021-4: A RESOLUTION APPROVING THE SOLID WASTE MANAGEMENT PLAN OF THE JEFFERSON BELMONT REGIONAL SOLID WASTE AUTHORITY 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 | Motion Passed |

Mr. Greenwood stated we pay an outside consultant \$100,000 to come for 4 hours a day to write the EPA report and be on site. Hiring a Superintendent would save the City approximately \$10-

ST. CLAIRSVILLE CITY COUNCIL

March 15, 2021 Meeting

15,000 a year, work full-time, and be available to advise proper management. Councilman Basile asked if the outside consultant has the responsibility to look over the system and make sure it is maintained properly; Mr. Greenwood states the consultant's job is to be the Operator of Record and report to the EPA. The consultant is not allowed to direct our staff and is to only ensure that the City is compliant. Councilman Sabatino asked why we are splitting the water/wastewater superintendent position; Mr. Greenwood stated we do not need a water superintendent because we have a keeper of record, and when we switch to County water we will not be manufacturing water and will no longer need a Water III Certification. Councilman Sabatino asked who the Operator of Record is for water; Mr. Greenwood stated Jeff Mottle, Class III, Water III Certificate. Councilman Sabatino asked what licensed is required for this new position; Mr. Greenwood stated Class II Operator for the sanitary. Councilman Sabatino asked if we have any employees that classify for this position; Mr. Greenwood stated we have in the past, but they left and this is why we hired the outside consultant. Councilman Sabatino asked how many employees we have for Wastewater; Mr. Greenwood stated 4 current employees. Councilman Bukmir asked if this Ordinance needs passed in emergency in order for this position to be advertised; Mr. Greenwood stated it allows him to create the position and advertise for the Wastewater Superintendent. It will be advertised to for 2-3 weeks and then a few weeks to review application and set up interviews. Councilman Bukmir asked if Council will still need to vote on the hiring of the position, the pay, and benefits package for this position; Mr. Greenwood stated yes. Councilwoman Jordan asked who is supposed to look over the equipment and make sure it is maintained properly; Mr. Greenwood said no one is down there to look over it because the outside consultant does not direct our employees. The employees have no guidance at the Wastewater without a Superintendent. Councilwoman Jordan asked if there is a weekly maintenance report; Mr. Greenwood stated no.

A motion was made by Councilman Basile that the rules requiring three separate readings be suspended on Ordinance 2021-5 and that the ordinance be passed on an emergency basis; seconded by Councilwoman Oprisch.

ORDINANCE 2021-5: AN ORDINANCE ABOLISHING THE POSITIONS OF SUPERINTENDENT OF WATER/WASTEWATER PLANT OPERATIONS AND SUPERINTENDENT OF WATER/WASTEWATER DISTRIBUTION AND COLLECTION AND CREATING THE POSITION OF SUPERINTENDENT OF WASTEWATER FOR THE CITY OF ST. CLAIRSVILLE, OHIO AND DECLARING AN EMERGENCY

ROLL CALL:

| | | | |
|--------|-----|----------|-----|
| Basile | YES | Oprisch | YES |
| Bukmir | YES | Sabatino | NO |
| Butler | YES | Smith | YES |
| Jordan | NO | | |

Roll Call Vote: Five (5) YES Two (2) NO Rules requiring three separate readings suspended

Vote to pass Ordinance No. 2021-5:

ROLL CALL:

| | | | |
|--------|-----|---------|-----|
| Basile | YES | Oprisch | YES |
|--------|-----|---------|-----|

ST. CLAIRSVILLE CITY COUNCIL

March 15, 2021 Meeting

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|-----------------|--------------|------------|----------------|
| Bukmir | YES | Sabatino | NO |
| Butler | YES | Smith | YES |
| Jordan | NO | | |
| Roll Call Vote: | Five (5) YES | Two (2) NO | Motion Carried |

A motion was made by Councilwoman Jordan that the rules requiring three separate readings be suspended on Ordinance 2021-6 and that the ordinance be passed on an emergency basis; seconded by Councilwoman Basile.

RESOLUTION NO. 2021-6: A RESOLUTION AUTHORIZING THE FISCAL OFFICER TO OPT-IN TO A UAN FEATURE AS RECOMMENDED BY THE AUDITOR OF STATE OF OHIO 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 Resolution No. 2021-6:

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 |

Executive Session was introduced by Law Director Elizabeth Glick per ORC 121.22 (G)(3).

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

Executive session was entered 8:54 pm.

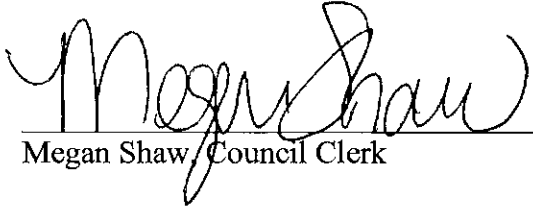
Councilman Basile mad a motion to exit Executive Session and resume open Regular Session; seconded by Councilwoman Oprisch. Regular Session resumed at 9:48 pm.

ST. CLAIRSVILLE CITY COUNCIL
March 15, 2021 Meeting

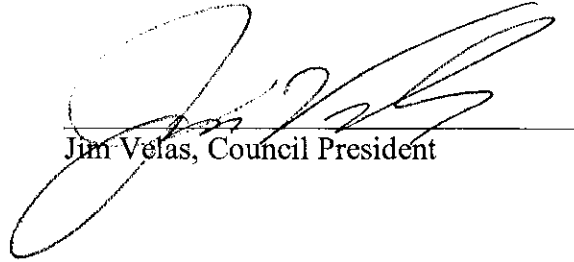
Out of the executive session, Council will not take any further action tonight and this will be looked into further. The Law Director will contact Mr. Shaheen.

ADJOURNMENT: With no further business to come before Council, Councilman Basile made a motion to adjourn; seconded by Councilwoman Oprisch. Meeting adjourned at 9:51 pm.

Next meeting will be Monday, April 5, 2021 at 7:30 pm via teleconference.



Megan Shaw, Council Clerk



Jim Velas, Council President