

**ST. CLAIRSVILLE CITY COUNCIL**

**May 3, 2021 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 7:35 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 April 5<sup>th</sup> Council meeting. Councilman Basile made a motion to approve the minutes from April 5, 2021 Council meeting; motion seconded by Councilman Sabatino.

**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. Councilman Basile made a motion to approve the minutes from April 19, 2021 Council meeting; motion seconded by Councilman Smith.

**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

**REPORTS: Mayor Kathryn Thalman** reports hydrant flushing began on April 19<sup>th</sup> and all hydrants were properly coded for usage. Mayor spoke at noon Rotary to inform them of summer events for the City. The car maintenance class at the Rec Center had approximately 20 attendees, and the Mayor thanked Whiteside's for coming. On May 8-15th the St. Clairsville Musical will be held at the Amphitheater; gate opens at 7 pm and the show starts at 8 pm. Starting May 6<sup>th</sup>, the Chamber of Commerce has arranged food truck Fridays in front of the Courthouse. The Chamber of Commerce has also start 2<sup>nd</sup> Saturday which will have food trucks, entertainment, and sales every second Saturday of the month. The Community Garden will soon be opening and will cost \$30 for a 5x20 plot. Concerts at the Amphitheater will begin June 1<sup>st</sup> and Community Day will be June 26<sup>th</sup>. Mayor's Court was held Wednesday [April 28<sup>th</sup>] with 3 no-shows. Mayor

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and Officer Greg Clark spoke to a group at the Presbyterian Church regarding help looking after the City's elderly. Mayor participated in a Belomar Regional Council teleconference regarding interstate and infrastructure improvements, and noon Rotary meeting that honored John Costine and declared April 27<sup>th</sup> John O. Costine Day. Mayor read the first 6 chapters of Genesis during the annual Bible Reading Marathon and will be participating in the National Day of Prayer on May 6<sup>th</sup>. Mayor commends Mr. Starkey and the Creative Devils for picking up litter at Memorial Park for their Earth Day project. Mayor congratulated Debbie Reed, Rec Center, on her graduation from West Liberty University and for the work she has done at the Rec Center. The Mayor recommends Mike Smith as the City's Rita Board representative.

A motion was made by Councilman Basile to appoint Mike Smith as the City's Rita Board representative; seconded by Councilwoman Butler.

**ROLL CALL:**

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

President Velas stated that all tickets for the school's play must be purchased online [St. Clairsville School's website] prior to the event. No tickets will be sold at the gate.

**Service Safety Director Jeremy Greenwood** reports he participated in several meetings, including American Rescue Plan Web Cast, Belomar board meeting, RCAP Financial Management web cast, Digital Data regarding old email accounts that are being paid for, Workers Comp, Mayor's Court, Insurance Web Cast on minimizing risks, Foster Insurance for police updates, and with the Law Director on various projects. Mr. Greenwood is working on a finalized street paving list. Completed projects include replacing tab feed treatment system at the Wastewater Plant, Spring Cleanup, and flushing of the fire hydrants. The City's Arbor Day celebration will be held May 21<sup>st</sup> and will received our Tree City USA award. Mr. Greenwood reports they will be repairing concrete curbs. Community Garden plots are being assembled [5' Wx20'L- 100 sq ft] and will cost \$30 per plot for the year; contact the Rec Center to reserve a plot. Mr. Greenwood said they are still looking into the RITA board. Mr. Greenwood stated they are still looking at the Inflow and Infiltration Control Plan per Ohio EPA request; looking into doing smoke testing this summer and will send letters to the residents with more details. Building projects that are still in progress, include renting the building [S. Sugar] to Belmont County Soil and Water, the fire department building to Cumberland Trail Fire District, touchless fixtures for the City and Rec Center restrooms, and Utility window awning. Mr. Greenwood reports they are still updating the treatment procedure for wastewater and repairing equipment. Mr. Greenwood stated they are waiting for the new Clemans-Nelson contact person to continue with updating the Administrative Policies and Procedures. The City received the Appalachian Development Program Grant Agreement regarding the East End Water Connection, next Council meeting Mr. Greenwood will have legislation to go out for bids. Mr. Greenwood states they are still looking for additional funding for the Water Distribution System; a pre-application was submitted to the ARC for funding. AFSCME contract is being finalized of typos. Continuing work on dam repairs and splitting the work amongst our departments. Electric department are doing utility locates,

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service work, trimming trees, replacing poles, and linework. Water/Wastewater crews have been reading meters, treatment in process at the main Plant new feed, received quotes on valve replacement, clarifier is up and running, deodorizer is fully functioning, worked on plugged sewer lines, working on beds for West End Package Plant, and started monitoring and treating Water and Wastewater discharge per OEPA requirements. Street crews have been mowing the bike trail, prepping for flower baskets, repairing streets and alleys, and equipment repairs. Rec Center has received \$7,145.00 in grants (\$5,000 from Cause Connector Grant and \$2,145 from Community Foundation for the Ohio Valley), summer league basketball registrations, Car Care Maintenance class had 15 participants, Community Day on June 26<sup>th</sup>, fishing tournament, Red Devil Classic track meet in June, all 10 concerts are booked beginning June 1<sup>st</sup>, and Rec Board voted to start taking reservations. Police department got the damaged cruiser back and officers are continuing with training. Mr. Greenwood reports no employees are out sick. Mr. Greenwood announces May's Employee of the Month is Debbie Reed at the Rec Center. Mr. Greenwood commended Ms. Reed for raising over \$23,145 in grants and donations for the Rec Center.

Councilwoman Jordan asked why the old water tower isn't being taken down; Mr. Greenwood stated it must remain until the new tank is up and operational. Councilwoman Jordan asked if this tank is being operated; Mr. Greenwood state yes, we are trying to use all 3 tanks. Councilwoman Jordan state there were a few evaluations done on the tank and would like copies; Mr. Greenwood stated he has not seen them but will try to find them.

Councilwoman Oprisch asked if there is a list of streets that will be paved; Mr. Greenwood stated yes, although the list is not finalized due to it be coordinated with the water line project. Mr. Greenwood stated the main problem roads will not be paved due to new water lines will be put in.

Councilman Sabatino stated Ordinance 2021-9 was similar to previous legislation when purchasing the Clarendon and asked if this was an update with the present Council; Mr. Greenwood stated yes, this is the first step to identify them as our agent with this potential transaction. Councilman Sabatino asked who was on the CIC Board; Mr. Greenwood stated Richard Myser is the attorney but he is unsure who else serves. Councilman Sabatino asked if Council should be voting on this legislation in emergency tonight without knowing who is on the board; Mr. Greenwood stated this piece of legislation does not need to be voted on tonight. Mr. Greenwood stated it is in emergency language to make it effective immediately after Council votes on it and to be able to move forward with the next step. Mr. Greenwood states he will get the list of the board members to Council.

Fire Chief Hall stated the Fire House was built in 1978 by the City. Chief Hall stated the ownership of the fire building was brought before Council in 2015 by Chief Rice but no action was taken, 2017 Chief Hall and Chief Slavic approached Council regarding ownership and nothing was pursued, and present date Chief Hall is approaching Council regarding the same issue of ownership of the fire building. Covid exploited the main issues of the building, including 1 shower shared by 6-8 employees, small bunk rooms, public bathroom, small kitchen, windows, roof, and no gear room. The Fire department is unable to qualify for any low interest loan or grants due to not owning the fire building which prohibits them from updating the facility. In 2016, the department applied for the State of Ohio Fire Marshal's Revolving Loan potentially

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resulting in \$300,000 but was denied due to non-ownership of the building. Chief Hall invites City Council to tour the building and discuss with him any upgrades that are needed.

Councilwoman Oprisch asked the best way to schedule a tour; Chief Hall stated to call the main fire house line, 740-695-5147. Councilwoman Oprisch asked why Council had not moved forward with this process in 2017 and if there were concerns; Councilman Sabatino stated he cannot recollect why Council did not move forward.

**Police Matt Arbenz** reports there were 336 calls, 79 traffic stops, 13 criminal arrests, 2 domestics, and 5 accidents. Chief Arbenz thanked Councilwoman Jordan for inviting the Police department to participate in the Bible Reading. Chief Arbenz stated that the piece of legislation tonight will allow the department to accept donation to the Juvenile Outreach Program. Chief Arbenz read a letter from a citizen (see attached).

**Finance Director Annette Williams** reports she received an email from the auditors, and they will be beginning the City's audit and will be on site Tuesday-Thursday. Ms. Williams stated the City is to expect the Covid money in May. Ms. Williams stated the legislation will need passed tonight to accept grant money that was awarded to the Police department and Rec Center.

Mr. Hanley stated the Rec Center was awarded \$5,000 from the Cause Connector Grant; applied for different after school program - such as pottery class, home economics, and a painting class. Mr. Hanley stated the second grant [Kenneth R. Davis fund] received was \$2,145 through the Community Foundation for the Ohio Valley; this grant was not applied for but was given to us for youth needs.

**Planning & Zoning Administrator Tom Murphy** states many questions are arising regarding the Census. Mr. Murphy stated rumors have started that the population number have been released and the City has retained its City status, but Mr. Murphy states his official Census contacts state the Municipality numbers will not be released until September 30<sup>th</sup>. On May 20<sup>th</sup> at 3 pm, there will be a Board of Zoning Appeals meeting at the Municipal building with 3 items on the agenda. TJ Stewart and Terra Butler were before the Board of Architectural Review which approved the pick-up window for the Newellstown Diner.

**COMMITTEE REPORTS:**

**Finance Chair Mike Smith:** No report.

**Utilities Chair Terra Butler:** Councilwoman Butler stated at tonight's committee meeting they had a minimum water and sewage charge refund request that was addressed. Councilwoman Butler states Council needs to vote on May's \$50 reconnect fee.

A motion was made by Councilwoman Butler to waive late fees for May's utilities bill; seconded by Councilman Basile.

**ROLL CALL:**

Basile	YES	Oprisch	YES
Bukmir	NO	Sabatino	NO

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Butler	YES	Smith	YES
Jordan	NO		
Roll Call Vote:	Four (4) YES	Three (3) NO	Motion Carried

**Police Chair Beth Oprisch:** No report. Committee will meet May 10<sup>th</sup> at 7 pm via teleconference; Council will have a drone demonstration after the meeting.

**Streets – North Side Chair Perry Basile:** No report.

**Streets – South Side Chair Frank Sabatino:** No report

**Safety Chair Frank Sabatino:** Councilman Sabatino reports there was a safety meeting last week.

**Building and Grounds Chair Perry Basile:** Councilman Basile reports they are trying to form a Building and Grounds meeting. Councilmen Basile, Smith, and Bukmir agreed Tuesday, May 11<sup>th</sup>, at 7 pm via teleconference.

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

**Fire Chair Frank Sabatino:** The board met Wednesday, April 21<sup>st</sup> at 3 pm. Councilman Sabatino reports they discussed personnel and the navigation options to Wheeling Hospital with the road construction. Next meeting is Wednesday, May 19<sup>th</sup>, at 3 pm.

Councilwoman Oprisch asked if the board has discussed the City transferring the building to the Fire District; Councilman Sabatino stated no it has never been brought before the board, but it should be a topic that will be brought before the board in the upcoming meetings. Councilman Sabatino stated Roberta sent the list of CIC Board of Trustee members.

**Recreation Chair Linda Jordan:** Councilwoman Jordan stated her Recreation report has been stated twice by administration and she has nothing to add.

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

Councilwoman Oprisch thanked Councilwoman Jordan for letting her know if the pool will be opening. Councilwoman Oprisch stated the pool will be open this summer for the public.

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

A motion was made by Councilwoman Jordan that the rules requiring three separate readings be suspended on Ordinance 2021-9 and that the ordinance be passed on an emergency basis; seconded by Councilman Basile.

**Ordinance No. 2021-9** AN ORDINANCE DESIGNATING THE COMMUNITY IMPROVEMENT CORPORATION OF BELMONT COUNTY, OHIO AS THE AGENCY FOR THE CITY OF ST. CLAIRSVILLE, OHIO, FOR THE INDUSTRIAL, COMMERCIAL DISTRIBUTION AND RESEARCH DEVELOPMENT PURSUANT TO O.R.C. 1724.10 AND DECLARING AN EMERGENCY

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ROLL CALL:

Basile	YES	Oprisch	NO
Bukmir	YES	Sabatino	YES
Butler	YES	Smith	YES
Jordan	YES		
Roll Call Vote:	Six (6) YES	One (1) NO	Rules requiring three separate readings suspended

Vote to pass Ordinance No. 2021-9:

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 Councilman Basile that the rules requiring three separate readings be suspended on Ordinance 2021-10 and that the ordinance be passed on an emergency basis; seconded by Councilman Smith.

**Ordinance No. 2021-10** AN ORDINANCE TO MAKE SUPPLEMENTAL REVENUE AND 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. 2021-10:

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

**Ordinance No. 2021-11** AMENDING CODIFIED SECTION 337.20 (ORC 4513.22) TO ADD LANGUAGE REGARDING THE USE OF ENGINE BRAKES (JAKE BRAKES) WITHIN THE MUNICIPALITY AND DECLARING AN EMERGENCY

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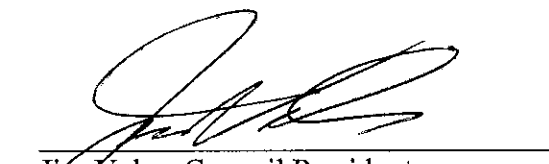
Councilwoman Jordan asked if Council received Mr. Duvall's resume; Mr. Greenwood stated no he did not anticipate this to be passed tonight and was waiting to hear what Council wanted to have before moving forward. Mr. Greenwood stated Mr. Duvall was brought in for an interview that was graded and had an internal meeting, including Mr. Greenwood, Mr. Smithberger, Mayor, and an employee from the wastewater plant. Mr. Greenwood stated he can forward this information to Council. Councilman Oprisch asked if we are paying a contractor now and their salary; Mr. Greenwood stated we paid an outside consultant \$101,495 last year to be the Operator of Record for 4 hours a day for 5 days a week. Mr. Greenwood stated if we hired a full-time superintendent at the salary of the last superintendent plus benefits, it would save the City approximately \$10,000. Councilman Sabatino asked if Mr. Duvall will receive the \$5,000 bonus after being employed for 6 months; Mr. Greenwood stated he does not think it was a \$5,000 bonus but a few thousand after 6 months of supervision and an evaluation. Councilman Sabatino asked if Mr. Duvall is local; Mr. Greenwood stated Mr. Duvall is local and a former employee of the Wastewater plant. Mr. Duvall got his certification for the Operator of Record and was offered the position, but turned in his resignation when the City did not offer him the Operator of Record pay scale but a slight pay raise.

**Resolution No. 2021-12 RESOLUTION HIRING JASON DUVALL AS SUPERINTENDENT OF THE WASTE WATER DEPARTMENT AND DECLARING AN EMERGENCY**

**ADJOURNMENT:** With no further business to come before Council, Councilman Basile made a motion to adjourn; seconded by Councilman Bukmir. Meeting adjourned at 9:08 pm.

Next meeting will be Monday, May 17, 2021 at 7:30 pm. All Councilmembers will be present at the City building for the next meeting. Members of the public will remain via teleconference.

  
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Megan Shaw, Council Clerk

  
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Jim Velas, Council President