

ST. CLAIRSVILLE CITY COUNCIL
May 15, 2023 Meeting

Jim Velas, Council President
Don Vincenzo, Council, 1st Ward
Kristi Lipscomb, Council, 3rd Ward
Terra Butler, Council, 4th Ward
Linda Jordan, Council-At-Large
Beth Oprisch, Council-At-Large
JC Thrash, Council 2nd Ward
Mike Smith, Council-At-Large

Kathryn Thalman, Mayor
Jeremy Greenwood, Public Service/Safety Director
Don Smithberger, Super. of General Services
Annette Whealdon, 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 7:00 pm. President Velas led Council in the Pledge of Allegiance. Members of the public were thanked for their attendance.

ROLL CALL:

Butler	HERE	Smith	HERE
Jordan	HERE	Thrash	HERE
Lipscomb	HERE	Vincenzo	HERE
Oprisch	HERE		
	Seven (7) Present		Zero (0) Absent

President Velas called for a recess at 7:02 pm.

President Velas called the meeting back into order at 7:04 pm. President Velas explained that while the meeting is a Public Hearing, it is a Public Hearing at a City Council Meeting and that a resident of the City, Mr. Brooks, has been banned from City Council Meetings and that during the recess, President Velas had removed Mr. Brooks from the meeting.

MINUTES: President Jim Velas confirmed all Councilmembers received the minutes from the May 1st Council Meeting. Councilwoman Oprisch made a motion to approve the minutes from May 1, 2023, Council Meeting; motion seconded by Councilwoman Lipscomb.

ROLL CALL:

Butler	YES	Smith	YES
Jordan	YES	Thrash	YES
Lipscomb	YES	Vincenzo	YES
Oprisch	YES		

Roll Call Vote: Seven (7) YES Zero (0) NO Zero (0) ABSTAIN Zero (0) ABSENT

PUBLIC HEARING: Mr. Murphy announced that the Public Hearing was for the proposed zoning amendment request petition by ICR Property Management to rezone a 17.5-acre parcel from Office and Institution (OI) to C1 Commercial (C1).

Chris Liebers from ICR Property Management presented the preliminary site plan for a property located on National Road. The property contains 17.56 acres and is currently zoned as OI, but ICR Property Management intends to gain approval for a zoning change to C1. The company aims to construct a Honda Power Sports Dealership and parcel off the land for other commercial or residential applications included in C1. During the meeting, Mr. Liebers addressed concerns

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about traffic and noise illumination, noting that ICR Property Management is committed to working with the City to meet all specifications during the site development phase. He emphasized that ICR Property Management intends to create the highest and best use of the land and location and that approving the zoning change to C1 would help accomplish this while creating growth for the City.

Councilman Smith asked that if the rezoning is approved, what is the timeline for construction? Mr. Liebers stated there would be a lot going into it, and with the finalization of the approval process timeline comes the site development phase, and with that, a lot is contingent on existing utilities and what it will take. Mr. Liebers noted they have the means, equipment, and personnel to do the job. However, it is too preliminary to be able to provide a specific timeline for the construction process.

Councilman Vincenzo asked how much land the Honda Dealership would take up on the 17.56 acres. Mr. Liebers said they plan to build a 20,000-square-foot building with a surrounding parking lot and landscaping at the end of the property facing Route 70. Councilwoman Oprisch asked how many acres the total building and parking lot would take up. Mr. Liebers stated around 2-3 acres.

Councilman Smith asked how many employees would be at the new Dealership Location. Mr. Liebers stated that at their current location in the Ohio Valley Mall, they have nine full-time employees, and if they were to expand, it would be between 15 and 20 total employees.

Mr. Murphy asked if any public members would like to speak to Council; now would be the time to come forward.

Mr. Ron Persutti at 48185 National Road expressed concerns about the possible rezoning change. He noted that the preliminary site plan is subject to change and mentioned that the proposed location for ingress and egress could be better due to the speed limit of 45 miles per hour going down the hill. He asked if a light would be there and whether ODOT would approve the ingress and egress. Mr. Presutti stressed the importance of ODOT approval, as it could drastically change the area's look. He also asked if there would be another meeting about the size and construction of the building once it's built or if it would just go through a committee.

Mr. Murphy addressed the questions raised by Mr. Presutti. Mr. Murphy explained that ODOT controls Route 40, and he has already contacted them. ODOT advised the City that any developer must follow the Highway Access Management Manual. ODOT would be involved during the planning process, and a traffic study would have to be done. ODOT might require the developer to move their access or use a traffic signal. They might also suggest reducing the speed limit. The petitioner would have to follow any plans that ODOT requires. The City also has a site plan review phase before the Planning Commission. Adjacent residents would be notified; it is still a public meeting, not a public hearing.

Mr. Rodney Earliwine, at 48280 National Road, expressed to Council that he disagreed with the proposed zoning change and development because of the possibility of traffic issues and road safety.

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Mr. John Pokas, at 48158 National Road, expressed his disagreement with the proposed zoning change during the council meeting. He argued that the property in question was annexed to the City almost two decades ago with the intention of development and was zoned for office and institutional use to match the desired business types and the area's character. However, the lack of development was due to the original family's refusal to sell the property. With impending developments, the direction is now in the hands of St. Clairsville due to the existing zoning. Changing the zoning would alter the potential path of development. The zoning commission recommended changing the zoning from commercial two to commercial one, citing concerns about non-desirable businesses and the need for a known entity. However, this reasoning is flawed as the proposed business, Honda, has yet to receive approval. Additionally, there is a possibility of non-desirable businesses developing on other acreage. The concerns raised by area residents are also not very substantive due to the lack of information regarding the location of the buildings, the ingress and egress, and the uncertainty of other potential businesses.

Mr. Pokas suggests little evidence in favor of the zoning change proposal. For example, the ingress and egress could be 40 feet up the road. The proposed zone change in St. Clairsville could negatively affect the town's reputation and desirability as a place to live. Allowing non-desirable businesses would be the first domino in turning Route West 40 into even more non-desirable entities. The proposed business is established and likely won't add substantially to St. Clairsville's residential population. Putting undesirable businesses in the area could result in a legacy of the council administration. The City currently has a buffer to control the type of businesses because it is zoned, but the zoning commission voted to give that away.

Mr. Murphy shared some critical points about the property annexed in 2003 and zoned for office and institution use. Despite the goal of developing the property, there has been no progress in the past 20 years. The current developer requests a rezoning to the C1 district due to the property's proximity to Interstate 70 and the interchange. The City aims to be sensitive to nearby residents but ultimately wants to see positive development on the site. The site plan development section is in place to ensure high standards of layout, design, landscaping, and construction. The lack of municipal utilities on the property has made development difficult in the past, but the current owner is willing to construct them. The City sees potential for generating income tax revenue from the property and using it to improve infrastructure. The goal is to create jobs and positively contribute to the City.

Mr. Murphy noted the City Council is likely wondering about the following steps to take regarding rezoning. The planning commission has already recommended the zoning change, so the City Council can adopt the recommendation, deny it, or modify it. If they adopt the recommendation, a simple majority is required, and they would direct staff to draw up the ordinances. However, if they deny or adopt the recommendation with modifications, a three-quarter vote of the member council would be required to proceed.

Councilwoman Oprisch made a motion to adopt the recommendation of the Planning Commission to rezone the 17.56-acre Parcel on the City's westside from OI to C1 Commercial; Councilwoman Jordan seconded the motion.

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ROLL CALL:

Butler	YES	Smith	YES
Jordan	YES	Thrash	YES
Lipscomb	YES	Vincenzo	YES
Oprisch	YES		

Roll Call Vote: Seven (7) YES Zero (0) NO Zero (0) ABSTAIN Zero (0) ABSENT

Motion Carried

NEW BUSINESS: Mayor Thalman asked Council to approve her reappointment of Brewster Martin to the Board of Architecture Review.

Councilwoman Jordan made a motion to approve the Mayor's reappointment of Brewster Martin to the Board of Architecture Review, seconded by Councilwoman Butler.

ROLL CALL:

Butler	YES	Smith	YES
Jordan	YES	Thrash	YES
Lipscomb	YES	Vincenzo	YES
Oprisch	YES		

Roll Call Vote: Seven (7) YES Zero (0) NO Zero (0) ABSTAIN Zero (0) ABSENT

Motion Carried

CITIZEN HEARING: None

CORRESPONDENCE: Sean Douglas wrote a letter to the Council seeking permission to organize a 5K run Walk to benefit his friend Zach Williams, who was diagnosed with liver cancer at age 35. He would like to piggyback the Summerfest occurring at the amphitheater and offer some options to participants, including glow paraphernalia and candle-lit memorial lanterns along the bikeway. The date is Saturday, July 29th, at 7:30 PM. The course starts behind the courthouse, following Market Street to the National Road Bikeway and proceeding to the gazebo, where participants will turn left onto Sunset/Hutchinson Drive, travel past St. Mary's Church up the hill, and cross South Marietta Street, and follow Woodrow to Norris and end at the elementary school.

After deliberation by Council, they chose to table the decision until the next meeting; Mr. Greenwood stated that he could have more information for them.

REPORTS:

Mayor Kathryn Thalman reported that she recently met with Senator Dolan, Ohio's state senator who serves on the Finance Committee, to discuss their visions for the city and state. The Mayor expressed that more funding would always be appreciated. Additionally, the Mayor attended a meeting with Jeremy and

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Roberta to discuss opportunities for planning grants that could benefit the connectivity of the bike trail. They discussed possibly connecting the bike trail from Bridgeport to St. Clairsville and receiving additional funding. The Mayor favors this opportunity if the city does not have to contribute financially.

The Mayor also attended a fundraising spaghetti dinner at the Rec Center for the Glencoe American Legion, which had burned down earlier this year. Officer Greg Clark and Councilwoman Butler were thanked for their help, and the event raised \$21,000 for the Legion. The Mayor expressed her appreciation for the community coming together to support their neighbors in need.

Finally, the Mayor wanted to thank the mall for their senior support day on May 2nd. The event provided information about services offered to senior citizens in St. Clairsville, including nursing homes, and visiting nurse companies. As a senior citizen, the Mayor expressed her gratitude to the organizers and all participants involved.

Service/Safety Director Jeremy Greenwood reported that he provided the requested fuel totals. The water loss was also discussed, and it was found that there were two major breaks. The water loss has dropped to 33%, and efforts are being made to resolve the other issues. The Dorothy Tank has a NOV, a notice of violation, which will be provided to the Council. The tank is being hand-dosed with chlorine to keep the chlorine levels adequate, which is better than not meeting the minimum standards for chlorine. The Federal EPA will be visiting the water plant this week, and if anyone is interested in joining, they can let the City know, Mr. Greenwood noted that Councilwoman Jordan already asked to be present when the EPA is present. St. Clairsville Light and Power received a safety award for excellence for the 28th year in a row; Mr. Greenwood congratulated Donnie Smithberger and the guys for their efforts. Two new guys, Frank Rosado and Mark Thomas have been hired, and classes have been scheduled for them. A new sinkhole has been discovered on Thompson Drive, and efforts are being made to address it. Lastly, the grant the Mayor mentioned may be used for the bike trail project, and efforts are being made to find a solution for the budget.

Police Chief Matt Arbenz [ABSENT] Mr. Greenwood read a report from Chief Arbenz. Chief Arbenz reported no new items required discussion. Chief Arbenz addressed the camera system protocol and expressed his disappointment with the quotes. The cost seemed high, especially with other priority projects in the city. But, since training is being attended to and scheduled by individual officers and mandatory department training, he doesn't see the need to push the issue. Chief Arbenz noted that the equipment is in good shape and the budget is on track. Furthermore, he has received no complaints, and officers continue to make good arrests and work with multiple agencies. Chief Arbenz reported that the only issue the department will face is getting through the summer vacation months and keeping shifts filled with little overtime, but he has managed to work through it every year. Lastly, the hood system has been delivered and is awaiting installation. It will be used to repackage drugs and go through them.

Finance Director Annette Whealdon [ABSENT] No report.

Planning & Zoning Administrator Tom Murphy provided an update on the oil and shale grant program the City applied for. The announcements were initially supposed to be made in mid-April, but unfortunately, they have been delayed. Additionally, Mr. Murphy noted that none of the speakers that commented during the public hearing lived within the city limits, although a

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couple of audience members did. Despite this, the council made a positive and progressive decision for the City, which was the right choice. There has been a lot of negative commentary surrounding the development, but it's important to remain optimistic. Just because development is happening does not mean it will hurt the City. It will have a positive impact. For example, one individual who recently purchased a property in the area stated that they had been approached and knew the area would develop. Mr. Murphy noted that this was a speculative purchase, but it shows that people are already investing in the potential of this development. Overall, the council made a wise decision, and the City should continue to focus on the positive aspects of this development.

COMMITTEE REPORTS:

Finance Chair Don Vincenzo reported that while Finance Director Whealdon is on medical leave, please direct all finance questions to Dana Goletz or Mr. Greenwood. Councilman Vincenzo noted that the Finance Committee met before the Council meeting, discussing revenue and expense and the upcoming Union negotiations.

Utilities Chair Terra Butler No report

Police Chair Mike Smith No report.

Streets – North Side Chair Mike Smith No report.

Streets – South Side Chair JC Thrash No report.

Safety Chair JC Thrash No report.

Buildings and Grounds Chair Beth Oprisch No report.

Planning Commission Chair Kristi Lipscomb thanked Council for diligently reviewing the proposed rezoning plans and ultimately approving the Planning Commission's recommendation.

Fire Chair Linda Jordan No report.

Recreation Chair Kristi Lipscomb reported that the Summer Concert Series starts on Thursday, May 25th, with the Parrots of the Caribbean, a Jimmy Buffett tribute band. Summer League Basketball starts the first week of June. They are complete, with 40 total teams signed up. The next meeting is this Thursday, May 18th, at 4:30 PM at the rec center.

Park District Chair Linda Jordan reported that the Memorial Day weekend opening is on schedule. The discounted pool passes will be on sale through Memorial Day weekend. After that, the prices will increase to their regular price. The next meeting is Monday, May 22nd, at the park Rotary Pavilion at 4:30 PM.

ORDINANCES & RESOLUTIONS: Law Director Elizabeth Glick

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FIRST READING

Ordinance No. 2023-14 - 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, 2023 THROUGH DECEMBER 31, 2023 AND DECLARING AN EMERGENCY.

A motion was made by Councilman Thrash that the rules requiring three separate readings be suspended on Ordinance No. 2023-14 and that the Ordinance, be passed on an emergency basis; seconded by Councilman Smith.

ROLL CALL:

Butler	YES	Smith	YES
Jordan	YES	Thrash	YES
Lipscomb	YES	Vincenzo	YES
Oprisch	YES		

Roll Call Vote: Seven (7) YES Zero (0) NO Zero (0) ABSTAIN Zero (0) ABSENT

Councilman Thrash made a motion to approve Ordinance No. 2023-14, the motion was seconded by Councilwoman Lipscomb

ROLL CALL:

Butler	YES	Smith	YES
Jordan	YES	Thrash	YES
Lipscomb	YES	Vincenzo	YES
Oprisch	YES		

Roll Call Vote: Seven (7) YES Zero (0) NO Zero (0) ABSTAIN Zero (0) ABSENT

Motion Carried

Ordinance No. 2023-15 - AN ORDINANCE AMENDING SECTION 925.01(b) TO ESTABLISH WATER RATES EFFECTIVE AT THE EARLIEST DATE DETERMINED BY LAW

Ordinance No. 2023-16 - AN ORDINANCE AMENDING SECTION 933.02 TO ESTABLISH SEWER RATES EFFECTIVE AT THE EARLIEST DATE DETERMINED BY LAW

ADJOURNMENT: With no further business to come before Council, Councilwoman Lipscomb made a motion to adjourn; seconded by Councilwoman Jordan. The meeting was adjourned at 8:52 P.M.

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The next meeting will be Monday, June 5, 2023, at 7:00 P.M. All Councilmembers will be present at the City Building for the next meeting. Members of the public are encouraged to attend the meeting in the Council Chambers.


Jacob DeBertrand, Council Clerk


Jim Velas, Council President

Beth Oprisch
President Pro Tem
of Council