

MINUTES OF COUNCIL MEETING
January 8, 2019

The Regular Meeting of City Council was called to order at 7:30 p.m. with Mayor Barilla presiding. The meeting was opened with the Pledge of Allegiance followed by Roll Call.

Present were Councilmen Paul, Petrella, Villamagna, DiLoreto, Dressel, & Hahn.

Mr. Paul made a motion to excuse Mr. Timmons from tonight's meeting. Second by Mr. Petrella. Roll Call. All ayes. So moved motion carried declared Mayor Barilla.

Also present; City Manager Jim Mavromatis, Law Director Costa Mastros, Police Chief Bill McCafferty, Finance Director Dave Lewis, Utility Supervisor Lisa Knight, Wastewater Superintendent Chuck Murphy, Engineering Director Mike Dolak, Assistant Fire Chief Chris Allen, Urban Projects Director Chris Petrossi, Water Superintendent Jim Jenkins, Sanitation Director Bob Baird, Parks and Recreation Director Lori Fetherolf, & Linda Harris from the Herald Star.

APPROVAL/CORRECTION OF MINUTES

Minutes were approved by Mrs. Hahn for December 18, 2018. Second by Mr. Petrella. Roll Call. All ayes. So moved minutes accepted declared Mayor Barilla.

PETITIONS/COMMUNICATIONS

Mayor Barilla – "Petitions and Communications Madame Clerk?"

Mrs. Haley – "Nothing this evening."

Mayor Barilla – "Thank you Madam Clerk."

ORDINANCES AND RESOLUTIONS

Mayor Barilla – "On tonight's agenda we do not have any ordinances or resolutions before tonight's council meeting. So before we move forward I'd like to take this moment to officially apologize to Mr. Villamagna for the words I spoke to him at the last council meeting. It was inappropriate and unprofessional as Mayor. I apologize to you Mr. Villamagna and I must always remember not to let my emotions get the best of me. I have on my desk a quote by a fellow by the name of Mark Twain; it says kindness; kindness is the language the deaf can hear and the blind can see. So I apologize to you."

Mr. Villamagna – "Listen arguments happen all the time. I argue with my wife so."

Mayor Barilla – "Thank you."

Mr. Villamagna – "And I love her."

Mayor Barilla – "Thank you. Thank you. Alright now we have a joyest time this evening because we have awards to present to those residents that have decorated their homes. I want to tell you this was my first year in doing so and there's a lot of you out there that have done a beautiful job in decorating for Christmas. It was extremely hard to pick one winner in each category but we did the best we can so we're going to start off with; Kimberly (he meant Karly) you want to start off with (inaudible)."

Mrs. Haley – "Okay. The first ward winner is 709 Oakmont Ave. Alice Gilbert."

Mr. DiLoreto – "Thank you very much for your time and effort to keep the south end beautiful. It's tough and I appreciate your time and effort (all inaudible). I go pass there."

Alice Gilbert – "Thank you."

Mr. DiLoreto – "Thank you."

Mrs. Haley – "Second ward winner is at 424 Linduff Ave. Ricky Lorenzi."

Mr. Petrella – "Congratulations on doing a wonderful job on your house and you're a good representative for the City."

Ricky Lorenzi – "(Inaudible) for next year."

Mrs. Haley – "Third ward is at 905 Granard Parkway Charles Joyce."

Charles Joyce – "Since Mr. Timmons is not here now what do I do?"

Mr. Dressel – "(All inaudible) Eric but (all inaudible) with what you did."

Charles Joyce – "Thank you so much."

Mrs. Haley – "Fourth Ward at 419 Logan St. Bill and Mollie McGovern. Not here? Fifth ward is at 3109 Portland Blvd. John Bryan."

Mr. Paul – "(All inaudible from clapping) you guys did a nice job. Thank you and your father did a great job too."

Mrs. Haley – "Sixth ward at 84 Cara Place David Mosti. Not here? Okay for the most original display will be at 310 Braybarton Blvd. Andrew Standardi."

Mr. Mavromatis – "(All inaudible.)"

Andrew Standardi – "(All inaudible)"

Mr. Mavromatis – "Thank you sir."

Mrs. Haley – “Most outstanding lights at 576 Lovers Lane Shannon Starr. Best theme at 156 Yale Place Christine Ippolito. Mayor’s Award 209 Opal Blvd. Mike Bauman. Okay and the grand prize is 104 Whitehall Place Eric Balzano. That’s it.”

Mayor Barilla – “Well thank you all of you. It was a pleasure looking at all of your homes. If you wish those of you that have received these awards wish to leave at this time your (inaudible) to do so. Also before we continue I would like to recognize Pastor Freeman in the audience. Before you leave; Pastor Freeman is the new minister at the First Christian Church on North 4th Street. He was installed this past Sunday. I was privileged to be there in attendance and it was a very powerful sermon that you gave. I hope that you’ll have great success there on 4th Street and I’m happy that you’re back in Steubenville.”

Nate Freeman – “I’m going to continue to be a gift to the city (inaudible).”

Mayor Barilla – “Thank you. Thank you.”

REPORT OF COMMITTEES

Mr. Paul – “Yes sir. There’s one under finance. It’s an ordinance authorizing and directing the approval of expenditures without a purchase order over \$3,000.00 pursuant to Ohio Revised Code section 5705.41. Now therefore be it ordained by the Council of the City of Steubenville, County of Jefferson, and State of Ohio. That’s anything over 3000; anything over \$3,000 that we do month to month and I’m pretty sure that’s all I have. That’s all I see.”

Mrs. Hahn – “Excuse me Willie? Have you set the Finance Committee meeting for the month?”

Mr. Paul – “No I haven’t. I’m done.”

Mr. Petrella – No report

Mr. Villamagna – “Yes Mayor. I have five ordinances here that I; I receive calls about the coyote problem. There’s definitely a problem especially in the west end around the wooded areas. I was personally attacked myself with the dog; while I was walking the dog but he didn’t get to me but he wasn’t very scared. I mean he was and I got several calls so I tried to contact the Ohio Department of Natural Resources and I got a recording and they didn’t call me back yet. But there’s a list and it’s probably a good thing to have in the paper; there’s a list of nuisance trappers they call them; they’ll pay people to come and they’ll trap the coyotes because they’re not going anywhere. Each female can have five pups so they’re here to stay and the City can’t trap them and the Dog Warden for the County is in the same situation it’s an ongoing problem so if we can get that out to the public that there is nuisance trappers and I waited for them to call me back. They didn’t call me back so I don’t have the information actually from them but I went to the website and its called nuisance trapping. And the other thing is Jim the phones here; I never had no problem with them but now Verizon when I call in it won’t let me go to the number I’m calling. If I dial an extension; if I dial the clerk of council extension it just takes me right back to the main menu.”

Mr. Mavromatis – “Okay.”

Mr. Villamagna – “And whatever extension I call it won’t go through on any of them with a Verizon phone so I have to use my home phone which that’s a problem.”

Mr. Mastros – “I have that same problem. I have AT&T. Sometimes it works sometimes it doesn’t.”

Mr. Villamagna – “Yeah. Its hit and miss and most of the time when I see stuff I’m in my car so I got to wait until I get home to call because I don’t know what the problem is there.”

Unknown – “Alright.”

Mr. Mavromatis – “You can call the direct number; the 6000 number then when you try to punch in your 4 digit (all inaudible).”

Mr. Villamagna – “Nothing. It won’t go to the main desk. It won’t go anywhere.”

Mr. Mavromatis – “Okay.”

Mr. Villamagna – “So I have to hang up and I have to use my house phone.”

Mr. Mavromatis – “Okay.”

Mr. Villamagna – “To do it. The other thing which I’m really glad; I was a little bit leery; I didn’t think we were going to get it; the building inspector and the electrical inspector. They made the appropriations to hire him last night so he’s going to start on January 30th which is huge; huge because from what I understand about the guy he comes highly qualified which I didn’t think we would get anybody for that price but we did so kudos to that. Okay and I have; well in reference to that; there’s well; there’s four ordinances I have to sunshine. One is an ordinance authorizing advertising for bids for the F.Y. 2019 CDBG Street Improvement Program. Number 2 is an ordinance authorizing advertising for bids for the CDBG Martin Luther King Jr. Recreation center roof replacement project. Three is an ordinance authorizing advertising an RFQ for 2019 CHIP program consultant services and the fourth one an ordinance adopting electrical inspection fees. The fees will be the same but right now we do them by contract with this company out of town. So we’ll have to change that ordinance to read per city. You know what I mean? It will reflect and that one there I’m sun shining as an emergency because we already cancelled the contract with the contractor so. You know what I’m talking about?”

Mr. Mastros – “Yes.”

Mr. Villamagna – “And then the last one is I want to bring up an ordinance to amend public forum 111.25 section B to read sign up Monday by 2:00 p.m. for Tuesday meeting and allow the public to speak on Tuesday night on anything (inaudible) the Council has talked at; at the meeting.” Second by Mr. Paul. “Thank you that’s

all I had Mayor.”

Mr. DiLoreto – “You going to take a vote on that? No? Yeah a few things. Two short things. An ordinance authorizing and directing the City Manager to advertise for professional engineering services for the City of Steubenville water and wastewater capital improvement projects, subject to the right to reject any and all proposals, authorizing the City Manager to enter into a contract with the most qualified engineering consulting firms, authorizing payment therefore. The projects include but are not limited to: 1. West end water tower upgrades. 2. Water filtration plant pump upgrades. 3. Waterline upgrades. 4. Wastewater treatment plant backup generator. 5. Sewer asset management plan and finally 6. Sewer line upgrades. And I’d like to; last week I read a little article in the paper from the Chamber (all inaudible); urgent to get business and this is a positive letter to everyone. Not only did we have a lot of problems last month that I think was necessary and unnecessary (all inaudible). Statement is short. The statement here it says; I want to expand on the Chambers and your interest in business. I would like to recommend the coalition of the Chamber, Port Authority, and SRG to form a coalition of outside interest to come in and inspect all the commercial buildings in the downtown areas from Lincoln to Tweed to the bridge in the North end including the vacant lot on Route 7, the old paper mill, and others from 3rd Street to 9th Street. I want to recommend an unbiased opinion of the buildings which can be saved for future development and those that must be demolished. If a variance is given a time limit must be placed on those buildings and not 50 years. Council is made up of seven members part-time. Four of these members are full time employees. We’re part-time legislators. It seems like every problem we get in town comes to the council members. We have organizations such as I mentioned who are more qualified to make these decisions in regarding to building codes. Most employees work fulltime with the County or the State and command a salary pro-rated in the high figures or low 6 figures. The Port Authority has a list of all the empty buildings. (All inaudible) members to come down here one evening point them all out so that’s a great start. So we want to start working together and getting this town straighten out. There’s too much confusion. Too much criticism. Too much negativism and everybody got to work together. Not everybody’s right and not everybody’s wrong. So we’re going to stop it and we’re going to get people involved for the better of the city. An individual has done a great job. He’s probably the greatest thing since (inaudible) Sinclair and George; and all other people back in the 50s and that meeting I think is the 23rd of January. Doctor and Council has all been invited and I’ll be there and we want positive influence no negative stuff. Thank you.”

Mr. Villamagna – “Mayor I forgot to mention about the; because when he brought that up I remembered. The planning committee meeting and the economic development committee meeting for next week.”

Mayor Barilla – “6:00.”

Mr. Villamagna – “Yeah.”

Mr. Dressel – No report

Mrs. Hahn – “Yes and I’m not sure; I wasn’t prepared for Mr. Villamagna to make his statement about the public forum. I wanted to move to sunshine an ordinance repealing the public forum ordinance 2017-88 so that public forum would revert back to the charter article 2 section 8 subsection B quote; Council shall provide any person or group at least five minutes before the adjournment to speak on any matter pertinent to City affairs. That was an experiment that we talked about lasting for six months. It lasted a year. I think it’s somewhat ownerist for people to have to call and reach Karly and get on the list and I would like to see us revert back to our normal public forum and as long as it’s pertinent to the city. So I don’t know how do we proceed? (All inaudible).”

Mr. Mastros – “You can do both because if yours prevails then Mr. Villamagna even if it does prevail as well it will be gone. So both can proceed.”

Mrs. Hahn – “To a first reading?”

Mr. Mastros – “Sure.”

Mr. Petrella – “Costa. What happens if both of them prevail?”

Mr. Mastros – “(All inaudible from laughter) because it will; if Mrs. Hahn’s prevails it repeals the ordinance in its entirety.”

Mr. Petrella – “Okay?”

Mr. Mastros – “Even the amendment. That’s all void. Void is a matter of law.”

Mr. Petrella – “So if…”

Mr. Mastros – “If Mrs. Hahn’s prevails then whether the amendment would prevail or not is void. It’s a matter of law.”

Unknown – “What’s the difference?”

Mr. DiLoreto – “How about Mr. Villamagna? How’s his come in?”

Mr. Mastros – “It will be void. It’s a matter of law because the whole ordinance was repealed.”

Mr. Villamagna – “Oh okay. You’re saying; okay.”

Mr. Mastros – “She’s moving to rescind the whole ordinance.”

Mr. Villamagna – “I understand.”

Mayor Barilla – “Okay. Thank you Mrs. Hahn.”

Mr. Villamagna – “Mayor?”

Mayor Barilla – “Yes?”

Mr. Villamagna – “Is there a second on that? Is there a second.”

Mr. Dressel – “I second. I’ll second it.”

REPORT OF ADMINISTRATIVE OFFICERS

Mr. Mavromatis – No report

Mr. Paul – “I have a question I forgot to bring it up. Christmas trees; when are they going to pick them up? People have them sitting out at the curb (all inaudible from coughing) do this. They can’t fit into the garbage can I’m sorry. I’ll stand.”

Mr. Mavromatis – “You want to comment on this Bob?”

Bob Baird – “Yeah we’re instructing people to put them out with their garbage. The automated trucks obviously can’t pick them up.”

Mr. Paul – “Right.”

Bob Baird – “But we’re picking them up subsequent to the normal trash pickup. We’re picking up the trees on the route with the…”

Mr. Paul – “Usual pickup?”

Bob Baird – “So the bottom line is if residents have Christmas trees they’d like to get rid of simply place them at the curb with their regular garbage then (inaudible) be able to pick them up. Now the only (inaudible) is they may see a truck go by and empty the garbage and not take the trash don’t be alarmed we’ll (inaudible).”

Mr. Paul – “(Inaudible) don’t take the tree yeah.”

Bob Baird – “I’m sorry. Thank you. Not take the tree don’t be alarmed. We may be picking it up with a different truck.”

Mr. Paul – “Okay.”

Bob Baird – “So just place it out at the curb (all inaudible).”

Mr. Paul – “Okay. Being as windy as it is tonight; (inaudible) about ready; figure when I go home I’ll see a couple in the roadway. I just wanted to know because I was asked that question. Thank you.”

Mrs. Hahn – “Question for the City Manager. Could you give us an update; in the newspaper article it said that we were still hoping for this Ohio EPA loan; half forgiveness half at zero percent interest and I guess I thought that was already settled. So could you give us some update on where we are with Ohio EPA and kind of what deadlines are we working toward…”

Mr. Mavromatis – “Okay. We’ll have Mr. Murphy answer that (all inaudible).”

Mrs. Hahn – “Thank you.”

Jim Jenkins – “Right now just to give you an update on the valve project the loan funding principal forgiveness is currently with the Ohio EPA right now. We just received the agreements today. We’ll get those to Costa and Mr. Mavromatis for signature and review and another update is the \$10,000 ARC or Asset Management Plan grant for \$10,000; I just received that prior to coming to this meeting so those forms will also go to Mr. Mavromatis and Costa for review and signature but everything is progressing and I mean; we’re anticipating receiving the principal forgiveness loan. It hasn’t occurred yet so we can’t say we’re 100% but we’re 99.9% sure we’re getting it so. Alright?”

Mrs. Hahn – “Thank you and how about the application for the sewer side?”

Chuck Murphy – “As far as the sewer side it’s still progressing (all inaudible) and those in communication with our engineering firm HDR dealing with the sewer projects and we’re going to be having a conference call with (all inaudible) engineers more actively involved (inaudible) side to go ahead and try to (inaudible) a few things (all inaudible) project because we had the issue with PA project on the; with the; podcast when we (all inaudible) flows. So we can be prepared to go ahead and have a conversation with Ohio EPA regarding that matter and where our next steps forward are from this point moving forward. (All inaudible) as far as the second variation that’s still proceeding forward. I’m in the process of reviewing documentation on; on that project. It was provided to me by our engineering firm and basically in planning on going out and doing some site visits; looking at (inaudible) (all inaudible) project (all inaudible); if it is going to really function in our particular application (all inaudible from noise) now but also looking towards the future.”

Mrs. Hahn – “Are we still undecided whether or not the study is going to have to be extended and whether or not we need to buy those diffusors or can you catch me up on that? Are we on that second? Do we have to do that second study?”

Chuck Murphy – “We’re going to have to do the second study on the secondary treatment bypass in it of itself is basically the last conversation (inaudible) Ohio EPA in order of that matter. As far as things are concerned the only thing that isn’t clear; that’s one of the things I spoke to our engineer about and wanted to go ahead and have communication with Ohio EPA on this whether or not we can go ahead and proceed with the final (inaudible) portion of things since that information is there. But until we go ahead and get the results back from the contract lab regarding the results of that particular study we can’t go ahead and actually have that conversation. So we’re still waiting on those to come back as far as things are concerned from (all inaudible).”

Mrs. Hahn – “(Inaudible) thank you.”

Mr. Mastros – “Thank you Mr. Mayor. A few things tonight. Few months ago we introduced legislation to sell our old water meters. We did receive bids. We received three bids. I’m going to have Mr. Jenkins brief you on what we believe to be the best bid and then we’ll need to take some action after that.”

Jim Jenkins – “Thanks Costa. Previously in your council packs you received three bids for the sale of the meters. Two bids were in; one was around the \$2.94 range; the other one was around \$2.50 some cent range. The highest bidder we received was \$3.07 per meter so that’s what Complete Meter. I’m recommending that we accept that; that bid. Right now the numbers that we are using as the seventy- one hundred and forty-five meters that were replaced. So during the project when you all replaced old meters you replaced 7,145 meters and at \$3.07 per meter that gets you right around \$22,000 for just the meters. Complete Meter also added an additional

pricing there for the register itself that sits on top of the meter that registers your water usage. So for every register that can be recalibrated we're going to receive an extra \$1.35 per register so that could be an additional 9600 bucks. So we're looking over \$30,000 to receive for these old meters. The other hitch in this we're using 7,145 meters to figure up our lowest price that we will receive. We also have several; could be a thousand it could be two thousand it could be three thousand meters we're not 100% sure of the old filtration plank. Those meters are also part of this package and we will be counting them whenever they pick up the other ones (all inaudible). So that price can only increase of what we're going to receive so..."

Mr. Mastros – "What was the name of the company?"

Jim Jenkins – "Complete Meters."

Mr. Paul – "its right here."

Mr. Mastros – "Thank you sir."

Mr. Paul – "(Inaudible) motion?"

Mr. Mastros – "Yeah."

Mr. Paul – "Okay. Yes you're Honor. I would like to make a motion that we accept Complete Meters bid for the cost of the meters recommended by Mr. Jenkins over there." Second by Mr. Dressel. Roll Call. All ayes. So moved motion carried declared Mayor Barilla.

Mr. Mastros – "So what will happen is I'll prepare; pursuant the statue I'll prepare an agreement that has to be signed by Mr. Mavromatis and then we'll start that process for (inaudible) Complete Meter; go down and begin the process of counting and receiving the meters. And I'll request that Council goes in executive; a short executive session after this. I communicated all; I communicated with you all last week regarding on pending litigation that we have. I'd like to discuss it briefly."

Mayor Barilla – "Okay. We want to do that..."

Mr. Mastros – "I'm going to need; at the end of the meeting."

Mayor Barilla – "Okay."

Mr. Mastros – "I'm going to need someone to move to go into; make that motion."

Mr. Petrella – "You're Honor?"

Mayor Barilla – "Yes Mr. Petrella."

Mr. Petrella made a motion to go into executive session following public forum to discuss pending litigation. Second by Mr. DiLoreto. Roll Call. All ayes. So moved motion carried declared Mayor Barilla.

Mr. Petrella – "You're Honor?"

Mayor Barilla – "Yes?"

Mr. Petrella – "I have a couple questions for Jim. One of the questions is on the garbage cans that we asked to be purchased for the hilltops. Where do we stand on that project please?"

Bob Baird – "We expect them shortly. I don't have a delivery date but we should have them shortly."

Mr. Petrella – "Okay and one other item. Has the contractor finished their project down at the M & R Building?"

Bob Baird – "(All inaudible)"

Mr. Mavromatis – "(Inaudible) the bathrooms?"

Mr. Petrella – "No I want the restrooms; the heat; whatever the contractor is doing."

Bob Baird – "Well there's a couple projects and a couple different contractors. So the heat at the sanitation garage was completed some time ago."

Mr. Petrella – "What's that?"

Bob Baird – "The bathroom is back together and functional. We still have some other work to do. I briefed the City Manager we ran into an asbestos (inaudible) issue and it happened right around the holidays so we resolved that; the work will resume; they'll abate the asbestos and move forward. So it isn't complete but it's on track and the (inaudible) restroom will work (all inaudible)."

Mr. Petrella – "Let me ask since you talked about asbestos abatement. Are we taking precautions to make sure that our workers are safe?"

Bob Baird – "Yes. The workers are not in the building when the work takes place. As the abatement is being handled by an asbestos (inaudible) contractor."

Mayor Barilla – "Mrs. Hahn."

Mrs. Hahn – "I just had a quick follow up question because this is so encouraging about the electrical inspector. We funded three more positions in your department. I believe your department."

Bob Baird – "Yes."

Mrs. Hahn – "Are we advertising for them? Have we..."

Bob Baird – "We are. They have all been posted internally which is the requirement of labor agreement. There were no internal city employee candidates so now it moves out to advertising in the public. That's handled through the Civil Service commission. I spoke with Cathy today we had a slight delay. We were not able to issues P.Os to pay for the advertising so we now can. So advertising will be first appearing in the Sunday newspaper. It'll appear Sunday, Wednesday, the following Sunday and Wednesday and application are being accepted at the Civil Service Office. With the addition to being in the Herald Star it will also be on the City's website and on (all inaudible from coughing) online for those positions."

MISCELLANEOUS REPORTS

Mayor Barilla – “We’ll now move onto miscellaneous reports and signing in this evening under miscellaneous is Mr. Petrella.”

Mr. Petrella – “We ended 2018 on somewhat of a hairy note and I may commented in 2019 is going to be transparency with this Council and with the Administration in the City of Steubenville. I’m committed to that and I called the City Manager because there was consensus among Council before our break to make sure that the department heads were there. There was some questions on who asked for it; I asked for it because talking with my colleagues we want to make sure there’s transparency. We want the appropriate people here to answer our questions and we expect clear and precise answers with those and I want to thank Mr. Mavromatis for doing that and we want to have you here every session. Which was the consensus of Council. We’re here to represent the citizens in the City of Steubenville but we also want to make sure that accurate and clear information is disseminated to those citizens on key issues. Thank you you’re Honor.”

Mrs. Haley – “Am I allowed to ask one quick question?”

Mayor Barilla – “Yes.”

Mrs. Haley – “Costa?”

Mr. Mastros – “Yes mam?”

Mrs. Haley – “This whole thing with the public forum ordinance and what Mr. Villamagna and Mrs. Hahn suggested; I’m already having issues with some of the ordinances to try to put them into the codified ordinance book about some of the amendments being done to ordinances and I feel like this is going to be nothing but another confusion. If you’re getting what I’m saying if I try to go publish these for next year.”

Mr. Mastros – “Okay.”

Mrs. Haley – “I didn’t know if there was a better alternative. Like can we pick one and go with it or so that it’s not confusing that we have one that’s amended and one that’s getting rid of it and then; do you kind of see what I’m saying?”

Mr. Mastros – “I do but unfortunately not.”

Mrs. Haley – “Okay that’s all.”

PUBLIC FORUM

Mayor Barilla – “We’ll now move onto public forum and this evening signing in is Mr. Gentile. Please step forward and state your name and address.”

John Gentile – “1203 Ridge Ave. For the past couple years now I’ve been going back and forth with the City about a dumpster. I was liking; I was wanting to get outside service and according to me my building as per the ordinance is more than two stories. This has been going on since Gary Repella was Law Director and I couldn’t get anybody; I thought I got the building inspector up there to tell me or actually tell Mr. Mavromatis. I’m sorry let me go back. This started with Gary Repella. I got nowhere with him. I appealed to Mr. Mavromatis about two years ago is was right after you became the City Manager. I told him that my building was more than two stories and I couldn’t get the building inspector to come up there to determine whether or not it was two stories or not. I had Gary Repella told me that it wasn’t two stories. I had Jim tell me it wasn’t two stories. I had Mr. Baird tell me it wasn’t two stories but I couldn’t get anybody up there with any qualifications to tell me whether it was two stories. So finally I don’t know (inaudible) Mr. Bodo came up; took out his measuring stick; his tape measuring and I asked him what he was doing and he said he was making it look like he knows what he’s doing. That’s basically what he told me. So the ordinance reads and now basically he told me that I do have more than two stories and I can get outside dumpster service. As per our meeting on the 2nd with Mr. Mavromatis and Mr. Mastros; so that’s not here nor there but on; at our meeting they told me that now I can have outside dumpster service but since my dumpster is in a residential area they gave me another ordinance which basically says that any dumpsters that are outside B1 business district; which is basically downtown central business district; it reads; I’ll read the part that they told me pertains to me; dumpsters in any residential, commercial, or industrial district except for the B1 district and located outside of a building must be provided with dumpster enclosures for the purpose of straying dumpsters and related refuge from view. That’s their issue with my dumpster or getting an outside dumpster. Now mind you the dumpster that they provided me sat there for; I don’t know; since 2003 I have the receipt in my thing here and there was no need for an enclosure. Well the enclosure was introduced by the service committee in 2016; this ordinance and I have pictures of about 250 dumpsters around Steubenville. No enclosure. So I feel like this is just basically being used against me you know because I want a dumpster you know in the neighborhood which I need for the apartment that has 5 buildings; 5 apartments and if I have to do any kind of construction or anything like that in there I need to throw something in a dumpster. I can’t use a tote. Not to mention 5 totes; \$115.00; a dumpster from somewhere else 55. It’s a big difference for me and I feel like I’m just being targeted you know with this ordinance considering the fact that and I sent the video to Council; I don’t know if they received it. But; wait till it loads; is there any way to use these; utilize these screens here for Council?”

Mayor Barilla – “Well we’re not prepared this evening to do so.”

John Gentile – “(All inaudible). Is there any provision made ever?”

Mayor Barilla – “We’ve used those. The department heads have used but we’ve never had a resident use them. You can request that I guess for another meeting.”

John Gentile – “Well here’s the short video I made. I’ve compiled another one since then. Bob if you want to see this. If you want to pass it around.”

Mr. Villamagna – “I don’t want to touch your computer. If I drop it and break it.”

John Gentile – “(Inaudible) you have my permission (inaudible) the people.”

Mayor Barilla – “So you’re showing...”

Mr. Villamagna – “We all got the video.”

John Gentile – “You got the video? Okay. So my; I guess my question is after; especially after all I’ve had to go through to simple get outside dumpster service you know I’ve had to; you have to pay the city for almost two years now their dumpster when I clearly was; should’ve been able to get outside dumpster service. But that’s neither here or there. I would like to see this ordinance either changed or repealed or amended; something because obviously it’s not being; it’s not being used properly. It’s not being enforced at all and really it’s only being enforced on me and what seems to be new construction. I don’t know where we’re at with this. I don’t know what you know. Could somebody... I mean I don’t know where to go as far as rewriting an ordinance. I don’t know if I have to get behind one of the Council members; have it changed you know. I mean I can find out I’m sure. I’ll just have to research it but that’s basically my point.”

Mayor Barilla – “Comment from anybody here?”

Mrs. Hahn – “Work does seem like it needs to have an application but it applies to everybody. So is there a good reason why this hasn’t been enforced in so many situations? I mean we’re talking over 200 that some or another...”

Bob Baird – “If you’re looking at me I don’t know the answer to that; we don’t enforce; (inaudible) totes we don’t have the (inaudible) how. So it’s not; doesn’t fall under; under sanitation (inaudible) property. So it’s a building code I believe.”

John Gentile – “And another question comes in to my; comes; another thing comes into question is I went back and forth for two years to try to prove that my building was more than two stories and there’s all kinds of pictures of buildings out here with Kimble and everybody else and who’s regulating there; whether or not they meet this part of the ordinance? The exemption 951.13; Mr. Mavromatis tells me that they leave it up to the; and Mr. Mastros they leave it up to the commercial collectors of garbage. Well if I was a commercial collector of garbage and you told me that I had to abide by an ordinance of the city; I would throw it out because I’m not worried about your ordinance. I’m trying to sell dumpsters. It doesn’t make any sense for the hen to be guarding or the fox to be guarding the hen house. So I mean and back in 2009 I think we tried to get outside dumpster service; excuse me and at that point the city came up and told us that no we weren’t allowed to have outside dumpster service. So at that point it must have been up to the city and from somewhere between then and now it’s now up to the people that are selling the dumpsters. Which in my opinion; I don’t know I mean that sounds crazy really because why would they regulate themselves if they’re trying to sell dumpsters.”

Mayor Barilla – “So can we get back to Mr. Gentile in some form or another?”

Mr. Petrella – “You’re Honor?”

Mayor Barilla – “Yes?”

Mr. Petrella – “Let me make a quick comment. We’re going to be reviewing the sanitation right to garbage.”

Mr. Dressel – “Right.”

Mr. Petrella – “Ordinance anyway. Is that correct? So let’s take this incident and refer it to committee. Let the committee handle that. We’ll handle all the other issues in that ordinance.”

Mr. Dressel – “Right. Including the enclosure.”

Mr. Petrella – “Including the enclosure because we’re handling garbage, cans, the whole nine yards. Right?”

Mr. Dressel – “Right.”

Mr. Petrella – “So if we’re going to revamp it. Let’s just refer it to committee and let the committee look at it.”

Mr. Dressel – “Okay.”

Mr. Petrella – “Okay?”

Mr. Dressel – “We’ll do that.”

Mr. Petrella – “Thank you.”

John Gentile – “It really doesn’t seem to me like you can enforce that law because I mean the sheer number of dumpsters and not only that ordinance but the one that prevented me from getting a dumpster for two years has you know; whatever not my; my; because it says when you have to have what 50 or 30; more than 30 or 50 employees? You have to have more than two stories or you have to be a producer of industrial waste. Is that correct?”

Few unknown – “(All inaudible)”

John Gentile – “So there’s are a lot of outside sources. There’re (all inaudible).”

Mr. Petrella – “John you asked us on how to change the ordinance. We’re going to do that. We’re going to change the ordinance. We’re going to take your comments refer it to the committee. There’s other inputs that we’re going to be looking at.”

Mr. Dressel – “Yeah.”

Mr. Petrella – “On garbage cans; second garbage cans; so on and so forth. So it may not happen immediately but that whole ordinance is going to be looked at by Council and by committee; get revamped and you’re more than welcome to come down to those committee meetings to have your input into that.”

John Gentile – “Is that the service committee that does this?”

Mr. Dressel – “Utility committee.”

Mr. Petrella – “Utility committee.”

John Gentile – “Because I believe it was the service committee that introduced the; (all inaudible) a matter of fact I know it is because fortunately Mr. Nelson videotaped it so. Yeah it was.”

Mr. Dressel – “(Inaudible).”

John Gentile – “It was the service committee. I believe you, Mr. Dressel.”

Mr. Dressel – “I’m utility but I’m service as well.”

John Gentile – “Yeah.”

Mr. Dressel – “So that’s new so yes we can combine the two into one meeting.”

Mayor Barilla – “Okay well time is up Mr. Gentile. Sorry but I appreciate you coming. You’re going to see that Council is going to address your concern.”

John Gentile – “Can I take this time to officially put my name on the visitors list for next week?”

Mrs. Haley – “You can sign up with me as soon as we’re done.”

Mayor Barilla – “Yes. Okay. Thank you. We’ll now move into executive session. Shall we move that over to the Pugliese room?”

Mrs. Haley – “No we’ll have it in here.”

Council Chambers were cleared for Executive Session.

Council Chambers were reopened for adjournment.

Mr. Petrella made a motion to move forward with the proposed settlement agreement to Nelson Holdings LLC. Second by Mr. Villamagna. Roll Call. Five (5) ayes; Paul, Petrella, Villamagna, Dressel, Hahn. One (1) no; DiLoreto. So moved motion carried declared Mayor Barilla.

Mr. Paul moved to adjourn. Second by Mr. Petrella. Roll call. All ayes. So moved; meeting adjourned declared Mayor Barilla.

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR