

MINUTES OF COUNCIL MEETING
May 14, 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 DiLoreto, Hahn, Paul, Timmons, & Villamagna.

Mr. Paul made a motion to excuse Mr. Dressel and Mr. Petrella from tonight's meeting. Second by Mr. Villamagna. 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, Fire Chief Carlo Capaldi, Finance Director Dave Lewis, Utility Supervisor Lisa Knight, Engineering Director Mike Dolak, Urban Projects Director Chris Petrossi, Water Superintendent Jim Jenkins, Utility Director Chuck Murphy, Sanitation Superintendent Bob Baird, Parks and Recreation Director Lori Fetherolf, Linda Harris from the Herald Star, & WTOV9.

Mayor Barilla – “Before we move further on I asked Lt. Eric Muse to step up here from the Salvation Army and present something (inaudible). I actually asked him to also come for the prayer; I got piled up so I'm going to have him present what he wanted to say anyway.”

Lt. Eric Muse – “Well that's alright. Thank you Mr. Mayor; thank you City Council; thank you to all of those here to have me today. In 1954 Dwight D. Eisenhower declared the second full week of May as National Salvation Army week so Happy National Salvation Army week to each and every one of you and we at the Salvation Army are just so grateful for all that we're able to do in and with the City of Steubenville. And for those that don't know in northeast Ohio is our division for the Salvation Army and Steubenville was the first Salvation Army in the northeast Ohio division. So we are the first and I just want to say thank you for continuing to support us and support all (inaudible) at the Salvation Army and with that tomorrow May 15th is dubbed National Show Your Shield Day for the Salvation Army Shield. So if you have any Salvation Army wear or paraphilia please wear it and show it so that way people can ask what is the Salvation Army and what can they do for people in their community? And if you don't have anything I did happen to bring a few book markers with me today that has our church services times on the one side and the mission statement of the Salvation Army on the other that I'd love to pass out to all the folks here and say have a happy National Salvation Army week and thank you to the city for allowing us to do what we do every day.”

Mayor Barilla – “Thank you. On that note tomorrow morning at 9:00 at the Fort is National Peace Officers Day. We will be honoring those officers that have fallen in the line of duty tomorrow and there's a proclamation set forth by the President of the United States for Peace Officers Day and Week. So if you have the opportunity to come over to the Fort behind the Visitor Center where the flag is; we'll have that ceremony starting at nine in the morning. So hopefully most of you will come.”

APPROVAL/CORRECTION OF MINUTES

Minutes were approved by Mrs. Hahn for May 7, 2019. Second by Mr. Timmons. 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

NO. 2019-43 – BY THE SERVICE COMMITTEE

Messrs. Dressel, Hahn, Petrella

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE LOWEST AND MOST QUALIFIED BIDDER FOR THE JOHN SCOTT CONNECTOR EMERGENCY PAVEMENT REPAIR PROJECT, CITY PROJECT NUMBER 2019-121 PURSUANT TO REVISED CODE SECTION 735.051 AND DECLARING AN EMERGENCY.

Mayor Barilla – “You've heard the reading of Ordinance No. 2019-43. If there is anyone wishing to speak on Ordinance No. 2019-43 please come forward and state your name and address.”

Mrs. Hahn called question. Roll Call. All ayes. So moved Ordinance No. 2019-43 is duly adopted declared Mayor Barilla.

REPORT OF COMMITTEES

Mr. DiLoreto – “I have one ordinance for next week. Mr. Dressel is not here. Ordinance No. 2019-44 an ordinance repealing existing Chapter 951 and enacting a new Chapter 951 of the codified ordinances of the City of Steubenville. And this deals with the sanitation and I hope we finally bring an end to this at the next meeting

once and for all. And now I would like to make a point; these past two weeks Judge Mascio's crew has cleaned up 13 lots and only one in my ward and the one in my ward the individual Mr. Harris has agreed to cut the three lots on his own and apply weed killer and I'm asking the City Manager anytime that we cut lots that belong to the city after they're cut apply the weed killer and kill these weeds because I can't see these; I can't see Mr. Baird's people going after them 3 or 4 times cutting the same weeds and the same grass and that applies to the ballparks too. I'm starting to hide from ballparks with all the weeds. I know it's been raining. I know we can't solve the problem. I think this is a step in the right direction. Cut the weeds one time and kill them instead of wasting all that manpower 3 or 4 times all the time. This is going to save us money and save us manpower and I'll make sure that the City Manager gets a copy of all this and I'll be checking on it. I don't think it's out of line. Thank you."

Mrs. Hahn – "Okay I want to follow up on the Meet me at the Marina for the Paddle fest and I have a sheet I would like to pass out to Council. There's names on there. I probably could've just passed them out but (all inaudible) and Mr. Mayor there's a sheet if you want that. Alright so I have had conversations with follow up conversations since last Tuesday with Lt. Shawn Simeral of the U.S. Coast Guard. He directed me to the form to fill out; that was all filled out. He is putting it through his office. He said from the description he doesn't believe there's going to be too many things to stop the traffic and I'll (all inaudible from noise) when I see him; also Mr. Petrella had asked about that. At this point it's a very small operation we don't have any idea how small but we're hoping for maybe up to 20 kayakers and canoers. The Nelson's are going to provide a motorboat that will be there for safety in case there's anybody who has difficulty. I've also spoken a second time with Christopher Schuster who is the Natural Resource Specialist of the U.S. Army Corp of Engineers out of Pittsburgh. They had a new program established last year called River Rangers and these are people who come for an event and they walk through the challenges that people may face going out onto the water. They can also check life preservers to make sure that they are either type 1, type 2, or type 3 life preservers; double check the registrations with the State of Ohio so he said they would be thrilled to come over and do a brief presentation on safety for fifteen minutes or so and then be there. I have fliers and anyone is welcomed to just take a flier they're sitting right there and there's additional information on the back. It is not too late to purchase a kayak or a canoe. As far as I can tell Rural King, Walmart, and Dick's sell them; I believe TJ Maxx even sold one last year so and there are places across the river as well. I keep forgetting what that store is."

Unknown – "Tractor Supply."

Mrs. Hahn – "Tractor Supply that they do have watercraft there. There was real enthusiasm from each one of these organizers and in fact the Lieutenant said to me we often get applications from Wheeling and we get plenty from Pittsburgh and he said when Steubenville came across our desk it was really exciting to think that you're doing something at your Marina involving the river. He said we want people to remember that the river is not simply for commerce it is for recreation and commerce together and he did say that the buoys are out there to note where the business channel is and that's between that buoy and the West Virginia shore and I assured him we were not going to go close to that. So I feel like I've answered the questions. I presented this to the Parks and Recreation board and had their enthusiastic endorsement and so I believe we're going to proceed."

Mayor Barilla – "How about the license? You might want to mention that again when you get the..."

Mrs. Hahn – "Yeah so that is actually on; that information is on the back of the flier. (Inaudible) local place the Bureau of Motor Vehicles they only take cash for registrations of boats. You need to bring in either a sales slip proving that you bought it or a notarized; it's on the form that you fill out that you in fact bought it and have it notarized and so you need that as part and it's on the application. You just download the application or you can stop by the Bureau of Motor Vehicles and they have that."

Mr. Villamagna – "I have a question. Who is in charge; if somebody is in trouble or drowning what do we do? Who's going to be there?"

Mrs. Hahn – "Well the motorized boat and then we all have a cell phone (all inaudible from Mr. Villamagna talking)."

Mr. Villamagna – "That's not what I'm asking."

Mrs. Hahn – "To call."

Mr. Villamagna – "Who's trained; who is trained to go into the water to save a person? Do we have anyone down there who'll be trained in life saving?"

Mrs. Hahn – "Lori is trained in life saving and they have to have life preservers on they can't just have them in the boat. So they have a life preserver."

Mr. Villamagna – "Someone's drowning who is going to go into the water? And Lori is not; oh Lori is here."

Lori Fetherolf – "Yeah."

Mr. Villamagna – "Are you prepared to take that responsibility?"

Lori Fetherolf – "Yeah."

Mr. Villamagna – "Okay. Because somebody has to be there in case somebody's drowning. Is the city sponsoring thing or?"

Mrs. Hahn – "Parks and Recreation department and we will have the disclaimer. Did you have a chance to see that Costa?"

Mr. Mastros – "I have not."

Mrs. Hahn – "Okay."

Mr. Mastros – "I have not received it yet. We'll get that done."

Mrs. Hahn – “We want to follow that up but what you know what we’re doing is no different than someone coming down and putting their own motor canoe in which anyone can do at any time and the city isn’t responsible for that.”

Mr. Villamagna – “So we have somebody that’s willing to put their life on the line to go into the river that’s trained and you are trained I know you are but my question is now for the City Manager and the Law Director. Are you both okay with this?”

Mr. Mavromatis – “There’s; based on what I’ve been able to look at there’s nothing that prohibits anybody going in with a kayak. My concern; number one concern it is for the city; naturally the patrons that go down there but again as long as they sign the liability agreement, they have the proper vest, their kayaks are registered; that’s far more than what we do now on weekends when they come down there with boats because I look every weekend there’s people down there boating and we don’t regulate that (inaudible) they’re on their own. So I think we’ve done every step that we can to make sure that the city from a liability stand point we’re protected there but again with the people we have there from the safety stand point; if Mr. Nelson is going to be out there with his boat then it’s some protection there but also that we make sure that everyone’s adhering to the rules.”

Mr. Villamagna – “As long as…”

Mr. Mastro – “I would concur with that.”

Mr. Villamagna – “As long as you two are okay with it well mostly Costa because he’s the legal…”

Mr. Mavromatis – “Yeah the legal part (inaudible) I have to defer to Costa.”

Mr. Mastro – “I’ll have the waiver prepared and it will be as tight as it can be.”

Mr. Villamagna – “Okay.”

Mr. DiLoreto – “We don’t want a lawsuit.”

Mrs. Hahn – “And I also wanted to follow up we have had people step forward to volunteer to help with the fields and this came up at the Parks and Rec board. Jim you were going to talk with the unions about that to help them understand that we’re not paying somebody else to do it who isn’t a city worker. We don’t have the money to pay additional people but we do have volunteers who are willing to really follow the rules as the recreation department will clarify it. So do you have any update on that for us?”

Mr. Mavromatis – “I’ve had several conversations with our union president and union members over a multitude of issues. The bottom line is this they’re hired to do a job; we get overwhelmed at times; where the problem comes from is when we bring outside help; we contract it or bring other people in and they aren’t able to do their job because there’s other people doing it. That’s the issue. That is not the case here. There’s more than enough work there. What our problem has been; everybody wants to volunteer but they don’t know what they’re doing in a lot of cases and that’s brought the damage to the fields. Our workers are trained to do the proper work there but in reality there’s no way that they can maintain all of these ballfields and have them ready so they’re going to need assistance to do that. As long as they do it under the guidance of our people. A lot of them have been trained already. We had the professional people train a lot of the little league people so they know how to properly drag the field and what’s needed there.”

Mrs. Hahn – “Okay because I had a couple calls so can I go ahead and say to people they can definitely contact Lori.”

Mr. Mavromatis – “That is correct.”

Mrs. Hahn – “For the possibility of volunteering.”

Mr. Mavromatis – “Right.”

Mrs. Hahn – “And then…”

Mr. Mavromatis – “Nothing. Nothing goes without going through Lori.”

Mrs. Hahn – “Yeah.”

Mr. Mavromatis – “That’s been a problem also. They just come out there and do what they want to do and that cannot happen. That’s how we get these fields damaged that way and again so far again the rain has been the biggest problem. As I said before I do not have enough manpower to cover all these parks and that’s something we’re going to deal with in September.”

Mrs. Hahn – “Okay well good so then you have the go ahead to take people up if you feel like will do a confident job you have that go ahead now to utilize volunteers.”

Lori Fetherolf – “So yeah my only concern is to accomplish what we haven’t had yet is giving them the fields because the conversation went can little league take over the fields? I have some issues with that because then it was well then softball can’t play and we’ve run into that before. So that will be a conversation for later but yes anybody that wants to volunteer can contact me.”

Mrs. Hahn – “Okay.”

Lori Fetherolf – “We can definitely put them to work. Yeah.”

Mrs. Hahn – “Great. Thank you so much (all inaudible from noise) on that and that’s all I have.”

Mr. Villamagna – “Jim I have a question.”

Mr. Mavromatis – “Yes Bob?”

Mr. Villamagna – “Since we brought that up. When we were at that meeting last year; remember? People came and said they were going to take care of the parks and all that; there’s no shows; nobody.”

Mr. Mavromatis – “Bob what came up was the lot tots. I think correct me if I’m wrong Lori; I thought there were three groups that we’re going to handle their individual lots and some of them started off but like everything else it dies off. So Lori where are we at now with our tot lots?”

Lori Fetherolf – “So like everything else we’re behind. I did have my first complaint yesterday.”

Mr. Mavromatis – “Right.”

Lori Fetherolf – “From Linda Way.”

Mr. Mavromatis – “Okay. (All inaudible).”

Lori Fetherolf – “Which has not been taken care of so I’m going to have to put that plead back out there again. It’s either they have the community jump in and help us or we’re just going to have to consider closing them.”

Mr. Mavromatis – “So the group that volunteered about that?”

Lori Fetherolf – “I don’t believe at any of the parks. I know my staff has cut the tot lots at least once. I’m not sure about twice but I know at least once.”

Mr. Mavromatis – “I think our answer Bob; Bob to your question there. It died off to almost (inaudible) now.”

Mr. Villamagna – “Because I; and I agree with her 100% if they’re not going to take care of them then them parks are a done deal. Because we cut, stitch, (inaudible), put salt on them stitch it back up and then we do the same; we talk about the same thing every year.”

Mr. Mavromatis – “Right.”

Mr. Villamagna – “That we don’t have the manpower to do it so.”

Mayor Barilla – “Alright let me ask a question Lori. I’ve been contacted several times by a gentleman that lives on Devonshire; the swing set that’s been there forever not repaired.”

Lori Fetherolf – “Right now it’s field. We kind of prioritize things.”

Mayor Barilla – “Yeah I understand.”

Lori Fetherolf – “And that’s going to take; that’s; it’s just like the benches I have sitting out (all inaudible) to be put in or not yet. So there’s a list of things that right now the fields and the grass cutting are the top two priorities. We do; we are going to get that fixed; well (inaudible) if we don’t close the parks but that is on our schedule to do to get it taken care of.”

Mayor Barilla – “Okay. Alright thank you.”

Mr. Paul – “Yes you’re honor. This ordinance I’m going to bring up right now is; kind of addresses what Lori and everyone is talking about here. It’s under finance and it’s an ordinance number 2019-45; an ordinance amending ordinance no. 2019-13, the existing table of organization of the City of Steubenville and declaring an emergency. What this all boils down to is we’re going to; the change is that the T.O. is we’re going to increase the number of part time employees from two to three. We have three full time employees we’re going to get extra help to this part time employee for summer help. Is that correct?”

Dave Lewis – “Yeah that’s correct.”

Unknown – “(All inaudible).”

Mr. Paul – “Just one yeah. I think we wanted...”

Unknown – “Didn’t we want (inaudible)?”

Mr. Paul – “We wanted more but I don’t think we can get them.”

Dave Lewis – “I’ve talked to Lori and Lori had asked can we have one other? I said yeah.”

Mr. Paul – “(All inaudible).”

Dave Lewis – “(All inaudible) there’s some money left in the parks budget.”

Mr. Paul – “Not that we don’t want to give you more we just couldn’t get them right?”

Dave Lewis – “Yeah you’re right. We had the applications.”

Lori Fetherolf – “We have; I have two; one started today; one is in the works; I did have an application for another one. I believe there is funding for a fourth one because I didn’t have my full time parks person didn’t start until March.”

Mr. Paul – “Okay.”

Lori Fetherolf – “So I would like to have four. I think (all inaudible) I believe there’s four applications on my desk.”

(All inaudible chatter)

Lori Fetherolf – “(All inaudible) that would be a great thing is for me to say is that I have seven staff.”

Mr. Paul – “If you want get it. I think everyone here will give it you know unless you have it.”

Mr. Villamagna – “Absolutely.”

Mr. Timmons – “Please do.”

Mr. Paul – “So we’ll just go with this ordinance and then if we have to we’ll change it again right Dave?”

Dave Lewis – “Yeah we have; you guys; (all inaudible) put in there four for...”

Mr. Paul – “Okay.”

Lori Fetherolf – “Yeah.”

Dave Lewis – “However Costa we need to do it.”

Mr. Mastros – “That’s fine.”

Mr. Paul – “Do we need to add to it?”

Mr. Mastros – “No we can because it’s not; it’s not presented yet so we can do it.”

Mr. Paul – “Yeah.”

Mr. Mastros – “We can just make the change that we want and then when they receive it it’ll be fine.”

Mr. Paul – “We’ll add two additional part time here. Okay? Okay. That’s what we’ll do then. Okay and that’s all I have for right now. Thank you you’re Honor.”

Mr. Timmons – No Report

Mr. Villamagna – No Report

REPORT OF ADMINISTRATIVE OFFICERS

Mr. Mavromatis – “Thank you Mayor. I wanted to let Council know on the First Friday June 7th I was contacted by Smitty at Smitty’s Carpet and Floors; he’s going to open up his downtown store then. He’ll have a grand opening at 5:00 in concert with the First Friday for there as well as the Community Center which has apparently been redone also. So he’s inviting all of the administration for those that are available he would like to have us in attendance there. He seems very excited and proud of what he has done there so you know I asked that you support him. I think it’s perfect on a First Friday because we’ll have the people downtown there will get a chance to see it.”

Mr. Villamagna – “He did a nice job up there.”

Mr. Mavromatis – “Yeah he did. He also I talked with him today a little bit there’s a possibility that he is talking with a business that is up at the mall trying to get him to come downtown. I was up there today at the mall; I walked around for about 30 minutes talking to several of the shop people there that seem to be still doing well there but you can see the number of vacancies there. So I think a lot of these places based on rent; based on the traffic that it sees there they’re looking to find locations either downtown or at one of our plazas here so there may be other people leaving to look for spots so the downtown people that have property and space there there’s some possibilities there for them. Working with Mr. Dolak I sent a letter off to the State explaining our situation on the John Scott Highway the seriousness of it; the cost that’s involved with it to see if we can get some help on this emergency. We just; we’re going to; we passed it tonight so because there’s been numerous issues over the years ever since that’s been done but I was down there today; I parked and watched the volume of traffic coming down that road and this was at 2:00 in the afternoon before schools even let out. So we got to get that fixed and we have to have it done and it’s going to take money. My fear is this once we start peeling back this onion what we’re going to see when we look there and that’s happened before. Mr. Dolak has been staying on top of this so again we’ll keep you (inaudible) if there’s anything that changes on this. That’s all I have right now but my legal person here; he’ll ask to go into executive session and we’ll discuss some issues there. Thank you.”

Mr. Mastros – “Thank you Mayor. As I’ve been saying for the last few meetings I’m going to request that we go into executive session after this meeting. It’s not going to be as long as I thought just so you know. I did have; Mr. Lewis and I had about an hour and a half conversation with our attorney for the OPEC litigation which is going to be the bulk of our executive session. So I’m going to ask that we go into executive session on the issue of pending litigation for the OPEC case, pending litigation for information purposes; obviously all these are; for the Lukaba litigation case, for the pending litigation on the Civil Rights Commission investigation complaints, and for the imminent litigation regarding Sinclair Ave. I’ll ask Mr. Lewis to stay in for OPEC, I’ll ask Mr. Jenkins to stay in second on Sinclair Ave., Mr. Dolak if he needs to stay in (all inaudible) but I think we know where we’re going on that. So Mike just stick around that’ll be short and then I’ll answer any questions that you have regarding the Civil Rights Commission. I’m going to ask that we make that motion.”

Mr. Paul – “You’re Honor?”

Mayor Barilla – “Mr. Paul?”

Mr. Paul made a motion to go into executive session following public forum to discuss 1. Pending litigation in the OPEC litigation case; 2. Pending litigation in the Lukaba appropriation case; 3. Pending litigation in the Ohio Civil Rights Commission cases; and 4. Imminent litigation regarding Sinclair Avenue issue. Second by Mr. Villamagna. Roll Call. All ayes. So moved motion carried declared Mayor Barilla.

MISCELLANEOUS REPORTS

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

Mr. Timmons – “Jim I had asked about a tree at 905 Pittsburgh have you had a chance to look into that at all? I sent some pictures; never heard anything back. I just wanted (all inaudible) are there any kind of?”

Mr. Mavromatis – “Yes I’ve talked this over with my staff. That is not our issue there. This is not city property this belongs to the owner and this is going to be the responsibility of the owner of the property and this has come up before not just this time when you brought it up.”

Mr. Timmons – “Okay. I just wanted something to go back to the resident.”

Mr. Mavromatis – “Yeah and again I’ve asked if again if he’s not satisfied please give me his name and number and I’ll go out and see him and he may have more to add but at this point we’ve dealt with this issue over a year ago (all inaudible).”

Mr. Timmons – “Alright thank you.”

Mr. Mavromatis – “Yes sir.”

PUBLIC FORUM

Mayor Barilla – “We’ll now move onto public forum and I don’t believe there’s anyone signing in under public forum.”

Council Chambers were cleared for Executive Session.
Council Chambers were reopened for adjournment.

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

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR