

MINUTES OF COUNCIL MEETING
March 3, 2020

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 Dressel, Hahn, Paul, Petrella, Timmons, Villamagna, & Anyabwile.

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, Urban Projects Director Chris Petrossi, Engineer Director Mike Dolak, Water Superintendent Jim Jenkins, Sanitation Supervisor Bob Baird, Parks and Recreation Director Lori Fetherolf, Linda Harris from the Herald Star, & WTOV9.

APPROVAL/CORRECTION OF MINUTES

Minutes were approved by Mrs. Hahn for February 25, 2020. 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. 2020-10 – BY THE PUBLIC UTILITIES COMMITTEE

Messrs. Dressel, Timmons, Anyabwile

A RESOLUTION AUTHORIZING THE CITY MANAGER OF THE CITY OF STEUBENVILLE TO MAKE APPLICATION FOR FUNDING FROM THE APPALACHIAN REGIONAL COMMISSION (ARC) AND OHIO EPA’S WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AND ANY OTHER SOURCES ON BEHALF OF THE CITY OF STEUBENVILLE FOR CONSTRUCTION OF WEST END WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

Mr. Paul made a motion to adopt Resolution No. 2020-10 by roll call. Second by Mr. Timmons. Roll Call. All ayes. So moved Resolution No. 2020-10 is duly adopted declared Mayor Barilla.

NO. 2020-11 – BY COUNCIL AS A WHOLE

A RESOLUTION TO ACCEPT THE OHIO MEMORANDUM OF UNDERSTANDING REGARDING THE PURSUIT AND USE OF POTENTIAL OPIOID LITIGATION SETTLEMENT FUNDS.

Mr. Paul made a motion to adopt Resolution No. 2020-11 by roll call. Second by Mr. Timmons. Roll Call. All ayes. So moved Resolution No. 2020-11 is duly adopted declared Mayor Barilla.

REPORT OF COMMITTEES

Mr. Dressel – “I have one thing this evening.”

Mr. Dressel made a motion to adopt the Mayor’s recommendation to add Daycha Wade to the JMHA Board. Second by Mr. Paul.

Mayor Barilla – “Yonk do you want to speak on that now?”

Yonk DiLoreto – “I’ll wait until miscellaneous.”

Mr. Dressel – “You might want to do it now before we vote.”

Yonk DiLoreto – “Okay. First of all I’m here for two purposes. One on updates on what’s happening now at JMHA and I want to thank you for considering her as our new member. She is filling in the place of Joanne Welday who served for three years; who had resigned do to health reasons and she was more or less the glue of the organization and we have a complete turnaround going on down (all inaudible) now. (All inaudible) together from top to bottom; we’re working together. We have cooperation from HUD for the first time in five years. I want to thank Chris for starting to reduce our (inaudible) stock. We’re going to start demoing buildings. Thank you for help on that. It took the State five years and its five years in the making. We have 33 more standard sites to do; it’s going to take a while so hopefully we’ll get that new block cleaned up as far as our area is concerned. That’s 33 of them that are going to come down and they’re just killing us in scattered sites. Everybody knows there’s too many rentals in this town. We have one part-time Police Officer who serves the whole housing project from Toronto to Tiltonsville Terrace all week. That’s all we have and he’s doing a great job so we would like maybe to see the Police come down there too. Visit us once in a while. We have (inaudible) down there who have faith and Melody McClurg and Bob Ribar who are down there 24/7 and they’re willing to give information anytime any place and back it up. He put Tom Dorsey and myself out of

business he cut all the weeds this year. I've got once complaint to my knowledge from the Housing Authority either from me or Mr. Dorsey so he's out of work as far as that goes. We'll continue to have that so that's all I have to say. If you want to say anything (all inaudible). I want to thank you (all inaudible) and also to the board. Thank you for your time."

Daycha Wade – "All I want to say is that I'm a person who has a lot of interest in Jefferson Metropolitan Housing Authority. I have been there for over 20 years and I have got to see some wonderful changes that have come into place since Mrs. McClurg has taken her position. I'm just looking forward to helping them in any way possible that I can and that's I'm going to have to say at this time."

Few Members – "Thank you."

*Mr. Dressel made the motion. Second by Mr. Paul. Roll Call. All ayes. So moved motion carried declared Mayor Barilla.

Mrs. Hahn – "Yes a couple of announcements. I wanted to remind people we're having the first community meeting about the Miracle Field possibility at North End Park. So this coming Monday night at the Sycamore Center at 7:00 p.m. anyone is welcomed. There will be a presentation of some kind so you can see what's being proposed and then I believe there'll be a quick ready if you have questions and we're looking for a good turnout. So anyway that'll be Monday night at 7:00 and then the Marina River Front task force meeting is this coming Thursday at Froehlich's at 4:30 p.m. till 5:45 p.m."

Mr. Paul – "This Thursday?"

Mrs. Hahn – "Yes this coming Thursday."

Mr. Paul – "The gentleman I gave you that note over last week."

Mrs. Hahn – "Yeah?"

Mr. Paul – "He'd like to attend so it's what time this week?"

Mrs. Hahn – "4:30 at Froehlich's. It's probably in the basement room."

Mr. Paul – "Okay."

Mrs. Hahn – "But we'll know when we get there."

Mr. Paul – "Okay thank you."

Mrs. Hahn – "Thank you very much."

Mr. Paul – "Yes you're Honor I have one thing I'd like to bring up. Next week before Mr. Timmons; we have a transportation meeting at 6:45 correct?"

Mr. Timmons – "Right."

Mr. Paul – "I'd like to do another Finance Committee Meeting; two things I'd like to discuss as Mr. Mavromatis had suggested tonight maybe we'll save this to the second part of it but I'd like to scrub our revenue and expense report; for example the litter, safety, see what we can do to adjust that Dave if you're still here? Okay. But prior to that I'd like to discuss what we discussed tonight and I'd like to have some kind of resolution next week to where we can help the Fire Chief move forward or not move forward with the hiring of the Fire Department personnel. Okay? So that'll be 6:00 p.m. next week before the 6:45 meeting. It'll be a Finance Committee meeting."

Mr. Petrella – No Report

Mr. Timmons – "Yes couple things."

Mr. Timmons made a motion to accept the Mayor's Recommendation of William Hendricks at 310 Maxwell Ave. in Steubenville, Ohio to the Regional Transit Authority Board. Term to expire February 2023. Second by Mr. Paul. Roll Call. All ayes. So moved motion carried declared Mayor Barilla.

Mr. Timmons – "I have one other thing and I know Jim we've discussed it and chief we've discussed the dumpster on Estelle and Oxford."

Mr. Mavromatis – "Yes?"

Mr. Timmons – "Are you allowed to have; I mean the way I understand the ordinance is you can't have a dumpster in the street. Is that correct?"

Mr. Mavromatis – "I've had; well Mr. Baird has been out there. I've been out there and the Chief has been out there and all three of us; there's plenty of distance to drive cars there. The problem are the drivers. They want to come down on Oxford; make the right on Estelle and do a wide turn instead of staying in their lane but regardless of that I went out and looked at it; it was on part of the property where the wall is at."

Mr. Timmons – "Okay."

Mr. Mavromatis – "Now there has been another dumpster not there but over as you get on to Estelle that has been out in the road and now that's been moved back on the property."

Mr. Timmons – "Okay just my concern that if you know in fact if you're not supposed to have it in the road like that you know all over town we could have dumpsters in the road. You know whether it's about the driving or not and I drive it pretty much every day too. That's my whole concern."

Mr. Mavromatis – "Okay."

Mr. Paul – "I had saw that picture of that dumpster; my concern is you have a foggy night or foggy morning and you don't know that that dumpster is sitting there and you're going to smash it. It's going to hit you hard. That is my concern on a foggy day when we're going to have spring days coming up so that is my concern. I don't know how you guys can take it. It's not my ward. That's what I want; saying to you gentlemen and ladies here tonight."

Mr. Timmons – "I just; and I just you know I understand that (all inaudible) dumpster in the road when you just shouldn't be able to do it."

Mr. Paul – "It's on the sidewalk. Okay Mr. Baird has something."

Bob Baird – "Jim if I may answer?"

Mr. Mavromatis – “Yes sir.”

Bob Baird – “I wanted to update you. When you were away there was some activity on this. I could be wrong but I’m not aware of anything specifically in our ordinance that prohibits that. There’s nothing that we can point too to cite a violation per say. I have been in contact with the company that provides that dumpster and I have spoken with the Chief when the City Manager was away and the Chief was acting; what I and I’m happy to continue what I try to do was contact (inaudible) and ask them if they would meet me on site and I have a couple of suggestions or alternatives that would solve everybody’s problem. You know that would make them able to service the dumpster in a way that they would like too. Alleviate the problem of where it’s sitting. Eliminate the issue for motorists and residents from a cooperative point of view. I don’t have anything; I don’t believe the city has anything currently in writing in ordinance language that says that they are doing anything wrong. So understanding what you’re saying and the issue I took that approach and I reached out to the company and they were fine. As of yet they have not addressed it but that was the request made by me from the city about that issue. Just so you’re aware of that. That that took place.”

Mr. Timmons – “That’s all I have thank you.”

Mr. Villamagna – “Yes Mayor. A couple things. One is the Touch of Elegance at the mall as of today it is open full blast; the kitchen is open and everything and they’re doing well so if you guys want to support it out there it would be really nice. They’re got some good food and some good pastries. Which I don’t need them but I like them. The second thing is I’d like to sunshine an ordinance declaring the buildings and structures located at 438 Linden Ave.; 1420 Oregon Ave. rear; 1275 Lincoln Ave.; 365 Terrace Ave.; and 1431 Pennsylvania Ave. to be unsafe structures as defined by Section 108 of the Property Maintenance Code of the City of Steubenville, Ohio and declaring such to be a public nuisance and ordering the removal or demolition of such unsafe structures. And lastly we hear Weirton is booming; Steubenville is not doing anything. There’s nothing going on over here. We’re behind the wheel blah; blah; blah. You hear it over and over again. I’m going to read a couple things here off to you. I’m going to go back to 2010. Building permits for residential - \$4,075,807.45 in residential building; in commercial - \$16,276,477. In 2011 \$4.9 million residential; \$10.7 million commercial. In 2012 \$4.3 million in residential; \$22.2 million in commercial. In 2013 \$3.1 million in residential; \$16.2 in commercial. 2014 \$4.1 million residential; \$12.7 million commercial. 2015 \$5.6 million residential; \$20.4 million commercial. 2016 \$4.6 million residential; \$20 million commercial. 2017 \$4.6 million residential; \$29 million commercial. 2018 \$4.6 million residential; \$29.5 million commercial. 2019 \$5.2 million residential; \$87.5 million commercial. Now there’s something going on here but you have to look. You have to be; you can’t just walk down 4th Street and say nothing’s happening there. Can’t walk through the mall and say nothing’s going on here. There are things going on and the mall there’s three new stores at the mall that I know of. I think there might be a fourth one but I don’t want to say that because I’m not sure. Downtown you got a group of young guys right now that are buying buildings and trying to do something with them. Hopefully it comes to fruition. Everybody is working together. There’s two companies here; there’s two businesses that want to come here and they can’t because they can’t find the property to put a building. Now I don’t know; I say this all the time we don’t have any shovel ready property. We need to think this out. We need to tear down some of this old stuff that’s blight to get new. There’s two businesses that are actively trying to find a place here and they can’t find it but they’re not giving up because they really want to come. They got a certain area where they want to go; there’s property there but it’s got junk on it. So anyway if you make comparisons to Weirton; Weirton has property all over the place; thousands of acres; thousands of acres. We got one lot that’s almost an acre or a little bit less than an acre; Grant school and you all know the story about that so we’re coming along good. We’re not breaking any records. We’re not going to be the fastest growing community in the world but it’s improving here and I think this Council is dedicated to make it. When I hear these remarks being made about how Weirton is so far ahead of us but people that are on our boards and actually work for the City which is Ludacris but you don’t talk about your family you know where a lot of you talk about your city anyplace especially when you work here or are on a board here but that being said I just wanted to go through them figures a little bit so that people will understand that there is stuff going on here. You got to open up and you got to look for it. So thank you.”

Mrs. Anyabwile – No Report

REPORT OF ADMINISTRATIVE OFFICERS

Mr. Mavromatis – “The only thing that I wanted to bring up to Council and the citizens here; I don’t have anything really to report I’ve been on leave for the last few days but I was in Fort Lauderdale and for two days I watched the 14 inch sewer line that erupted and shut down a whole area in Fort Lauderdale which totally disrupted a neighborhood and the whole thing about this wherever I go I always look to see are there problems in other cities? And the answer is yes. And we have problems here and we’re addressing them. My staff is doing their due diligence but when you see things like this and I kept hearing on the local news the infrastructure problems that plague Fort Lauderdale and I’m thinking this is all over our country. It isn’t just here in this valley so the point of all this that I bring to you and I know you are; I’m thankful for where we’re at. It could be a lot worse and we’re getting to be a lot better but it’s going to take time and all of us working together but I just wanted you to know that you know that I go to (inaudible) and I enjoy myself but I’m always still looking because we don’t have a lot on all the positive things to do here; other cities do things good but we do things good too. So I just wanted to let you know that and I’m back and again thanks to my department heads for staying up with what you had to do.”

Mr. Petrella – “I got a couple questions.”

Mayor Barilla – “Yes?”

Mr. Petrella – “Since we got Jim and Bob here. Earlier in the committee; do you know how many vacancies that still need to be filled for you Bob?”

Bob Baird – “I do and that number is going to change by the day. I have three positions right now. I have another one due to internal moving that’s going to open up and then I have two more in addition to that that I am aware of in the near future employees will be pursuing other opportunities and so that’s going to open up two more. So we’re going to have a busy period of time here with movement so we have several.”

Jim Jenkins – “Right now I have zero. Zero vacancies but in the next two years; this year in fact we’ll be down one man so we’ll have one vacancy here in the next couple of months and then it could be anybody else; we’ve got three guys that are able to retire it’s just hasn’t happened yet.”

Mr. Petrella – “We were just having another all discussion Police and Fire and ASCME was brought up and I know there’s multiple heads (all inaudible). So I’m just trying to get our heads around what’s going on. Thank you.”

Mr. Mastros – No Report

MISCELLANEOUS REPORTS

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

Mrs. Hahn – “Okay. I printed something from the Ohio Open Meetings documents and I want to pass this out. First of all the training was really interesting on Saturday. It covered a lot of things and one of the things had to do with funding and it (inaudible) was a really recommended to look into TIFS more. But I know Evan Scurti is the one that helped pull that TIF together having to do with the new hotel and restaurant area; he said it was an amazing opportunity to pick an area of your city that you want to see development. Most of the property taxes do not directly come to the city so the impact to the city and not gaining the new money quickly would not have much of an impact as long as the others agree to it; like the school waiting to get that increase but knowing what it can bring in in terms of developers the city can borrow against that and he just spoke in (inaudible) terms things that he has seen in the city where he’s Law Director. So anyway I just want to highly recommend the Ohio Municipal League training if you’re able to go I really recommend it but on a serious note that we have a couple things under the open meetings act and I wanted to address them. So we have never taken minutes in our committee meetings and that needs to change and I talked to Karly earlier so she should have minutes from our Finance Committee Meeting but we are to have every single meeting that we have except for executive session is to have minutes taken and then that has to be approved and it doesn’t matter if it’s months in between the committee meetings at your first opportunity you need to have the minutes accepted. And I gave you that document just so you can see that it’s not simply what it says majority makes a meeting; when it’s a committee then that is adjusted for the committee members. Okay and then under minutes which is the third page we’ve treated them the whole time I’ve been on Council as if it’s to be verbatim but it really does not need to be verbatim. Anything critical and Karly would just use her best judgement on that; if it’s really important you know she can do the quotations but the amount of time it takes to type the entire transcript is not what is required. It can be more brief and so even though we’re adding the workload of meetings covering the committee meetings which it just has to be done. It’s really not something we can even vote on. It’s just something we need to correct but the minutes do not have to be verbatim. I don’t know if there’s anything you want to add to that? I wanted you to see out of the documentation (all inaudible). And there’s one final thing the Ohio Municipal League’s training even though one of the sessions had to do with the open meetings act it does not count for the three hour session so that was the first thing the man said that if you came here hoping that one hour would take away the three hour commitment it doesn’t. So you either need to get to one of those meetings or you need to sign up online and what was your comment Scott? Did you get that?”

Mr. Dressel – “So can I go over that real quick since you brought it up?”

Mrs. Hahn – “Yeah.”

Mr. Dressel – “Well I did it. If you want just do the online one if you don’t want to go to a meeting and then it’s in little segments of like 15 or 20 minutes but you can just take them when you have 15 minutes and do one and there’s like 12 or 13 of them. Do it on the Attorney General’s site. Don’t click on the YouTube link and watch it there because then it doesn’t register that you watched it which I did. So I had to hit it again and just let it play while I did something else for a few minutes then listen to the same verbiage over again but; and they have a couple questions after each section that you may or may not get them always right but it lets you keep clicking until you do and so; just so you know. And there are some interesting things that I didn’t know. The one thing that you don’t have to have verbatim minutes. I thought that was interesting and then I did share some other information with Costa that we need to look at to make sure that all the records that we have are being stored and removed and gotten rid of in an appropriate scheduled manner. And there was some interesting stuff about people’s requests that I didn’t know. The big one I thought was that the Freedom of Information Act requests; the Federal one has absolutely nothing to do with the State one. So people that are filling out a Freedom of Information Act request form to get information from the city; filling out the wrong form. Don’t need that form. You don’t need any form at all. All you got to do is walk in and ask. They can’t say no. You have to be reasonable but anything that is stored that has to do with the operation of the city that’s specifically for something that we do you’ll have; if that record is retained for whatever length of time that you’re asking; there’s somethings you can’t ask for so there’s a whole bunch of exceptions but it was interesting. I thought it

was interesting; it was not exactly what I expected so it's worth doing and anybody can take that training by the way under the Attorney General's site. If you're extremely bored and have absolutely nothing else to do (all inaudible) three hours and learn something that you don't necessarily need to know."

Mrs. Hahn – "And it is important for you all to know this that if you serve on any public entity; any public board; there's a whole list of different kinds of organizations that you have to follow by law that the Open Meetings Act and so make sure you know if you're serving the city in any capacity or any particular political entity that you're following the Open Meetings Act and that means you're taking minutes and you're informing the public ahead of time that you are having the meeting etc. Okay thanks."

PUBLIC FORUM

Mayor Barilla – "We'll be moving to public forum and this evening we have signing in Mr. Palombizio."

Ed Palombizio – "My name is Ed Palombizio; 113 South Bend Blvd. in Steubenville and about two years ago to my knowledge there was no publicly expressed dissatisfaction concerning the parks. From reviewing Council Committee Meeting, newspaper and TV reports, this has changed, especially with respect to North End Park and Jim Wood Park. I am concerned by what is or is not happening regarding the parks as it seems the city is putting itself between a rock and a hard place with no easy exit. North End Park is medium sized park in the north end of the city. It has been there for at least the past 100 years. It includes a baseball field, playground equipment, picnic tables, and limited parking. Years ago it was one of many recreational/activity centers in the north end where the local residents of all ages and their friends could gather to play and socialize. Today it is the last and only multipurpose area of any significance in the neighborhood. As things have changed significantly during the last 100 years this multi-generational park has served the needs and witnessed the growth of the current residents, their parents, and grandparents. The park and the experiences the residents have shared is a significant part of what binds them to each other and creates the current neighborhood. This facility has historic significance to this neighborhood and the current residents beyond merely being a ball field. Several months ago someone not involved with the north end neighborhood offered to provide the city with funds to make substantial changes to the park. The funds were conditioned upon certain modifications. When north end residents again, the current primary users of the park found out about the offer, they voiced their objections to the city. Among the criticism current users are satisfied with the current situation. The requested conditioned changes would result in substantial changes to the neighborhood and there are other sites throughout the city that could be used for the proposed park. Now my facts are based on the newspaper, the minutes and TV so if I'm wrong on any of these facts blame your minutes, TV, or newspaper. The city did not reject as requested by the north end residents. Instead the city advised the proposal's submitter of the objections by the residents, encouraged the submitter to contact residents, and encouraged the submitter to resubmit a revised proposal. The submitter is preparing a revised proposal. When the revised proposal is submitted, if the residents continue to object the proposal what will the city do? Will the city reject as requested by the residents and primary users of the park? Or will the city approve the submission to the detriment of the current users even though there are other available sites in the city. If the city does neither and suggests the proposal to be revised and resubmitted again this is only delaying the inevitable. This is important because this same issue with respect to conditional funding limiting resident's use of the park contrary to resident wishes will soon surface with the respect to Jim Wood. Who will the city support? The residents and users, (all inaudible) or the donor with the conditional money? Are there written procedures that provide uniform standard criteria to be used when making this decision? My suggestion for what it's worth is it could be beneficial. They have the standard procedures in place for something that's possibly keep reoccurring. Or is the decision to be made by each Council person based on what each believes is important and how one feels on that day? Again it's probably not the best way to handle these types of situations. Furthermore, how will the city defend its decision if the city chooses one over the other and the loser decides to litigate? Remember there are other potentially sites available although they would likely require acquisition costs. The city will certainly be inviting litigation if it continues to invite submitters to incur additional costs and make additional submissions. On the other hand if the city votes to accept the money, contrary to the expressed wishes of the residents, has the city breached its obligation to protect the interest of the residents or the beneficiaries of the public park. The city in fact may be the titled owner of the park land but isn't that status intended to help the residents/beneficiaries to enforce or protect their rights to use the park and not for purposes of diluting the beneficiaries interests? There is no doubt that the city can accept donations to support public parks but there is a question if the city can accept donations conditioned upon the current and future generations; park beneficiaries waiving or limiting their rights to benefit to the fullest extent possible from the park. While my wording is not the best; I don't even know if I have any place to say something like this but I just thought I would raise that concern (all inaudible) a lot of park activity these days. It just could be a problem. Thank you."

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