

**MINUTES OF COUNCIL MEETING**  
**April 14, 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 Villamagna, Anyabwile, Dressel, Hahn, Paul, Petrella, & Timmons.

Also present; City Manager Jim Mavromatis, Law Director Costa Mastros, Police Chief Bill McCafferty, Finance Director Dave Lewis, Engineering Director Mike Dolak, & Linda Harris from the Herald Star.

**APPROVAL/CORRECTION OF MINUTES**

Minutes were approved by Mrs. Hahn for April 7, 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. 2020-17 – BY THE FINANCE COMMITTEE – 2<sup>nd</sup> reading**

**Messrs. Paul, Dressel, Timmons**

**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.**

**NO. 2020-18 – BY COUNCIL AS A WHOLE**

**A RESOLUTION DESIGNATING THE MONTH OF APRIL 2020 AS FAIR HOUSING MONTH IN THE CITY OF STEUBENVILLE.**

Mr. Villamagna made a motion to adopt Resolution No. 2020-18 by roll call. Second by Mr. Paul. Roll Call. All ayes. So moved Resolution No. 2020-18 is duly adopted declared Mayor Barilla.

**NO. 2020-19 – BY COUNCIL AS A WHOLE**

**A RESOLUTION AUTHORIZING THE CITY MANAGER AND/OR THE UTILITY DIRECTOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF STEUBENVILLE FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN FOR THE PROJECT KNOWN AS CSO 003 LINE REPLACEMENT PROJECT, PHASE TWO.**

Mr. Paul made a motion to adopt Resolution No. 2020-19 by roll call. Second by Mr. Timmons. Roll Call. All ayes. So moved Resolution No. 2020-19 is duly adopted declared Mayor Barilla.

**REPORT OF COMMITTEES**

Mr. Villamagna – No Report

Mrs. Anyabwile – No Report

Mr. Dressel – “I have two items this evening.”

Mr. Dressel sunshine an ordinance authorizing and designating the City Manager as the local official with the authority to execute the project agreement known as Dresden Avenue resurfacing improvements, from the North Terminus to approximately 850 feet South, City Project Number 2020-114, and complete all necessary functions that may be required to complete said project, including but not limited to, engineering design services, right of way services including acquisition of right of way, utility relocation including utility easements, construction administration/inspection services, bidding services, advertising for bids for construction, entering into a contract with the lowest most qualified bidder, authorizing payment therefore, and re-bidding that may be required. The second one is an ordinance authorizing and directing the City Manager to enter into a contract with the Ohio Department of Transportation for the JEF-43-4.18 (Sunset Boulevard) resurfacing project, PID 109618 and perform all necessary functions that may be required to complete said project.”

Mike Dolak – “I’ll just go over the first one first. The Dresden Ave. one that’s from last year with the motion to do something with the unimproved section of Dresden and that’s from the terminus point of 850 south. What we’ll do is we’ll put some design work to it this year and then the construction of the improvement would take place in 2021. One thing that I have learned over the; just today was that Mr. Petrossi’s community block grant area was adjusted a little bit over the last month or so and right now this Dresden Ave. portion would be included in his community development block grant funding. So next year hopefully we can allocate some 7/10 dollars to this and also allocate some community development block grant dollars to help with this improvement. Is there any questions?”

Mr. Petrella – “The only question I have; I didn’t hear when Scott read it in the caption that we have the right to reject any and all bids.”

Mike Dolak – “Yeah Craig you probably didn’t. What it’ll be; I guess we can interject that in there if needed but we always put that in the legal ad as well but we can add that. Maybe I missed that or maybe we just don’t.”

Mr. Dressel – “Well it’s State Law so it’s not like we need to have it in the ordinance but into a contract with the lowest and most qualified bidder. So if you want to reject them all you’d have to put that in there.”

Mike Dolak – “Yeah I mean in our legal ad that’s binding document in the contract when it’s advertised in the paper we do request that we can reject all bids.”

Mr. Dressel – “Should I just say it now that we add it? Have the right to reject any and all bids.”

Mike Dolak – “Sure. We can add that. That’s not a problem.”

Mr. Petrella – “Thank you.”

Mike Dolak – “The other one is an ordinance authorizing the City Manager to enter into a contract with the Ohio Department of Transportation. This came in late in the game. I found out that the Ohio Department of Transportation was going to resurface through the Village of Wintersville this year. I believe it’s from Canton Road to our western corporation limits which is just right there at Efts Lane and I thought it would be good so I approached them and see if they would extend that limit approximately five to 600 feet into our corporation limits which would be the west limit of our Lovers Lane and Sunset project and they haven’t totally agreed to do it. They believe it’s a good idea as well. The project goes out for bid May 7<sup>th</sup>. Once the numbers come in we will have a better number for you on what the cost of that will be. It would be done at an 80/20 split and I’m thinking our cost would be somewhere between ten and fifteen thousand dollars to do that work. So for them to come in about 600 feet about 48 feet wide I think the most it would be 75,000 and our responsibility would be 20% of that or about \$15,000. Now that isn’t finalized yet. The bids come in May 7<sup>th</sup> and once the bids come in they’ll approach the contractor to do a change order and then this ordinance will already be in place and there’s some information and some escrow money that the City Manager or the Finance Director would need to send to ODOT with escrow and sign some contracts so I’d like to do this ordinance now and three readings are fine and then by the time it’s needed it’ll be ready to go.”

Mayor Barilla – “Is that to connect to the newly Sunset Blvd. paving?”

Mike Dolak – “Right that’ll connect to the new Sunset paving on the west side and then when we go to pave our section of Sunset I won’t have to come up to the intersection of Lovers Lane and Sunset. I’ll stop further back by Tim Hortons. Some of these intersections are very busy so this would extremely help if we could get this done this year. Is there any questions? Thank you.”

Mrs. Hahn – No Report

Mr. Paul – Made a motion to go into executive session following public forum to discuss the FOP pending litigation, negotiation with the three unions, and to discuss the ongoing litigation regarding our previous Healthcare provider which is OPEC. Second by Mr. Petrella. Roll Call. All ayes. So moved motion carried declared Mayor Barilla.

Mr. Petrella – No Report

Mr. Timmons – No Report

## **REPORT OF ADMINISTRATIVE OFFICERS**

Mr. Mavromatis – “First I’d like to start off the conditions of our building is very good. We’ve minimized the access to our City Building here. The employees that can work from home we’ve set that up. We have additional computers that have gained them access to our city system so they can work from home. Right now everyone that comes into this building must register that has to meet with one of our employees so we have the back tracing if necessary. Probably the biggest thing that’s helped us out most recently was the most recent decision by our Governor. I had a conversation with him on Sunday morning explaining to him the difficulty of Pennsylvania people coming here just to purchase liquor. There’s been other Police Chiefs; City people that have voiced their concerns to the Governor and the safest move I saw as of Monday is when he shut down all of our bordering counties to the states of West Virginia and Pennsylvania. I think this will aid us here. I’ve talked with Kroger; drastically this has cut down their people. I stopped today there was no one in the liquor department. I’ve talked with our Police Officers that have been there it’s been anywhere from 8 out of 10 customers that have purchased alcohol and they were residents of Pennsylvania prior to this order coming. The amounts range from anywhere all the way up to \$1300 for one individual buying liquor; a couple over a thousand dollars; several at \$800 and \$900 and these were single individuals. Last Thursday I had the occasion to be in Kroger in Steubenville and Wintersville and personally observe the residents of Pennsylvania buying large amounts of alcohol. My concerns for the safety of our citizens here, our employees here of people coming from unknown locations in Pennsylvania that have issues with the coronavirus up there. So I fully support this

and I think this will minimize our exposure to our citizens here. Our employees are doing fine. We have staggered shifts spread out with some of our employees our M & R Department and our Sanitation Department. The reasoning for this is to minimize the exposure by groups again our employees are doing an outstanding job both here in the building as well as being out on the streets so I want rest assure that the Council; that our people are doing their job every day out there so we're getting our job done and that's all I need to say tonight to Council."

Mr. Petrella – "I want to add something to that. On Thursday I contacted Jim about the number of cars and people in Kroger. As you are aware Kroger is in my ward and I approached upon the safety of the employees as well as the congestion and the contamination; or possible contamination to the patrons of Kroger. I know Jim had contacted the Health Board and Health Commissioner about it and also they contacted the prosecuting attorney and correct me if I'm wrong Jim they didn't want to do anything because it's interstate commerce and I felt that in this crisis we're having in the country that health and safety trumps interstate commerce especially when most of the stores are shut down that are not necessary businesses. Jim then contacted the Governor and I feel that the Governor acted approximately to protect the health and safety of the citizens of the City of Steubenville. That's all I wanted to add."

Mr. Mastros – No Report

## MISCELLANEOUS REPORTS

Mayor Barilla – "Next on the agenda we have miscellaneous reports and signing in this evening would be Mr. Petrella."

Mr. Petrella – "The only thing I want to say on miscellaneous is I covered the first one with the Kroger situation of out of state residents coming in. The second portion of it and I know I sound like a broken record but I just want all the Council members to keep in the fore thought of what we can do to look at the 2020 budget because of the lack of revenue coming in because of the coronavirus. Also commending all of our employees that have to go out there on a daily basis and work with the public. They're doing an admiral job keeping social distance; minimizing the risk and they need to know that this Council is very appreciative of their efforts. That's all I have tonight Mayor."

Mr. Mavromatis – "If I can comment to that I just want Council to know that our Finance Director and myself have daily meetings in regards to our financial situation here and this is something that we are seriously looking at. I've also directed my department heads to review their budget as well as Dave and I are going to review it to see where we can make possible cuts for this year's budget as needed. Dave Lewis are you on the line?"

Dave Lewis – "Yes I'm here."

Mr. Mavromatis – "Council if it's alright with the Mayor I would like Dave to speak to Council in regards to our financial; where we're at right now."

Mayor Barilla – "Okay Mr. Lewis."

Dave Lewis – "Good evening everyone. We will be finishing the month end packet for the end of March. They should be going out to you by email this week. Highlights from those packets as of March 31<sup>st</sup> our revenue has been coming in as projected so we're very thankful of the money that has been coming in. Income tax as you know the last few months has been down. For March it was up for us with \$323,000 and that puts us back on track; March year to date (inaudible); March year to date last year we're up \$38,000; our water and sewer collections are down slightly; down 41,000 year to date in water and down 84,000 year to date in sewage. WE have been meeting as Jim said cutting back everywhere we can. We're holding off on hiring on a lot of positions. We're currently sitting with 14 open positions so we're trying to save as much as we can and until things unfold I think that's all I have for you tonight. If there are any questions I'd be happy to answer them."

Mayor Barilla – "Yes Mr. Lewis on the water collections because of how things have been with this virus that's a reason for the drop in collections?"

Dave Lewis – "It's possible. A lot of variables but you know overall it's not down much at the moment. We are basically on track."

Mayor Barilla – "Okay. Well that was my concern. Thank you."

Dave Lewis – "You're welcome."

Mrs. Anyabwile – "Thank you. One of the points was already addressed but I wanted to raise two more. I have wanted to know the amount of people that are in Kroger at the time is tremendous. There's really hard to practice social distancing and as far as I've seen there's nobody regulating how many people go in and out. So Mr. Petrella is that part being addressed by the owners or anything?"

Mr. Petrella – "Yes as you walk in now there's a person at the buggy that's taking a buggy count and they can show that you have a shopping cart and then they know the X number of people that are in the store."

Mrs. Anyabwile – "They're entering from both sides though."

Mr. Mavromatis – "The answer to that is yes. I was up there today the answer is yes. They're entering from both sides. There are employees at both entrances wiping the buggies and keeping track of the people in there. I actually went to check the liquor department; there wasn't a customer in there; several of the shelves were empty and I talked to our police officer that was there and the amount since this ruling came out yesterday the amount of traffic there has diminished. The lines that were coming to outside were strictly going in there for the alcohol. Nowhere else in the store. They were going to buy their alcohol and leaving."

Mrs. Anyabwile – "I see. Okay thank you. My next point is I wanted the AEP is cutting down a lot of trees especially in my ward where they told me when they put the trees on; that when they get cut down on people's

properties that they you know pick them up and that they cut them. When they are on vacant lots they just leave the trees now is that a policy that we have to abide by or should they in fact pick up the trees even on the vacant lots?"

Mr. Mavromatis – "I think the best thing is I have a very good relationship with AEP. I'll give them a call tomorrow and find out exactly what their policy is and I will call you and give you that answer."

Mrs. Anyabwile – "Okay thank you. The other part I was going to bring up was already addressed by Mr. Paul about us going into executive session regarding the police and you know the appeals that was just filed but I have no further business."

Mayor Barilla – "Okay thank you very much. We're going to have Mr. Dolak come back on to explain some additional information."

Mike Dolak – "Thank you Mayor. Council I just wanted to update you on a couple project bids that we had come in and a couple other issues. First would be the 2020 Community Development Block Grant/ seven tenth street resurfacing improvements and that project consists of Lawson Ave. from West Adams St. to Cardinal St., Cardinal from Lawson to Summit, Jefferson St. from Pine to West Terminus, Oakmont from Jefferson to Cardinal, Rosswell from Claire to Cardinal, Ross Park from Lawson to Lawson, and Elk from Park St. to Jefferson. We opened up bids on March 11<sup>th</sup> and this is a combination of CDBG as well as 7/10 and our engineer's estimate was \$716,619. We had three bids. The high bid was \$706,000 and the low bidder was \$584,000. We had three bids NLS Paving, Shelly and Sands, and Lindy Paving. Lindy Paving was the low bidder at \$584,000 for the base bid and then we added in Elk that was an alternate so their total number bid was \$607,000 compared to our \$716,000 so we invited them to enter into a contract with Lindy Paving they're out of New Galilee, PA. They've never worked for us before but we've checked all their references and they all come back good. Any questions?"

Mr. Petrella – "I got a question."

Mike Dolak – "Sure."

Mr. Petrella – "There's a big difference; there's about \$100,000 difference between the low bid and the high bid."

Mike Dolak – "Yes?"

Mr. Petrella – "That's not normal is it?"

Mike Dolak – "Yes. We got some hungry contractors."

Mr. Petrella – "Okay."

Mike Dolak – "100,000 is a little excessive but we have some hungry contractors. This Lindy is new. They're not new to paving but they're new to bidding with the City of Steubenville. So we see fluctuation like that. The next one is if you remember last year we talked about Lovers Lane Phase 3 design work with that Jim should be signing a contract for the design work probably late this week early next week. It'll come to him for signature. That's a combination of federal dollars and city dollars the initial design phase is about 250,000 which would be 200,000 from the feds and 50,000 from the city. Now that project is not set to go to construction until 2024. There's right of way, there's environmental, and there's design work that has to be done that's just a lengthy process but this is the first phase of design. Any questions on that one?"

Mayor Barilla – "So on that Lovers Lane does that take you from Sunset to Mall Drive?"

Mike Dolak – "Well yes it'll take you from where we ended the roundabout."

Mayor Barilla – "The roundabout."

Mike Dolak – "The roundabout where we ended it at out to Princeton."

Mayor Barilla – "Okay thank you."

Mike Dolak – "Any questions? Okay the next one we opened up last week on April the 8<sup>th</sup> was 7<sup>th</sup> St. resurfacing improvements that goes from on 7<sup>th</sup> St. from South St. all the way up to Franklin Ave. That's funded through 7/10 dollars as well as Ohio Public Works Commission dollars. We applied for and we were going to receive the \$350,000 grant for that project; the engineer's estimate was \$499,000; three bidders again Lindy Paving, Shelly and Sands, and NLS Paving. The high bidder Lindy was at \$447,000; Shelly and Sands was at 441; and NLS Paving out of St. Clairsville was 389,543 so they were about 110,000 under our estimate. NLS Paving use to be called Lash Paving both NLS as well as Lash have worked for us before so we're going to recommend that Jim enter into a contract with NLS. Now here's the thing although due to funding agency requirements the City will not be able to enter into a contract until after July 1, 2020. The City intends this project be started no sooner than July 13<sup>th</sup>. The completion date for this project is September 25. Now in this project we had \$350,000 of grant money and I have to look into this a little bit more and that's through the Ohio Public Works Commission but unfortunately today I received an email late in the day that said Round 34 which is what round we're on here for our funding. This effects two projects; this effects not only this one but also the waterline project because we applied for two grants; one for 7<sup>th</sup> St. and the other one was for the Marina Waterline. It says due to uncertainty of the Capital Bill round 34 infrastructure SCIP projects agreements will not be released on July 1, 2020. SCIP applicants need to plan accordingly. A local government may proceed on their project at their own risk so that's kind of in limbo right now. We have to wait for a little while longer before we can address those; that'll be the waterline project as well as the 7<sup>th</sup> St. resurfacing. I have to get a little bit more feedback from our grant agency to see when exactly when those grant agreements come out and I have a feeling they won't know until the Capital Bill gets signed so that may be a little while. I'll update you and the City Manager as soon as I found out. And just one other thing that relates to our waterline project at the marina related to our grant through the Ohio Department of Natural Resources I had some communication with them this week and they said the state controlling board is only approving requests that are related to public health and safety. More updates will be provided to you next week. So that's for the 7<sup>th</sup> St. resurfacing through

OPWC as well as our waterline project that's supposed to take place down at the marina. Is there any questions regarding those two? Thank you."

**PUBLIC FORUM**

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

Mr. Paul made a motion to withdraw the FOP Appeal and pay the FOP members and Non-FOP employees pursuant to the arbitration award. Second by Mr. Dressel. Roll Call. All ayes. So moved motion carried declared Mayor Barilla.

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

ATTEST: \_\_\_\_\_  
CLERK OF COUNCIL

APPROVED: \_\_\_\_\_  
MAYOR