

**MINUTES OF REGULAR COUNCIL MEETING**  
**July 13, 2021**

The 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 Council members Villamagna, Anyabwile, Dressel, Hahn, Petrella, & Timmons.

Mr. Villamagna made a motion to excuse Mr. Paul 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, Fire Chief Carlo Capaldi, Urban Projects Director Chris Petrossi, Engineering Director Mike Dolak, Parks and Recreation Director Lori Fetherolf, Linda Harris from the Herald Star, & WTOV9.

**APPROVAL/CORRECTION OF MINUTES**

Mrs. Anyabwile made a motion to amend the minutes of July 6, 2021 and add the comments made by Mr. Dressel about an ordinance discussed and voted on last week. Second by Mr. Petrella. Roll Call. All ayes. So moved motion carried declared Mayor Barilla.

Minutes were approved by Mrs. Hahn for July 6, 2021. 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 – "I have a few and I'll read two of them after the first ordinance. The first one is a notice to legislative authority from the Ohio Division of Liquor Control; a transfer liquor license from Steubenville Gas Inc. at 4332 Sunset Blvd. in Steubenville, Ohio to Lumarlu LLC DBA Convenient Food Mart at 4332 Sunset Blvd. in Steubenville, Ohio. It says please complete and return this form to the Division of Liquor Control whether or not there is a request for a hearing refer to this number in all inquiries B TRFO 8563753; please sign below and mark the appropriate box indicating your title."

Mr. Villamagna made a motion to accept this letter and make it part of the record and that a copy would be given to Council, the City Manager, Law Director, Mayor, Police Chief, and Fire Chief. Second by Mr. Petrella. Roll Call. All ayes. So moved motion carried declared Mayor Barilla.

Mayor Barilla – "Thank you Madam Clerk."

**ORDINANCES AND RESOLUTIONS**

**NO. 2021-35 – BY THE PLANNING COMMISSION – 3<sup>rd</sup> reading**

**Messrs. Villamagna, Hahn, Petrella**

**AN ORDINANCE AMENDING ORDINANCE NO. 1992-20, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF STEUBENVILLE, OHIO, BY REZONING PROPERTY OWNED BY BETH AND PATRICK WARNER, LOCATED AT 117 S. 7<sup>th</sup> STREET, STEUBENVILLE, OHIO, FROM "R-3" HIGH DENSITY RESIDENTIAL DISTRICT TO "I-1" GENERAL COMMERCIAL AND INDUSTRIAL DISTRICT.**

Mrs. Haley – "The first letter is from Chris Petrossi to Teresa DiCarlantonio. It says; Dear Ms.

DiCarlantonio: I have reviewed the above referenced application for rezoning in conjunction with Section 1191.03(e) of the Zoning Code, "Guidelines for Evaluation of Application for Zoning Map Amendment", and offer the following comments regarding same: 1. The City's Land Use Plan, as established by the Comprehensive Plan, identifies proposed future land use in this vicinity as Downtown Commercial, with traditional residential to the west, community commercial to the north, and downtown commercial to the east and south of the site. 2. The proposed project includes construction of a new building and related improvements to house Tri-State Fire Extinguisher, Inc., a business which currently exists across the street from this location. Existing land uses in the immediate area of the proposed project are residential; commercial; and light industrial/general commercial and industrial surrounding this site, therefore the project appears to be compatible with the mix of adjacent uses. 3. The City has the capability of providing public services to the site, the location is served by existing public water supply and sanitary sewer facilities. 4. The proposed rezoning will not create or contribute to known unsafe or hazardous conditions. 5. The proposed rezoning will not create an isolated zoning district unrelated to adjacent districts since the "I-1", General Commercial and Industrial District already exists to the east and south of the site; therefore this could not be considered "spot zoning". In conclusion, based upon the above, I recommend that the Commission submit a positive recommendation to City Council regarding this application for rezoning. Sincerely Chris Petrossi. The second letter is from Teresa DiCarlantonio to City Council. It says; Dear Members of City Council: At its regular meeting of July 12, 2021, a public hearing was held by the Steubenville Planning and Zoning Commission with regard to the above referenced application for rezoning. After comment and

discussion, the Commission voted unanimously to send a positive recommendation to City Council with regards to the proposed rezoning. Attached for City Council's consideration is a copy of the staff report prepared regarding the above. I request that City Council take into consideration the recommendation of the Planning and Zoning Commission with regard to the above application for rezoning. If you have any questions, please do not hesitate to contact me. Sincerely Chris Petrossi.”

Mr. Villamagna made a motion to accept the letters and make them apart of the record. Second by Mr. Petrella. Roll Call All ayes. So moved motion carried declared Mayor Barilla.

Mayor Barilla – “You’ve heard the third and final reading of Ordinance No. 2021-35. If anyone wishes to speak on Ordinance No. 2021-35 please step forward and state your name and address.”

Rodney James – “4547 St. Andrews Drive in Steubenville and I would like to speak for my parents and myself whose house is on 120 S. 8<sup>th</sup> St. That’ll be directly behind where they talk about building and the concerns that we had as far as my parents.” Mr. James explained how the noise from the pressure release of the tanks is loud and disturbing and how he’s worried about the hazardous materials that will be released from those tanks. Mr. James stated that his parents would like to vote no on the rezoning issue.

Mrs. Anyabwile stated how she was just aware of this yesterday and went to the Planning and Zoning Board meeting last night with Mr. James’s concerns. She also stated that she spoke with the couple that live on that street and they believe they would directly in their yard and how they can hear the noise and scared of the chemicals. Mrs. Anyabwile believes the company should look at other existing building and she believes it would be cheaper for the company to refurbish a building other than building a new building.

Mr. Dressel asked Mr. Petrossi how this building is meeting the setback requirements of a city lot if it’s just on one lot.

Patrick Warner stated how this is a series of three lots.

Mr. Petrossi also stated that it’s three vacant lots with one street address.

Patrick Warner – 232 S. 7<sup>th</sup> St. address the hazmat concerns and stated how he had the MSDS for the materials that are in fire extinguishers and the requirements for any type of accidents and clean ups and the side effects of the materials if anyone came into contact with them. The MSDS stated the material was not hazardous but does cause slight irritation to the eyes and lungs.

Mr. Dressel asked for Fire Chief Carlo Capaldi’s opinion.”

Chief Capaldi stated that the ones they get refilled are a dry power with CO2. Chief Capaldi agreed with Mr. Warner about the powder being an inhalation hazard if the fire extinguisher is sprayed on you or if you’re in a room. The CO2 is considered a gas and there wouldn’t be any issues with that.

Patrick Warner stated how if you google the CO2 gas how it states it’s not poisonous and the CO2 is used to discharge the powder.

Mayor Barilla asked about the dangers of the tanks exploding?

Patrick Warner said the other gentleman with him could address it better but if the tanks get hot to a certain degree that the safety release valve releases the pressure inside the tank so it doesn’t contain too much pressure and possibly explode. Mr. Warner also stated there’s no danger with fire extinguishers or every place in America wouldn’t have them.

David Simons – 122 S. 7<sup>th</sup> St. Tri-State Fire. He addressed the noise everyone was talking about and said how it’s a release valve for when the tanks get hot and has direct sunlight and have too much pressure to the safety valve releases the pressure so that they don’t explode. He said it only happens a few times a year and usually during the hot summer months but he plans on building a storage area that would be isolated properly and air conditioned. He explained how the fire extinguishers that they work on they do all in the shop and they are designing a room with a ventilation system and 99% of what they do in contained in the building. The ones that they do let off outside is quickly evaporated into the air. They only do this for testing of fire extinguishers over 5 years old to make sure they still work correctly.

Mrs. Hahn asked about being able to move the tanks further away from the property so the noise isn’t as loud.

David Simons said they are going to hear it regardless and it’s all a safety matter.

Mr. Dressel asked to have it stored inside and Mr. Simons stated how you can’t have that much CO2 in a building without some type of airflow because it would cut off all the oxygen in the building if there was a leak. It’s safer out in the air in the outside system and he plans on fencing the whole property in and would even have a privacy fence if the City required it.

Mrs. Anyabwile also asked if there will be storage units and Mr. Simons stated it’s not a storage unit that it’ll be a business, workshop that will have a store front with a receptionist. Mr. Simons plans on storing 99% of everything inside and even make the building pick enough to fit the trucks for the business in the building.

Mrs. Anyabwile asked if he’s looked at other options in the City and other places.

Mr. Simons informed her how his wife and himself have researched and have been working on this for quite some time and have looked at every possibility to expand their business and Mr. Warner offered them a deal he couldn’t refuse. He’s outgrown the building he is in now.

Mr. Dressel asked Mr. Petrossi about the master development plan for the city and how most of the south end is light industrial in the long run and he was wondering if it was in that area?

Mr. Petrossi said no it’s not in the area and that there is light industrial to the east and south of the site. What Mr. Dressel was talking about was south Adams St.

Rodney James stated that the MSDS had some “ifs” included and he was worried about what if it’s not taken care of.

Patrick Warren stated there wasn’t any “ifs” in the MSDS.

Mr. Villamagna called question. Roll Call. Four (4) ayes; Villamagna, Hahn, Petrella, Timmons. Two (2) no;

Anyabwile & Dressel. So moved Ordinance No. 2021-35 is duly adopted declared Mayor Barilla. This ordinance will go into effect on August 12, 2021.

**NO. 2021-55 – 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. 2021-56 – BY COUNCIL AS A WHOLE – 1<sup>st</sup> reading**

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.**

**NO. 2021-57 – BY THE FINANCE COMMITTEE**

**Messrs. Paul, Dressel, Timmons**

**AN ORDINANCE AMENDING ORDINANCE NO. 2021-50, THE EXISTING TABLE OF ORGANIZATION FOR THE CITY OF STEUBENVILLE, SPECIFICALLY THE FIRE DEPARTMENT BY INCREASING THE NUMBER OF FIREFIGHTERS FROM 21 TO 24 AND DECLARING AN EMERGENCY.**

Mayor Barilla – “You’ve heard the reading of Ordinance No. 2021-57. If anyone is wishing to speak on Ordinance No. 2021-57 please step forward and state your name and address.”

Mr. Petrella stated how he had conversations with the City Manager, Law Director, and the Finance Director and how they put the legislation in the ordinance that they discussed during executive session for non-bargaining employees and he was satisfied with it.

Mr. Dressel called questions. Roll Call. All ayes. So moved Ordinance No. 2021-57 is duly adopted declared Mayor Barilla. This ordinance will go into effect upon the Mayor’s signature.

## **REPORT OF COMMITTEES**

Mr. Villamagna – “Yes Mayor.” Mr. Villamagna made a comment to Chief Capaldi about how Council didn’t need to have a Safety Committee Meeting because of all the hard work and the leadership Chief Capaldi has put into getting the EMS up and running and Council completely understood how they needed to have more personnel to get a second ambulance on the road because Council knows how hard the firefighters are working. Mr. Petrella agreed with Mr. Villamagna and made some brief comments on how Council already recognized the fine job Chief Capaldi was doing, the need that they have, and the service the city must provide for the citizens.

Mrs. Anyabwile – “Yes you’re on.” Mr. Anyabwile state on she’s on the Pride Committee and she’s noticed a lot of the lots and corners that have high weeds and grass are owned by the city. The corner of Washington and Market weeds were really high along the curb and how she thought the curbs were the city’s responsibility. She asked if we could have 7<sup>th</sup> Street cut. Mr. Petrella also chimed in and said how Council knows we’re having trouble hiring people and asked Mr. Mavromatis if the city was still looking into hiring an outside company. Mr. Mavromatis said they are still looking into it and he’ll discuss it under his time.

Mr. Dressel – “Yeah I have one ordinance to sunshine.” Mr. Dressel sun shined an ordinance repealing the existing Table of Organization of the City of Steubenville, Ohio and now enacting a Table of Organization for all employees of the City and declaring an emergency. Second by Mr. Villamagna.

Mrs. Hahn – “Yes a couple of things.” Mrs. Hahn talked about the new adult fitness gyms located at North End Park and at Murphy’s Field. She also informed everyone that the Parks and Rec Board meeting will be tomorrow at 7:00 p.m. in Council Chambers.

Mr. Petrella – “It must be my night Mayor.” Mr. Petrella commented on the adult fitness gyms at some of the local parks and talked about how this past weekend SYNA came over and donated their free time from to help being get involved and to teach the citizens how to use the equipment properly. SYNA plans on having more classes in the near future after they talk with Lori and the gyms also provide information on how to use the equipment and you can also scan it onto your phone.

Mr. Villamagna informed Lori about the splash pad not working properly.

Lori Fetherolf stated she was aware of the issue and it’s a lot bigger of a problem than they think and they plan on working on it during the off season because there’s work that needs to be done underground.

Mr. Timmons – “I just had one question.” Mr. Timmons brought up about signs for Lincoln Ave. about the big trucks going through there. Mr. Mavromatis said he’ll check with Bob Baird and he knew the signs were ordered. Mike Dolak asked about the “No through Trucks” signs and he said that Mr. Baird installed those months ago. Mr. Timmons said the citizens is still complaining because the way the trucks enter they don’t see the signs and there either needs to be new signs at the other end or move the ones that are already there.

## **REPORT OF ADMINISTRATIVE OFFICERS**

Mr. Mavromatis – “To Mr. Petrella I talked with Bob Baird and we’re looking at two different things I know this is not the time for it but it will be coming up upon is with the snow removal and the ice removal we’re looking at a possible contract and service there to (inaudible) our forest. It’s the same with our weeds and the other issues that we have to deal with here. Part of the problem is Mr. Baird is trying to like every other business is getting people to back fill. He’s working with a short staff there so we’re at a point now that we have no choice but to contract this out. If we do contract this out my recommendation was and we do have the chemicals that is to apply the chemicals after the lots are cleared where we can go out, hit them with the chemicals and that should finish it for the season but we still; you know everyone is running into this problem you know we got “x” amount of people and “x” amount of hours a day. He’s aware of it and he’s working on it. We will attack those as soon as we can get it worked out and I’ll let you know.”

Mr. Petrella – “Now we have removed dates in that ordinance so we don’t have a season anymore.”

Mr. Mavromatis – “Right.”

Mr. Petrella – “So we can just go year round.”

Mr. Mavromatis – “As we see it we can deal with it then.”

Mr. Petrella – “Alright.”

Mr. Mavromatis – “Thank you. That’s all I have Mayor.”

Mr. Mastros – “Just one thing Mayor. This afternoon you all have received an email from me requesting to go into executive session to brief you on our ongoing efforts to purchasing property for our Lovers Lane extension project. It’ll be a short brief but we did want to update you so if we could go into a short executive session for purchase of property Mr. Dolak and I would appreciate that.”

Mr. Villamagna made a motion to go into executive session following public forum to discuss the purchase of property. Second by Mrs. Hahn. Roll Call. All ayes. So moved motion carried declared Mayor Barilla.

## MISCELLANEOUS REPORTS

### PUBLIC FORUM

Mayor Barilla – “We’ll now move onto public forum and signing in this evening is Lonetta Murray. Mrs. Murray please step forward and state your name and address.”

Lonetta Murray – 2005 Eve Drive. Owner of 1431 Oak Grove. Mrs. Murray explained how she’s been having issues with the property next door at 1429 Oak Grove and she’s been having these issues for years. She has contacted the property owner before on several occasions involving a tree on his property and it growing in the wires and how raccoons were climbing the tree and onto her roof and affecting the house. She also stated how the house is infested with roaches, mice, and other bugs and they are continuing to come onto her property and she’s had an exterminator out there several times to spray her property and the exterminator informed Mrs. Murray that the spray isn’t helping so her husband started spraying their unit and some of the other property. The grass and weeds on the property are extremely high and because of all these issues her tenant of 12 years is deciding to move and is going to losing \$1,000 a month and the tenants that lived in the rear left a couple years ago for the same reason. Mrs. Murray also had pictures to prove the issues she was having with 1429 Oak Grove. This house is not vacant and they aren’t sure if children live there. Mrs. Murray’s husband also has sent the videos to Section 8 to see if they could help in anyway.

All of Council asked questions about the Jefferson County Health Department and if they could possibly help. Mr. Petrella said how Council has been talking about this for months and would like the Health Department to come down and address Council’s concerns. Mr. Villamagna asked Mr. Mavromatis to call The Jefferson County Health Department and set up a meeting to see what they are able to do in these situations and how we can all help each other. Council would even like to have someone from the Health Board come down and talk with them and address our concerns. Council agreed that this house has to be uninhabitable and some of Council stated that there are more than just this property that have similar issues. Mr. Mavromatis informed Council that he’ll send out the residential advisors to look at the property. Mr. Mavromatis also informed Council that they cannot go into the property they can only inspect the outside of the property and Council states that’s where they are having issues is when the problems are inside the house.

Council Chambers was cleared for Executive Session.

Council Chambers was reopened to continue the meeting.

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

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

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