

MINUTES OF REGULAR COUNCIL MEETING
July 27, 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 Dressel, Hahn, Paul, Petrella, Timmons, Villamagna, & Anyabwile.

Also present; City Manager Jim Mavromatis, Law Director Costa Mastros, Police Chief Bill McCafferty, Code Enforcement Officer Tom Dorsey, Linda Harris from the Herald Star, & WTOV9.

APPROVAL/CORRECTION OF MINUTES

Minutes were approved by Mrs. Hahn for July 20, 2021. Second by Mr. Timmons. 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. 2021-56 – BY COUNCIL AS A WHOLE – 3rd 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.

Mayor Barilla – “You’ve heard the reading of Resolution No. 2021-56. If anyone is wishing to speak on Ordinance No. 2021-56 please step forward and state your name and address.”

Mr. Paul made a motion to accept Resolution No. 2021-56. Second by Mr. Timmons. Roll Call. All ayes. So moved Resolution No. 2021-56 is duly adopted declared Mayor Barilla. This ordinance will go into effect on August 26, 2021.

NO. 2021-60 – BY THE FINANCE COMMITTEE

Messrs. Paul, Dressel, Timmons

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE ANY CONTRACTS OR PURCHASE ORDERS WITH BEARCOM, FOR THE PURCHASE OF MOTOROLA RADIO EQUIPMENT FOR THE POLICE DEPARTMENT AND FIRE DEPARTMENT AND DECLARING AN EMERGENCY.

Mayor Barilla – “You’ve heard the reading of Ordinance No. 2021-60. If anyone is wishing to speak on Ordinance No. 2021-60 please step forward and state your name and address.”

Mr. Paul called questions. Roll Call. All ayes. So moved Ordinance No. 2021-60 is duly adopted declared Mayor Barilla. This ordinance will go into effect upon the Mayor’s signature.

REPORT OF COMMITTEES

Mr. Dressel – No Report

Mrs. Hahn – “Yes unfortunately there was a mix up on the date of the Friends of Beatty Park.” Mrs. Hahn informed everyone that the next Friends of Beatty Park meeting will be tomorrow night at the Bellevue Clubhouse at 7:00 p.m.

Mr. Paul – No Report

Mr. Petrella – “Yes you’re Honor I only had one comment.” Mr. Petrella thanked Mr. Mavromatis and the M & R Department for cutting down and removing a tree and for getting rid of a car with expired West Virginia plates on Euclid.

Mr. Mavromatis – “You’re welcome sir. We had three M & R people there that took care of the issue; our Police Department took care of the vehicle that needed to be towed and several residents there that I had talked to pointed out a couple other vehicles that needed to be taken out of the area. The neighbors are very grateful that the tree is gone now and it’s opened up for parking. Thank you sir.”

Mr. Timmons – No Report

Mr. Villamagna – “Yes Mayor.” Mr. Villamagna sun shined a resolution commending David Chester posthumously for dedication and distinguished public service to the City of Steubenville. Second by Mr. Paul. “And also I have an email here that was sent by Judge Mascio on March 3rd which I’m going to read aloud here. Council: There has been much discussion in the news in recent weeks over the housing stock, high weeds, and litter. As always the Court believes these type cases to be a priority. The goal of property maintenance is to

bring as many properties into Code compliance as possible. This is the reason that the Court works with offenders rather than just impose fines, community service, and jail at the onset. With regard to dilapidated structures the biggest problem is that many offenders are indigent and simply do not have the money to put back into their property by way of what are more often than not costly repairs. Pursuant to Ohio law inability to comply with the law is a defense to strict liability crimes. This means that the court must do an ability to pay for repair analysis and if an offender cannot afford such repairs they must be found not guilty due to their indigency. In these situations the offender is always ordered to cut and maintain grass, pick up litter on the property and see that all doors, windows and garages are secure. Not having money to repair or demolish a structure is one thing but anyone can pick up litter and remove debris. In these situations offenders are once again given a very short period of time to comply. Most do and those that don't have been sanctioned. With regard to high grass and weeds community service will assist as always but community service is not meant to be a supplement to the City workforce. Taking low level, non-violent offenders to 10-15 foot high overgrown properties, handing them a weed whacker and expecting them to resolve the problem is unrealistic. Ideally, as I have said before, one approach to overgrown property is for the City to brush hog these properties, followed by community service for cleanup, and then spray the property to prevent regrowth. We often go back to the same property several times throughout the year. I have heard it said that these cases are backlogging the Court docket. I can tell you that neither me nor my staff has said this. It is not true. In fact, our caseload was down significantly in 2020 through the present due to COVID. The biggest problem is no plan of action for property that the Court cannot get into compliance. Every law necessary is at our disposal and on the books. New laws are not necessary as the current laws have plenty of teeth if utilized. Please review ORC Sections 731.15 and 715.26 et seq. with the Law Director to name a few. These laws provide for notice requirements in all instances, placement of liens, and foreclosure of properties. The City continually places the onus on the homeowner, however, in certain situations that approach will not work due to reasons such as indigency, death, mental illness, abandonment, bankruptcy, and foreclosure. As discussed last year, service by publication is a tool that can be utilized for property owners whose whereabouts are unknown. This issue is not complicated but will require the expenditure of money by the City and a change from past practices. I would also suggest speaking with department heads regarding bulk pickups and collection practices. Our building and litter enforcement staff do a tremendous job and are very dedicated but they can only do so much. I am in my sixth year as Judge and the conversation has not changed. There is nothing more I can offer on this subject. The Court will continue to work with offenders as best it can and also see that these cases are given the attention they deserve. Sincerely, Judge Mascio. And that's all I have Mayor."

Mrs. Anyabwile – "Only that we need to find a solution to these weeds and garbage problems and issues that we have here in the city. And I know the courts are willing to work with the city to help resolve a lot of these issues but it's still; I've been here for a year and a half and it still looks the same. That's all I have."

REPORT OF ADMINISTRATIVE OFFICERS

Mr. Mavromatis – "Thank you Mayor. Two weeks ago Council had asked questions in regards to Code Enforcement and what our people are doing. What can the Health Dept. do? And you asked that the Commissioner come in which I have them the Commissioner and his Director of Environmental Health. I have Andrew Henry here and Marc Maragos and Tom Dorsey our Code Enforcement officer so at this point whatever question you have feel free to ask them. In fact Andrew if you would like to say a little bit of what you do; what the Health Dept. can and cannot do and then we'll go from there. Thank you."

Andrew Henry – "Thanks for having me Council. With this being my first time here I'll give you just a quick introduction. My name is Andrew Henry I'm the Health Commissioner. I've been in this position since January so I apologize that this is my first time here but obviously you can understand we have quite a few things going on in the last several months at the Health Dept. Just wanted to touch base on a couple things in regards to our Environmental Division of the Health Dept. keep in mind that as a Dept. of Health and having a board that can abate nuisances please keep in mind that these have to be public health matters. You know high weeds at the end of a driveway isn't necessarily a public health issue, a couple pop cans on a street isn't necessarily a public health issue. By all means we support the ordinances that the city has put in place to preserve our city and I say our city because I live here as well but once again we have a jurisdiction and that is to the public health matters only and as far as buildings you guys do have a building inspector and once again code enforcement through the Police Dept. so I'll kind of open it up for questions there to see where we fit in. Just one more quick comment from talking to Marc by all means please understand to that we're only a phone call away if you have are continued problems with a property that has become a public health matter know that we will respond to that nuisance complaint and then report back to you letting you know that yes we've identified this as a public health hazard and we can take this nuisance complaint for you from here and same with trash and things like that."

Mr. Timmons – "Thanks for coming down we do appreciate that. I think I was the one that asked that you come down and I had a few properties one specifically on Oak Grove where there were; and I understand weeds that you're not going to do anything about that but this roaches; just a real disgusting place. That is what I was wondering is that where you come into play?"

Andrew Henry – “If it is outside the home and affecting the public. Unfortunately somebody chooses to live in a filthy atmosphere inside their home we do not have jurisdiction to go in somebody’s home. Now if it’s affecting other properties in the neighborhood then by all means we can investigate that.”

Mr. Timmons – “And I think that’s where we were at with the one we were speaking about because rodents and roaches were coming over to the property that Ms. Murray owned. I wanted to see what you guys did and clear that up.”

Andrew Henry – “In my short time in this position I deal with the same thing that you had read in the letter Mr. Villamagna about property owners actually responding to issuing those abatements. Unfortunately yes we deal with the same thing all throughout the County not just in the city about folks we’ve sent an abatement too and unfortunately nothing is done time and time again. You can kind of just be spinning your wheels sometimes.”

Mr. Dressel – “So I have an example for you I have a property that I’ve been dealing with for 15 years they live with enjoying having a wide variety of roaches in their house and those roaches like to travel to all the houses within a block from them and I have been fighting it on my property which you can actually watch them you know go across the street in little lines. So the problem is and this is a home owner owned house so years ago a previous situation they would basically go up and order them to have it treated which they did. I almost paid for it myself quite honestly just to get it over with but I know person well enough to know who they are but what do I have to do to get the help to go inspect and then just get them to do roach treatment? Which is not that expensive with any terminator. You can easily do it for a whole year for \$400.”

Andrew Henry – “Marc correct me if I’m wrong. If it is outside and they are making their way to other properties that’s a different situation. So yeah that’s a situation where once again affecting other people.”

Mr. Dressel – “So who do I call? You specifically?”

Andrew Henry – “The Health Dept. yes.”

Mr. Dressel – “What number?”

Andrew Henry – “I brought cards here for you. 283-8530.”

Mr. Dressel – “Okay.”

Mrs. Anyabwile – “Okay so say you have people in your ward who they are living themselves and you go up to their porch and you smell garbage; then you have neighbors that are next door who can’t sit in their yard because of the stench of garbage is so bad they can’t even sit out on their own porch. Would that be considered public health nuisance?”

Andrew Henry – “If we can see the garbage then we can respond to that.”

Mrs. Anyabwile – “You can smell the garbage when you walk up on the porch.”

Marc Maragos – “Yeah it’s one of those situations where we don’t have Police authority so if they don’t want us on their property or we knock on their door and acknowledge who we are and why we’re here; if we get the door slammed in our face we basically write up the report and take that in front of the board but it’s the; I can’t say that I have dealt with some situations like you’re talking about Mr. Dressel and in the City of Steubenville when garbage is brought out cock roaches come out on the garbage, they come out of the garbage cans and they affect other houses. We did have success on dealing with that. What I would suggest is we try to keep a paper trail for us; we do have a public nuisance complaint form that we use to where the complainant would fill this out with the name and the address of the offender, property owner if it’s a landlord, we tend to go towards the landlords on rental units. I think we have a little more success filing orders on the landlords. Location of course of the nuisance complaint and a description of what the public health nuisance complaint is and what we had to do because we do have to cover all of Jefferson County in the past and I’m talking a long time ago we did accept anonymous complaints, on these forms we do put on the bottom that the Jefferson County General Health District will not accept anonymous complaints. That kind of helps us because we do get a lot of complaints that are not valid and it takes up our time so if we have somebody who is willing to fill this form out then we know that this is probably valid. (All inaudible).”

Mr. Villamagna – “Yeah my question is public housing; so let’s say that I live in apartment A and the roaches are coming from apartment B to my place and even though it’s public housing can you still go up there and investigate this?”

Andrew Henry – “Like a house at Metropolitan?”

Mr. Villamagna – “Well I’m talking about a house; well a house from Metropolitan housing but more of like an apartment complex.”

Mrs. Hahn – “JFK.”

Andrew Henry – “Yeah in that situation we find out that somebody has roaches as a cause of somebody else we can bring that to the board and then we will most likely have them be responsible for exterminating that property.”

Mr. Villamagna – “Also the follow up to this is I agree the anonymous complaints can sometimes get out of control. You got people just calling because they don’t like me; I don’t like you; blah blah but especially in some of these neighborhoods where there could be retaliation against somebody. I mean that’s a dead solid rule you have right?”

Andrew Henry – “No it’s not and I’m glad you brought that up. Something along those lines what I usually do is I have a conversation with the person on the phone and they explain that to me and I say I completely understand.”

Mr. Villamagna – “You’ve been doing it long enough that you can figure it out?”

Andrew Henry – “Yes.”

Mrs. Hahn – “Yeah so I had a question about timing. Okay someone calls you and says we got this situation on Oak Grove it’s really affecting other properties, you get that call and you write up the report; how much time goes by and what’s the process from there?”

Andrew Henry – “I would say and obviously Marc’s the one that does them; generally from my understanding with these guys it’s a matter of days. Obviously they can’t just stop what they’re doing especially if they have other ones that they have already scheduled but it’s usually within several days of the original complaint that we are out and about. Yeah I’ll just add real quick we have four registered sanitarians in our department so we have to you know we have a lot of distinct mandated programs that we have to keep up with as well so it’s a little bit of a juggling act; State Mandated Programs you know assigning the different assignments to my staff; you know who’s going to do the nuisance complaints today? Who’s going to inspect the schools? Who’s going to inspect the food operations? So what we try to do is we try to have anybody that has a signed complaint form we try to get that in within that week that we receive it. Now is that always possible? It might not but I’m saying we aim at 3 to 5 days to at least get out there and see what the problem is and then if it’s something that’s under our authority we issue orders to the property owner and we give them a deadline. If they do not meet that deadline then we bring them before our Board of Health for the board to decide the next step from there.”

Mrs. Hahn – “I’m still trying to understand the process so the Board of Health would then decide this person needs to be cited into court; what does the board do?”

Andrew Henry – “Yeah in most cases Marc would explain what happened and then we would try to pursue legal action against that person for not following the orders. Sometimes in a rare situation maybe 30 days we gave them and then after we said you know this person is really trying, they’ve gotten so close to cleaning that property up but they need a little more time. That’s where we bring it to the Board we can get lenience and we can look at it and say we’ll give them another 30 days because they’ve actually showed that they are trying to clean it up.”

Mr. Mastros – “So just to follow up on that gentlemen so someone doesn’t comply with your order you have the option or the statue to prosecute; are you saying that’s a board decision to refer it to whether it’s the County Prosecutor, Police Prosecutor here but that’s how that works?”

Andrew Henry – “Yes. The Board; we’ve come to the understanding with them is previously we use to have the individual come before the board so say we issued orders, they didn’t comply, previously that person could come before the board but we found it to be not quite useful because we can go out and check that property ourselves to make that decision. So yes in that case we would bring it before the board and they would make the final say as to whether we pursue legal action.”

Mr. Petrella – “We’ve been talking about his house; so we’re looking at the outside and it’s disturbing the surrounding properties. If you could track it back to this house and they don’t want you in there how do you get in there to inspect that house?”

Marc Maragos – “I can answer that. In a case of the City of Steubenville I would probably get in contact with the City Manager and ask for Police escort.”

Mr. Petrella – “Okay. This is where I’m coming from because (all inaudible) because everything that you said right now and no disrespect was all a fluff. Our problem is getting to that property and getting in that house and compelling that property owner or whomever to do something because they are affecting lives surrounding them and if you don’t get into that property to me it’s meaningless. I mean you can treat all you want outside but if you don’t get to the source; I think that’s what Council’s frustration is. If I’m speaking out of turn you know speak up guys and ladies that we need to have you guys knock on that door and if they refuse you to get in, go to Jimmy and get one of our officers and see what the problem is; get it cured so the other property owners surrounding them have some level of comfort (all inaudible).”

Mr. Dressel – “I had quick question and it might be for Costa. We have an administrative warrant function that we actually use to get in for example to change water meters when we can’t get in which clearly is a felony. So I don’t know what the requirements are but Costa so if we use the administrative warrant to get in and if we have probable cause to know that they are violating.”

Mr. Mavromatis – “We just discussed that. Yes you can.”

Mr. Mastros – “Obviously you have to have probable cause, go back to the Judge, write your affidavit, write your warrant and then you do it.”

Mr. Dressel – “That would be better than having a Police Escort unless they agree to let you in with Police there because if they don’t want you to come in you still can’t go in even with the Police.”

Mr. Mavromatis – “That’s correct.”

Mr. Mastros – “And if I can ask from what Mr. Petrella said; if I could ask Marc because you’ve been here a long time and we use to work together years ago; so if the problem is on the inside like Mr. Petrella said but it goes to the outside; your jurisdiction is on the outside, you order the nuisance to be abated, do you find that by ordering them to abate the nuisance on the outside necessarily corrects the inside as well? Because they know what the source is for the most part. If you hit the outside does it also affect the inside? What have you found at least historically?”

Marc Maragos – “I’m going to say no.”

Mr. Mastros – “Okay.”

Marc Maragos – “We do and believe me I do understand the frustration because this is not a Steubenville problem it’s County wide when you run into this. Yes we’ll have somebody take care of we’ll say roaches on the outside that are affecting other people on the outside. We get a call two-three weeks later that it’s back again. You know I will say that you know most of the phone calls that I received at the Health Dept. in Steubenville City are tenants calling about the landlords so I’ve had a lot of communication with landlords

within the city to say I understand that you're doing what we're asking you to do but you have to abate the nuisance and make sure it comes in full compliance and then it stays that way."

Mr. Mastros – "Thank you."

Mr. Mavromatis – "Bob to answer your question with the housing because I'm familiar with that if there is a problem with say next door tenants there's issues there, the manager there is responsible for getting pest control in there (all inaudible). I've seen them take beds out because of the bed bug issue and all of that so that falls a response immediately (all inaudible) and where we've had some other areas and the houses that they have here is the same thing. They are responsible for those houses."

Mr. Villamagna – "Well you've brought up a good point Jim. We keep saying roaches all of us but we do mean bed bugs and other insects."

Mr. Mavromatis – "The other thing that I would like Council to know I have worked with Mr. Maragos for the last five years and what a lot of you don't realize is he's also responsible for the inspections of our health issues pertaining to restaurants and fast food places and there's been many issues where he's had to shut down places and our City has supported him in doing that. So it is a team effort there. The problem is like anything else and I can give you it's a five decade old problem; you're dealing with people and we're dealing with a society today that they just don't take the responsibility. Now I agree whole heartedly with Council, five years I can tell you we've been dealing with these same issues here but where do you draw the line? We can only go so far and it's still up to the individuals how they live and what they do with their properties here and Mr. Villamagna read the letter from the Judge bottom line his hands are tied to a certain degree. You bring people in here; what's a cost ratio? What can they afford to do? They're barely surviving some of them others they can afford to do that. Is there landlord issues? Yes there are but that is not all landlords. I've been with the landlords association you've got very respectable law abiding landlords and then you have some who shouldn't have one property let alone 40 but that's the nature of the business. They've honestly have tried to do that but it still goes back when that tenant goes in there that property should be kept the same way they entered it. Now there are some cases they go into the properties to rent it and there's problems there and they shouldn't but again that's maybe what they can afford but the bottom line is majority of our landlords those properties they take care of. I've been in places I've seen the pictures before and I've seen the pictures after of what tenants have done so this is a problem in society in general and this is where we are and I agree with the frustration of Council because you listen to your constituents. I see this whole city every day and I've grown up here and I've seen how the neighborhoods have changed. Again we can't give up because what will happen is it will be ruined completely. You just got to apply the pressure where you can do it and again if we need to bring in other legislation then that's something we may need to look at and go from there. But again I want to thank both of you for coming tonight. Tommy you know what I think about your job; you're out there every day and you do the best you can."

Mr. Petrella – "Couple issues. We talked about bed bugs and roaches it's basically insects. There's a cat problem. There's a raccoon problem (all inaudible) that get into these abandoned houses and people may have 20 cats at their house. I've seen that and they don't take care of those animals. What can you do to help us in that situation?"

Marc Maragos – "Raccoons is clearly a lot easier than the cat situation. The one thing that we don't have materials for or anything like that is handling any animals. You know when it comes to adults; I'm constantly in contact with the Dog Warden you know over dogs. Cats I (all inaudible) cats are; nobody wants to deal with the feral cats. We still take care of any of the bites you know that come in for possible rabies from these animals and stuff like that but that is one thing that the Health Dept. we can't handle ourselves because we have no material to actually handle live animals. We don't have (all inaudible) to put an animal down that somebody may potential think is rabid you know something along those lines. But that is a very good question that I wish I had a better answer too."

Mr. Petrella – "We're looking not only for the Health Dept. but we're looking for anybody that can relieve the situation. If we have to enact legislation to enable you this Council is going to do it. If it needs to be from the County Commissioners we can work with those gentlemen across the street. It has come to such a situation in anywhere in the city it has become and we have taken up a lot of this Council's time week after week looking for a solution. So I'm saying your board or you help us come up with a solution we're willing to listen. You tell us what to do and we'll try to do it."

Marc Maragos – "I can tell you a problem I do run into is when I ask the question what do we do with these animals. The question that comes back to me is where do you put them? That's the question that comes back to me. It's like do you want us to take it out to somebodies farm on private property you know if they don't want it. Where do these animals go? Again I wish I had an answer."

Mrs. Anyabwile – "Craig he did address a couple of (all inaudible) that I wanted to; the cats so that's good. You've got hoarding situations where people; stuff has spilled out into their yards and neighbors complain would that be considered a nuisance health issues? Okay. What about if people feed feral cats? Couldn't it become their cat and they'd be responsible for the cats because they are feeding the cat and then the cat is going to go through yards and spraying people's properties making their property stink (all inaudible). I mean couldn't that be enforced? You feed it it's your cat. It's your cat you're responsible for it and you are also responsible for fixing it or neutering it."

Andrew Henry – "That would be out of our jurisdiction. Giving somebody ownership of an animal (all inaudible) but as far as the you know there was some properties that where ordinances will help with the hoarding situation. You know somebody has an ugly pile of scrap metal in their yard or on their back porch that shouldn't be there it's not working, it's not operating, it's not affecting the general public in any fashion it's just an eye sore and you have to deal with those unfortunately. If I could just add quickly on the question about

people feeding feral cats or putting food out if they are doing that I know of some areas in Jefferson County that they fine people if they are caught doing that and they're not their pets."

Mrs. Hahn – "We had a situation up on LaBelle where someone kind of created a trough on their front porch for all cats and a couple houses either way had so much cat spray that even when it rained and they shut the doors you could still smell it in the house. Do we have anything like that?"

Chief McCafferty – "Excuse me. There's a law in the books; okay when you start doing this you're going to have at least and I'm not being derogatory or of course age discriminating but you'll have a bunch of 80 year old ladies down here and I mean I'm not trying to be funny but it's the truth. I mean it can be done but that's what you're going to arrest and just be prepared for that if that's what you want. I've been trying to tell people for 15 years about the cats; they don't know what to do with them; there's no State law and you can't just; you can't just kill somebody's cat. I mean I'm not a cat person I'm a dog person but you can't just do these things."

Mrs. Hahn – "But feral cats aren't really owned. They're wild."

Chief McCafferty – "I understand that but you can't just kill cats. It's against the law. It's illegal. I mean it truly is. Am I wrong?"

Mr. Mavromatis – "Thank you both for coming. Tommy thank you."

Mr. Mastros – No Report

MISCELLANEOUS REPORTS

PUBLIC FORUM

Mayor Barilla – "We'll now move onto public forum and signing in this evening is Royal Mayo. Mr. Mayo please step forward and state your name and address."

Royal Mayo – "Royal Mayo 544 Highland Ave. Question just curious about the process; I spoke with the Mayor about different appointments and different committees, different boards and for the second time he offered me the first one; I asked him about (all inaudible) yeah sounds like a good idea but saying this body doesn't see that I'm fit to serve on a board of committee in this city. I don't understand that because I'm going to be on this board here real soon and I'm just trying to figure out what the process is from A to Z and also who gives the orders to what employee to do whatever they are; they are asking to do? Like for instance if Costa was to research if a person elected to Council couldn't be on the board who would tell him to do that? Because the seat was occupied by the late Councilman DiLoreto he had a seat and then while he was on the Councilman; he was off; he got reappointed again in 2020 after he came off of Council and I'm trying to figure out what would be the process to determine well we need to find out if he's allowed to do that on Council. Well I wasn't on Council when the seat came open. Mr. DiLoreto was on the housing board while he was on Council and got put back on when he was off Council. So I'm trying to figure out what the process is here and who I have issues with that I don't even know about. You know the majority of public housing is in the ward I live in in the City of Steubenville by vast majority. You got the JFK building, you (all inaudible) on 70 it used to be the Calabrese, you got Fort Steuben, you got the north end projects, Market Square, you got the Gaylord Tower, the Washington Square apartments all in the 4th Ward and for some reason the person who's most involved in the 4th Ward shouldn't be on the board that determines what happens with public housing. So I just want to know what the process is. What the steps are? And who is that that's not my friend that may be reporting that they are? I just want to know that before I get here. Thank you."

Mrs. Anyabwile – "Can someone answer his question?"

Mrs. Haley hands Mr. Mayo a copy of the Charter that pertains to Board Appointments.

Mayor Barilla – "The question on Mr. DiLoreto being on the board at JMHA was done by the previous Mayor and Mr. Mayo came to me about being asserted on that board; I did ask can a Council person serve on that board or the Port Authority before I moved any further to try and get him on the board. So I don't know if we ever got an answer really on that so anyway but the positions that I appoint to these various boards I take very seriously. When I do make a decision naturally that has to pass through seven people and I try to get that information from the seven people before that name formally comes before here and rather than embarrass that person and myself by bringing the name forward that I know is not going to pass I move to another person. So that's my only answer to you Mr. Mayo. Majority of the people of color that I've appointed I've found are responsible people, to serve not just the black community but they serve the community, they have done in my view of diligence job in what boards they are on and I'll stand behind them every day of the week, I'm a fair person, I may be this color but I grew up as poor as any black person so I have your interest in mind, black people's interest in mind but the main purpose of this position here; this Mayor is to serve the people of this community in the best possible way, most fair way, what is best for this community and I'll do that until the day I'm not here. So for me it's not the matter of the color of the skin, it's the matter of your integrity, common sense, and loyalty to this community and I know you have that. I'm not disputing that and I have as you know wanted you to get on some of these boards here but I knew that this was not going to happen and rather than go through with it we didn't go that way. I don't know how else to put it. I don't know if it's a conflict of interest when Mr. DiLoreto was on that board when he was on this Council that was before my time and I don't know if it had a legal answer to that question."

Mr. Villamagna – “I’m on the Port Authority but I’m a non-voting member. I’m just the liaison between the Port Authority and the City as Chairman of the Economic Development Committee I’ve always Ex Officio member of the board with no voting rights.”

Mayor Barilla – “I didn’t appoint you on that board.”

Mr. Villamagna – “No it’s automatic that the Economic Development person is on it because that’s what the port is for is economic development.”

Royal Mayo – “Mr. Mayor I had something to say from back to what you said. I remember you asked me you said and then you asked me the other day do you think that it was because it was me or because I was black. And my answer was I think it’s both and what I mean by that is I think it’s me and I’m black and what I mean by that is everybody in this room knows that I’m not going to take a second seat or I’m not going to pass anything off (all inaudible). What the black community needs and deserves they’re going to get if I’m there and I think for years that a part of appointing people to certain positions they don’t think they’re going to take that strong position sort of like Clarence Thomas filling the seat of the Supreme Court and being the only black that’s going to be allowed on there at the time but not taking any position that 95% of blacks take so they fill the position but they didn’t fill the need. So I think historically they try to and they fail sometimes because sometimes it’s somebody they think they know and they don’t but the purpose is but we can get somebody that looks like him but none of the thoughts that he has. So my point being is so yes it was because it was me and yes it was because I was black. That’s my true feeling.”

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