

MINUTES OF COUNCIL MEETING
June 10, 2008

The Regular Meeting of City Council was called to order at 7:30pm by Mayor Domenick Mucci, Jr. who presided. The meeting was opened with a silent prayer followed by the Pledge of Allegiance. Present were Councilmen DiLoreto, Fortunato, Lalich, Metcalf, Perkins, Stasiulewicz, and Chanoski. Also present; City Manager Bruce Williams, Law Director S. Gary Repella, Police Chief Bill McCafferty, Urban Projects Director Chris Petrossi, Finance Director Mike Marshall, Accounting Administrator Alyssa Kerker, and Engineer Michael Dolak, and M&R Superintendent Joe DeSantis, Health Commissioner Patty Reda, Fire Chief Terri English, Water/Wastewater Superintendent Rocky Augustine, Building Inspector Jim Ferris, and Parks and Rec Director Dwan Johnson.

Roll call was taken. All present and accounted for declared Mayor Mucci.

APPROVAL/CORRECTION OF MINUTES

Mr. Chanoski moved that the minutes of May 27, 2008, and June 6, 2008 be accepted as written. Second by Mr. Lalich. Roll call. All ayes. So moved minutes accepted.

PETITIONS AND COMMUNICATIONS

The Clerk read a letter from Dan Wood dated May 22, 2008 to Mayor and Council regarding his neighborhood and Canterbury Blvd. and Kingston Ave., not being on the street list.

Mr. Lalich moved that the communication be received, filed, and made a part of the minutes. Second by Mr. Fortunato. Roll call. All ayes. So moved.

The Clerk read a letter dated May 27, 2008 from the Indian Creek Local School District asking for assistance in their Back to School Rally.

Mr. Lalich moved to accept that the communication be received, filed, and made a part of the minutes. Second by Mr. Fortunato. Roll call. All ayes, so moved.

The Clerk read a notice from the Ohio Division of Liquor Control for a transfer to Ahmad, Inc. DBA Convenient Food Mart 3839 at 1056 University Blvd., from JAMA, Inc. DBA Convenient Food Mart 3839 at 1056 University Blvd.

Mr. Fortunato moved to accept the communication and it be received, filed, made a part of the minutes and referred to the City Manager, Law Director, Police Chief and the Ward Councilman. Second by Mr. Lalich. Roll call. All ayes. So moved.

ORDINANCES AND RESOLUTIONS

Mr. Chanoski moved that the rule requiring all ordinances and resolutions to be read in their entirety be suspended and that all ordinances and resolutions be read by caption only. Second by Mr. Lalich. Roll call. All ayes. So moved rule suspended.

2008-31 – BY THE PLANNING COMMITTEE – 3rd reading

Messrs. Fortunato, Perkins, DiLoreto

AN ORDINANCE AMENDING ORDINANCE No. 1992-20, AS AMENDED, THE ZONING ORDINANCE OF THE CITY OF STEUBENVILLE, OHIO BY REZONING LOT NO. 1 IN WILLIAM R.E. ELLIOT'S ADDITION OWNED BY THE TLC PROPERTIES, INC., LOCATED ON STATE ROUTE 7 BETWEEN SOUTH THIRD STREET AND SOUTH FOURTH STREET, STEUBENVILLE, OHIO, FROM R-3, HIGH DENSITY RESIDENTIAL DISTRICT TO I-3, HEAVY INDUSTRIAL DISTRICT.

Mayor, "You heard the reading of Ordinance No. 2008-31. Before we ask for public comments, we are in receipt of a letter from the Planning and Zoning Commission, Mr. William Welsch, Vice-Chairman, and also from the Urban Projects Director Mr. Chris Petrossi. Hearing no objections I will ask the Clerk to read the communications. Hearing no objections the Clerk is so ordered."

The Clerk read a letter dated June 2, 2008 to William Hendricks, Chairman of the Steubenville Planning and Zoning Commission regarding the rezoning and signed by Christopher J. Petrossi, Urban Projects Director and recommended that the Commission submit a positive recommendation to City Council regarding the application for rezoning.

Mayor, "Hearing no objections I will order the letter into the record. Hearing no objections it is so ordered."

The Clerk read the letter dated June 4, 2008 from William Welsch, Vice Chairman, Planning and Zoning Commission and requesting that City Council take into consideration the recommendation of the Commission as they send a positive recommendation to the Council.

Mayor, "Hearing no objections I will order the letter into the record. Hearing no objections it is so ordered. Is there anyone wishing to speak on Ordinance No. 2008-31 please come forward and state your name and address."

Mr. Fortunato, "I attended the Planning Commission Meeting and it was well received, I think it'll be a nice addition coming into the City of Steubenville and putting us into the next generation."

Mayor, "I would like to recognize that we have representatives from Lamar Advertising, thank you for attending and making the investment in our community."

Mr. Lalich called question.

Roll call. All ayes. So moved Ordinance No. 2008-31 duly adopted declared Mayor Mucci.

2008-53 – BY THE PLANNING COMMITTEE

Messrs. Fortunato, Perkins, DiLoreto

AN ORDINANCE DECLARING THE BUILDINGS AND STRUCTURES LOCATED AT 353-355-357 TERRACE AVENUE, 245 SOUTH SIXTH STREET, 422 HENRY AVENUE AND 1244 ARLINGTON AVENUE, STEUBENVILLE, OHIO, 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 DECLARING AN EMERGENCY.

Mr. Fortunato moved that the rule requiring an ordinance to be read on three separate occasions be suspended and Ordinance No. 2008-53 be given its second and third reading tonight for this bodies passage or rejection." Second by Mr. Perkins. Roll call. All ayes. So moved rule suspended.

The Clerk read the Ordinance. Mayor Mucci asked if anyone wished to speak on Ordinance No. 2008-53.

Mr. DiLoreto – "First of all Terrace Avenue is pretty well cleaned up, I want to that Chris's crew, Tony Bodo and Craig Cramer, they took that junk yard out, cleaned it up, now we got a play court in there. All the tires are almost gone that's to the kids, we got some good parents up there. The sweeper's been up there so now we got one illegal dump and that's not our responsibility that's going after the county and I'm going after them. Now all we need is the homeowners up there with the tenants, some kids, and keep the place clean. Get some grass cut, get some bags, get some brooms, the City's done their job, more then their job, now its time for the citizens who live there to take a little bit of pride and get this town cleaned up. Bar soap is very cheap. Thank you."

There being no one else wanting to speak Mr. Fortunato called question. Roll call. All ayes. So moved Ordinance No. 2008-53 duly adopted declared Mayor Mucci.

2008-54 – BY THE PARKS & RECREATION COMMITTEE

Messrs. Perkins, DiLoreto, Chanoski

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A JOINT USE AGREEMENT WITH THE FRANCISCAN UNIVERSITY OF STEUBENVILLE AND DECLARING AN EMERGENCY.

Mr. Perkins moved that the rule requiring an ordinance to be read on three separate occasions be suspended and Ordinance No. 2008-54 be given its second and third reading tonight for this bodies passage or rejection." Second by Mr. Metcalf. Roll call. The vote was 6 for and 1 against, the no vote coming from Mr. Stasiulewicz. So moved rule suspended.

The Clerk read Ordinance No. 2008-54. Mayor Mucci asked if anyone wished to speak on the ordinance.

William C. Watson, Jr., 1618 State St. – "I am greatly opposed to this agreement between the Franciscan and the City. I think the City should stay separate in their recreation and (inaudible) of what the property is for and not be compromised. It is my opinion that it was sold to Franciscan the golf course, the green strip, we have rearranged so that they can take over the housing up there and I've come before you from numerous occasions and asked for the inner city just a basketball court up there which would just take two poles and a basket to put up for the kids but it seems like were more concerned about the College of Steubenville then for our inner city members. I know your mind is set and your going to do what your going to do but what I ask you and I ask it publicly so that we would understand why you rushed this why everything is emergency I ask that you would hold emergency allow us to go as it is and the three step meetings and if it pass it pass but I don't believe we need emergency. I heard the one councilman say that his people called him and said that they were in disagreement. There are a number of people out there that are in disagreement with this other then myself. But if its just me and its just them and no one else complained at least let the three separate meetings go and then if it pass it pass. Thank you."

Mayor Mucci asked if anyone else wished to speak on Ordinance No. 2008-54.

Ed Chambers, 505 Market St. – "I have to agree with him about the emergency situation I'm for this I think we should incorporate the college and the Franciscan students into our city and work with the University and share our public parks because they're part of the public but I don't see why it's an emergency for this to happen. So if it could go to the three readings so that everybody could voice their opinion I think it would be a much wiser decision. Thank you."

Mayor, "Is there anyone else wishing to speak on Ordinance No. 2008-54? There was no one.

Mr. Lalich called question. Roll call. The vote was 6 for and 1 against. The no vote coming from Mr. Stasiulewicz. So moved Ordinance No. 2008-54 duly adopted declared Mayor Mucci.

2008-55 – BY THE BUILDING & GROUNDS COMMITTEE

Messrs. Fortunato, Metcalf, Stasiulewicz

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR DESIGN – BUILD SERVICES FOR THE CONSTRUCTION OF A NEW CITY BUILDING, SUBJECT TO THE RIGHT TO REJECT ANY AND ALL PROPOSALS, AUTHORIZING THE ENTERING INTO SAID CONTRACT WITH THE MOST QUALIFIED DESIGN-BUILD TEAM, AUTHORIZING PAYMENT THEREFORE, AND DECLARING AN EMERGENCY.

Mr. Fortunato moved that the rule requiring an ordinance to be read on three separate occasions be suspended and that Ordinance No. 2008-55 be given its second and third reading tonight for this bodies passage or rejection. Second by Mr. Metcalf. Roll call. All ayes. So moved rule suspended. The Clerk read the ordinance again. Mayor Mucci asked if anyone wished to speak on Ordinance No. 2008-55 and there was no one. Mr. Lalich called question. Roll call. All ayes. So moved Ordinance No. 2008-55 duly adopted declared Mayor Mucci.

2008-56 – BY THE PLANNING COMMITTEE – 1st reading

Messrs. Fortunato, Perkins, DiLoreto

AN ORDINANCE AUTHORIZING THE ISSUANCE OF CONDITIONAL USE APPROVAL FOR MARY ANN WAGNER AND DR. REMESH THIMMIAH FOR PROPERTY OWNED BY R & J REALTY HOLDING CO., LOCATED AT 605 TROY DRIVE, STEUBENVILLE, OHIO, FOR THE PURPOSE OF OPENING AN ASSISTED LIVING FACILITY FOR THE CARE OF ELDERLY PERSONS.

Mayor Mucci, “You have heard the first reading of Ordinance No. 2008-56, its second reading will be held two weeks hence. The Steubenville Planning and Zoning Commission will hold a public hearing on August 4th and the third and final reading of city council will be August 5th.”

REPORT OF COMMITTEES

Mr. Fortunato – nothing

Mr. Lalich – nothing

Mr. Metcalf – nothing

Mr. Perkins – “Just a reminder that the Parks and Recreation Board will meet tomorrow night at 7:00pm at Belleview Clubhouse.”

Mr. Stasiulewicz – nothing

Mr. Chanoski – nothing

Mr. DiLoreto – nothing

ADMINISTRATIVE OFFICERS

Mr. Williams – “I passed the results of a bid opening we had the 4th of June for the water exerciser and vac equipments. We had two bidders, the low bidder is James Cox, Co. in the amount of \$51,924.00 and that would be my recommendation to Council.”

Mayor, “Hearing no objections the City Manager will be ordered to enter into an agreement with James M. Cox, Co., Inc. for \$51,924.00. Hearing no objections it is so ordered.”

Mr. Williams – “We did bid for the second time the ton and a half truck for our Water Department and I am rejecting the bid for a second time and we are tightening up our specification and making it more clear as to what kind of equipment we expect the bidders to bid on, so we’ll hopefully have that to you within thirty days.”

Mr. Repella – no report

Mrs. Reda – “I just want to remind you about the rabies clinic for dogs and cats that will be held on June 20th at the Steubenville Marina from five to seven and it will cost you ten dollars per animal, they have to be leashed and Dr. Robinson will be the Vet. I just want to give you some information about the tomatoes and the salmonella outbreak, we learned today from the Ohio Dep. Of Ag that Ohio tomatoes are safe for consumption. Our product is harvesting now its not harvested when the tomatoes that are questionable were grown and were a food source.”

Mr. Lalich, “Mrs. Reda, I heard on the news that those tomatoes were from Mexico..”

Mrs. Reda, “Okay. I know they are still looking for the source, theres a list of states that have safe tomatoes.”

Mr. Chanoski, “What does that mean a rabies clinic? Can I bring my dog down there?”

Mrs. Reda, “Yes, if your dog is due for a rabies vaccine you can get it there, its just a ten dollar charge.”

Mr. Johnson – “I want to address Mr. Watson’s question in regards to the Basketball Courts. Were in the process of hanging some courts in Steubenville, in Pico Park, we’ll do Pleasant Heights, North End, and these are the courts that were going to pave. First thing we’re going to have to do were going to have staff take down the actual basketball boards and rims and we’ll get the poles down and were going to be paving in a couple of weeks, we do have a contractor coming to pave for us, so you’ll have the courts by the end of the year.”

Mayor, “I want to take a moment to mention that I truly believe that every year around this time there’s a lot of excitement and movement within our community. We always have a great time in the month of June with several festivals going on. Were kicking it off this week with the Dean Martin Festival, then next Wednesday we’ll go into the Greek Festival and then next Saturday we’ll hit into the Fort Festival but there’s a lot of activity, our town will be hopping and I want to take this opportunity to thank the Steubenville Revitalization Committee for last Saturday’s work in the downtown area of the clean up, it is truly shining. I know we still have a little bit of work cut out for us before our visitors start arriving probably tomorrow or the next day, but we will be ready. I did leave some flyers on the banister for the Dean Martin Festival, there’s a lot of activities, again starting on Thursday with a free concert at 6:30 p.m. at the Fort and once again we’re going to be honored with Dean Martin’s daughter coming to our community so we look forward to that and all the other festivals but I personally want to thank everybody who took time out of their busy schedule to work on the clean up of our community. I continue to promote that we need to put our best foot forward with these visitors and I think we can all agree that our town is shining and were looking forward to these great events. I do want to inform Council that Wednesday, June 18th we’ll be having the final planning committee for this years 4th of July celebration. As you all know we always celebrate the 4th on the 4th, it’s a Friday this year. Also on the banister I have some flyers of the days activities starting with the Strider Track Meet at Harding Stadium, opening ceremonies, prayer service, senior citizen luncheon at twelve noon, and I encourage all members of Council to be at the JFK building to help serve the lunch to the seniors there. There will be free swimming from twelve to five p. m. at Belleview, the Marina festivities will start at noon, vendors, music, fireworks, a salute to military heroes and a 4th of July special recognition. I do want to point out, unfortunately, this will probably be the last year for the fireworks off of the bridge I’m afraid the bridge will not be there next year for this event.”

Mr. Lalich, “Will you elaborate a little bit on June 12th Corridor of Opportunity Meeting at Florian?”

Mayor, “This coming Thursday at noon we will be having, Progress Alliance, a group of community leaders and all will be hosting Corridors of Opportunity at the St. Florian Hall, this is with the Pittsburgh Times and what were doing is were bringing in about 150 developers and corporate people from the Pittsburgh Market to showcase our community. So we’ll be having an opportunity this coming Thursday to talk about the whole Ohio Valley particularly here in Steubenville and Jefferson County. I know Mr. Lalich has been working extremely hard with Progress Alliance in putting the event together. Its really going to be a nice day for us once again to capitalize on it and of course were going to invite everybody down to the free concert in our park later that afternoon.”

MISCELLANEOUS REPORTS

Mr. Metcalf – “I received a few calls on an issue concerning whether Walgreen’s was going to be still building at the site where the old Montgomery Pontiac was? I talked to Mr. Petrossi, he did some resource for me and I’m very glad to say that they are continuing, Walgreen’s will be there and I’ve very happy to continue to have them as part of my Ward and part of the City and they’ll be a very nice partner and addressing a nice part of the City with a new building. So I wanted everyone to know that Walgreen’s will be there.”

Mayor, “If I’m not mistaken I believe their target date is September, 2009 for completion and operation.”

Mr. DiLoreto – “I have to good, the bad, and the ugly for everyone, Pokey’s selling tomatoes. Last week my good colleague over there Mr. Fortunato said it was a sad day because All Saints was closing, well I’m devastated. I lost two churches, one school, no more schools in the South End, Community Center, 435 kids out in the street. But I do want to thank Mr. (inaudible) and his group for trying to bring the downtown back and at least hold it stable, so we do have a group that is trying to do something and not dismantle. On the other hand on the brighter side of the note, I’m always asking for something however Jim Trimmer, Larry Quinn, and Mike Moore, they’ve been cutting grass in my ward on city owned lots on Lincoln, Tweed, and McKinley. They also cut the bridge under and over, so I’ll be sending them a thank you note and they are people that don’t talk, they act. Also, Mr. & Mrs. Mike Malarcik are repairing two houses on Tweed Ave. on their own and they’ll be getting a thank you note from me even though we had some words. But I think everyone has to pitch in, do their work, quit bitching, and get their brooms and shovels out. Thank you.”

Mr. Chanoski – “I need a second to talk about the project that’s going on, the Bob Evans Construction project that’s going on. I’m sure a lot of you may have read in the newspaper the issue with a lot of the local unions in our area. This is a project (inaudible) non-union and for me personally I think for our community this is an extremely controversial issue. I’m one hundred percent for development in our community but we live in a

community that was built on union blood, sweat, and tears, and when a big company like Bob Evans comes in they should respect that and they should have union workers working that job. This isn't just non-union work its out of town companies with out of town workers so the money is being paid to the people working this project doesn't stay in our community. Its just something that troubles me. I've spoke with a number of union officials in the last few days and something that troubles them as well. As soon as those doors open for Bob Evans the people who will be walking through those doors will be people who receive their paycheck from a union and Walgreen's, I want Walgreen's to come here as much as anybody but I'd like them to also recognize the type of communities they are coming to and respect that and build union. I think anytime any big corporations, organizations come into our community they need to respect the type of community we live in and they need to build union. That's what's made our community and I think that everybody, especially the people who are going to come into it should respect that."

Mr. Stasiulewicz – "Just a reminder to the citizens that school is out so there's a lot more kids playing in the streets and in the neighborhoods and hopefully everybody slows up and pays more attention because from eight to three kids are walking around and especially in the evening hours when it gets dark there are children out there and just so everybody slows up. Thank you."

PUBLIC FORUM

Mayor, "Is there anyone wishing to speak to City Council on City business please come forward and state their name and address."

Sarah DiCarlantonio, 700 Lawson Ave. – "I'm here about the recent murder and the gun shots on Pleasant heights. The murder happened to take place exactly two blocks, two streets over from my house. The shots that were fired and the pictures that happened to be on News9 happened to be two blocks up the street and one street over. I'm tired of it. Something really needs to be done about it. We have a problem here. None of you live on Pleasant Heights so I'm quite certain you all don't completely grasp exactly what it's like to live there. For myself I'm not afraid, they'll have to take me out in a body bag, I am not afraid but there, I have a son, there's a lot of children that live up there, there's a lot of elderly people, I worry about them. The Pleasant Food Mart, and I know I've said this in the past, its nothing but a drug store, that's all it is. More drug transactions go on in that parking lot then probably the majority of the rest of the areas within the City of Steubenville. It's very difficult to go to sleep at night and to be woke up in the middle of the night to gunshots. I heard those gunshots that night the man was killed. I didn't hear the ones up the street it's a little bit further but its just that something's got to be done about it. Anybody that thinks the hilltops are safe they need to live there because they're not safe and I don't care if it's the Community Development Corporation, whoever it may be but what upsets me the most is this; my son who happens to be, he's going to JCC, and he's majoring in law enforcement, he's met a lot of nice young men and women at JCC, who refuse to come to his house because he lives on Pleasant Height in Steubenville, Ohio and they're afraid to come there. Some of them actually have nothing but negative comments to make about the fact that he lives in the City of Steubenville and I'm sick of it and something needs to be done about it, something needs to be done about it. They want to kill their self, they can go kill their self, but they may kill some innocent person along the way. One more thing, foot patrol, if were not doing it I think its really important that we start it again but I think if were going to have it you need it from midnight clear through the entire night till morning. You don't need it from five, six o'clock in the evening until midnight, you need it after that, that's when most of this is taking place. Thank you."

William Watson, 1618 State St., - "I live on Pleasant Heights and also we have laid in our bed many a nights and we have heard the sounds of guns. It seems like there are people who don't have a respect and don't really care about the law because it happens continuously and we had the cameras and I thought we were supposed to get some more and I'm just saying something has to be done. Camera's got to be put in those areas where we have these things happening because people are just coming out shooting at walls or people. We have had the death and we have had people that were hit by bullets so something needs to be done. Right now I ask, what is the criteria for the emergency meeting (inaudible) really at their last straw. I would like to have an answer as to what is the criteria for emergency meeting and who makes the determination. Thank you."

Ed Chambers, 505 Market St. – "I came to find out who oversees the Steubenville Convention and Visitors Bureau or what is supposed to be down there. I understand that that bureau is funded by the hotel room tax in the city and there's been so much confusion with the events happening this month. I've got guys coming up to me saying the Greek Festival starts tomorrow and Dean Martins's going on this time and this is going on and there's no real situation, nobody's addressing the events that were having in Steubenville this month and posting it on the WEB. I've searched the WEB to find out about these things thinking it's got to be on there, its not, and I just wonder who's in charge of the Steubenville Visitors Bureau since its tax money that the city's pouring on to this department and I don't see it doing unique for the city."

Mayor, "They do have a WEB site, Steubenville Convention and Visitors Bureau, CVB and Beth Wood is the Executive Director, there is a Board of Directors, I believe fifteen members that was established and you are correct the Hotel/Motel bed tax was established by this Council back in 1982 or 1984 to create a CVB but on the WEB site all the dates are posted. In fact if you go to the WEB site you could even find out when the County Fair is, there's a whole listing of all type of activity throughout the twelve months."

Mr. Chambers, -"I was looking for it I can't find it." Mayor Mucci once again gave the address.

Jim Ferris, Building Inspector – "I just would like to clarify about the union contractors on Bob Evans. The demolition contractor's a union contractor, he's local, the concrete contractor is the same person, local contractor, union. The general contractor that's doing all the carpenter work is union. The electrician's doing the electrical work is union. So your statement is not correct."

Mr. Chanoski, "I spoke to the general contractor and I asked him for the percentages of union employees on the entire job, he told me 30%. So I ask you this Mr. Ferris, when I go to pay my bill when Bob Evans opens, can I pay them 30% of that bill, or better yet, when I go to do my next construction project in Steubenville can I pay 30% of the fees or can I bring it up to 30% of the code? Will you be satisfied with 30%? I'm not satisfied with 30% either, 30%'s not enough. Its 100%, that's the way I expect it, that's the way you expect it in your job and that's the only thing that I'll settle for."

Mr. Fortunato moved to adjourn the meeting. Second by Mr. Lulich.
Roll call. All ayes. So moved meeting adjourned declared Mayor Mucci.

Pamela L. Orlando
Clerk of Council

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR