

## REGULAR MEETING

November 27, 2019

Struthers, Ohio 44471

The Regular Meeting of the Council of the City of Struthers, Ohio, was held on Wednesday, November 27, 2019 at 7:00 p.m. in Council Chambers with the following members present at Roll Call: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.

President of Council, Henry D. Franceschelli, Sr., was present at the Meeting.

President of Council, Henry D. Franceschelli, Sr., asked everyone to stand for the Pledge and for the gentlemen to remove their hats.

Pledge was recited.

President of Council, Henry D. Franceschelli, Sr., thanked everyone for coming this evening.

President of Council, Henry D. Franceschelli, Sr., recognized the invited guest in attendance at the Regular Council Meeting: Mayor Terry P. Stocker, Safety Service Director, Robert (Bob) Norris, Auditor, Christina Bohl/Jackson and Tax Commissioner, James Bertrando. (Law Director, John N. Zomoida Jr, Judge Dominic Leone, and Treasurer, Robert D. Carcelli, III—not present.) Also present: Police Officers: Ritter & Rossi.

President of Council, Henry D. Franceschelli, Sr., asked for a motion to dispense with the reading of the minutes and to accept the minutes. Do I have a motion? A second?

Carcelli moved seconded by Bigley to dispense with the reading of the minutes of 1<sup>st</sup> Regular Meeting dated November 13, 2019 and accept them as prepared by the Clerk.

Roll Call: Voting yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.

Motion carried 7-0.

Meeting minutes accepted by 7-0 vote.

President of Council, Henry D. Franceschelli, Sr., asked the clerk to read the 4 pieces of communications.

### COMMUNICATIONS

- 1) **STRUTHERS CITY AUDITOR'S MONTHLY STATEMENT OF CASH POSITION, REVENUE REPORT WITH TRANSFER IN & OUT, AND EXPENSE TRANSACTION LEDGER REPORTS FOR THE MONTH OF OCTOBER 2019, SUBMITTED BY CHRISTINA S. BOHL, STRUTHERS CITY AUDITOR, ON NOVEMBER 13, 2019.**
- 2) **STRUTHERS MUNICIPAL COURT REPORT FOR THE MONTH OF OCTOBER 2019 SUBMITTED BY LORRAINE SCIORTINO, CLERK OF COURTS.**
- 3) **NOTICE TO LEGISLATIVE AUTHORITIES FROM THE DEPARTMENT OF COMMERCE DIVISION OF LIQUOR CONTROL REGARDING OBJECTIONS TO RENEWAL OF A LIQUOR PERMIT RECEIVED NOVEMBER 15, 2019.**
- 4) **STRUTHERS MUNICIPAL TREASURER'S CASH TRANSACTION REPORTS FOR THE MONTH OF OCTOBER 2019 SUBMITTED BY ROBERT D. CARCELLI, STRUTHERS CITY TREASURER.**

President of Council, Henry D. Franceschelli, Sr., asked for a motion to receive and file the communications.

Fire moved seconded by Rudzik to receive and file said communications.

Roll Call: Voting yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.

Motion carried 7-0.

Communications accepted and received by 7-0 vote.

## **MAYOR'S REPORT (On Audio)**

Mayor was present at the meeting and gave a verbal report to Council this evening. Mayor's Verbal Report: 1) Dam Removal Project, 2) Fire Committee Review Team For Firm, 3) Ground Breaking for New Fire Station tentative for December 9<sup>th</sup> once Firm is picked, and 4) Auction scheduled for December 10, 2019 at 10:30 a.m.

There were no remarks or comments for the Mayor.

## **REPORT OF STANDING COMMITTEES (On Audio) December 4, 2019**

Robert D. Burnside, Chairman of the Finance & Legislation Committee scheduled a meeting for Wednesday, December 4, 2019 at 6:15 p.m. in Council Caucus Room. The purpose of the meeting is to discuss pending Legislation. (Called for during the Regular Meeting of Council.)

## **ANYONE WISHING TO ADDRESS COUNCIL ON PENDING LEGISLATION**

There were no remarks or comments under Addressing Council on Pending Legislation.

President of Council, Henry D. Franceschelli, Sr., asked the clerk to read the 5 pieces of legislation.

## **LEGISLATION**

### **19-059**

**AN ORDINANCE AUTHORIZING THE AUDITOR TO TRANSFER THE SUM OF \$75,000.00 FROM THE 2019 GENERAL FUND BUDGET CATEGORY TRANSFER TO POLICE PENSION # 100 9100 59004 TO THE POLICE PENSION FUND # 805 0000 47101 AND DECLARING AN EMERGENCY.**

Burnside moved seconded by Bigley that the rules of Council be suspended and the ordinance be placed upon its passage.

Roll Call: Voting Yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.  
No Remarks.

Burnside moved seconded by Bigley that the ordinance be passed as read.

Roll Call: Voting Yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.  
No Remarks.

Motion Carried 7-0.

Legislation passed by 7-0 vote.

### **19-060**

**AN ORDINANCE AUTHORIZING THE AUDITOR TO TRANSFER THE SUM OF \$50,000.00 FROM THE 2019 GENERAL FUND BUDGET CATEGORY TRANSFER TO FIRE PENSION # 100 9100 59005 TO THE FIRE PENSION FUND # 810 0000 47101 AND DECLARING AN EMERGENCY.**

Bayus moved seconded by Rudzik that the rules of Council be suspended and the ordinance be placed upon its passage.

Roll Call: Voting Yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.  
No Remarks.

Bayus moved seconded by Rudzik that the ordinance be passed as read.

Roll Call: Voting Yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.  
No Remarks.

Motion Carried 7-0.

Legislation passed by 7-0 vote.

### **19-061**

**AN ORDINANCE AUTHORIZING THE AUDITOR TO TRANSFER A SUM OF \$10,000.00 FROM THE 2019 GENERAL FUND BUDGET CATEGORY 100 9100 59002, TRANSFER TO RECYCLING PROGRAM, TO THE REVENUE CATEGORY 701 0000 47101 AND DECLARING AN EMERGENCY.**

Rudzik moved seconded by Bigley that the rules of Council be suspended and the ordinance be placed upon its passage.

Roll Call: Voting Yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.  
No Remarks.

Rudzik moved seconded by Bigley that the ordinance be passed as read.  
Roll Call: Voting Yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.  
No Remarks.  
Motion Carried 7-0.  
Legislation passed by 7-0 vote.

**19-062**

**AN ORDINANCE AUTHORIZING THE AUDITOR TO TRANSFER THE SUM OF \$5,000.00 FROM THE 2019 GENERAL FUND BUDGET CATEGORY 100 9100 59003, TRANSFER TO ELDERLY VAN, TO THE REVENUE CATEGORY 265 0000 47101 AND DECLARING AN EMERGENCY.**

Patrick moved seconded by Carcelli that the rules of Council be suspended and the ordinance be placed upon its passage.  
Roll Call: Voting Yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.  
No Remarks.  
Patrick moved seconded by Carcelli that the ordinance be passed as read.  
Roll Call: Voting Yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.  
No Remarks.  
Motion Carried 7-0.  
Legislation passed by 7-0 vote.

**19-063**

**A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT APPLICATIONS, AND TO EXECUTE CONTRACTS AND ACT AS CHIEF EXECUTIVE OFFICER FOR THE OHIO PUBLIC WORKS COMMISSION, PROGRAM YEAR 2020, OPWC FUNDED PROJECT; NAMELY THE YEAR 2020 RESURFACING PROJECT, AND TO DESIGNATE THE AUDITOR AS CHIEF FISCAL OFFICER FOR ALL GRANT DOCUMENTS FOR THE PROJECT AND TO DESIGNATE MS CONSULTANTS, INC. AS THE PROJECT MANAGER, AND DECLARING AN EMERGENCY.**

Carcelli moved seconded by Bigley that the rules of Council be suspended and the resolution be placed upon its passage.  
Roll Call: Voting Yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.  
No Remarks.  
Carcelli moved seconded by Bigley that the resolution be passed as read.  
Roll Call: Voting Yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.  
No Remarks.  
Motion Carried 7-0.  
Legislation passed by 7-0 vote.

**UNFINISHED BUSINESS**

There were no remarks or comments under Unfinished Business.

**NEW BUSINESS**

There were no remarks or comments under New Business.

**REPORT OF LAW DIRECTOR**

Law Director, John N. Zomoida, Jr. was not present at the meeting and had no said report for Council this evening.

There were no remarks or comments for the Law Director.

**REPORT OF AUDITOR (On Audio/Report On File)**

Auditor Christina Bohl was present at the meeting and had said reports received November 13, 2019 for Council this evening. Auditor's Report: Struthers City Auditor's Monthly Statement Of Cash Position, Revenue Report With Transfer In & Out, And Expense Transaction Ledger Reports For The Month Of October 2019, Submitted By Christina S. Bohl, Struthers City Auditor. Thank you! (On File)

There were no remarks or comments for the Auditor.

**REPORT OF SAFETY SERVICE DIRECTOR (On Audio )**

Safety Service Director was present at the meeting and had no report for Council this evening.

There were no remarks or comments for the Safety Service Director.

**...PRESIDENT OF COUNCIL ANNOUNCED AGAIN THAT THOSE WISHING TO SPEAK BEFORE COUNCIL PLEASE STAND, COME FORWARD, STATE YOUR NAME AND ADDRESS FOR THE RECORD. PLEASE ADDRESS COUNCIL-WILL GET 3 MINUTES...  
THANK YOU!**

**ADDRESSING OF COUNCIL (On Audio)**

**(On Audio - These minutes are a summarization of the Regular Meeting and not verbatim.)**

Ms. Karen Bush, 2378 Clyde Street, Poland (Poland Township), Ohio 44514. She stated that she is here today because her concerns are with Struthers. She stated that she is there with her grandson Noah, who is having some problem right now with a halo around his leg and has a hard time walking, but may want to make comments as well. She wants some answers to complaints that were filed on the Chief of Police, Detective Lewis and Greenwood. She stated that she has been a citizen of Mahoning County for 72 years. She said that she was appalled and did not know this prior to the Vindicator article on April 10 and August 3, 2019 on Lewis and Greenwood's back ground. She stated that we should be able to put our trust in those that we elect and trust into their integrity. She spoke of a complaint that she filed on October 26, 2018 on Lewis and Greenwood and May 23, 2019, she raised concern about their failure to conduct a proper investigation and provide due process in 2013 for Theodore "Teddy" Foltz case. Mayor Stocker, Safety Service Director and Law Director have all refused to respond to her numerous complaints by mail, phone and in person. She would like the whole discovery file that she is entitled too by the Public's Record Act ORC 149.43 (a). She spoke at length on this matter.

Mr. Noah Bush, 2378 Clyde Street. Poland (Poland Township), Ohio 44514. Spoke about getting denied from the discovery that was request and transcripts from the hearings.

**Remarks/Comments:**

Mr. Bob Norris made comments stating that the procedure is that all communications would go through the Law Director and he will determine what responses if any will come from the Law Director. He determines what, if any information gets released, if applicable.

Mr. Dallas A. Bigley made comments.

Mr. Joseph N. Rudzik made comments.

Mr. Anthony C. Fire made comments.

**President of Council, Henry D. Franceschelli, Sr., announced the Committee Meetings scheduled for Wednesday, December 4, 2019 is as follows:**

Finance & Legislation Committee Meeting at 6:15 p.m. The purpose of the meeting is to discuss pending Legislation.

**EVENING WITH SANTA AT ST. NICK'S GREAT HALL 5-7 ON THURSDAY, DECEMBER 5, 2019.**

**CITY AUCTION: TUESDAY, DECEMBER 10, 2019 AT 10:30 A.M.**

**ADJOURNMENT**

Carcelli moved seconded by Bigley that the meeting be adjourned.

Roll Call: Voting yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.

Motion Carried 7-0.

Meeting Adjourned.

President of Council, Henry D. Franceschelli, Sr., declared the meeting be adjourned and thanks for coming.