

**CANCELED
REGULAR MEETING
APRIL 8, 2020
Struthers, Ohio 44471**

President of Council
Joseph N. Rudzik

Clerk of Council
Megan R. Shorthouse
Ext. 125

City of Struthers
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Councilman-At-Large
James E. Baluck
Dallas A. Bigley
Megan L. Pingley

First Ward Councilwoman
Lori A. Greenwood
Second Ward Councilman
Ronald A. Carcelli
Third Ward Councilman
Robert D. Burnside
Fourth Ward Councilman
Richard S. Bayus

April 6, 2020

TO: Honorable Joseph N. Rudzik, Pres., and Messrs Baluck,
Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.

FROM: Megan R. Shorthouse
Megan R. Shorthouse, Clerk of Council

**NOTICE OF COUNCIL-AS-A-WHOLE
DECIDED TO CANCEL REGULAR
MEETING:**

**THE REGULAR MEETING SCHEDULED
FOR WEDNESDAY, APRIL 8, 2020 HAS
BEEN CANCELED DUE TO NO
LEGISLATION!**

JNR/mrs
CC: File, Council, Administration, Auditor, Treas., Law Dir., Facebook,
City of Struthers Website and News Media.

**MEETING CONDUCTED BY THE “GOTOMEETING” APP
... THERE WAS A LOT OF FEED BACK, DOGS BARKING AND
PEOPLE TALKING ON THE AUDIO WHICH MADE IT HARD TO
HEAR ALL THAT SPOKE DURING THE MEETING...**

REGULAR MEETING

April 22, 2020

Struthers, Ohio 44471

The Regular Meeting of the Council of the City of Struthers, Ohio, was held on Wednesday, April 22, 2020 at 7:00 p.m. in Council Chambers with the following members present at Roll Call: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.

President of Council, Joseph N. Rudzik was present at the Meeting.

President of Council, Joseph N. Rudzik asked everyone to stand for the Pledge.

Pledge was recited.

President of Council, Joseph N. Rudzik thanked everyone for coming this evening.

President of Council, Joseph N. Rudzik recognized the invited guest in attendance at the Regular Council Meeting: Mayor Catherine Cercone Miller, Safety Service Director, Tim Daley, and Auditor, Christina Bohl. (Law Director, John N. Zomoida Jr., Tax Commissioner, Ryan Rogalski, Judge Dominic Leone and Treasurer, Robert D. Carcelli, III—not present.).

President of Council, Joseph N. Rudzik, asked for a motion to dispense with the reading of the minutes of 1st Regular Meeting dated Wednesday, March 25, 2020 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 2nd Regular Meeting dated March 25, 2020 and accept them as prepared by the Clerk. Roll Call: Voting yea: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley. Motion carried 7-0.

Meeting minutes accepted by 7-0 vote.

President of Council, Joseph N. Rudzik, asked the clerk to read the (7) seven pieces of communications.

COMMUNICATIONS

- 1) **LAW DIRECTOR, JOHN N. ZOMOIDA JR., SENT A LETTER DATED APRIL 9, 2020, TO DEBORA SEVI, 596 SEXTON STREET, STRUTHERS, OHIO 44471 RE: CITY LOT NO. 2543.**
- 2) **EMAIL RECEIVED APRIL 12, 2020 FROM JENNIFER JOHNSON, AREA MANAGER AQUA OHIO, STRUTHERS DIVISION REGARDING: COVID-19 UPDATE FROM AQUA.**
- 3) **STRUTHERS TAX OFFICE MONTHLY REPORT FOR TAX COLLECTIONS AS OF FEBRUARY 2020 SUBMITTED BY RYAN ROGALSKI, STRUTHERS TAX COMMISSIONER.**
- 4) **STRUTHERS MUNICIPAL TREASURER’S CASH TRANSACTION REPORT FOR THE MONTH OF MARCH 2020 SUBMITTED BY ROBERT D. CARCELLI, STRUTHERS CITY TREASURER.**
- 5) **STRUTHERS MUNICIPAL COURT REPORT FOR THE MONTH OF MARCH 2020 SUBMITTED BY LORRAINE SCIORTINO, CLERK OF COURT.**

- 6) **STRUTHERS CITY AUDITOR'S MONTHLY STATEMENT OF CASH POSITION, REVENUE REPORT WITH TRANSFER IN & OUT, AND EXPENSE TRANSACTION LEDGER REPORTS FOR THE MONTH OF MARCH 2020, SUBMITTED BY CHRISTINA S. BOHL, STRUTHERS CITY AUDITOR.**
- 7) **MAYOR'S REPORTS FROM MAYOR CATHERINE CERCONE MILLER. (APRIL 6, 2020 & APRIL 20, 2020)**

President of Council, Joseph N. Rudzik., asked for a motion to receive and file the communications.

Bigley moved seconded by Burnside to receive and file said communications.
Roll Call: Voting yea: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.

Motion carried 7-0.

Communications accepted and received by 7-0 vote.

Remarks/Comments: (On Audio)

Mr. Ronald A. Carcelli thanked Mr. John N. Zomoida for communication #1. He thanked John for sending said letter to Miss. Debra Sevi, 596 Sexton Street. He made everyone aware that they are still working on cars at that address to this day. Also, the neighbor to Miss. Sevi has a vehicle parked in the front yard. The Mayor knows this because she sent the police up there to cite them for having the vehicle parked in the front yard. That has to be stopped.

Mr. Bigley stated that he has been called on a lot of property code violations and I know this is a tough time with COVID-19 but we really still need to focus on these violations because a lot of residents are upset as they should be. We have ordinances on the books that need to be enforced. There is no reason to have ordinances if they are not ever going to be enforced.

Miss. Megan L. Pingley stated that she has had many complaints as well.

Mr. James E. Baluck stated that communication #1 was sent to the owner of the Sexton Street property and not the tenant living there. They are renting and I believe that Sevi is the last name of the owner of said property. I believe these renters probably never received the letter. Maybe the letter needs to be addressed with the people that are living there because the owner may never bother telling tenants.

Mr. Joseph N. Rudzik stated that the Mayor did send the Police up there so I am assuming that they do know what they are in violation of. Is that correct Mayor?

Mr. Dallas A. Bigely made additional comments speaking to Mr. James E. Baluck. They had back and forth dialogue regarding this matter.

Mayor Cat Cercone Miller asked to speak. She stated that this property is something that we have been dealing with for a while now for the last couple of weeks. We have had Officers there and the residents have been cited on multiple occasions. We did send the letter out and it did say that they are the owners of the property and we are hoping that they rectify the situation. We can't cite the residents; we have to cite the property owner for it. Once we are able to cite the property owner then whatever they do it is on them, but once we get something in court and cite them for a misdemeanor that just keeps elevating. We have to have piece there first and the fines just keep increasing with each citation. Mayor Miller spoke at length explaining how it works in the court with the citations and how the cops are supposed to be looking for other things to help with increasing the misdemeanor to an m1, m2, and m3. She went on to say that property code violations, Tim Daley has been on it. She stated that we probably have a stack over a foot tall of all property code violations that people have complied since January. She stated that it's not that he isn't doing anything. If you all still have complaints put them in the mail slot for Tim or give Tim a call. He is still handling them and taking calls from the Mayor's Office.

Mr. Dallas A. Bigley stated that it's not solely Tim's job to do the property code enforcement. It is also the Police's job as well. So when I say that things need enforced so I am not directing that solely at the Safety Service Director. The Safety Service Director has many different functions, but if you have officers that are driving up and down the street on a daily basis and see cars parked in the front yard. Then they need to stop and they should ticket those residents. No one needs to send a letter those are ticket able offences that need and should be done.

Mayor Cat Cercone Miller stated that she 100% agrees with what Dallas was saying and stated that she is working with Chief Roddy and Safety Service Director to figure out the best way of dealing with all this because Captain Pat Bundy was the sole officer that use to do property code violations, but since his retirement they are having a little bite of trouble. She stated that this is something we are on top of as well.

Mr. Robert D. Burnside stated he is in agreement with Mr. Bigley. He believes enforcing the Police to do their job, but it is also a good plan to have a paper trail like the Mayor Said to have more teeth in what they are violating as well.

Mayor Miller stated that with everything going on the court is not dealing with and processing. She went on further to say, I know that they are not looking at the housing code violations. Even though we are turning them in they are not processing them right now. They are on hold because they are only dealing with more serve cases not that these aren't important it is just not a priority right now. They will get processed just not right now.

Mr. James E. Baluck stated that the actual home owner can be fined and cited for this as well.

Mayor Miller stated yes. When we send letters out they go to residence and the property owner. The resident should be receiving a copy of the letter as well.

Mr. James Baluck stated very good. Thank you!

MAYOR'S REPORT (On Audio)

Mayor Catherine Cercone Miller was present at the meeting and read her April 20, 2020 Report for Council this evening. Mayor Miller stated that she submitted April 6, 2020 and April 20, 2020 Reports for council's review. Mayor's Report: 1) Food Distribution, 2) City Hall, 3) New Fire Station, 4) Street Sweeping, 5) Grass Cutting, 6) Assistance, and 7) COVID-19.

Mayor's Report (Filed & Attached):

MAYOR'S REPORT April 20, 2020

Food Distribution

Thank you to AMVETS and John & Jan Brown who were able to host a food distribution site for veterans at their location and provide food for roughly 100 cars! Thank you to everyone who helped make this a success.

City Hall

The City Hall building will be closed until further notice except for necessary Court procedures. Everyone is still working and the city is functioning as usual. Please visit the court's website at www.strutherscourt.com for instructions.

New Fire Station

We have been in constant contact with Williams Architects for the new fire station and will hopefully still be on schedule.

Street Sweeping

Our Street Department has been working endlessly to make sure all of the streets in the city are being swept. They are almost finished.

Grass Cutting

Residents, please make sure you are taking care of your lawns. Tim Daley, our Safety Service Director, will be working with the Street Department to begin making sure everyone's lawns are being cut and below 6 inches high. If they are not, our street department will be cutting the yards and we will be placing liens on the properties as well as citing the property owner in court. Please get to it before we get to you.

Assistance

A group has been organized to provide seniors with assistance during COVID-19. They "have volunteers who will pick up food items from the grocery stores or food banks, medications from pharmacies, and deliver them to your home. Volunteers will also provide transportation to/from medical appointments." Please dial 330-530-4038 ext 222.

COVID-19

If you have any questions regarding COVID19, please call 1-833-427-5634 or refer to the Centers for Disease Control and Prevention (CDC) website at www.cdc.gov.

The city would like to thank all of the Doctors, Nurses, Medical Staff, Wastewater & Street employees, and especially our Police, Dispatch & Fire Departments and all of our essential workers for protecting us. We salute you!

Stay Safe and Healthy

Sincerely,

Mayor Cat Cercone Miller

Remark/Comments:

Miss. Megan R. Shorthouse stated that she went through her records with regards to invoices for the grass cutting ordinance that was put in for publication. She stated that it was placed in the Journal by the Safety Service Director in a report referencing the grass cutting ordinance.

Mr. Ronald A. Carcelli complimented the Street Department for doing a great job sweeping the City Streets. When they are done doing the sweeping are they going to be going onto Street patching potholes?

Safety Service Director, Thomas Daley stated that they will be patching potholes and grass cutting. They should be finished with the streets in a couple of days.

Mr. Ronald A. Carcelli stated that he had one other question for Cat. On the resurfacing program of the streets Catt, since all the oil pricing are down, what is your plan on putting the bid out, so that we can get a better price?

Mayor Cat stated that is something that we have been watching and in contact with Gary Diorio today. That is what Tim and I will be going over shortly. The sooner the better!

Mr. Ronald A. Carcelli said, Thank you! That's right. The sooner the better, because we can get better prices with the oil prices being down.

REPORT OF STANDING COMMITTEES (On Audio) Wednesday, May 6, 2020

Dallas A. Bigley, Chairman of the Finance & Legislation Committee scheduled a meeting for Wednesday, May 6, 2020 at 6:15 p.m. in Council Caucus Room. The purpose of the meeting is to discuss. (All Of Council Want To Meet In Person)

.....Committee Meetings were canceled due to NO LEGISLATION....

President of Council, Joseph N. Rudzik went out of order for Council to add said legislation to the Agenda for passage. He stated that he needs to have a motion to go out-of-order for this Agenda to add legislation under New Business. Do I have a motion?

Bigley moved seconded Burnside to go out-of-order for this Agenda to add legislation to be passed by Council.

Roll Call: Voting Yea: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.

No Remarks.

Motion Carried 7-0.

Out-Of-Order to go to New Business passed by 7-0 vote.

NEW BUSINESS (On Audio)

Mr. Dallas A. Bigley, Chairman of Finance & Legislation Committee brought out (2) two pieces of legislation as follows:

- #1) **AN ORDINANCE AUTHORIZING VARIOUS MEMORANDUMS OF UNDERSTANDING BETWEEN THE CITY OF STRUTHERS AND ITS LOCAL UNIONS, AUTHORIZING THE EXTENSION OF IDENTICAL BENEFITS TO NON-BARGAINING UNIT PERSONNEL, AND DECLARING AN EMERGENCY.**

Burnside moved seconded by Carcelli to bring out said legislation.

- #2) **AN ORDINANCE AUTHORIZING THE AUDITOR TO TRANSFER THE SUM OF \$10,000.00 FROM THE 2020 GENERAL FUND BUDGET CATEGORY TRANSFER TO ELDERLY VAN # 100 9100 59003 TO THE REVENUE CATEGORY # 265 0000 47101 AND DECLARING AN EMERGENCY.**

Burnside moved seconded by Carcelli to bring out said legislation.

President of Council, Joseph N. Rudzik thanked Council and reverted back to the Agenda with these two (2) pieces of added Legislation.

ANYONE WISHING TO ADDRESS COUNCIL ON PENDING LEGISLATION

Comments/Remarks: (On Audio)

Mr. Dallas A. Bigley stated that legislation #1 about the MOU's is a good thing and wanted the Mayor to elaborate on it, if she is able to.

Mayor Millere stated that this for us to be able to combat the Coronavirus Response Act through the Federal Government. She stated that she has been in contact with Mike Esposito with Clemens & Nelson a lot and he was advising that we go through MOU's with each Union basically giving them 80 hours of paid administrator leave time so if we tell someone to self-quarantine and they are home for two weeks so if they contract the virus or their spouse contracts the virus there are allowed to be given 80 hours of paid administrative leave. This will also extend to our employees not with a Bargaining Unit, so that way we tell them to go home and self-quarantine for 2 weeks then they will be paid and they would not have to dip into their sick-time. This is something that many cities have agreed to have their first responders into the Response Act. She felt strongly about this and glad that nothing has become of those that have had to use this already. She spoke at length on the matter further.

Mr. Dallas A. Bigley stated that he thought that was a great idea honestly. I know that this is a bad time but I think this is a plus.

Mayor Cat stated thank you Council!

President of Council, Joseph N. Rudzik asked the clerk to read the (2) two pieces of legislation.

LEGISLATION

20-015

AN ORDINANCE AUTHORIZING VARIOUS MEMORANDUMS OF UNDERSTANDING BETWEEN THE CITY OF STRUTHERS AND ITS LOCAL UNIONS, AUTHORIZING THE EXTENSION OF IDENTICAL BENEFITS TO NON-BARGAINING UNIT PERSONNEL, AND DECLARING AN EMERGENCY.

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

Roll Call: Voting Yea: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.

No Remarks.

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

Roll Call: Voting Yea: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.

No Remarks.

Motion Carried 7-0.

Legislation passed by 7-0 vote.

20-016

AN ORDINANCE AUTHORIZING THE AUDITOR TO TRANSFER THE SUM OF \$10,000.00 FROM THE 2020 GENERAL FUND BUDGET CATEGORY TRANSFER TO ELDERLY VAN # 100 9100 59003 TO THE REVENUE CATEGORY # 265 0000 47101 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: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.

No Remarks.

Carcelli moved seconded by Bigley that the resolution be passed as read.

Roll Call: Voting Yea: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.

No Remarks.

Motion Carried 7-0.

Legislation passed by 7-0 vote.

UNFINISHED BUSINESS

There were no remarks or comments under Unfinished Business.

REPORT OF LAW DIRECTOR (On File- Communication #1)

Law Director, John N. Zomoida, Jr. was absent from the meeting and had no said report for Council this evening. Mr. Zomoida submitted a communication for Council with regards to City Lot No. 2543, which was communication #1.

There were no remarks or comments for the Law Director.

REPORT OF AUDITOR (On Audio)

Auditor Christina Bohl was present at the meeting and submitted said report for the month of March 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 March 2020, Submitted By Christina S. Bohl, Struthers City Auditor. (On File)

Remarks/Comments:

Mr. Ronald A. Carcelli stated that the Tax Department for the month of January/February shows that we were up but in March it shows us down. Is that correct?

Auditor Bohl said yes. She said over all I think Ryan has us down 34%, should you look at his Report for the month of March. She said that it looks like 22% for the whole year. As you know that we extended the Tax deadline to July, so I don't think going forward I don't think we are going to be able to compare month to month and get a realistic idea because the Tax deadline is not April.

Mr. Ronald A. Carcelli stated that if we don't get a Tax pick up in July a good amount of money in July then we are going to have problems.

REPORT OF SAFETY SERVICE DIRECTOR (On Audio)

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

Remarks/Comments:

Mr. Robert D. Burnside asked Tim if the Street Department has an Orange Sweeper? He stated that when they started sweeping in Nebo they used an Orange Street Sweeper.

Mr. Thomas Daley stated that yes we have an orange sweeper that was a loaner from the company that we are purchasing one from and they gave us a loaner until the end of the month.

Mr. Robert D. Burnside stated that it did a terrible job on his street with that Street Sweeper. There is still all kinds of stuff on the Street that needs picked up.

Mr. Daley stated that he will have that taken care of. Thank you!

Mr. Robert D. Burnside said Thank you!

Mr. Ronald A. Carcelli, 535 Wilson Street, that house has been burned and he wants to put Mr. Daley on notice that the house needs to be torn down. Also, have another house that I am sure others are complaining about it is the house on Sexton/Dogwood. He stated that he was there to look at the address but there was no address not sure if it was burned off or what but I am sure you know which one I am talking about.

Mr. Thomas Daley stated the one that was on fire.

Miss. Megan L. Pingley, 344 Sexton Street, stated that there have been windows boarded up on that house for probably over a year and the business on the corner of Sexton/Fifth keeps calling me and asking if anything that can be done about that and I guess they have been dumping their trash in the business's dumpster also. Can anything be done with the boarded up windows on that house?

Mr. Thomas Daley said that he can send them a letter.

Miss. Megan L. Pingley said Thank You!

Mr. Daley said that he will check but he is sure that that was already sent.

Mr. Dallas A. Bigley said Megan if they continue with placing their trash into the Business dumpster that is a criminal matter.

Miss. Megan L. Pingley said Thank You, Dallas!

Mr. Richard S. Bayus commended Mr. Daley for going up to the house on Brandon Street with the trailer and all that trash in his driveway. He keeps blowing him off a little bit but with COVID-19 and everybody else doesn't believe that it will go through court but it is still making our City look bad. He stated it is just not this property but everyone is taking advantage of this situation here in the City. Also, not sure who owns the property between CVS and those yards behind that business, but that property needs cleaned up with all that trash back there.

Mr. Thomas Daley stated that he will check on that and said that they normally would get the court workers to do all that but that has all been suspended.

Mr. Richard Bayus stated that he wanted to bring that to his attention.

Mr. Dallas A. Bigley stated that he received a call from Mr. Basista on Rocklyedge where Rocklyedge and Lakeshore meet. There is an inlet there and storm water comes out into Hamilton. He stated that there is a bunch of trash that has collected there especially when it storms. I know that is Aqua Ohio property, but because it comes from storm water into there do we have any bearing on getting that cleaned up or is that solely up to Aqua .

Mr. Thomas Daley stated that would be the property owner Aqua. If it's private property we can't do it.

Mr. Dallas A. Bigley said Thank you! I just didn't know if we had any liability because it went through our storm water to go there that is all.

Mr. Daley stated that he will take a look at it.

Mr. Bigley stated that he could meet him there to at any time look at it with him to show you what he is talking about. Just I know what direction to go to get it handled for him.

Mr. Daley said ok. I will give you a call.

Mr. Bigley said Thanks Tim!

ADDRESSING OF COUNCIL

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

There were no remarks or comments under Addressing Of Council.

President of Council, Joseph N. Rudzik announced the Committee Meetings scheduled for Wednesday, May 6, 2020 is as follows: "GoToMeeting"

6:15 P.M. Finance & Legislation Committee Chairman Dallas A. Bigley & Members: Robert D. Burnside, Ronald A. Carcelli. The purpose of the meeting is to discuss pending legislation.

...Committee Meetings Canceled due to No Legislation on Tuesday, May 4, 2020...

ADJOURNMENT

Bayus moved seconded by Carcelli that the meeting be adjourned.
Roll Call: Voting yea: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.
Motion Carried 7-0.

Meeting Adjourned.

President of Council, Joseph N. Rudzik declared the meeting be adjourned and thanked everyone for joining "GoToMeeting" App.

CLERK OF COUNCIL

PRESIDENT OF COUNCIL