

MINUTES OF REGULAR MEETING
Monday March 07, 2022 at 6pm
COUNCIL OF THE CITY OF EAST LIVERPOOL, OHIO
COUNCIL CHAMBERS, CITY HALL

CALL TO ORDER:

Council President John Torma **called to order** this Regular Meeting of East Liverpool City Council at 6:00PM.

ROLL CALL:

The Clerk read aloud the **call of the roll** and was recorded as follows:

First Ward Council member Tom Beagle:	present
Second Ward Council member C. Fred Rayl:	present
Third Ward Council member Jeffrey Kreefer:	present
Fourth Ward Council member Scott Barrett:	present
Council member At-Large Brian Kerr:	present
Council member At-Large John Mercer:	present
Council member At-Large Robert Nizer Jr.:	present

PRAYER AND PLEDGE:

Council member Kreefer led the **Prayer and Pledge**.

MINUTES-CORRECT:

Council President John Torma **entertained a motion to accept the minutes** from the Regular meeting of February 7, 2022 and the Special meeting of March 1, 2022, as there were no additions or corrections. **Moved** by Council member Kreefer and **Seconded** by Council member Mercer, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

PERSONAL PRIVILEGE:

Council President John Torma **entertained a motion that Personal Privilege be granted**. **Moved** by Council member Kreefer and **Seconded** by Council member Kerr. The call was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

Gisele Stevenson, 639 Blackmore Street and a Deputy Clerk of Court for East Liverpool Municipal Court, addressed council with her concerns regarding the mayors request that a feasibility study be conducted to determine if the East Liverpool Municipal Court be dissolved and merged with the Columbiana County Municipal Court system.

Among her chief concerns were the loss of revenue and good paying jobs, foot traffic in the downtown business district and the loss of prestige of having a municipal court in The City of East Liverpool, as no other city in the county has it's own municipal court.

Stevenson also pointed out that officers would have to go to court for every contested case in Lisbon, Oh. Instead of downtown at an increased cost of man hours, vehicle maintenance and fuel costs.

Candy Page, Clerk of Court for the East Liverpool Municipal Court, provided council members with a copy of Mayor Bricker's letter to the Columbiana County Board of Commissioners requesting that a feasibility study be done to determine if the East Liverpool Municipal Court is operating efficiently or should it be dissolved, and all cases be moved to the Columbiana County Municipal Court system.

In Mayor Bricker's letter to the Commissioners, He states several reason for the request of the feasibility study. One being the recent passing of Judge Frank leaving that position vacant. Another being lack of case load as compared to other counties of comparable size. Another is loss of revenue from the court that creates a financial hardship on the city among others.

Page pointed out that Mayor Bricker's numbers are correct, but only partially correct. Page reported that the mayor's figures use only The Supreme Court of Ohio Individual Judge Report, when it should also include The Supreme Court of Ohio's Combined Administrative Judge Report to get an accurate report of the true figures generated by East Liverpool Municipal Court.

According to the report Page produced, when totaling the mayors number of Traffic, Criminal and civil cases handled by the East Liverpool Municipal Court in 2021, that number comes to 875. But according to the figures Ms. Page provided, that number was a total of 2,511 cases.

Page presented several graphs, charts and other supporting documentation and visual aids to make her case. The Clerk was able to attach some of the supporting documents, but due to the size and redundancy of others, not all visual aids and documents are available. Please see attached.

Sara Norris, Chief Probation Officer East Liverpool Municipal Court also addressed council regarding the mayors request for a feasibility study and the possibility of the court being moved to Lisbon, Ohio. Norris pointed out that a lot of people on probation are not able to afford a car to get to Lisbon every week and with case loads currently burdening the county courts, she feels people that need help will not get it due to the added caseloads.

Linda Ziegler, 1112 Ohio Avenue spoke up in favor of keeping Municipal court in East Liverpool. Ziegler also made it known that she supports the mayors effort to bring a scenic by-way to the city.

Mario Hernandez, 929 Armstrong Lane criticized council for not having a page on the city's website. He understood Council members were advised to contact him regarding the zoning request for a special exemption made by Six Recycling. Mr. Hernandez advised no one contacted him, so he tried to contact council members and claimed he was unable to do so, due to the fact that council's page on the city's website was not available.

Thomas Powell, River Valley Organizing, spoke in favor of the creation of a citizens review board for the police department.

Terry Sprague, 605 E. 5th Street also agreed with Mr. Hernandez regarding council's lack of presence on the city's web site.

UNFINISHED BUSINESS:

There was no Unfinished Business.

COMMUNICATIONS OR PETITIONS:

The Clerk reported he had passed out to all members, with the exception of Mr. Nizer, a letter from Pickrel, Schaefer and Ebeling, a law firm representing Shoup Properties, regarding certain property they own in the city.

COMMITTEE REPORTS:

Refuse and Recycling / Public Utilities / Franchise Committee: Brian Kerr, Chair of the Refuse and Recycling / Public Utilities / Franchise Committee made no report but scheduled a meeting of the committee for 3:30pm Tuesday, March 29, 2022 in chambers.

License and Economic Development Committee: John Mercer, Chair of the License and Economic Development Committee reported the committee met at 5pm February 23, 2022 in chambers, please see attached Mr. Mercer advised the minutes from this meeting will be available at a later date..

Mr. Mercer reported the committee took up licensing fees the city charges for various reasons, indicating some fees haven't been updated since the 50's and 60's., Also, language in the city code regarding commercial real estate signs would have to be tweaked.

Mr. Mercer called the next meeting of the committee for 5pm Wednesday, March 16, 2022 in chambers.

Recreation and Ordinance Committee: Robert Nizer Jr., Chair of the Recreation and Ordinance Committee reported the committee met on March 3, 2022 in chambers, Mr. Nizer advised the minutes from this meeting would be available at a later date. Nizer reported the

committee discussed working with the land bank, playground clean-ups and generally where the committee stands. Nizer indicated he would be calling future meetings.

Street / Lands and Buildings Committee: Scott Barrett, Chair of the Streets / Lands and Buildings Committee made no report, but did convey a conversations he had with the mayor requesting the all members submit a list of streets in their respective wards to be paved in the upcoming paving season.

Safety / Rules Committee: Jeffrey Kreefer, Chair of the Safety / Rules Committee made no report.

Finance / Labor Committee: C. Fred Rayl, Chair of the Finance / Labor Committee reported the Finance Committee meet at 3pm, Tuesday March 1, 2022 in chambers with all committee members present as well as several department heads, elected officials as well as the print media. Please see attached. Mr. Rayl reported the committee agreed to pass on to the full council the following:

1. An ordinance to pay vendors.
2. An ordinance to creat a municipal broadband internet service.
3. An ordinance to accept an agreement with police dispatchers.
4. An ordinance to amend Ordinance Number 69, 2013.
5. An ordinance making permanent appropriations for the current expenditures for the next fiscal year.

With regard to the dispatchers contract, Mr. Rayl **moved** that the memorandum of Understanding (MOU) be a amended to include retired dispatcher Patrick Scafide and deceased dispatcher Andrea Hoffman, as they were omitted in error from the back pay signing bonus in the original MOU. **Seconded** by Mr. Kerr. The call was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

Mr. Rayl call the next meeting of the Finance Committee for 3pm Tuesday, March 29, 2022 in chambers.

Planning and Expansion Committee: Tom Beagle, Chair of the Planning and Expansion Committee made no report.

OFFICER REPORTS:

CHIEF OF POLICE: Police Chief John Lane reported to council that one person showed up and failed the Civil Service test and advised that he is short handed in his department and overtime is going to become an issue with vacations coming and shifts working short. Chief Lane blames this on low wages.

Lane also reminded members that there are going to be five officers retiring in the next year.

Chief Lane also spoke in favor of keeping the East Liverpool Municipal Court for all the same reason that have been previously stated.

Mr Kerr inquired of the Chief what the impact would be if the city court closes, to which Lane replied overtime to go to Lisbon, fuel cost's, vehicle maintenance.

FIRE CHIEF: Fire Chief William Jones was not present.

UTILITIES DIRECTOR: Utilities Director Robert Wright was not present.

STREET SUPERINTENDENT: Street Superintendent Jason Jackson made no report.

HOUSING INSPECTOR: Housing Inspector Kayla Crowl

PLANNING DEPARTMENT: City Planning Director William Cowan was not present.

OFFICE OF THE LAW DIRECTOR: Law Director Charles Payne made no report.

OFFICE OF CITY AUDITOR: City Auditor Marilyn Bosco explained the permanent budget to the new members. Bosco also warned fuel cost's have not been included in the budget.

OFFICE OF INCOME TAX DEPARTMENT: Tax Commissioner Linda Harpold was not present.

OFFICE OF CITY TREASURER: Treasurer Deborah Fickes was not present.

OFFICE OF SERVICE / SAFETY: Service / Safety Director David Dawson

OFFICE OF THE MAYOR: Mayor Gregory Bricker thanked council for having the previous special meeting, reported he is contact with the land bank regarding dilapidated houses, advised the city is moving foreword with the trial head, indicated the broad band for the city is a huge plus and welcomed back Mr. Barrett.

FINANCIAL STATEMENT OF CASH POSITION REPORT:

EXECUTIVE SESSION:

Council President John Torma **entertained a motion to go into Executive Session**, with only the Legislative, Miscellaneous Comments and Adjournment portions of the meeting to follow. The reason for the call is pending litigation. **Moved** by Mr. Kerr and **seconded** Mr. Mercer, the call was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes

Mr. Kerr: yes. Mr. Rayl: yes
Mr. Kreefer: yes.

Motion carried 7-0.

Council retired to Executive Session at 7:12PM. Those present along with all members of council were, Law Director Payne, City Auditor Bosco, Mayor Bricker, Service and Safety Director Dawson and Police Chief Lane.

Council returned from Executive Session at 7:25pm with no further action, born from the Executive Session, being taken. The call of the roll was recorded as follows:

Mr. Barrett: present Mr. Mercer: present
Mr. Beagle: present Mr. Nizer: present
Mr. Kerr: present Mr. Rayl: present
Mr. Kreefer: present

LEGISLATION:

AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY CERTAIN VENDORS WHO SUPPLIED GOODS OR SERVICES TO THE CITY WITHOUT THE ISSUANCE OR AUTHORIZATION OF A PURCHASE ORDER.

CONSIDERATION:

Moved by Council member Barrett, and **Seconded** by Council member Beagle, the call of the roll was recorded as follows:

Mr. Barrett: yes Mr. Mercer: yes
Mr. Beagle: yes. Mr. Nizer: yes
Mr. Kerr: yes. Mr. Rayl: yes
Mr. Kreefer: yes.

Motion carried 7-0.

FIRST READING:

Moved by Council member Mercer, and **Seconded** by Council member Nizer, the call of the roll was recorded as follows:

Mr. Barrett: yes Mr. Mercer: yes
Mr. Beagle: yes. Mr. Nizer: yes
Mr. Kerr: yes. Mr. Rayl: yes
Mr. Kreefer: yes.

Motion carried 7-0.

SUSPEND THE RULES:

Moved by Council member Nizer, and **Seconded** by Council member Kreefer, the call of the roll was recorded as follows:

Mr. Barrett: yes Mr. Mercer: yes
Mr. Beagle: yes. Mr. Nizer: yes
Mr. Kerr: yes. Mr. Rayl: yes

Mr. Kreefer: yes.

Motion carried 7-0.

PASSAGE:

Moved by Council member Kerr, and **Seconded** by Council member Rayl, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

Council President John Torma **Declared** Ordinance Number 10 , 2022 duly passed as read.

AN ORDINANCE AUTHORIZING THE CREATION AND IMPLEMENTATION OF A MUNICIPAL BROADBAND UTILITY TO PROVIDE RELIABLE HIGH SPEED INTERNET SERVICES TO THE CITIZENS OF THE CITY OF EAST LIVERPOOL.

CONSIDERATION:

Moved by Council member Kerr, and **Seconded** by Council member Rayl, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

FIRST READING:

Moved by Council member Mercer, and **Seconded** by Council member Barrett, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

SUSPEND THE RULES:

Moved by Council member Kreefer, and **Seconded** by Council member Beagle, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

PASSAGE:

Moved by Council member Nizer, and **Seconded** by Council member Kerr, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

Council President John Torma **Declared** Ordinance Number 11, 2022 duly passed as read.

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF SERVICE AND SAFETY OF THE CITY OF EAST LIVERPOOL TO EXECUTE THAT CERTAIN AGREEMENT CONCERNING COMPENSATION AND OTHER EMPLOYEE BENEFITS BETWEEN THE CITY OF EAST LIVERPOOL AND THE UNITED STEEL, PAPER AND FORESTRY, RUBBER, MANUFACTURING, ENERGY, ALLIED INDUSTRIAL AND SERVICE WORKERS INTERNATIONAL UNION AND LOCAL UNION 333 DISPATCHERS AND TO DECLARE AN EMERGENCY.

CONSIDERATION:

Moved by Council member Rayl, and **Seconded** by Council member Beagle, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

FIRST READING:

Moved by Council member Beagle, and **Seconded** by Council member Kreefer, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

SUSPEND THE RULES:

Moved by Council member Kerr, and **Seconded** by Council member Nizer, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
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Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

PASSAGE:

Moved by Council member Nizer, and **Seconded** by Council member Barrett, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

Council President John Torma **Declared** Ordinance Number 12, 2022 duly passed as read.

AN ORDINANCE TO AMEND ORDINANCE NUMBER 69, 2022 AND TO DECLARE AN EMERGENCY.

CONSIDERATION:

Moved by Council member Mercer, and **Seconded** by Council member Kerr, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

FIRST READING:

Moved by Council member Nizer, and **Seconded** by Council member Kreefer, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

SUSPEND THE RULES:

Moved by Council member Rayl, and **Seconded** by Council member Nizer, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes

Mr. Kreefer: yes.

Motion carried 7-0.

PASSAGE:

Moved by Council member Beagle, and **Seconded** by Council member Barrett, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

Council President John Torma **Declared** Ordinance Number 13, 2022 duly passed as read.

AN ORDINANCE MAKING PERMANENT APPROPRIATIONS FORE THE CURRENT EXPENDITURES FOR THE CITY OF EAST LIVERPOOL, OHIO DURING THE CALENDAR YEAR BEGINNING JANUARY 1, 2022 AND ENDING DECEMBER 31, 2022 AND DECLARING AN EMERGENCY.

CONSIDERATION:

Moved by Council member Mercer, and **Seconded** by Council member Barrett, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

FIRST READING:

Moved by Council member Nizer, and **Seconded** by Council member Beagle, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

SUSPEND THE RULES:

Moved by Council member Kerr, and **Seconded** by Council member Beagle, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes

Mr. Kreefer: yes.

Motion carried 7-0.

PASSAGE:

Moved by Council member Kreefer, and **Seconded** by Council member Kerr, the call of the roll was recorded as follows:

Mr. Barrett:	yes	Mr. Mercer:	yes
Mr. Beagle:	yes.	Mr. Nizer:	yes
Mr. Kerr:	yes.	Mr. Rayl:	yes
Mr. Kreefer:	yes.		

Motion carried 7-0.

Council President John Torma **Declared** Ordinance Number 14, 2022 duly passed as read.

MISCELLANEOUS:

At-Large Council member Brian Kerr made no comments.

At-Large Council member John Mercer made no comment.

At-Large Council member Robert Nizer Jr. made no comment.

Fourth Ward Council member Scott Barrett made no comment.

Third Ward Council member Jeffrey Kreefer made no comment.

Second Ward Council member C. Fred Rayl thanked the administration for being available when he needs them.

First Ward Council member Thomas Beagle commented on Mr. Hernandez's comments regarding the Six Recycling zoning exception, with Mr. Beagle saying he had collected 96 signatures that were in favor of the zoning change.

Council President John Torma thanked Mr. Dawson for the Street Department patching holes already this season.

ADJOURNMENT:

Council President Torma **entertained a motion to Adjourn.** **Motion** was made by Council member Kerr.

Respectfully submitted,

PATRICK S. SCAFIDE, COUNCIL CLERK

JOHN TORMA, COUNCIL PRESIDENT