

MINUTES OF REGULAR MEETING
Monday February 06, 2023 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 Kerr led the **Prayer and Pledge**.

MINUTES-CORRECT:

Council President John Torma **entertained a motion to accept the minutes** of the special meeting from November 15, 2022, regular meeting from December 5, 2022, the special meeting of December 19, 2022, and the regular meeting from January 03, 2023 as there were no additions or corrections. **Moved** by Council member Rayl 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.

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.

Linda Ziegler, 1112 Ohio Avenue addressed members explaining her opposition to Heritage Transport's request for a zoning change.

Les Beagle, 607 Bridge Street addressed members with his concerns regarding a creek that runs along his property that seems to be eroding the creek bank and is moving towards his house. Mr. Beagle was referred to Service Director David Dawson.

UNFINISHED BUSINESS:

There was no Unfinished Business.

COMMUNICATIONS OR PETITIONS:

There were no Communications or Petitions.

COMMITTEE REPORTS:

Refuse and Recycling / Public Utilities / Franchise Committee: Brian Kerr, Chair of the Refuse and Recycling / Public Utilities / Franchise Committee made no report for the meeting scheduled for January 31, 2023 at 3:30pm, with Mr. Kerr reporting a quorum could not be reached.

Mr. Kerr called the next meeting of the committee for 3:30pm February 28, 2023 in chambers.

License and Economic Development Committee: John Mercer, Chair of the License and Economic Development Committee made no report for the meeting scheduled for January 18, 2023 at 6pm with Mr. Mercer reporting a quorum could not be reached.

Mr. Mercer called the next meeting of the committee for 5pm February 15, 2023 in chambers.

Recreation and Ordinance Committee: Robert Nizer Jr., Chair of the Recreation and Ordinance Committee made no report as he had to cancel the meeting that had been scheduled for January 18, 2023 at 6:30pm.

Streets / Lands and Buildings Committee: Scott Barrett, Chair of the Streets / Lands and Buildings Committee reported the committee met on Thursday, February 02, 2023 at 4:30 pm in chambers, with all committee members present as well as Planning Director Cowan.

Mr. Barrett reported he committee agreed to pass on to the full council two ordinances for it's consideration.

1. An ordinance granting a temporary easement to Columbia Gas of Ohio.
2. An ordinance authorizing the mayor to grant an easement to Robert and Kimberly Funk not Ambrose Avenue.

Mr. Barrett reported the meeting adjourned at 4:51pm, and called the next meeting of the committee for 5:30pm February 15, 2023 in chambers.

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

Finance and Labor Committee: C. Fred Rayl, Chair of the Finance / Labor Committee reported the committee met at 3pm, January 31, 2023 in chambers with all committee members present as well as several department heads, elected officials and the print media.

Mr. Rayl reported the committee agreed to pass on to the full council five legislative proposals:

1. An ordinance to pay vendors.
2. An ordinance to appropriate the carry over encumbrances.
3. An ordinance to enter into an agreement with Dallis Dawson and Ass.
4. An ordinance to allow the bidding process for the Thompson Avenue water tank supply line replacement.
5. An ordinance to amend the budget ordinance #72, 2022.

Mr. Rayl reported the meeting adjourned at 3:35pm with the next meeting of the committee scheduled for 3pm February 28, 2023 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 was not present.

FIRE CHIEF: Fire Chief William Jones reported that due to the train derailment in East Palestine, rail traffic in East Liverpool should increase and wanted the public to be aware of the fact.

Chief Jones reported the city's hazmat team did respond to the derailment and spent about eight hours on scene.

UTILITIES DIRECTOR: Utilities Director Robert Wright was not present.

STREET SUPERINTENDENT: Street Superintendent Dan Galeoti was not present.

HOUSING INSPECTOR: Housing Inspector Kayla Crawl was not present.

PLANNING DEPARTMENT: City Planning Director William Cowan

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

OFFICE OF CITY AUDITOR: City Auditor Marilyn Bosco made no report.

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 made no report.

OFFICE OF THE MAYOR: Mayor Gregory Bricker remarked the repairs to the Thompson Ave water tank is a step in the right direction, reported 5 more houses are scheduled to be demolished making that eleven so far, and will push the total number over one hundred.

FINANCIAL STATEMENT OF CASH POSITION REPORT:

LEGISLATION:

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

CONSIDERATION:

Moved by Council member Rayl, 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.

FIRST READING:

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
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 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.

PASSAGE:

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
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 05, 2023 duly passed as read.

AN ORDINANCE TO APPROPRIATE THE CARRY-OVER ENCUMBRANCES FOR THE YEAR 2022 AND TO ADD THE AMOUNTS TO THE CURRENT YEAR (2023) APPROPRIATION ORDINANCE AND DECLARING AN EMERGENCY.

CONSIDERATION:

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.

FIRST READING:

Moved by Council member Mercer, 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.

SUSPEND THE RULES:

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.

PASSAGE:

Moved by Council member Kreefer, 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.

Council President John Torma **Declared** Ordinance Number 06, 2023 duly passed as read.

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF EAST LIVERPOOL, OHIO TO ENTER INTO AN AGREEMENT WITH DALLIS DAWSON AND ASS. ON BEHALF OF THE CITY OF EAST LIVERPOOL, FOR ENGINEERING SERVICES FOR THE THOMPSON AVENUE WATER TANK 12” AND 16” WATER SUPPLY PIPING REPLACEMENT PROJECT and to declare an emergency.

CONSIDERATION:

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.

FIRST READING:

Moved by Council member Kerr, 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 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.

PASSAGE:

Moved by Council member Rayl, 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.

Council President John Torma **Declared** Ordinance Number 07, 2023 duly passed as read.

AN ORDINANCE TO AMEND BUDGET ORDINANCE NUMBER 72, 2022 BY ADJUSTING APPROPRIATIONS.

CONSIDERATION:

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.

FIRST READING:

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.

SUSPEND THE RULES:

Moved by Council member Kerr, 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.

PASSAGE:

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.

Council President John Torma **Declared** Ordinance Number 08, 2023 duly passed as read.

AN ORDINANCE AUTHORIZING AND DESIGNATING THE SERVICE-SAFETY AS THE LOCAL OFFICIAL WITH THE AUTHORITY TO EXECUTE THE PROJECT AGREEMENT KNOWN AS THE THOMPSON AVENUE WATER TANK 12” AND 16” WATER SUPPLY PIPING REPLACEMENTS AND COMPLETE ALL NECESSARY FUNCTIONS THAT MAY BE REQUIRED TO COMPLETE SAID PROJECT, INCLUDING, BUT NOT LIMITED TO ENGINEERING DESIGN SERVICES, CONSTRUCTION ADMINISTRATION/INSPECTION SERVICES, BIDDING SERVICES, ADVERTISING FOR BIDS FOR CONSTRUCTION, ENTERING INTO A CONTRACT WITH THE LOWEST MOST QUALIFIED BIDDER, AUTHORIZING PAYMENT THEREFORE AND RE-BIDDING THAT MAY BE REQUIRED AND DECLARING AN EMERGENCY.

CONSIDERATION:

Moved by Council member Kerr, 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.

FIRST READING:

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.

SUSPEND THE RULES:

Moved by Council member Barrett, 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.

PASSAGE:

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.

Council President John Torma **Declared** Ordinance Number 09, 2023 duly passed as read.

AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF EAST LIVERPOOL, OHIO TO GRANT A TEMPORARY EASEMENT TO COLUMBIA GAS TRANSMISSION LLC, A DELAWARE LIMITED LIABILITY COMPANY, IN CONNECTION WITH THE CONSTRUCTION OF COLUMBIA GAS TRANSMISSION, LLC LINE 1942-E.023922-NOPV-0128 IN THE CITY OF EAST LIVERPOOL , AS SET FORTH ON THE INSTRUMENT ATTACHED HERETO AS EXHIBIT "A" AND MADE PART HEREOF AND DECLARING AN EMERGENCY.

CONSIDERATION:

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.

FIRST READING:

Moved by Council member Beagle, 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.

SUSPEND THE RULES:

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.

PASSAGE:

Moved by Council member Barrett, 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.

Council President John Torma **Declared** Ordinance Number 10, 2023 duly passed as read.

AN ORDINANCE AUTHORIZING THE MAYOR OF EAST LIVERPOOL, OHIO TO GRANT AN EASEMENT TO ROBERT AND KIMBERLY FUNK OVER PART OF AMBROSE AV ENUE IN THE CITY OF EAST LIVERPOOL, AS SET FORTH ON THE INSTRUMENT ATTACHED HERTO AS EXHIBIT "A" AND MADE PART HEROF AND DECLARING AN EMERGENCY.

CONSIDERATION:

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.

FIRST READING:

Moved by Council member Beagle, 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.

SUSPEND THE RULES:

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.

PASSAGE:

Moved by Council member Barrett, 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.

Council President John Torma **Declared** Ordinance Number 11, 2023 duly passed as read.

MISCELLANEOUS:

At-Large Council member Brian Kerr commented that had there been a meeting of the Refuse & Recycling / Public Utilities / Franchise Committee the committee would have taken up discussions with regard to several projects in the city. Those included but not limited too were.

1. Progress report on the water intake project.
2. Increasing water rates.
3. The possible sale of a garbage truck.
4. Increasing garbage rates.
5. Discussion of the Thompson Avenue water tank project.

6. Bringing back the Board of Public Utilities.

At-Large Council member John Mercer remembered the city of East Palestine in their time of crisis after the train derailment.

At-Large Council member Robert Nizer Jr. Thanked those who came out and prayed for the safety of the residents of East Palestine.

Fourth Ward Council member Scott Barrett thanked everyone for coming out to the meeting.

Third Ward Council member Jeffrey Kreefer remarked that the claw truck is one of the best investments the city ever made and suggested they may buy another one.

Second Ward Council member C. Fred Rayl agreed a second claw truck should be purchased and offer the service to the townships.

First Ward Council member Thomas Beagle hoped everyone was safe in East Palestine and thanked those for coming to the meeting.

Council President John Torma thanked everyone for coming out, and echoed Chief Jones' statement about increased rail traffic in the city, stating please be careful.

ADJOURNMENT:

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

Respectfully submitted,

PATRICK S. SCAFIDE, COUNCIL CLERK

JOHN TORMA, COUNCIL PRESIDENT