MINUTES OF REGULAR MEETING

Monday April 03, 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** from council's regular meeting of March 06, 2023, and the Special Meeting of March 20, 2023, as there were no additions or corrections. **Moved** by Council member Rayl 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.

PERSONAL PRIVILEGE:

Council President John Torma entertained a motion that Personal Privilege be granted. Moved by Council member Kerr and Seconded by Council member 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:

Motion carried 7-0.

Marybeth Gill, President of the East Liverpool-Calcutta Garden Club addressed council lending her support for the commercial building code legislation before council tonight.

yes.

Ms. Gill related that her organization does many beatification projects around the city and the "Umbrella Alley", located between 5th and 4th streets is one of those projects.

Ms. Gill reported that the alley as been made a shambles by vandals who broke out the windows of the "Crooks" building, with the owner not fixing anything. Ms. Gill hoped that the new legislation would help with the situation.

Mr. Kreefer assured Ms. Gill that he would personally call the owner and have a solution to the problem very soon.

Linda Ziegler, 1112 Ohio Avenue again spoke against a zone change for Heritage Thermal. Ms. Ziegler also provided members with picture evidence of truck marked hazardous were being parked on city streets.

UNFINISHED BUSINESS:

There are three proposals for second reading.

COMMUNICATIONS OR PETITIONS:

There were no Communications or Petitions.

COMMITTEE REPORTS:

<u>Refuse and Recycling / Public Utilities / Franchise Committee:</u> Brian Kerr, Chair of the Refuse and Recycling / Public Utilities / Franchise Committee made no report but did call for a joint special meeting of the Public Utilities and Finance committees for April 11, 2023, at 5 pm. Topics of discussion will be bringing back the Board of Public Utilities, purchase of equipment and raising water rates.

<u>License and Economic Development Committee:</u> John Mercer, Chair of the License and Economic Development Committee reported the committee met at 5pm, March 22, 2023. The committee was addressed by a representative of Columbia Gas of Ohio. Mercer reported that Columbia Gas was not happy with the fee structure indicating it was too high and out of line when compared to other municipalities. The committee took it under advisement.

Mercer also reported the committee went over the legislation pending before council regarding commercial buildings.

Mr. Mercer stated that there will be no meeting scheduled for the month of May.

Recreation and Ordinance Committee: Robert Nizer Jr., Chair of the Recreation and Ordinance Committee made no report.

<u>Streets / Lands and Buildings Committee:</u> Scott Barrett, Chair of the Streets / Lands and Buildings Committee made no report but did discuss the Dresden Avenue paving project.

<u>Safety and Rules Committee</u>: Jeffrey Kreefer, Chair of the Safety / Rules Committee made no report as the meeting that had been scheduled for March 28 had been cancelled.

<u>Finance and Labor Committee</u>: C. Fred Rayl, Chair of the Finance / Labor Committee reported the committee met on March 28, 2023, at 3pm. Please see attached. Mr. Rayl reported the committee agreed to pass on to the full council the following legislative proposals:

- 1. A resolution requesting Federal and state legislatures to protect East Liverpool from any damages as a result of the train derailment in East Palestine, Oh.
- 2. A resolution authorizing the mayor to file an application with ODNR for a clean trials grant.
- 3. An ordinance authorizing the Service-safety Director to enter into a contract with Korda/Nemeth Engineering.
- 4. An ordinance authorizing the City of East Liverpool to enter into an agreement with ODOT for the 9th Street overpass replacement.
- 5. An ordinance authorizing the board of control to enter into a contract with the lowest and best bidder(s) for housing demolition.

Mr. Rayl called the next meeting of the committee for 3pm March 28, 2023, in chambers.

<u>Planning and Expansion Committee:</u> Tom Beagle, Chair of the Planning and Expansion Committee made no report.

OFFICER REPORTS:

CHIEF OF POLICE: Police Chief John Lane made no report.

FIRE CHIEF: Fire Chief William Jones made no Report.

UTILITIES DIRECTOR: Utilities Director Paul McCarthey was not present.

STREET SUPERINTENDENT: Street Superintendent Dan Galeoti was not present.

HOUSING INSPECTOR: Housing Inspector Kayla Crowl was not present.

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 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 updated council concerning several projects that will be enabled by council passing the legislation tonight.

FINANCIAL STATEMENT OF CASH POSITION REPORT:

LEGISLATION:

A RESOLUTION URGING THE LEGISLATIVE BRANCHES OF THE FEDERAL GOVERNMENT AS WELL AS THE STATE OF OHIO TO ENACT LEGISLATION TO FURTHER PROTECT THE CITIZENS OF THE CITY OF EAST LIVERPOOL, OHIO FROM THE INHERENT DANGERS OF THE TRIAN DERAILMENT ON THE TRACKS LOCATED IN AND NEAR THE CITY OF EAST LIVERPOOL, OHIO AND TO DECLARE AN EMERGENCY.

CONSIDERATION:

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.

FIRST READING:

Moved by Council member Barrett, 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 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 Mercer, 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** Resolution Number 4, 2023 duly passed as read.

A RESOLUTION TO AUTHORIZE THE MAYOR OF THE CITY OF EAST LIVERPOOL, OHIO TO FILE AN APPLICATION WITH THE DEPARTMENT OF NATURAL RESOURCES CLEAN OHIO TRIALS FUND PROGRAM FOR FINANCIAL ASSISTANCE AND TO DECLARE AN EMERGENCY.

CONSIDERATION:

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 yes. Mr. Rayl: yes

Mr. Kreefer: yes.

Motion carried 7-0.

FIRST READING:

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.

SUSPEND THE RULES:

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.

PASSAGE:

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.

Council President John Torma **Declared** Resolution Number 05, 2023 duly passed as read.

AN ORDINANCE ENACTING TITLE SEVEN-ABANDONED COMMERCIAL BUILDINGS-AND TO DECLARE AN EMERGENCY.

SECOND READING:

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 yes. Mr. Rayl: yes

Mr. Kreefer: yes.

Motion carried 7-0.

SUSPEND THE RULES:

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.

PASSAGE:

Moved by Council member Mercer, 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 18, 2023 duly passed as read.

AN ORDINANCE ENACTING TITLE SIX-COMMERCIAL BUILDING MAINTENANCE-CODE AND TO DECLARE AN EMERGENCY.

SECOND READING:

Moved by Council member Mercer, 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 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.

PASSAGE:

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.

Council President John Torma **Declared** Ordinance Number 19, 2023 duly passed as read.

CONSIDERATION:

Moved by Council member , and **Seconded** by Council member , 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 , and **Seconded** by Council member , 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 , and **Seconded** by Council member , 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 , and **Seconded** by Council member , 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, 2023 duly passed as read.

AN ORDINANCE TO AMEND THE HEADING OF CHAPTER 1339-BOARD OF HOUSING APPEALS-AND ENACT THE BOARD OF COMMERCIAL BUILDING

APPEALS SECTIONS 1339.04, 1339.05 AND 1339.06 AND TO DECLARE AN EMERGENCY.

SECOND READING:

Moved by Council member Mercer, 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 Beagle, 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 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.

Council President John Torma **Declared** Ordinance Number 20, 2023 duly passed as read.

AN ORDINANCE TO CREAT A NEW FUND AND CREAT NEW LINE ITEMS AND MAKE APPROPRIATIONS FOPR THE ARPA FIRST RESPONDERS GRANT.

CONSIDERATION:

Moved by Council member Rayl, 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 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.

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 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 21, 2023 duly passed as read.

AN ORDINANCE AUTHORIZING THE SERVICE-SAFETY DIRECTOR TO ENTER INTO A CONTRACT WITH KORDA/NEMETH ENGINEERING, INC. FOR GRANT WRITING SERVICES IN CONNECTION WITH PREPARING A MULTI-MODAL PROJECT DISCRETIONARY GRANT (MPDG) FOR PROJECT COL-39-20.60 AND TO DECLARE AN EMERGENCY.

CONSIDERATION:

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.

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 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.

PASSAGE:

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.

Council President John Torma **Declared** Ordinance Number 22, 2023 duly passed as read.

AN ORDINANCE AUTHORIZING THE CITY OF EAST LIVERPOOL TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE SUPERSTRUCTURE REPLACEMENT OF BRIDGE (COL-30-3407-SFN 1502344) CARRYING NINTH STREET OVER STATE US-30/SR-11AND TO CONSTRUCT A MAINTENANCE ACCESS ROAD TO THE CULVERT TYPE STRUCTURE COL-07-9595 (SFN-1500095) AND TO DECLARE AND 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 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 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.

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 23, 2023 duly passed as read.

AN ORDINANCE AUTHORIZING THE BOARD OF CONTROL TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER(S) FOR THE EAST LIVERPOOL RESIDENTIAL DEMOLITION 01-2023 PROJECT, RESIDENTIAL DEMOLITION 02-2023 PROJECT AND RESIDENTIAL DEMOLITION 03-2023 PROJECT AND TO DECLARE AN EMERGENCY.

CONSIDERATION:

Moved by Council member Mercer, and **Seconded** by Council member Kreefder, 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 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 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.

PASSAGE:

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.

Council President John Torma **Declared** Ordinance Number 24, 2023 duly passed as read.

MISCELLANEOUS:

At-Large Council member Brian Kerr thanked everyone who came out.

At-Large Council member John Mercer thanked members for passage of the commercial building code updates.

At-Large Council member Robert Nizer Jr. Thanked everyone for coming out and mentioned that work continues at the city playgrounds so to get them ready for Spring.

Third Ward Council member Jeffrey Kreefer made no comment.
Second Ward Council member C. Fred Rayl made no comment.
First Ward Council member Thomas Beagle made no report.
Council President John Torma
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

Fourth Ward Council member Scott Barrett thanked those in attendances for coming out.