

# Wellston City Council

## Meeting Minutes

### March 2<sup>nd</sup>, 2023

Meeting was called to order at 7 p.m. by President Rick Hudson by asking Council and others in attendance to stand for the Pledge. He then called for the roll call.

Councilpersons answering the roll call included: Angela Spangler; Matti Vance; Fred Duby; Lynley Carey; Teresa Lemaster; Walter Norris and Roaby Browning.

**Excusal of Previous Absence(s)**- none were listed on the agenda and minutes; however, Lemaster made a correction to the minutes and the absences of Browning and Spangler were then excused.

#### Public Comments

- Tom Clark, 633 S. Delaware Avenue, addressed Council concerning his previous experience with the Louvee theater as an elected official. He stated ten years ago, Council had tried to save the theater using many different avenues, to no avail, and the state advised the City to “get out of the real estate business.” Clark reminded the present Council that many City-owned properties had to be sold while he was on Council due to Wellston being in fiscal emergency, and is still in a state of fiscal watch. He stated at that time, water base rates and sewer base rates were established in order to show “good faith” to receive grants. He then stated if the Louvee is purchased by the City, it would be discrimination for the City to not buy the next building set to be demolished. He informed the room that there is a basement in the building and asked if there has been any structural inspections. He then advised of avenues to save the building and suggested the project be completed in phases if the building is purchased; additionally, he suggested the City may trade land to a contractor for work and a low-interest loan be acquired. \*Timer goes off\* Duby asked if there is a structural engineer available to look at the property. President Hudson reminded that the inspection is costly and the property is currently slated for demolition, but the tear-down is being postponed for a year while the City looks for grants to save the building. Because the building was privately-owned previously, grants could not be obtained.

**Minutes**- Lemaster made the following corrections to the submitted Minutes of the March 2<sup>nd</sup>, 2023 Meeting: Browning and Spangler were absent; and Vance spoke on behalf of Spangler for the Finance Committee portion. Both absences were then excused.

**Correspondence**- none

**Committees**-

- Finance (Spangler)- none
- Health & Safety (Lemaster)- none

- Public Service (Browning)- none
- Planning (Carey)- none
- Community Action (Browning)- none
- Recreation (Norris)- none

**Old Business-** Hudson inquired as to the status of the McKenzie mobile home issue from the previous meeting and any changes needed to the Mobile Home Ordinance. Mayor Brenner said he spoke to the potential new Law Director, who stated that there is a gap in the Ordinance and it will need to be fixed, so this issue will need to go back before the Planning Committee. McKenzie will be placing the mobile home in the park. Hudson stated he did not see why the issue of age-restrictions needed to go back to Committee, and asked that legislation be prepared to present to Council. Joe Kirby, Attorney at Law, was asked if permits for used trailers in the Manufactured Home District would have to be permitted while legislation is being prepared to correct this “gap,” and he responded in the affirmative. He then advised a few corrections he would make in that section of the ordinances.

**New Business-** none

#### **Legislation**

- Third Reading of Resolution No. 2023-07- A Resolution by the Council of the City of Wellston, Ohio, to approve the appointment of Jeremy Garrett by the Mayor to the Wellston Planning and Zoning Board as an At-Large Member for the remainder of the term left vacant by Vicki Arthur-Rupert.

Sponsor: Spangler

Discussion: This is one owner of the “Lazy Italian,” which is seeing renovations and new business(es).

A Motion to Adopt and Pass as an Emergency was made by Vance, seconded by Browning, and approved by all in attendance.

\*Tom Clark brought to Council’s attention that a gentleman was missed during the Public Comments portion of the meeting. It was decided and agreed upon by the visitor that the man would speak after Legislation is read.\*

- Second Reading of Resolution 2023-09- A Resolution authorizing the Mayor, Service Director, and any other necessary City Officials to enter into an agreement with the County of Washington regarding the custody, supervision, confinement, and board of prisoners, and Declaring an Emergency.

Sponsor: Lemaster

Discussion: Yearly; \$100 per day

A Motion to Suspend the Rules was made by Lemaster, seconded by Spangler, and approved by all in attendance.

A Motion to Adopt and Pass was made by Browning, seconded by Vance, and approved by all in attendance.

- Second Reading of Resolution No. 2023-10- A Resolution renaming and establishing Fund 220 labeled OneOhio Plan Fund and Declaring an Emergency.  
Sponsor: Vance

Discussion: This is a fund that needs to be established to receive Opioid Settlement monies. The Mayor explained that the fund needs to be established in order to track how the funds are spent. He went on to explain the City is in possession of one of these settlement checks, which is why this legislation needs to be an emergency. On Second Reading, it was decided that this piece of Legislation was not needed as an Emergency.

- Second Reading of Resolution No. 2023-11- A Resolution by the Council of the City of Wellston, Ohio authorizing the Mayor and/or Service Director to enter into a contract with CMAB, LLC., for the sale of water at a discounted rate.

Sponsor: Lemaster

Discussion: \$4.75 per 1,000 gallons.

- First Reading of Resolution No. 2023-12- A Resolution by the Council of the City of Wellston, Ohio, to approve the appointment of Harry Sutcliffe by the Mayor to the Wellston Planning and Zoning Board as an At-Large Member for the remainder of the term left vacant by Kevin Oiler and Declaring an Emergency.

Sponsor: Browning

Discussion: Lemaster asked if Sutcliffe's appointment to the Zoning Board would be a conflict of interest since he does a good bit of demolition work for the City. Kirby asked if the Zoning Board has any authority over permits for demolition or provides any oversight for Ryan Pelletier. Kirby then stated he would check into the statutes.

- First Reading of Resolution No. 2023-13- A Resolution authorizing the City to enter into an agreement to employ the law firm of Cole, Kirby, & Associates, LLC., as Attorneys for the City of Wellston, and Declaring an Emergency.

Sponsor: Lemaster

Discussion: Joseph Kirby for Law Director. Brenner stated Attorney Kirby has provided legal services for the City in the past, is familiar with our Ordinances, and had the best price for services.

A Motion to Suspend the Rules was made by Spangler, seconded by Vance, and approved by all in attendance.

A Motion to Adopt and Pass was made by Browning, seconded by Lemaster, and approved by all in attendance.

- First Reading of Resolution No. 2023-14- A Resolution authorizing the Wellston City Mayor to execute the legal documentation necessary to purchase real property located at 103 South Ohio Avenue, Wellston, Ohio, and bearing Parcel ID Number

M240120013300 for the purchase amount of \$10,000, plus any necessary costs, and Declaring an Emergency.

Sponsor: Vance

Discussion: Per previous discussions, this would allow the City to possibly save the Louvee byway of seeking grants. It was deemed that no Emergency is needed and a full three readings should happen due to transparency on the purchase of this particular property.

- First Reading of Resolution No. 2023-15- A Resolution approving Additional Appropriations in the Police Department Special Programs Fund and Declaring an Emergency.

Sponsor: Browning

Discussion: Donations that were never appropriated into the Officer BLU Fund: \$200 from Jenkins Funeral Chapel, \$400 from Hope United Methodist Church and \$20 from Bill and Linda Specht. The donations have already been given to the City Auditor and deposited.

A Motion to Suspend the Rules was made by Spangler, seconded by Vance, and approved by all in attendance.

A Motion to Adopt and Pass was made by Lemaster, seconded by Browning, and approved by all in attendance.

- First Reading of Resolution No. 2023-16- A Resolution authorizing the Mayor to take all necessary actions and execute any and all related documents to apply, receive, and finalize the acceptance of grant moneys from the Ohio Department of Transportation Safe Routes to School Travel Plan Program and Declaring an Emergency.

Sponsor: Vance

Discussion: Bundy Elementary wishes to establish a sidewalk walking route for students

A Motion to Suspend the Rules was made by Lemaster, seconded by Vance, and approved by all in attendance.

A Motion to Adopt and Pass was made by Spangler, seconded by Vance, and approved by all in attendance.

- First Reading of Ordinance No. 2023-17- An Ordinance repealing Resolution No. 2021-30 of the City of Wellston, Jackson County, Ohio, pertaining to abandoning certain damaged or unnecessary sanitary sewer lines in Milton Township, Jackson County, Ohio, and Declaring an Emergency.

Sponsor: Spangler

Discussion: Harvest Crossing Project. It was decided that this does not to be passed as an Emergency.

#### **Additional Public Comments**

- Jim Barker, 325 Harrison Avenue, inquired to the status of the replacement street lights that he requested in his neighborhood. He stated that he has visited the City

Building numerous times to check the status of the list that was given to AEP many months ago. Eisnaugle reassured Council that the list was provided to an AEP representative in July of 2022, and we are still waiting on the electric company.

Mayor Brenner stated that he would reach out to AEP himself to check the status of the order.

#### **Mayor**

- Brenner began with a report of the problematic lift station on 32. Seven feet of mud has been removed and the crew was able to successfully plug the hole at the bottom. The pumps were burnt, and new pumps are on order with a price tag of \$34,000. The mobile pump is still in use, the lines have been fixed from the manhole, and the water is flowing. He anticipates in the following week, the city crew will begin to repair the manholes on the other side of the highway to address I&I issues.
- 14<sup>th</sup> Street was closed for a couple days to fix a drainage problem in that area.
- A culvert collapsed and had to be replaced near Bundy, which resulted in a street closure for a few days. The Mayor expects to move this street further up the paving list since the City has had to perform multiple repairs at this locale.
- The following week, culverts and drainage fixes will be performed on Broadway and Lockard. He anticipates Lockard Lane to be paved in April.
- He is preparing for the engineering portion of the Water Plant Loan and says they are awaiting final approval from the EPA. He stated the process is going very well.
- Concerning the Louvee, he said a lot of research has been performed since the last Council meeting and he has “softly secured” roughly \$20,000 to clean out the building. He has also already met with John Carey and a group interested in helping to secure grants and assist in the process of possibly restoring the Louvee. He stated the first step is placement on the National Historic Registry. Lemaster inquired as to the members of this group. Brenner replied, thus far, Tami Phillips and Phil Fain, but it is not a Make Wellston Beautiful project. A connection was made with Director Weinholder from the Ohio History Connection, who has been providing guidance. In addition, contractors who specialize in historic property renovations and historic tax credits have been contacted, along with Gregory Payne from the Ohio Department of Development.

#### **Service Director**

#### **Law Director**

- Joseph Kirby thanked Council for hiring his firm to perform legal services for the City. The hourly rate was discussed and Kirby’s availability for Council meetings.

**Auditor’s-** The Auditor’s reports were received and accepted.

**City Clerk’s Reports-** The Clerk’s report was received.

**Treasurer's Report-** none

**Fire-** none

**Zoning-** none

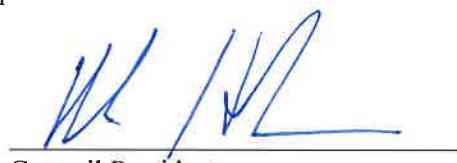
**Police-** The Monthly Activity Report was submitted to Council. A full-time police officer resigned on good terms, which leaves an opening in the department. Chief Robinson then thanked the latest donors and showed Council the letter which is sent to donors on behalf of Officer Blu.

President Hudson then asked if a new police officer can be hired in absence of a Service Director. The Mayor responded that Jeff Bates is the acting Service Director for now; and, according to Randy Dupree, there is no time limit to hire someone to fill the role of Service Director, but Brenner will clarify this with the new Law Director after the meeting. Hudson then reminded that there should be no activity on the Service Director credit card since Bates is in possession of his own card.

All those in attendance voted to adjourn at 7:43 p.m.



Council Clerk



Council President