

October 10, 2022

Council President Mr. Martin called the October 10th, 2022 meeting to order at 7:30 PM. The roll was called with the following members present: Mrs. Dennis, Mr. Ferguson, Mr. McClead, Mr. Millhone, Mr. Null, Mr. Ruth and Mr. Wallace present. Also present were Mayor Lorentz, City Auditor Mrs. Nolan, City Law Director Mr. Webster, Treasurer Mrs. Cassady and Clerk of Council Mrs. Meredith. Absent from the October 10th, 2022 meeting was Safety-Service Director Mrs. Hoblitzell.

Council President Mr. Martin asked that everyone please rise for the Prayer and remain standing for the Pledge of Allegiance. Mr. Ruth gave the invocation and led us in the Pledge of Allegiance.

President of Council Mr. Martin asked that everyone turn off cellphones so they don't interfere with the recording. He also reminded council and the administration that if you have a report, please see that the clerk gets a copy of your report.

Mr. Martin also reminded everyone in the audience that if you are speaking before council to stand, state your name and address clearly for the council clerk to hear and what you are addressing.

Mrs. Dennis made a motion to accept the minutes of September 26th, 2022 as presented and by-pass the reading. A vote was taken with all members of council present voting aye.

Reports of City Officials:

Mayor Lorentz reported on September 28th I was asked to attend the ribbon cutting at Mel's Diamond House in Vienna. Mayor Rapp and I were honored to be there and support Mrs. Ford after all her years of service. If you are looking for jewelry repair or something made check it out.

The Tree Commission travelled to Athens for the day on Friday for the Annual tree Conference. A lot of information in a short amount of time.

Shrivers Pharmacy held a Groundbreaking Ceremony on October 6th at their new location on Farson Street. This will be a great addition to the area, and they seem excited to be here.

Civil Service has concluded the testing for dispatchers, and we now have a workable list to choose from. Many thanks to the commission and also Chief Board of Parkersburg and Chief Warden of Marietta. We have one applicant for Police Officer. Hopefully this will change as we extended the due date for applications.

The Apple Butter Stir-Off was a success looking from the outside in. I attended the kick-off as well as the Celebration at Rockland Methodist Church 200 years in existence.

Mr. President, I have the agreement for the Washington Soil and Water Conservation District. If you would be so kind to assign to committee, we can then budget.

Flu Clinic this Saturday at the Bingo Hall from 10 am until 1-pm. Make sure to pass this on. We need a good showing to keep this benefit.

Safety-Service Director Mrs. Hoblitzell was absent. No report was given in her absence. Mayor Lorentz stated that there is two or three of them in Louisiana looking at equipment for the sewer plant. It is for the head works and is the first part of the plant and probably the oldest part of our plant. We have two or three recommendations. The engineering firm we are using now recommended they go and view the operation.

City Auditor Mrs. Nolan had no report.

City Law Director Mr. Webster reported that he is researching a couple of issues for the safety-service director. One is a request for the vacating of an alley above Matheny Avenue. I have the adjoining landowner's information. The land owner has been advised of the filing of the petition with council. Secondly, I have been researching a residential plumbing issue for new construction and existing structures and how it relates to the Ohio revised code and whether we need additional approval from the Ohio State building code in regards to our plumbing codes.

City Treasurer Mrs. Cassady stated that each member of council has received a copy of the August Treasurer's Report and was emailed to each city council person. This needs approval of council. There is also the June and July amended Treasurer's Report thanks to Mrs. Nolan who answered the questions from last meeting. I'm asking for approval on those also. Mr. Ferguson asked if the Swimming Pool fund was an oversight. He was informed by Mrs. Nolan that it was. What is the \$1,000 expense under the Capital Improvement Fund. Mrs. Nolan stated that it was for Tiana Knopp for grant writing services.

Mr. Ferguson asked if we can pass all three at the same time or should we pass individually. According to Mr. Webster you can do it either way however it is much cleaner if done separately.

Mr. Wallace asked about Fund 482 where there is an expense for \$187,776.17. I would like to know what the expense was for. Mrs. Nolan stated that all the expenditures were for the Force Main Project. Mr. Wallace asked if it was ARPA money. Mrs. Nolan informed Mr. Wallace that it is all ARPA money. Council was pretty clear when we put that money in that account, we didn't appropriate that to be used for water and sewer. Mr. Webster stated that it didn't state that it couldn't be spent for water and sewer. It originally said that it could only be used for water and

sewer but you all asked me to remove that section therefore it can be used for any purpose that was granted by the State of Ohio in regards to those expenditures of funds which include water and sewer. Mr. Wallace stated that so, what council should have said is that council should approve any spending of the ARPA money. Mr. Webster said no, that was to create an account. It wasn't to control the expenditures of the money. It was to create an account that the money was to be deposited into. Mr. Webster stated that was all that legislation did. Mr. Wallace said if we appropriated the money, when was it appropriated. Mr. Webster stated that it was when you voted on the contract to do the work. The money had to come from somewhere and it was stated that it was to come out of the ARPA money. If we had money in the other account then why would we use the ARPA money to pay for it. Mr. Webster stated you will have to ask the safety-service director and the city administration. Mayor Lorentz stated that the money came in, it was appropriated and clearly stated what it was going for. It was \$187,000 of ARPA money for sewer and General Fund money or whatever. I don't understand. Mayor Lorentz stated that you could only use the \$187,000 for that. Mr. Wallace stated that this council voted to remove that part. You voted that it could only be used for that. Mr. Webster stated that if you remember council wanted to be able to use those ARPA funds if necessary for other types of projects. There are other things under the Ohio rules that those funds could be used for. According to the August report any money that was not committed to that contract or Force Main Project which is now \$354,355.66 can be expended for any expenditures under that legislation that is allowed by Ohio law. That includes water and sewer and other projects. It could be used for improvement at the parks or other projects. Discussion continued on the topic. The ARPA money was found money that came to the city that didn't have to come out of our already existing sewer money so we could do improvements to our own system. Mr. Millhone stated that he agrees with Mr. Wallace and Mr. Null. I believe council needs to be more involved to approve every dollar.

Mr. Wallace also asked about an invoice that each member of council should have. A copy of the invoice is for the clean up behind Fruth Pharmacy. Mr. Martin informed Mr. Wallace that this didn't pertain to the topic we were discussing.

Mrs. Cassady stated that they did vote on the legislation for \$509,000.00? Is this all coming from the ARPA money and is the rest of the bill coming from the ARPA money? By the time the bill is paid there will not be a lot of money in that account. Mrs. Cassady stated that they didn't vote on where the money is coming from. Mr. Webster asked if any council person asked where the money was coming from during the discussion. Mr. Wallace asked if the funds were coming out of the ARPA fund? Mr. Webster stated that the money was already appropriated. Mr. Webster and Mrs. Nolan echoed that yes, the administration did say that. Mr. Null felt that Mr. Webster had let the council down.

Mr. Ferguson made a motion to accept the amended Treasurer's Report for the month of June. A vote was taken with all members of council present voting aye except Mr.

Null and Mr. Wallace. The vote was 5 in favor and 2 against. Motion carried.

Mr. Ferguson made a motion to accept the amended Treasurer's Report for the month of July. A vote was taken with all members of council present voting aye.

Mr. Ferguson made a motion to accept the Treasurer's Report for August. A vote was taken with all members of council present voting aye.

Communication and Petitions

Mr. Martin announced that he has talked to a company to address our sound system, our recording system, speakers and everything else last week. I'm also going to get in contact with another company and once I get some proposals I will bring before council. I wanted to keep you all informed as to what I was doing.

Mayor Lorentz reported that he had the lights in council chambers checked this morning and nothing can be done with them except to replace. I'm going to Parkersburg to purchase a case of the LED Can lights for council chambers.

Reports of Standing Committee

Mr. Ferguson reported that his committee met prior to this evening's meeting to discuss **RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.** All of council on the committee agreed to add this piece of legislation to tonight's agenda. Mr. Ferguson made a motion to add to tonight's agenda for first reading **RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.** A vote was taken with all members of council present voting aye.

Each member of council should have on their desk a copy of the 2022 Final Budget. This also includes the final expenditures for 2021. I feel this is a nice starting place for us to begin discussing the Temporary Budget for 2023. With this I'm calling a Finance/Audit Committee meeting for October 24th, at 6:30pm; November 14th, at 6:30; November 28th, at 6:30 pm and December 12th at 6:30pm to review the 2023 Temporary Budget that has to be approved by December 31, 2022. If anyone has any questions, please call me.

Mr. Martin asked if our last budgetary meeting was on December 12th, will this give us enough time to complete the readings. Mr. Ferguson stated that he could call a meeting for December 19th, 2022 to consider the third reading. Mr. Webster stated that the chair would have to set up the Special Meeting.

Mr. Martin reminded council that two of you can discuss this outside of council, three cannot as you would be in violation of the Sunshine Law. You can call one another however you can't be seen outside with three council members together.

Mr. Martin also mentioned that if we are going to start the budget discussion it would be nice to have some of the department heads present for the discussion. Mayor Lorentz stated that there would be a cost for this

Mrs. Dennis, Police and Fire Committee stated that forgoing the committee meeting I would like to add to the agenda this evening **A RESOLUTION AUTHORIZING THE MAYOR AND SAFETY SERVICE DIRECTOR TO EXECUTE A CONTRACT WITH PIERCE MANUFACTURING, INC. FOR A FORD XT 4 DOOR 12 FOOT RESCUE VEHICLE.** A vote was taken with all members of council present voting aye. Mrs. Dennis also reported that she had been invited to a steak cookout at the fire department. I would like to extend my gratitude for that. I even got to take a ride in the fire truck. It was nice to put names with faces in the department.

Mr. Ruth, Streets, Sidewalks and Storm Sewer reported that he spoke to Mr. Lehen and Mr. Morehead prior to the meeting this evening and they are wanting to know if the city is going to replace the aprons to their driveway that was tore out during paving. Mr. Ruth feels that the problem needs fixed. Mrs. Hoblitzell isn't here this evening however I will wait and ask her. Miriam Allen is also present this evening to discuss the road in front of her driveway as well. I did look at her situation and I feel that it needs fixed.

Mr. Millhone Utilities Committee reported that he was going to call a meeting for Utilities Committee for the lack of plumbing inspections in the City of Belpre. Since Mr. Webster is researching the issue Mr. Millhone is going to wait until he hears back from Mr. Webster. Mr. Millhone stated that residential plumbing inspections in the City of Belpre has been eliminated. Commercial plumbing inspections are still in effect. I'm concerned with public safety especially sewer gas. Mr. Webster stated that he is researching when the state building code was adopted, when we passed our legislation and the effect the State passage has on the legislation. Mr. Millhone's concern was the apartments being built by the Redwood. Who would be responsible if there was a sewer gas leak and someone died? Mr. Webster stated that he didn't know however we can check with our insurance company. Mr. Webster stated he didn't know the liability.

Mr. McClead, Parks and Recreation Committee had no report.

Mr. Wallace, Planning and Zoning Committee had no report.

Mr. Wallace, Economic Development Committee had no report.

Mr. Wallace addressed the invoice he had from Doug Lowe Construction & Excavating L.L.C. in the amount of \$32,274.30 for clean up behind Fruth Pharmacy. I would like to know what funds this was taken out of and who approved it. I don't believe it was this council. Mrs. Nolan stated that the purchase requisition was attached to the invoice. Mrs. Nolan stated that it was paid by the Sewer Fund. Mr.

Wallace wanted to know what council approved it. Mrs. Nolan stated that she didn't know. Mr. Wallace asked that she find out that information for him.

Mr. Null, Rules Committee announced that we will have the second reading tonight on **AN ORDINANCE APPROVING THE EDITION AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF BELPRE, OHIO.** Mr. Null called a committee for October 17th, 2022 at the Senior Citizens Building at 7pm for the purpose of discussing our community cat problem. We will have folks from Save the Kitty in attendance. It is very important to have these cats spade and neutered.

PERSONS APPEARING BEFORE COUNCIL – AGENDA items only ((President of Council will ask if there is anyone wishing to address City Council on any agenda items.)) **None**

UNFINISHED BUSINESS: ((President of City Council will recognize that there is or is not any Unfinished Business this evening)). **None**

Mr. Ferguson brought before council for second reading **A RESOLUTION SUPPLEMENTING YEAR 2022 APPROPRIATIONS as amended.** Mr. Ferguson stated that we received an email from Mrs. Nolan this afternoon that she needed to add an addition to the appropriation for the police department as their server is full, can not be updated and is obsolete. The total cost of a new server is \$11,851.00 and is needed asap. Mr. Ferguson withdrew his motion and he amendment Exhibit A.

Mr. Ferguson made a motion to amend Exhibit A to include \$11,851.00 to the appropriations. A vote was taken with all members of council present voting aye

Mr. Ferguson brought before council for second reading **A RESOLUTION SUPPLEMENTING YEAR 2022 APPROPRIATIONS as amended.** Mr. Wallace asked about the \$113,000.00 and the \$59,000.00 and if this was part of the \$6.00 a month that was added to our water bill. The \$113,000.00 was part of the \$4.00 and the \$59,000 was part of the \$2.00. Are we planning on spending this without building a water storage facility. Mr. Wallace stated this is why I voted no last time. Mr. Webster stated that \$113,000.00 can only be expended for the water storage facility. The only money that has been expended is only for the engineering portion of the project. Mr. Wallace said so what are they going to spend the \$172,000.00 on. Mr. Null stated that he couldn't vote on it as the money needs to be verified. A vote was taken with all members of council present voting aye except Mr. McClead, Mr. Millhone, Mr. Null and Mr. Wallace. The vote was 3 for the resolution and 4 against. Motion failed.

Mr. Ferguson asked since the reading failed does someone that voted against it have to bring it back up. According to Mr. Webster if it was the same piece of legislation, it

would. Since it will not be the same legislation the answer is no. Mr. Null stated that he would be glad to bring it up if we had clarification.

Mrs. Abdella stated that it would have to be brought up with another attachment or exhibit. It can't be the same. I'm concerned because by not passing you have hindered the police department from not getting their server to keep our police department up and running. I am concerned as a citizen.

Mrs. Dennis asked if the auditor could explain what else we wouldn't be able to do since the legislation didn't pass. She was informed that the engineering for the new water tower and the day-to-day purchase orders that are received. Mrs. Dennis stated that bills we owe can not be paid because we didn't appropriate these funds. Mrs. Nolan stated that she was correct.

Mr. Millhone asked what the cost of the engineering is? Mayor Lorentz stated that he couldn't answer that right now. The name of the engineering firm is EDG.

Mr. Null brought before council for second reading **AN ORDINANCE APPROVING THE EDITION AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF BELPRE, OHIO.** A vote was taken with all members of council present voting aye. This will lie over until the next meeting of council.

NEW BUSINESS:

Mr. Ferguson brought before council for first reading **RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.** A vote was taken with all members of council present voting aye. This will lie over until the next meeting of council.

Mrs. Dennis brought before council for first reading **A RESOLUTION AUTHORIZING THE MAYOR AND SAFETY-SERVICE DIRECTOR TO EXECUTE A CONTRACT WITH PIERCE MANUFACTURING, INC. FOR A FORD XT 4 DOOR 12 FOOT RESCUE VEHICLE.** Discussion followed. Mr. Ferguson asked if this vehicle is being paid for with the EMS Levy Fund. Mrs. Dennis informed Mr. Ferguson that yes it was. A vote was taken with all members of council present voting aye.

Mrs. Dennis moved to suspend the rule of council on three different days to allow for the second and third readings of **A RESOLUTION AUTHORIZING THE MAYOR AND SAFETY-SERVICE DIRECTOR TO EXECUTE A CONTRACT WITH PIERCE MANUFACTURING, INC. FOR A FORD XT 4 DOOR 12 FOOT RESCUE VEHICLE.** A vote was taken with all members of council present voting aye.

Mrs. Dennis brought before council for second and third readings **A RESOLUTION AUTHORIZING THE MAYOR AND SAFETY-SERVICE DIRECTOR TO EXECUTE A CONTRACT WITH PIERCE MANUFACTURING, INC. FOR A FORD XT 4 DOOR 12 FOOT RESCUE VEHICLE.** A vote was taken with all members of council present voting aye.

Mrs. Dennis moved this be Resolution #17, 2022-2023 and duly passed. A vote was taken with all members of council present voting aye.

Mr. Martin stated that we will need a copy of the exhibit to attach. Mr. Webster stated that there is a whole set of warranties within the exhibit. I didn't have copies of what the warranties are however I know that there are at least 6 or 7 of them.

PERSONS APPEARING BEFORE COUNCIL:

Miriam Allen resides at 1429 Poplar Street; Belpre addressed the road in front of her driveway that was eroding. I contacted the city building on September 21st about the road eroding away in front of my driveway. You can tell that the road had been previously patched. I spoke with the Safety-Service Director Mrs. Hoblitzell who stated that she didn't know whether it would be my responsibility or the cities responsibility but she would get back with me. I contacted her a couple of days later and at that time she told me that there would be a meeting the following Monday to discuss the city ordinances pertaining to this matter and she would call me after that meeting. On September 26th she called me and arranged a meeting with me and the mayor the next day at my home. I asked her what this would be about and she indicated that she was not certain. The mayor came to my home on September 27th and confronted me about a Facebook post that I had posted. I didn't feel I was addressed in an appropriate manner. The mayor did look at me and called me a little shit. I didn't think this was a way to speak to me as a citizen and I didn't feel that I was being taken serious on this matter. He told me that he would consult with the city attorney on this issue. I don't know if Mr. Webster had been consulted or not as I was not contacted. Mr. Webster stated that he had been contacted. I never heard anything back from that. On October 3rd I left a message for the mayor and again on October 4th I contacted Mrs. Hoblitzell as I was told the mayor was out ill. I did speak with Leonard Wiggins, the Code Enforcement Officer, who came to my home and marked the right-of-way. He was unable to tell me at that time where my responsibilities were to repair the road and where the city took over to repair the road. I do have pictures if anyone would like to see them. The mayor did contact me and said that he would bring me a bucket of cold patch if someone could put it in or he would put it in. The safety-service director is not present this evening so I don't know her involvement in the matter. She has not returned my phone calls. I'm asking that the city address this.

Mr. Ruth stated that he was at her home this afternoon and took pictures. I do feel that the road does need repaired. It should not be her responsibility.

Mr. Null wanted to see the pictures. Mrs. Allen stated that she has to be able to get out of her driveway. If the road continues to erode away it is going to make it impossible for me to get around.

Mr. Ferguson stated that he wasn't going to take sides at this time. Mr. Ferguson was embarrassed by the action of the administration and apologized on behalf of the administration.

Charlene McNulty showed support for her daughter. She stated that Miriam was very independent and ask that the city help her.

Mr. Wallace stated that he had been at Mrs. Allen's home and he feels that if it doesn't get fixed it is only going to get worse.

Mayor Lorentz stated that he did not make his comment in a derogatory nasty manner. I have known her since she was a baby. When I made the statement, I said you onery little shit because if she would have called me, I would have gone up and fixed the problem instead of having it put on Facebook. I didn't want a can of worms opened up all over town.

Mr. Millhone stated that he thought we needed to fix it. Mr. Millhone said let's call the roll. Mr. Martin stated that it wasn't something we vote on.

Susan Abdella 420 Blennerhassett Avenue asked the mayor if they would have high dose flu vaccines for seniors. The mayor stated that he thought they would have both. Ms. Abdella asked if there would be a charge for the shot. Mayor Lorentz stated that they would check their insurance. Ms. Abdella asked what if there was no insurance? Mayor Lorentz didn't know for sure but he said that he would find out and get back with her.

Randy Allen 1429 Poplar Street stated that there is no way that he would address a homeless person that he didn't know as you little shit. You are never to address my mate in a derogatory manner.

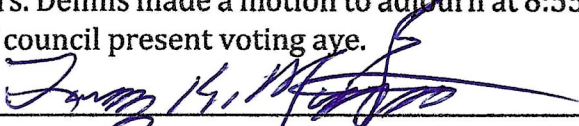
Mr. Millhone asked what we are going to do? Mr. Martin stated that we can't make that decision tonight. We need a solution by the next meeting. Mr. Webster clarified that Mr. Millhone was not asking for legislation. He was not.

Mr. Null stated that as a representative of 4th Ward and as a prior businessman I go around to local businesses to see what is going on. I went down to Antonio's today and I was told that they cashed his check to sell wine and beer in his Italian Restaurant.

I also talked to a local businessman and he gave me an excellent comment on the mayor and the safety-service director. He said they were working very well with them and he appreciates all they have done.

ADJOURN:

Mrs. Dennis made a motion to adjourn at 8:55 pm. A vote was taken with all members of council present voting aye.



President of Council Mr. Martin



Clerk of Belpre City Council Mrs. Meredith