

## **REGULAR MEETING**

**April 10, 2019**

**Struthers, Ohio 44471**

The Regular Meeting of the Council of the City of Struthers, Ohio, was held on Wednesday, April 10, 2019 at 7:00 p.m. in Council Chambers with the following members present at Roll Call: Bayus, Bigley, Burnside (absent), Carcelli, Fire, Patrick, Rudzik.

President of Council, Henry D. Franceschelli, Sr., was present at the Meeting.

President of Council, Henry D. Franceschelli, Sr., asked everyone to stand for the Pledge and for the gentlemen to remove their hats. Please remain standing for a moment of silence for Deborah Anne (Burnside) Kotsol, Mr. Robert Burnside's Sister.

Pledge was recited and Moment of silence observed.

President of Council, Henry D. Franceschelli, Sr., thanked everyone for coming this evening.

President of Council, Henry D. Franceschelli, Sr., recognized the invited guest in attendance at the Regular Council Meeting: Safety Service Director, Robert (Bob) Norris. (Mayor Terry P. Stocker, Auditor, Christina Bohl/Jackson, Law Director, John N. Zomoida Jr., Judge Dominic Leone, Tax Commissioner, James Bertrando and Treasurer, Robert D. Carcelli, III –not present.) Also present: Former President of Council & Councilman, Robert (Bob) Carcelli, Former 2<sup>nd</sup> Ward Councilwoman, Carol A. Crytzer and Struthers Police Officer Present: Montgomery, Ritter and Fedorek.

President of Council, Henry D. Franceschelli, Sr. asked for a motion to excuse Mr. Robert D. Burnside from the meeting.

Bayus moved seconded by Carcelli to excuse Mr. Robert D. Burnside from the meeting.

Roll Call: Voting yea: Bayus, Bigley, Carcelli, Fire, Patrick, Rudzik.

Absent: Burnside.

Motion carried 6-0.

Mr. Robert D. Burnside is excused by 6-0 vote.

President of Council, Henry D. Franceschelli, Sr., asked for a motion to dispense with the reading of the minutes and to accept the minutes. Do I have a motion? A second?

Fire moved seconded by Bigley to dispense with the reading of the minutes of 2<sup>nd</sup> Regular Meeting dated March 27, 2019 and accepts them as prepared by the Clerk.

Roll Call: Voting yea: Bayus, Bigley, Carcelli, Fire, Patrick, Rudzik.

Absent: Burnside.

Motion carried 6-0.

Meeting minutes accepted by 6-0 vote.

## **COMMUNICATIONS (On File)**

- 1. STRUTHERS MUNICIPAL COURT'S ANNUAL REPORT FOR THE CALENDAR YEAR 2018 SUBMITTED BY JUDGE DOMINIC LEONE.**
- 2. TAX OFFICE MONTHLY REPORT FOR TAX COLLECTIONS AS OF MARCH 2019 SUBMITTED BY JAMES J. BERTRANDO, STRUTHERS TAX COMMISSIONER.**

President of Council, Henry D. Franceschelli, Sr., asked for a motion to receive and file communications.

Carcelli motioned seconded by Rudzik to receive and file said communications.  
Roll Call: Voting Yea: Bayus, Bigley, Carcelli, Fire, Patrick, Rudzik.  
Absent: Burnside.  
Motion Carried 6-0.

Communications accepted and filed by 6-0 vote.

### **MAYOR'S REPORT**

Mayor was not present at the meeting and had no said report for Council this evening.

There were no remarks or comments for the Mayor.

### **REPORT OF STANDING COMMITTEES (On Audio) April 17, 2019**

Mr. Dallas A. Bigley called for an Executive Session next Wednesday, April 17, 2019 at 5:00 p.m. for the following reasons:

- Pending or Imminent Court Action
- Personnel Matters Regarding Compensation Of A Public Employee
- Personnel Matters Regarding Employment Of A Public Employee

Joseph N. Rudzik, Chairman of the Community Development Committee scheduled a meeting for Wednesday, April 17, 2019 at 6:15 p.m. in Council Caucus Room. The purpose of the meeting is to discuss and organize an event here in the City of Struthers. (Called for during the Regular Meeting of Council.)

Anthony C. Fire, Member of the Finance & Legislation Committee scheduled a meeting for Wednesday, April 17, 2019 at 6:30 p.m. in Council Caucus Room. The purpose of the meeting is to discuss pending Legislation. (Called for during the Regular Meeting of Council.)

### **ANYONE WISHING TO ADDRESS COUNCIL ON PENDING LEGISLATION**

There were no remarks or comments under Addressing Council on Pending Legislation.

### **LEGISLATION**

#### **19-012**

**AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR THE PURCHASE AND APPLICATION OF CRACK SEALANT TO VARIOUS CITY STREETS FOR A SUM NOT TO EXCEED \$20,000 AND THE BOARD OF CONTROL TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER AND DECLARING AN EMERGENCY.**

Carcelli moved seconded by Bigley that the rules of Council be suspended and the ordinance be placed upon its passage.

Roll Call: Voting Yea: Bayus, Bigley, Carcelli, Fire, Patrick, Rudzik.

Absent: Burnside.

No Remarks.

Carcelli moved seconded by Bigley that the ordinance be passed as read.

Roll Call: Voting Yea: Bayus, Bigley, Carcelli, Fire, Patrick, Rudzik.

Absent: Burnside.

No Remarks.

Motion Carried 6-0.

Legislation passed by 6-0 vote.

**19-013**

**AN ORDINANCE APPROPRIATING THE SUM NOT TO EXCEED \$2,000 FROM THE 2019 GENERAL FUND BUDGET CATEGORY CONTINGENT # 100 9000 53024 FOR MUSIC IN THE PARK AND DECLARING AN EMERGENCY.**

Bayus moved seconded by Rudzik that the rules of Council be suspended and the ordinance be placed upon its passage.

Roll Call: Voting Yea: Bayus, Bigley, Carcelli, Fire, Patrick, Rudzik.

Absent: Burnside.

No Remarks.

Bayus moved seconded by Rudzik that the ordinance be passed as read.

Roll Call: Voting Yea: Bayus, Bigley, Carcelli, Fire, Patrick, Rudzik.

Absent: Burnside.

No Remarks.

Motion Carried 6-0.

Legislation passed by 6-0 vote.

**19-014**

**AN ORDINANCE APPROPRIATING THE SUM NOT TO EXCEED \$150.00 FROM THE 2019 GENERAL FUND BUDGET APPROPREATION 9000 MISCELLANEOUS CATEGORY CONTINGENT # 100 9000 53024 FOR THE V.F.W. MEMORIAL DAY CONTRIBUTION AND DECLARING AN EMERGENCY.**

Patrick moved seconded by Fire that the rules of Council be suspended and the ordinance be placed upon its passage.

Roll Call: Voting Yea: Bayus, Bigley, Carcelli, Fire, Patrick, Rudzik.

Absent: Burnside.

No Remarks.

Patrick moved seconded by Fire that the ordinance be passed as read.

Roll Call: Voting Yea: Bayus, Bigley, Carcelli, Fire, Patrick, Rudzik.

Absent: Burnside.

No Remarks.

Motion Carried 6-0.

Legislation passed by 6-0 vote.

**UNFINISHED BUSINESS**

There were no remarks or comments under Unfinished Business.

**NEW BUSINESS**

There were no remarks or comments under New Business.

**REPORT OF LAW DIRECTOR (On Audio)**

Law Director, John N. Zomoida, Jr. was present at the meeting and had no said report for Council this evening.

There were no remarks or comments for the Law Director.

**REPORT OF AUDITOR**

Auditor Christina Bohl was not present at the meeting and had no said report for Council this evening.

There were no remarks or comments for the Auditor.

**REPORT OF SAFETY SERVICE DIRECTOR (On Audio)**

Safety Service Director was present at the meeting and had no said report for Council this evening.

**Remarks/Comments: (On Audio)**

Mr. Michael S. Patrick told bob that he wanted to brief the public as to what was discussed in Council Caucus Review. The house at 302 Broad Street which has the scuffling up for 20 years, now. We had a discussion on that house and John Zomoida is going to send a prosecutors notice for Wednesday, April 24<sup>th</sup> at 9:00 a.m. to have the home owner down for discussions about the house. This house is totally unacceptable. Mr. Patrick made a recommendation that we give him a 30 day grace period fix it or have a contractors notice to have it completed within 30 days or the house will be turned over to the City and be torn down and the land (lot) will go into the Landbank. That house is on HELL of a bird house with the back of the house all open. This guy has been given leeway in the past and he has promised to have the house done and it is not completed years later.

**Remarks/Comments:**

Mr. Dallas A. Bigley stated that we have given him more than enough time to complete the project and we may have been too lenient in the matter. This has to be addressed and action needs to be taken. Thank you!

Mr. Anthony C. Fire said that he was part of that several years ago and stated that it is past time and something needs to be done. Thank you!

**ADDRESSING OF COUNCIL (On Audio)**

**(On Audio - These minutes are a summarization of the Regular Meeting and not verbatim.)**

Mr. Edward H. Wildes, 51 Hopewell Drive, Struthers, Ohio 44471. Mr. Wildes wanted to address council because something was bugging him. He would like to know why Mr. Michael S. Patrick, Councilman-At-Large, feels that he is above the laws of the City of Struthers by not taking out a yard sale permit when he places various items for sale at his property curb several times a month. As a Councilman running for Mayor should follow the Ordinances of the City of Struthers and do it legally. He has done this probably about 10 to 15 times already. He needs to go down to City Hall and take out a permit and meet with the Safety Service Director. Safety Director is supposed to report his hours of operation and how many days he will need the permit for. A resident may only take out one permit and it can only be done once every three months at current residence per Struthers Ordinance. I just wish that Michael Patrick comply with the law. Secondly, Mr. Wildes addressed the Campaign flyer that Mr. Patrick circulated say that he was the reason that the City got two trucks donated to the City of Struthers. Mr. Wildes was appalled by the fact Mr. Patrick took credit for something, when in fact he was the S.S.D. and considered the chief purchasing agent in the City. Nothing can be bought, sold, traded or gifted to the City of Struthers without the consent or knowledge of the S.S.D. and/ or the Mayor. He spoke at length on the matter of the two trucks from Ohio Edison. He stated that he was the one who contacted Laura Tubo with Ohio Edison. He stated that Mr. Patrick is trying to take full credit for those two trucks and its complete BS. He is running for Mayor and he is stretching the truth and lying. He also spoke at length about generators that were also on the campaign flyer.

President of Council, Henry D. Franceschelli, Sr. stated that we aren't going to get into a fight now are we Mr. Patrick.

Mr. Michael S. Patrick said no. I would just like to get my duty. He said he can do it now or do it under addressing council by getting up. It is up to you. He went on to address Mr. Wildes statements defending himself and stated that Mr. Wildes wouldn't remember the said conversations that were had between the two of them. He figured as much. He also spoke on the trucks from Ohio Edison.

Mr. Patrick and Mr. Wildes started going back and forth....

President of Council banged the gavel three times and stated that he has heard enough and stated that Mr. Wildes made his point. You are welcome no more!

Mr. Wildes started to walk to the back of the courtroom and stated that everybody knows his character and his character is 100% in this town.  
President of Council stated HUH?

People in the audience started laughing...

Mr. Wildes looked at Mrs. Carol Crytzer and said laugh B%^\*H!

People got all upset by the comment that was made to Mr. Crytzer.

Mrs. Crytzer said wow old man!

President of Council, Henry D. Franceschelli, Sr. made comments and stated stop it now. Come On, Now!

Mr. Dallas A. Bigley called for a point-of-order and made comments. He stated that Mr. Michael S. Patrick should be able to say his rebuttal and defend himself since he sat there very professional listening to Mr. Wildes statements.

President of Council stated that you just don't walk out of a meeting and call someone a B\$%^! He stated that this is getting out of hand down here.

Mr. Bigley stated that Mr. Patrick should have his turn to defend himself.

Mrs. Carol Crytzer stated that the comment he said shows his character.

President of Council stated that you don't talk to citizens that way.

Mrs. Carol Crytzer said no!

President of Council stated go head Michael say what you are going to say.

Mr. Michael S. Patrick went on and spoke at length defending himself against the allegations that Mr. Wildes set before Council. First he spoke about the yard sale permits, then he spoke up on the procedure that he laid out to acquire the trucks from Ohio Edison and finally he spoke about the generators for the Fire Station. He also spoke about his campaign saying that he is using his very own Fire Truck on his signs, because he is not misrepresenting himself. Nowhere on his Truck does it say City of Struthers or a number that is in service. He does not have State License Plates on that truck. He has his own personal plates on that truck. He stated that it's his side of the story and thanked everyone for listening to him.

Mr. Robert (Bob) Carcelli, 409 Edison, Struthers, Ohio 44471. He spoke at length about the ignorant attitude from the Safety Service Director. He also brought up the fact that awhile back that he got into it with the Judge and nothing was done about it. He wanted to address to concerns: 1) Grants and funding for the Police & Fire Station. He wanted to get copies of all the denial letters from the organizations that the City has sent letters to and wants the copies of those along with all denial letters sent back to the City saying that there is no funding and 2) He spoke at CASTLO at length. He said that for 10 years there has be no signs of jobs from CASTLO. No Jobs-No Towns.... Wants to know how the City is going to raise the funds for the Fire Station. Is there going to be a bond Issue? He briefly spoke about the 135 acres of clean property that sold its mineral rights? He also spoke about a vindicator article about the 1 acre or property that was carved out for a park. Did Struthers see anything from that, nope, they got nothing!

**Remarks/Comments: (On Audio)**

Mr. Dallas A. Bigley made comments the the City spoke with East Gate, MS Consultants and Homeland security and that they were all dead ends to be able to get the City funding. He said that he sat in on the meetings personally and they verbally said that there was no funding available. He also spoke to the CASTLO concern stating that AQUA Ohio just built a building down there, Flying J Pilot, IPS and \$700,000.00 was just put into a building that Penn Ohio owns, so he's confused by the fact of him saying that nothing has been done down there in 10 years is wrong to say. He totally disagrees with his statements, because the City also entered into a TIF agreement with CASTLO.

Mr. Robert D. Carcelli made additional comments.

Mr. Bigley made comments with regards to the 1 acre of property that was carved out for a park. He stated that he believes that was miscommunicated to the paper. That property is for parking for the downtown area that is in need of it. He also said that it would be an asset to Struthers especially with the dam removal project.

Mr. Anthony C. Fire stated that they had Joe Schiavoni down here to see about getting money and he stated that there was no money of grant funding for a New Fire Station.

Mr. Michael S. Patrick spoke about the meeting they had with Andy Frost, who was really good with Fire Grant writing and he too said that there is no money available which was about two to three years ago.

Mrs. Carol A. Crytzer stated that it is true that Schiavoni was down here.

Mr. Michael S. Patrick told Carol that he was sorry that she had to deal with that. I apologize.

Mrs. Crytzer stated that she had to put up with that for 6 1/2 years of his character. I know what he is like. He should have to apologize to everyone in this room.

President of Council, Henry D. Franceschelli, Sr. stated that it was uncalled for and out of line. You should not call someone that.

People from the audience made comments....

**President of Council, Henry D. Franceschelli, Sr., announced the Committee Meetings scheduled for Wednesday, April 17, 2019 is as follows:**

**Special Meeting for Executive Session: 5:00 p.m. for:**

- **Pending or Imminent Court Action**
- **Personnel Matters Regarding Compensation Of A Public Employee**
- **Personnel Matters Regarding Employment Of A Public Employee**

Community Development Committee Meeting at 6:15 p.m. The purpose of the meeting is to discuss and organize an event here in Struthers.

Finance & Legislation Committee Meeting at 6:30 p.m. The purpose of the meeting is to discuss pending Legislation.

**EASTER EGG HUNT WILL BE SATURDAY, APRIL 13, 2019 at 11:00 A.M. AT THE STRUTHERS HIGH SCHOOL FOOTBALL FIELD**

**ELECTRONIC DAY- SATURDAY, MAY 4, 2019 FROM 8-12**

**STRUTHERS CLEAN-UP DAY- SATURDAY, MAY 18, 2019 FROM 8-12**

**STRUTHERS CIVIC DAY- FRIDAY, APRIL 26, 2019**

**ADJOURNMENT**

Bayus moved seconded by Bigley that the meeting be adjourned.

Roll Call: Voting yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.

Absent: Burnside.

Motion Carried 6-0.

President of Council, Henry D. Franceschelli, Sr., declared the meeting be adjourned and thanks for coming.

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CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

**SPECIAL MEETING**  
**April 17, 2019**  
**Struthers, Ohio 44471**

The Special Meeting of the Council of the City of Struthers, Ohio was held on Wednesday, April 17, 2019 at 5:00 p.m. in Council Chambers with the following members present at Roll Call: Bayus, Bigley, Burnside, Carcelli, Patrick, Rudzik. Not Present During Roll Call: Fire. (Ran Late To Meeting)

President of Council, Henry D. Francescheeli, Sr. was present at the Special Meeting.

President of Council, Henry D. Franceschelli, Sr., asked everyone to stand for the Pledge and for the gentlemen to remove their hats.

Pledge was recited.

President of Council, Henry D. Franceschelli, Sr. asked the clerk to read the call of the special meeting.

**CALL OF THE SPECIAL MEETING LETTER: (On File)**

April 12, 2019

All Members of Council &  
Administration  
6 Elm Street  
Struthers, OH 44471

Dear Honorable Members of Council & Administration:

The Finance & Legislation Committee is calling for a Special Meeting of Council on **Wednesday, April 17, 2019 at 5:00 P.M.** in Council Chambers. This meeting is called for the purpose of the following:

**Executive Session:**

- Pending or Imminent Court Action
- Personnel Matters Regarding Compensation Of A Public Employee
- Personnel Matters Regarding Employment Of A Public Employee

Your attendance is required and will be greatly appreciated.

Sincerely,

Robert D. Burnside  
Robert D. Burnside, 3<sup>rd</sup> Ward Councilman

Dallas A. Bigley  
Dallas A. Bigley, Councilman-At-Large

Anthony C. Fire  
Anthony C. Fire, 1<sup>st</sup> Ward Councilman

RDB/mrs

Cc: File, Members of Council, Mayor, S.S.D., Auditor, Law Director, Treasure, and News Media.



**MOTION TO GO INTO EXECUTIVE SESSION:**

**To Discuss matters required to be kept confidential under Ohio Open Meeting Act Chapter 3: Executive Session.**

**Executive Session:**

- Pending or Imminent Court Action
- Personnel Matters Regarding Compensation Of A Public Employee
- Personnel Matters Regarding Employment Of A Public Employee

Burnside motioned seconded by Patrick to go into Executive Session to discuss matters required to be kept confidential under the Ohio Open Meeting Act Chapter Three: Executive Session

Roll Call: Voting Yea: Bayus, Bigley, Burnside, Carcelli, Patrick, Rudzik.

Absent Durning Roll Call: Fire. (Ran Late To Meeting)

Motion Carried 6-0.

Motion passed by 6-0 for Council to go into Executive Session at 5:03 p.m. in Council Caucus Room # 11.

**MOTION TO RECONVIEN FROM EXECUTIVE SESSION:**

**MOTION TO RECONVIEN FROM EXECUTIVE SESSION REGARDING MATTERS REQUIRED TO BE KEPT CONFIDENTIAL UNDER THE OHIO OPEN MEETING ACT CHAPTER 3: EXECUTIVE SESSION.**

**Executive Session:**

- Pending or Imminent Court Action
- Personnel Matters Regarding Compensation Of A Public Employee
- Personnel Matters Regarding Employment Of A Public Employee

Council left Council Chambers and went into Executive Session in Council Caucus Room #11 at 5:03 p.m. and returned to Council Chambers at 6:17 p.m.

President of Council, Henry D. Franceschelli, Sr. asked for a motion to reconvene from the Executive Sessions and to go back into the Special Meeting of Council.

Burnside motioned seconded by Patrick to reconvene from the Executive Session and go back into the Special Meeting of Council.

Roll Call: Voting Yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.

Motion Carried 7-0.

Reconvened from Executive Session by 7-0 vote.

**ADJOURNMENT**

Rudzik moved seconded by Bigley that the special meeting be adjourned.

Roll Call: Voting yea: Bayus, Bigley, Burnside, Carcelli, Fire, Patrick, Rudzik.

Motion Carried 7-0.

President of Council, Henry D. Franceschelli, Sr., declared the Special Meeting be adjourned.

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Clerk of Council

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President of Council