

2021

STRUTHERS CITY COUNCIL

PRESIDENT OF COUNCIL
1st WARD COUNCILWOMAN
2nd WARD COUNCILMAN
3rd WARD COUNCILMAN
4th WARD COUNCILMAN

MICHAEL S. PATRICK
LORI A. GREENWOOD
RONALD A. CARCELLI
ROBERT D. BURNSIDE
RICHARD S. BAYUS

COUNCIL-AT-LARGE

JAMES E. BALUCK
DALLAS A. BIGLEY
MEGAN L. PINGLEY

ADMINISTRATION

MAYOR, CATHERINE CERCONE MILLER
AUDITOR, CHRISTINA BOHL/ JACKSON
SAFETY SERVICE DIRECTOR, TIM DALEY
TREASURER, ROBERT D. CARCELLI, III
LAW DIRECTOR, JOHN N. ZOMOIDA JR.
JUDGE, DOMINIC R. LEONE, III
TAX COMMISSIONER, RYAN ROGALSKI
POLICE CHIEF, ROY T. RODDY
FIRE CHIEF, WILLIAM A. SIMCOX JR.

Committee Appointments 2020/2021

FINANCE & LEGISLATION	Chairman: Dallas A. Bigley Members: Robert D. Burnside Ronald A. Carcelli
GENERAL IMPROVEMENTS	Chairman: Ronald A. Carcelli Members: James E. Baluck Megan L. Pingley
POLICE & FIRE	Chairman: James E. Baluck Members: Dallas A. Bigley Robert D. Burnside
PUBLIC UTILITIES	Chairman: Lori A. Greenwood Members: Ronald A. Carcelli James E. Baluck
PARKS & RECREATION	Chairman: Richard S. Bayus Members: Lori A. Greenwood Dallas A. Bigley
COMMUNITY DEVELOPMENT	Chairman: Megan L. Pingley Members: Richard S. Bayus Lori A. Greenwood
ANNEXATION, ZONING & INDUSTRIAL BUSINESS	Chairman: Robert D. Burnside Members: Megan L. Pingley Richard S. Bayus

REGULAR MEETING

January 13, 2021

Struthers, Ohio 44471

The Regular Meeting of the Council of the City of Struthers, Ohio, was held on Wednesday, January 13, 2020 at 7:00 p.m. (Zoom Meeting) with the following members present at Roll Call: Baluck, Bayus, Bigley (Late To Join Meeting), Burnside, Carcelli, Greenwood, Pingley.

President of Council, Michael S. Patrick was present at the Meeting.

President of Council, Michael S. Patrick asked everyone to stand for the Pledge.

Pledge was recited.

President of Council, Michael S. Patrick thanked everyone for coming this evening.

President of Council, Michael S. Patrick recognized the invited guest in attendance at the Regular Council Meeting: Mayor Catherine Cercone Miller, Safety Service Director, Thomas Daley, Auditor, Christina Bohl and Law Director, John N. Zomoida, Jr. Zoom Guest: Ashley Fox, John Socha, Michelle Ray, Troy Rhoads, Bert Cene and a phone caller.

President of Council, Mr. Michael S. Patrick asked for a motion to dispense with the reading of the minutes of 2nd Regular Meeting Dated December 23, 2020 and Special Meeting Minutes dated December 28, 2020 and accept the minutes. Do I have a motion? A second?

Carcelli moved seconded by Baluck to dispense with the reading of the minutes of 2nd Regular Meeting Dated December 23, 2020 and Special Meeting Minutes dated December 28, 2020 and accept them as prepared by the Clerk.

Roll Call: Voting yea: Baluck, Bayus, Bigley (Late), Burnside, Carcelli, Greenwood, Pingley.

Motion carried 6-0.

Meeting minutes accepted by 6-0 vote.

President of Council, Michael S. Patrick asked the clerk to read the four (4) pieces of communications.

COMMUNICATIONS

- 1) STRUTHERS TAX OFFICE MONTHLY REPORTS FOR TAX COLLECTIONS FOR THE MONTH OF DECEMBER 2020 SUBMITTED BY RYAN ROGALSKI, STRUTHERS TAX COMMISSIONER.**
- 2) LAW DIRECTOR, JOHN N. ZOMOIDA JR. SUBMITTED THE ANNUAL REPORT TO STRUTHERS CITY COUNCIL.**
- 3) STRUTHERS CITY COUNCIL 2021 REGULAR SCHEDULED MEETINGS SUBMITTED BY MEGAN R. SHORHOUSE, CLERK OF COUNCIL**
- 4) MAYOR'S REPORT DATED MONDAY, JANUARY 11, 2021 SUBMITTED BY MAYOR CATHERINE CERCONE MILLER.**

President of Council, Michael S. Patrick asked for a motion to receive and file the communications.

Bayus moved seconded by Burnside to receive and file said communications.

Roll Call: Voting yea: Baluck, Bayus, Bigley (Late), Burnside, Carcelli, Greenwood, Pingley.

Motion carried 6-0.

Communications accepted and received by 6-0 vote.

MAYOR'S REPORT (On Audio)

Mayor Catherine Cercone Miller was present and had said report entitled Mayor's Report January 11, 2021 for Council this evening. MAYOR'S REPORT: 1) Struthers Fire Department, 2) Gift Card That Keep On Giving, 3) AQUA Ohio, 4) Republic Services, 5) Don't Forget Aqua, CASTLO & Rotary Donates, 6) City Hall, and 7) COVID-19. (ON FILE)

Catherine Cercone Miller

Mayor

STRUTHERS
OHIO

6 Elm Street

Office: (330)755-2181 Ext. 110

Fax: (330)755-1550

MAYOR'S REPORT

January 11, 2021

Struthers Fire Department

2020 Run Numbers are in:

Your Struthers Firefighters ran 1071 calls in 2020.

Fire Calls 39

EMS 647

Service Calls 262

False Alarms 103

Other 19

It was another record number of calls for service for our Department. This number would have been a lot larger but due to Covid protocols we were unable to respond to some EMS calls. These were passed along to the ambulance companies when Covid symptoms were present in order to keep our members safe and virus free. These protocols were put in place so an adequate number of Firefighters are available to protect our community.

Gift Cards That Keep On Giving

Now that the holidays are over, you're probably wondering what to do with all of your used gift cards. While some stores and restaurants take them back to be reloaded, many do not and the cards just end up being more plastic waste entering our landfills. Fortunately, the Green Team recognizes this problem and has come up with a solution. They have acquired a press that turns old gift cards into guitar picks. The picks are offered for free to local musicians and artists and the leftover plastic is sent to a card recycling facility in Solon. If you would like to donate a card to their program, DO NOT PUT IT IN ANY OF THE BINS. Simply mail it to the Green Team c/o Kim Lewis, 345 Oak Hill Ave., Suite 330, Youngstown Ohio 44502. If you would like to receive one of our recycled picks, call the Green Team at 330-740-2060 to make arrangements.

Aqua Ohio

Aqua customers: Due to US Postal Service processing delays, your current Aqua bill may be delayed and delivered after its due date. You can visit their website at www.aquaamerica.com to view your bill statement, make one time payments, enroll for e-Billing, and view other ways to pay your bill. To avoid bill delays from the US Postal Service in the future, please consider enrolling in Aqua's WaterSmart e-billing. This provides on-time bill delivery direct to your email.

Republic Services

There has been a schedule change in services. The following streets are affected by the Republic schedule change. Thank you for your patience and understanding.

Maplewood: From 170 to 8th St

Sexton: All of this street

Spring: All of this street.

Creed: From 170 to 5th St
Judith: All of this street.
Morrison: All of this street.
Argonne: From Sexton to Creed
Euclid: From Sexton to Creed
Garfield: From Maplewood to Morrison
Dogwood: From Maplewood to Spring
8th St: From Maplewood to Creed
Elmwood: From Maplewood to Spring

DON'T FORGET Aqua, CASTLO & Rotary DONATES

Aqua, CASTLO & Struthers Rotary recently partnered to make a \$7,500 donation to Second Harvest Food Bank to directly support the Christ Our Savior-Holy Trinity Church food pantry to assist families in Struthers, Campbell, Lowellville and surrounding areas. Food is distributed at Holy Trinity Church located at 250 North Bridge Street on Mondays from 9:30-11:00 am.

City Hall

City hall is now open. However, please call to schedule an appointment before visiting. We are available by phone as always. The Struthers Municipal Court will remain open.

COVID-19

If you have any questions regarding COVID19, please call 1-833-427-5634 or refer to the Centers for Disease Control and Prevention (CDC) website at www.cdc.gov.

I wish you all a safe and healthy 2021,
Mayor Cat Cercone Miller

There were no remarks or comments for the Mayor.

**REPORT OF STANDING COMMITTEES (On Audio)
WEDNESDAY, JANUARY 20, 2021**

Dallas A. Bigley, Chairman of the Finance & Legislation Committee scheduled a meeting for Wednesday, January 20, 2021 at 6:00 p.m. in Council Caucus Room. The purpose of the meeting is to discuss pending legislation. (Via Zoom Meeting App)

ANYONE WISHING TO ADDRESS COUNCIL ON PENDING LEGISLATION

There were no remarks or comments under Anyone Wishing To Address Council On Pending Legislation.

President of Council, Michael S. Patrick stated that there was five (5) pieces of legislation this evening.

LEGISLATION

21-001

AN ORDINANCE ADOPTING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF STRUTHERS AND THE AFSCME, AFL-CIO LOCAL 759 OF COUNCIL 8 AS A RESULT OF THE PARTIES NEGOTIATIONS, HEREINAFTER "AFSCME," AND DECLARING AN EMERGENCY.

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

Roll Call: Voting Yea: Baluck, Bayus, Bigley (Late), Burnside, Carcelli, Greenwood, Pingley.

No Remarks.

Burnside moved seconded by Pingley that the ordinance be passed as read.

Roll Call: Voting Yea: Baluck, Bayus, Bigley (Late), Burnside, Carcell, Greenwood, Pingley.

No Remarks.
Motion Carried 6-0.

Legislation passed by 6-0 vote.

21-002

AN ORDINANCE AMENDING § 351.15 OF THE STRUTHERS CODIFIED ORDINANCES AND REPEALING ORDINANCE 94-9306, ORDINANCE 99-9808, ORDINANCE 20-035 AND/OR ANY OTHER ORDINANCE, OR PART THEREOF, TO THE EXTENT THE SAME ARE INCONSISTENT WITH THIS ORDINANCE, AND DECLARING AN EMERGENCY.

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

Roll Call: Voting Yea: Baluck, Bayus, Bigley (Late), Burnside, Carcelli, Greenwood, Pingley.

No Remarks.

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

Roll Call: Voting Yea: Baluck, Bayus, Bigley (Late), Burnside, Carcell, Greenwood, Pingley.

No Remarks.

Motion Carried 6-0.

Legislation passed by 6-0 vote.

21-003

AN ORDINANCE CREATING § 351.17 OF THE STRUTHERS CODIFIED ORDINANCES DECLARING ANY MOTOR VEHICLE PARKED IN VIOLATION OF CHAPTER 351 A PUBLIC NUISANCE AND ESTABLISHING PROCUEDURES FOR THE ABATEMENT OF THE PUBLIC NUISANCE.

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

Roll Call: Voting Yea: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.

No Remarks.

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

Roll Call: Voting Yea: Baluck, Bayus, Bigley, Burnside, Carcell, Greenwood, Pingley.

No Remarks.

Motion Carried 7-0.

Legislation passed by 7-0 vote.

21-004

AN ORDINANCE ACCEPTING THE HIGHEST AND BEST BID OF \$300.00 FROM JOHN R. SOCHA, JR. FOR THE SALE OF CERTAIN VACANT LAND LOCATED AT MAPLEWOOD AVENUE AND 9th STREET, AUTHORIZING THE SAFETY SERVICE DIRECTOR AND/OR MAYOR TO ENTER INTO A CONTRACT FOR SAID SALE, 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: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.

No Remarks.

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

Roll Call: Voting Yea: Baluck, Bayus, Bigley, Burnside, Carcell, Greenwood, Pingley.

No Remarks.

Motion Carried 7-0.

Legislation passed by 7-0 vote.

21-005

A RESOLUTION APPROVING THE APPLICATION OF EDWARD J. BARONE TO PLACE CERTAIN LAND LOCATED IN THE CITY OF STRUTHERS, OHIO IN AN AGRICULTURAL DISTRICT AND DECLARING AN EMERGENCY.

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

Roll Call: Voting Yea: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.
No Remarks.

Bayus moved seconded by Carcelli that the resolution be passed as read.

Roll Call: Voting Yea: Baluck, Bayus, Bigley, Burnside, Carcell, Greenwood, Pingley.
No Remarks.

Motion Carried 7-0.

Legislation passed by 7-0 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 File)

Law Director, John N. Zomoida, Jr. was present on the Zoom meeting and his Annual Report dated January 13, 2021 for Council this evening. (On File)

John N. Zomoida, Jr.

DIRECTOR OF LAW

City of Struthers, Ohio

6 Elm Street

Phone: (330) 755-2181 Fax: (330) 755-2790

LawDirector@CityofStruthers.com

January 13, 2021

Struthers City Council
6 Elm Street
Struthers, Ohio 44471

Re: Annual Report

Dear Honorable Members of Council:

The following Annual Report is submitted at the first regular meeting of Struthers City Council in January 2021 pursuant to § 733.62 of the Ohio Revised Code, which states:

The city director of law shall make a report to the legislative authority of the city, at its first regular meeting in January, of the business of his office, the moneys by him collected during the year preceding, and such other matters as he deems proper to promote the good government and welfare of the city.

This report is divided into the following sections:

- A. Business of the Law Department during 2020
- B. Monies collected by the Director of Law during 2020
- C. Other matters relating to good government and welfare of the City of Struthers

I want to state at the outset that I am thankful for the ongoing, positive interaction I have experienced throughout the prior year with City Council, other elected officials, department heads and many of the top notch City of Struthers employees. This office is part of a governmental team that has the best interests of the citizens of Struthers as its primary focus. That shared, there have been challenging moments during the last twelve months, but none has derailed the process of local governance. This is reflected in the strong record of accomplishments during 2020 which include the projects and initiatives detailed below.

**Prosecuting Attorney – City of Struthers, Village of Poland, Township of Poland,
Village of Lowellville, Village of New Middletown, and Township of Springfield**

A. BUSINESS OF THE LAW DEPARTMENT DURING 2020

First, some numbers that reflect some of the basic operations of the Law Department:

MUNICIPAL COURT

Pursuant to § 733.52 of the Ohio Revised Code, “[t]he city director of law as prosecuting attorney of the mayor’s court shall prosecute all cases brought before the court, and perform the same duties, as far as they are applicable thereto, as required of the prosecuting attorney of the county.” Between January 1, 2020 and December 31, 2020, my office prosecuted 492 misdemeanor criminal cases and 1,456 traffic cases that were filed in the Struthers Municipal Court from all political subdivisions within the court’s territory.

LEGAL ADVICE AND OPINIONS

Furthermore, § 733.54 of the Ohio Revised Code provides:

When an officer of a city entertains doubts concerning the law in any matter before him in his official capacity, and desires the opinion of the city director of law, he shall clearly state to the director of law, in writing, the question upon which the opinion is desired, and thereupon the director of law shall, within a reasonable time, reply orally or in writing to such inquiry. The right conferred upon such officers by this section extends to the legislative authority of the city, and to each board provided for in Title VII [7] of the Revised Code.

Between January 1, 2020 and December 31, 2020, I frequently provided separate instances of legal advice and/or written opinions for the offices of the Mayor, Auditor, Safety Service Director, Council members, Council as a whole, and Police Chief.

LITIGATION

In 2020, the Law Department worked with the Tax Department to file several lawsuits to collect income taxes due and owing to the City. A summary of those cases can be found in Exhibit A hereto.

Second, the following are some of the accomplishments of the Law Department during 2019:

BUDGET

The end of any calendar year for the City of Struthers brings with it the need for the creation, submission and approval of a budget for the succeeding twelve month period. In 2020, the Law Department requested a modest budget, and the Department was able to live within those means and actually returned an amount of unspent funding at the end of the year. In the days to come, I will meet with the Mayor to discuss my Department’s budget for 2021. Discretionary areas of the Law Department’s budget request are not likely to see any increases for the upcoming year. My office will continue to use taxpayer money sensibly and only spend money for reasons that are absolutely essential to the operation of the Law Department.

OTHER BUSINESS

The Law Department also worked closely the Housing Code Director to enforce the housing code provisions found in the City’s Codified Ordinances and to revise several ordinances to expand the City’s ability to enforce housing code violations.

B. MONIES COLLECTED BY THE LAW DEPARTMENT IN 2020

The Law Department does not directly collect money in the course of its business.

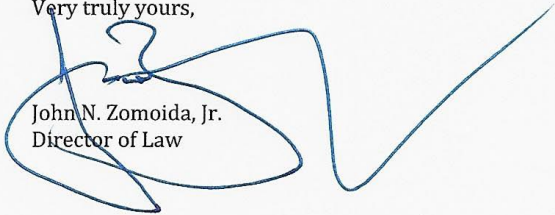
C. OTHER MATTERS RELATING TO GOOD GOVERNMENT AND WELFARE OF THE CITY

§ 733.62 of the Ohio Revised Code does not specify what is meant by "other matters *** to promote the good government and welfare of the city." However, I will continue to monitor governmental operations to the extent that my office has a role for doing so under the Ohio Revised Code. This includes providing Council with recommendations on the legislative process and answering specific procedural and legal questions.

As always, if you have any questions or concerns, feel free to contact me at any time.

With kindest regards, I am

Very truly yours,

A handwritten signature in blue ink, appearing to read "John N. Zomoida, Jr.", with a long, sweeping flourish extending to the right.

John N. Zomoida, Jr.
Director of Law

EXHIBIT A

City of Struthers, Ohio vs. Ronald S. Ciccolelli
Case No. CVF20000324

This lawsuit was filed on July 28, 2020. A default judgment was issued in favor of the City in the amount of \$1,334.94, plus interest at the rate of 5% per annum from the date of judge. Collections efforts are ongoing.

City of Struthers, Ohio vs. Thomas A. Cutlip
Case No. CVF20000325

This lawsuit was filed on July 28, 2020. A default judgment was issued in favor of the City in the amount of \$1,504.98, plus interest at the rate of 5% per annum from the date of judge. Collections efforts are ongoing.

City of Struthers, Ohio vs. Joseph Czap
Case No. CVF20000326

This lawsuit was filed on July 28, 2020 seeking to recover \$93.11. After the lawsuit was filed, the taxpayer paid the amount owed and the case was dismissed.

City of Struthers, Ohio vs. Arthur M. Cramer
Case No. CVF20000327

This lawsuit was filed on July 28, 2020 seeking to recover \$1,891.20. After the lawsuit was filed, the taxpayer agreed to make an initial payment of \$500.00 and then monthly payments of \$100.00 until the balance is paid.

City of Struthers, Ohio vs. Tracie Brown
Case No. CVF20000328

This lawsuit was filed on July 28, 2020. A default judgment was issued in favor of the City in the amount of \$1,077.70, plus interest at the rate of 5% per annum from the date of judge. Subsequently, the taxpayer entered into a payment agreement directly with the Tax Department.

City of Struthers, Ohio vs. James E. Hivner
Case No. CVF20000329

This lawsuit was filed on July 28, 2020. A default judgment was issued in favor of the City in the amount of \$332.25, plus interest at the rate of 5% per annum from the date of judge. Collections efforts are ongoing.

City of Struthers, Ohio vs. Ashly L. Kephart
Case No. CVF20000330

This lawsuit was filed on July 28, 2020 seeking to recover \$209.39. After the lawsuit was filed, the taxpayer agreed to make monthly payments of \$25.00 until the balance is paid.

City of Struthers, Ohio vs. Johnathan A. Davis
Case No. CVF20000331

This lawsuit was filed on July 28, 2020. A default judgment was issued in favor of the City in the amount of \$320.56, plus interest at the rate of 5% per annum from the date of judge. Collections efforts are ongoing.

City of Struthers, Ohio vs. Benjamin D. Burkey
Case No. CVF20000332

This lawsuit was filed on July 28, 2020. A default judgment was issued in favor of the City in the amount of \$1,100.19, plus interest at the rate of 5% per annum from the date of judge. Collections efforts are ongoing.

City of Struthers, Ohio vs. Brian Buttermore
Case No. CVF20000333

This lawsuit was filed on July 28, 2020. A default judgment was issued in favor of the City in the amount of \$199.58, plus interest at the rate of 5% per annum from the date of judge. Collections efforts are ongoing.

City of Struthers, Ohio vs. Robert Fullerton
Case No. CVF20000334

This lawsuit was filed on July 28, 2020. A default judgment was issued in favor of the City in the amount of \$1,746.06, plus interest at the rate of 5% per annum from the date of judge. Collections efforts are ongoing.

City of Struthers, Ohio vs. Angela Greenwalt
Case No. CVF20000335

This lawsuit was filed on July 28, 2020 seeking to recover \$1,634.84. After the lawsuit was filed, the taxpayer paid the amount owed but still owes the court costs.

City of Struthers, Ohio vs. Fidel Gutierrez
Case No. CVF20000336

This lawsuit was filed on July 28, 2020 seeking to recover \$453.93. After the lawsuit was filed, the taxpayer paid the amount owed but still owes the court costs.

City of Struthers, Ohio vs. Cynthia J. Green
Case No. CVF20000337

This lawsuit was filed on July 28, 2020. A default judgment was issued in favor of the City in the amount of \$565.61, plus interest at the rate of 5% per annum from the date of judge. Collections efforts are ongoing.

City of Struthers, Ohio vs. Jessica M. Hetrick
Case No. CVF20000338

This lawsuit was filed on July 28, 2020. A default judgment was issued in favor of the City in the amount of \$1,125.67, plus interest at the rate of 5% per annum from the date of judgment. Collections efforts are ongoing.

City of Struthers, Ohio vs. Laura M. Hilborn
Case No. CVF20000339

This lawsuit was filed on July 28, 2020. A default judgment was issued in favor of the City in the amount of \$1,910.65, plus interest at the rate of 5% per annum from the date of judgment. Collections efforts are ongoing.

There were no remarks or comments for the Law Director.

REPORT OF AUDITOR

Auditor Christina Bohl was present on the Zoom meeting and had no report for Council this evening. She stated that she will be back into work on Tuesday, January 19, 2021 due to quarantine.

There were no remarks or comments for the Auditor.

REPORT OF SAFETY SERVICE DIRECTOR

Safety Service Director was present on the Zoom meeting and had no report for Council this evening. He made a verbal comment about the City purchasing two (2) new cruisers for the Police Department.

There were no remarks or comments for the Safety Service Director.

ADDRESSING OF COUNCIL (On Audio)

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

Troy Rhoads with Ohio Edison spoke.

There were no remarks or comments made under Addressing of Council.

President of Council, Michael S. Patrick announced the Committee Meeting scheduled for Wednesday, January 20, 2021 is as follows: “Zoom Meeting App”

6:00 P.M. Finance & Legislation Committee Chairman Dallas A. Bigley & Members: Robert D. Burnside, Ronald A. Carcelli. The purpose of the meeting is to discuss pending legislation. (Via Zoom Meeting App)

ADJOURNMENT

Pingley moved seconded by Baluck that the meeting be adjourned.
Roll Call: Voting yea: Baluck, Bayus, Bigley, Burnside, Carcelli, Greenwood, Pingley.
Motion Carried 7-0.

Meeting Adjourned.

President of Council, Mr. Michael S. Patrick declared the meeting be adjourned and thanked everyone for joining “Zoom Meeting” App.

Megan R. Shorthouse
CLERK OF COUNCIL

Michael S. Patrick
PRESIDENT OF COUNCIL