

Village of Clinton
Regular Council Meeting Minutes
Of
Tuesday, September 4th, 2018

Mayor Knack called the meeting to order on Tuesday, September 4th, 2018 at 7:00 p.m. in the Clinton Village Hall. The Pledge of Allegiance was led by Mrs. Susan Smith and recited by all those present.

Roll Call: Council Members Present: Ellen Conroy, Janice Godwin, Bud McDaniel, Clarissa Allega, Kent Goch, and Marissa Gensimore.

Others Present: Allen Knack, Mayor; Marshal Pitchford, Village Solicitor; Leah Weirick, Fiscal Officer; Mrs. DeAnna Passmore, Mrs. Diane Gunter, Mrs. Susan Smith, Mr. David Oberlin, and Mr. Lewis Rash.

Approval of Council Minutes:

Mr. McDaniel moved to approve the minutes as printed, and Mrs. Allega seconded the motion. Roll Call: Godwin, McDaniel, Allega: Aye. Goch: Abstain.

Gensimore: Aye, with the recommendation that citizens realize that the minutes are paraphrased, and that they may request voice recordings of Council meetings should they wish to hear the actual conversations that transpired.

Conroy: Aye. Motion passed.

Solicitor's Report:

Solicitor Pitchford reported that the judge overseeing the opioid lawsuit had issued a request for the three hundred plus parties who'd initially brought suit: they were being invited to fill out a questionnaire, which he presumed would be for the ultimate pro rata share of settlement.

Police Report: No Report.

Fire Chief's Report: No Report.

Street Commissioner's Report: No Report.

Fiscal Officer's Report:

Fiscal Officer Weirick reported that the Fire Department had recently received, through a trust, a gift of just over \$54,000.00.

Among other upgrades, Verizon had established a separate channel of internet access for first responders, thereby eliminating competition for internet access with civilian users. No additional costs were associated with the new features.

With renewal time approaching for the Village's health insurance plans, that entity required a decision, for or against, prior to the 23rd of the month. Its grandfathered-in status with the

current plan afforded Clinton a rate increase of just 1.8%, where in many other instances a 15-25% increase was being exacted.

Mr. McDaniel motioned to accept the health insurance renewal as stated, and Mrs. Godwin offered a second.

Roll Call: McDaniel, Allega, Goch, Gensimore, Conroy, and Godwin: Aye.

Unfinished Business: None.

Mayor's Communications:

Mayor Knack read aloud from a Proclamation he'd authored at the request of the Daughters of the American Revolution. In it the week of September 17th through 23rd was commemorated as Constitution Week, and citizens were asked to reaffirm the ideals the Framers had in 1787 by vigilantly protecting the freedoms guaranteed them through the guardian of their liberties, remembering that lost rights may never be regained.

With the Village's new fire vehicle and road vehicle in its possession, their predecessors would need disposed of. They could either be sent to Skipco with or without a minimum bid, or the Mayor and Council themselves could advertise and bid the vehicles out; they could not be sold directly to the public. Mayor Knack suggested a minimum bid of \$2500.00 for the 2004 Ford 4-Wheel Drive 6-Liter Diesel, and of \$200.00 for the 1996 Ford Crown Victoria.

Mr. McDaniel motioned to go with the Mayor's recommendations and sell them to Skipco with the minimums as he stated. Second by Mrs. Allega.

Roll Call: Allega, Goch, Gensimore, Conroy, Godwin, and McDaniel: Aye.

Fiscal Officer Weirick described legislation for Council approval during the appropriate phase of its convene, which would amend appropriations for the Cleveland-Massillon Road Project. OPWC money had been awarded for the 2019 undertaking, but \$8,000.00 of \$22,000.00 budgeted for engineering fees should be disbursed in 2018 to cover costs of preliminary engineering tasks while keeping within scheduling parameters previously established.

Mayor Knack had been in contact with the Director of the Board of Elections, who'd informed him that Council meetings could, in fact, be held on the lower floor of Village Hall amidst elections, provided the Sunshine Laws were observed and unauthorized individuals were kept from the vicinity of the polling machines. How best to reconcile poll workers' preferences with Council Members' scheduling considerations was deliberated, alongside availabilities for attendance at the upcoming public hearing on zoning codes. Timing here would also need to afford opportunity for three readings of zoning ordinance legislation.

Mrs. Gensimore moved to move the November meeting to November 8th following the November 6th election; Mr. McDaniel seconded the motion.

Roll Call: Gensimore, Conroy, Godwin, McDaniel, Allega, and Goch: Aye.

Staying momentarily on the zoning ordinances, Solicitor Pitchford noted that the Village Engineer had submitted a proposal in amount of \$5,000.00 for costs and work implicit to the ongoing zoning map and code modifications. With this had come mention of development of a comprehensive land use plan, and although a full written quote for that portion of the emprise had not yet been proffered, the “to be determined” price, in his understanding, would amount to an estimated \$10,000.00.

While such a document had been prepared in 2000 or 2001, there was some question as to whether it had been formally adopted. From a planning perspective, survey work, focus groups, and studies would be enlisted to determine a new version of the best utilization for land areas in Clinton. Solicitor Pitchford attested that this had arisen at his suggestion, explaining that courts across the State recognize and place great weight upon a community’s comprehensive land use plan when called upon to enforce zoning codes. He provided a comparative illustration which supported the engineering costs associated as being reasonable and appropriate.

Mayor Knack apprised Council that Metro Parks would be trimming trees along North Street, but that additional pruning would have to wait until after the first of October so as to best indulge the whims of the Indiana bat, per federal mandate. Mr. McDaniel observed this to be one of the battier specimens of federal law.

Council Communications and Committee Reports: None.

Citizens’ Comments:

Mr. Lewis Rash implored the citizens of the Village to attend Council meetings, or otherwise to provide exculpatory documentation. He indicated that his investigation into resolving Clinton’s flooding predicament had not been designed to draw the ire of the Mayor or Council.

Mr. David Oberlin presented Mrs. Diane Gunter with a check for the Historical Society; his contribution toward Applefest.

Legislation:

First Readings

Resolution R-18-15

A Resolution authorizing and directing the Mayor of the Village of Clinton to enter into an agreement with the City of New Franklin regarding the operations of the joint Fire/EMS Station and declaring an emergency.

Mrs. Gensimore stated that the legislation should not have come to Council, without either Council being able to hold a meeting, examining it, ensuring that everybody understands it, questions asked, going back to New Franklin if there should be an issue that Council did not deem appropriate, or at least, by protocol, having gone through the Safety Committee.

Mr. McDaniel mentioned September 18th’s scheduled Safety Committee convene and the possibility that it could be reviewed during that time.

Mrs. Gensimore advocated removing the legislation from the agenda until such time as it could be subjected to Safety Committee review, then restored to its place. Mayor Knack recalled that such policy had not been observed during passage of the Village's Noise Ordinance.

Solicitor Pitchford advised that at a minimum, the First Reading should stand. In his estimation the Mayor had appropriately executed the role of negotiator during audience with New Franklin's Mayor and both Fire Chiefs; he recommended Council Members study the legislation and perform any necessary or desired research during the intermittency to the upcoming Safety Committee meeting.

Mayor Knack outlined the main change being made to the contract: the addition of a third staff member providing further protection, 24/7, for the Village. Both municipalities would furnish the non-union staff member's salary, at an expense of roughly \$65,000.00 each.

Mrs. Gensimore reiterated her earlier concerns; Mr. McDaniel inserted that the item of priority was for Council to review the document, then make changes as or where desired correspondingly. He queried about how the added cost might impact the budget, and Fiscal Officer Weirick offered that last year's \$95,000.00 above revenue carryover would sufficiently cover the increase.

Mention was made of the continued absence of police and fire department representatives at Council meetings.

Resolution R-18-16

A Resolution amending the annual appropriations for the current expenses and other expenditures of the Village for the fiscal year ending December 31st 2018, and declaring an emergency.

Mr. McDaniel motioned to suspend the rules, and Mrs. Godwin seconded.

Roll Call: Conroy, Godwin, McDaniel, Allega, Goch, and Gensimore: Aye.

Mr. McDaniel motioned to adopt Resolution R-18-16. Second by Mrs. Allega.

Roll Call: Godwin, McDaniel, Allega, Goch, Gensimore, and Conroy: Aye.

New Business:

Solicitor Pitchford suggested the Village update its code to correlate with laws newly passed by the General Assembly, increasing fines imposed for distracted driving infractions. Should Council so desire, he would draft legislation consistent with that in the Ohio Revised Code, which would include an expanded definition of the term "distracted".

An unanimous voice vote of "Aye" confirmed Council intent.

General Discussion:

Mrs. Gensimore inquired about the status of the compilation of 2019's budget, and Fiscal

Officer Weirick confirmed that with some updated figures from the Street Commissioner and Fire Chief it would be complete. Two meetings of the Finance Committee should occur prior to its presentation for a First Reading during November's first meeting of Council.

Presentation of Bills:

Mrs. Conroy moved to approve the Purchase Orders and bills, and Mr. McDaniel seconded the motion.

Roll Call: Godwin, McDaniel, Allega, Goch, Gensimore, and Conroy: Aye.

Mr. McDaniel motioned to adjourn. Meeting was adjourned.



Bud McDaniel, Council President



Mayor Allen Knack



Leah Weirick, Fiscal Officer