

Village of Clinton  
Regular Council Meeting Minutes  
Of  
Tuesday, May 7, 2019

Mr. McDaniel called the meeting to order on Tuesday, May 7, 2019, at 7:00 p.m. in the Clinton Village Hall. The Pledge of Allegiance was led by Mr. Wayne Conroy and recited by all those present.

Roll Call: Council Members Present: Mrs. Gensimore; Mr. Goch; Mrs. Allega; Mr. McDaniel; Mrs. Godwin; Mrs. Conroy;

Others Present: Lewis Rash, Alethea Rantanes, Cecily Lent, Wayne Conroy, Glenn Dettmen, Terry Siegenthaler – Street Commissioner, Leah Weirick – Fiscal Officer

Approval of Council Minutes: Mrs. Godwin motioned to accept minutes as printed; second by Mrs. Allega.

Roll Call: Goch, Allega, McDaniel, Godwin, Conroy, Gensimore; All Ayes.

Solicitor's Report: Mr. Pitchford commented on the settlement check from Nexus and that it has been received and deposited. He also mentioned in regards to the Employee Handbook and the legislation that is on the agenda for tonight that it had been discussed to possibly table that item due to some changes that need to be made. He made the suggestion to not table the item and to go forth with the first reading and then the adjustments can be made prior to the second reading at the next meeting.

Mr. McDaniel asked if the next committee meeting which is scheduled to be the Safety Committee should be switched to Laws & Ordinances instead. Mrs. Godwin noted that the Safety Committee did not have any items to discuss and wouldn't have a meeting. Mrs. Allega agreed that they would have a Laws & Ordinances Committee meeting at 6:00 on Tuesday May 21<sup>st</sup>. The meeting change will be posted regarding the change.

Mrs. Gensimore had a couple questions for Mr. Pitchford. The first dealt with an issue that arose at the Laws & Ordinance Committee meeting in regards to the Human Resources aspect of that committee. Mrs. Gensimore had typed up what that role should look like. Mr. Pitchford suggested that this would need to be incorporated into a new Ordinance and he would draft that for the next meeting and would be inserted in the Council Rules of the Codified Ordinances.

Second, Mrs. Gensimore wanted some clarification on an item that arose from a discussion that was had at the previous Community Development meeting in regards to the Community News and changes that have developed. Just for clarification, in October of 2018, Mrs. Gensimore received a phone call from Mr. Pitchford with some concerns after the secretary of Canal Fulton had called the Mayor and was upset that Mrs. Gensimore had asked that the Village of Clinton secretary be removed from the chain of mail for the Your Community News Committee. The Mayor questioned that it was in Mrs. Gensimore's right to have her removed from that correspondence. Mr. Pitchford spoke as to remembering the phone call and the discussion which also included who had editorial privilege and articles being submitted. Mrs. Gensimore commented that the secretary of Canal Fulton had also wanted her to be removed from the committee. Mrs. Gensimore stated that the Clinton Village Secretary never had permission to be on the committee and that it was to be a representative from each participating community which for the Village was her. It was determined that the Village Council had voted for her to be in that position. It was practice that all articles were submitted to Mrs. Gensimore and she put together the Village's two pages and sent them over to the secretary at Canal Fulton. At one point, the Mayor had submitted an article that was too long and it had to be edited down so everything fit onto two pages. What was removed from his article was already covered in other articles. The entire article was then submitted to Canal Fulton in its entirety by our secretary. Mrs. Gensimore then had asked Sue to never do that again, that she was the representative and that all articles had to go through her. Then after that, Sue was on the chain of communication for the newsletter and she feels that with her also being on the Council for Canal Fulton that it creates a conflict of interest in her opinion and that is why she asked for her to be removed. She asked Mr. Pitchford if there were any legal issues dealing with her position and how things occurred. Mr. Pitchford responded that he couldn't recall what the legal concerns were at the time of his phone call, however, he does believe that there were some legal issues but did not necessarily want to get into the legal issues in a public forum such as this, but he does think the legal issues and concerns have been resolved as he has not heard anything else in regards to that. He also noted that if she was asking if there was an issue with Sue being copied on the emails, he thinks that she can be and if the Mayor wants her to be copied on those emails then she should be. If Council wants to vote and say she shouldn't be, they can, but from his position, the Mayor, as the executive of the Village has the right to that. There is nothing that is privileged. Mrs. Gensimore pointed out that now the Mayor has taken on the position as the representative for the Your Community News Committee for the Village. She also asked what the last bill was since the last issue the Village did not have two pages, however, the Village has not received the bill as of yet. Mrs. Gensimore did not have the clarification she was looking for and Mr. Pitchford said they should have a private conversation in regards to this matter.

Mr. McDaniel commented on the Mayor taking over the role and asked if that should have been voted on by Council. Mr. Pitchford said yes this should be taken back to Council to appoint another point person for the Your Community News Committee.

Mrs. Godwin suggested that maybe now is the time the Village should withdraw from the Community News as previously discussed.

Police Report: None.

Fire Chief's Report: In Packet.

Street Commissioner Report: Mr. Seigenthaler informed Council that the contractors for the Cleve-Massillon road project have not begun work yet. Mr. Goch noted that that date on the Engineer's report says May 8<sup>th</sup>. Salt bid has also come in at \$73/ton vs. last year at \$105/ton. He also noted that mice have been chewing on the cables for the cameras at the garage and the park and currently only one camera is working. A couple quotes have been received as to options that can be done to get the cameras back up and working.

Mr. McDaniel discussed the four options that were provided. He noted that he was in favor of Option 2. Mr. Seigenthaler agreed that Option 2 was the best option. Option 2 was to replace the existing cable and a new larger weather-proof box mounted by the existing cameras for a total of \$655.00. Mrs. Gensimore asked if it was in the budget. The Fiscal Officer informed Council that there was money in the park budget for the repairs. Mrs. Gensimore motioned to accept option 2 for replacing the cables from AHEC, seconded by Mrs. Allega.

Roll Call: Allega, McDaniel, Godwin, Conroy, Gensimore, Goch; All Ayes.

Mr. Siegenthaler also brought up the parks and the current baseball league that is using the field. The current league is not cleaning up after themselves and had a list of demands. They also have been in contact with the him trying to get electric to the park. He had called Ohio Edison and the meter had been pulled five years ago from lack of use. To get the meter back, an inspection would have to be done by the County. Is this something the Village wants to get in to? In the past, the league always had the electric turned on and paid the bill on their own. They have also installed a fence with steel rods that is a safety hazard. We have tried to get their certificate of liability and haven't had any luck getting a response from them. We have never met with anyone in regards to the current league that is using the field. No one has come to Village Hall to fill out any paperwork or even ask for permission to use the field. Mr. Pitchford asked if we currently have any policies for use of the field. The Fiscal Officer informed that we currently have a one-time rental application. Mr. Pitchford said that he will draft something for the next meeting to cover the current situation for leagues using the field as well as adding to the current rental agreement for long-term rentals.

Zoning Report: Mr. Pitchford spoke with Mr. Funk and as of April 22<sup>nd</sup>, he had prepared for him a new citation form and 5 notices for junk vehicles had gone out today under the new proposed form under the new zoning code amendment. It is no longer a court citation, it is now administrative. They will now have a compliance date and after that date has been reached an escalating fine is imposed for each day after if still not in compliance. Mr. Siegenthaler asked about cars in road right-of-way. Mr. Pitchford clarified that if a car is on road right-of-way, it can be towed immediately.

Fiscal Officer's Report: In Packet.

Unfinished Business: Mrs. Godwin questioned all of the reports that are included in the packet and that are also being emailed. Her thought is that maybe some of the items do not need to be printed out. The Fiscal Officer said it is up to Council as to what should and shouldn't be included.

Mr. McDaniel noted that the pumps have been installed in the basement and brought up the idea of having another way to be notified in the future if the pumps were to go out again in case the Village is closed and no one would be in the office to hear the alarm. The gentlemen that installed the pumps said a light could be put up outside of the building that would flash if the pumps went out. Mr. McDaniel asked that he go ahead and install the light warning system.

Mayor's Communications: None.

Council Communications and Committee Reports:

Mrs. Gensimore has been in contact with Mr. Charles Drubel to see if he would come back and explain some of the items he had gone over. He will be in contact with Mrs. Gensimore around the 14<sup>th</sup> or 15<sup>th</sup> to set up another meeting. He also assured her that they would still be able to do the Paint Your Heart Out Program.

She also presented the minutes to her committee from the prior meeting. Mrs. Conroy made a motion to approve the minutes of the Community Development meeting, seconded by Mr. McDaniel.

Roll Call: Conroy, McDaniel, Gensimore; All Ayes.

Mrs. Allega informed Council of the Laws & Ordinances meeting that was held just prior to the Council Meeting. Some modifications are going to be made to the employee handbook and therefore tonight would just be a first reading and the modifications will be made prior to the next meeting.

Citizen's Comments:

Mr. Glenn Dettmen asked of Council to forgive the penalties and interest on the taxes that he owes for 2012-2016. He had Jackson Hewitt tax service compile his taxes for those years, however, they had told him that he did not have to file Village taxes which was incorrect. He has paid and filed his 2017 and 2018 taxes with the penalties and interest. He is also not arguing against the tax that he owes for those years, he is just asking for a waiver of the penalties and interest.

Council agreed that this is an issue he needs to take up with Jackson Hewitt and have them pay the penalties and interest. They suggested to Mr. Dettmen that he go ahead and pay the tax he owes and then get legal assistance to go after Jackson Hewitt for the penalties and interest.

Mr. Lewis Rash spoke of his concerns with the junk and cars that need to be cleaned up in the Village and he is tired of being told it is being handled yet he is not seeing anything being done about it. He is done with the excuses. He also showed his frustration with the Mayor not attending the meeting with the State Representatives about the flooding issue in Clinton that he discussed at the prior meeting.

Ms. Alethea Rantanes questioned as to when South Division Street was going to be fixed and grass that is Village property that needs to be mowed. Mr. Seigenthaler informed her that it has been expressed to her several times that South Division Street is on the schedule to be paved as soon as we receive the information from the County on who was the successful bidder. The Village is not going to put money into it when it is going to be paved this Spring/Summer. Ms. Rantanes also noted that she enjoys the transparency of the Village with what is included in the packets provided.

Legislation:

First Readings:

**Ordinance No. O-19-11**

An Ordinance Amending Codified Ordinance Chapter 149 Entitled "Employees Generally," Adopting an Employee Manual, and Declaring an Emergency.

**Resolution R-19-12**

A Resolution Authorizing the Village of Clinton Mayor to Sign Proposal #18208 Provided by the Village Engineers (OHM Advisors) to Provide Engineering Services in Support of the Cleveland-Massillon Road Culverts, Phase II Project, and for the Fiscal Officer to Pay any Invoices Submitted According to the Proposal, and Declaring an Emergency. (Proposal Attached as Exhibit A)

Second Readings: None.

Third Readings: None.

New Business: None.

General Discussion: Mr. McDaniel noted that the annual report from Summit County Health Department is on the main desk if anyone would like to see it.

Presentation of Purchase Orders and Bills for Approval:

Mrs. Conroy motion to approve purchase orders and pay bills, seconded by Mrs. Allega.

Roll Call: Godwin, Conroy, Gensimore, Goch, Allega, McDaniel; All Ayes.

Motion to adjourn the meeting was made by Bud McDaniel, seconded by Mrs. Allega.

A handwritten signature in blue ink, appearing to be 'Bud McDaniel', written over a horizontal line.

Bud McDaniel, Council President

A handwritten signature in blue ink, appearing to be 'Allen Knack', written over a horizontal line.

Mayor Allen Knack

A handwritten signature in blue ink, appearing to be 'Leah Weirick', written over a horizontal line.

Leah Weirick, Fiscal Officer