

**Village of Clinton
Regular Council Meeting Minutes
of
Thursday, November 7, 2019**

Mayor, Al Knack, called the meeting to order on Thursday, November 7, 2019, at 7:00 p.m. in the Clinton Village Hall. The Pledge of Allegiance was led by Scott Varney and recited by all those present.

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

Others Present: Diane Gunter, Lewis Rash, Susan Smith, Wayne Conroy, residents; Leah Weirick, Fiscal Officer; Mayor Al Knack and Scott Varney, Varney Fink and Associates.

Approval of Council Minutes: Mr. McDaniel motioned to approve the October 15, 2019 council meeting minutes as written, second by Mrs. Allega.

Roll Call: All members (6) voted Aye. Motion passes.

Solicitor Report: Marshal Pitchford reported that Summit County and Cleveland resolved the Opioid claims. That does not mean ours has been resolved. The remaining counties have been told their cases are still on the docket. He will keep the Village updated on this issue.

Police Report: In the packet.

Fire Chief's Report: No report.

Street Commissioner Report: No report.

Zoning Report: No report.

Fiscal Officer's Report: No report.

Unfinished Business: Mr. McDaniel said at the last meeting a resident, Mr. Rash, spoke up wanting to know more about taxes. Mr. Rash, Mrs. Allega, and Mr. McDaniel went to Summit County's council meeting where Mr. Rash spoke. As a result, the three of them went back to the County and met with Mr. Lamonica and Mr. Weant about the sewer and taxes.

Regarding the sewer update, the plans are that Mr. Weant is going to go back and talk about this with Stark County on a deal. If not, we will continue looking at the sewer plant. Mrs. Allega said they want what is most cost effective to the Village. Financial assistance will be looked at. The County is allowed to build a plant, per the EPA, we are not. Mr. McDaniel added, regarding assessments, instead of a 0% interest loan being 20 years, it could go to 30-year loan.

The taxes were discussed as well. Delinquent properties were discussed regarding back taxes – we have a 4% delinquency in the Village. When properties are in bankruptcy, you can't touch them.

Once out, you can, and this will be reviewed and addressed. As our income tax is administered by RITA, the county indicated they could do the same for the Village, if we desire, to come here to address the property tax nonpayment issue. It may be worth it for us to do that.

We were also advised that the County can set us up so we can foreclose on these properties if we wanted to. Paying back-taxes on the properties may not be cost beneficial once everyone gets their share of the amount owed, like the schools, the county and then spend money on attorney fees - it may be cost prohibitive. Mrs. Allega added how the foreclosure process works. If we file the foreclosure, we may not want to own a certain piece of property – we don't want to be stuck with an albatross. We will have future meetings on these issues. The next one will be on November 15, 2019. Mrs. Gensimore stated there is a particular house in question that needs addressed as well.

Mayor's Communications: The flood committee meeting was held and they are making progress. He reported that he received a gauge and took to Luna Lake. It's a pipe that depicts the accurate water level where it should be and Mayor Knack and Mr. Siegenthaler bought supplies to make an exact replica and put one in the pond at Elizabeth Park. Mayor Judge said the Muskingham Watershed is going to pay for the gauge in between Barberton and Clinton. That is operational. They now can get usable data.

He attended a Mayor's meeting, and found Japan is investing a lot of money into this area. They want to do business with us and our Governor is working with them. They are looking for small companies with good schools – where their workers want to live.

The Mayor added that many zoning violation letters went out recently.

The Akron Zoo sent the Village a letter thanking the Village for the support we have shown. Seventy-six people from Clinton went to the zoo this year.

Mayor Knack attended a funeral service at the Rittman Cemetery for a veteran who passed with no family. Through social media and other means at least 1,000 people attended the funeral service of this veteran. It was a wonderful service.

Mayor Knack read a letter from Brent Frey who is announcing his retirement effective December 1, 2019. He is recommending Wayne Conroy replace him as chief. Mayor Knack recommended Mr. Conroy as well. Mayor Knack asked if the HR committee is to confer on this. Mr. Pitchford said the ORC allows the Mayor to make appointments with consent of Council. Our codified ordinances allow for the HR committee to interview for that purpose. The HR committee should make the recommendation to council and council has so many days to act. Mrs. Allega said we (HR Committee) need to make recommendation no later than the next council meeting. She asked if there were any other candidates put forward we should interview? Mayor Knack said that Mr. Conroy was the only one that gave him paperwork. Mrs. Gensimore said at any council meeting we can pool the committee on this. Mr. Pitchford agreed. Mr. Goch, Mrs. Godwin and Mrs. Allega are on the HR committee. Mrs. Godwin recommended Mr. Conroy as did Mr. Goch and Mrs. Allega. A unanimous decision on Mr. Conroy's appointment to be the next fire chief. Per Mr. Pitchford, between now and the next council meeting, this decision should be put in writing to full council.

Council Communications/Council Committee Reports: Mrs. Gensimore said Northwest Schools have programs that honor our veterans and are done very well. The next program will be held on November 10 at 3PM at Puffenberger Hall and she encouraged the community to attend.

Citizens' Comments:

Louis Rash spoke about the flooding situation and is still pushing on it. He still thinks property taxes should be paid by everyone in the entire county. The county says they need money and let all this money slip through the cracks. He doesn't want 4% delinquency in the Village, he wants 0%.

Mayor Knack said there is someone who wants to donate turkeys and if anyone knows someone who could use a turkey for Thanksgiving, please let me know.

Resolutions and Ordinances

No Third Readings.

Second readings.

Ordinance O-19-26

An Ordinance Amending Ordinance No. O-17-26, Establishing the Pay Rates for Certain Employees, Effective January 1, 2020.

Resolution R-19-27

A Resolution Adopting the 2020 Permanent Appropriations and Declaring an Emergency.

First Reading.

Resolution No. R-19-28

Resolution Authorizing the Transfer of Funds from the General Fund to the Street Fund ("Project Fund") of the Village of Clinton, and Declaring the Same to be an Emergency.

Mrs. Allega made a motion to suspend the three-reading rule, second by Mrs. Godwin.

Roll Call: All members (6) voted Aye. Motion passes.

Mrs. Allega made a motion to adopt Resolution No. R-19-28, second by Mrs. Godwin.

Roll Call: All members (6) voted Aye. Motion passes.

New Business:

Mrs. Gensimore explained that as a result of the November election the Village will have a new mayor and council member. As of January 1, 2020, we will have an empty council seat that needs to be filled.

Mr. McDaniel was asked to leave the room. Mrs. Gensimore motioned that council appoint Bud McDaniel to the empty council seat on January 1, 2020.

Mayor Knack said he had three calls of people who were interested. She said there is no other qualified person in the Village ready to continue what we have worked on so far. Mayor Knack added that one is a prior council member who served some years and told that person to submit a letter.

Mrs. Gensimore said she is making that motion. Mr. Pitchford said it could be done before but is not effective until January 1, 2020. Mr. Goch seconded the motion.

Mrs. Allega said she has no say on January 1, 2020, and does not feel comfortable voting on this now. Mayor Knack said it's not fair to the rest of the citizens if they want to come forward and be on council and the decision has already been made two months before the actual seat is open. Why not give citizens the opportunity to apply. It's not fair. Mr. Goch said no matter what, there was going to be a seat open. It was explained that Lewis Rash got in by a write in taking Mr. McDaniel's seat. Clarissa's seat is open as she is now the Mayor. Mr. Goch said the same people who contacted you had the time before to contact you before. If Clarissa lost, there was not going to be a seat. Mrs. Gensimore said at the last election we had an open seat and no one ran for it and we had to find someone to fill that seat. This election, Mr. Goch ran and no one else ran and the mayor took Mr. Rash to sign up for a write in as he had asked him to. Now, after years of no interest, we have an opportunity to keep some semblance of integrity in council and consistency. Yes, there may be someone interested, but there is no one else qualified as Mr. McDaniel. We can't afford to pay someone to take care of all the technical stuff that Mr. McDaniel does for this Village above and beyond his position on council.

Mayor Knack said we still need to give people an opportunity. Mrs. Allega said can it wait till December and give others an opportunity to submit a letter of interest? Mrs. Gensimore said for me, she didn't need to look at anyone else.

Mr. Pitchford clarified the motion: To appoint Mr. Bud McDaniel to the vacancy of the unexpired term, the vacancy created by Mrs. Allega's election as Mayor, effective January 1, 2020. Mrs. Gensimore agreed that was the motion and there is a second.

Mr. Goch asked what harm is caused by jumping into it and doing it today? We can see if letters come in between now and the next meeting. Mrs. Allega is going to abstain on the vote. She said we can let others throw their hat in the ring and give them a chance. It gives more of an impression of fairness. She said that she remembers coming into a meeting after she was elected and there was going to be an open seat that Mrs. Conroy is sitting in right now and being told by council that people could not apply for the seat because it was not vacant yet we knew it was going to be empty January 1. Mr. Goch said he remembered that happening. Mrs. Allega said that was her concern. She remembers it and it would be in the minutes. In the past, that's what we told people and should follow what we have done in the past and let people have the opportunity to express interest. We don't want to favor someone who is already here.

Waiting two weeks would be November 19. Mrs. Allega asked if there was a way we could advertise that and tell people that we are going to make the decision in two weeks? Mrs. Gensimore said no we don't, absolutely not.

Mayor Knack said it does not look good doing it right after the election. Give people an opportunity. Mrs. Gensimore said only 290 people showed up to vote in the Village. If you don't show up to vote – sorry. Mrs. Godwin said she feels we should have this done before the end of the year.

Mrs. Gensimore said she is withdrawing her motion until the next meeting. Mr. McDaniel was called back into the meeting.

Mr. McDaniel stated that he was notified a while back that several computers at Village Hall had alarms going off. He checked them out and eventually found that council's computer battery backup needed replaced and it was ordered on Amazon and arrived. Sue Mayberry's computer started acting up as well due to over voltage. More alarms were going off and he recommends we replace the battery backups.

Mrs. Gensimore motioned that council authorize Sue Mayberry to order three battery backups from Amazon, second by Mrs. Allega.

Roll Call: All members (6) voted Aye. Motion passes.

General Discussion: Nothing to report.

Presentation of Purchase Orders and Bills for Approval:

Mrs. Conroy made a motion to approve purchase orders and pay bills, seconded by Mr. McDaniel.

Roll Call: All members (6) voted Aye. Motion passes.

A motion was made to adjourn the meeting.



Bud McDaniel, Council President



Mayor Allen Knack



Leah Weirick, Fiscal Officer