

Village of Clinton
Regular Council Meeting Minutes
of
Tuesday, June 7, 2016

Mayor Knack called the meeting to order on Tuesday, June 7, 2016 at 7:00 p.m. in the Clinton Village Hall. The Pledge of Allegiance was led by Mahlon Weiland and was recited by all those present.

Roll Call:

Council Members present: Janice Godwin, Sharley Greer, Joe Baiera, Bud McDaniel, Marissa Gensimore, and Debbie Ikins.

Others Present: Sonja Herwick, Fiscal Officer; Marshal Pitchford, Solicitor; Fire Chief Frey; Kent and Jackie Goch.

Approval of Council Minutes

Mrs. Greer made a motion to approve the minutes of the May 17, 2016 council meeting, second by Mr. Baiera.

Roll call: Mr. Baiera, Mrs. Greer, Mrs. Gensimore, Mrs. Godwin, Mrs. Ikins, and Mr. McDaniel, voted "Yes." 6 - Yes, 0 - No. Motion passed. Mrs. Godwin said in roll call, you do alphabetical but alternate where you start – it's a rotation.

Solicitor's Report – No report.

Police Report - No report.

Fire Chief's Report - No report.

Street Commissioner Report - No report.

Zoning Report – No report.

Mayors Report of Money Received – In packet.

Fiscal Officer's Report

Everything is in the packet relative to the report. In the bank reconciliation the \$20K is the real estate tax settlement.

Unfinished Business

Mrs. Ikins reported on the pavilion painting. It did not get finished due to weather. She will know when this will be completed this week.

Mr. Baiera brought up Resolution R-16-15 regarding Walter Drane Company/codified ordinances and he talked to Mike Kelley about the quote and needs more information. He feels this should be withdrawn and taken back to committee. He feels in the past there was confusion on what was determined to be an ordinance and what was determined to be resolution. He wants to review what

is in place and make sure they are accurate. He had asked Marshal Pitchford about traffic laws. Why should we duplicate the laws. Mr. Pitchford explained that if a state trooper comes to town and cites our codified relative to a traffic stop, we get the fees and fines. If they are cited under ORC, the fees would not come to us. It was explained that Barberton handles our criminal matters. We do not get anything from them. Mr. Baiera wants to know if we want to pay for the update to the traffic code and spend the money now. He feels the committee should look at if it's reasonable to spend \$4,000.

Can we enter the information ourselves, copy and paste? Why can't we update the copy? The income tax law was a large portion of this cost. Mr. McDaniel said the CD we received is copy written and cannot be used – what he understood. Mr. Pitchford said he was not sure about the copy write issue, and the norm is to work with a company to be handled by an outside agency which insures accuracy. Eventually this should be available on our website.

Sharley Greer stated that she intended to withdraw the legislation this evening due to these issues. This codification of our ordinances is a process and we are in the middle of the process. We are going to check out whether or not our tech people can do aside from Walter Drane.

Mayor's Communications

Mayor Knack reported that the activities on Memorial Day went very well.

Gas monitoring testing was done and it passed with no problems.

The rail road crossing at 2nd avenue is out of the Village's jurisdiction. Anyone wanting to call needs to use this number, 1-800-232-0144 – CSX emergency number.

The Limbach buildings had a buyer who wanted to restore the fronts and bottoms to their original date for offices and upscale apartments and was told it had to be ADA accessible. The doorways, hallways and counters, etc. had to be different. Another person also wanted to purchase but backed out. They are back on the market. We will use them for our Bicentennial.

Our liability insurance is only going up a little over \$200 dollars. Legislation is going to be done on this.

The Physio Control Lifepak was purchased and we have a 4-year service agreement and are saving \$1,000.

The announcement board has been installed on the side of Village Hall.

The Rubber Ducks box seat tickets are \$7.00 and we have available for anyone who wants to purchase. We can get more if necessary.

Regarding Landbank, the 2nd Avenue building, the Side Lot and Vacant Land Transfer Program was approved. They want \$1,600 and the Village will then own the properties involved. Mrs. Greer said regarding the \$1,600, we have more than that in our line item for this. It was budgeted. Mrs. Greer explained the process to Mr. Pitchford for clarification as this was different from the other Landback project we did previously. This is a process that should not take very long.

Council Communication

Mrs. Ikins reported on the winners of the raffle. She put out a flyer on the Metro Parks Random Acts of Music on June 21 at the trail head depending on weather.

Mr. Baiera reported on the mosquito hotline. He had talked to Andrew Deacon (330-926-5668) who advised they are not going to be spraying properties like they used to. The only time if you want your property sprayed or are having a party or special event, they will come and spray. More people are being trained and will send them to Clinton to spray but they are really cutting back.

He also spoke with a State trooper about our police protection and thought this might be an avenue to look into to provide us a service. Jan Godwin said that Lawrence Township did decline to contract with the Village.

Council Committee Reports

Mrs. Gensimore said the community newsletter should hit the mail boxes shortly (June, July, August activities). This will be quarterly.

She had a business meeting with new web designer and we went over his vision and our ideas – fine tuned. At the next council meeting we will get an example from them for us to review and tweak.

The bicentennial planning is going well and has contacted a fireworks company who is licensed and insured and got a good price from them. She is hoping the \$5,000 goal for the fireworks will be met.

Mrs. Ikins reported on the CDBG ADA Sidewalk grant project. This was awarded but not all the expenses were included in the grant – specifically the tree work. In the end, we got \$15,000 for the concrete work and appropriated \$3,000 for tree work. The tree work is going to end up costing less because the bank-owned properties took down two trees. However, in meeting with the CDBG folks they explained that we would be required to use a closed bid award system for the grant. There are expenses associated with doing that - advertising, an actual sign showing how project is being funded, and a bid book. She received samples and OHM indicated they do this kind of work and commonly that engineering expense is rolled into the grant application which is an additional out of pocket expense. We have to follow these guidelines. She further explained how the bid process would work in this case which will cost an additional \$5,000 for OHM to do the bid book and oversight. She asked council about what we should do – as there are options. We may have to spend \$8K to get the \$15K. OHM and CDBG agreed we can also scale back to do just three sides so the concrete cost is lower and we can then pay for engineering out of the grant with the understanding with CDBG that we would be putting in another grant package for next year and finish the project and expend the sidewalks. We would then make sure we rolled in all the expenses including trees and all other expenses. We need to get this done by the end of the year. We can address this at a later meeting.

Mrs. Greer was under the impression we didn't have the money appropriated for this right now. Are the funds appropriated to do this even with the scale-back plan? Mrs. Ikins said that's a question for our fiscal officer. How can we move forward if we don't have the funds. The Street budget has unencumbered funds which we could encumber and the reimbursement is quick.

Mayor Knack advised the way we sold this project was that our building is used as a senior center facility and overflow for trail parking. Mrs. Ikins said that as long as it's the same project we can reduce what we are going to do and do it this year. Mayor Knack said we need to be sure we set this beforehand in our bid package. Mrs. Greer said we didn't do the application properly. However, she thought we were not expending the funds first which is how it was explained to us. We didn't understand the process and need to work with what we have and go forward.

Mrs. Ikins said next year will be the Main Street Culvert project and she reported further on the street department's future budget. A committee meeting with the street superintendent and fiscal officer will be necessary. Mr. McDaniel will advise Mrs. Ikins when he will be available for a meeting in the coming week. Mrs. Ikins added that there are areas in Clinton where CDBG funds are not applicable and that is a concern for future projects. Mr. Siegenthaler has concerns on street conditions that need attention.

Mrs. Herwick explained the process of "shuffling" line items and dollar amounts. Mrs. Greer stated that we have a very frugal budget.

Ordinances and Resolutions

First Readings

Resolution No. R-16-17

A Resolution Authorizing the Village Of Clinton Mayor and the Fiscal Officer To Prepare and Submit an Application to Participate in The Ohio Public Works Commission State Capital Improvement And / Or Local Transportation Improvement Program(s) and To Execute Contracts as Required, and Declaring an Emergency.

Mrs. Greer made a motion to suspend the three reading rule, second by Mrs. Gensimore.

Roll call: Mrs. Greer, Mrs. Gensimore, Mrs. Godwin, Mrs. Ikins, Mr. McDaniel, and Mr. Baiera voted "Yes." 6 - Yes, 0 - No. Motion passed.

Mrs. Gensimore made a motion to adopt R-16-17, second by Mrs. Godwin. Mrs. Ikins said this is for the Main Street Culvert project and if we don't pass tonight and miss the deadline it's off the table. It would not be awarded till next year. We will encumber our share of the funds this year and carry them forward.

Roll call: Mrs. Gensimore, Mrs. Godwin, Mrs. Ikins, Mr. McDaniel, Mr. Baiera and Mrs. Greer voted "Yes." 6 - Yes, 0 - No. Motion passed.

Resolution No. R-16-18

A Resolution Declaring the Month of August 2016 as Kids Month in the County of Summit and Encouraging the Citizens of Summit County to join in this acknowledgement, for the Executive, and Declaring an Emergency.

Mrs. Greer made a motion to suspend the three reading rule, second by Mrs. Gensimore.

Roll call: Mrs. Godwin, Mrs. Ikins, Mr. McDaniel, Mr. Baiera, Mrs. Greer and Mrs. Gensimore voted "Yes." 6 - Yes, 0 - No. Motion passed.

Mrs. Godwin made a motion to adopt R-16-18, second by Mrs. Greer. This is done every year and it's an effort to give kids special opportunities.

Roll call: Mrs. Ikins, Mr. McDaniel, Mr. Baiera, Mrs. Greer, Mrs. Gensimore, and Mrs. Godwin, voted "Yes." 6 - Yes, 0 - No. Motion passed.

Resolution No. R-16-19

A Resolution Authorizing and Directing the Village of Clinton Mayor to Authorize a Purchase Order for \$15,000.00 to be Issued to Miner's Pump and Plumbing for the Rebuilding or Replacement of Five Stormwater Catch Basins and Lids, Located at the NW and SW Corners of Clinton Road and Cleveland-Massillon Road, the NW Corner of North Street and Van Buren Road, the SW Corner Of Main Street and Cleveland Massillon Road and at the North Edge of the Entrance to the Old Clinton Elementary School Located at 7927 Fulton Road, and Declaring an Emergency.

Mrs. Greer made a motion to suspend the three reading rule, second by Mr. McDaniel.

Roll call: Mr. McDaniel, Mr. Baiera, Mrs. Greer, Mrs. Gensimore, Mrs. Godwin and Mrs. Ikins voted "Yes." 6 - Yes, 0 - No. Motion passed.

Mrs. Greer made a motion to adopt R-16-19, second by Mr. Baiera. Mr. McDaniel said this is a safety issue and the sooner the better we address this.

Roll call: Mr. Baiera, Mrs. Greer, Mrs. Gensimore, Mrs. Godwin, Mrs. Ikins, Mr. McDaniel voted "Yes." 6 - Yes, 0 - No. Motion passed.

Resolution No. R-16-20

A Resolution To Proceed To Levy A 3.75 Mill Renewal Tax Levy In Excess Of The Ten Mill Limitation (O.R.C. 5705.19I) For A Total Of 3.75 Mills For The Village Of Clinton Fire Department, and Declaring an Emergency.

SECOND READINGS

Resolution No. R-16-12:

A Resolution Hiring A Part-Time Street Laborer For The Village of Clinton Retroactive to April 19, 2016, Where By Motion, This Council Approved The Hiring, and Declaring An Emergency.

Ordinance No. O-16-13:

An Ordinance Amending The Village Of Clinton's Administrative Code, Chapter 123, Ordinances and Resolutions, and Declaring an Emergency.

Resolution No. R-16-14 (AMENDED):

An Amended Resolution Authorizing the Mayor to Enter Into an Agreement with Summit County Regarding Animal Control Services, and Declaring an Emergency.

Resolution No. R-16-15: (Sharley Greer withdrew) Was not read.

A Resolution Authorizing The Mayor To Execute A Contract With Walter Drane Company, Attached As Exhibit A, For The Codification Update Of The Village Of Clinton Laws And Ordinances In An Amount Not To Exceed \$4,000 And Authorizing The Fiscal Officer To Make Payments For The Same; And Declaring an Emergency.

Mr. Pitchford explained there is a question as to whether we need a resolution to authorize the mayor to sign a landbank agreement. A resolution needs to be created on this issue. Mrs. Greer has worked on legislation for this and will be ready for the next meeting.

Mr. McDaniel still has questions relative to Resolution No. R-16-15 (Animal Control Services). He does not see the benefit to having or not having it. Mr. Pitchford said we do need to have this in place and we owe them what we were invoiced for.

Mr. Pitchford will be putting together legislation relative to RITA.

THIRD READINGS - No third readings.

New Business – No new business.

General Discussion

Mrs. Gensimore has a concern about communication not being disseminated immediately.

Mrs. Gensimore made a motion directing the Village Engineer to include the Council President in all emails, communications concerning anything engineering in the Village of Clinton, second by Mrs. Ikins.

Mr. Pitchford added that if you are going to do this, are you generating cost and it should be a two – way street. Any time that OHM is communicating with someone other than “admin” or the mayor, that also gets copied for the record.

There was much discussion on this issue.

Mrs. Gensimore amended her motion directing the Village Engineer and his representatives to include the Council President and Mayor of the Village in all emails, communications concerning anything concerning all engineering in the Village of Clinton, second by Mr. Baiera.

Roll call: Mrs. Greer, No. Mrs. Gensimore, Yes. Mrs. Godwin, Yes. Mrs. Ikins, Yes. Mr. McDaniel, abstained, Mr. Baiera, Yes. 4 - Yes, 1 – No, 1 – Abstain. Motion passed.

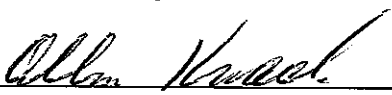
Presentation of Bills

Mrs. Greer made a motion to approve the May Bank Reconciliation, payment of all bills and salaries on the Payment Listing Report dated from May 1, 2016 to June 1, 2016; and all Purchase Orders Then and Now Purchase Orders and Blanket Certificates on the Purchase order Status, current YTD through June 2, 2016, second by Mrs. Gensimore.

Roll call: Mrs. Gensimore, Mrs. Godwin, Mrs. Ikins, Mr. McDaniel, Mr. Baiera, and Mrs. Greer, voted “Yes.” 6 - Yes, 0 - No. Motion passed.

Citizens Comments – None.

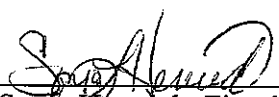
Meeting was adjourned.



Mayor Allen Knack



Bud McDaniel, President of Council



Sonja Herwick, Fiscal Officer