

Village of Clinton
Regular Council Meeting Minutes
of
Tuesday, February 4, 2020

Mayor, Clarissa Allega, called the meeting to order on Tuesday, February 4, 2020, at 7:00 p.m. in the Clinton Village Hall. The Pledge of Allegiance was led by Mr. Funk, and recited by all those present.

Roll Call: Mayor Allega, Council Members: Mrs. Godwin, Mrs. Conroy, Mr. McDaniel, Mrs. Gensimore, and Mr. Rash. Mr. Goch was absent.

Others Present: Jim McCormick and Alice Bogdansky, residents; Fire Chief Conroy, Bill Funk, zoning inspector and Village Solicitor Marshal Pitchford.

Approval of Council Minutes: Mr. McDaniel motioned to approve the January 21, 2020 Council meeting minutes as written with one correction of striking a second "and" in a sentence, second by Mrs. Gensimore.

Roll Call: Mrs. Gensimore, Mrs. Conroy, Mrs. Godwin, Mr. McDaniel and Mr. Rash voted aye. Motion passes.

Solicitor Report: No report.

Police Report: No report.

Fire Chief's Report: The fire chief read his monthly report to council and passed out hardcopies (attached with packet). He also reported on attending a radio system meeting with Summit, South Summit departments regarding the calls ran – between those indicated, which were actually ours, New Franklin or other mutual aid calls? Mrs. Godwin asked about prior logs that may be helpful during contract negotiations. Chief Conroy said that information is available and further explained the reports provided.

Mrs. Gensimore indicated at the Laws and Ordinances and HR Committee meeting earlier held prior to this meeting, the Chief presented paperwork for two individuals to be considered for the promotion to the assistant fire chief position, Ron MatKowski, and Ross Wymier to the position of Lieutenant.

Mrs. Gensimore recommended to council these two individuals as requested by the fire chief, second by Mrs. Godwin.

Chief Conroy reported on the Fire Fighter's Association was started back up. They had donated in the past to the Village Fire Department \$3,000 worth of vehicles and equipment. He also advised that the Fire Department was awarded a Bureau of Worker's Compensation grant for a power lift cot for the squad. They cover \$37,400, we pay \$12,466.75, plus \$2,400 for installation. This tool will help save our backs – it raises and lifts for us.

Mrs. Gensimore asked the chief to explain the role of the Fire Fighters' Association. Chief Conroy said they support the fire fighters. We built a gym in Station 2 and they took over buying the equipment for the gym – anything like TV's that benefits the fire fighters.

Street Commissioner Report: Not in attendance as he was out on the road salting/plowing.

Zoning Report: Mr. Funk reported on nuisance properties and will answer questions anyone has. The letters that went out, he is working with the property owners and there are those who are trying to get the issues resolved but there are still those out there who are not responding to numerous letters they would have received but have made no attempt to correct the situation. He suggested fining them and taking advantage of the nuisance board that is now in place. We need to catapult them into compliance.

Mayor Allega advised that with the new zoning update, a nuisance board was put in place. We have the ability to convene the Nuisance Board to address issues. The board consists of the Mayor, Council President Pro Tem, Zoning Inspector, and Fire Chief. Junk cars breeding mosquitos, high grass, etc. Safety issues. We can convene with a hearing and the Nuisance Board can issue fines and if the property owners do not remedy it, we can then do the work and bill it to their property taxes. If they are paying their property taxes, or not, a hearing would get them in here to discuss. We can issue fines and if they don't take care of the issue, we put on their property taxes.

Mrs. Gensimore it will not cost the Village money to convene the nuisance board. We send out notices to property owner, and is the smaller hit to the Village and may not have to go to court. Mayor Allega said we don't have to go to court under the new zoning. We have that option, but the zoning fines apply day one it's this amount, day two this, etc., and if they don't pay the bill we can go to court or assess their property taxes. Mr. Pitchford indicated that you send out the notice of violation stating if you don't come into compliance by that date, then the fines will start building on that date. Say two months pass, whatever the dollar amount is now, we can't simply take that letter we sent and go to the bank and take that money out of their bank account, but you could certify it to the County and we don't have to go through the legal process. Whether you tax it as a lean against the house or make it an actual judgment that you would collect from a bank, for example. Mr. Funk indicated that the collection process can be thoroughly outlined in the letter they receive – all steps of the process that can happen. Mrs. Gensimore said we need to move on this as stated with the properties that have been ignoring our violation letters. Mr. Pitchford said a hearing by the Nuisance Abatement Board could actually get their attention, as they have already received the letters, and its law by what we have passed and Mayor can reduce those fines up to 50%, but it's going to be big numbers. Mayor Allega did a rough estimate - we are at over \$30,000 in fines, per property, for each of those people who received a letter in October who have done nothing. Mayor Allega stated Mr. Funk could send out letters stating here is the fine, please pay, and if you don't pay, we are putting this on your taxes. They can call me and be upset, and I can waive half of it. The remaining balance can be waived at Council's discretion. If you want to waive all of it, we can do that. They can come to council and explain why they didn't address and ignore this letter for 4 months; we can do that as well.

Discussion continued as to how many violation issues are outstanding, and what to do about dealing with these property owners, five are outstanding that have not done anything as a result of receiving a letter for the zoning inspector. Mr. Pitchford stated that owe the money and we need to get their

attention, certify to the county and put a lean on their house? The lean can be undone but they have to come to us about that. The worst case is they still do nothing and we can foreclose and take their property.

The Nuisance Abatement Board is one mechanism. It was suggested we send each a letter showing the exact amount they owe now – which should get their attention. Mr. Pitchford said that's the difference between the Nuisance Abatement Board option and the actual fine option. We can do it ourselves with the Nuisance Board and fix it. That's in addition to the fine that they owe – it's at our cost and we would probably never get that money back. Or certify it to the County. What does Council want to do?

Mayor Allega felt the Nuisance Abatement Board will be more useful once we get past these five issues. Have hearings with new violations. She has no problem dealing with these property owners if letters go out with huge amounts due.

Mrs. Gensimore made a motion to have the zoning inspector send the five property owners letters who have not responded whatsoever stating what they owe and if they don't respond by March ____, 2020, if they have not paid the fine or commenced action to correct the zoning problem, we will certify as a lean to the County, Mr. Rash seconded the motion.

Mr. Funk asked who will put the bill together. Mr. Pitchford said this will be a reminder letter – as of this date you owe - - - - and what the process will be to collect. Mr. Rash asked where these letters were sent – the property owner or renter? Mr. Funk sends to whoever is on the County Tax website and also has sent to both.

Mr. McDaniel said a copy of the zoning code should be sent too. Send the letter via FedEx they have to sign for. Mr. Pitchford said we don't have to decide tonight. What is the next step? Will we do the lean? What method will the Village choose to do? This should be spelled out in the letter that is sent.

Mr. Funk said he likes to work with people who are showing progress in the remedy of their specific violation. These five have totally ignored me.

The motion was restated by Marshal Pitchford. It was also clarified that these homes are all occupied.

Roll Call: Mrs. Gensimore, Mrs. Conroy, Mrs. Godwin, Mr. McDaniel and Mr. Rash voted aye. Motion passes.

Mrs. Gensimore reiterated what our Street Superintendent shared of the dying trees, those that are dangerous and could fall into the street. This situation is addressed in our code. A letter was to be prepared similar to what Canal Fulton sends out to their residents. She asked what the status was on this issue. This needs to be addressed. Mr. Funk asked about the letter he has not seen, or a list of trees. He has not seen the letter used in Canal Fulton.

They clarified Mr. Funk's office hours. If he has to change his schedule he will advise and/or post the change. He can also advise council when he will not be able to make a meeting and they can do a

posting as well. This needs to be done ahead of time if he is aware that he will not be available. Mr. Funk will get together with Mr. Siegenthaler, Street Supt., about this issue. Mr. Pitchford will also help Mr. Funk with the violation letter.

Fiscal Officer's Report: No report.

Unfinished Business:

Mr. McDaniel is still working on the guest access computer.

Mayor's Communications:

Mayor Allega attended the Akron CENSUS grand opening on February 23, 2020. We will get more information regarding the CENSUS. She attended the Mayor's Association meeting – a legislative update meeting. Mike Weant is retiring and his successor is Mike Vinay. She wants to have a meeting with both of them including Mr. Rash and Mr. McDaniel about the sewer issue. She also met the new chief building officer, Chris Randels.

She attended the Direction Home Akron Canton Agency on Aging. Mr. Rash attended with her.

She attended the South Summit Dispatch with Chief Conroy and Mrs. Godwin. We will see a Council of Governments formed and will continue to attend these meetings.

Mayor Allega restated zoning violation letters will be sent out as a result of the earlier discussion.

The FEMA application will go out by Friday's deadline. It will be sent via email.

In the packet there is a Memorandum of Understanding with Summit County for Stormwater Management Services that needs a motion by Council. There is no price increase.

She will be meeting with Holly Miller regarding CDBG funding. We still may be able to get some grant funding. The generator quote is around \$9,800 and maybe able to use a NOPEC grant and CDBG funding.

She is attending an ODNR Floodplain Management Workshop on February 28 with Mr. McDaniel. Other council members can also attend.

Bethany McKenney will be having a donut tasting meet and greet at Leech's Meats.

We applied for a PEP grant for safety improvements. We will apply for funds to repaint the parking lot clearly delineating our handicap spots – making two instead of one. Signage will be included as well.

Made a motion to authorize the Mayor to sign the Memorandum of Understanding with Summit County for Stormwater Management Services. Second by Mr. Rash.

Roll Call: Mrs. Gensimore, Mrs. Conroy, Mrs. Godwin, Mr. McDaniel and Mr. Rash voted aye.
Motion passes.

Council Communications/Council Committee Reports:

Mr. Rash reported on the meeting he went to on aging. Almost 2 million people in Ohio maybe setting in their home with no family, no neighbors, or friends. These people are not able to take care of themselves and have difficult financial decisions to make. It's a sad situation. There is a phone number in a little booklet we were given that people can call for help. If you know anyone in need, please call this number – 800-421-7277. Mrs. Godwin said this information could be put in the Newsletter or the next.

Mrs. Gensimore reported on Laws and Ordinances and HR Committee meeting and we already covered the position promotions.

We spent the time addressing the Chief's concerns. In our Employee Handbook we don't require new hires to get physicals. We voted that we need to get that in our handbook. Also, if they are off the job for any reason with an actual injury, a doctor's release to come back to work needs to be included in the manual as well.

Mrs. Gensimore made a motion to prepare legislation amending the employee handbook to speak to these issues involving new hire physicals and a doctor's release before returning to work after an injury, second made by Mr. Rash.

Roll Call: Mrs. Gensimore, Mrs. Conroy, Mrs. Godwin, Mr. McDaniel and Mr. Rash voted aye.
Motion passes.

Mrs. Gensimore said at a prior meeting Mr. Goch brought the need to have an Authorization Referral Form to take with them after an injury or have a test completed and this form needs adopted. Our solicitor will review for us. It can wait till Mr. Goch is back to go forward with this. Mr. Pitchford questioned the form and the purpose and if the hospital will accept it. He was told it would be for a new hire (physical) and one for a workplace injury. May need to have two forms.

Mrs. Gensimore said the news articles were sent in for the next Community Newsletter. She thanked those who submitted articles. She needs to have updates on the website as well. She has not updated the new positions yet. She wants everyone to check out the website and maybe update their bios with a photo. She wants to send everything to him at once.

Mr. McDaniel received an email from the CRAG office in Akron asking who would be attending a meeting which normally is the responsibility of the Public Utilities Chair. If Mr. Rash wants Mr. McDaniel to attend the meeting to please let us know. Mrs. Allegra will go if no one else can attend with Mr. Rash.

Citizens' Comments:

Mr. McCormick received a letter from Wayne County ODOT. He had concerns about what they will be doing at Clinton Road and Route 21. There was discussion on this issue and asked the Fire Chief about how often they have runs in that area even though that area is in a different county. He would like to see that intersection closed down. Mr. McDaniel will be attending an ODOT meeting on this issue.

Resolutions and Ordinances

Third Readings – None.

Second Readings – None.

First Readings

Ordinance No. O-20-02

An Ordinance Amending Codified Ordinance O-19-11, Adopting Amended Policies for the Village of Clinton Part-Time Firefighters, and Declaring an Emergency.

Mrs. Gensimore said for clerical purposes motioned we set aside the three-reading rule, second by Bud McDaniel.

Mr. McDaniel made a motion to adopt, second by Mrs. Gensimore.

New Business: No new business.

General Discussion: No general discussion.

Presentation of Purchase Orders and Bills for Approval:

Mr. McDaniel made a motion to approve purchase orders and pay bills, second made by Mr. Rash.

Roll Call: Mr. Rash, Mr. McDaniel, Mrs. Gensimore, Mrs. Conroy, Mrs. Godwin voted aye. Motion passes.

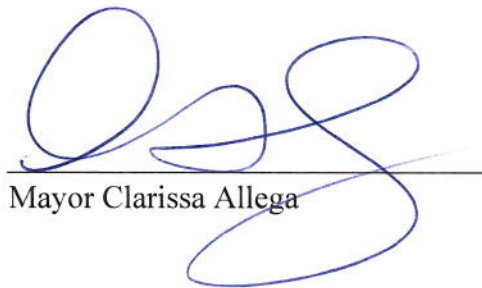
A motion was made to adjourn the meeting.



Bud McDaniel, Council President



Leah Weirick, Fiscal Officer



Mayor Clarissa Allega