

**Village of Clinton
Regular Council Meeting
Tuesday, January 19, 2016**

Mayor Knack called the meeting to order on Tuesday, January 19, 2016 at 7:00 p.m. in the Clinton Village Hall. The Pledge of Allegiance was led by Tim Crawford and was recited by those present.

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

Others Present: Joni Murgatroyd, Acting Fiscal Officer; Marshal Pitchford, Village Solicitor; John Johnson, resident; Tim Crawford, Summit County.

Approval of Council Minutes

Phyllis Mayberry made a motion to approve the January 5, 2016 Council minutes, second by Sharley Greer. Roll call: Bud McDaniel, Marissa Gensimore, Sharley Greer, Janice Godwin, Phyllis Mayberry, and Joe Baiera voted "Yes." Motion passed. 6 yes, 0 no.

Citizen's Comments

Mr. John Johnson said he got a variance from the Zoning Board of Appeals and he needs three people to sign the Mylar so he can take it to the County – the mayor, zoning inspector, and Planning Commission Chairman. Ron Ferris, former chairman, who is no longer on the Planning Commission can't sign. After discussion, the County will be contacted on this matter. Sharley Greer should be able to sign and she will be available to do so, as she is now on the Planning Commission as the liaison.

Solicitor's Report – No report.

Police Report

Mr. Bollas read the report. Council asked him a few questions and he answered their questions regarding some break ins.

Fire Chief's Report

No report other than what was in packet.

Street Commissioner Report

February 5, 2016 is the deadline as to whether we are going to go with the County with our paving projects. Sharley Greer asked if we need to go with them. Mr. Siegenthaler said the plans are to wait till next year and use the 2016 carryover in 2017 for paving projects. That way we can get more done. If we go with the County we need to make a decision now.

Zoning Report – No report.

Mayors Report of Village Affairs

Mayor Knack reported that we spent four hours with our Engineer looking at our streets in town and looked for potential projects. He will get together projects by a point system based on what he saw in this inspection of our streets.

The principle at NW High School principal Mr. Bornstein, wants to work with the Village on the Bicentennial and Clinton Nights at Canal Park (Rubber Ducks).

He also said he spoke with a representative from the Ayers Group on our Health Insurance. She will bring us a report based on information we gave her.

Regarding FEMA and our flood insurance, we automatically adopt legislation through the county.

He was at a Mayor's meeting and heard that there are more people working in the United States on wind and solar projects than natural gas. Also, congress is entertaining raising the gasoline tax. The Government is getting 1/3 the cost of gas and diesel fuel. There is concern of what our students are learning in school – we need to get skills like welding back into our local schools. Joe Baiera said they allow students to take college level courses and the credits are applied to college.

Mayor Knack reported that he spoke with Tom Bower about the Planning Commission opening and Mr. Bower said he would think on this and let the Village know.

Mayor Knack announced that we are in negotiations with our Fiscal Officer, Joni Murgatroyd, to return to the Village. She has to retire and per OPERS rules and has to be off the payroll for 60 days. Her last day will be April 30, 2016. She has suggested training Sue Mayberry to fill in for her during this time on payroll, monthly payables and some reporting. Her salary and hours will be discussed further. Sue will need to have official authorization as an interim fiscal officer to sign minutes and legislation. Joni Murgatroyd explained that she will prepare a proposal.

Acting Fiscal Officer's Report

Joni Murgatroyd asked that Council approve a motion approving the following reallocation of funds or supplemental appropriations as defined in the UAN:

1. \$220.00 from Fund 1000 – General Fund – Mayor and Administrative Offices – Other Comm. Printing & Advertising (1000-710-329) to Dues & Fees for Mayor Association Dues for 2016.
2. \$198.00 from Fund 1000 – General Fund – Other General Government – Tax Collection Fees (1000-790-344) to UAN Fees (1000-790-343) for 1st Qtr 2016 UAN Fees.
3. \$1,300.00 from Fund 2901 – Fire/EMS Fund – Other Contractual (2901-120-399) to Other Professional and Technical Services for the FEMA Grant Preparation.

4. \$57.99 from Fund 1000 – General Fund – Other General Government – Property Insurance Premiums to Other Supplies and Materials (1000-790-490) for departing Council Member gift.
5. \$2.18 from Fund 1000 – General Fund – Community Environment – Planning & Zoning – Travel/Transportation (1000-410-252) to Medicare (1000-410-213) for the Zoning Inspector Medicare balance.
6. \$50.00 from Fund 1000-General Fund – Other General Government – Property Insurance Premiums (1000-790-352) to Insurance and Bonding (1000-790-351) for Administrative Assistant Bonding.
7. \$792.00 from Fund 2901 – Fire/EMS Fund – Training Services (2901-120-348) to Payment to Another Political Subdivision (2901-120-640) for the balance for the Radio Cost Sharing.
8. \$30.00 from Fund 1000 – General Fund - Council - Travel/Transportation (1000-715-252) to Social Security (1000-715-212) for Social Security for new Council member.

Motion was made by Phyllis Mayberry, second by Janice Godwin. Roll call: Bud McDaniel, Marissa Gensimore, Sharley Greer, Janice Godwin, Phyllis Mayberry, and Joe Baiera voted “Yes.” Motion passed. 6 yes, 0 no.

Joni Murgatroyd reported that 2015 is closed out and she is in the process of doing all the filings; 2016 is up and running. She filed the Total Amount from All Sources and the first request for an Amended Certificate of Resources with the Summit County Budget Commission on January 14, 2016. W2's have been prepared and distributed, and the W3 will be mailed to the Social Security Administration. She is still preparing some 2015 end of year filings. The 2015 Annual Financial Report has been filed with the Auditor of State and confirmed, and the ad will be run within the next week to meet those compliance requirements. She advised Council that the Audit will be starting in March. She also advised Council that she will be sending their financial reports by pdf, which will save money on printing, and will make it easier to save and view them.

Unfinished Business – None.

Council Communication and Committee Reports

Marissa Gensimore reported on the Community Development Committee meeting held on January 12, 2016 pertaining to the Village website. She explained that the committee recommended that the Village enter into a one year contract with M & M for \$480.00. Their recommendation is to retain him for the year pursuant to the proposal that he made and that we retain him for one year for a cost of \$480.00. We would need a new contract drawn up, as long as it is similar to the previous contract. She reviewed the previous contract. The two year contract would have cost \$960.00. She advised Council and the Mayor that she would be scheduling a meeting with Mike McCardle of M & M to discuss changes to the website. There was an in depth discussion between Council and the

Mayor pertaining to the website, a redesign, other recommended changes, current and future updates, and the Mayor's attendance at the meeting since he will be meeting with M & M on the contract. Clarification was provided by the Acting Fiscal Officer regarding the recent information sent to M & M to update the website. Minutes had not been updated since May 2015, and there was other outdated information. The purpose to update the minutes was to assist in the audit.

The Committee also explained the consideration of having Bud McDaniel re-design the website. Al Knack explained that would have to be included in the contract with M & M. Further discussion followed.

Marissa Gensimore asked for a motion to retain M&M Computers to provide maintenance and updates to the Village website for a period of one year beginning January 1, 2016, retroactively, to December 31, 2016, with the date corrections to the proposal pursuant to a contract in similar scope to the previous contract. Joe Baiera seconded the motion. Council members discussed their understanding of the committee recommendations. Marshal Pitchford explained that you have to have a Resolution and an agreement attached as Exhibit A. He recommended that a Resolution be brought to the next meeting with a section adding the language that the Mayor is hereby authorized and directed to sign an agreement with M&M Computers in an agreement in form substantially similar to the document attached as Exhibit A. He advised the Committee to figure out what the agreement is and if you don't put the word directed, then it is up to the Mayor if he signs it or not. He reiterated that you have to have a Resolution and an agreement, and recommended that the motion is not the way we should do it. He recommended that the Committee prepare a Resolution and meet with M & M to bring back a contract. Bud McDaniel clarified their purpose of meeting with M & M to discuss the redesign aspect to evaluate further, their abilities and the consideration of other companies in the future.

There was additional discussion on the removal of the Human Resource section on the website, and why it was added. Marissa Gensimore read meeting minutes of March of 2014, under former Solicitor Hesske's portion of the meeting, for the establishment (and or addition) of Human Resources. Solicitor Marshal Pitchford reviewed the existing codified Ordinances of the Village and advised Council that it wasn't correct. That's legally incorrect, and explained as a point of clarification as to the issues related to whether or not the Laws, Ordinances, and Claims Committee still exists, or whether it was renamed Human Resources or a new committee was established named Human Resources. He explained that relying on the codified Ordinance that we have here and the minutes you have there. The Mayor does not have the ability to create committees for Council, only Council has the ability to do that. Discussion followed as to why it was removed.

There was further discussion concerning the addition of the Human Resource section to the Laws and Ordinance Committee in the future. There was no further action on the motion.

Marissa Gensimore shared her concerns of how the Bi-centennial planning was progressing. The Historical Society said they were not spearheading – just handling the money aspect. There is a lack of involvement and she is not going to take the fall when she was handed a “bird with a broken wing.” She said they asked if they could combine the Apple Fest somehow with the Bicentennial celebration. Loraine Moore with the Historical Society will consider and get back to them on this. Mayor Knack said there are three churches and the fire department are interested in helping and will provide the names to Mrs. Gensimore.

Joe Baiera said that after hiring OHM as our Engineer, he put together legislation for that position. He asked the solicitor if it reads okay and was told yes. Sharley Greer moved to add to the agenda, second by Phyllis Mayberry. Roll call: Bud McDaniel, Marissa Gensimore, Sharley Greer, Janice Godwin, Phyllis Mayberry, and Joe Baiera voted "Yes." Motion passed. 6 yes, 0 no.

Mr. Baiera said as time goes on, we need to ensure we follow what is in place or meet in committee and address changes that may be needed. All commended Mr. Baiera for his efforts on this legislation.

Sharley Greer contacted Mike Kelly with Walter Drane about a contract that is needed this year to address updating our codified with 2015 legislation. He will call her in March about this issue.

Ms. Greer made a motion to authorize the immediate recycle and/or destruction of numerous obsolete and unusable equipment at Village Hall, second by Phyllis Mayberry. Mr. Pitchford said there is law on this in the Ohio Revised Code regarding disposing of obsolete and unwanted/unneeded personal property that we need to use regarding this issue. Mr. Pitchford explained that one section requires an Ordinance and the next section requires a Resolution, then there is another section. Sharley explained that we have a piece of legislation about selling. Marshal Pitchford explained that the Village has to declare that the personal property other than real estate is obsolete and no longer needed by the Village. Marshall provided the applicable ORC code section 721.15. Sharley Greer withdrew her motion.

Bud McDaniel brought up the ReWorks Recycle Grant and he will be attending an upcoming seminar on this. The 3-year trash hauler contract with Kimble is up this year as well. Mr. McDaniel is working with Sue Mayberry on getting information relative to the ReWorks Grant and trash hauler contract.

Mr. McDaniel will be going around and check the street lights and send the list to Mr. Gardner. Mayor Knack added that there are a few lights in the Village that we may want to have turned back on that were turned off because of the cost years ago. Depending on the cost in turning back on, Mr. Gardner can assist us with that.

Janice Godwin said we will be negotiating another Police contract with the City of New Franklin for next year. There was discussion about our current contract and issues to consider when we work on this upcoming renewal. Phyllis Mayberry wants Chief Frey to show on his future reports the calls for Clinton and New Franklin separately. All agreed they would like to see that information.

Phyllis Mayberry said she went with the Mayor and Engineer to look at the condition of our streets. This Thursday there is a LandBank meeting that she and Sharley Greer will be attending.

Ordinances and Resolutions

Resolution No. R-16-01

A Resolution Appointing OHM Advisors as Village Engineer, Authorizing the Mayor to Enter Into a Contract, and Declaring an Emergency.

Phyllis Mayberry made a motion to suspend the rules, second by Joe Baiera. Roll call: Bud McDaniel, Marissa Gensimore, Sharley Greer, Janice Godwin, Phyllis Mayberry, and Joe Baiera voted "Yes." Motion passed. 6 yes, 0 no.

Phyllis Mayberry made a motion to adopt Resolution R-16-01, second by Joe Baiera. Roll call: Bud McDaniel, Marissa Gensimore, Sharley Greer, Janice Godwin, Phyllis Mayberry, and Joe Baiera voted "Yes." Motion passed. 6 yes, 0 no.

New Business – Nothing reported.

General Discussion – No discussion.

Presentation of Bills

Sharley Greer made a motion to pay all bills and salaries on the Payment Listing Report dated January 19, 2016 from January 8, 2016 to January 22, 2016, and to approve all purchase orders, then and now purchase orders and blanket certificates on the Purchase Order Status dated January 19, 2016 through January 12, 2016. Second by Phyllis Mayberry. Roll call: Bud McDaniel, Marissa Gensimore, Sharley Greer, Janice Godwin, Phyllis Mayberry, and Joe Baiera voted "Yes." Motion passed. 6 yes, 0 no.

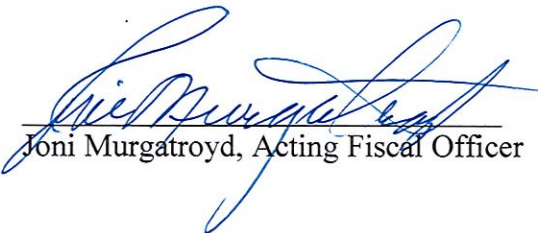
Sharley Greer moved to adjourn at 9:15 PM.



Mayor Allen Knack



Phyllis Mayberry, President of Council



Joni Murgatroyd, Acting Fiscal Officer