

**Village of Clinton  
Council Meeting Minutes of  
December 1, 2020**

Mayor Clarissa Allega called the meeting to order on Tuesday, December 1, 2020 at 7:00 p.m. in Clinton Village Hall. The Pledge of Allegiance was led by Marshal Pitchford and recited by those present.

Council Members present: Mayor Clarissa Allega, Marissa Gensimore, Lewis Rash, Kent Goch; Bud McDaniel, Ellen Conroy (on Zoom), and Jan Godwin.

Others Present: Eric, IT Specialist; New Franklin police sergeant; Fire Chief Conroy on Zoom; Leah Weirick, Fiscal Officer; Ray and Mary Frase, residents; Diane Gunter, resident; and Marshal Pitchford, Village solicitor.

Approval of Minutes – November 17, 2020

Mr. McDaniel made a motion to approve the minutes as written with one correction – the word “down” should be “done” on page 3, top paragraph, second by Mr. Rash.

Roll Call: Rash, Gensimore, McDaniel, Godwin, Conroy and Goch voted yes. Motion passes.

Solicitors Report: Mr. Pitchford did not have a report.

Police Report: The report was read aloud to those present.

Fire Chief Report: From Zoom, Chief Conroy reported on the price he got for the station roof repair, \$14,000. The RED Center dispatching quote was around \$14,820, and was based on 300 calls. The call number will be validated with New Franklin. The Fire Department pay scale was brought up and he had submitted a pay scale from surrounding areas. New Franklin is moving up to \$18 / hr. for part-time personnel. Our full-time will increase to \$21 / hour and part-time to \$18.

Mrs. Weirick advised there were two versions of legislation (same number) in the packet – one with the increase to \$15.75 which is in the budget we passed, and the other, an increase to \$18.00 for part-time and if we do that, we can ride out the current budget. The estimate is based on hours – if they work less hours the adjustment may not be necessary. It would be best if passed tonight.

Chief Conroy put an employment application in the Mayor’s mail box and a back ground check needs to be done. She will call New Franklin on that so we can get this person hired as we have fired personnel in quarantine right now due to COVID.

Street Commissioner Report: No report.

Zoning Inspector Report: The report (email) is attached in the packet.

Fiscal Officer’s Report – No report.

Unfinished Business – No report.

## Mayor's Communications

Mayor Allega said the Engineer's Report is in the packet.

She worked with Mr. Rash on the Barberton Area Community Ministries (BACM) getting turkeys delivered to families in Clinton for Thanksgiving. They have a senior food delivery program right now during the pandemic. This is a great service and is also a food pantry.

Akron's Summit County Health Department is going to have a COVID pop-up testing site at their office on West Market Street on December 4 and 6, from 1:00 to 6:00 PM. They are also asking residents to voluntarily self-quarantine if you feel you have had a known exposure to someone with COVID.

She indicated she has a signed Police contract from New Franklin as they passed legislation on a second reading on their last council meeting. We will get the detailed list, an MOU, as part of the contract.

## Council Communications and Council Committee Reports

Mr. Goch reported on the Streets, Sidewalk and Parks Committee meeting that met prior to the Council meeting. The signage issue at the Rusty Railz was discussed and no one in the area has an objection to a NO PARKING sign. Marshal Pitchford said a motion is all that is sufficient in his opinion. Mr. Goch said the initial cost on the light pole down at the park comes in around \$8,000 and that includes the pole, cross member, and 4, 1,000-Watt LED equivalent lens. Do we want the poles to be inspected and replace poles that may be needed – a cost savings on the electricity? Should the baseball association be asked about this? Mr. Rash asked if there are grants available for this type of expenditures. Mr. Goch said he would look into it.

Mrs. Gensimore said in Canal Fulton there is the S.A.L.T. Box ministry where meals are offered and Community Cupboard, High Point Church, and Bountiful Gifts offers food / items for those in need.

She wanted to recognize Diane Gunter for the Christmas decorations around town and also our Village Hall tree. She is greatly appreciated!

## Citizen Comments

Mrs. Frase spoke about an on-going issue about a fence around her property that has been up for a while. Her neighbor continues to cause her distress. She expressed a need for the Village to pass legislation about the area needed to allow them to take care of the neighboring side of the fence. They were given fence information from our code on Agricultural purposes as 10 feet is allowed. Approval of their fence, with a variance, went through the correct procedures. Mrs. Gensimore has been a lot of help in this issue. Why were we given approval to put the fence up, but we can't maintain it? What can be done? She wants something in writing. She said 10 feet is sufficient but she does not want to go on the neighbor's property. They just want to be able to take care of their fence. Mrs. Gensimore stated there shouldn't be the need for specification to allow you to take care of your fence. And that's why there isn't anything specific about this issue. Mr. Pitchford agreed with Mrs. Gensimore's comment – that's probably why the policy does not exist. Council can request the Village Planning Commission look at this – we motion to pass on to the

Planning Commission and they meet and come up with a recommendation on a change to the zoning code, and then refer back to council for approval.

Mayor Allegra feels a neighbor would want their neighbor to maintain and keep the fence looking nice. Mrs. Frase, the rules don't apply to him.

The Planning Commission meets in March, 2021, but a special meeting can be called. Mr. Pitchford said regardless of this neighbor, they have constitutional rights as well, a trespass question, and whether we can pass legislation, if they would bring suit against the Village and whether we have the ability to allow that. It's similar to an easement.

Mrs. Frase said Summit County has that 10-foot law. Mrs. Gensimore said we have to present a full picture to the Planning Commission.

Mr. McDaniel asked if Ohio has this in their code. It is in the ORC under the Agricultural fence section. Mr. Pitchford said, it was for the County – not for municipal corporations. He also said that since this does exist in the County code, suggests there is a body of law to support it and we need to do that here. Mr. Goch checked online at this time about this specific issue and is found to be quite common. The general answer to this issue appears to be that two neighbors need a written agreement between them about the maintenance issue of the fence then you have 12 inches to deal with. The Planning Commission will meet and we will advise when they will meet on this issue.

## Resolutions and Ordinances

### Third Readings

#### Resolution No. R-20-27

A Resolution Amending the Annual Appropriations for the Current Expenses and Other Expenditures of the Village for the Fiscal Year Ending December 31, 2021, and Declaring an Emergency.

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

Roll Call: McDaniel, Godwin, Conroy, Goch, Rash, and Gensimore voted yes. Motion passes.

### Second Readings

#### Resolution No. R-20-29

A Resolution Authorizing and Directing the Mayor of the Village of Clinton to Enter into an Agreement with the City of New Franklin Regarding Policing, Patrolling, and Related Services, and Declaring an Emergency.

Mrs. Gensimore indicated New Franklin has already passed their legislation and their contract has been signed. This needs to be taken care of in a timely fashion.

Mrs. Gensimore made a motion to set aside the three-reading rule, second by Mr. Rash.

Roll Call: Godwin, Conroy, Goch, Rash, Gensimore, and McDaniel voted yes. Motion passes.

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

Roll Call: Conroy, Goch, Rash, Gensimore, McDaniel, and Godwin voted yes. Motion passes.

Resolution No. R-20-31

A Resolution Amending the Annual Appropriations for the Current Expenses and Other Expenditures of the Village for the Fiscal Year Ending December 31, 2020, and Declaring an Emergency.

Mrs. Gensimore made a motion to set aside the three-reading rule, second by Mr. Rash.

Roll Call: Goch, Rash, Gensimore, McDaniel, Godwin, and Conroy voted yes. Motion passes.

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

Roll Call: Rash, Gensimore, McDaniel, Godwin, Conroy and Goch voted yes. Motion passes.

Ordinance No. O-20-33

An Ordinance Amending Ordinance No. O-20-15, Establishing the Pay Rates for Certain Employees, Effective January 1, 2021, and Declaring an Emergency.

Mrs. Gensimore made a motion to set aside the three-reading rule, second by Mr. Rash.

Roll Call: Gensimore, yes; McDaniel, no; Godwin, yes; Conroy, yes; Goch, yes; and Rash, yes. Motion passes.

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

Mrs. Gensimore stated that we heard the Fire Chief explain the need to pass the legislation at the higher rate as we need to be competitive and get better workers and dedicated people. We are speaking of the one that has \$18 per hour for the part-time Fire Medic and we have it in the budget. This is the motion for the record. It was stated that the one version in front of council was already passed with rates listed. The other version with the same ordinance number is what is being considered at this time with the higher rate in it. New Franklin passed their salary ordinance raising their fire department salary.

Mr. Pitchford added so the record is clear, the ordinance you intend to adopt is the one where the PT Fire Medic hourly rate is \$18. That is for the record, to adopt that motion. Mrs. Gensimore confirmed that was correct.

Roll Call: Rash, Gensimore, McDaniel, Godwin, Conroy, Abstain\*; and Goch voted yes. Motion passes.

\*Mr. Pitchford stated that Mrs. Conroy should not be voting on that legislation. She should abstain. Mrs. Conroy indicated there was difficulty with the Zoom breaking up and she meant to abstain. For the record she did abstain.

New Business

Mr. Goch made a motion to have a NO PARKING sign installed at the area across the street from the Rusty Railz at the Street Superintendent's discretion, second by Mr. McDaniel. (From the mail boxes down to the corner).

Roll Call: Conroy, Goch, Rash, Gensimore, McDaniel and Godwin voted yes. Motion passes.

Council General Discussion

Mrs. Gensimore indicated that Susan Smith wanted to know if we were having our end of the year banquet and was told we weren't. Spacing is the problem. Council looks forward to this every year as do those who attend.

Presentation of Purchase Orders and Bills for Approval

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

Roll call: Gensimore, McDaniel, Godwin, Conroy, Goch, and Rash voted yes. Motion passed.

Motion was made by McDaniel and seconded by Rash to adjourn. The meeting was adjourned at 7:57 PM.

  
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Leah Weirick, Village Fiscal Officer

  
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Mayor Clarissa Allega

  
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Bud McDaniel, President of Council