

Village of Clinton
Regular Council Meeting
Tuesday, April 18, 2023

Mayor Bud McDaniel called the meeting to order on Tuesday, April 18, 2023, at 7:00 PM in Clinton Village Hall. The Pledge of Allegiance was led by Diane Gunter and recited by those present.

Council Members present: Janice Godwin, Lewis Rash, Ellen Conroy, Marissa Gensimore, Matt Steiner and Kent Goch were present.

Others Present: Jason Popiel, Village Engineer; Kathy Vadas, Solicitor's office; Kevin White, Street Superintendent; Diane Gunter and David Roberts, residents.

Mr. Goch made a motion to add the engineer's report to the agenda and also remove tabled Ordinance No. O-23-05 from the agenda, second by Mr. Steiner.

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

Approval of Minutes

Mr. Goch made a motion to approve the minutes as written, second by Mr. Rash.

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

Engineer's Report

Mr. Popiel presented his engineering report on Clinton Road. It's not a county road therefore funding is an issue. We can only get OPWC funds. The Village needs to score well enough to get funded. If we score 96, he feels we can get funded with our local, \$400,000 match. The construction of \$1.14 million will get us top the top of the hill. He passed out the proposal to council members and explained how scoring was figured for this grant. OPWC funding is the only option we have right now and requires a heavy match. The Cleveland-Massillon Road project did qualify for state funds and we got state funding. Planning needs done by July. The Village will pay 100% of design costs but is part of our match to the project. We are paying for 30% of the total project cost. Legislation needs to get on the agenda the first meeting in May.

Solicitor Monthly Report

Mayor McDaniel asked Mrs. Vadas about what he and Mr. Pitchford discussed several months ago. Mr. Pitchford indicated we should have a policy in place regarding employees taking a Village vehicle home there could be issues and internet and cameras installed at our different locates for security and protection.

Mrs. Vadas said there are particular insurance issues and problems with liabilities about taking the truck home. If there is an accident in that vehicle, say if it's driven to Walmart on a Saturday. If he is injured, he can claim workers comp, etc. Depending on how it's insured, the truck is only for Village use.

She indicated Marshal Pitchford said there is additional mileage being put on the vehicle, oil changes, maintenance, etc. That's money taken from our budget for personal use. This is up to the council.

You would need to tell me what you want. Marshal has discussed this with at least three members of council.

Mr. Rash asked if Marshal or she has a recommendation. She said the policy could be very specific about this situation. There are benefits to vehicles being driven home, but it will be up to council how this is regulated. There are examples from other communities she can put together for council and discuss what they like or get something from another community. Mrs. Gensimore said this sounds like a Laws and Ordinance meeting.

Cameras came up and Mrs. Vadas and Marshal spoke on this issue. She said that this is a small Village and we have two full-time employees. She said no one here monitors what our full-time employees are doing. She said she no one is paying attention to what the employees are doing. She said the easiest way to monitor things is to have technology in place to make sure employees are showing up on time and leaving at the right time. Cameras will protect the Village and tax payers.

Mr. Steiner added that cameras are put up if you have a problem and I have not heard that there is a problem. Putting up cameras would be an easy thing to do, however, timing is not good and be best left untouched right now. He said he is not advocating for cameras at this time.

Mr. Rash stated that there is one camera he wants on the back door of the street garage as it's up against the woods. The cameras there are not accessible via the internet. Mrs. Gensimore indicated we should not state where cameras may be and we can access the tapes. Not having internet has worked just fine. Cameras in Village Hall is authorized to videotaping the council meetings – not surveillance. We have a surveillance camera that guards the drug area in fire station. She has talked to several municipalities who install computers a company runs surveillance, not an elected office to monitor them. Cost needs to be considered. Mr. Steiner said policies are a good thing and a goal to look forward to.

Mrs. Vadas added that more discussion needs done before legislation is created and put on the agenda. Mrs. Gensimore there is the process to work in committee on legislation before it goes to council.

Mr. Goch said unfortunately the need for policy has arisen because something happened. It's like saying we need legislation saying we should allow a meteor hit Village Hall. We aren't going to.

Discussion continued about the legislation passed about building security and the 24-hour notice that was in the legislation. Mrs. Vadas said the 24-hour notice was supposed to come out but was already on the agenda. You need the final version before considering it at council. Mrs. Gensimore clarified that the 24-hour notice to enter the street garage in the middle of the night was not for permission – just notifying – leave a message if you have to it is outside of business hours and someone needs to go inside.

Mrs. Gensimore spoke on the tabled ordinance that discussed earlier to have both ordinances in place to make the decision on the waiving of the fees. Mrs. Vadas said neither one of us were at that meeting but Mrs. Gensimore sent out an email about that legislation.

More discussion continued about the purpose and wording of the security ordinance as there is no definition of "notice."

Mrs. Gensimore stated that legislation during three readings have at times been amended during the readings. It should be readings three times of the same ordinance according to Mrs. Vadas. Mrs.

Gensimore stated that many times legislation is put together using other municipal legislation of the same issue to not reinvent the wheel. She was told this is correct.

Mrs. Gensimore stated the reason for the legislation is taking some action to make sure that type of stuff does not happen and that our employees feel that council will support and protect them.

Mrs. Vadas said anyone can reach out to her if they have questions. She will do her best.

Unfinished Business

Mayor McDaniel presented council with a new quote from AHEC for a better wireless access point. Ours is failing and is quite old, 2016. This new one had a lifetime warranty.

Mr. Steiner made a motion to approve the second quote in the amount of \$235, second by Mr. Rash.

Roll call: Godwin, Conroy, Steiner, Rash, Gensimore, and Goch voted yes. Motion passes.

Mayor's Communications

Mayor McDaniel appointed Mike Boggs to the Planning Commission. Mr. Julian stepped down. May 4 at 6:30 AM is the Norton Prayer Breakfast.

Mr. Rash asked if the mayor has heard anything going on in Akron. Mayor McDaniel has not. Mrs. Vadas reported on parking garages and other businesses have closed down this week.

Mayor McDaniel was at a luncheon and learned in Barberton they are putting a lot of money in their roads. Also, there is a retention pond that is being built to absorb water slowly so when the gates are opened in Portage Lakes there will be an area for the water to go to and maybe help their flooding situation which may help ours as well.

Council Communications and Council Committee Reports

Mrs. Conroy stated the website is up and running.

Mr. Goch reported on the two fuel tanks and it makes sense to get them from Beaver at \$200 a month for six years and then we own them after that - \$14.4K. The auxiliary equipment will need to be added and discussion on that will be at the next council meeting.

Mrs. Gensimore received an email from the publishers of the community newsletter. Our cost has gone up more than it would ever go up. The next invoice will be brought to council. They are dropping off more copies than we need. She requested the invoice from the publisher.

Citizens Comments -- No comments.

Resolutions and Ordinances

Third Readings

Resolution No. R-23-09

A Resolution Authorizing the Village of Clinton to File a NatureWorks Application for a Grant to Purchase New Playground Equipment for Warwick Park, and Declaring an Emergency.

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

This is simply to apply for a grant for new playground equipment.

Roll call: Conroy, Steiner, Rash, Gensimore, Goch, and Godwin voted yes. Motion passes.

Ordinance No. O-23-10

An Ordinance Amending Codified Ordinance Section 1137.01 (d) (19) Solar Panels, Adopting Amended Policies for the Village of Clinton Accessory and Temporary Use Regulations, and Declaring it an Emergency.

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

This went through Laws and Ordinances and the Planning Commission and they recommended it go to council. Mrs. Gensimore explained the setback rules in our code at this time and they agreed to ask the setback in the code be changed for using solar panels in a yard. The roofing solar panel code was already there.

Roll call: Steiner, Rash, Gensimore, Goch, Godwin, and Conroy voted yes. Motion passes.

Ordinance No. O-23-11

An Ordinance Amending Codified Ordinance Section 1125.16, Construction Near Producing Oil/Gas Wells and Storage Tanks, Adopting Amended Policies for the Village of Clinton Oil and Gas Wells, and Declaring it an Emergency.

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

This went through Laws and Ordinances and the Planning Commission and they recommended it go to council. This is because the existing code required 400-foot setback and was excessive. In the ORC it requires 150 feet. The rest of the committee agreed.

Roll call: Rash, Gensimore, Goch, Godwin, Conroy, and Steiner voted yes. Motion passes.

Ordinance No. O-23-12

An Ordinance Amending Section 1121.01(d) and Establishing Section 1121.03(dd) of the Codified Ordinances of the Village of Clinton, Regulating Mobile Homes, Modular Homes, Manufactured Homes, Mobile Home Parks and Mobile Home Subdivisions, and Declaring an Emergency.

Mrs. Gensimore made a motion to adopt, second by Mrs. Conroy.

Should a mobile home park want to be established in the Village, as we have no ordinances about this, it will have to go through the Planning Commission. Mrs. Vadas prepared the legislation. The Planning Commission approved to send this to Council.

Roll call: Gensimore, Goch, Godwin, Conroy, Steiner, and Rash voted yes. Motion passes.

Second Readings

Resolution No. R-23-13

A Resolution Authorizing All Actions Necessary to Accept Northeast Ohio Public Energy Council (NOPEC) 2023 Energized Community Grant, and Declaring an Emergency.

First Readings – None.

New Business

Mayor McDaniel stated that people are getting letters regarding the NOPEC electric aggregation program. He explained that First Energy, as of June 1, will go up to 10 cents. Right now, NOPEC is a good deal. Mrs. Gensimore indicated you can go online and shop apples to apples. Many years ago, the Village residents did vote to go with NOPEC. There is legislation on this and it was suggested it be put on the website. Mr. Rash wants the mayor to contact the two people who addressed council several meetings ago.

Mr. Rash asked council and the mayor if we could put up for sale any properties that the Village owns to make some income and tax money. Not green space. Mr. Rash was questioned about what land he was talking about. It was a land bank issue. This could be looked into first before moving on it.

Council General Discussion

Mrs. Godwin reported on the quarterly report for zoning permits. She asked if there was an official report for our records. It was passed out and was hand written, no specifics. Mr. Goch will reach out to the zoning inspector.

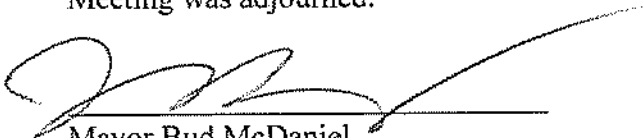
Presentation of Purchase Orders and Bills for Approval

Mr. Steiner said payments this month total \$ 26,740.52, and made a motion to accept the bills as presented, second by Mrs. Godwin.

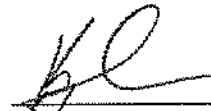
Roll call: Gensimore, Goch, Godwin, Conroy, Steiner, and Rash voted yes. Motion passed.

Mr. Rash made a motion to adjourn at 8:43 PM, second by Mr. Steiner.

Meeting was adjourned.



Mayor Bud McDaniel



Kent Goch, President of Council



Leah Weirick, Fiscal Officer