

**Village of Clinton
Regular Council Meeting
Tuesday, April 4, 2023**

Mayor Bud McDaniel called the meeting to order on Tuesday, April 4, 2023, at 7:00 PM in Clinton Village Hall. The Pledge of Allegiance was led by Sargent Zampelli and recited by those present.

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

Others Present: Wayne Conroy, Fire Chief; and Kevin White, Street Superintendent; New Franklin Officer Zampelli; Jeff Ferjutz, Zoning Inspector; and Tami Trent, resident.

Approval of Minutes

Mr. Goch made a motion to approve the minutes as written of March 21, 2023, second by Mr. Rash.

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

Solicitor Monthly Report – No report but will be at the next meeting.

Police Monthly Report

Officer Zampelli read his March report to those present and provided copies to council. Mr. Ferjutz asked the officer to explain house checks they do as a courtesy if residents for example, are on vacation. The officer indicated the PD does do this and would need specific information from the homeowner if they request this service.

Fire Chief Monthly Report

Chief Conroy gave his written report. They received a \$360 check from AmeriGas for the tank incident. Mr. Steiner would like to see the mutual aid reports as well and Chief Conroy will provide.

Street Commissioner Monthly Report

Mr. White advised that some salt was delivered and bins are full. We need to use a certain percentage of our salt by August and should learn from CUE more details on this issue as to how to store the remainder we need to take. We may have to pay storage fees and do not know the cost for that at this time. We have about 270 tons left to be received but we don't have room for it. Storage fees are not known at this time. We have never had to pay for storage in the past. Storm damage was heavy and areas have been cleared. He has started mowing as well.

Zoning Inspector Quarterly Written Report

Mr. Ferjutz reported that he approved 9 permits for building in the Village, three Planning commission meetings, and three lot combinations and one regarding the legislation on tonight's agenda. There were junk vehicles removed. A violation notice was served but has not been addressed yet. He is working with notices that were sent out in the Winter. He thanked Scott Julian for his tenure as the chair of the Planning Commission. The OECA buildings were purchased by Kevin Smith and the demo on inside has started. We are not sure what is going to be in there yet. There is one position

open on the Planning Commission and that position has not yet been filled. We have a notice posted for those interested to submit a letter of interest by April 14.

Mr. Rash asked about the trash that was dumped in ditch behind a house. Mr. Ferjutz reported it to Summit County Public Health and they do not have an issue with it. Mr. Ferjutz can only enforce what he can see from the street. Mr. Rash indicated that this is not acceptable and will be calling someone about this.

Fiscal Officer's Report

Mrs. Weirick reported that RITA had their subpoena program. They sent out 271 non-filing letters and 233 administrative subpoenas. They got 80 responses which brought \$34,871 and collected half so far. Some people moved out and some were undeliverable. We have 538 accounts with RITA. She can provide copies of the information she received from RITA.

She attended training last week and a session she sat in was regarding State/Local Fiscal Recovery Funds. We have \$127,000 sitting there, and hopefully at the next meeting, there will be legislation that we are going to use that as a standard allowance which will use as revenue replacement which could be used for Clinton Road if we so choose.

Mr. Steiner feels that there are some people that have not signed up for income tax. Mrs., Weirick said RITA sends out their administrative letters every year, comparing it to federal returns. If they don't get a response, they don't go any further and that's up to us.

Unfinished Business

Mr. Goch reported on the street truck situation. He indicated that this had come to a verbal amount. \$24.5K. He brought everyone up to speed on what he felt has been decided on and feels there is a split now on what we should do. There was never a vote. We gave permission to shop for up to \$42K. It's still up in the air. Mr. Steiner asked for the Committee's recommendation. Mr. Goch said every time the committee talks about it, it ends up open ended. The issue of transferring the fire truck to the Streets was then brought up.

Mr. Rash made a motion for the Fire Chief to put the truck up for sale, second by Mr. Steiner.

Roll call: Goch, no; Godwin, no; Conroy, no; Steiner, yes; Rash, yes. Three to two – motion fails.

Mr. Steiner asked if we can put this issue to bed. Discussion continued as to what we are going to do about this truck issue – sell or transfer to Street Department. Mrs. Weirick explained how the transfer/funding could work in house. Mr. Steiner said if the Committee is making any recommendation, it just dies on the vine. The ball is back in the fire chief's court.

Mayor's Communications

Mayor McDaniel reiterated what was discussed at the last meeting – that he will be attending a Cyber Security Meeting on April 20, and on May 4 there is a prayer breakfast at the Norton Baptist Church.

Also, there is an opening on the Planning Commission, and the recycle bins have been received. The WIFI access point that was installed in 2016 is failing. A quote was given to council to decide what they wanted to do.

He reported that NOPEC will be holding virtual and in-person meetings and the schedule is on his desk.

Council Communications and Council Committee Reports

Mr. Goch stated at the Street Committee meeting they discussed the drainage issue on Serfass Road and had the engineer look at it. New Franklin will not be paying for this, but they agree with what our street superintendent wants to do. This involves continuing the drainage down the north side of Serfass and to the catch basin at the end of the street rather than under Serfass to the south through residential properties. The other side of the road is the Village and was the Village that decided to go under Serfass originally. It is a Clinton homeowner having the problem – it is a house to the south causing the problem. The street superintendent takes care of Serfass road from Cleveland-Massillon to the top of the hill and New Franklin picks up from there. Same with plowing. The quote to fix is \$3,860.

Mr. Goch made a motion to authorize Kevin White to do the repairs, not to exceed \$4,000, second by Mr. Steiner.

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

Mr. Goch indicated that they also discussed the Village traffic signs, including welcome to the Village signs. There are thirteen entrances to the Village. Mr. Goch spoke on the number of signs needed and sizes that were being considered to purchase. Mr. White came up with prices. The cost is \$600.

Mr. Goch made a motion to authorize Kevin White to purchase the signs, not to exceed \$600.00, second by Mrs. Conroy.

Mr. Rash asked about the sign that says Welcome to the Warwick Business District. Someone destroyed that one. The businesses in that area purchased that sign. It is not one the Village purchased and erected.

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

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.

Citizens Comments – No comments.

Resolutions and Ordinances

Third Readings

Ordinance No. O-23-05 – two versions

An Ordinance Amending Sections 905.02, 905.03, 905.04, of the Codified Ordinances of the Village of Clinton, Summit County, Ohio and Declaring it an Emergency. (Street / Bore Openings)

Section 5 is the section that is different. Mr. Rash asked for an explanation. Mrs. Weirick stated that if someone wants to bore in our road or beside it, there is a fee. One is a flat fee no matter what. The other is in Section 5, which was added in the one version that gives the Planning Commission permission to waive the fees – if the project is a benefit to the Village. Everything else is the legislation is the same. The one piece of legislation our law director prepared which states there is a fee of \$500 for every entrance and exit point, a very steep fee. Mr. Steiner asked if this can be tabled till a later time.

Mr. Steiner made a motion to table Ordinance No. O-23-05, second by Mr. Goch.

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

Resolution No. R-23-06

A Resolution Adopting a Key and Lock Control Policy for the Village of Clinton, and Declaring an Emergency.

Mr. Goch made a motion to adopt, second by Mr. Rash.

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

Resolution No. R-23-08

Resolution No. R-23-08 Authorizing the transfer of funds from the General Fund to the Street Fund (“Project Fund”) of the Village of Clinton, and declaring the same to be an emergency.

Mr. Goch made a motion to adopt, second by Mr. Rash.

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

Second 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.

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.

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.

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.

First 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.

NOPEC provides us a grant based on the number of residents currently with NOPEC and we still have them for our gas aggregation. We can use for any energy efficient project we purchase. This is allowing us to accept the grant money.

New Business

Mr. Steiner expected the solicitor to be here, as he wanted to bring up Ordinance O-23-02 we have already passed about the policy on building security. He indicated that Mrs. Gensimore had spoken with him, but he never got anything past that. So, he wants to ask the solicitor about it at the next meeting.

Mr. Rash said he talked to the solicitor about the Mayor having a key and was told the Mayor could have a key to everything that belongs to this Village. Mr. Rash said that Mrs. Gensimore said at a meeting that was not true. He said he is tired of telling the mayor what he can or can't do. Mr. Rash said if that key legislation stays, he's going to make sure that at 12 o'clock at night he's going down there for an inspection.

Mr. Steiner said he does not think telling the mayor what he can or cannot do is good legislation.

Mayor McDaniel encouraged council that they contact the solicitor when they need to know what is right or wrong – what is legal or not legal.

Mr. Steiner said that in the first quarter of the year, this legislation is our key effort and is not a good reflection on this council. Mr. Rash was told we could do legislation to rescind, but first we will talk with the solicitor at the next meeting.

Council General Discussion – No discussion.

Presentation of Purchase Orders and Bills for Approval


Mr. Steiner said totaling \$35,205.12, he made a motion to accept the bills as presented, second by Mrs. Conroy.

Mr. Rash asked if we had enough money to get us through the year. He was told yes. He then asked if we are getting more money from gas tax. Mrs. Weirick said it is pretty consistent all year.


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

Mr. Rash made a motion to adjourn at 8:01 PM, second by Mr. Steiner.

Meeting was adjourned.



Mayor Bud McDaniel



Kent Goch, President of Council



Leah Weirick, Fiscal Officer