

**Village of Clinton
Regular Council Meeting**

Tuesday, September 19, 2023

Mayor Bud McDaniel called the meeting to order on Tuesday, September 19, 2023, at 7:00 PM in Clinton Village Hall. The Pledge of Allegiance was led by Chuck Clark and recited by those present.

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

Others Present: Residents Diane Gunter, Chuck Clark, Phill Miller, Beth Miller, Todd Brumfield, Janice Swiger, Tabi Barbu, and Tom Knepper, residents; Fire Chief, Wayne Conroy; Officer Zampelli, New Franklin PD; and Fiscal Officer, Leah Weirick.

Approval of Minutes

Mrs. Conroy made a motion to approve the minutes of September 5, 2023 as written, second by Mr. Rash.

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

Unfinished Business – No Unfinished business.

Mayor's Communications

Mayor McDaniel reported on the new property tax value meetings. He learned that 44216 also serves Green and New Franklin and their properties are worth a lot more than ours and are grouped with us. He contacted the County to ask for a re-evaluation and is expecting a call back from them. Jackson is also part of 44216 and a few in Lawrence Township as well. Mr. Steiner said we may want to get a second opinion as the county is relying on information from the State. There is more information that needs assessed on this issue. A real estate agent may be able to assist us as well.

Applefest went great and he thanked Diane Gunter for all her efforts.

Council Communications and Council Committee Reports

Mrs. Gensimore said she got our articles turned in in time but Canal Fulton wasn't ready and has extended the delivery to the mailboxes from October 1 to October 8.

Mat Steiner reported on the Finance Committee meeting on September 14, 2023. Key issues were the backhoe appropriations and the 2024 budget. He will be providing minutes of that meeting and further information will be presented at their next committee meeting on October 3, prior to the Council meeting.

Citizens Comments

Beth Miller spoke on the issue about owning/raising chickens and roosters on their property which is 6.5 acres. They have used them for eggs and meat. They also breed them. Roosters protect the flock from predators as well. There have been complaints from a neighbor about the roosters crowing. They

have put crow collars on them and that has been difficult to size them to where they stay on properly and humanely. More complaining continued and so they sold some of their roosters at auction reducing their number. The zoning inspector sent them a letter about the issue and to contact him. They were told about the complaining in the letter and the complaints grew. They also made every effort to comply – even though they live on a parcel of land where what they are doing is legal. She studied up on decibal levels of different types of noises. They checked the levels from different areas of their property and decibels for roosters are about 87/ 88 which is comparable to a lawn mower or dog bark. She asked the New Franklin PD if they were doing anything wrong and they said not at all. Matt Steiner said years ago the Village has had issues about similar complaints and he was not sure if anything came of that after he left. Also, 10 decibels is twice as loud - a truck is 80 decibels and chickens are 90 decibels which means chickens are twice the volume as a truck. Distance matters as well. Officer Zampelli spoke on this issue as the New Franklin PD has been contacted several times. He indicated the Barberton's Prosecutor's office indicated there is no avenue and nothing to intervene as they are not doing anything wrong. At this it is a civil dispute between neighbors. Zoning in the Village is not being violated. They can have more animals than they even have at this time.

Chuck Clark also spoke as he is the neighbor who is upset with the noise. He cited section 1307.01 in the Village Code and Mrs. Gensimore stated that 1307.01 (i) regarding the nuisance factor is very vague. Mr. Clark said there is a neighbor that can vouch for what he is saying is very loud noise. He said the crowing goes on constantly. Mr. Zampelli said zoning would need to issue a citation. The PD cannot enforce this. Mr. Clark says he can't leave his windows open and feels he is being driven from his home. He does not want to go to court but if he does it will be before a jury.

Mr. Brumfield addressed council about income tax. He asked about reciprocity. He was told the Village does not participate in reciprocity. His aunt pays Norton city tax that will give back up to 2% to Clinton if they will allow us to send it to them. Mrs. Weirick explained that his aunt will have to file her Clinton tax and pay and then take that to Norton and Norton will refund her for what she pays here. She said RITA does the Village tax and the way it was explained is how it needs to be done.

Mr. Brumfield asked about what is going on about moving from Summit to Stark County. Mrs. Gensimore explained what is going on. She knows this will cost a lot of money to look into this legally. She can't support this endeavor unless enough signatures are obtained from the residents to go forward with it. We need 51% of the Village voters (approx. 800) who are OK with us spending their tax dollars on this. The Village is only 3.5 square miles. This is a long and expensive road.

Diane Gunter thanked everyone to helped make the Applefest a success. We had a beautiful day!

Resolutions and Ordinances – No third readings.

Second Readings

Resolution No. R-23-19

A Resolution Amending the Annual Appropriations for the Current Expenses and Other Expenditures of the Village for the Fiscal Year Ending December 31, 2023, and Declaring an Emergency.

First Readings

Resolution No. R-23-20

A Resolution Authorizing Expenditure from American Rescue Plan Acts Funds for Use in the Clinton Road Project, and Declaring an Emergency.

Leah Weirick explained this legislation is required to show the purposes used for the funds that were received - \$126,000 approximately.

Ordinance No. O-23-21

An Ordinance Establishing a Capital Project Fund Pursuant to Ohio Revised Code 5705.13 (C) for the Purpose of Accumulating Resources for the Purchase of Street Equipment for the Village of Clinton, and Declaring an Emergency.

Mrs. Weirick said this is to establish a Street Equipment Reserve Fund. We plan to put in \$23,250 in this fund for the next five years.

New Business – No new business.

Council General Discussion

Members of Council appreciated all the work that was done and the success of Applefest. Mrs. Gensimore said that the old Clinton Village jail cell will be here next year for a fund raiser as she met someone at Applefest who now owns this piece of our history.

Presentation of Purchase Orders and Bills for Approval

Mr. Steiner made a motion to approve the bills and purchase orders in the amount of \$25,991.60, second by Mr. Goch.

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

Chief Wayne Conroy asked council to accept the hire of Bob Leach to the fire department as a fire fighter/paramedic. The back ground check was clear and he wants to add him to their roster.

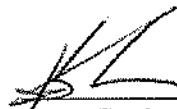
Mayor McDaniel recommended Robert C. Leach to the fire department and Mr. Roch made a motion to hire Mr. Leach, second by Mrs. Godwin.

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

Mr. Rash made a motion to adjourn at 7:52 PM, and was seconded. Meeting was adjourned.



Mayor Bud McDaniel



Kent Goch, President of Council



Leah Weirick, Fiscal Officer