

Village of Clinton
Regular Council Meeting
Tuesday, August 6, 2024

Mayor Bud McDaniel called the meeting to order on Tuesday, August 6, 2024 at 7:03 PM in Clinton Village Hall. The Pledge of Allegiance was led by Gordon Shobe and recited by those present.

Council Members Present: Rita Joseph, Janice Godwin, Marissa Gensimore, Ross Blankenship, Keith Clackler. Matt Steiner was absent.

Others Present: Seth Marcom from Marshal Pitchford's office, Solicitor; Residents Tami Barbu, Phil Miller, Dave Gromosky, Lewis Rash, Tom Knepper, Jackie and Kent Goch, Judy Finlayson, Shelly Kunkle, Stephanie Jenkins, Jim Schilling, Dennis Bilinovich, James Jewell, and numerous others whose names were hard to transcribe. New Franklin PD Officer Zampelli; Jeff Ferjutz, Zoning Inspector; Village Fire Chief Wayne Conroy; and Kevin White, Street Commissioner.

Approval of Minutes

Mrs. Joseph made a motion to approve the minutes of July 2, 2024 as written, second by Mrs. Godwin.

Roll Call: Joseph, Gensimore, Godwin, Clackler, and Blankenship voted yes. Motion passes.

Solicitor Monthly Report – No report.

Police Monthly Report

The police report in packet was presented. He reported on the speeding stops made on Cleveland Massillon Road and other areas. They were called to a large fireworks display where a permit was not obtained. He was requested to have an officer at the OVMP for an upcoming event by the Mayor.

Fire Chief Monthly Report

Chief Wayne Conroy read the report that was also in the packet.

Street Commissioner Monthly Report

Mr. White reported that he did road side mowing and regular mowing. Earlier there was storm damage that needed cleaned up as well. Mayor McDaniel said that Mr. White does a lot of mowing and the grass around town looks great. A list of roads to be chip and sealed is being prepared and scheduled.

Fiscal Officer's Report – No report.

Unfinished Business – Nothing to discuss.

Mayor's Communications

Mayor McDaniel said the zoning forms were sent to him from the solicitor's office. The zoning inspector now has the forms needed to do citations.

He reported that he met with the Mayor of New Franklin a while back to discuss getting our fire departments back together. New Franklin made us an offer and Mayor McDaniel will take this

information to the next Safety Committee Meeting. Mrs. Godwin said she had no information and Mayor McDaniel said he will get to her for review.

Mrs. Gensimore asked who initiated the meeting with New Franklin. Mayor McDaniel stated he did and she felt that this should have been discussed in council instead of doing on his own initiate. Mr. Marcom stated that in his research, council is free to take powers away from the mayor, but currently both the ordinances and the ORC, the way the Village is structured, seems to defer a lot of power to the mayor. What he does, he has to bring back to Council. She brought up a situation years ago with another mayor who took initiative on his own without Council knowledge with the same solicitor and it had to be rescinded as he did not have the authority. Mr. Marcom stated currently as structured, folks can talk in the executive branch of the Village. Agreements can't be made. Mayor McDaniel said he had every right to do that. Mr. Blankenship indicated his name was in an email about this issue and he wanted to state he never met the New Franklin Mayor before. Mrs. Gensimore stated that she was advised that both the Mayor and Ross went to that meeting and talked to the New Franklin Mayor and Fire Department. She said our fire department functions well and we have no issues. Jan Godwin asked why she was not involved. Mayor McDaniel said in the meeting minutes during my report, I am getting you involved.

Council Communications and Council Committee Reports

Mr. Clackler reported that at the Street, Sidewalks and Parks Committee Meeting, they discussed the bleachers in Warwick Park. They are in very bad shape. Bids were high to fix and people bring their own chairs. He feels we should get rid of them as someone is going to get hurt. We may want to scrap them on GOV Deals. Kevin White and Leah Weirick will take care of this after pictures are taken.

Mrs. Gensimore stated that as a member of the Safety Committee, and there is concern about the trains, she reached out to Jeff Ebert of CSX. She asked about giving the Village right away alongside the tracks to take safety vehicles through there to reach the part of Warwick that is cut off when trains are across the tracks. They are looking into it. He said it is a big ask, but will look into it.

She also reached out to the Planning and Development Civil Engineer that Kevin White and former street superintendent met with and walked the old access road and said that concerns are safety and would they would consider revisiting that. There is a mini step process to present to the board. It's a far reach because to disrupt the ecological balance of the preserve there, it needs to be a benefit to all of Summit County. We are trying to do something about this problem that has been around for many years.

Also, as Community Development Chair, Mrs. Gensimore reported that we met on Friday and reviewed proposals given to committee for our IT issues. We reached out to each company and asked them technical questions and got their ideas. We have a quote in the packet from SBT Technology to review to be our IT provider. She asked Council to review and digest the information to vote on at a later time. Also provided was the appropriation status to show we have finances available for this. Mrs. Weirick said money is already there to pay for this quote if it is voted to use this company for our IT needs. If we need a resolution we can to one. This is just to let everyone know to review this quote for the next meeting.

Citizens Comments

Mayor McDaniel explained the three-minute rule.

Gordon Shobe, Clinton Auto Repair, spoke first and stated that he was wanting to discuss the problems going on about his business and a conflict of interest that is going on per the ORC. When a council member owns an auto shop and is the only member harassing me, that's a conflict of interest. This man called the EPA and Health Department on me and has a personal vendetta and should resign or be recalled. We are a competing shop. We have fixed each other's cars over the years. I've had about enough. He asked the solicitor about this. Mr. Blankenship said he only said he wanted to have his yard cleaned up. He wants Mr. Shobe to get the proper citation from the Zoning Department. Mayor McDaniel said he has seen improvement at his garage and thanked him for that.

Mrs. Tabi Barbu spoke about the cost to get a solar powered speed sign installed on Cleveland-Massillon Road. They are about \$4,500 each. She also spoke on behalf of Clinton Auto and she said it's part of this community and could have taken her car anywhere, but took it to Gordon's. He does not take advantage – he cares for the people of the community. He is very fair. Gives us options. He is essential to this community.

Phil Miller supports Clinton Auto too.

Lewis Rash stated on the train stopping and called the Governor's office. They told him there was not too much they can do about it. A road around will do no good.

Mayor McDaniel has a friend who works for the railroad. A problem is the Federal regulations. Trains are allowed to be about 2.5 miles long which fill up a lot of space. He encouraged everyone to send letters to our Congress Representatives.

Mr. Rash said going down Deerfield Road going to the bridge, there is a guard rail that was smashed down. If someone hits it, they will go airborne. It sits at an angle and may have been hit by a tree. It may be a County Road. It may not be our responsibility. He was advised that this will be checked out.

Mr. Rash said the fighting is too much and in public especially means if you can't control yourself you need to step down.

Tom Knepper supports Gordon Shobe as well.

Dave Gromosky thanked everyone for their service. The griping stuff, "yes" men are just as bad. He supported Gordon. He gets flooded and stays. He's trust worthy.

Judy Finleyson said Gordon represents honesty, sincerity and compassion. He offers to go to the store for me if he has to keep my car for an extra day or so.

Jackie Goch said the nitpicking is embarrassing to the community. Do this behind closed doors. I want to hear what I need to hear. We are here to represent us and hit the topics and communicate them. She stated that every vehicle taken to his garage has been fixed with the best options, fairly. She also said that she could be contacted about aluminum bleachers if interested in that option as there are fund raisers to purchase. Bleachers are \$1,500 and will donate the first \$400. She is willing to help with this.

Mrs. Goch added that it does not look good that the council is not involved in the Fire Department issue – this is something the community needs to be involved in. A major move.

Mayor McDaniel stated that this is not a decision that is going to be made today. There is no paperwork to be given out – may take six months to look into this.

Kent Goch spoke and asked Mayor McDaniel, did we not just pass a levy so we could maintain our own the fire department and that the mayor campaigned heavily on behalf of it? Mayor McDaniel responded that the Village did.

Mr. Goch continued about Gordon's shop, to call the EPA, why would that call have been made? What's behind the hardware store or street garage? There is another business in town with three claims against it and Clinton Auto has zero.

Shelly Kunkle also thanked Gordon for maintaining a business, the zoning, street department, and council as there are a lot of changes that have been happening.

Stephanie Jenkins said the bickering is obnoxious and instead of calling the EPA, just say is there something I can do to help you? The stuff in the river should be what we complain about. She also stated that regarding the sewer meeting at the fire department years ago, the website to go to for financial information and proposal as what your taxes would be if it happened - nothing happened. The sewer is important to us – we spend more time griping than figuring out solutions. Our street department and zoning do not need to be monitored either. There are many street lights out around the Village too.

Mayor McDaniel reported on the status of the sewer project. The \$8 million project we had, we discovered we had no place to send the sewage. That meant we needed to build a plant which would have doubled the price to get sewer. Mrs. Gensimore concurred that Summit County advised a waste water plant would need to be built. Then the County advised that the Village residents can update their septic systems and apply for help and they would approve package plants at the residence. This is where we are at this time.

Lillian Szakacs said to Council, we voted for you and the Mayor should be neutral. Don't chase businesses out of this town. It's pathetic to see what this town has become.

Dennis Bilinovich isn't a resident of Clinton and he's known Gordon for a long time. He is a good mechanic and has honesty and integrity.

James Jewel also supported Gordon and his business.

It was brought up that the initial question about this situation being a conflict of interest was never answered. The issue of the council member speaking about Clinton Auto when he owns a competing business. An answer was requested. If he called the EPA isn't council responsible for each other? Is there a guideline where one can step up and just do it? Mr. Marcom answered that anyone could make a report. He said the EPA was contacted and that's all he was aware of at this time. The outcome of the EPA check was that Mr. Gordon's business was in compliance. Mrs. Gensimore reported that Gordon has always passed when the EPA has checked his business.

Resolutions and Ordinances

First Readings

Ordinance No. O-24-12

An Ordinance Amending Ordinance O-17-24 Ordinance to Create Chapter 761: Medical Marijuana Cultivators, Processors, And Retail Dispensers, and Declaring an Emergency.

Second Readings

Resolution No. R-24-11

A Resolution Amending the Annual Appropriations for the Current Expenses and Other Expenditures of the Village for the Fiscal Year Ending December 31, 2024, and Declaring an Emergency.

This is appropriating money for the street department to do the chip and seal and patchwork on a lot of Village roads. He can't get on the schedule until this is passed.

Mrs. Joseph made a motion to suspend the third reading, second by Mrs. Gensimore.

Roll call: Gensimore, Godwin, Clackler, Blankenship, and Joseph voted yes. Motion passes.

Mrs. Joseph made a motion to adopt, second by Mrs. Godwin.

Roll call: Godwin, Clackler, Blankenship, Joseph and Gensimore voted yes. Motion passes.

Third Readings

Resolution No. R-24-09

A Resolution, No. R-24-09, Authorizing the Transfer of Funds from the General Fund to the Street Fund ("Project Fund") and Street Equipment Reserve Fund ("Reserve Fund") of the Village of Clinton, and declaring the same to be an emergency.

Mrs. Joseph made a motion to adopt, second by Mrs. Godwin.

This transfers the money for the street work discussed previously.

Roll call: Clackler, Blankenship, Joseph, Gensimore and Godwin voted yes. Motion passes.

New Business – no new business discussed.

Council General Discussion

Mrs. Joseph made a motion to hold the second meeting in August on Tuesday the 20th as there is a lot going on, second by Mrs. Godwin.

Roll call: Blankenship, Joseph, Gensimore, Godwin, and Clackler voted yes. Motion passes.

Mrs. Gensimore said the fire department uses the basement room for training. On the reservation form to rent the basement, it requires a fee and she feels to bill the fire department should not happen.

Mayor McDaniel wondered if our Codified requires this. If not, we need to amend. Residents and others do pay the fee indicated on the form. It was decided the fire department does not pay a fee.

The zoning citation forms are with the zoning inspector and he is reviewing and making changes.

Mrs. Joseph asked about the trailer in front of Goff's. She asked if they have received notice as to this sitting there. Mr. Ferjutz stated that the driveway is steep and he will check the plates.

Presentation of Purchase Orders and Bills for Approval

Mrs. Godwin made a motion to approve the purchase orders and bills, second by Mrs. Joseph.


Roll Call: Joseph, Gensimore, Godwin, Clacker and Blankenship voted yes. Motion passes.

Mrs. Joseph made a motion to adjourn at approximately 8:32 PM, second by Mrs. Gensimore.

Meeting was adjourned.



Mayor Bud McDaniel

Matt Steiner, President of Council

Leah Weirick, Fiscal Officer