

**Village of Clinton
Regular Council Meeting
Tuesday, July 2, 2024**

Mayor Bud McDaniel called the meeting to order on Tuesday, July 2, 2024 at 7:04 PM in Clinton Village Hall. The Pledge of Allegiance was led by Lewis Rash and recited by those present.

Council Members Present: Rita Joseph, Janice Godwin, Marissa Gensimore, Ross Blankenship and Matt Steiner. (Councilman Keith Clackler joined council after being sworn in)

Others Present: Marshal Pitchford, Solicitor; Residents Jackie and Kent Goch, Lewis Rash, Diane Gunter, Pamela Sandy, Alice Bogdansk, Mahlon Wieland, Keith Clackler and New Franklin PD officer.

Mr. Steiner made a motion to amend the agenda and move the council member selection to after the Police Monthly Report, second by Mrs. Gensimore.

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

Approval of Minutes

Mrs. Godwin made a motion to approve the minutes of May 21, 2024 as written, second by Mrs. Joseph

Roll Call: Gensimore, yes; Steiner, abstain; Godwin, Joseph and Blankenship voted yes. Motion passes.

Solicitor Monthly Report – No report.

Police Monthly Report

The police report in packet was presented. There was discussion about a lot of speed on the north end, motorcycles as well and they can't be stopped due to public safety concerns, and also juveniles charged with a break in.

Council Selection for Open Council Seat

Mrs. Gensimore stated that since there are so many applicants, executive session makes sense for interviewing purposes to avoid advantages to the last applicants over the first ones hearing their answers.

Mrs. Gensimore made a motion to go into executive session for the purpose of interviewing and discussion of the appointment of a public official. She invited the following: Matt Steiner, Jan Godwin, Rita Joseph, Ross Blankenship, Marshal Pitchford, as well as, each in turn as follows, Keith Clackler, Kent Goch, Pamela Sandy, Mahlen Whelen, Lewis Rash, and Alice Bogdansk.

There was no second, motion fails.

Mayor McDaniel thanked all of those who submitted their letters of interest. He remarked in speaking with all those who are interested their positive attributes they have brought or would bring to the position if chosen.

Mr. Rash spoke at the podium first. He expressed his interest in this seat after serving 4 years already. He wants to work together to more accomplished.

Mr. Goch who served as well for 7 years. He explained his accomplishments and all he was a part of during that time and would like to return and continue serving.

Mrs. Sandy indicated that this Village has supported them since moving to the Village in 2021. The people are amazing. She is ready at this time to contribute. The loss of her son showed her how wonderful this community is and wants to serve. She has national experience and feels that would be a valuable asset.

Mr. Clackler moved here in 2021 and works for the Summit County Landbank rehabilitating homes as well as demolishing. Has grant experience and 700 rehabs. He was asked to expound on what the Landbank does. He wants to serve his community. He is not affiliated with the County. There is no conflict.

Mr. Weiland said is running for this position because he knows Statutory Law – he knows how to index and find them. This is a very favorable position for me and can dedicate himself fully. He has had issues after his wife's death and now is certain he can achieve this goal. He knows how a council and procedures work. He is grateful that he was able to come here and address everyone.

Mrs. Bogdanský walks the trail and sees so much opportunity here. The OVMP is a gem. She feels so much more is possible in our Village if we stop making excuses and look at the potential that is here.

Mr. Blankenship asked Mrs. Sandy may have had experience in. She does not have the experience. He also asked Mr. Clackler about it as well. They type of grants Mr. Clackler has been involved in was regarding dilapidated homes, not what is required for projects like Clinton Rd.

It was stated that a paper ballot was how it has been done in the past. Mr. Pitchford said he recommends a nomination and second, then any others from the floor. Whoever gets three votes would be the new member. If we do a paper ballot, it cannot be secret. Ballots must be filled out and signed.

Ballots were completed and given to Mr. Pitchford who tallied and announced Mr. Keith Clackler is the new council member (*see below).

*Ballot voting by Council Members: Rita Joseph, Matt Steiner, and Ross Blankenship voted for Keith Clackler. Janice Godwin and Marissa Gensimore voted for Kent Goch. Mr. Clackler won the nomination. He was sworn in by Mayor McDaniel. The mayor reminded everyone there will be four council seats on the ballot next November.

Mrs. Gensimore said typically the person who replaces a member, they resume the seat on the committee they were one. This person that left was also the Vice President, so that position is vacant as well. According to the Rules of Council read by Solicitor Pitchford, it was decided to vote on this tonight.

Mrs. Gensimore believes a seasoned member be nominated Vice President and nominated Mrs. Godwin to be the new Vice President of Council. Mr. Steiner seconded the motion as Mrs. Godwin accepted.

Roll Call: Blankenship, no; Joseph, Gensimore, Clackler, Steiner, and Godwin, yes. Motion passes.

Fire Chief Monthly Report – In packet.

Street Commissioner Monthly Report

Mr. Steiner talked about appropriations that were changed and will be discussed later. The changes are dollars – from \$75,000 to \$150,000. They will be used for chip and seal for 5 or 6 roads and grinding of joints on Shadow Lane.

Zoning Inspector's Quarterly Report – In packet.

Fiscal Officer's Report – In packet.

Unfinished Business

Mrs. Gensimore stated that at the last meeting there was a gentleman who attended and brought up mowing the berms. Street Superintendent Mr. White provided council with the code and how the State allows for twice a year mowing. Our code states the landowner is responsible for the tree lawn all the way to the berm of the road. So, every other property just because its undeveloped, they take care of their tree lawn too to the berm of the road. We have trimmed, as a courtesy, and wanted to let everyone know what the code does say about this issue.

Mr. Blankenship says he either does it all, or nothing. He said he thinks it needs to be done as the former guy did it.

Mr. Steiner said he reached out multiple times to our IT people with no luck. We have not found a solution yet. We have good candidates but need to ensure it fits our need and budget. Ed Davis would be a win for the Village as he can also direct us to those who can do what he can't.

Mrs. Gensimore will see if she can get someone to come to a Community Development Committee and talk to us about this. We need to have it secure, functioning and in the right hands.

Mayor's Communications

Mayor McDaniel said there was a mayor's meeting and they discussed a trip made my many to Japan and reported on their society.

He met with the Summit County Prosecutor today and they discussed the Village and ticket revenue because of speeding was brought up. He is looking into for us.

NOPEC's annual report is available to anyone interested in seeing that. Mrs. Godwin said it is interesting how each village or town is doing with their utilities. We got in on the ground floor.

He received a note from the Fire Chief if any permits were pulled for fireworks. We have not received any permits.

Mrs. Gensimore added that the permits have to be pulled by licensed exhibitors. It's a detailed procedure that must be followed. The Bicentennial fireworks had to go through the entire process.

Mayor McDaniel stated the Black Arts Guild him and they will be having a number of events in Akron in July and August. It looks very interesting.

There is a Planning Commission and Ellen Conroy was on this Commission when she was a council member. Her resignation has left a seat on this Commission which needs filled. Mrs. Gensimore is willing to fill that seat. It was uncertain who appoints this person. Mr. Pitchford proceeded to check this out during the meeting in the code.

Council Communications and Council Committee Reports

The Your Community Newsletter has hit the mailboxes. The next issue, the Village of Clinton will be on the first page as it is rotated.

Attorney Pitchford discovered the procedure for the open Planning Commission seat and stated that the mayor appoints the other members of the Commission, but Council would nominate its recommendation to the Planning Commission.

Mr. Blankenship said he spoke to the Zoning Inspector about the garage that looks like a junkyard. He said as long as he sees compliance he will work with the owner of the garage. He says the owner has removed four vehicles and will not push as he is making progress. Mr. Blankenship disagrees with this. He was given three months to clean up. These guys need to be written up and fined. The zoning inspector needs to enforce our laws. He works for the Mayor. Mr. Pitchford indicated forms that were being looked for were given to the zoning inspector – he has them. He has some forms and indicated he will provide them. Mr. Pitchford said this is an executive office determination which is the mayor.

Mrs. Gensimore said previous zoning inspectors have tried to work with the residents. Mr. Blankenship said he has been here a long time and the garage looks the same. He said former inspectors have failed to get this done and we need to improve on this. Mrs. Gensimore said for the time given, the zoning inspector gets a lot done working part time. Yes, there can be improvement. She also said that we have an HR committee and if there is an issue, that committee needs to talk to the employee about this. Mr. Blankenship said he wants results.

Mr. Steiner said that issue at the garage has gotten this way for years. It will not be fixed overnight. Not handing out citations we could have used, can start happening now. Mayor McDaniel said the problem in the past was not giving the inspection enough hours to work on issues. Mrs. Gensimore asked that council remember he has a full-time job and we respect our contact of him during work hours. He should not be contacted during his full-time work hours. Matt Steiner supports our current zoning inspector who is active but also there is nothing wrong with putting together an action list for him.

Mr. Blankenship addressed the solicitor. He stated two meetings ago, Mrs. Gensimore accused him of such that you said I could be sanctioned by council. Mr. Pitchford stated that he would not have used the word sanctions. That's not what council can levy. He would use the Parliamentary procedure that council can use to discipline is called a censure.

Mr. Blankenship asked Mr. Pitchford about a meeting he recently missed where Mrs. Gensimore said she had talked to the solicitor about voting to bring Mr. Goch back on and that it was okay. He asked why we then had to vote again tonight on this issue if she was right and the mayor was wrong? Mr. Pitchford responded that he watched the video and confirmed his research that there are some circumstances that will allow a Village Council seat to be filled in the same meeting. Those circumstances were not present at that meeting. A current member of council cannot vote on his or her replacement as there is no vacancy yet. Because the vacancy was not until the next day, she could not vote on her replacement.

Mrs. Gensimore indicated she apologized to everyone about what happened and explained that she truly was considering stepping down. I spoke with Mr. Pitchford about this possible resignation – there was a misunderstanding/miscommunication of what I said to him about when I was stepping down ahead of time. I explained this in my recent email. I didn't accuse anyone. I read the email from the fire fighter who was present and felt there was something done inappropriately. When there is a concern of misconduct by a council person or any elected official it has to be done in a council meeting and that's why it was brought up at the meeting.

Mayor McDaniel feels, and asked Mr. Pitchford, if you are investigating something that was mis done, that you contact all parties. Talk to them first before taking further.

Mr. Pitchford responded there are different ways of handling different circumstances and he didn't want to call this one way or the other. He believes it is good counsel to seek out the person who you have a problem with first about the issue. There are unique circumstances and it's not for me to judge.

Mr. Steiner added that using our solicitor as a coach and rely on ordinances and Roberts Rules and other things to move forward. We need the most current issue – 12th edition.

Mr. Steiner made a motion to appoint Mrs. Gensimore to fill the vacant Planning Commission seat, second by Mrs. Godwin.

Roll call: Blankenship, no; Joseph, Gensimore, Steiner, Godwin and Clackler voted yes. Motion passes.

Matt Steiner will be our RITA (income tax) representative as well.

Citizens Comments

Lewis Rash expressed his reason for signing up for council and it was because of the monkey show this council is. He is upset about the roads and nothing gets done. The grass – somebody decided they were not going to cut the entire Van Buren Road. He said why are the people not fired or told to do their job. Mr. Rash said he called the people on the paper that was passed out and they said all sides of road to the ditch must be cut by the 21st of every month.

Mrs. Goch asked to speak. She stated that this is the fourth meeting attending since they have lived here. She said it's embarrassing the tone of voice, pointing fingers, arguments at each other. This dirty-aired laundry needs said in private. As for the roads and Jeff Ferjutz's job, all of these things need to be paid for – mowing extra time and more zoning hours. It's not doing a bad job, it's how you budget time and work that person to get their job done. When you want someone to accomplish something make sure they have enough time to get done what you want them to do. You don't text them, yell them, point fingers at them and embarrass them about their job performance in front of

their community. Change the way we think and move forward. You all need to come together to set these goals.

Resolutions and Ordinances

First Readings

Resolution No. R-24-10

A Resolution Authorizing the Village of Clinton Mayor and the Fiscal Officer to Prepare and Submit an Application to Participate in the Ohio Public Works Commission State Capital Improvement and /or Local Transportation Improvement Program(s) and to Execute Contracts as Required, and Declaring an Emergency.

Mrs. Joseph made a motion to suspend the three-reading rule, second by Mr. Steiner.

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

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

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

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.

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.

Second 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.

Third Readings

Resolution No. R-24-07

A Resolution Authorizing the Approval and Adoption of the Summit County Hazard Mitigation Plan, for the Executive Department of Law, insurance and Risk Management – Division of Public Safety Management Agency, and Declaring an Emergency.

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

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

Resolution No. R-24-08

A Resolution Approving and Adopting the Summit County 9-1-1 Plan, and Declaring an Emergency.

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

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

New Business

Liquor Permit – Covered Bridge Drive-Thru

The Covered Bridge Drive-Thru was sold and we have a right to object renewing their liquor permit. No one on council objected to renewing this permit.

Recycle Containers (located at the Fire Station) for Community

Bids for continuing this service are expensive and everyone already has recycle bins at their homes. It was free, but now is not. Mr. Steiner read the costs from the bids received. It was unanimously agreed to not continue this service at a cost to the Village.

Mrs. Gensimore brought up the Community Garage Sale. We typically pay for advertisement in the local newspaper. Mayor McDaniel wondered how many read the paper anymore. There are residents who get the paper and this will be advertised and viewed by other communities to see as well and come to the Village and help our residents sell their items.

Mr. Steiner made a motion to advertise in the newspaper, not to exceed \$100, second by Mrs. Joseph.

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

Council General Discussion

Mr. Steiner thanked everyone for applying to fill the seat on Council. He indicated that he is filling Bud's seat – but I was the only one and got all the votes.

Presentation of Purchase Orders and Bills for Approval

Mr. Steiner said the bills are higher than usual – New Franklin was \$45,000 for police service. American Legal's codification, the first payment, was \$8,200.

Mr. Blankenship asked about if a law is broken now before the codification is finished. Mr. Pitchford stated that the current law still stands. The traffic and criminal laws need updated. That's where most of your tweaks will be – can be done quarterly or twice a year – whatever we want. Mr. Blankenship is still confused why we need laws on top of laws we are not going to get anything out of. Mr. Pitchford said you cannot have our code inconsistent with State law and he made more clarification to questions asked about Clinton's code verses State Code and ramifications if we do not update our code as is being done. If we had a Charter, as we are statutory, we could have a larger class of rules and laws than we do. Most cities around here are Charter Cities. Most villages are not but we are legally to do that. Mrs. Gensimore said since we are incorporated, we have more say in making our own laws as opposed to a Township and Mr. Pitchford agreed. The Village firearms legislation was

brought up and Mr. Pitchford reiterated, if the State has said something, we can't be inconsistent with that. If the State has not said something, we can act.

Mr. Steiner said the sidewalk project went over \$65,000. It was \$75,000, the final cost.

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

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

Mr. Steiner made a motion to adjourn at approximately 8:50 PM, and was seconded.

Meeting was adjourned.



Mayor Bud McDaniel

Matt Steiner, President of Council

Leah Weirick, Fiscal Officer