

CLYDE CITY COUNCIL
Regular Session – April 5, 2016

Clyde City Council met at 7:00 p.m. on Tuesday, April 5, 2016 in Council Chambers of the Municipal Building, 222 N. Main Street, Clyde, Ohio. Mayor G. Scott Black called the meeting to order.

Roll Call.

Present: Mayor G. Scott Black
Vice Mayor Kenneth Dick
Council Member Jean Jackson
Council Member Steve Keegan
Council Member Gary Smith
City Manager Paul H. Fiser (Not voting)
Finance Director Craig Davis (Not voting)
Solicitor Zachary J. Selvey (Not voting)
Clerk of Council Janet R. Dickman (Not voting)
Deputy Clerk of Council Jackie Hoppe (Not voting)

Visitors signing in can be referenced in the Record Book Supplement.

The meeting opened with The Lord's Prayer followed by the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

The minutes of the March 15, 2016 regular session of council were distributed for review prior to this meeting. There were no corrections. There were two corrections.

Page 3, second line: "evidence against Officer ~~Robins~~ *Robinson*, who ..."

Page 3, 1st paragraph, last sentence: "Mr. Brewer stated he was advised by ~~Council~~ *legal Counsel* to not answer questions."

Page 4, Ordinance 2016-21: Gary Smith and Jean Jackson both voted Yes

Motion: to approve the minutes of the March 15, 2016 regular session of council as corrected,

Action: Approve,

Moved by Council Member Jean Jackson, **Seconded by** Council Member Steve Keegan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Mayor G. Scott Black, Council Member Jean Jackson, Council Member Gary Smith, Vice Mayor Kenneth Dick, Council Member Steve Keegan.

DISCUSSION OF PENDING OLD BUSINESS

There was none.

CORRESPONDENCE

A letter from the Division of Liquor Control regarding local liquor license coming due for renewal.

Mr. Keegan questioned if Mr. Fiser has heard of any complaints regarding local establishments (no).

Visitors:

There were no visitors who requested to speak at this time.

FIRST READING ORDINANCES

2016-22 AN ORDINANCE MAKING CERTAIN SUPPLEMENTAL APPROPRIATIONS, DURING THE FISCAL YEAR OF 2016 AND DECLARING AN EMERGENCY.

Ordinance No. **2016-22** was read in its entirety.

Mr. Davis explained the two main parts of this Ordinance. The first is money that was designated for the Landscape Committee to plant 35-38 trees. A P.O. was not created so this money was not carried forward, but the money from last year will be used for its intended purpose. The second situation is related to healthcare. The City withdrew from BORMA, and the funds that were in the reserves and was unspent was now put in the reserve at the new health consortium, Jefferson.

Mr. Dick questioned if this Ordinance is strictly an accounting maneuver (yes).

Mayor Black announced that this ordinance contained an emergency clause.

Motion: to suspend the rule preventing passage of an ordinance at a meeting at which it is first introduced, which is section 4-5 of the Charter, **Action:** Suspend,

Moved by Vice Mayor Kenneth Dick, **Seconded by** Council Member Jean Jackson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Council Member Jean Jackson, Council Member Gary Smith, Vice Mayor Kenneth Dick, Council Member Steve Keegan, Mayor G. Scott Black.

By poll of Council, Ordinance No. **2016-22** was read by title only for its second reading

Motion: to adopt Ordinance No. **2016-22**, **Action:** Adopt,

Moved by Council Member Steve Keegan, **Seconded by** Council Member Gary Smith.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Council Member Gary Smith, Vice Mayor Kenneth Dick, Council Member Steve Keegan, Mayor G. Scott Black, Council Member Jean Jackson.

Mayor Black announced that Ordinance No. **2016-22** has been adopted.

SECOND READING ORDINANCES

There was none.

RESOLUTIONS

2016-23 A RESOLUTION AWARDED A CONTRACT FOR THE 2016 CLYDE STREET

PAVING PROGRAM TO 7L CONSTRUCTION, LLC OF BELLEVUE, OHIO.

Resolution No. **2016-23** was read in its entirety.

Mr. Fiser stated this Resolution is for the paving that is scheduled for this summer. The budgeted amount was \$400,000 and the engineer's estimate was for \$370,000; the low bid was \$302,000. There were six bidders, with only \$118.03 separate the #1 and the #2 bids. It is good to see the bid come in below the engineer's estimate, and it is good to see the two bidders were that close. This project will use approximately 35,000 tons of asphalt, or 350 truckloads. This company usually does work in Bellevue. They will need to submit a mix design that meets ODOT approval. Mr. Fiser has seen their work in Bellevue and this company comes with a recommendation from the Bellevue City offices.

Mr. Dick questioned if this schedule includes Hill Street (yes).

Mr. Keegan questioned if Amanda Street would be reopened (it was closed at the train crossing) if the grain train situation is not resolved (a Norfolk & Southern attorney will attend the next Council meeting to discuss a proposal; we will reach a verbal decision at that time).

Motion: to pass Resolution No. **2016-23**, **Action:** Pass,

Moved by Council Member Gary Smith, **Seconded by** Vice Mayor Kenneth Dick.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Vice Mayor Kenneth Dick, Council Member Steve Keegan, Mayor G. Scott Black, Council Member Jean Jackson, Council Member Gary Smith.

Mayor Black announced that Resolution No. **2016-23** passed.

2016-24 A RESOLUTION APPOINTING A CHARTER REVIEW COMMISSION PURSUANT TO SECTION 10-4 OF THE CLYDE CITY CHARTER OF THE CITY OF CLYDE.

Resolution No. **2016-24** was read in its entirety.

Mr. Fiser stated this is the second Charter Review since he began as City Manager. Clyde became a Charter city in 1958. Our preamble starts, in part, "In order to secure the benefits of local self government under the constitution of Ohio, the citizens do adopt this charter." This is kind of our constitution ourselves, very important. There have not been many changes to the charter over the years, but it is a bit of a living document. This commission will probably meet four or five times and then recommend to Council any alterations, revisions or amendments they would like to see. Most Council members probably know most everyone on the list.

Mr. Dick feels this group is a good mix of people. He knows a lot of them, and feels it is a good mix.

Mr. Keegan agrees it is a good mix and also knows most of the people. He noted that Joey

Wilson has served many times in the past, but it is good to see some new people getting involved.

Ms. Jackson reiterates that it is a good mix. Her grandparents, parents and aunt have all served on this committee in the past numerous times. She feels it is an honor to be on this side of things.

Mayor Black agrees with previous comments of this being a good mix and he feels they will do a fine job. He thinks the citizens of Clyde like a Charter rule; unfortunately, the state of Ohio does not always agree with what we feel is the correct course of action for our own city.

Motion: to pass Resolution No. **2016-24**, **Action:** Pass,

Moved by Council Member Steve Keegan, **Seconded by** Council Member Jean Jackson.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Council Member Gary Smith, Council Member Jean Jackson, Council Member Steve Keegan, Mayor G. Scott Black, Vice Mayor Kenneth Dick.

Mayor Black announced that Resolution No. **2016-24** passed.

ADMINISTRATIVE REPORT

Mr. Fiser gave the following report:

Thanks to the community for their support they showed to City employees on March 15th. A simple majority would have kept the 1.5% income tax in place for another five years. The fact that the issue passed by over a two to one margin though was what the staff felt was very rewarding. Even more rewarding than the margin, was the fact we increased the percentage of approval from the previous vote in 2011 from 65% to 68%. That came more importantly with an increase in voter turnout of 66%. He believes we reached uncharted waters when we start to get in the area of 70% approval with the tax issue, but that is definitely the goal to strive for in 2021. He offered his thanks to the City of Clyde.

Work on the wastewater treatment plants flow equalization basin has somewhat slowed now that the majority of work has moved into the preliminary treatment building. Over the past week, we have been trying to bring one of the new rotating drum screens online but the startup has been difficult. Factory programming reps were on scene today troubleshooting the electronics. The work outside at the current time mostly centers around finish grading and preparations needed for the installation of the perimeter fence. The monthly progress meeting between engineers, contractors and staff is scheduled for tomorrow morning at 9 a.m. He is certain that the substantial completion date of April 8th will be adjusted.

The Clyde Solar Energy Center is still a very busy and muddy construction site. In the past two weeks, the engineering procurement and construction contractors have been installing the Photovoltaic panels. As of today, approximately 25% of the panels have been installed. A photo Mr. Fiser distributed was taken today and shows that work is really staying on schedule out there.

Constructions plans for both the Clyde Light and Power building and the maintenance office

building for the parks department were sent to the state for building permit purposes on March 29th. The tentative timeline for the construction of the buildings would be to bid them on May 16th and have substantial completion by the end of October. We are currently receiving stone at the sites and will be preparing the foundation footprints over the next few weeks.

Both the General Service Department and the Environmental Services Department are concentrating on work needed prior to this year's extensive resurfacing program. The General Service Department has already installed a storm sewer on Ralston, numerous catch basins throughout the city and over 150 feet of new curb on West Thompson. They still need to complete approximately 42 ADA ramps and some road widening prior to resurfacing. The EVS will be installing some needed water sewer taps and will be exercising and inspecting valves ahead of the paving operation.

The Ohio Department of Transportation opened bids for our US Route 20 culvert replacement near Halls Market on March 24th. Mosser Construction Incorporated out of Fremont submitted the low bid of \$609,079.80 and were awarded the contract. The replacement structure will be a 63x98 inch elliptical reinforced concrete pipe and is approximately 118 feet in length. In 2004, we were awarded approximately \$400,000 in Ohio Small City Grant for this project. A construction schedule has not been determined at this time.

Miscellaneous updates:

- Clyde Light and Power should take delivery of their new bucket truck by April 22nd
- The General Service Department should take delivery of their new leaf machine on April 29th
- The reservoirs are full and will be topping off as needed
- We have received a draft of the EPA report on the old paint factory. Their summary and conclusion states that, based on intended use for the property the sample results collected by the EPA and the City of Clyde, no further action is recommended.
- We currently have four new housing starts permitted in 2016 and probably three more coming in, based on initial conversations
- Sandco has scheduled their groundbreaking ceremony for April 18th at 10:30 a.m.

FINANCE DIRECTOR'S REPORT

Mr. Davis is closing out the month of March. Income tax collections for March are at \$339,230, which is an increase of \$17,000 compared to last year. Year to date collections are at \$1,168,000, an increase of \$58,000 compared to last year.

The new income tax clerk has completed her 90-day probationary period. She is doing a good job, and positive feedback from the community has been received.

No update related to the Fire Department.

COUNCIL REMARKS

Mr. Dick requested confirmation of the intended use for the lot of the former paint factory (US EPA has been informed the lot will be green space in perpetuity).

Mr. Keegan saw a flyer with a picture of the leaf machine and a date of March 1st on it (they had sent out some new letters; the supervisor has been keeping in touch with everybody; mostly great comments, but some people just do not want to give up their bags).

Will it be coming in three pieces – a truck and a box (no truck, we are using an existing truck, that will be fitted with a new box and the machine itself; it will take some trial and error, and some adjustments).

Mr. Keegan has seen piles of leaves out and bags out (that will be the tough part).

The March 1st flyer was to state that bags would no longer be collected at that point.

MOTIONS

There was none.

ADJOURNMENT

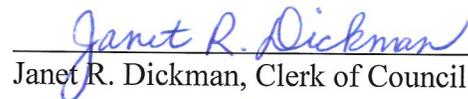
Motion: to adjourn the meeting at 7:35 p.m., **Action:** Adjourn,

Moved by Mayor G. Scott Black, **Seconded by** Council Member Steve Keegan.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Mayor G. Scott Black, Council Member Jean Jackson, Council Member Gary Smith, Vice Mayor Kenneth Dick, Council Member Steve Keegan.


G. Scott Black, Mayor


Janet R. Dickman, Clerk of Council