CLYDE CITY COUNCIL
Regular Session – October 5, 2021

Clyde City Council met at 7:00 p.m. on Tuesday, October 5, 2021 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 Jean Jackson
Council Member Bobbie Boyer
Council Member Steve Keegan
Council Member Brent Stanley
City Manager Paul Fiser (Not voting)
Finance Director Craig Davis (Not voting)
Solicitor Zachary Selvey (Not voting)
Clerk of Council Janet Dickman (Not voting)
Deputy Clerk 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 September 21, 2021 regular session of council were distributed for review prior to this meeting. There were multiple corrections.

Page 2, Visitors section, Ms. Jackson comment: "She noted that pedestrians have the right of way ~~at the crossing~~ *in a crosswalk* near the school."
Page 5, Remarks, Mrs. Boyer comment, 2nd paragraph from bottom: "~~The grain train, for example. Do you even know that a solution is already in the works for that one~~?" (Mrs. Boyer had supplied a Word document of her comments, but did not use this sentence during her remarks to Council.)
Page 5, Remarks, Mrs. Boyer comment, 2nd paragraph from bottom: "I figured out that I needed to recruit *a* new ~~blood~~ *member* to serve with me, …"
Page 6, Remarks, Mrs. Boyer comment, 3rd full paragraph: The first sentence was addressed to Mr. Davis. "*Craig*, how many engineers and other …"
Page 2, Visitors, Mr. Stanley comment: "Mr. Stanley questioned if the speed limits are set by the State ~~Highway Patrol~~…"
Page 4, Finance Director's Report: "Income Tax Collections … with this large of a ~~profit~~ *collection*, we are cautious …"

Motion: to approve the minutes of the September 21, 2021 regular session of council as amended**, Action:** Approve,
Moved by Council Member Brent Stanley, **Seconded by** Council Member Bobbie Boyer.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).
Yes: Mayor G. Scott Black, Council Member Bobbie Boyer, Council Member Brent Stanley, Vice Mayor Jean Jackson, Council Member Steve Keegan.

DISCUSSION OF PENDING OLD BUSINESS

Mrs. Boyer requested an update in response to concerns resident Frank Pierce brought up at the last Council meeting (we have looked at the concern voiced related to the timing of the traffic lights on Main Street, we have discussed the "no outlet" and the "deaf person in area" signs and will make corrections as appropriate, we will continue to follow up on these concerns).

Mr. Stanley offered thanks to Administration for fixing the streetlights on Amanda Street.

CORRESPONDENCE

There was none.

Visitors:

Tyler Tea, along with Rickie Greiner and Perry Hill, represented the Clyde Firefighters Association, and requested a donation from the City in the amount of $24,643.65 to purchase a new public message board to replace the current one that is in front of the fire station on Route 20 (copies of the proposed board were distributed to Council). They are suggesting that COVID relief funds could be used for this donation. The current board is old, is deteriorating and is difficult to change the message on the board.

Ms. Jackson questioned if this request is also related to the siren issue (no).

Mr. Keegan questioned if the City has funds available for this (yes; money has recently been received and is not earmarked yet for any particular use).

Mrs. Boyer questioned if we are still preparing a budget to outline what the funds will be used for (some funds will be used for infrastructure; some communities are holding back some of the money to use for future projects so they do not need to pass on those costs to the residents).

Mrs. Boyer questioned the amount of funds we have received ($322,000; we will receive a second distribution of the same amount).

Mr. Stanley stated there should be more funds becoming available for infrastructure and Clyde may be able to apply for some of those grants. He feels the board is a great idea for multiple reasons, including the ability to change the message remotely

Ms. Jackson questioned who will be in charge of the messaging on the board (the company will train six to seven people; one of the people trained could be a City employee).

Mayor Black questioned if the funds received and a response to this donation request should be discussed at the upcoming budget hearings (not necessarily).

Mr. Fiser explained that the Clyde Firefighters Association is separate from the Fire Department. The Association has purchased much equipment for the Fire Department. This is the first time they have asked for a donation, as they are usually the ones donating.

Mr. Davis shared that the current board came from Vine Street School before the school was demolished, which was many years ago. The board is very old.

Mr. Stanley noted that CARES Act funds that the City received last year were allocated during Council meetings; he questioned if the same will be done with the funds currently being received (yes).

Mr. Davis noted that the amount of this donation is below the threshold needed for a Resolution. Due to the relationship that Mr. Fiser and Mr. Davis have with the Fire Association and Fire Department, they would like to have this go before Council for this decision as opposed to Administration making the decision.

Resident Bev Henson expressed concern with her neighbor, a local business, and a Council Member over issues that have been ongoing for four years. She stated they had a private discussion earlier this year but the issues have not been resolved or addressed. Ms. Henson was involved in a car accident this year, which affected her health. She wants to be focused on getting her health better but there have been more issues with this business and with Mrs. Boyer. The most recent incident relates to campaign signs for Mrs. Boyer's run for re-election to City Council. Although Ms. Henson acknowledges no laws were broken, since she does not support this campaign she stated the action made her feel threatened and she did not appreciate it. She texted Mrs. Boyer to ask that the signs be removed; although she did not get a response to the text, the signs were removed.

Ms. Henson feels that Mrs. Boyer took an oath to serve the City through the highest form of government in Clyde, the City Council. She feels Council members should be held to a higher standard of ethics than this and the harassment towards Ms. Henson needs to stop. Ms. Henson has listed her home for sale as she cannot continue to deal with these issues and the harassment. She questioned all Council members to ask if this is how Council feels the City of City should be represented.

Ms. Jackson noted that Ms. Henson came to the Council meetings before the variance to allow the business to operate at that location was issued. At that time, Ms. Henson expressed her concern with a few issues related to the proposed business. The business owners assured Ms. Henson they would address these issues, and with that assurance, Ms. Henson supported in good faith the variance being issued to the business. Ms. Jackson is sorry to hear that Ms. Henson has put her home up for sale. Ms. Jackson does not feel this is how Clyde should be represented and Council members should be held to higher standards. She feels this behavior is childish.

Mr. Keegan also recalls that Ms. Henson attended the Council meeting when they voted to rezone that property for the business, and she was the only neighbor who attended. Ms. Henson at first opposed the rezoning, but then agreed to it because the owners stated they would put up a fence between her home and the business. However, there is still no fence. He feels that this most recent incident is a silly use of campaign signs; it is childish and it is a waste because the signs are expensive. Ms. Henson feels that harassment is an ugly thing.

Mrs. Boyer stated that they have told Ms. Henson that they care about her. They would like to be able to put a fence up, but when COVID hit, their business struggled because of it and they have been financially unable to do this. The campaign signs were put up by the younger staff at their business, who thought it was fun, in retaliation for how Ms. Henson has treated them. The signs were then taken down. Ms. Henson feels it is a concern that Mrs. Boyer would allow these younger staff to act on her behalf.

Mr. Stanley has known Ms. Henson for years. Ms. Henson texted him about the signs when it happened. He re-directed her to contact Zoning Inspector, Ken Winke. He agrees that Council members should be held to a higher standard. He is sorry to hear that her home is up for sale. He appreciates all that Ms. Henson has done for Clyde, and the boards/committees she has served on.

Mayor Black also agrees that anyone who works for the City should be held to a higher standard. He stated Ms. Henson has a beautiful home and he wishes she would reconsider her decision to sell it. He is aware this has been ongoing for four years and he wishes both parties could come together to work this out and get it under control, but he understands that can be difficult.

Mr. Selvey stated there is an Ordinance related to political signs. However, he told Mr. Winke it is not enforceable. The City has recently dealt with other political signs, with those signs containing profanity. We cannot regulate speech and this is speech. We need to wait for the courts to render an opinion regarding speech and political signs before we can decide if/how we want to update our Ordinance. He offered a reminder that he can only offer legal advice for situations like this to his employer, the City of Clyde.

Ms. Henson reiterated that she feels this is a personal attack on her and she feels the City needs to know how a member of Council is acting in the community. Mayor Black noted that her comments are now included in this public record. Ms. Henson offered thanks to Council for their time.

Visitor Chris Shay commented that Council members should encourage residents to come/move to Clyde, not chase them out.

FIRST READING ORDINANCES

2021-47 AN ORDINANCE ACCEPTING AND CONFIRMING THE DEDICATION OF A RIGHT-A-WAY FOR PUBLIC USE OF A 1.7647 ACRE PARCEL LOCATED IN PART OF OUTLET 54 IN THE CITY OF CLYDE, SANDUSKY COUNTY, OHIO (Addition to Premier Drive)

Ordinance No. **2021-47** was read in its entirety.

Mr. Fiser stated this turned out to be a housekeeping issue, although we were asked to consider selling this parcel. The issue is that we have a transmission and a distribution electric line running north and south down it. It is less than two acres and it was the residual of the entire Industrial Park area we bought. Once the design for Premier Drive was laid out, this parcel remained in our name. It really should just be added on to the right of way for Premier Drive.

Mr. Keegan noted that this property used to be part of a farm; the land was annexed into the City and the City purchased it.

Mayor Black announced that Ordinance No. **2021-47** had its first reading.

<u>SECOND READING ORDINANCES</u>
There was none.

<u>RESOLUTIONS</u>
2021-48 A RESOLUTION TEMPORARILY SUSPENDING THE PROVISIONS OF ORDINANCE NO. 2001-43 FOR A PERIOD OF ONE YEAR DURING FISCAL YEAR 2022.

Resolution No. **2021-48** was read in its entirety.

Mr. Davis noted this Resolution is regularly brought to Council, prior to the budget hearings. The Electric Fund is in a good position. This is a good revenue source in the General Fund. There is always the provision that the funds could be sent back to the Electric Fund if needed.

Ms. Jackson questioned what happens to this revenue, i.e. what is it used for, if it goes back to the Electric Fund (it is placed in the Electric Fund and is used as needed).

Mr. Stanley questioned the average amount of revenue for this (based on a five year average, it is $256,000/year).

Motion: to pass Resolution No. **2021-48** **Action:** Pass,
Moved by Council Member Steve Keegan, **Seconded by** Vice Mayor Jean Jackson.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).
Yes: Council Member Bobbie Boyer, Council Member Brent Stanley, Vice Mayor Jean Jackson, Council Member Steve Keegan, Mayor G. Scott Black.

Mayor Black announced that Resolution No. **2021-48** passed.

2021-49 A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH 7L CONSTRUCTION, LLC OF BELLEVUE, OHIO FOR THE RESURFACING OF THE FINANCE DEPARTMENT PARKING LOT; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF MONEYS THEREFOR.

Resolution No. **2021-49**was read in its entirety.

Mr. Fiser noted this expense is included in the current budget. There was a total of $75,000 budgeted, using five different accounts. The base of the parking lot is good, it just has multiple layers. The price is good, the company is good and Mr. Fiser recommends this expense for this year.

Mr. Davis stated the lot is deteriorating, including a handicap parking space that is a safety concern. He noted the General Services department recently tore out the concrete at the front entrance and re-poured it. He recommends proceeding with this project.

Ms. Jackson stated it is good when the amount budgeted is more than what is needed.

Mr. Keegan questioned if they will grind down the lot (they will mill off at least two inches).

Mr. Stanley agreed it is a good price and he questioned if the City has used 7L Construction before (yes, many times). He questioned if we should look at replacing/resurfacing other lots now, since the cost is below budget (it would not work out to do additional lots since the funds are spread across five different accounts).

Motion: to pass Resolution No. **2021-49** **Action:** Pass,
Moved by Vice Mayor Jean Jackson, **Seconded by** Council Member Brent Stanley.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).
Yes: Council Member Brent Stanley, Vice Mayor Jean Jackson, Council Member Steve Keegan, Mayor G. Scott Black, Council Member Bobbie Boyer.

Mayor Black announced that Resolution No. **2021-49** passed.

ADMINISTRATIVE REPORT

Mr. Fiser gave the following report:
COVID Update – the City employment is all clear as of now. We re-initiated some of our guidelines from early last year and that has helped with quarantining issues.

Budget 2022 – the draft version is being reviewed by Mr. Fiser and Mr. Davis. It looks like it could be a long night at this point. Mr. Selvey will be unable to attend the budget hearing meeting on 10/26/2021.

Playground Equipment – the playground equipment for Cherry Street was announced today that installation should start in about two weeks. No word yet on the separate swing set.

Ohio Public Works – for the OPW applications we submitted for 2022, we had another great year at the County subcommittee meeting. We are again the only entity awarded priority points for two projects. Those projects were the Woodland Avenue sanitary sewer and the 2022 paving program. Total grant award is half a million dollars. Probably both of those big paving programs will be next summer.

Community Reinvestment Area (CRA) – we have six of the seven needed volunteers for the Housing Council. Mr. Fiser will meet with the Planning Commission at their meeting this Thursday. They will pick one appointee from this list. Council can then pick their two appointees and the Mayor can pick his two appointees from the remaining list. Legislation will be presented for these five appointees to be approved. These five appointees will then pick the final two appointees, one from the list and they will need to find the last one.

FINANCE DIRECTOR'S REPORT

Mr. Davis is wrapping up budget reports and stated they are a little more in-depth this year. Last year department heads were asked to reduce their requests since we did not know how our revenues would be. They did as requested, but are now making up for it by requesting needed items this year.

The final call was held today for the timekeeping upgrade. The system is now 100% in place. Work continues with other new software upgrades.

Mr. Davis offered a reminder of the City-wide clean-up/drop off on October 15 and 16.

FIRE DEPARTMENT REPORT

Chief Davis reported they are conducting drivers training for the fire trucks.

The Fire Department will participate in the CHS Homecoming Parade on 10/13 and will be in charge of the bonfire following the parade.

COUNCIL REMARKS

Ms. Jackson shared a safety concern related to a spot at the corner of Fair and Main Streets that collects water/snow and can turn to ice (City crews salt heavily in that area and a bucket of salt is provided for the crossing guard to use as needed; that is all we can do for that situation).

Ms. Jackson stated resident Nancy Huey would like to donate a swing to a City park in memory of her husband, she just needs to know the cost (Mr. Fiser emailed the information to her a month ago, but he will follow-up with her).

The "Welcome to Clyde" sign that was in front of Hair Plus is now gone; she questioned if it will be replaced (Supervisor Hamilton is aware).

Ms. Jackson has seen the lights that have been added to the Freedom Bridge at Community Park and she likes them.

Ms. Jackson would like to see some funds that the City receives from the American Relief Fund used to help businesses that were affected by COVID. She stated Fremont and Tiffin already did this. A stipulation would be that the business was open for a year prior to COVID and that the business experienced a loss. Mr. Davis questioned if Tiffin and Fremont directly gave the funds to the business, or if the cities used another pass-thru entity to handle it (Ms. Jackson will try to find out).

Ms. Jackson questioned if the speeding concerns that were discussed at the last Council meeting were brought to the attention of the Police Department. She suggests that Police Officers not routinely park in the same spots to monitor for speeding, but find new spots to park and monitor.

Mr. Keegan has heard requests from community members, expressing a desire to have a City park on the north side of Route 20. There are multiple trailer parks and apartment complexes in the area, most with only small yards for their kids to play in. The City bought 100 acres near the watering hole; he would like to see an area used for a park that would include a basketball court and a playground. In the past, developers have come to Clyde and expressed an interest in developing some of that area, but then they never come back to follow-thru on it. He would like to see $50,000 set aside in the budget to be earmarked for a park on the north side of town.

Mrs. Boyer noted that Ms. Henson continues to deal with her issues in a public forum, with social media. Ms. Henson continues to berate them and their employees over and over again, to the point where even people on social media are lashing out back at Ms. Henson because it is so appalling. Even their younger employees lash out at Ms. Henson. As soon as they knew what their employees had done, they asked the employees to take it down. Mrs. Boyer is sorry it has come to this point, but a good neighbor is back and forth, and they have done their best to be a good neighbor. They are still open to that.

Mr. Stanley noted the City has started painting some of the crosswalks. He questioned if they are still considering bringing in a company to do all of this painting (we need to first get an inventory of what needs to be done). Mr. Stanley offered his thanks for what they have started to get done.

Mr. Stanley noted the Police Department must be increasing their monitoring of speeding in the Maple/Mulberry Street area, because he has not noticed speeding recently. He asked that this message be passed on to the Police Department.

Mr. Stanley looks forward to working with Administration at the budget hearings.

Mayor Black offered thanks to City workers for raising the grates in the culvert on Yost Street.

Mayor Black questioned Mr. Shay if his earlier comment was related to Council needing to encourage residents to come to Council meetings (no, his comment was that Council needs to encourage residents to come/move to Clyde, but some Council members are not doing this).

MOTIONS

Motion: to approve a purchase up to $25,000 for a new digital message board, using American Rescue Plan funds, **Action:** Approve,
Moved by Vice Mayor Jean Jackson, **Seconded by** Council Member Steve Keegan.

Ms. Jackson feels this purchase makes sense as the message board will have many uses and will be in a good location.

Mr. Keegan feels the current message board is weathered and needs to be replaced; it is a good idea to replace it.

Mr. Stanley feels this is a good idea and will be good to have the ability for the remote use.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).
Yes: Vice Mayor Jean Jackson, Council Member Steve Keegan, Mayor G. Scott Black, Council Member Bobbie Boyer, Council Member Brent Stanley.

Ms. Jackson would like to set aside $50,000 in the budget to replace playground equipment for all of the parks where we had to remove equipment.

Mr. Keegan asks that funds in the amount of $50,000 for a year or two be set aside to develop a park on the north side of Route 20. This is needed for the safety of kids who now need to travel across Route 20 to get to a City park. He also expressed a concern for speeding, and drivers not fully stopping at 4-way stops, as a safety concern for the kids.

Ms. Jackson supports this idea. She noted it can be difficult to get across a busy street, especially if you have kids with you.

Mr. Keegan stated the Clyde parks are second to none.

Mr. Stanley questioned if development of parks would be included in the ARP infrastructure plan. He would like to ask that Jim Mason, Supervisor of Parks, look for grants to fund the building of a new park and grants for playground equipment.

Motion: to enter into an executive session at 8:21 p.m. for the sole purpose of the purchase or sale of land, **Action:** Enter,
Moved by Mayor Scott Black, **Seconded by** Council Member Brent Stanley.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).
Yes: Council Member Steve Keegan, Mayor G. Scott Black, Council Member Bobbie Boyer, Council Member Brent Stanley, Vice Mayor Jean Jackson.

Mayor Black noted no further Council action will take place following the executive session.

ADJOURNMENT
Motion: to adjourn the executive session at 8:40 p.m., **Action:** Adjourn,
Moved by Council Member Steve Keegan, **Seconded by** Council Member Brent Stanley.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).
Yes: Mayor G. Scott Black, Council Member Bobbie Boyer, Council Member Brent Stanley, Vice Mayor Jean Jackson, Council Member Steve Keegan.

Motion: to adjourn the meeting at 8:40 p.m., **Action:** Adjourn,
Moved by Council Member Steve Keegan, **Seconded by** Council Member Brent Stanley.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).
Yes: Council Member Bobbie Boyer, Council Member Brent Stanley, Vice Mayor Jean Jackson, Council Member Steve Keegan, Mayor G. Scott Black.

G. Scott Black

G. Scott Black, Mayor

Janet R. Dickman

Janet R. Dickman, Clerk of Council

CITY OF CLYDE

COUNCIL MEETING

Date: Tuesday October 5, 2021 Regular Session

Visitors – PLEASE SIGN IN:

1. Chris Shay
2. [illegible]
3. Gene Paul
4. PERRY HILL
5. Tyler Tea
6. Rickie Greiner
7. Gary Beamer
8. Gary Smith
9. D McCarty
10.
11.
12.
13.
14.
15.