

CLYDE CITY COUNCIL
Regular Session – July 5, 2022

Clyde City Council met at 7:00 p.m. on Tuesday, July 5, 2022 in Council Chambers of the Municipal Building, 222 N. Main Street, Clyde, Ohio. Mayor Brent Stanley called the meeting to order.

Roll Call.

Present: Mayor Brent Stanley
Vice Mayor Chris Shay
Council Member Scott Black
Council Member Steve Keegan
Council Member Doug McCauley
City Manager Justin LaBenne (Not voting)
Clerk of Council Janet Dickman (Not voting)
Deputy Clerk Jackie Hoppe (Not voting)
Finance Director Frank Weasner (Not voting)
Solicitor Zachary Selvey (Not voting)

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

The meeting opened with a prayer and The Lord's Prayer, by Pastor Gene Paul, followed by the Pledge of Allegiance to the Flag.

APPROVAL OF MINUTES

The minutes of the June 21, 2022 public hearing of council were distributed for review prior to this meeting. There were no corrections.

Motion: to approve the minutes of the June 21, 2022 public hearing of council as written,

Action: Approve,

Moved by Council Member Steve Keegan, **Seconded by** Vice Mayor Chris Shay.

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

Yes: Mayor Brent Stanley, Vice Mayor Chris Shay, Council Member Scott Black, Council Member Steve Keegan, Council Member Doug McCauley.

The minutes of the June 21, 2022 regular session of council were distributed for review prior to this meeting. There was one correction.

Page 5, Council Comments: "Mr. Shay has experienced lengthy power outages *while living in other states and municipalities*, and he appreciates what Clyde Light & Power does for the City of Clyde."

Motion: to approve the minutes of the June 21, 2022 regular session of council as corrected,

Action: Approve,

Moved by Vice Mayor Chris Shay, **Seconded by** Council Member Doug McCauley.

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

Yes: Vice Mayor Chris Shay, Council Member Scott Black, Council Member Steve Keegan, Mayor Brent Stanley, Council Member Doug McCauley.

DISCUSSION OF PENDING OLD BUSINESS

Mr. McCauley noted that residents continue to park on Main Street on Wednesdays when the street cleaning is scheduled. There are the same nine cars in the same nine spots all the time. Therefore those nine spots are not cleaned, leaving many cigarette butts in those areas. The parking restrictions need to be enforced. Residents repeatedly complain about this issue. He questioned if these cars can be towed.

Mr. Keegan stated business owners also complain about this problem as these cars take up parking spaces needed for customers.

Mr. Selvey noted Police can no longer chalk tires. He will research it, but he feels we may need to write a ticket before the car can be towed. He suggested possibly notifying residents a week prior before enforcement starts, possibly also suggesting alternate parking spots. Multiple tickets could result in a license infraction. Court costs would be \$80, and the ticket fine could be between \$35-60.

Mr. Black asked if we cannot chalk tires could we use a security camera to take a photo of the illegally parked cars, noting the date and time (no, only a video could be used in court).

Mr. LaBenne stated they are also looking at other tech solutions for this problem.

Mayor Stanley questioned the status of the feral cat issue, that was discussed at a past worksession.

Mr. Selvey reported a homeowner who had many cats and was notified that this was an infraction, now does not have any outdoor cats (although it is unknown how many indoor cats she now has). Clyde has many cat laws, including a leash law. We are now giving authority to the county dog warden to address problems by issuing a ticket for dog and cat violations. Administration and Police are working through this. Tickets have been written and are currently in the legal process.

Mr. Black wants to go a step further and have feral cats captured, spayed/neutered, and released to control the cat population.

Mr. Shay also wants the City to provide vouchers for residents to have feral cats spayed/neutered, at the City's expense.

Mr. Selvey stated the amount needed for a spay/neuter/release program would be within the City Manager's ability to authorize. The cat's ear will be notched when they are spayed/neutered, so hopefully that would deter homeowners from trying to use a voucher for their family cat.

Mr. Shay discussed having volunteers who would catch the feral cats to be spayed/neutered.

Mr. Black confirmed he only wants the vouchers to be used for feral cats.

Mr. LaBenne asked that each Council member email him with an amount they would be comfortable spending for a spay/neuter/release program.

Mr. Selvey suggests sending a message to the community that we will begin writing tickets for cats being outside.

Mr. Keegan suggested an amount of \$10,000.

Mr. Selvey noted it was recommended that a spay/neuter/release program only works if it is a continued program; this would be a maintenance program, not a solution to this problem. Mr. Shay agreed, and noted it could take a couple years to show progress with this problem.

Mayor Stanley suggested including information with the utility bills regarding no outside cats.

Mr. Keegan questioned if proof of residency must be shown before a voucher would be issued (yes).

Mayor Stanley questioned why residents must pay for sewer services on water that is used for filling a swimming pool. In Fremont, residents submit the size of their pool and a calculation is done to reduce the sewer rate based on those gallons.

Mr. LaBenne stated residents could have a meter installed to track this type of water usage, but the cost of the meter would be the homeowner responsibility. We have used this process in the past.

CORRESPONDENCE

There was none.

Visitors:

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

FIRST READING ORDINANCES

There were none.

SECOND READING ORDINANCES

2022-34 AN ORDINANCE REDESIGNATING THE HEREINAFTER-DESCRIBED REAL ESTATE IN THE CITY OF CLYDE, OHIO, PART OF OUTLOT 124, PARCEL NO. 326000012400, TOTALING APPROXIMATELY 7.8902 ACRES, IN THE CITY OF CLYDE FROM (C-2) GENERAL COMMERCIAL TO (I-1) GENERAL INDUSTRIAL.

By poll of Council, Ordinance No. **2022-34** was read by title only for its second reading.

Administration had no additional information.
Council had no comments or questions.

Motion: to adopt Ordinance No. **2022-34**, **Action:** Adopt,
Moved by Council member Steve Keegan, **Seconded by** Mayor Brent Stanley.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).
Yes: Council Member Scott Black, Council Member Steve Keegan, Council Member Doug McCauley, Mayor Brent Stanley, Vice Mayor Chris Shay.

Mayor Stanley announced that Ordinance No. **2022-34** has been adopted.

2022-35 AN ORDINANCE REDESIGNATING THE HEREINAFTER-DESCRIBED REAL ESTATE IN THE CITY OF CLYDE, OHIO, PART OF OUTLOT 124, PARCEL NO. 326000012401, TOTALING APPROXIMATELY 8.0000 ACRES, IN THE CITY OF CLYDE FROM (C-2) GENERAL COMMERCIAL TO (I-1) GENERAL INDUSTRIAL.

By poll of Council, Ordinance No. **2022-35** was read by title only for its second reading.

Administration had no additional information.
Council had no comments or questions.

Motion: to adopt Ordinance No. **2022-35**, **Action:** Adopt,
Moved by Vice Mayor Chris Shay, **Seconded by** Council Member Steve Keegan.
Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).
Yes: Council Member Steve Keegan, Council Member Doug McCauley, Mayor Brent Stanley, Vice Mayor Chris Shay, Council Member Scott Black.

Mayor Stanley announced that Ordinance No. **2022-35** has been adopted.

RESOLUTIONS

2022-36 A RESOLUTION APPOINTING SONIA RUIZ TO THE CLYDE BOARD OF ZONINGS APPEALS.

Resolution No. **2022-36** was read in its entirety.

Mr. Keegan knows Ms. Ruiz and feels she will do a good job.

Mr. McCauley offered thanks for the willingness of all volunteers to serve.

Mr. Shay appreciates her willingness to volunteer and feels she will be a great fit.

Mr. Black offered thanks and welcomes Ms. Ruiz to the BZA.

Mayor Stanley knows Ms. Ruiz and feels she will do a good job. It is a pleasure to have residents volunteer.

Mr. LaBenne recently met Ms. Ruiz and feels she will do a good job.

Motion: to pass Resolution No. **2022-36**, **Action:** Pass,

Moved by Vice Mayor Chris Shay, **Seconded by** Mayor Brent Stanley.

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

Yes: Council Member Doug McCauley, Mayor Brent Stanley, Vice Mayor Chris Shay, Council Member Scott Black, Council Member Steve Keegan.

Mayor Stanley announced that Resolution No. **2022-36** passed.

2022-37 A RESOLUTION AWARDDING A CONTRACT FOR THE 2022 PAVING PROGRAM TO M&B ASPHALT CO., INC. OF OLD FORT, OHIO.

Resolution No. **2022-37** was read in its entirety.

Mr. Keegan noted all of the bids were close; he is glad that M&B had the low bid as they do a good job.

Mr. McCauley feels this shows the bidding process does work. He questioned how much fluctuation there could be in this bid, due to inflation (the asphalt prices were locked in, so inflation will not affect it).

Mr. Selvey explained that prices are bid twelve months out. He stated there may be fuel increase charges that would affect this bid.

Mr. Shay questioned if this paving is being done in 2022 but is technically from the 2021 paving program (yes, correct).

Mayor Stanley questioned when this project will start (this fall).

Mr. LaBenne noted this project is being paid through an OPW grant.

Motion: to pass Resolution No. **2022-37**, **Action:** Pass,

Moved by Council member Steve Keegan, **Seconded by** Vice Mayor Chris Shay.

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

Yes: Mayor Brent Stanley, Vice Mayor Chris Shay, Council Member Scott Black, Council Member Steve Keegan, Council Member Doug McCauley.

Mayor Stanley announced that Resolution No. **2022-37** passed.

2022-38 A RESOLUTION AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT APPLICATIONS TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED.

Resolution No. **2022-38** was read in its entirety.

Mayor Stanley questioned if this is for September (yes). He questioned if the 2023 paving program is the top priority (yes, plus others).

Mr. LaBenne offered clarification on location on the streets

Motion: to pass Resolution No. **2022-38**, **Action:** Pass,

Moved by Vice Mayor Chris Shay, **Seconded by** Mayor Brent Stanley.

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

Yes: Vice Mayor Chris Shay, Council Member Scott Black, Council Member Steve Keegan, Council Member Doug McCauley, Mayor Brent Stanley.

Mayor Stanley announced that Resolution No. **2022-38** passed.

ADMINISTRATIVE REPORT

Mr. LaBenne gave the following report:

- Woodland Avenue Sanitary Sewer – Received final confirmation and our agreement from OPW for \$325,000 for this project. Currently coordinating utilities and awaiting health department companion letters.
- 2022 Paving Project – Final confirmation and agreement arrived for this \$175,000 grant from OPW.
- USRT20/510 Intersection Reconstruction – Legislation was passed back on June 7th and we are waiting on Great Lakes Demolition to find a window in their schedule to begin this work.
- The new IT Administrator Will Chambers started today and as expected, he's hit the ground running and aside from getting familiar with our tech footprint, this should be a smooth transition.
- Fiber to the Home: Construction should be starting up in roughly two and a half weeks' time. Community engagement and marketing will be starting soon after and the plan is to be picking up customers as they build out. They are still on track to have a fully completed system by 2023.
- Paden Lane – The Frame is installed. There are a few items that need to close out on this first phase, but we are looking at the lighting and canopy system for installation ordering and installation. Phase II is the mural and Beth is working us back into her schedule since the initial delays on our end.
- July 4th – The Fireworks display and activities at the park were also very well received, especially the Kids Camp Art Show at the Enclosed Shelter House. The Parks and Recreation

crew did a great job putting everything together while working from a budget that doesn't actually specify how much they can spend on events like this.

FINANCE DIRECTOR'S REPORT

Mr. Weasner reviewed the financials for May 2022:

- 42% of expected revenue has been received
- 45% of appropriations are unspent and unencumbered; cash spend is at 37%
- General, Water, Sewer and Electric fund cash balances are higher than last year at this time
- Income Tax collections are decreased compared to this time last year
- Interest income MTD (month to date), not YTD, is \$5,480.57.

Effective 8/1 we will begin using Cyclone Services instead of Republic Services for our trash collection. This will result in a savings of \$2,700/month. Another cost saving measure is the elimination of *The News-Messenger*, at \$330/year. A charge for window washing has been added. Other cost saving measures are being looked at.

COUNCIL REMARKS

Mr. Keegan welcomed Will to the IT position, and offered congratulations.

Mr. Keegan stated the fireworks were great and he did not see any negative comments on Facebook. There was a big crowd in attendance. He questioned if it would be possible to synchronize music with the fireworks.

Mr. McCauley welcomed Will to IT. He is glad to see how tech progress is evolving at the City.

Mr. McCauley is glad that Mr. Weasner is paying attention to the financial details.

Mr. McCauley referenced Ordinance 2022-19 that was intended to regulate vacant commercial buildings; he questioned if anything is happening with this (we will need to review this Ordinance closer to see how we can enforce it). Mr. Selvey stated this was meant to use for egregious violations. This is a "tool in the tool box" to use as needed, and could be used by law enforcement or zoning. Mayor Stanley questioned if the Fire Chief could also enforce this Ordinance (yes, he is involved).

Mr. McCauley commended Police Chief Campbell for getting a \$12,000 grant for body armor, which would cost \$15,000 to replace.

Mr. Shay requested confirmation that *The News-Messenger* delivery has been cancelled (yes).

Mr. Shay requested clarification if the change to Cyclone is for the Finance Department only or for all City buildings (all City buildings).

Mr. Shay welcomed Will to his IT position.

Mr. Shay referenced Clyde Police Department special units, and noted he is in favor of maintaining two K-9 units. He feels these police dogs are also good for PR to promote the Police Department. He is glad for recent successful tracking by this unit and he is grateful to have these resources.

Mr. Shay has heard many compliments for the recent fireworks, with no negative comments.

Mr. Shay questioned if there is proper storage available for the fiber for the new internet services (yes).

Mr. Black offered thanks to Will for joining the City team, he wished Will success.

Mr. Black felt the fireworks were good.

Mr. Black questioned abbreviations he read in a Clyde Fire Department report related to an accident on 6/21. It was clarified that LZ stands for landing zone and LF stands for lifeflight.

Mayor Stanley felt the fireworks were astronomical. Although there was a change in the crew that set off the fireworks, this change was not apparent to those viewing the fireworks display. He felt there was good interaction at Community Park between the Police Department with the community. He appreciates the activities that were held at Community Park and the efforts to make these activities available.

Mayor Stanley welcomed Will and looks forward to working with him.

Mayor Stanley would like to continue to look at trash service options for Clyde at a future worksession, as there are currently only two options. He feels the Republic Services charges continue to increase and he is concerned that some residents are paying an extreme amount for their trash collection service. Republic Services surcharges include a fee for recycling, although Clyde does not have this.

Mr. Selvey noted he changed to the tag service with Cyclone and this has cut his bill substantially.

MOTIONS

Motion: to repeal Ordinance 1519.04, **Action:** Repeal,

Moved by Vice Mayor Chris Shay, **Seconded by** Council Member Steve Keegan.

This would allow Clyde to revert back to the State Ordinance to allow fireworks on certain days/times.

Mr. Keegan felt there was confusion for residents this past weekend, not knowing if they should follow the State guidelines or Clyde's guidelines. Residents should always be considerate of their neighbors and of weather conditions, when using fireworks.

Mr. Selvey stated that he is in favor of this motion. The Police could still write tickets for fireworks for littering, etc. This infraction would be similar to a DUI.

Mr. McCauley states a change would do nothing for “common sense” related to fireworks.

Mr. Shays feels if we have laws we do not enforce or if we are inconsistent with enforcement, we need to fix it.

Mr. Black feels this change would make it worse. He feels the Ordinance we have now is fine and should be left as it is.

Mr. LaBenne stated we already provide enforcement similar to the current ORC. This change would allow for personal freedom with some enforcement.

Mr. Selvey offered a suggestion to consider reducing the types of fireworks permitted. For example, aerial fireworks could be banned unless they are shot off in a certain lot size, due to safety reasons.

Mayor Stanley questioned if there has been a problem with fireworks in residential areas in the past three to four years (minimal issues). He feels a change would allow the “rule followers” to be able to use some fireworks within legal guidelines.

Vote: Motion passed (**summary:** Yes = 3, No = 2, Abstain = 0).

Yes: Council Member Steve Keegan, Mayor Brent Stanley, Vice Mayor Chris Shay.

No: Council Member Scott Black, Council Member Doug McCauley.

ADJOURNMENT

Motion: to adjourn the meeting at 8:40 p.m. , **Action:** Adjourn, **Moved by** Mayor Brent Stanley, **Seconded by** Council Member Steve Keegan.

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

Yes: Council Member Scott Black, Council Member Steve Keegan, Council Member Doug McCauley, Mayor Brent Stanley, Vice Mayor Chris Shay.



Brent Stanley, Mayor

Janet R. Dickman, Clerk of Council

CITY OF CLYDE

COUNCIL MEETING

Date: Tuesday 7-5-2022 Council Regular

Visitors – PLEASE SIGN IN:

1. Ben Brown
2. Gene Paul
3. Gary Smith
4. Will Chambers
5. _____
6. _____
7. _____
8. _____
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11. _____
12. _____
13. _____
14. _____
15. _____