

McDonald Village Council
Wednesday, September 4, 2019
Regular Council Meeting

Visitors: Ken Miner, Bob Coupland, Scott Merola

Staff: Fire Chief Todd Stitt, Police Chief Bill Woodley, Solicitor Douglas W. Ross, Village Administrator Thomas Domitrovich, Fiscal Officer Lori Canada and Office Manager Amy Cunningham.

1. The September 4, 2019 meeting of McDonald Village Council was called to order by Mayor Glen M. Puckett at 6:05 p.m.

Roll call:

Mr. Harvey – present
Mr. Lewis – present
Mr. Bradley – present

Mr. Seitz – present
Mr. Fisher – present
Mr. DeZee – present

2. Pledge of allegiance

One minute of silence in remembrance of American troops serving throughout the world and the recitation of the Lord's Prayer.

3. Approval of the August 21, 2019 council minutes.

It was moved by Mr. Fisher to approve the August 21, 2019 minutes as mailed:

Roll call:

Mr. Fisher – aye
Mr. Seitz – aye
Mr. Bradley – aye

Mr. Harvey – aye
Mr. Lewis – aye
Mr. DeZee – aye

Motion carried.

4. Adoption of agenda:

It was moved by Mr. Fisher to amend the agenda and add under miscellaneous executive session with the purpose of pending litigation with no action to follow:

Roll call:

Mr. Fisher – aye
Mr. Seitz – aye
Mr. Bradley – aye

Mr. Harvey – aye
Mr. Lewis – aye
Mr. DeZee – aye

4. Adoption of agenda cont'd.

Motion carried.

5. Mayor's report- Mayor Puckett gave the monthly court report as follows:
For the month of August, Mayor's Court had computer fund \$260, court costs \$708, additional costs \$319, city revenue from Niles \$958, Niles Municipal Court fines \$564.50, parking tickets \$50, and police reports \$5.00 for a total of \$2,864.50.

6. Report of Village Officials:

Village Administrator Thomas Domitrovich stated that the road project is almost complete. We did asphalt Grant Avenue and Third Street and also patched Massachusetts. There was a little leftover so they patched the baseball fields. Mr. Domitrovich is looking to use a punch list, which would show what could have been better. They will be doing signs and painting soon. Mr. Domitrovich stated that he has a meeting later this month for 2020 Street Paving Project at Eastgate in Youngstown. Our points are already being looked at and we look good right now but it's still a long ways to go before everything is totaled up. Mr. Domitrovich wanted to commend the street department. Largely two gentlemen and, sometimes, three, worked on picking up the storm damage from our residents that brought out branches. The town was covered at least three times last week and a few times the week before. Now that we have completed the town, we are now going back to our normal Thursday pickup for sticks. If there are any questions, residents can call the office.

Police Chief Bill Woodley no report.

Fire Chief Todd Stitt no report.

Solicitor Ross no report.

7. Committee reports:

President Pro Tem Mr. Lewis reported on tonight's Caucus where the following items were discussed: agenda, Fiscal Officer's report, council minutes, legislation, and an amendment to the agenda for executive session to discuss pending litigation with no action to follow.

Park & Buildings Mr. Harvey stated that the fall festival is coming up. The Girl Scouts received a \$500 grant from NOPEC that will go towards the fall festival. He also discussed some ideas to commemorate Cindy Green Robinson.

7. Committee reports cont'd.

Safety Committee Mr. DeZee stated that there were 54 EMT calls last month. Mr. Bradley stated that he believes there is some value to social media. He believes that this community has some obligation to review this. In today's world, parents cannot take the time to attend council meetings. Mr. Bradley feels there are many things going on in this town that need to be addressed. He feels that we need a proactive traffic safety program. We need to be aware of some of the issues that are on social media. Mayor Puckett stated that he is not a proponent of social media. He stated that it would take the same person the exact amount of time to get on our website and write an email to one of the Village officials directly or look at our minutes to see what is going on. Mr. Bradley replied that 20 years ago they could do this - Today is not 20 years ago. Mr. Bradley stated that today's community is not yesterday's community. Mayor Puckett stated that if you look at the numbers of people on social media and the people who are not, people on social media are in the minority in this Village. Mr. Bradley replied that he does not buy the Mayor's comment. Mr. Bradley stated that people on social media have a voice and it needs to be observed. Mayor Puckett replied that, if he had an issue with Mr. Bradley, he would come directly to him to which Mr. Bradley agreed. Mr. Lewis stated that he respected Mr. Bradley's opinion, but his personal opinion is that social media is an entertainment venue. The Village and government have no business discussing Village business or political business on social media. Mr. Bradley disagreed. Mr. Seitz told Mr. Bradley that he needs to respect the Mayor's decision and move on.

Mr. Fisher pointed out the Rules of Council. The first thing is that people are to be addressed before they speak. Secondly, there is a time limit on subject matter. This matter is something that should have come up in committee meetings, not on council floor. There are a very small group of people that are making comments. He has seen the comments. These are the same people that Mr. Fisher sees drinking and driving, speeding, and complaining. He stated that we are given guidelines by our Solicitor. There are things out there that can be used as public record. Anybody on social media can say whatever they want and those posts cannot be removed because it is considered public record. He feels that it would be a bad idea for this Village to start entertaining a handful of ten or twelve people that are looking for every shot they can take at us to file another frivolous lawsuit and spend thousands of more man hours pulling paperwork to appease ten people in this town. Mr. Seitz agreed and believes that Mr. Bradley could be sliding into this and we can not have this. Mr. Seitz suggested to Mr. Bradley to stay off social media. Mayor Puckett stated that when we have council meetings, it is to conduct business. Mr. Bradley stated that he thought he was conducting business when he addressed Safety and when he addressed some of the things he believes the Village needs to do. Mayor Puckett stated that this turned into a discussion and discussions happen at committees. The Mayor told Mr. Bradley that this could have been discussed yesterday. Mr. Bradley stated that

7. Committee reports cont'd.

the last time he addressed something at committee, Mr. Fisher told him that what he was addressing should not be addressed at committees.

Finance & Capital Improvement Mr. Lewis stated that we will have emergency legislation this evening. He also stated that he would like to have a budget temporarily in place for the October committee meetings. He will meet with the Police Chief, Fire Chief, and Village Administrator sometime during the month so this is in place. Mr. Lewis stated that, based on everything we've learned, we are going to enter into an agreement with UAN. Mr. Lewis asked for council's approval that we do submit the agreement to UAN for them to provide our payroll and finance software and support with the agreement to begin upon Mrs. Canada's completion of their training. We are submitting this with a start date of some time in 2020, only to get her on the waiting list for training.

It was moved by Mr. Lewis to enter into an agreement with UAN.

Discussion: Solicitor Ross stated that the contract reads it is effective when it is signed. After discussing this with the Office Manager, the State is lenient in working with us. We can sign the agreement and send it to them so we can get Mrs. Canada in the queue.

Roll call:

Mr. Lewis – aye
Mr. Seitz – aye
Mr. Bradley – aye

Mr. Harvey – aye
Mr. Fisher – aye
Mr. DeZee – aye

Motion carried.

Mr. Bradley stated that he feels Mrs. Canada is doing a fine job at this point in her tenure and he is happy to have her as Fiscal Officer.

Service Committee Mr. Bradley stated that the Weathersfield Sewer District 3 contract is progressing very well. The streets were paved, they are curing, and we will be able to stripe them. We have the resolution for Local Government Services this evening.

Planning Commission Mr. Bradley stated that Planning Commission is scheduled to meet November 13 at 6:00 p.m. in the Community Room. He stated that there is still discussion on how the driveways and roofing permits will be handled.

7. Committee reports cont'd.

Community Chest Mr. DeZee no report.

8. Remarks from persons or groups present: none

9. Old Business: none

10. New Business: none

11. Legislation:

A. A Second Reading Of An Ordinance Approving The Editing And Inclusion Of Certain Ordinances As Parts Of The Various Component Codes Of The Codified Ordinances Of McDonald, Ohio.

It was moved by Mr. Bradley that the ordinance pass second reading as read.

Roll call:

Mr. Bradley – aye
Mr. Seitz – aye
Mr. Fisher – aye

Mr. Harvey – aye
Mr. Lewis – aye
Mr. DeZee – aye

Motion carried.

B. A Second Reading Of An Ordinance Transferring Funds Within Various Funds Within The Village Of McDonald, Ohio, For A Period Beginning January 1, 2019 And Ending December 31, 2019.

It was moved by Mr. Lewis that the ordinance pass second reading as read.

Roll call:

Mr. Lewis – aye
Mr. Seitz – aye
Mr. Bradley – aye

Mr. Harvey – aye
Mr. Fisher – aye
Mr. DeZee – aye

Motion carried.

C. A Second Reading Of A Resolution Accepting The Amount And Rates As Determined By The Budget Commission And Authorizing The Necessary Tax

11. Legislation cont'd.

Levies And Certifying Them To The County Auditor.

It was moved by Mr. Bradley that the resolution pass second reading as read.

Roll call:

Mr. Bradley – aye
Mr. Seitz – aye
Mr. Fisher – aye

Mr. Harvey – aye
Mr. Lewis – aye
Mr. DeZee – aye

Motion carried.

D. Emergency Reading of Resolution 1811-19 Authorizing The Mayor, Fiscal Officer, And/Or Village Administrator To Engage The Services Of The Local Government Services Section Of The State Of Ohio Auditor's Office To Assist In The Reconciliation Of The Village Of McDonald's Cash Journal With The Bank.

It was moved by Mr. Lewis to suspend the Rules of Council.

Roll call:

Mr. Lewis – aye
Mr. Seitz – aye
Mr. Bradley – aye

Mr. Harvey – aye
Mr. Fisher – aye
Mr. DeZee – aye

It was moved by Mr. Lewis that Resolution 1811-19 be passed as read.

Discussion: Mr. Lewis stated that we are entering into an agreement with Local Government Services to tie up loose ends left during the time frame in which we did not have anyone for the position of Fiscal Officer.

Roll call:

Mr. Lewis – aye
Mr. Seitz – aye
Mr. Bradley – aye

Mr. Harvey – aye
Mr. Fisher – aye
Mr. DeZee – aye

Motion carried.

12. Fiscal Officer's report:

12. Fiscal Officer's report cont'd.

Mrs. Canada stated that the bills for the Fiscal Officer's report total \$42,457.59.

I, Lori Canada, Fiscal Officer of the Village of McDonald, Ohio do hereby declare that the bills are true and correct and the money is in the bank to pay them.

It was moved by Mr. Bradley to accept the Fiscal Officer's report and pay all bills.

Roll call:

Mr. Bradley – aye
Mr. Seitz – aye
Mr. Fisher – aye

Mr. Harvey – aye
Mr. Lewis – aye
Mr. DeZee – aye

Motion carried.

13. Miscellaneous:

Mr. Fisher moved to enter executive session at 6:30 p.m. for pending litigation with no business to follow.

Roll call:

Mr. Fisher – aye
Mr. Seitz – aye
Mr. Bradley – aye

Mr. Harvey – aye
Mr. Lewis – aye
Mr. DeZee – aye

Motion carried.

It was moved by Mr. Fisher to exit executive session at 6:38 p.m.

Roll call:

Mr. Fisher – aye
Mr. Seitz – aye
Mr. Bradley – aye

Mr. Harvey – aye
Mr. Lewis – aye
Mr. DeZee – aye

Motion carried.

14. Adjournment

The meeting was adjourned on a motion by Mr. Harvey at 6:38 p.m. All voted aye.

Mayor

Attest to:

Fiscal Officer