

**UHRICHSVILLE CITY COUNCIL**  
**Thursday, July 9, 2020**

Council President Robert Cottrell called the meeting to order at 7:00 p.m.

ROLL CALL showed the following members present: Mr. Zucal-yes; Mr. Baker-yes; Mr. Miller-yes; Mr. Harmon-yes; Ms. Myers-no; Mr. Huff-yes; Mr. Fox-yes.

The Pledge of Allegiance was led by Council Clerk Trisha Addison.

Council President Robert Cottrell asked for a motion to accept the Council Meeting Minutes from June 25, 2020. A motion was made by Mr. Huff, seconded by Mr. Miller. ROLL CALL: Mr. Huff-yes; Mr. Miller-yes; Mr. Fox-yes; Mr. Zucal-yes; Mr. Baker-yes; Mr. Harmon-yes.

Council President Robert Cottrell asked for a motion to accept the Storm Sewer Meeting Minutes from June 25, 2020. A motion was made by Mr. Harmon, seconded by Mr. Fox. ROLL CALL: Mr. Harmon-yes; Mr. Fox-yes; Mr. Huff-yes; Mr. Zucal-yes; Mr. Baker-yes; Mr. Miller-yes.

Council President Robert Cottrell asked for a motion to excuse the absence of Councilperson Amy Myers. A motion was made by Mr. Miller, seconded by Mr. Huff. ROLL CALL: Mr. Miller-yes; Mr. Huff-yes; Mr. Harmon-yes; Mr. Fox-yes; Mr. Zucal-yes; Mr. Baker-yes.

**ADMINISTRATIVE REPORTS:**

**Mayor Mark Haney:**

- Asked for Council's approval for amount needed for paving up to \$280,000.00. Original bid came in at \$228,000.00 and some streets have been added. There will probably be a patch pave on N. Water also.
- M & B started doing the catch basins today. They will be looking at catch basins at the Moose and they have looked at the one on E. 6<sup>th</sup> and Urich and two on Maple that will be replaced. That money will come out of the storm sewer fund.
- Belle had a meeting with Donnie Fawcett of Twin City Water & Sewer and he is getting all the risers and they are working with our guys and taking care of what they need to.
- Gorley and Maple's soft spots have been repaired. We still have to go down Orchard Street.
- Today dealt with complaints on storage buildings. There was an auction three days ago and the Mayor passed around a picture of debris that was left. He gave the owner 24 hours to clean it up or the police will file charges.
- Landlord registrations are starting to come in. Everyone he has dealt with has been very positive. We want to use the registration money to hire someone, but he would also like to make some of that money available for revitalization, like sidewalk matching grants with the City doing similar to what Dover and New Philadelphia does where they have a contractor on record that is qualified to do the job. A board would be put together consisting of the City Service Director, someone from the zoning committee, and possibly a council member or someone else. Mayor thinks it is important to show we are reinvesting that money and using that for a purpose. He asked President Cottrell to put that in committee and would like that money to be earmarked for those purposes.
- Mr. Zucal asked if \$280,000.00 was the original amount asked for paving. Mayor Haney originally asked for \$300,000.00. Mr. Fox asked if we add the additional streets will they get done this

year? Mayor Haney said they would. Oak Street and Wardell will be done. There was additional discussion about paving.

- A motion was made by Mr. Zucal, seconded by Mr. Harmon to allow Mayor Haney to spend up to \$300,000.00 this year for paving. ROLL CALL: Mr. Zucal-yes; Mr. Harmon-yes; Mr. Baker-yes; Mr. Miller-yes; Mr. Huff-yes; Mr. Fox-yes.
- Mr. Harmon spoke with Doug O'Meara about Dover's demolition process and passed along information used by Dover to Mayor Haney and Belle. Mayor Haney had reached out to New Philadelphia about their process and they have changed the way they do it and he is waiting on a call from them. Trying to get with the Health Department regarding the five houses with lead abatement that need torn down then will prioritize the next three houses that need torn down. Working with Erin Wright at Thrasher and would like her to administer that and getting with JJ to do the process. Mr. Harmon asked the Mayor to send him the list of properties.
- President Cottrell asked about the letter that JJ is to prepare to Judge Hillyer. Mayor Haney said JJ would prefer meeting with Judge Hillyer. Mr. Zucal asked Mayor Haney to facilitate that meeting and thought President Cottrell should also sit in with the Judge, Mayor, Belle and JJ.

**City Services Director Belle Everett:**

- Has met with Erin Wright and Steve of Thrasher and they looked at the W. 3rd Street Bridge which is in poor condition. It is the only bridge in Tuscarawas County that qualifies for the 95% construction through ODOT. Have started that process. The bridge will not have to be replaced, however there is some damage and she feels this would be a good project to tackle.
- Met with Erin and Jason Hammond from the Hammond Consulting Firm and looked at the Partsmart building and were discussing the EDA Grant. Looking at the cost to get the proper infrastructure in there. Concerned that there may have to be an environmental phase one done because she does see some signs of some contamination.
- Have been visiting homes with swimming pools and no fences.
- Has taken several calls regarding the landlord ordinance, but once explained that the spirit of the ordinance is to reinvest in the community, felt that they were for that and got mostly good feedback.
- Jason Hammond has a consulting firm and does a lot of work for local government. He does a lot of economic development and bringing businesses to areas. He has worked for several counties and for Hall & Associates. Mayor Haney added that this guy is the guy everyone seems to go to. We are trying to attract business and if we use a consultant for an hour or two it might be worth it down the road. He feels this is going in the right direction. Mr. Zucal said he appreciated his work on this and felt it was a step in the right direction.

**Law Director James J. Ong:**

- Absent (on vacation)

**Auditor, Julie Pearch:**

- Presented a Resolution to transfer money through the capital improvement fund which is usually done at the end of the year. That money is there for that purpose to pay off this debt. We always do this, especially at this time. Councilman Fox asked her about waiting and she doesn't feel this is the time to wait. That money cannot be spent on anything else. We cannot default on a three-million-dollar loan, we need to make that payment. She is extremely concerned about finances. We are looking at at least a 20% drop in income tax, the last letter she got thought it would be 37%. We do not have enough wiggle room in the general fund. Not as concerned about other funds at this point because the way they were budgeted. We will have to go back and redo the budget. Asked Mayor Haney and Belle if they had heard back from OPWC and that is still in discussion. With storm sewer it looks like we have \$300,000.00 now but she doesn't see that,

she sees \$120,000.00 less because we have to pay the OWDA loan by 2024, that is \$120,000. It is not a 30-year loan, it is a balloon five-year payment. Typically, we receive \$136,000.00 to \$140,000.00 yearly into the storm sewer fund, but with the pandemic she looks for that to decrease. She doesn't think we will really see a hit on that until next February. If anything, she is concerned about the general fund and it could very well go in the red. There is no fund she can take money from and put it in the general fund. If it goes in the red, the state will come in. Wants everyone to be conscience and aware of what you are approving and spending money on out of the general fund.

- Mr. Harmon fully agrees with her on the water park loan that is scheduled for 2032. We have to get the monkey off our back sooner or later and feels this capital improvement money is money that could be spent on road paving, demolition, and equipment for departments. I caution the refinancing at times and want to go on record as saying we've got to get the monkey off our backs so we can put money towards roads, equipment and demolition. Ms. Pearch added that we had tried to go back into bonds this year which would give us a better debt schedule. We were fortunate that the refinancing of the one-year note came in at a great rate. Our total payment with principle and interest is under \$300,000.00 next year. If we can pay at minimum the minum you have to pay in principle and interest is \$250,000.00 to get to 2032, because that has to be paid off by then. We are at 2.955 million. \$250,000.00 is the minimum. The interest rate varies. Last year she paid a hundred and some thousand dollars in interest, this next interest payment is \$44,000.00. That was a real help this time. Debt is the worst thing that has hit the city right now, and that's what's crippling you from doing other projects. Mr. Harmon said that if we stop spending right now and don't spend a single penny, he'll be 52 years old when we are debt free. The water park has been a blessing and a curse in a way because it has brought people in, but at the end of the day it has definitely drained our budget and has affected our ability to pave and demolish eye sores. He again cautioned the refinancing. Mr. Fox said it is obvious we haven't spent money on roads in the last ten years and he asked how the money has been pulled from there to pay other things and feels we should not get into as many projects and try to limit what we are spending money on so we can build up some kind of bank account so we do have some money for the next year. He doesn't want to see the city get ahead of itself taking on too many projects because we don't have the manpower to do it or the finances. Some projects need to be taken care of, but hopefully with this council we are going in the right direction in making good decisions. Mayor Haney thought the debt schedule was 2030, but Ms. Pearch and Mr. Harmon thought it was always 2032. Mayor Haney said we were carrying a lot of money over every year but then the state cut back funding by \$250,000.00 and instead of spending 2.5 million we spent 4 million. Infrastructure is important and the first thing new businesses look at is our infrastructure and our school district. They care about the roads and the schools. That water park doesn't matter. We still have money to spend for next year. We can't stop doing projects. First of all, the money that is for paving is dedicated to paving. That money can't be used for anything else. He sees where she's at but he also sees what he sees every day when he is out there talking to our guys. He agrees with Mr. Fox; some things have to be done no matter what. We have to fix the infrastructure. Ms. Pearch added she is all for fixing up what we can as long as the money is there. Just keep it in perspective, you do have a lot of money in the paving fund this year. There is money that has carried over. Typically, you can count on \$12,000.00 going in a month. Let's say you build it up and you want to spend \$300,000.00 this year. You get that \$12,000.00 a month and you spend that and that comes in November, so you're starting out with \$10,000.00, so in 10 months you are only going to put \$120,000.00 in there. So, when you go to pave next year, there might be only \$150,000.00. We did have a big carryover this year. Mr. Fox said he understands and just because we have it doesn't mean we have to spend it. Mr. Harmon asked if we have begun to eat into our carryover from last year in the general fund. Ms. Pearch said that it hard to say and she would have to look into that carefully. Income tax is down and that is the bulk of the general fund money. Property taxes bring in \$300,000.00 per year, income

tax brings in 1.3 million. Taking 20% cut from that, you're down \$240,000.00. If we did not have any debt the water park is great. She thinks we carried over \$170,000.00 last year. She believes the water park hands down can be self-sustaining once the debt is paid off. Mr. Zucal appreciated Mayor Haney commenting on projects, he's all about projects. His concern from the first of the year has been the general fund and there is no way to resolve that issue unless you bolster the general fund and the only way to bolster the general fund is by selling property. He cautions council about the general fund depletion. That scares him more than anything and we have to be careful there, but we have to continue providing services. That's what the people want and that's what a city should be about.

**Treasurer, Bob Michels:**

- Absent.

**Correspondence:**

- None.

**Committee Reports**

**Mr. Fox** – Nothing to report.

**Mr. Huff** – Nothing to report.

**Ms. Myers**- Absent.

**Mr. Harmon** – Economic Development Committee met on Wednesday, July 8, 2020 at 6:00 p.m. at council chambers. Mr. Harmon read the report from the meeting. A motion to approve the minutes was made by Mr. Harmon, seconded by Mr. Huff. ROLL CALL: Mr. Harmon-yes; Mr. Huff-yes; Mr. Fox-yes; Mr. Zucal-yes; Mr. Baker-yes; Mr. Miller-yes. Mr. Harmon added that he has copies of the Economic Development Study that was conducted in 2013 and would strongly recommend that everyone look at. In the minutes, there was a mention of a strong recommendation on code enforcement. Residents were polled and their top concern was blighted commercial and residential buildings and another one that was mentioned was our corridors. It also includes an action plan.

**Mr. Miller** – Nothing to report.

**Mr. Baker**- Ordinance Committee met July 6, 2020 in council chambers and a copy of the report was emailed to all and read to Council. A Motion to approve the report was made by Mr. Miller, seconded by Mr. Huff. ROLL CALL: Mr. Miller-yes; Mr. Huff-yes; Mr. Harmon-yes; Mr. Fox-yes; Mr. Zucal-yes; Mr. Baker-yes. Mr. Harmon asked about the Property Maintenance Code and what was going to be changed in that. Mr. Baker said we are simply going to adopt the Property Maintenance Code. The International Property Code is about 60 pages long. Mr. Harmon said we adopted BOCA back in 2000. Mr. Baker said this was different. Mr. Harmon said Chapter 1329 in our codified that lays out all of our housing restrictions and regulations and sets out the procedure for demolition. It seems that we have two avenues for demolition and that is through our codified or through BOCA. Mr. Baker said that is why we are going to do the International Property Maintenance Code. Mr. Harmon said that is BOCA. Mr. Baker will send Mr. Harmon a copy of it. Chief Edwards commented that the Property Maintenance Code is not about demolition, but mostly about getting the process of clean up and improvements so that we are not demolishing property. The fire department uses the Ohio Fire Code.

**Mr. Zucal** – Nothing to report.

**Old Business:**

**Mr. Fox** – Asked Mayor Haney about the buckets at the water park and if they had been shipped out and the umbrellas, are they going to Herb's? He'd like to have those come back before winter gets here so we are ready to go. Ms. Everett said they are not complete yet. Mayor Haney said the buckets haven't been shipped out because there is a possibility that the guy who would be fixing them may be moving to Uhrichsville from Arizona. He has looked at properties and may locate his business here. Mr. Fox said

he understood that but that is not set in stone and doesn't want that to be a delay in the water park opening next year. Mayor Haney said as for the umbrellas, the information is out there and they are ordered and are waiting to hear back. When everything is fixed we are going to wrap everything. One of the recommendations is that everything be wrapped in shipping wrapping and then cover it all. The umbrellas need to be closed and covered and so does the play area and all the buckets need to be down. We have a list of things to do. Mr. Fox wants to be sure that we are ready to open in the spring.

**Mr. Huff** – Nothing to report.

**Ms. Myers** – Absent.

**Mr. Harmon** – Nothing to report.

**Mr. Miller** – Nothing to report.

**Mr. Baker** – Nothing to report.

**Mr. Zucal** – Looking into the city code, he was always a proponent of when cities pass ordinances they are laws and laws should be followed. The city has done a lot of work back in 1990 updating Section 1329 and then passing of the BOCA standards and hasn't done a very good job of following through on their own laws. Section 1329.11(A) and (B) reads that if any structure requires restoration or is damaged, decayed or deteriorated in excess of fifty percent of its replacement value, the city can condemn such structure. We have the teeth to take a bite, we need to start taking the bite. He read the ARC document and there is a recurring theme that says that our problem here is blight and we need to correct blight. We need to get some structures down and start that process. He thanked Mark and Belle and said let's keep up the good work.

### **New Business**

**Mr. Fox** – Nothing to report.

**Mr. Huff** – Nothing to report.

**Ms. Myers** – Absent. President Cottrell added that Amy wanted him to announce a Special Recognitions Committee Meeting for July 14 at 6:00 p.m. and Finance Committee Meeting is July 21 at 10:00 a.m.

**Mr. Harmon** – Tonight will be the third and final hearing on the responsible bidding legislation that I have introduced. This legislation will create a fair and competitive process that encourages all contractors to bid on construction jobs, while rewarding the best and most qualified contractors. This process is designed and intended to fight fraud and create transparency while protecting tax payers and ensuring the public works projects are completed on time and on budget while utilizing a skilled work force of good quality. This legislation truly is a tax payer protection plan that aims to create local jobs for local workers. The standards set forth in this legislation largely already exist in the federal, state and county levels and it is time we enact them in the local level. The provisions include a compliance with worker's compensation laws, prevailing wage laws, and Ohio's drug free workplace program are simply common sense. It is time that we secure the confidence of the public and ensure that hard earned tax dollars are being spent properly and responsibly on construction projects. This tax payer protection plan prioritizes construction, workforce development, and economic growth. Before I conclude, I'd briefly like to thank the Economic Development Committee for their recommendation, the Mayor's office for their support and input on this, it was greatly helpful, and several local labor unions including the East Central Ohio Building Trades Council, the Indiana/Kentucky/Ohio Regional Council of Carpenters, as well as the folks who have shown up and attended these hearings and vouch for this legislation that has been designed to improve our quality of life for businesses, taxpayers and workers. With that being said, I would respectfully urge Council's support and adoption of this important legislation. Thank you.

**Mr. Zucal** – Nothing to report.

**Mr. Miller** – About a week ago he got call from a resident that was concerned that the fire department was bypassing Dennison to go to Dover. He talked to Captain Wes Dillon and he showed him some literature that showed that wasn't true and he feels good that it is not true. Captain Dillon has information on how many calls they have and how many went to Dover. Some have to go to Dover.

**Mr. Baker** – The Ordinance Committee will meet July 15, 2020 at 6:00 p.m. in council chambers to rebuild Ordinance 19-14 and discuss the landlord ordinance.

**Visitors:**

Dave Kirven, in support of the Responsible Bid Ordinance.

William Sherer II, In support of the Responsible Bid Ordinance.

Mark Wepler, in support of the Responsible Bid Ordinance.

Nathan Crouse, observing.

Captain Wes Dillon, to give June report as Acting Chief. 142 total calls, 95 were squad calls, 83 were in Uhrichsville, 9 were in Rush Township, 5 were in other areas, 69 patients taken to the hospital, 43 to Trinity and 26 to Union, it was a busy month and looks like this month is going to be as busy. Things are looking good, didn't miss any calls. Arrowhead from Gnadenhutten came one time to assist with a wreck at McCauley Drive with four patients. The residents are getting good service with good times. Mr. Fox asked out of 162 calls, how many were billed? 69 patients were billed.

Gayle Mick, visiting.

Shane Milligan, concerned about the flooding in his basement. There was a discussion and Mayor Haney will schedule a camera crew to take a look at it.

**ORDINANCES/RESOLUTIONS:**

**ORDINANCE 15-20  
AN ORDINANCE ADOPTING AND APPROVING  
A SOCIAL MEDIA POLICY  
Third Reading**

A motion to adopt the Ordinance was made by Mr. Baker, seconded by Mr. Miller. ROLL CALL: Mr. Baker-yes; Mr. Miller-yes; Mr. Harmon-yes; Mr. Huff-yes; Mr. Fox-yes; Mr. Zucal-yes.

**ORDINANCE 16-20  
AN ORDINANCE REQUIRING RESPONSIBLE  
BIDDING ON CITY CONSTRUCTION PROJECTS  
Third Reading**

A motion to adopt the Ordinance was made by Mr. Harmon, seconded by Mr. Zucal. ROLL CALL: Mr. Harmon-yes; Mr. Zucal-yes; Mr. Huff-yes; Mr. Fox-yes; Mr. Baker-yes; Mr. Miller-yes.

**ORDINANCE 17-20  
AN ORDINANCE ADOPTING AND APPROVING A  
SWIMMING POOL POLICY  
Third Reading**

A motion to adopt the Ordinance was made by Mr. Baker, seconded by Mr. Fox. ROLL CALL: Mr. Baker-yes; Mr. Fox-yes; Mr. Miller-yes; Mr. Harmon-yes; Mr. Huff-yes; Mr. Zucal-yes.

**ORDINANCE 18-20  
AN ORDINANCE ESTABLISHING FENCE  
REGULATIONS FOR THE CITY OF UHRICHSVILLE, OHIO  
Second Reading**

**ORDINANCE 19-20  
AN ORDINANCE REGULATING JUNK MOTOR VEHICLES  
INCLUDING BOATS AND MOTOR HOMES WITHIN THE  
CITY OF UHRICHSVILLE; ESTABLISHING CRIMINAL  
OFFENSES AND PENALTIES  
Second Reading**

**ORDINANCE 20-20  
AN ORDINANCE DECLARING IT UNLAWFUL TO RAKE,  
PLACE OR MOW LEAVES OR GRASS CLIPPINGS ON THE  
PAVEMENT OR SIDEWALK OR INTO THE  
GUTTER OF ANY PUBLIC STREET  
Second Reading**

**ORDINANCE 21-20  
AN ORDINANCE REGULATING GRASS AND WEEDS  
Second Reading**

**ORDINANCE 22-20  
AN ORDINANCE COVERING THE USE AND OPERATION OF GOLF CARTS AND  
“ALL-PURPOSE VEHICLES” WITHIN THE TERRITORIAL LIMITS  
OF THE CITY OF UHRICHSVILLE, OHIO  
Second Reading**

**RESOLUTION 1883  
A RESOLUTION AUTHORIZING  
THE CITY OF UHRICHSVILLE AUDITOR TO TRANSFER FUNDS**

A motion to adopt the Resolution was made by Mr. Harmon, seconded by Mr. Zucal. ROLL CALL: Mr. Harmon-yes; Mr. Zucal-yes; Mr. Huff-yes; Mr. Fox-yes; Mr. Baker-yes; Mr. Miller-yes.

**COMMITTEE ASSIGNMENTS:**

Ordinance Committee to look into use of landlord registration money.

**Other Discussions:**

None.

Meeting Adjourned at 8:10 p.m.

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Trisha Addison

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Robert Cottrell

Clerk of Council

Council President