

**UHRICHSVILLE CITY COUNCIL**  
**Thursday, January 28, 2021**

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-yes; 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 January 14, 2021. A motion was made Mr. Miller, seconded by Mr. Zucal. ROLL CALL: Mr. Miller-yes; Mr. Zucal-yes; Mr. Harmon-yes; Ms. Myers-yes; Mr. Huff-yes; Mr. Fox-yes; Mr. Baker-yes.

Council President Robert Cottrell asked for a motion to accept the Storm Sewer Meeting Minutes from January 14, 2021. A motion was made Mr. Huff, seconded by Mr. Harmon. ROLL CALL: Mr. Huff-yes; Mr. Harmon-yes; Mr. Fox-yes; Mr. Zucal-yes; Mr. Baker-yes; Mr. Miller-yes; Ms. Myers-yes.

**ADMINISTRATIVE REPORTS:**

**Mayor Mark Haney:**

- Presented to Finance the firetruck lease. Designed a truck and presented proposal to Council. It is his recommendation that we go with purchasing through First Federal. They gave us a very good rate and it keeps it local. Ms. Pearch explained the two options, with the difference being a \$62,000.00 down payment in Option 1. The final payment on the ladder truck is in June. This payment will replace it, the payment on this would start next year. There is around \$114,000.00 brought in per year on the fire truck levy. Ms. Myers said it was discussed in Finance, but no decision was made. Chief Edwards described how the new truck would be used. This truck would be a second out in the City, the ladder truck would be first and then for call back this truck would come behind it. If a truck would go down, it would really put them short. If called for mutual aid, this truck would mostly be the one used. Going with a custom engine would cost \$550,000.00 to \$600,000.00. Going with a commercial reduces that cost greatly to the \$309,658.00 as proposed. Ms. Myers asked how long it would take and the estimate is six to eight months from order to delivery. After further discussion, Mr. Zucal made a motion to purchase an E-One 2000 Gallon Tanker from Advantech at Option 2 of their proposal with financing at First Federal, seconded by Ms. Myers. ROLL CALL: Mr. Zucal-yes; Ms. Myers-yes; Mr. Baker-yes; Mr. Miller-yes; Mr. Harmon-yes; Mr. Huff-yes; Mr. Fox-yes.
- Thrasher Engineering agreement was presented to Council for consideration. He would like to renew their contract for the next year. They have worked very hard for the City in the past. Ms. Myers asked if other engineering firms have been considered. The relationship we have with Thrasher has gone well this past year and other engineering firms have been used in the past. We are in the middle of a project with Thrasher now. Mr. Zucal would like to see a local firm now and doesn't see why we need a contract. The contract states through December of 2022. Mayor Haney can have that modified. The engineering contract has been renewed every year in the past. Mr. Baker made a motion to go with Thrasher, with the condition that the cutoff date is December 31, 2021, seconded by Mr. Huff: ROLL CALL: Mr. Baker-yes; Mr. Huff-yes; Mr. Miller-yes; Mr. Harmon-yes; Ms. Myers-yes; Mr. Fox-yes; Mr. Zucal-yes.
- Council requested that he look into a city personnel policy so they approached Zashin & Rich. They are doing multiple personnel policies for multiple cities which will save us some money. The price is between \$4,500.00 to \$6,000.00. Asked Council for approval for them to start on the personnel policy. Ms. Myers asked which fund it would come out of and Ms. Pearch said it

would come out of the general fund. It has been on the Auditor's list for a long time. A motion was made by Ms. Myers, seconded by Mr. Miller to hire Zashin & Rich to prepare a personnel policy. ROLL CALL: Ms. Myers-yes; Mr. Miller-yes; Mr. Huff-yes; Mr. Fox-yes; Mr. Zucal-yes; Mr. Baker-yes. Mr. Harmon-yes.

- Asked Council for a wish list for streets to be paved. He would like to have them in the next two to three weeks.
- We need to replace a lot of signs around the City. Would like to put that through the County Engineers office so we get a better break on our signage.
- Street Department is patching a lot of holes. Fire Department has been very busy.
- Gave Council a Revenue Expense Control Report from the EMS Fund. He is proud of how they have done, they ended up \$87,000.00 to the plus. Ms. Pearch explained the report and is very pleased. Mayor Haney appreciates what they have done.
- The purchasing policy needs rewritten. He recommended that this go to Ordinance and Finance to look at. Ms. Pearch agreed. Ms. Myers said it had been discussed in Finance.

**City Services Director Belle Everett:**

- Absent.

**Law Director James J. Ong:**

- Absent.

**Auditor, Julie Pearch:**

- Had e-mailed Council the end-of-year figures and has gone over it with Finance. Asked Council for questions, or they can e-mail her with questions.
- Had previously e-mailed everyone about the Dennison tax issue and her conversation with Auditor of State, but had not had a reply from anyone. She has done what she feels is right legally. She talked to the Auditor of State and is happy with the documentation that she has. As of right now, the last motion that was voted on "is to enforce the agreement with the Village of Dennison regarding taxes and to pay the Village of Dennison through the end of 2020". She wants to be clear that is the wish of Council, that she only pay the taxes through 2020. President Cottrell said that was the motion. President Cottrell said he doesn't know of that is going to be it for 2021 because we don't know where Mayor Haney is with the court case. Mayor Haney said he is waiting on an opinion. Ms. Pearch asked for a motion or a vote because she feels it needs to be very clear in the minutes what is expected of the Auditor's office as far as payment. Or, it can be in the minutes that it is the wish of Council to only pay the taxes through 2020 and that's it. President Cottrell said when Mr. Zucal made that Motion we were thinking we would get a decision back. Mr. Zucal said the Motion was through the end of 2020 and that's clear enough and he doesn't feel we need to repeat it. Legal opinions are opinions and the State Auditor doesn't issue legal opinions. We paid it for 22 years and no one contested it. He thinks the agreement was the Mayor would then enter into negotiations or look at 2021. The Motion was strictly just through the end of 2020 just until further notice. Ms. Pearch just wants to be clear on it so that no one questions the new Auditor as to why the first quarter 2021 taxes to Dennison hasn't been paid. President Cottrell doesn't believe that we are going to only pay through 2020, he doesn't believe that is the wishes of Council is that we pay it until we get a legal opinion or a decision that says we don't pay it. Mr. Fox said this was discussed months ago and should have been handled then. We made a Motion to pay up to 2020 and this is the end of January. His opinion is that the Mayor and the Dennison Mayor should have gotten together and Council should have gotten together and hashed something out. Here it is February and it is the first we're talking about this. He doesn't want to see this drag on and it needs resolved with the administration and council. We agreed to pay it up to 2020 and after that we will deal with it as it

comes. Ms. Pearch understands that Council said to pay it but for her and the integrity of her office, just because they said to do it wasn't good enough for the citizens of this town. She understands council is the legislative authority, but she's also dealing with legal matters and she didn't want to perpetuate a fraud or misuse of public funds. That is why she called her boss, the Auditor of State. They gave their ruling and she's comfortable now with the documentation she has and, she will pay them. She will pay just as was said through 2020 and a check will go out tomorrow. President Cottrell asked the Mayor to get with the Mayor of Dennison and see what could be worked out for 2021. Mayor Haney reached out to Mayor DiDonato and he will not discuss it with him or return his calls or texts. President Cottrell will try to get ahold of him.

**Treasurer, Bob Michels:**

- Absent.

**Correspondence:**

- None.

**Committee Reports**

**Mr. Fox** – Parks and Recreation Committee had a meeting on January 21, 2021 and Mr. Fox read the report from the meeting. A motion was made by Ms. Myers, seconded by Mr. Zucal to approve the Parks and Recreation Committee report. ROLL CALL: Ms. Myers-yes; Mr. Zucal-yes; Mr. Huff-yes; Mr. Fox-yes; Mr. Baker-yes; Mr. Miller-yes; Mr. Harmon-yes. Ms. Myers added that the \$11,000.00 that is in that fund is less now because a purchase order was turned in for the umbrellas at \$4,500.0.

**Mr. Huff** – Nothing to report.

**Ms. Myers**- The Finance Committee report from the January 26, 2021 meeting had been e-mailed to Council and was discussed. We ended up really well, about \$600,000.00 to the plus and that is really due to CARE's Act money, rebate from Bureau of Workers' Compensation, we saved on the PERS payment for water park employees. Moving forward it is agreed we need to be conservative in our spending and just because it's budgeted doesn't mean we should spend it. It is uncertain if the water park is going to open. Mayor Haney said that was a lengthy discussion at the Mayor's meeting. The revenue from opening is used for the interest payment and the money is budgeted for this year. The purchasing policy was also discussed and feel that it needs updated.

A motion was made by Mr. Zucal, seconded by Mr. Harmon to approve the Finance Committee report. ROLL CALL: Mr. Zucal-yes; Mr. Harmon-yes; Mr. Baker-yes; Mr. Miller-yes; Ms. Myers-yes; Mr. Huff-yes; Mr. Fox-yes. The next Finance Committee meetings will be Monday, February 8, 2021 t 10:00 a.m.; Tuesday, February 16, 2021 at 6:00 p.m.; and Tuesday, February 23, 2021 at 6:00 p.m. They would like to get the budget done before Ms. Pearch leaves at the end of February.

Regarding the purchasing policy, it can always be changed, she made a Motion to change the Mayor's authority to spend \$10,000.00 to \$2,000.00, seconded by Mr. Zucal. Mr. Baker asked if it was a recommendation of the Finance Committee and it is not, it is a Motion. ROLL CALL: Ms. Myer-yes; Mr. Zucal-yes; Mr. Huff-no; Mr. Fox-yes; Mr. Baker-no; Mr. Miller-no; Mr. Harmon-yes. President Cottrell assigned the purchasing policy to the Finance Committee and asked that they work with the Mayor.

**Mr. Harmon** – The Economic Development Committee will meet on February 10, 2021 at 1:00 p.m. in council chambers. Had one committee request, request for consideration of establishing a community reinvestment area in the City of Uhrichsville. He asked that that be assigned to the Economic Development Committee.

**Mr. Miller** – Nothing to report.

**Mr. Baker**- Nothing to report.

**Mr. Zucal** – Nothing to report.

**Old Business:**

**Mr. Fox** – Nothing to report.  
**Mr. Huff** – Nothing to report.  
**Ms. Myers** – Nothing to report.  
**Mr. Harmon** – Nothing to report.  
**Mr. Miller** – Nothing to report.  
**Mr. Baker** – Nothing to report.  
**Mr. Zucal** – Nothing to report.

**New Business**

**Mr. Fox** – Nothing to report.  
**Mr. Huff** – Nothing to report.  
**Ms. Myers** – Nothing to report.  
**Mr. Harmon** – Nothing to report.  
**Mr. Miller** – Asked how many ambulance committee meetings were needed in the next year. President Cottrell said at least two, with the next one being sometime in April.  
**Mr. Baker** – Nothing to report.  
**Mr. Zucal** – Asked Mayor Haney to reach out to ODOT regarding the high grass areas to see if it is their intentions to not mow again this year. He would hate to see our corridors look like they did last year.

**Visitors:**

None in person. Visitors that were watching by Zoom were not able to participate.

Chief Edwards – December was extremely busy. Reports from Ohio Billing show that \$76,000.00 was billed out in December, which is \$20,000.00 more than was ever billed out.

Sgt. Hickman – observing

**ORDINANCES/RESOLUTIONS:**

**ORDINANCE 42-20  
AN ORDINANCE ESTABLISHING THE RATE  
OF PAY FOR THE CITY ZONING INSPECTOR  
Third Reading**

A Motion to adopt was made by Ms. Myers, seconded by Mr. Zucal. ROLL CALL: Ms. Myers-yes; Mr. Zucal-yes; Mr. Huff-no; Mr. Fox-yes; Mr. Baker-no; Mr. Miller-no; Mr. Harmon-yes.

**ORDINANCE 43-21  
AN ORDINANCE PROVIDING FOR THE EMPLOYMENT  
OF A LAW DIRECTOR AND  
DECLARING AN EMERGENCY**

A Motion to Suspend was made by Mr. Huff, seconded by Mr. Harmon. ROLL CALL: Mr. Huff-yes; Mr. Harmon-yes; Mr. Fox-yes; Mr. Zucal-yes; Mr. Baker-yes; Mr. Miller-yes; Ms. Myers-yes.

A Motion to Adopt was made by Mr. Harmon, seconded by Ms. Myers. Mr. Baker had questions about the payment amount to the Law Director. Mayor Haney explained that the Assistant Law Director position was being done away with and we will be paying less money in the end. Mr. Ong will be taking over the prosecution also, which has been in discussion for some time. Mr. Baker also questioned the language of payment amount payable bi-weekly which needed corrected. Mr. Zucal asked about the language that the Law Director is recommended to attend meetings, but not required and felt that it was poorly written. Mr. Harmon withdrew his Motion. Mr. Zucal asked for a presentation from Mr. Ong. Mr. Harmon felt that there needed to be some minor corrections. This will be the First Reading of the Motion and Mr. Ong will be asked to correct the Ordinance for the Second Reading at the next meeting.

**ORDINANCE 44-21  
AN ORDINANCE ESTABLISHING A  
MOW TO OWN ADJACENT LOT  
DISPOSITION PROGRAM IN ORDER TO TRANSFER  
BLIGHTED, UNBUILDABLE, VACANT, ABANDONED AND  
TAX DELINQUENT PARCELS TO ADJACENT PROPERTY OWNERS**

Mr. Baker made a Motion to postpone the Ordinance indefinitely, seconded by Mr. Huff. Ms. Myers doesn't want to postpone it indefinitely because we have some people in the City with lots that they've been taking care of that are adjacent to their property and she asked Mr. Ong to come up with a mow-to-own, and this was the first she had seen it and there were things that needed updated and changed. She still thinks we need it. Mr. Baker said his reasoning is there are some things in this Ordinance compared with others that he read from Columbus, Xenia and Akron that have a lot more stuff in theirs that he would like to see in ours. Postponing it indefinitely basically kills it, then we start over and write a new one. It is not gone forever. Mr. Zucal would like to have a legal opinion on postponing indefinitely and feels it can be reassigned to a committee. Mr. Fox said that Dennison has it as well. ROLL CALL: Mr. Baker-yes; Mr. Huff-yes; Mr. Miller-yes; Mr. Harmon-yes; Ms. Myers-yes; Mr. Fox-yes; Mr. Zucal-yes. President Cottrell assigned it to the Ordinance Committee. Ms. Myers will e-mail Mr. Baker her concerns.

**COMMITTEE ASSIGNMENTS:**

None, other than stated above.

**Other Discussions:**

Mr. Miller said about a week ago there was a fire in his area and the Fire Department from Gnadenhutten, New Philadelphia and Dennison came. If it wasn't for them calling the extra units in, we could have lost a house and a neighbor's house. He thanked them all for showing up and helping us.

Ms. Myers thanked Chief Edwards and the Fire Department for last year and keeping the expenses down and actually a carryover in the positive. They worked very hard to do that.

Meeting Adjourned at 7:52 p.m.

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Trisha Addison  
Clerk of Council

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Robert Cottrell  
Council President