

UHRICHSVILLE CITY COUNCIL
Thursday, December 29, 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-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 December 10, 2020. A motion was made Mr. Miller, seconded by Mr. Huff. ROLL CALL: Mr. Miller-yes; Mr. Huff-yes; Mr. Harmon-yes; Ms. Myers-yes; Mr. Fox-yes; Mr. Zucal-yes; Mr. Baker-yes.

ADMINISTRATIVE REPORTS:

Mayor Mark Haney:

- There was a lot of snow recently and they were out a total of three days and went through a lot of salt. They concentrated primarily on bridges, hills and the main roads. With a four-man crew and one off they can't keep up with it. They came out Christmas and the day after Christmas and he appreciates everything they did and the sacrifices they made. They worked Christmas Eve and Christmas Day. They had some complaints, but did their best to maintain the main streets.
- There were a lot of EMS calls from Christmas Eve through December 26, 28 calls. They received a nice message from the charge nurse at Trinity Twin City Hospital. They saved a guy and ended up taking him to Aultman. He had been shoveling snow. The charge nurse sent a text saying how professional our personnel were in handling the situation. She said we are fortunate to have them in our community and please accept our thanks.
- The new ambulance is here. They went over it today and it will be out for painting.
- Asked Council if there has been any thought on hazard pay since we are coming up on the end of the year. We are waiting to see if the deadline is extended. The County Commissioners have a meeting set up for 12:30 tomorrow. He spent about an hour with Larry Lindberg discussing. He feels that they deserve it and thinks that Rush Township gave their fireman hazard pay basing it on call hours and they used CAREs Act money to do that. Mr. Ong said there is federal legislation that has extended it to December of next year, 2021. We are waiting on the State to see if the State is going to follow suit. From what he reads, it is going to happen. As of right now, December 31, 2020 is our deadline, but it looks like that will be extended for a year. Mayor Haney said there was roughly a ten percent cut in pay when they picked up their PERS years ago. These guys have made a lot of sacrifices and also took no raise.

City Services Director Belle Everett:

- Absent.

Law Director James J. Ong:

- He's been asked his opinion regarding donating the CAREs Act money to charitable organizations and/or the school. He reached out to the lawyer last week and she gave the go-ahead. The City would have to enter into a Subgrant Agreement. There are two of those in front of Council, one for the Twin City Christian Services Center and one for Claymont City Schools. By signing the agreement, the entity receiving those funds has to agree that they can only expend those funds for purposes allowed under the CAREs Act. Mr. Huff asked why no dollar amounts were included and Mr. Ong was not given any amounts.

- He put together an Ordinance for Finance for the rate of pay for the Zoning Inspector and that was sent out today and is for the first reading. That includes the rate of pay per year for that position.
- There is a Resolution for the Necessity for a tax levy for a renewal of a 2.8 mill levy. The Auditor will certify the funds that will be generated. Then Council will pass another Resolution to proceed.

Auditor, Julie Pearch:

- Has the final amended appropriations that she would like passed on an emergency basis tonight.
- Everything looks balanced right now and the first of January will get started working on the budget.
- Mr. Huff asked what the current unencumbered balance is in the CAREs Act fund. \$208,756.00 is encumbered. \$156,000.00 was allocated to the ambulance with \$172,000.00 being the total balance to the ambulance. Also \$20,900.00 for a power cot was approved. \$15,900.00 was put towards fireman's wages and COVID. Those three measures are approved leaving a balance of \$12,942.52. Mayor Haney asked if that included the electrical work and that has already been paid.
- Wished everyone a very happy and healthy new year.

Treasurer, Bob Michels:

- Absent.

Correspondence:

- Received an invoice from Walter Drane for internet services that was turned over to the Auditor for payment,

Committee Reports

Mr. Fox – Nothing to report.

Mr. Huff – Nothing to report.

Ms. Myers- The Finance Committee report from the December 15, 2020 meeting had been emailed to Council. A motion was made by Mr. Miller, seconded by Mr. Zucal to approve the Finance Committee report. ROLL CALL: Mr. Miller-yes; Mr. Zucal-yes; Mr. Harmon-yes; Ms. Myers-yes; Mr. Huff-yes; Mr. Fox-yes; Mr. Baker-yes.

The January 11, 2021 Finance Committee meeting will be changed from 10:00 a.m. to 6:00 p.m. The January 26, 2021 Finance Committee meeting will also be at 6:00 p.m.

Wanted to go over the CAREs Act information that the Auditor has given to her. They had originally talked about the ambulance, which was \$172,834.00 and we were going to use \$156,000.00 from CAREs Act money and the rest out of the equipment fund. She made a Motion to take all of the \$172,834.00 out of the CAREs Act fund instead of taking it out of the equipment fund. Mr. Zucal seconded the Motion. ROLL CALL: Ms. Myers-yes; Mr. Zucal-yes; Mr. Huff-no; Mr. Fox-yes; Mr. Baker-yes; Mr. Miller-yes; Mr. Harmon-yes.

Also, they had discussed the Power Cot, which is \$20,922.00, taking that out of the equipment fund as well. Ms. Pearch feels we can't take that out of that fund. Ms. Myers made a Motion to take the \$20,922.00 out of the CAREs Act Fund. Mr. Ong had put out a Memo previously on that issue on December 15 and everyone should have a copy. There is no case law on it. It says new firetruck and equipment. He and Ms. Pearch have had a number of discussions on that. His opinion is he feels the State Auditor should let us know if that is permissible to do that. He is not comfortable to make an

opinion one way or the other. The memo states in part: 'The confusion, of course, is whether the word "new" is only in relation to the firetruck or firetruck and fire equipment. I believe we need to obtain guidance from the State Auditor's office. There is no case law whatsoever on the matter so this is a case of first impression.' He feels we can probably do it, but doesn't have anything definitive to say we can. If the deadline was extended we could get some guidance on that point. The Motion was seconded by Mr. Zucal. 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 states with those two being approved, the ambulance at \$172,834.00 and the power cot at \$20,922.00 that leaves \$12,942.00 in the CAREs Act Fund. Ms. Pearch corrected her that there is the issue of the \$15,000.00 that we would use to offset the wages. Ms. Myers said there was \$27,942.00 less \$15,000.00 for the wages leaves \$12,942.00. Mr. Ong said there would need to be a separate Motion regarding the wages. Ms. Myers made a Motion to use \$15,000.00 out of the leftover CAREs Act money for the fire department wages. Mr. Zucal seconded the Motion. ROLL CALL: Ms. Myers-yes; Mr. Zucal-yes; Mr. Huff, Mr. Fox-yes; Mr. Baker-yes; Mr. Miller-yes, Mr. Harmon-yes.

That leaves \$12,942.52 in the CAREs Act fund. She remembers Mr. Fox asking about donating to the school, so she contacted Mr. Ong to see if we could because they had talked in Finance Committee Meeting about purchasing a city service vehicle for Ms. Everett and Mr. Haney to use instead of the high reimbursement for mileage, and they cannot do that. Mr. Ong said that the money could be used for the school and food pantry and that is why the legislation is here, to split the \$12,942.52 fifty/fifty. Ms. Pearch reiterated that if the deadline wasn't extended, they would have to spend that money by December 31. She asked if anyone had contacted the school? Her concern is that they have to spend it. Mr. Ong said that was correct. As of right now, without Governor DeWine signing off on it, it would have to be spent by Thursday. It looks like that is going to happen, but he can't say that for sure. He advised of that in his Memo. Ms. Myers has talked to the food pantry, but not the school and would do that after the meeting and tomorrow morning. Mr. Fox made the Motion to enter into the Subgrant Agreement with the Twin City Christian Services Agreement in the amount of \$6,471.26. The Motion was seconded by Ms. Myers. ROLL CALL: Mr. Fox-yes; Ms. Myers-yes; Mr. Zucal-yes; Mr. Baker-no; Mr. Miller-yes; Mr. Harmon-yes; Mr. Huff-no.

Mr. Fox made the Motion to enter into the Subgrant Agreement with the Claymont City School District in the amount of \$6,471.26. The Motion was seconded by Mr. Myers. ROLL CALL: Mr. Fox-yes; Ms. Myers-yes; Mr. Zucal-yes; Mr. Baker-no; Mr. Miller-no; Mr. Harmon-yes; Mr. Huff-no.

Mr. Harmon – The Joint Meeting of Union Cemetery will be held in the Uhrichsville City Council Chambers on January 10, 2021 at 1:00 p.m.

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 – Thanked the city service department for working over the holidays and clearing the streets.

Mr. Harmon – Nothing to report.

Mr. Miller – Nothing to report.

Mr. Baker – Nothing to report.

Mr. Zucal – Nothing to report.

New Business

Mr. Fox – Thanked all the other council members. Everyone has been very welcoming and he appreciates all of their comments. Everyone here in this room has worked very diligently to help make the improvements this year to the City and they go above and beyond to do their best for the citizens of Uhrichsville. He hopes everyone has a happy new year and stays healthy.

Mr. Huff – Nothing to report.

Ms. Myers – Gave her condolences to the Page family. He was a pillar of the community. Wished everyone a Happy New Year and hoped everyone had a great Christmas and looks forward to working with everyone next year. She appreciates all of the input from her committees that she's on and that she chairs and looks forward to working with everyone next year.

Mr. Harmon – Offered his condolences to the Page family. The loss of John Page is a very big loss for our community. John Page was a very honorable man and he was very sad to see him go.

Mr. Zucal – Asked Mayor Haney for an update on the tree ordinance legislation and he has to make appointments and asked if he has been considering that. Mayor Haney said he is working on civil service right now which he feels is more important right now, but that shouldn't be a problem.

He had several constituents ask him about the trash at the park that is not getting picked up. He drove by today and some of the barrels are overflowing. Mayor Haney said it is usually picked up on Fridays but with the holidays and plowing snow they were shorthanded.

He asked Mayor Haney if we would get a State of the City Report, a year-end report or a projection for next year? Mayor Haney said he would probably do it in January.

Mr. Miller – Nothing to report.

Mr. Baker – The letter the Council President read on November 23, 2020 concerning the income tax, he would like that placed in the minutes officially for the record. He gave the Council Clerk a copy of the letter and it will be placed in the official minutes.

Visitors:

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

Chief Edwards – Expanded on what the Mayor said that everyone is very busy. It is a trying time. Over Christmas there was a three-day span, the 24th, 25th, and 26th, that they ran 28 calls with some major emergencies, including several accidents because of the snow, an obstruction fire, several overdoses including a double overdose in one car, and Christmas morning a cardiac arrest that was successfully resuscitated, taken to Trinity and they had to stay with that patient and ultimately took the patient to Aultman Hospital. Many in his department are headed to the health department tomorrow to get their vaccines. They encourage the community to participate in that to help them get past this virus and make everyone safe. There have been three employees test positive in the last few weeks, and that has left the pretty short. One of the firefighters lost his father during that span also, so the last few weeks has been pretty busy. He is a little bit disappointed in the hazard pay. As far as he's concerned, his money could be given somewhere else. He's not concerned about himself but feels the employees of the fire department and all of the departments, no matter the amount, they deserve that little bit of show of faith. He looked up a lot of information and the definition and every case they go on is COVID related, the guys are wearing full on jumpsuits, two masks, goggles, gloves, on every call. They do see a COVID-19 positive every day. That physical hardship is there. I know you considered it and didn't take the decision lightly.

ORDINANCES/RESOLUTIONS:

**RESOLUTION 1889
A RESOLUTION DECLARING THE NECESSITY TO LEVY A TAX
IN EXCESS OF THE TEN-MILL LIMITATION**

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

**RESOLUTION 1890
AGREEMENT FOR INDIGENT DEFENSE SERVICES
IN THE TUSCARAWAS COUNTY COURT, UHRICHVILLE, OHIO
PUBLIC DEFENDER**

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

**ORDINANCE 41-20
AN ORDINANCE TO AMEND CURRENT APPROPRIATIONS
FOR THE CITY OF UHRICHVILLE, STATE OF OHIO, FOR THE YEAR
ENDING DECEMBER 31, 2020**

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

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

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

COMMITTEE ASSIGNMENTS:

None.

Other Discussions:

Mr. Harmon reminded everyone that the Joint Union Cemetery meeting is January 10, 2021 at Uhrichsville Council Chambers.

President Cottrell asked Ms. Pearch if she had paid the taxes to Dennison as was approved at the last meeting. She has not and has sent out an email. She went through the proper channels and contacted the Auditor of State's office and talked with Ms. Myers the other day. She had two contradictory things that would affect the liability of the City and of her office. She has a legislative body that governs her office that says you have to do this, but now she has a legal opinion that says you have to do this. She did contact them, and they said she did the right thing. She talked with Shane Statler, the Chief Auditor for Southeastern Ohio. He has turned documents over to the Auditor of State's legal department. As soon as she hears a ruling from them she will email and let everyone know. Under their advice and guidance, she is holding the funds until the Auditor of State makes a ruling. President Cottrell asked Mr.

Ong to check into what Council needs to do if they drag their feet and asked that he report back to Council what their next steps should be and he will.


Mr. Fox said referring to the COVID money that was left, he spoke with Ms. Myers and he understands that it was a hard year for everyone, but he feels that most of that money should go to our local food pantry, simply because there are people who have lost their jobs or have taken a reduction in pay, been laid off from their jobs. The people in this community should benefit from some of this money, it shouldn't necessarily go to this department or that department. He thinks we should help out the local food bank and that's why he brought it to Ms. Myers' attention and he feels that in everyone's eyes, deep down, that's what is going to benefit Uhrichsville and the people around here.

Mr. Cottrell said that it was his first year and it was a trying year for everyone. He appreciates everyone working with him and he hopes he can do better next year. As long as everyone keeps working together we can make the City better. Thanks to everyone, especially Mr. Ong.

Meeting Adjourned at 7:58 p.m.



Trisha Addison
Clerk of Council



Robert Cottrell
Council President