

SPECIAL COUNCIL MEETING
Held: March 24, 2011 at 7:00 p.m.

Special Session of Council was called to order with roll call. All members of Council were present with the exception of Ms. Nichols. Mayor Sutton and Clerk/Treasurer Bolton were also present. Solicitor Frank Hyle was not present until very end of meeting.

The reason for this special session of Council concerned the possible application for a grant to install a boat-ramp in the park for the use of oar boats and emergency use. Ms. Richardson brought Council up-to-date on what she had found out concerning the details and restrictions of the grant. Opinions were given concerning the grant application. Mr. Stacy indicated he believed we should concentrate on the levy first and he had some concerns about the maintenance of a ramp. He felt the timing was wrong. Ms. Meyers indicated there is currently no place for emergency access this part of the Great Miami River except our park with the next closest being in Colerain Township. Ms. Haas said she had researched this topic and believes we can charge addition fees to canoe/kayak patrons for use of a possible ramp. Mr. Santen said he had no objections to a ramp, but he did not believe the Village should fund the installation of a ramp.

Further discussion was held about the liabilities to the Village of such a ramp. Ms. Richardson indicated she had spoken with our solicitor and he had indicated to her the Village has sovereign immunity which protects us. Further discussion was held concerning liability issues at Park. The Mayor expressed he does not support a boat ramp in the park for any purpose other than an emergency access and he also has liability concerns.

A Motion to Apply for a ODNR Grant to secure funds to Install a Boat Ramp at Cleves Community Park was made by Ms. Haas; seconded by Ms. Meyers. Further discussion was held. There was confusion about the motion and whether the motion meant to go forward by this year's deadline or next year's deadline. **The original motion was amended to include: by April 1, 2011.** Following more discussion, **Ms. Meyer withdrew her second of the motion; Ms. Haas withdrew her original motion.**

Street Commissioner Duncan was acknowledged and he asked Council to formally accept the lowest bid for the E. State Road Phase II project.

RESOLUTION #10 – 2011 Accept Low Bid for E. State Road (Rt 264) Phase II
A Motion to Adopt Resolution #10-2011, a Resolution to Accept the Low Bid of Fred A. Nieman Company of \$ 619,848.00 for the Final Phase of E. State Road (St. Rt. 264) made by Stacy; seconded by Santen. ALL YEAS.

At this time a discussion was held concerning the employment of seasonal Park personnel and whether or not we could hire work to be performed at CCP through a contractual agreement or 1099. The issue of unemployment insurance was discussed and the impact of this cost. A decision needs to be made on whether or not to call back last year's park

worker who has been off all winter. There were many positive statements made about the quality of his work. The Clerk expressed we have never dealt with the issue of a seasonal park employee filing an unemployment claim before last year. A discussion was held about the number of hours the returning employee should be scheduled to work. The Mayor asked that we schedule this worker to return and work 32 hours a week for at least the beginning of the season. He instructed the Clerk to figure out how much the Park Fund has budgeted for grass cutting and when these monies are gone, then the Maintenance workers will have to pick up the duties.

Further discussion was held about House Bill #2 and the implication to our Maintenance Budget if the State wants to decrease our gasoline tax revenue to offset their expense at maintaining the state highways inside corporations. Maintenance issues at gazebo and canal tunnel were also touched on.

The Mayor asked Council and other Village officials to start using Work Orders as they are supposed to do. He indicated he has instructed his Department Heads they could be disciplined by him if they do not insist on the use of Work Orders. He also believes decisions are being made by Council members and other officials that are above their rank and authority. He reminded everyone he is responsible for the day-to-day running of the Village and he is going to push the Solicitor to discipline those who overstep their authority.

Ms. Richardson asked about the distinction between fact-finding and actually exercising authority. She also expressed concern because the Mayor does not attend her committee meetings, does not normally conduct business by email and does not want to be bothered during the day while performing his duties at work. At this time a discussion was held among the Council concerning how Committees are supposed to function and how many members of each committee needs to show up for each meeting.

A Motion to Adjourn made by Stacy; seconded by Santen. ALL YEAS.

MAYOR SUTTON

CLERK/TREASURER BOLTON