

The Council Meeting held on June 13<sup>th</sup>, was called to order by Mayor Stacy with the Pledge to the Flag. Members of Council present: Meister, Meyers, Pastrick, Santen, and Randall. Ms. Nichols was absent. Clerk/Treasurer Bolton was present as was Solicitor Hyle.

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
<b>A Motion to Approve Previous Council Minutes</b>	Santen	Meister	ALL YEAS
<b>Motion to Pay Warrants &amp; Vouchers and Adopt Pay Ordinance #10- 2012.</b>	Santen	Meister	ALL YEAS

At this time, Mayor Stacy acknowledged Jim Finnigan from Duke Energy Retail. He has been in discussion with Cleves, Miami Township, North Bend and Addyston about their various efforts to put electric and gas aggregation into effect in their communities. He offered on behalf of Duke Energy Retail to help us through the steps to get authorization from the residents to offer a discounted electric rate of \$5.25 per kilowatt rate. Residents would not be forced to take this offer, and in addition, they would offer a community civic grant to Cleves based on the number of residents that sign up for this offer. He indicated they have worked with Green and Colerain Townships with a similar program. They can only offer electric savings at this time. If the Village decides to join an aggregation program in March of 2013, residents who sign up for this program would have to pay a termination fee of \$50 or wait until current savings plan expires. He thanked Council for their time.

**SOLICITOR’S REPORT**

Solicitor Hyle explained the Resolution provided by Duke Energy Retail indicates they would be our consultants and would also be the supplier. He has concerns about the opt out option which would make people who take advantage of this offer pay a termination fee if the Village receives a better rate through aggregation. A discussion was held among Council and Ms. Pastrick asked if we could negotiate with Duke Energy Retail concerning the termination fee. The Solicitor said we could certainly try. Following further discussion, the following items of legislation were addressed by Council:

**RESOLUTION # 22-2012**                    **AUTHORIZING GAS AGGREGATION PROGRAM ON BALLOT**  
 A Motion to Adopt Res #22-2012 made by Santen; seconded by Pastrick. ALL YEAS.

**RESOLUTION # 23-2012**                    **AUTHORIZING ELECTRIC AGGREGATION ON BALLOT**  
 A Motion to Adopt Res #23-2012 made by Santen; seconded by Pastrick. ALL YEAS.

**RESOLUTION # 24-2012**                    **AUTHORIZING AGREEMENT W/DUKE ENERGY RETAIL**  
 A Motion to Adopt Res #24-2012 with Negotiated Changes made by Santen; seconded by Meyers. ALL YEAS.

**A Motion to Excuse Ms. Nichols from the Council Meeting made by Santen; seconded by Meister. ALL YEAS.**

Solicitor Hyle continued with additional legislative items for Council’s consideration. Second Readings are due on the TIF legislation and an ORDINANCE has been drafted officially approving the Clerk’s creation of three new funds in order to comply with request from the County Auditor’s Office. Following discussion, the following action was taken by Council:

<b><u>ORDINANCE # 12- 2012</u></b>	<b>ESTABLISHING THREE WATER WORKS CAPITAL PROJ FUNDS</b>	<b><u>FIRST</u></b>	<b><u>SECOND</u></b>	<b><u>RESULTS</u></b>
A Motion to introduce ORD #12-2012 made by		Santen	Meister	ALL YEAS
A Motion to suspend rules, read by title only made by		Santen	Meister	ALL YEAS
A Motion to Adopt ORD #12-2012 made by		Santen	Meister	ALL YEAS

**ORDINANCE #9 – 2012**

**TERMINATING CERTAIN EXEMPTIONS FROM REAL  
PROPERTY TAX GRANTED BY ORD #9-2009.**

A Motion to Introduce Ord #9-2012 as a second reading made by Santen, seconded by Meister. ALL YEAS.

**ORDINANCE #10 – 2012**

**DECLARING IMPROVEMENT TO PARCELS OF REAL  
PROPERTY LOCATED IN CLEVES TO BE A PUBLIC PURPOSE  
UNDER SECTION 5709.40(B) OF THE ORC. (NEW TIF)**

A Motion to Introduce Ord #10-2012 as a second reading made by Santen, seconded by Meister. ALL YEAS.

A discussion was held about *Ordinance #8 -2012*, an Ordinance making Howell Street a one-way and its status being ready for final third reading and adoption. Ms. Pastrick asked Council to table this third reading for the time being while the new owner of Tommy's Drive Thru consults with his delivery trucks to see how it may affect their ability to make deliveries to his business.

Lastly, Council considered legislation concerning a Public Improvement Agreement with the Board of Education and the Three River's School District. The Solicitor recommended some changes in wording concerning how much the school will contribute, how much the grant will provide and the fee for engineering. He will amend the wording to be sure it is clear the Village of Cleves will not be responsible for any financial cost for this Cooper Road public improvement. After the proposed change in wording, Council took the following action:

**RESOLUTION # 25-2012**

**AUTHORIZING AGREEMENT W/BOARD OF EDUCATION OF  
THREE RIVERS SCHOOL DISTRICT**

A Motion to Adopt Res #25-2012 with amendments made by Solicitor was made by Santen; seconded by Meister. ALL YEAS.

**DEPARTMENT REPORTS**

*Police Chief Renner* began with a recap of the previous monthly detail reports. Following his report, Mayor Stacy asked Chief Renner and Sgt. Wright to come forward to be recognized. The then presented them with Certificates of Recognition for their life-saving efforts on a Porter Street resident who had no pulse and no breathing when they arrived on the scene. Their efforts before the life squad arrived on the scene saved this resident's life.

*Fire Chief Ober* was not in attendance at this meeting.

*Street Commissioner Duncan* indicated he would like to wait for his Committee Chair to give her report.

**CLERK/TREASURER REPORT**

Clerk Bolton informed Council we had received our official approval of our request to extend our deadline to submit our 2013 budget until August. She also mentioned she would not be able to attend the July 18<sup>th</sup> normally scheduled Finance Meeting and asked Jan to consider changing or scheduling an extra one for July to begin the budget process. The accounting firm hired to complete our audit for 2010/2011 will begin their audit in early July. Their final report will be due to the State by 8/31. Lastly, she reported the total brought in for ads in the Park brochure was \$450.

**COUNCIL & COMMITTEE REPORTS**

Ms. Meister, *Public Works Water & Utility Committee*, reported the Board of Public Affairs held seven (7) interviews for their open position, Water Works Laborer. She indicated their choice for the position was Rob Bamberger, who happens to be her son. She asked Frank Hyle if there were any conflicts of interest with her remaining the chair of this committee. The Solicitor replied there is not since she does not vote as a member of

the Board of Public Affairs and he instructed her on the kinds of issues that may come before Council in which she would have to abstain from voting. She said there was a second candidate they would also like to hire and asked what process they would have to follow to create this third laborer position. The Mayor indicated they should create the job description for this position and present it to Council.

Ms. Meister indicated Kevin Hopper, attorney for the Water Works is drafting a response concerning the current method of billing customers for water leaks. She has no current hydrant updates. Tim Leigh has stepped down as President of the BPA and Jim Wasserbauer has accepted that role. Lastly, she said she has some issues to discuss with the Board about some concerns she has about lack of supervision in Water Works.

As for the Communications Committee, both Megan and Steve are continuing their efforts to improve our website and Facebook page.

Jan Pastrick, **Finance Committee Chair**, had nothing new on Finance at this time but took this opportunity to bring everyone up-to-date on the “We Thrive” Grant and the construction of our new skate park. Maintenance has agreed to assist with the asphalt cuts for the fence posts. Fencing work will begin and be completed by next week and skate park equipment is due to arrive Friday, June 29<sup>th</sup> with the supervised installation scheduled for Saturday, June 30<sup>th</sup> at 8:00 a.m. She has received an extension to have all equipment paid for. She also received good news from Nancy today. Nancy was able to secure 50 skate helmets from Beacon Orthopedic for our Grand Opening Event. Right now she is considering the 2<sup>nd</sup> weekend in July to hold the Grand Opening. Lastly, she asked about the shared-use agreement she needed a copy of and the Clerk indicated she would email it to her tomorrow. The Mayor acknowledged Jan for all her hard work and efforts being directed toward the Village.

Ms. Meyers, **Parks Committee Chair**, began her report by informing everyone the new grill for the big shelter has been installed by our Maintenance Dept. Park Coordinator, Linda Bolton, updated everyone at this time on current status of the spring sports at CCP. Bev mentioned our “Fly A Kite Day” event at CCP made headlines in the Hometown section of the Enquirer. Mayor Stacy indicated he liked the new Park logo.

Megan Randall, **Public Works Streets Chair**, reported on issues discussed at the last Streets meeting. Topics and issues discussed were: Turn lane stenciled on W. State by park; more weed killer needed to complete necessary weed removal; Village cleanup in progress; Coleman Woods bonds for the roads; and decision to completely close the parking lot until skating equipment arrives. A couple issues needed some discussion. One was the creek that runs along the property on Cooper Road. Street Commissioner Harold Duncan and our Village Engineer, Bill McCormick are recommending we wait and have the developer take care of this when he gets ready to develop and bring his property out of the flood plain. Mayor Stacy would like to see Council approve the bid of \$8600 to dredge the creek now. It was decided this issue would have to be further discussed. The next issue requiring discussion was a request from Council member Nichols that the main road into the Park be lined to accommodate hikers and bikers. Harold reported this was not possible because in order to do this the road would have to be 24’ wide and it is only 20’ wide. This issue was further discussed. Lastly, Mr. Duncan reported he is working to have new stencils made for the Hike ‘n Bike trail.

Mr. Santen, **Community Planning Chair**, informed Council Planning Commission member Donna Weber resigned her seat on Planning due to scheduling conflicts. A new Planning Commission member needs to be appointed and the makeup of our Planning Commission will be examined later in the year. The developer of the Cooper Road property, Ralph Meierjohan, has requested several variances for his proposed development. The process to proceed with these variance requests were outlined: 30 Days Notice of Planning Meeting in local paper and 20 Days Notice of hearing to residents in the surrounding area. The date of the July 12<sup>th</sup> Planning Commission Meeting will be changed to 6:00 p.m.

## **MAYOR'S REPORT**

Mayor Stacy asked Council to review their minutes from the last Safety Meeting. At this time a discussion was held about a request from the Three Rivers School District that we provide extra coverage at the site of the new school construction until the school is complete. The district has agreed to provide the Village \$2,000 a month for this additional coverage. Discussion was held about how much additional coverage this amount of money would provide for the school district – approximately four, six-hour shifts per night. The other time we would patrol as much as we could with our on-duty officer but officer would have to leave area if they receive a call.

Other topics the Mayor reported on were: Another amendment needs to be made to our Commercial Vehicle Parking Zoning code as it relates to size, length and weight. Our numbers are way too low and would eliminate many regular-sized vehicles. We will be receiving volunteer workers from the Vineyard Church on Tuesday, June 19<sup>th</sup> for the entire day and they have a list of projects around the Village they are going to complete. The Mayor reported on the progress concerning environmental issues in our back parking lot and said he is hopeful this will be resolved soon at little further cost to the Village. At that time, he would like Council to seriously consider paving the back lot and fencing in a designated area for more secure parking for our employees.

The Mayor asked Council to consider an Executive Session to discuss Personnel Matters and Acquisition of Properties.

**A Motion to Enter Executive Session for Personnel and Property Acquisition Issues made by Santen; seconded by Pastrick. ALL YEAS.**

**A Motion to Return to Regular Session made by Randall; seconded by Meister.**

At this time Council discussed their various options for having millage amounts certified by the County Auditor to be placed on the ballot for November's election. Their hope to have a combined police and fire safety levy will not work. They must identify their police needs and fire needs in separate levies. Further discussion was then held and it was decided to have several different millage amounts certified in order to have the right options available to us before the deadline. Council took action on the following legislative items:

These Resolutions are listed below with Millage Amounts and proposed purpose of levy identified:

RESOLUTION # 17-2012	0.8 Mill	GENERAL POLICE LEVY
RESOLUTION # 18-2012	2.3 Mill	GENERAL POLICE LEVY
RESOLUTION # 19-2012	2.5 Mill	GENERAL POLICE LEVY
RESOLUTION # 20-2012	2.9 Mill	GENERAL POLICE LEVY
RESOLUTION # 21-2012	2.3 Mill	GENERAL FIRE LEVY
RESOLUTION # 26-2012	2.5 Mill	GENERAL FIRE LEVY
RESOLUTION # 27-2012	2.9 Mill	GENERAL FIRE LEVY

All Resolution identified above were voted on separately. All Resolutions were Adopted with a Motion to Adopt by Santen; a Second by Randall. ALL RESOLUTIONS were Adopted with ALL YEAS.

**A Motion to Adjourn made by Randall; seconded by Meister. ALL YEAS.**

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Mayor Danny Stacy

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Clerk/Treasurer Linda Bolton