

The Council Meeting held on January 23, 2013 was called to order by Mayor Stacy with the Pledge to the Flag. Members of Council present: Ms. Pastrick, Ms. Meister, Mr. Santen, and Ms. Randall. Ms. Nichols and Ms. Meyers were absent with notice. Clerk/Treasurer Bolton and Solicitor Hyle were also present.

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
<b>A Motion to Approve Previous Council Minutes</b>	Santen	Meister	<b>ALL YEAS</b>
<b>Motion to Pay Warrants &amp; Vouchers and Adopt Pay Ordinance #2- 2013.</b>	Santen	Meister	<b>ALL YEAS</b>

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

### **SOLICITOR'S REPORT**

Solicitor Hyle asked Council to formally accept by Resolution the Mayor's appointment of Harold Duncan as Street Commissioner for the Village of Cleves.

#### **RESOLUTION # 2 – 2013**

#### **Appointment of Street Commissioner**

A Motion to Adopt Resolution #2 – 2013, Appointing Harold Duncan Street Commissioner for the Village of Cleves was made by Ms. Randall; seconded by Ms. Pastrick. ALL YEAS. Resolution was adopted.

Next item of business was for Council to review the JMA's recommendation to accept the bid of Adleta Construction and award them the Porter Street Box Culvert projects. Following discussion, the following action was taken by Council:

#### **RESOLUTION # 4 – 2013**

#### **Award Bid for the Porter Street Box Culvert Project**

A Motion to Adopt Resolution #4 – 2013, Accepting the Lowest and Best Bid of Adleta Construction for the Porter Street Box Culvert Project was made by Ms. Pastrick; seconded by Ms. Randall. ALL YEAS.

At this time, the Solicitor explained it is the recommendation of the Mayor and Vice-Mayor that Council withdraw their request for a hearing concerning problems with the application of a liquor license for a S. Miami business. They believe the outcome would not be different and in the spirit of supporting our local businesses we should drop our objections. Following discussion, Council took the following action:

#### **RESOLUTION # 5 – 2013**

#### **Withdrawing Request for Liquor License Hearing**

A Motion to Adopt Resolution #5 – 2013, Withdraw the Village's Request for a Hearing concerning a Liquor License Transfer Application was made by Ms. Pastrick; seconded by Ms. Meister. ALL YEAS.

Frank Hyle has drafted an Ordinance accepting an addendum to our Rumpke contract, but it will have to wait for the next meeting with two Council members absent. He also reported he has been following up with Eagle about our aggregation program and our next move is to schedule two public hearings in order for public input into the program. Council agreed to hold these public hearings a half hour before the next two Council meetings. He has provided the Clerk with the wording for the legal notice of these hearings. **A Motion to Schedule and Advertise Two Public Hearings for Public Input into the Villages Aggregation Programs was made by Santen; seconded by Meister. ALL YEAS.**

## **CLERK/TREASURER REPORT**

Ms. Bolton took this time to give her annual report of the Financial State of the Village. To summarize, she reported on Fund Health and Overviews, Revenues, and Expenditures. We did operate with a balanced budget in 2012, but our carryover funds into 2013 were not as she hoped they would be. Only five new construction permits were issued in 2012 and our tax millage in 2012 was 10.09 as compared to 15.24 in 2010 and 14.24 in 2006. Of the 15.24 mills in 2010, 3.15 mills were West JAD and a Special Fire Levy. The Village's outside millage has been decreased from 11.83 in 1997 to 6.00 mills in 2012. Various special levies for Parks, Streets and Fire have been dropped as well. Revenue was up in 2012 due to the passage of the 6.00 mill operating levy from, but down from 2010 because Council dropped a 2 mill operating levy in 2011. The Village has seen decreases in revenues received from the State and the County, some of which are the Local Government Fund and Personal Property Taxes. Revenue was up in the Park Fund thanks to increased usage of soccer fields at Cleves Community Park.

Salary and pension line items were up this year due to the return of our 2010 salary rates. Our bi-yearly audit cost for 2012 was \$15,500 and we have seen decreased gasoline and gas & electric costs due to our affiliation with the Greater Regional Chamber of Commerce. Mayor's Court continued on its three week rotation which allowed us to continue savings in this area. In summary, the Village continues to face challenges as the cost of doing business goes up and revenues continue to fall. We worked hard to lower expenses, but she believes the Village must look at ways to increase revenue in order to sustain and maintain a balanced budget now and in the future.

## **DEPARTMENT REPORTS**

No Department Head reports expected at this second meeting of the month.

## **COUNCIL & COMMITTEE REPORTS**

Ms. Megan Randall, *Public Works Streets Chair*, had nothing special to report other than she has met with MSD and is complying with the necessary paperwork in order to secure a necessary permit.

Mr. John Santen, *Planning Commission Chair*, found an error in the revised zoning map and JMA will correct this error and issue a new zoning map.

Ms. Meister, *Public Works Water & Utility Committee*, reported the Board of Public Affairs met yesterday and they received an update of the capital expansion project in the works. Geri indicated she has received a map showing the placement of the expansion water mains. Due to weather issues, fire hydrant repair is on hold. The next BPA meeting is scheduled for Tuesday, February 19 at 4:00 p.m. The next Communication Meeting is scheduled for January 28<sup>th</sup>, 2013.

Jan Pastrick, *Finance Committee Chair*, indicated the Finance Committee had met last Wednesday and has gathered several quotes from various health insurance carriers. While we do receive a modest 2 to 3% savings in premiums by belonging to the Regional Chamber, we would not see the kind of savings we were hoping if the chamber could have included us in a larger pool of employers. In fact, premium rates were actually a little higher and we currently have now, but they are expected to be lower than we are anticipating the Anthem increase to be. We were actually advised to wait for official notice of the Anthem Premium increase and perhaps use that increase as a bargaining tool as sorts to secure better rates from another carrier. The Committee decided to sell two police cruisers but to keep the armored tactical truck at this time. The current budget for 2013 accounts for 24/7 police coverage but a reduced power shift presence. The next regularly scheduled Finance Meeting is February 20<sup>th</sup> but Ms. Pastrick indicated she believed perhaps we should schedule an extra meeting to further examine revenue options and other cost saving measures. It was decided an extra Finance meeting would be scheduled for Wednesday, January 30<sup>th</sup> at 6:30 p.m.

She and Danny will be hosting a Business Owner's Meeting next Tuesday, January 29<sup>th</sup> at 7:00 p.m. At this time she passed out samples of sign mockups she has put together about how a possible sign promoting our businesses may look. She has used some signage she saw in New Richmond as a guide and is hopeful our businesses will

want to take advantage of this signage and be willing to cover the cost of the sign. She is also hoping for possible streetscaping projects along S. Miami as well if we can obtain grants.

She also met with a representative from the University of Cincinnati about performing a market study for the Village as it relates to our business district along North and South Miami. At this time, the cost of this study is not in our budget, but she has been told Duke Energy has some grants out there to assist local municipalities with these kinds of projects. She closed by indicating she had a meeting the next day concerning a Hamilton County Solid Waste Grant for recycling the Village has been awarded.

## **MAYOR'S REPORT**

Mayor Stacy began by informing Council he, along with Jan, Linda & Geri, met with Duke Energy and secured the necessary information to determine if the Village can see cost savings from the removal of some of our streetlights. Council will need to review the placement of current streetlights and determine where we may be able to remove some of them without affecting the safety of our residents too much. He has also received a quote from Cincinnati Bell for cell phone services which will show us a savings in this area as well.

All reports have been filed and BUSTR has cleared our back parking lot of any contaminations. He will be ordering the Clerk to pay the remainder of the Terracon invoices. Our new civil service siren has been installed in the back lot and it is his understanding the old siren will be available for sale.

The Mayor expressed pleasure we had residents in attendance and indicating he had some thoughts to relay prior to recognizing those who had signed in the address Council. He wanted to make it clear the Village Council was in investigative mode at this time concerning the implementation of an income tax and has taken no legislative action about this at this time. We have had a representative from RITA (Regional Income Tax Agency) in to explain how they could help with the implementation of an income tax and the collection and disbursement of the funds. They have estimated our revenue from a 1% income tax at around \$315,000 a year. RITA used data from 2009 records concerning income in the Cleves area. Due to the failure of the 2.8 mill levy request put before the voters last November, reductions in expenditures have been made and Council is now looking at their various options to increase revenue. Ms. Pastrick also indicated she could not support an income tax at this time due to the fact she did not believe the \$315,000 a year estimate given to us from RITA is enough to assure the Village would be financially stable enough long term. She is also concerned if an income tax is implemented we could not get another levy passed in the future.

Mr. Santen asked what Council's next steps would be if they wished to move forward with the implementation of a 1% income tax. The Mayor indicated Council would have to determine the exact amount they wished to implement as well as whether or not they wished to give relief to those residents paying earnings tax in other municipalities. An Ordinance would then be drafted and read openly at three different meetings in order to receive public input and feedback. A contract with RITA would be authorized to help administer an Income Tax Code.

At this time Mayor Stacy recognized a resident from Rosewynne Ct, Larry Loebker, who began by indicating he did not want this conversation to be adversarial. He asked Councilman Santen if he supported this income tax. Mr. Santen indicated that he did support the implementation of an income tax. Mr. Loebker was surprised by this in light of Mr. Santen's past views on taxes. Mr. Santen explained he believes the Village to be careful and stringent with their spending and he understands most municipalities have an income tax. Mr. Loebker indicated those municipalities likely have a strong business base which we do not. He said he does not like the possibility of this additional tax and he believes implementing an income tax will actually decrease the value of his property.

Mayor Stacy shared information and feedback he had received from many of the Village's he contacting who currently have an income tax. He has contacted many of these Villages to obtain some insight into how the income tax was received by the residents, how the revenue of this income tax impacting their Village's financial outlook and any other insight they may be able to share.

Mr. Loebker indicated he is glad the Village is taking its time and expressed concern this small Village could handle the various needs of the new school. He does not believe the new school will bring a lot of action and development to the Village as he has heard it may. The discussion continued with a recap of where we are with this issue at this time.

Another resident, Robert Schaefer from Newpine Drive, asked Council what their greatest accomplishments were; especially in light of their wish to impose a 1% income tax on resident's salaries? He indicated he has spoken with his neighbors just up Bridgetown Road currently receiving services from the township and they indicate to him they are pleased with their services. Mr. Santen responded it is the purpose of local governments to provide Police, Fire, EMT and road services to its residents. Other services like Park & Recreation are extras. The Park in the Village of Cleves is funded through user fees and not by any taxes.

A resident who did not sign in, a Mr. Hertzenberg asked about the levy that failed and how it compared to the revenue they would receive from an income tax. Mayor Stacy indicated while he fully supported an income tax and felt it would be necessary, he is now stepping back from this support due to the projection of revenue from an income tax to be around \$315,000 a year. He does not believe it is enough revenue because it was his hope the Village could reduce their current outside millage for the residents with the implementation of an income tax and \$315,000 is not enough revenue for him to feel confident about being able to reduce the burden to residents on their real estate tax bills.

Another resident, Todd Sousa from Edgefield Drive, was acknowledge by Mayor Stacy and asked the Solicitor to better explain the contract with RITA and procedural issues surrounding the three readings of a possible Income Tax Ordinance. The Solicitor reviewed the process again but added it is expected the whole process would take at least six months to complete. Mr. Sousa felt there may have been miscommunication with the residents about the levy and the Mayor explained various ways the Village tried to inform the residents of their need for this additional 2.8 levy. The Mayor did indicate he had received feedback from residents the language on the ballot was confusing and not at all what he had been informed about prior to the election. Mayor Stacy indicated the Board of Elections has control over the working on the ballot, the Village does not. Mr. Sousa felt better analysis is needed and did not feel reduced police presence was necessarily a good thing. He wonders why the Village officials are not considering dissolution of the Village.

Ms. Meister explained a lot of research has been done in the past concerning that issue and the services would be different if the Village were to dissolve. Ms. Bolton expressed her opinion that while residents in the subdivisions of Coleman Woods and Aston View may believe they would be content with the same service level their neighbors up Bridgetown Road receive, residents in the other parts of the Village – Westgate, Timberline and down along the business district – would probably not feel the same comfort levels. Residents in different parts of the Village have very different needs and concerns as it pertains to safety issues. Ms. Meister indicated she believes Council is looking at all options.

Mayor Stacy invited residents to participate in the discussion and offer their input. Meetings are always open to the public. Lastly, the Clerk/Treasurer wanted to add that the Village of Cleves is not the only entity struggling to get levies passed and that many school districts and other municipalities are struggling to get their levies passed regardless of how well they communicated the need for the levy to their residents.

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

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Mayor Danny Stacy

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Clerk/Treasurer Linda Bolton

