

RECORD OF PROCEEDINGS

Minutes of VILLAGE OF CLEVES Council Meeting Held on _____, 2013.

The Council Meeting held on June 12, 2013 was called to order by Mayor Stacy with the pledge to the flag. All Members of Council were present. Frank Hyle and Clerk/Treasurer Bolton were also present.

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
A Motion to Approve Previous Council Minutes	Santen	Meister	ALL YEAS
Motion to Pay Warrants & Vouchers and Adopt Pay Ordinance # 11- 2013.	Santen	Meister	ALL YEAS

Ms. Meister asked the Mayor and Council to excuse her at 8:00 p.m. tonight due to a scheduling conflict.

SOLICITOR'S REPORT TO COUNCIL

Solicitor Hyle outlined the time table involved if Council wishes to entertain the request of Mr. Tisch to vacate Martha Avenue and a portion of Creamer Street. Council must hold a public hearing on this issue and give notice to the public of their interest in considering this request. Following discussion, Council decided to hold this Public Hearing on August 28th just prior to the Council Meeting scheduled that evening at 6:45 p.m. Ms. Meister and Ms. Nichols are still not certain they wish to support this request and both felt this date would give them plenty of time to thoroughly review the request.

He then asked Council to review a Resolution he had concerning reimbursing Village employees when they incur damage due to vandalism to their personal vehicles while parked on Village property during their work hours. Two of our police officers had their personal vehicles damaged while parked in our back lot while on duty with the Village. Mayor Stacy explained he spoke personally to our insurance carrier and our insurance DOES NOT cover this kind of claim. With no negligence on our part, the employee must go to their insurance company to have their vehicle repaired. Mayor Stacy is asking Council to consider reimbursing the employee up to \$500 of their deductible to help offset the cost to repair their vehicles. The Clerk asked that Council not reimburse the employee directly but to instead instruct her to pay the shop doing the repairs directly. Council liked that idea. There were questions about making it retroactive and also questions about the security cameras currently in place. Chief Renner indicated arrests have been made and we may have some restitution before it is all over with. Following discussion, Council took the following action:

RESOLUTION #17 – 2013 Reimburse Employee Portion of Deductible for Damages

A Motion to Adopt Res #17-2013 was made by Nichols; seconded by Randall.

Results: Pastrick, Yea; Nichols, Yea; Meister, Yea; Santen, NO; Randall, Yea; Meyers, Yea.

Resolution was adopted 5 to 1.

The Solicitor then reminded Council they have an August 7th deadline to file to place a levy on the ballot in November should the Village be unsuccessful in August. A discussion was held about this issue. It was decided the Finance Committee would review this issue at its next meeting and report back to Council at their next meeting.

The next issue addressed by the Solicitor was two legislative items concerning the Storm Water district. He explained the Village needs to immediately adopt legislation adopting the rules and regulations of the Hamilton County Storm Water District we are currently members of. This should have been done previously and has not been done. The second issue at hand was the issue of withdrawing from the Hamilton County Storm Water District and managing our own storm water issues. Following discussion of both of these items, Council took the following action:

ORDINANCE # 8 – 2013 ADOPTING & ACCEPTING RULES & REGULATIONS OF HCSWD

A Motion to Introduce Ord#8-2013 was made by Randall; seconded by Nichols. ALL YEAS.

A Motion to Suspend Rules, Read by Title Only made by Randall; seconded by Nichols. ALL YEAS.

A Motion to Adopt Ord#8-2013 made by Randall; seconded by Nichols. ALL YEAS.

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ORDINANCE #9 – 2013 WITHDRAW FROM THE HCSWD AND ACCEPT APPROVAL UNDER EPA NPDES GENERAL PERMIT #OHQ000002

A Motion to Introduce Ordinance #9-2013 was made by Randall; seconded by Nichols. ALL YEAS.
A Motion to Suspend Rules, Read by Title Only made by Randall; seconded by Nichols. ALL YEAS.
A Motion to Adopt Ordinance #9-2013 made by Randall; seconded by Nichols. ALL YEAS.

At this time Ms. Pastrick indicated she had a potential conflict on August 28th and asked Council to consider a later date for the public hearing concerning vacating of Martha and Creamer. Following discussion, Council agreed to push back this public hearing to September 25th, 2013 at 6:45 p.m.

CLERK/TREASURER REPORT

Ms. Bolton had nothing special to report to Council.

DEPARTMENTAL REPORTS TO COUNCIL:

Police Chief Renner began by reviewing his detail reports for the previous month of May. He also mentioned he has met with Superintendent Bohanon concerning school traffic issues and concerns for the Village. He also mentioned we have recently lost two part time officers who have secured other employment and he asked Council to consider bringing Chris Niesen off auxiliary and hiring him to our part-time staff. Following discussion, **A Motion to Hire Chris Niesen as a Part-Time Police Officer with a One-Year Probation made by Nichols; seconded by Randall. ALL YEAS.**

Chief Renner then explained to Council his need to promote a couple of our officers due to some problems we recently had when we needed to call out an Amber Alert and didn't have a Sergeant on duty – a rank of Sergeant is necessary in order to call in special services from the County. Chief indicated there would be no pay raises involved with his recommended promotions. He recommends the following promotions: Sergeant Wright to Senior Sergeant; Officer Randy Naegele to 2nd Sergeant and Officer Bryan to 3rd Sergeant. Clerk Bolton asked about special qualifications for the rank and also about whether or not testing was required. Chief Renner responded we haven't given out these kinds of test for as long as he can remember and all candidates are qualified for these rank promotions. Following discussion, Council took the follow action:

RESOLUTION # 18 – 2013 PROMOTION IN RANK FOR THREE POLICE OFFICERS: WRIGHT, NAEGELE AND DELK.

A Motion to Adopt Resolution #18-2013 made by Nichols; seconded by Randall. ALL YEAS.

Lastly, Chief Renner asked Council to review the applications for five new candidates for our auxiliary staff. He went through each of the five candidate's qualifications and asked Council to approve their appointments: Richard Vande Ryt, Justin Laverty, John Tepe, Marcus Allen, Luke Buhrlage. **A Motion to Appoint Five Candidates – Vande Ryt, Laverty, Tepe, Allen and Buhrlage -- to Our Police Auxiliary with a One-Year Probation was made by Nichols; seconded by Randall. ALL YEAS.**

At this time, Mayor Stacy swore in Officer Vande Ryt who was present at the Council Meeting.

Asst. Fire Chief Gemmell addressed Council on behalf of Fire Chief Ober who was on vacation. He reviewed the previous month's details and indicated they are working on many issues concerning the new school and also working closely with the Water Works to keep fire hydrant repairs going well.

Street Commissioner Harold Duncan informed Council on the following topics of interest: Traffic signals in place at N. Miami and Cooper Roads and they will be blinking yellow for a while to let people get used to them; he would like to be informed of any parking plans in place due to the new school and lastly, he asked that Gary (Lucky) Heath be in charge

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of the department if he is out of town or out of the office for any reason. Mayor Stacy indicated he would be in agreement with Lucky Heath being in charge during Harold's absence. Ms. Meister reminded Harold she has requested a list of upcoming street project so she can pass it on to the Water Works as they would like to coordinate possible water line replacement projects with our street projects. She also inquired about the box culvert on Porter and Mr. Duncan indicated they will probably be starting next week. Mayor Stacy asked Ms. Pastrick if everything was going okay with the sign project on Route 50 and she responded it was.

COUNCIL & COMMITTEE REPORTS

Ms. Bev Meyers, Park Committee Chair said there was no Park Committee Meeting held this month but she is working to get some money being held by the Three River's Historical Society on behalf of the Cleves Canal Tunnel turned over to the Village so it can be used for seed money for grants.

Ms. Megan Randall, Street Committee Chair, reviewed her Street Committee Minutes mentioning the following issues that were discussed at the meeting: Drees representatives attended to discuss various street issues in Coleman Woods as well as the topic of the emergency connector in Coleman Woods with Westgate Drive; Harold's working to reduce the Maintenance budget by cutting gas costs, herbicide applications and mowing of some areas of the Village; JMA is working with us on possible traffic flow problems once the new school opens; and Ms. Randall announced the next Street Meeting is being moved back to July 11th since no one wishing to meeting on July 4th! Mr. Duncan was asked if the street section in Section 6, Block B of Coleman Woods was ready for dedication and he responded it was.

Ms. Geri Meister, Public Works Water Committee went over several items she felt important to clarify concerning the fire hydrant issues and the Water Works. Fire Chief Ober stressed no special training is necessary for his department because they and the Water Works currently follow very similar procedures. Ms. Meister reviewed a long list of hydrants that have been repaired or replaced by the Water Works stressed the big picture shows progress on the issue surrounding fire hydrant repair and replacement. At this time a discussion was held about the fire hydrants and Water Works cooperation with the repair of these hydrants. Ms. Meister would not be in favor of any legal action about the hydrants and she believes she has a good working relationship with the Water Works. She reminded everyone the Water Works is repairing and replacing hydrants based on the priority assigned by Miami Township Fire Department.

The next Board of Public Affairs (BPA) meeting is scheduled for June 18th at noon. Next Communications meeting scheduled for June 24th at 7:00 p.m. The Mayor asked Ms. Meister to ask the BPA to consider some evening meetings so residents can attend if they wish to. (At this time, Ms. Meister left the meeting as she requested at the beginning)

Mr. Santen, Planning Committee Chair, informed everyone the owner of Another Bar was at the meeting to announce plans to build an outdoor smoking area on the side of their current building and the owner of some of that property on the side is gifting it so the bar can have a smoking section not out in front of the bar. Dwayne Means was also present to ask Planning to consider allowing him to subdivide some property he owns on Skidmore and have the zoning changed from S1 to R3. He would like to build some houses on this property and would need this zoning change. Mr. Santen said it was explained to him the procedure he would have to follow to change the zoning and what he would need to do to receive the necessary variances he would need to build on these subdivided lots. Nothing was promised to Mr. Means. A Porter Street resident asked for a variance for a privacy fence in a side yard. A Western View resident also came to see if anything could be done to ban kids from playing in the cul-de-sac. Some discussion was held about the new BP sign that was revised without a permit and tall grass problems were also discussed at the meeting.

Mr. Santen indicated he is cancelling July's Planning Meeting altogether because of the 4th of July holiday. He also asked that Dick Weber check into a boat in Coleman Woods at Laurelwood and Edgefield. This boat has been parked in the same

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spot for quite some time. He will not be able to attend the next Finance Meeting and he wanted to make his position known he is opposed to any new levy issue in November if the August levy fails, he prefers the income tax option.

Ms. Nancy Nichols, Safety Committee Chair, went through her prepared minutes from the last Safety Meeting and reviewed topics discussed. Topics discussed but not covered previously were: Chief Renner was going to attend a meeting about dispatch issues in Hamilton County but now believes the main issue has been resolved. Many of the large nuts are missing from the fire hydrants and there is some consensus perhaps they are being stolen and recycled. She has asked the Chief to notify local recycling/scrap centers to be on the lookout for these items. Private property and parking issues concerning the new school can be ironed out, but the Solicitor indicated we should find out what the school actually wants. At this time a discussion was held about parking issues on Finley, Porter, Cooper and N. Miami Avenues. Mr. Santen indicated he wants to see the current plans for parking in this area.

Another safety issue discussed at the meeting concerned the addition of a couple more cameras and whether our current system can handle wireless cameras. Ms. Nichols has been searching online and has found some good deals on cameras but we need to find out what cameras are compatible with our current system. Following discussion it was determined the Chief would call Kraft Electric to get more information about our current system and to also check into the main unit that is not working at this time.

Ms. Jan Pastrick, Finance Committee Chair, reminded everyone the next Finance Meeting is being held next Wednesday. She is working on a press release and letter to be mailed to residents concerning our special levy in August. The business signs for Route 50 have been ordered and she is expecting them to be ready for installation soon. Our grant for additional signage for the Save Route to School program had been approved. Lastly, she will not be able to attend the next Council Meeting and requests Council excuse her.

MAYOR'S REPORT

Mayor Stacy asked Council to officially rehire Thomas Longano as Village Magistrate for Mayor's Court. **A Motion to Rehire Thomas Longano as Village Magistrate made by Santen; seconded by Nichols. ALL YEAS.**

The Mayor had other topics of interest for Council: An update on the BWC claim in Maintenance; Informative materials for levy marketing for August election; review of John Tisch's current plans for Martha and portion of Creamer should the Village agree to vacate; A change in Mayor's Court policy sending more long-time delinquent offenders to work their time off performing community service in Maintenance; A plan to go to Finance and present options to make our back lot more safe; and he asked the Solicitor to check into whether or not we currently have a law in effect requiring dog owners to have additional insurance for vicious dogs. Lastly, Mayor Stacy indicated the Village is moving forward with its grant for a School Resource Officer. It is our Solicitor's believe that the Village has the authority to appoint any School Resource Officer for a school located in our jurisdiction regardless of who is paying that officer. There are some questions about the Grant and whether or not it would require the Village to budget the salary after so many years and further discussion was held about this. Chief Renner is meeting with Hamilton County Sheriff O'Neil about this issue.

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

Mayor Danny Stacy

Clerk/Treasurer Linda Bolton