

# RECORD OF PROCEEDINGS

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Minutes of VILLAGE OF CLEVES Council Meeting Held on \_\_\_\_\_, 2014.

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Mayor Stacy began the June 11, 2014 Council Meeting with the Pledge of Allegiance. Roll Call was taken. Present were Pastrick, Nichols, S. Myers, Randall, and T. Myers. Ms. Meister was absent. Clerk/Treasurer Bolton and Solicitor Hyle were also present.

**A Motion to Approve the Previous Council Meeting Minutes was made by Nichols; seconded by Pastrick. ALL YEAS. A Motion to Pay all Warrants & Vouchers and Adopt Pay Ordinance # 10 and #11-2014 was made by Nichols; seconded by Pastrick. ALL YEAS.**

A Motion to Excuse Ms. Meister from the Meeting was made by Nichols; seconded by S. Myers.

## **SOLICITOR'S REPORT**

### **ORDINANCE # 6 – 2014**

### **ORDINANCE RESCINDING ORD # 7 – 1972 TRAFFIC SIGNS & SIGNALS**

A Motion to Introduce made by Nichols; seconded by S. Myers. ALL YEAS.

A Motion to Suspend the Rules Read by Title Only made by Nichols; seconded by S. Myers. ALL YEAS.

A Motion to Adopt ORD #6-2014 made by Nichols; seconded by S. Myers. ALL YEAS.

### **ORDINANCE # 7 – 2014**

### **ORDINANCE RESCINDING ORD # 6 – 1970 PARKING IN EXCESS 48HRS**

A Motion to Introduce made by Nichols; seconded by Randall. ALL YEAS.

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

A Motion to Adopt ORD # 7 -2014 made by Nichols; seconded by Randall. ALL YEAS.

### **ORDINANCE # 8 – 2014**

### **ORDINANCE RESCINDING ORD # 2 – 1969 LOUD MOTOR VEHICLES**

A Motion to Introduce made by Nichols; seconded by S. Myers. ALL YEAS.

A Motion to Suspend the Rules Read by Title Only made by Nichols; seconded by S. Myers. ALL YEAS.

A Motion to Adopt ORD # 8-2014 made by Nichols; seconded by S. Myers. ALL YEAS.

### **ORDINANCE # 9 – 2014**

### **ORDINANCE RESCINDING ORD # 4 – 1964 DISPLAY OF PLATES**

A Motion to Introduce made by Nichols; seconded by S. Myers. ALL YEAS.

A Motion to Suspend the Rules Read by Title Only made by Nichols; seconded by S. Myers. ALL YEAS.

A Motion to Adopt ORD # 9-2014 made by Nichols; seconded by S. Myers. ALL YEAS.

### **ORDINANCE # 10 – 2014**

### **ORDINANCE RESCINDING ORD #2 – 1967 IMPOUNDING VEHICLES**

A Motion to Introduce made by Nichols; seconded by S. Myers. ALL YEAS.

A Motion to Suspend the Rules Read by Title Only made by Nichols; seconded by S. Myers. ALL YEAS.

A Motion to Adopt ORD # 10-2014 made by Nichols; seconded by S. Myers. ALL YEAS.

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The Solicitor then explained to Council the electric provider who first provided a quote to deliver electric to the Village of Cleves and others in the aggregation has backed out unable to honor their quote. Our aggregation manager, Eagle Energy, is working to get new quotes together. To save valuable time and enable our residents to get the best rate possible as soon as possible he is asking Council if they are willing to enable the Mayor to sign contract as soon as one is possible without calling special meeting of Council to inform them of the rates. A discussion was held about this issue with all members of Council expressing their willingness to authorize the Mayor to sign.

**RESOLUTION # 12 -2014**                      **AUTHORIZE MAYOR TO SIGN CONTRACT FOR ELECTRIC AGGREGATION**  
A Motion to adopt Resolution #12-2014, A Resolution Authorizing the Mayor to Enter into an Agreement to Provide Electricity made by Nichols; seconded by Randall. ALL YEAS.

Solicitor Hyle then explained about a TIF Review Council Meeting and CRA Meeting coming up and the Village needing to designate representatives for the Village. Following discussion, Council took the following action:

**RESOLUTION # 13 -2014**                      **APPOINTING MAYOR STACY, JAN PASTRICK TO TIF REVIEW COUNCIL**  
A Motion to adopt Resolution #13-2014, A Resolution Appointing Danny Stacy and Jan Pastrick to Serve as Village Representatives to Village Tax Incentive Review Council made by Nichols; seconded by Randall. ALL YEAS.

Next, there were several legislative items for the Water Works, two granting temporary construction and staging area easements for property owned by Lostbridge, LLC and Carriage House Farm Services, LLC. and a third authorizing the Mayor to sign loan documents for Phase III of the Water Works expansion. Following discussion, the following action was taken:

**ORDINANCE # 11 – 2014**                      **CONTRACT FOR EASEMENT WITH LOSTBRIDGE LLC**  
A Motion to Introduce was made by Pastrick; seconded by S Myers. ALL YEAS.  
A Motion to Suspend the Rules Read by Title Only made by Pastrick; seconded by S Myers. ALL YEAS  
A Motion to Adopt Ord #11-2014 made by Pastrick; seconded by S Myers. ALL YEAS.

**ORDINANCE # 12 – 2014**                      **CONTRACT FOR EASEMENT WITH CARRIAGE FARM LLC**  
A Motion to Introduce was made by Pastrick; seconded by Randall. ALL YEAS.  
A Motion to Suspend the Rules Read by Title Only made by Pastrick; seconded by Randall. ALL YEAS  
A Motion to Adopt Ord #12-2014 made by Pastrick; seconded by S Myers. ALL YEAS.

**RESOLUTION # 14 -2014**                      **AUTHORIZING MAYOR TO SIGN LOAN DOCUMENTS WW EXPANSION**  
A Motion to adopt Resolution #14-2014, A Resolution Authorizing Village of Cleves to Apply For, Accept, and Enter into a Water Works Revolving Loan Account Agreement for Planning, Design and Construction of Wastewater Facilities made by Nichols; seconded by Pastrick. ALL YEAS.

(At this time Geri Meister arrived at the meeting.)

At this time a discussion was held about compensation for the School Resource Officer and those who fill in for the officer in his absence. Council believes anyone filling in for the SRO when they are not able to work should receive the same pay as the officer holding the job full time. Some discussion was held as to whether or not to make it retroactive to April? The Clerk indicated there are many factors that would make a retroactive payments

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challenging, must most challenging would be tracking and reporting the pension for the retroactive compensation. It was decided not to make it retroactive following more discussion.

## **ORDINANCE # 13 – 2014**

## **COMPENSATION FOR SCHOOL RESOURCE OFFICER**

A Motion to Introduce was made by Pastrick; seconded by S Myers. ALL YEAS.

A Motion to Suspend the Rules Read by Title Only made by Pastrick; seconded by S Myers. ALL YEAS

A Motion to Adopt Ord #11-2014 made by Pastrick; seconded by S Myers. ALL YEAS.

Lastly, the Solicitor informed Council there were too many proposed changes by John Tisch on the current CRA established for him so a hearing must be held on the matter.

## **RESOLUTION # 15 -2014**

## **SETTING PUBLIC HEARING FOR CONSIDERING CRA AGREEMENT**

A Motion to adopt Resolution #15-2014, A Resolution Setting Public Hearing for Purpose of Considering the Adoption of A Community Reinvestment Area Agreement made by Nichols; seconded by Pastrick. ALL YEAS.

## **CLERK/TREASURER REPORT**

Clerk/Treasurer gave a financial report on the finances of the Village relative to the end of April and the completion of one-third of the fiscal year. With several expenses coming up in April, our Maintenance Fund balance is very low and it appears a fund transfer or advance may be needed. She explained the different between the two different types mainly being advances are expected to be paid back to the general fund and transfers are not expected to be returned. Mayor's Court revenues are under budget as well as building permits. Both are expected to rebound in the summer months. The Police budget is a little over and we will watch it as we progress through the summer.

The Mayor recognized a resident, John Roth of Skidmore Avenue, who asked Council if they would release or vacate a paper street that runs along his property. He explained some of the problems he is having with neighbors and he believes if he can get ownership of this strip of land he can eliminate most of these problems. The Solicitor explained the law provides that if the Village vacates ownership half would go to one property owner and the other half to another. Council would have to set a hearing date and official procedures would follow. The Clerk asked about who would be financial responsible to cover the cost of legal ads etc. Mr. Hyle said he would check into it and come up with possible costs to determine if Mr. Roth would still be interested in having this property vacated by the Village to him.

Next, Mayor Stacy recognized Kate Fenton of Three River's Schools who wanted to inform Council of the many events coming up at the schools some of which were US 50 Yard Sale and Recycling Event on May 17<sup>th</sup>; All American Tribute benefiting the American Legion in Cleves on May 25<sup>th</sup>; and many graduation festivities for this year's graduating class. She also brought Council up to date on the progress of the new football stadium currently under construction. She indicated they are expecting the lights, pads and bleachers of the stadium to be complete by early September and they will be using temporary facilities for other stadium issues.

## **DEPARTMENTAL REPORTS**

### **POLICE**

Chief Kraft asked Council to approve the hiring of Ed Taylor. He explained his background and experience and indicated he wanted to hire him to do investigative work only. Following discussion, **A Motion to Hire Ed**

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**Taylor as a Part-Time Police Investigator With a Year Probation at a Salary of \$14.00 an Hour made by Meister; seconded by Pastrick. ALL YEAS.**

The Chief then went on to review his monthly detail report for April. He gave an update on our newest officers and how they were doing as well as how the reorganization of the property room is going. He is very pleased with how all of them are doing. He also reported to Council on the used cruiser Delhi Township is selling and mentioned if Council approves the purchase of \$7500, this vehicle would be used by himself and the new detective. The vehicle would remain unmarked at this time. We have advertised the open position of School Resource Officer and to date have had some response. He will keep everyone posted. Lastly he mentioned his computer was corrupted by a very bad virus and he had it looked at by Tri-State Computer Wizards in Harrison. Ms. Pastrick indicated she has asked them to give the Village a free assessment of our IT needs and what they would charge to provide IT service to the Village.

## **FIRE**

Chief Ober began by reviewing his monthly detail stats for April. Of the 19 EMS runs, only 2 were drug related. He then explained about a complaint about the creek behind E. State being green. It was determined to be MSD dye they use in the system to check for leaks. MSD at first denied it was their dye, but finally admitted it.

## **WATER WORKS**

Superintendent Winhusen reported the valve project is finishing up and should be complete by the end of the month or first of June. Ms. Pastrick asked if the problem down by Delta Propeller has been fixed with this project and Mr. Winhusen answered it was fixed beforehand. Mayor Stacy asked about the problems on Harrison Avenue and if they are being fixed by this project and Eric responded they are. Mr. Winhusen then explained the Water Works needs to increase our liability insurance due to the Phase III expansion project and the need to go underneath the railroad. The Water Works will cover the additional cost of \$5,102 for this additional liability insurance which will be an additional \$2,000,000 insurance coverage.

## **STREETS**

Street Commissioner Duncan reported our town clock is fixed. Ms. Nichols thanked Harold and his department for moving the flower pots around again.

## **COUNCIL REPORTS**

**Safety Committee Chair** Geri Meister said there had been a lengthy discussion on police staffing at the recent Public Safety Committee meeting. Our current wages were discussed and the fact our current starting part time wage is not very competitive. A discussion concerning current salaries was held. Ms. Meister indicated we received a free radar unit from the Ohio Department of Public Safety. We have entered into an agreement with Hamilton County to use their target range for our certifications and this will only cost us \$50 a year to use. She also mentioned the fact our police reports are not in the Western Hills Press and the Committee is going to look into why our reports are not in the press. A discussion was held about this issue. Lastly, the topic of reinstating our K9 unit was discussed, but Chief Kraft does not recommend reinstatement at this time due to the additional cost. The next Public Safety Committee Meeting is scheduled for June 2<sup>nd</sup> at 6:30 p.m.

Ms. Myers asked about the emergency gate installed between Westgate and Coleman Woods and who has keys to this gate. Chief Ober indicated a Knox system was supposed to be installed and he doesn't believe Drees ever did that. Ms. Pastrick asked if we should follow up with Drees because this gate was supposed to give limited access to emergency vehicles only.

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**Park Committee Chair** Nancy Nichols reviewed minutes from the last Park Committee Meeting and indicated the Committee had reviewed rule changes for the Park. She reviewed other issues discussed at the meeting: Cleves Farmer's Market going to be held at the Gazebo on Thursday evenings and Nancy is working on a vendor listing; turnout for the Plant Exchange was disappointing compared to last year and the Committee is finalizing plans for the Family Camp Out scheduled for July 19<sup>th</sup> and 20<sup>th</sup>. A discussion was held about how best to get the word out to the community and different possible activities for the kids that weekend.

**Finance Committee Chair** Jan Pastrick reported the next Finance Meeting is being held next Wednesday at 7:00 p.m. She asked if Council wanted to make a decision on the purchase of the cruiser from Delhi at this time. Following discussion, Council took the following action:

**RESOLUTION # 16 -2014**                      **AUTHORIZE PURCHASE OF USED CRUISER FROM DELHI**

A Motion to adopt Resolution #16-2014, A Resolution Authorizing the Purchase of a Used Police Vehicle from Delhi Township for \$7500 made by Pastrick; seconded by Meister. ALL YEAS.

Ms. Pastrick then reminded everyone of the recycling event coming up next Saturday and reviewed some of the details including the small fee for televisions and computer monitors. She thanked the Myers for agreeing to represent the Village for the event since she is unable to be there.

**Planning Committee Chair** Tiffiney Myers reviewed issues brought up at the last Planning/Zoning meeting and mentioned the new compliance officer, Steve Ventre was in attendance and he is exploring the problems with 80 E. State Road. The Committee discussed grass cutting and the placement of liens on properties we have to take care of. There were a couple small zoning issues and the next meeting is scheduled for June 4<sup>th</sup>.

Mayor Stacy indicated the new compliance officer met with Dick Weber last Friday and they are working well together. Ms. Pastrick asked if he could help do anything about the motel next door and a discussion about this topic was held.

**Street Committee** Chair Megan Randall indicated Mr. Roth had attended the meeting concerning the problem he explained earlier in the meeting. Topics discussed at the meeting were: Road salt use and costs to order more for next winter; Road crack sealer maintenance project with the Village of North Bend; Ordering of some new flag poles; Street line painting to begin soon; Traffic signal bulbs have been replaced and some resident issues were addressed. The next Street Meeting scheduled for June 10<sup>th</sup>.

Ms. Myers asked about the situation with Pessler's Mayor's Court hearing and was told he has received a continuance until June 23<sup>rd</sup>.

**Communication Committee** Chair Steve Myers reported he has gotten the requested Water Works information on our website. The next Communication meeting is scheduled for June 23<sup>rd</sup> at 7:00 p.m.

## **MAYOR'S REPORT**

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Mayor Stacy reminded everyone about the Memorial Day Parade on May 26<sup>th</sup> at 9:30, staging to begin at 8:30 in Skyline's parking lot. He then informed Council he has received information pertaining to past overtime hours from September of 2013 being requested by our then School Resource Officer, Bryan Delk. According to him and the Fair Labor Act, even though he was salaried he believes he should have been compensated for his overtime hours. The Mayor further explained the situation and indicated Mr. Delk believes we owe him approximately \$9,782.00. There are several issues at play here including who actually authorized the overtime; the Village or the school? Officer Cliff Wright's possible overtime is also being looked into. Ms. Meister asked about evening details at the school and a discussion was then held about this topic.

Ms. Meister wanted to state for the record that the Village of Cleves Council was not aware of any wrongdoing and believed the salaried police officer to be exempt from overtime pay. When informed differently, action was taken immediately to correct the situation. Ms. Nichols indicated our contract with the school should clearly state how any overtime should be approved and compensated for in the future.

**A Motion to Enter Executive Session Concerning the Employment of Village Employee made by Meister; seconded by S. Myers. ALL YEAS. (Clerk/Treasurer Bolton left chambers during session) Clerk Bolton was invited back in and Council declared return to regular session.**

It was indicated by the Solicitor that an official vote to return to regular session was not necessary.

**A Motion to Adjourn the Council Meeting was made by Ms. Nichols; seconded by S. Myers. ALL YEAS.**

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Mayor Danny Stacy

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Clerk Linda Bolton