

SPECIAL PUBLIC HEARING OF COUNCIL TO REVIEW ZONING CHANGE

A Special Public Hearing of Council was held on Wednesday, August 10 at 7:00 p.m. to review changes to zoning ordinance. Section 702 of Zoning Ordinance concerning parking issues was being reviewed. Public Hearing was opened with Mayor, Clerk, Solicitor and All Members of Council in attendance except for Ms. Richardson who was out of town.

Mr. Santen read proposed legislation with changes detailed for all in attendance. With no questions or discussion, Mr. Santen declared Public Hearing closed.

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The Council Meeting held on August 10, 2011 was called to order by Mayor Sutton with the Pledge to the Flag. All Members of Council were present with the exception of Ms. Richardson. Clerk/Treasurer Bolton was present; Solicitor Hyle was present.

**A Motion to Excuse Ms. Richardson was made by Stacy; seconded by Santen. ALL YEAS.**

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
A Motion to Approve Previous Council Minutes	Stacy	Haas	All Yeas
A Motion to Pay Warrants & Vouchers and Adopt Pay Ord #14 & #15-2011	Stacy	Haas	All Yeas

Solicitor Hyle requested Council to review legislation he had prepared concerning the recommended changes to the Zoning Ordinances by the Planning Commission.

<u>ORDINANCE # 10 – 2011</u>	<u>Change in Zoning Ordinance Section 702</u>		
	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
A Motion to Introduce Ordinance #10--2011	Santen	Haas	All Yeas
Suspend rules, Read by Title Only	Santen	Haas	All Yeas
A Motion to Adopt Ordinance #10-2011	Santen	Haas	All Yeas

He then presented legislation concerning the procedures for repairing sidewalks and placing cost for this repair as a lien upon the tax bill of property owner was explained by Frank. Discussion was held concerning sidewalk in question on Finley. Following discussion, the following action was taken by Council:

<u>RESOLUTION # 18 – 2011</u>	<u>Sidewalk Repair Procedures</u>		
	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
A Motion to Adopt Resolution #18-2011	Stacy	Santen	All Yeas

The Mayor acknowledged residents in attendance who were here to check into the status of possible repairs to Montieth. Street Commissioner, Mr. Duncan, was brought up to go over the various quotes he has received to perform the street improvement as well as some quotes to replace some old pipe and resolve some of the drainage issues concerning Montieth. Discussion was held about the various options for this street and Mr. Santen expressed his opinion he does not see Montieth as a street but more of a private driveway. Mr. Stacy

indicated he believed the street to have been accepted and dedicated. Ms. Nichols was concerned without engineering, how we would be sure the installation of bigger pipe would resolve the drainage issues. Further discussion was held and Ms. Meyers asked about truck traffic and the big trucks being stored at the top of Montieth. The Mayor questions whether 8" pipe was big enough or whether or not 12" pipe was now the minimum requirement. Further discussion was held. Quotes to repave Montieth were \$15,840 for 4" and \$21,272 for 6" of blacktop. Drainage repair quote was \$11,000 from one contractor and \$32,306 from our Engineers. Following discussion, **A Motion to Repave Montieth for \$21,272 using Investment Monies was made by Stacy; seconded by Nichols. (Nichols, Yea; Stacy, Yea; Meyers, Yea; Haas, Yea; Stanen, Ney) Motion carried by a vote of 4 to 1.**

Residents asking about electric at the Gazebo were also acknowledged and asked Council to restore the electric service to the Gazebo so they would use it for an upcoming Community Outreach program. Discussion was held about the cost to service electric to Gazebo and to restore service. **A Motion to Restore Electric Service to Gazebo as soon as possible made by Santen; seconded by Haas. ALL YEAS.**

Next, Mayor Sutton acknowledged Paul DiMuzio who wanted to address Council about placing a roadside cabinet on Cooper Road in order to provide signal service to Indiana, Batesville being particularly mentioned. Discussion was held and he was told the property where he wanted to place this cabinet was actually owned by Three River's School. Discussion was held about possibly moving it alongside Cooper Road and Mr. DiMuzio was told our solicitor would work with him if final decision is made to place this cabinet in Village right of way on Cooper Road.

Mayor introduced Tiffany from Christmas Walk Committee to Council. Clerk asked for her email information so she could forward any inquiries about Christmas Walk to her.

### **CLERK'S REPORT**

Clerk Bolton reported on her progress placing ad to advertise for bids for Timea Street project and announced bid opening will be held on 8/17 at Noon. Memorial Rock for shelter in CCP has been paid for and will be placed soon. Other projects she is working on is lien placement for delinquent garbage customers and a final garbage service audit for Rumpke.

### **DEPARTMENTAL REPORTS**

*Police Chief Renner* reviewed the detail reports for July. Other topics and issues brought up by the Chief were: Police Department has obtained a less lethal weapon that fires small bags; State transitioning to new machine for breathalyzer and we have to run an ethernet line; IOK 4-Wheeler Gravelrama parade will be held Wednesday, August 24<sup>th</sup>; several officers are attending Crisis training in anticipation of new school in Village; Chief will obtain bid from Kraft Electric to wire wire garage door to generator so we can utilize our vehicles during power outages; Chief is appointing Pat Olvey to Active Administrative Assistant in order for him to begin work to bring our Police Policy & Procedure Manual up-to-date and lastly a discussion was held about the pros and cons of the new 2012 models of police cruisers the Village would have to choose from if they wish to purchase a new cruiser. Choices available for early 2012 would be a Chevy Impala or Caprice or a Dodge Charger. The Chief was asked to get final cost figures for Finance. At this time three new candidates for our Auxillary Police Department were sworn in: Blanton, Kurtz & Goddard..

*Miami Township Fire Chief Ober* was not available due to another meeting scheduling conflict.

*Street Commissioner Harold Duncan* reported to Council on the following issues: Schedule demolition of old Water Plant & Fire building; St. Rt. 264 Street Project way ahead of schedule; Municipal building roof replacement to begin in the next week or two; Further discussion held about update on sink hole in The Roundtable Restaurant parking lot; and Mr. Santen requested Maintenance to take care of a visibility issue on

Laurelwood in Coleman Woods. At this time Mr. Stacy indicated he received a call from a resident regarding drainage problems at this home on E. State where the newly planted grass seed has not taken hold and also a problem with some sidewalks that may need to be raised now that the new street surface is down. Further discussion was held about this topic.

## **COUNCIL REPORTS**

***Street Committee Chair Danny Stacy*** reported the new roof on the Municipal Building will be installed in a couple weeks. An issue came up at the Street Meeting concerning new tires for the red and white F-250s in the Maintenance Dept. A discussion was held about the quotes received to replace these tires of \$847.96 and \$827.96. Mayor Sutton felt prices were high and we could get a better price. It was decided the white truck needed the tires the most and the red truck would wait to see how the budget and finances for Maintenance hold out. Pending Mr. Duncan's attempts to secure better pricing for these tires, **A Motion to Replace the Tires on the White F-250 Not to Exceed \$900 was made by Stacy; seconded by Nichols. ALL YEAS.**

Mr. Stacy reported Maintenance needed a new cutting blade and they were also requesting a new hydraulic flow divider for the F-450 prior to this winter season. The Mayor explained what happened when the truck was ordered and why we could benefit from this larger bin. Discussion was held and Council took the following action: **A Motion to Purchase a Rubber Blade for \$525 from the Maintenance Budget was made by Santen; seconded by Haas. ALL YEAS. A Motion to Purchase a Hydraulic 604 Adjustable Flow Divider Bin for the F-450 from Kaffenburger for a cost of \$5,150 with Funds to be taken from Investment Monies by Stacy; seconded by Haas. ALL YEAS.**

Plans for construction of the building add on for the Maintenance Department has been stalled due to problems with the original contractor and further discussions with a subcontractor. Plans are also being reviewed to build an additional pole barn and salt storage bin for our use on this property as well. Mr. Stacy asked Mr. Duncan if the clock was still broken and Mr. Duncan reported it was fixed.

***Finance Committee Chair Linda Haas*** thanked everyone for all the well wishes during her hospital stay and reported she was feeling better. Farmer Market doing well.

***Public Safety Committee Chair Bev Meyers*** began by reviewing the Fire and EMS monthly detail data for Chief Ober who could not attend tonight's meeting. Ms. Meyers asked for Council's support to allow a family from out of town traveling and visiting BMX tracks throughout the United States to tent camp one night in our park. Council agreed and wanted to be sure the Police knew when and where they would be camping. The approved traffic patrol and power shift coverage is due to expire and Council needs to decide what they want to do. A discussion was held about whether or not the Village could afford to maintain this additional coverage and it was decided coverage would continue until the next Council Meeting. Ms. Meyers informed Council she has probationers coming to perform cleanup at the Canal Tunnel for two days in October. She then announced since the last time we codified our ordinances was in 1984, she had spoken with a gentleman from American Legal Publication about codifying our Ordinances that have been adopted since then. At this time a discussion was held about which ordinances need to be codified and what the cost may be for this to be done. Solicitor Hyle indicated he would contact this guy and get more information and report back to Council.

***Park Committee Chair Dawn Richardson*** was excused from attendance at this meeting.

***Planning and Zoning Committee Chair John Santen*** reported he had attended a big meeting last Friday concerning various issues surrounding the building of the new school. The school project is moving along and it appears ODOT will approve a traffic signal for Cooper Road and they will be informing us where to move the road. A commercial developer has also expressed interest in the outlet properties for retail development. Mr. Santen indicated a special Council Meeting has been called for Thursday, 8/25 in order for Council to consider

applying for a grant to move Cooper Road. Mr. Stacy had a question about a possible grant for Miami Avenue. Mr. Santen responded the possible grant on Miami was contingent on us not receiving a traffic signal for Cooper at Rt. 50. Now that a traffic signal has been approved, the grant for Miami Avenue is no longer on the table.

*Public Works Utility Committee Chair Nancy Nichols* asked Council to read their minutes from the last Planning Commission meeting for information from that meeting. The next Planning Commission meeting will be Thursday, September 1<sup>st</sup>. She attended the Water Board meeting held in July and reported on the following Water Works issues: GMRC Project bids being opened 8/11 at noon; Water levels and quality is great; and the Water Board is in talks to acquire Hidden Valley's water services. Mr. Stacy asked about the possibility of getting the Water Board to move their meetings to the evenings and Ms. Nichols indicated the time of their meetings is established by the Water Board.

#### **MAYOR'S REPORT**

Mayor Sutton indicated he would need an Executive Session to discuss personnel issues immediately following his report. He also reported he was in discussion with JMA about us opting out of the Storm Water District we are currently in and Mr. Santen asked about whether we would have the proper certifications to opt out. The Mayor indicated he would get more information and report back at a later meeting. He then asked Council to agree to donate the old ambulance to Butler County. We have received an offer of \$400 from a private company but the ambulance does not run well and Butler County has indicated they would like to have it. Following discussion, **A Motion to Declare to 1989 Ambulance as Obsolete and Surplus Equipment and to Donate it to Butler County made by Stacy; seconded by Haas. ALL YEAS.**

**A Motion to Enter Executive Session for Personnel Reasons by Meyers; seconded by Nichols. ALL YEAS.**  
**A Motion to Reenter Regular Session made by Stacy; seconded by Nichols.**

Once back in Regular Session, the Mayor informed Council about a traffic/police incident that occurred in the park the night before. A brief discussion was held.

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

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Mayor Shawn Sutton

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Clerk/Treasurer Linda Bolton