

The Council Meeting held on November 9, 2011 was called to order by Mayor Sutton with the Pledge to the Flag. All Members of Council were present. Clerk/Treasurer Bolton and Solicitor Hyle were present.

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
A Motion to Approve Previous Council Minutes	Santen	Stacy	All Yeas
A Motion to Pay Warrants & Vouchers and Adopt Pay Ord #20 & #21-2011	Santen	Stacy	All Yeas

### SOLICITOR'S REPORT

Frank Hyle reported #1 of his written legal report was already taken care of at the last meeting. He asked Council to review legislation concerning the conveyance of real estate. Following discussion, Council took the following action:

### ORDINANCE #12 – 2011

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
A Motion to introduce Ord #12-2011	Santen	Stacy	All Yeas
A Motion to Suspend Rules, Read by Title Only	Santen	Stacy	All Yeas
A Motion to Adopt Ord #12-2011	Santen	Stacy	All Yeas

### Conveyance of Real Estate

### CLERK/TREASURER REPORT

The Clerk asked Council to consider and review a Reappropriation Ordinance for their consideration which the Finance Committee has already reviewed. Following an explanation of the Ordinance by the Clerk, Council took the following action:

### ORDINANCE #13 – 2011

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
A Motion to introduce Ord #13-2011	Nichols	Richardson	All Yeas
A Motion to Suspend Rules, Read by Title Only	Nichols	Richardson	All Yeas
A Motion to Adopt Ord #13-2011	Nichols	Richardson	All Yeas

### Amend Appropriation Ord # 2-2011

Mayor Sutton recognized Bob Kispert, a resident who wished Council to again agree to provide snow plow and salt services to the private drive on E. State as they did last year for the cost of \$500. He provided a signed listing of resident's signatures and a check to the Clerk for \$500. Following discussion, **A Motion to Accept \$500 from the Residents on the Private Drive on E. State Road to Provide Snow Plow and Salt Services for the Winter of 2011/2012 was made by Stacy; seconded by Haas. ALL YEAS.**

Next recognized by Mayor Sutton was resident, Dan Fitzhugh who wished to address Council concerning a problem in his neighborhood with Pit Bulls being allowed to run at large. He asked Council to consider a ban against Pit Bulls in the Village of Cleves. Solicitor Hyle explained there are no state statues in Ohio against Pit Bulls alone and a discussion was held at this time about laws on the books against animals running at large and Solicitor Hyle indicated he would check into individual property owner's rights on this issue. Police Chief Renner did indicate dogs are a problem in this area of town and citations have been issued. At this time it was mentioned people are not observing the stop sign at Finley and Scott Streets and Chief Renner said he would try to monitor it.

Mayor Sutton mentioned he had received a call about the closing of Cooper Road down by the new school between Finley and Porter for one to two weeks for necessary work. Traffic will be rerouted down Finley and Porter for this time period and may increase the traffic problems in this area.

## **DEPARTMENTAL REPORTS**

*Police Chief Renner* reviewed the detail reports for October. He briefed Council on the theft at the gun shop across the street and our quick response to identify the perpetrator, retrieve the stolen rifles and make the arrest.

*Miami Township Fire Chief Ober* began his report by reviewing last month's EMS and Fire stats. He also informed Council after review of Edgefield Drive, he cannot find a reason at this time to designate a fire lane on this street. Mayor Sutton asked the Chief to check into a leaking fire hydrant on Main Street and contact the Water Works if the hydrant is in need of repair. Chief Ober indicated he would.

Maintenance Employee, Brian Laws, was in attendance at the meeting in the event Council had any questions or concerns for Maintenance. Street Commissioner Duncan was not feeling well enough to attend. Brian passed out documentation for Council concerning the service records and reports on all Maintenance vehicles and equipment. Mayor Sutton announced the water drainage issues on Rt. 50 may be solved. A drain has been clogged and we have cleaned it out in hopes it will solve the drainage problems on Rt. 50. Brian indicated the drain may need to be fixed soon to preserve the roadway. A discussion was then held about which issues are the State's responsibility and which issues are the Village's. The Mayor indicated he was told drainage issues under the roadway were our problem. Mayor Sutton reported he is turning in a new listing of streetlights that are out to Duke Energy.

## **COUNCIL REPORTS**

*Street Committee Chair Danny Stacy* has several items of interest for Council. The drainage issues at Montieth are going to be fixed sometime before November 15<sup>th</sup>. He asked Council to approve the pavement repair on Montieth so it may begin as soon as the drainage is fixed. Following discussion, **A Motion to Approve Montieth Repaving Project for \$22,000 made by Stacy; seconded by Nichols. Richardson, Yea; Nichols, Yea; Stacy, Yea; Meyer, Yea; Haas, Yea; and Santen, Nay. Motion carried by a vote of 5 to 1.**

Mr. Stacy continued by reporting the Mt. Nebo creek issue concerning the disappearance of the railroad ties is not a Village problem – Property owners are responsible for maintaining natural creeks on their properties. It has also been determined a drainage problem on Skidmore is resulting from a natural spring on property on Spring Street. Once again, it was determined the property owner on Spring Street is responsible to try to divert this natural spring water to the drain and/or catch basin.

Danny then indicated property owners on Western View and Western Ridge would like the three-way stop sign reinstalled at this intersection. A discussion was then held by Council to review the reasons the 3-Way stop signs were removed. The only accident at this 3-Way intersection was a minor one in 1990's. Some "No parking" signs have been moved to allow for better visibility at this intersection. Ms. Richardson asked what the process would be to get these stop signs put back up. Further discussion was held with Council being reminded you cannot place a stop sign indiscriminately at an intersection for the sole purpose of slowing down traffic. This is against State law. Chief Renner said he personally has tested traffic patterns at this intersection and he doesn't see a real safety issue and he believes it is okay as it is. Further discussion was held with each member of Council being asked to express their opinion on this issue so it could be determined if it was worth the Solicitor putting more time into researching to procedure. Mr. Santen is not sure stop signs are warranted with only one minor accident on record in two decades. Ms. Richardson, Ms. Nichols and Mr. Stacy are all in favor of reinstalling the stop signs for safety reasons. Ms. Meyer did not believe we had the money to finance a traffic study at this time and Mrs. Haas also felt she would want to see a traffic study first. It was determined Solicitor

Hyle should go forward with checking into the procedures necessary in the event Council decides to reinstall these stop signs.

**Finance Committee Chair Linda Haas** reported the Finance Committee had met prior to the Council Meeting and the Clerk will be putting together a salary spreadsheet for Council's consideration to reinstate salaries for employees back to where they were in 2010. Council seems to want to do this soon so they new salaries can go into effect the first pay period in January of 2011. Ms. Haas also wanted Council to consider the purchase of a new police cruiser. Discussion was held concerning the final quote received from the Police Chief of \$38,266 and whether or not the Village had a deadline to order by. The Chief indicated due to problems with finalizing state bidding issues, there is no deadline to order a new cruiser. Some cruiser models are not even available to order at this time. Further discussion was held and the Clerk reminded everyone due to financing and budget concerns, the monies for this purchase need to be appropriated by Council in 2011 and therefore no purchase order can be issued for this cruiser this year unless Council wishes to use investment monies for the purchase. It was decided if the cruiser could be reserved and order for us this year with an official letter of intent from Council then that would work. This gives Council to debate and determine the method of payment and where the funds will come from – appropriated, investments or borrowed.

Ms. Haas indicated the Parks would like benches for the playground and she indicated someone could call the City of Cincinnati to see if they have any old ones to donate like they did for us several years ago. She finished by telling a story about a boy on a bicycle on the sidewalk on election day and this prompted a brief discussion about our law concerning riding your bike on sidewalks.

**Public Safety Committee Chair Bev Meyers** indicated all safety issues have been previously discussed.

**Park Committee Chair Dawn Richardson** indicated she had nothing special to report.

**Planning and Zoning Committee Chair John Santen** reported Planning is reviewing a possible Vacant Structure Permit process for our Village to adopt. Zoning Inspector Dick Weber will get a copy of another jurisdictions permit for our review. Other topics discussed by Planning were status of vacant property at 500 Mt. Nebo; recommended changes to Ordinance #10-2011; the removal of the pontoon boat on the private drive on E. State; problems with storage of trash cans and their placement and a possible Ordinance to restrict the number of dogs and pets people may own. Mr. Santen congratulated those who won in the election and indicated Council will need to begin the process of appointing someone to fill the term being left vacant on January 1<sup>st</sup> by the election of Danny Stacy as Mayor. It was decided the Clerk would following the process we have followed in the past and post notice for people to submit letters of interest to the Mayor if they are interested in this vacant seat.

**Public Works Utility Committee Chair Nancy Nichols** reviewed items discussed at the last Water Board Meeting, in particular a water quality report and the engineer's report on the various projects underway. She said there was a discussion about water works expansion up to 2020 and an application being submitted for OEPA funding grants for our expansion projects. The Water Board is considering a 20% water rate increase and this news prompted a discussion about current water rates, MSD rates and the differences between the two.

### **MAYOR'S REPORT**

The Mayor reported some contamination has been found in the back lot of the Municipal Building and he will report back to Council more completely when he gets more information. He also mentioned a new letter is being sent out to the owner of 500 Mt. Nebo and new inspections have been made with a new list of problems with the structure in an attempt to get this house condemned. Mayor Sutton also asked Council to consider replacing one of the full time slots lost due to budget cuts as soon as they can. While he would like them to consider it by the first of the year, if they are not comfortable doing so by the first of the year to just seriously consider it as early as possible next year. This prompted a discussion about the possibly of creating a new full time officer position

and Ms. Nichols asking about over time and how part time officers work enough hours in one week to get overtime. Chief Renner explained that downtown Court appearances and continuances often run up over time hours. Chief Renner also informed Council he has been informed dispatch fees are going up next year and this also prompted further discussion about several jurisdictions looking into using the City of Cincinnati for their dispatching needs. Chief Ober indicated he believes the County dispatchers do a good job. Mr. Santen indicated he would prefer to wait until March to consider establishing a full time officer position and Ms. Meyer said she would like to see concrete appropriation figures for next year before making a decision.

Lastly, Mayor Sutton informed Council about an incident involving one of our officers discharging his weapon and shooting a dog. He reviewed the facts with Council and reported he had witnessed the incident himself and he wanted to make sure they were aware only one shot was fired and the dog survived.

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

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Mayor Shawn Sutton

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Clerk/Treasurer Linda Bolton

SPECIAL HEARING FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS  
APPLICATION FOR COOPER ROAD & MIAMI AVE PHASE I & II  
October 12, 2011  
6:45 P.M.

**A Motion to Open the Meeting was made by Stacey; seconded by Richardson. ALL YEAS.**

Jennifer Vatter from our engineers, was acknowledged and she updated Mayor and Council on the Cooper Road and Miami Ave Development Project.

No questions were asked.

**A Motion to Adjourn the Meeting was made by Stacy; seconded by Richardson. ALL YEAS**

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Mayor Shawn Sutton

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Clerk/Treasurer Linda Bolton