

The Council Meeting held on March 28, 2012 was called to order by Mayor Stacy with the Pledge to the Flag. Members of Council present: Meister, Meyers, Nichols, Randall and Santen. Ms. Pastrick was absent. Clerk/Treasurer Bolton was present as was Solicitor Hyle.

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
<b>A Motion to Approve Previous Council Minutes</b>	<b>Santen</b>	<b>Meister</b>	<b>ALL YEAS</b>
<b>Motion to Pay Warrants &amp; Vouchers and Adopt Pay Ordinance # 5- 2012.</b>	<b>Santen</b>	<b>Meister</b>	<b>ALL YEAS</b>

Mayor Stacy recognized Bill McCormick and Jennifer Vatter of JMA. Jennifer brought Council up to date on several possible projects that are in the works. The first issue discussed was Miami & Cooper Road and a \$60,000 Community Block Grant for Engineering. **A Motion to Authorize JMA to Proceed with Engineering with CBG Monies Made by Randall; seconded by Santen. ALL YEAS.**

Other discussion centered around future projects at Cooper and Rt. 50 which the school will be funding and Harrison Avenue reconstruction and the Porter Street Bridge project which is a \$195,000 project with hopes of receiving a \$40,000 block grant. Engineering fees would be approximately \$19,500.

**SOLICITOR’S REPORT**

Solicitor Hyle asked Council to review legislation prepared by him on the request of the Park Committee concerning the establishment of Park Usage Fees and restricting those fees for park improvements and maintenance only. Upon review, Council took the following action:

**RESOLUTION # 10 – 2012 ESTABLISHING PARK FEES & RESTRICTING REVENUES**  
**A Motion to Adopt Resolution #10-2012 made by Meyers; seconded by Nichols. ALL YEAS.**

He then informed Council Linda Bolton, Clerk/Treasurer, has been identified as the “designee” for all newly elected officials so when she attends the Sunshine Law training everyone will be compliant with the law. Of course, any newly elected officials are welcome to attend the training if they so desire and Ms. Bolton agreed to notify them of when she will be attending in case anyone else wishes to go.

**CLERK/TREASURER REPORT**

Clerk Bolton reported right before the meeting she opened a letters from OPERS concerning Bob Mecklenborg’s appeal of OPERS denial of his request to purchase time toward his retirement from when he served as Village Solicitor under a contractual agreement with the Village. It appears OPERS has reversed their original rulings and have ruled in favor of Mr. Mecklenborg. She indicated OPERS accepting a very late appeal from Mr. Mecklenborg after OPERS had issued the Village a check for his contributions to be returned to him and place a large credit on their account for their contributions. This has created quite a dilemma for the Village and the according to the notice received, the Village has 60 days to appeal. A discussion was then held about the process that led to this final appeal and what our options are moving forward. Because Solicitor Hyle was implicated in Bob Mecklenborg’s appeal process by Mr. Mecklenborg, Solicitor Hyle has also been selected by OPERS for review and has received a preliminary finding that he too, is not eligible for OPERS. A discussion was then held about the conflict of interest Solicitor Hyle currently has in this process and it was decided by Council the Village would pursue outside Council to advise them going forward. Ms. Meyers suggested we contact our insurance company to see of our insurance would cover representation. Mayor Stacy also reminded everyone we were billed \$52,000 for contractual services several years ago from Hyle and Mecklenborg.

Mayor Stacy then reminded everyone we were not going to have Departmental reports at this second meeting and would instead treat it like a “working session” of Council.

## **COMMITTEE UPDATES**

Ms. Nichols began by reporting the Safety Committee's top priority is looking into reinstating the Power Shift sometime in May. They will take their proposal to Finance, but in the meantime they are exploring the use of their Auxiliary officers whenever possible.

Ms. Meister represents the Public Works Water & Utility Committee and indicated she had confirmed there are six fire hydrants on the list for replacement when possible, but at a cost of \$4,000 each these will be replaced when financially possible. This should not be a problem as all hydrants are currently functioning; they just have minor problems like slow leaks etc. Ms. Nichols indicated she was pleased the Board of Public Affairs has addressed the dress code issue for office personnel. Ms. Meister also reported the Communications Committee has met and the first issue they are going to address is a face lift for our website. Steve Meyer has agreed to oversee that effort and Megan Randall has agreed to take over Facebook posts. They did need to find out how much our costs are currently to run the website and Mr. Santen indicated he currently pays about \$100 and he covers that out of his own pocket.

Mr. Santen reported a member of the Planning Commission, Donna Weber, has taken on the task of getting our current zoning code in an electronic form which would allow for easy updates and posting of this Ordinance on internet websites. Mr. Santen is also working with JMA to update our current zoning map. The Mayor mentioned Planning will be looking into the value of a PUD, Planned Unit Development, for Cleves and the benefits setting up this PUD would have for the Village. So at this time, a discussion was held about not holding the Public Hearing advertised for May 9<sup>th</sup> examining changes to the zoning code pertaining to off-street parking issues. The Clerk asked if she needed to officially call off the Public Hearing and Mr. Santen said he would let her know once Planning has reviewed.

Ms. Randall mentioned Street Commissioner Harold Duncan has contacted the Village of North Bend and opened the door to dialog on ways they could work together to mutually benefit both Villages. He is hoping to hear from him soon after he obtains support of his Council. Mayor Stacy has already been in contact with Miami Township about fostering a good working relationship between the Village and the Township. Megan announced a photographer friend of hers has agreed to do head shots of the Village officials and she believes "Fly a Kite Day" on 4/22 may be a good time to get everyone together for those. At this time Ms. Nichols said the kites are in and some effort has to put into getting tails together for them. Ms. Randall indicated she is also exploring ways for the BMX to better promote our track through published magazines and the Clerk suggested she contact John Peters, BMX Coordinator, since they actually handle the promotion of the track through their organization. Lastly she indicated her request on behalf of the Village of Cleves to secure a cargo vehicle has been turned down. She will continue to try to obtain some free equipment currently returning from Iraq and Afghanistan.

Ms. Meyers began by asking Council if they wished to explore joining the Regional Chamber of Commerce and the Regional Municipal League. She had contacted them earlier in the year when alternate health care insurance was being discussed and they are following up to see if the Village of Cleves is still interested. The Mayor told her to have a representative come to the next meeting and review the benefits of membership. She also indicated the Park Committee is looking into parking problems at the park especially those illegally parking on the grass and our Police Department currently unable to enforce it. The Park Committee has determined it can only afford to bring in our seasonal employee 24 hours a week this year instead of the 32 approved last year. A discussion was held about setting up a new time card which would enable the committee to get a better handle on the actual time needed to cut the grass at the park. She also reiterated her desire to get the new shelter sealed and stained as soon as possible. Mayor Stacy asked the Park Committee to also provide a monthly financial report for the Park. The Clerk explained those reports are already being done through UAN and are part of the monthly financial reports he receives every month. He asked if a spreadsheet could be provided with a more detailed reported could be provided and the Clerk agreed to provide this beginning next month.

At this time, the Clerk indicated she had explored the cost to haul good-quality ball dirt into the park to bring at least two of the fields regularly used for games up to normal standard and fix the drainage problems on these fields. With the assistance of Harold Duncan, a gentleman has volunteered to perform the grading and drainage problem free of charge for the Village and the Parks. He can obtain the necessary equipment and if the Village can cover the cost of the dirt, he will perform all of the grading work for free. Ms. Bolton indicated Ms. Meyers had asked her to approach Finance about this project and the Finance Committee supported the purchase of approximately 300 tons of ball diamond dirt out of investment monies to reinvest into the Parks and the quality of the fields. Ms. Meyers said she strongly believes if we don't make this commitment to improving the grading issues, we might as well close the fields down and only have soccer at the Park. **A Motion to Approve the Purchase of \$6500 of Ball Diamond Dirt for Cleves Community Park to Come from Investment Monies made by Nichols; seconded by Meyers. ALL YEAS.**

### **MAYOR'S REPORT**

Mayor Stacy asked Council to formally approve the funds to clean out the drainage culvert that runs underneath Route 50 recently approved by Finance. These funds are expected to come from the Permissive Fund. **A Motion to Approve the Bid of \$4100 to Clean out the Storm Water Culvert at U.S.50 from the Permissive Fund made by Santen; seconded by Nichols. ALL YEAS.** Ms. Meyers asked Frank Hyle to review the agreement made between the Village and State of Ohio concerning what constitutes minor repairs. She believes perhaps this drainage issue may be the State's responsibility.

He mentioned the new computer-mounts for the cruisers required to accommodate the new computers being mandated by the Council is on hold for now awaiting a more clear date for implementation. He would like Bev and Nancy if they agree, to move forward with plans to purchase a tree, possibly a weeping cherry tree, in honor of Jack Rininger Sr. who recently passed away and served as our Police Chief for almost 20 years. Both agreed to look into it and Council discussed a budget of about \$300 which would come from the Mayor's operational account code for the tree and possibly a memorial plaque or stone.

He once again asked Council to consider allowing him to purchase a new chair for Council Chambers. Mayor Stacy also reported he has reached out to the Mayor of North Bend concerning possible shared services.

Mr. Santen asked at this time he be able to express a problem he has with the Water Works. He went on to explain he had received a rather large \$4,000 billing due to a meter leak he was not aware of. He wants an adjustment in his water bill and currently the Water Works is not cooperating with his request. He asks the Solicitor to review the old Water Works Code adopted in 1958 and he would like to see it changed in order to allow adjustments to be made in cases like this. Frank Hyle indicated he would check into it.

Mayor Stacy read a letter from residents John and Sue Booth concerning the Village's participation in the funeral arrangements for Larry Sutton, a resident who had served for many years for the Village and in many different capacities even as Mayor.

Ms. Nichols asked if anyone has heard a definitive date and time for the firehouse tours Chief Ober mentioned at the last meeting and she was told all anyone knew was it was supposed to be held on March 31<sup>st</sup>.

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

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Mayor Danny Stacy

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Clerk/Treasurer Linda Bolton