

The Council Meeting held on September 26, 2012 was called to order by Mayor Stacy with the Pledge to the Flag. Members of Council present: Meister, Meyers, Nichols, Pastrick, and Randall. Santen was absent. Clerk/Treasurer Bolton was present as was Solicitor Hyle.

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
Motion to Approve Previous Council Minutes	Pastrick	Nichols	ALL YEAS
Motion to Pay Warrants & Vouchers and Adopt Pay Ordinance # 16- 2012.	Pastrick	Nichols	ALL YEAS

A Motion to Excuse Councilmember Santen from meeting made by Nichols; seconded by Meister. ALL YEAS.

SOLICITOR'S REPORT

Solicitor Hyle first asked Council to consider legislation awarding the bid for the Miami Avenue/Cooper Road project per the recommendation of our engineers, JMA. Following discussion, Council took the following action:

RESOLUTION # 37-2012 ACCEPT BID FOR N.MIAMI/COOPER RD PROJ \$543,683
A Motion to Adopt Res #37-2012 made by Randall; seconded by Nichols. ALL YEAS.

Solicitor Hyle explained a request by property owners for the Village to vacate ground owned by the Village on Porter to adjoining property owners. Frank explained the normal process if the Village were to decide to abandon this property to the adjoining property owners. A discussion was held about this and Ms. Pastrick asked if this is generally done at no cost? Frank explained property owned by the Village because of utility and/street easements must be divided equally to adjoining property owners at no cost to them. Council indicated they would generally support this and the Solicitor will get things in order and bring legislation at a future meeting.

He indicated he has reviewed the issue of a property owner in the Village upset because our Police did not cite a Time Warner employee for trespassing on his property. Utility companies have the right to enter property where they have an interest to perform work duties. He then asked Council to consider legislation prepared to address the regulation of sexually oriented businesses and regulation of criminal conduct in sexually oriented businesses. Ms. Nichols asked for clarification in Section E, 8 & 9 in regards to definition of "natural person." Solicitor explained natural person being a person versus a Corporation. Following discussion, the following action was taken by Council:

ORDINANCE # 15-2012 REGULATING SEXUALLY ORIENTED BUSINESSES (SOB)
A Motion to Introduce Ord #15-2012 made by Nichols; seconded by Pastrick. ALL YEAS.
A Motion to Suspend Rules & Read by Title Only made by Nichols; seconded by Pastrick. ALL YEAS.
A Motion to Adopt Ord #15-2012 made by Nichols; seconded by Pastrick. ALL YEAS.

ORDINANCE # 16-2012 REGULATING CRIMINAL CONDUCT IN SOB
A Motion to Introduce Ord #16-2012 made by Nichols; seconded by Meister. ALL YEAS.
A Motion to Suspend Rules & Read by Title Only made by Nichols; seconded by Meister. ALL YEAS.
A Motion to Adopt Ord #16-2012 made by Nichols; seconded by Meister. ALL YEAS.

At this time Council was asked to consider the Reappropriation Ordinance prepared by the Clerk. The Finance Committee recommends approval. Following discussion, the following action was taken:

ORDINANCE # 17-2012 REAPPROPRIATION ORDINANCE

A Motion to Introduce Ord #17-2012 made by Nichols; seconded by Meister. ALL YEAS.

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

A Motion to Adopt Ord #17-2012 made by Nichols; seconded by Meister. ALL YEAS.

Lastly, the Water Works Board is asking Council to consider wage adjustments for their two laborers in order to make the wage more competitive and allow them to attract the very best candidates when there is an opening. They believe the current salaries are way too low for what these laborers do. A discussion was held and Council reviewed the Job Descriptions and Pay Scale recommendations of the Water Board. Following discussion, the following action was taken by Council:

ORDINANCE # 18-2012 WATER WORKS JOB DESCRIPTIONS, PAY SCALES & WAGE ADJUSTMENTS.

A Motion to Introduce Ord #18-2012 made by Nichols; seconded by Meister. ALL YEAS.

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

A Motion to Adopt Ord #18-2012 made by Nichols; seconded by Meister. ALL YEAS.

The Clerk asked about the effective date for these wage adjustments. A discussion was held. **A Motion Amend Ordinance #18-2012 to include an effective date for the wage adjustments to the pay period Beginning September 29th, 2012 was made by Meister; seconded by Meyers. ALL YEAS.**

Sgt. Wright peeked his head into Council and the Mayor took this opportunity to express how impressed he was with the presentation Sgt. Wright gave concerning domestic violence at the Bloc House last Saturday. He expects future presentation on different topics to be given in the future. Ms. Nichols asked about the Village's demographics for domestic violence issues and a discussion was then held about this issue.

COMMITTEE UPDATES

Ms. Bev Meyers, Park Committee Chair, began by informing everyone the Twilight Walk being planned for the Canal Tunnel will not take place due to a scheduling conflict with a Taylor Home Football game and Homecoming. She wants to reschedule for sometime in the spring. As for the Canal Tunnel, she would really like to resolve the water drainage issues at the Canal Tunnel and would really like to put the pressure on those causing the storm water drainage into the Canal Tunnel to fix their issue. Ms. Nichols asked if the Village had any legal recourse if we can prove the source of the water and Solicitor Hyle indicated we may but he would have to have more details. Further discussion was held and Ms. Meyers provided all the background she knew concerning the storm water drainage into the Canal Tunnel.

Ms. Pastrick asked the Park Committee to consider marking various mileage milestones around our Hike 'n Bike trail. She has had park patrons who are utilizing the Hike 'N Bike trail to see if we can do this. Ms. Meyers indicated she would definitely take it back to the Park Committee and she does not see why we couldn't do this.

Ms. Megan Randall, Street Committee Chair, reported as far as our Facebook pages go it has been a slow month. Our Mayor's Village Address has been posted and she is in the process of taking pictures of various Village landmarks for the new website. Ms. Pastrick asked if someone could check into the blue line creek which appears to be filling up again by weeds. It would make sense to catch it sooner rather than later before it gets to bad for us to clear ourselves. The Mayor indicated he would check into it. Ms. Nichols indicated she is trying to acquire a recycling grant and has made progress with Rumpke if we can find a drop-off site for residents. She was wondering if there is space by our Maintenance building for such a container since it would be such a good location. It is a small six-yard container and requires a

small concrete pad which we may already have at this location. Further discussion was held about recycling options for the Village.

Ms. Meister, Public Works Water Committee Chair, was pleased with how productive the last Board of Public Affairs meeting was. The Engineer gave updates on the various projects. Eric and Eddie have recertified. State Audit Report for 2010/2011 was good. No significant issues about Water Works. Fire Chiefs met about the hydrant issues and are mapping out hydrant locations in Whitewater, Miami Townships, Cleves and North Bend. At this time the cost of replacing hydrants was mentioned and the Clerk asked Bev Meyers about a "Fire Hydrant" revenue account code that used to be in existence when she started here 15 years ago. Bev explained what she remembered about it. Ms. Meister then explained the BPA is requesting their Water Board Clerk be given Comp time for 31 hours of labor work he performed when Ed Grim was out on medical leave. A discussion was held about this request and the fact our manual allows the Police comp time in certain circumstances. It was decided this comp time would be allowed this once and the 31 hours must be used before the end of this year. Next BPA Meeting is scheduled for 10/16.

The Mayor asked if anyone knew who owns that small brick building on Cooper Road? A discussion was held and no one was certain if the school owned it or the trustee for Brunsmann. Ms. Meyers indicated she believed the small brick building sits on property once owned by Schweitzer and she suggested someone call Kevin Hopper.

Ms. Nichols, Safety Committee Chair, had nothing special to report. Next Safety Meeting is scheduled for Monday, October 1st at 6:00 p.m. Ms. Pastrick asked about whether or Council should consider restricting parking to one side of the street on Rosewynn in Coleman Woods. A discussion was held about this issue and it was believed Chief Ober is currently working on determining which streets in the Village need to have some sort of restricted parking for safety reasons.

Ms. Pastrick, Finance Committee Chair, asked Council to review the minutes she distributed from the last Finance Meeting. She also indicated she and Clerk Bolton met with PNC Bank to determine the best kind of account for the Village to eliminate the large fees we have been assessed. Finance also reviewed and recommended several items for Council to vote on: Purchase of tires for Maintenance truck; Sewer Repair at Maintenance Building and the fee Hamilton County is going to assess for our share of the salt loader they are renting for the salt dome. After discussion, Council took the following action:

A Motion to Approve the Purchase of Tires for Maintenance Truck not to exceed \$1450 made by Pastrick; seconded by Randall. ALL YEAS. A Motion to Approve Work Performed on the Sewer pipes at the Maintenance Building in the amount of \$4100 made by Pastrick; seconded by Randall. ALL YEAS. A Motion to Approve the Cost of \$2,000 to be Paid to the County for our share of rental cost to rent salt loader at salt dome with funds to come from the General Fund made by Pastrick; seconded by Randall. ALL YEAS.

In *John Santen's* absence, the Mayor reported on the following *Planning* issues: Phase II of the Cooper Road Project is moving forward without the developer at this point; Requests are coming in from Jim Pessler where he is requesting the same variances for his property that were requested by the developer on Cooper Road; and a discussion was held about whether or not our Zoning Inspector has been able to provide some sample sign ordinances from other communities for our review. The Mayor indicated he has not seen any but believes we need to revise our Zoning Ordinance to be more business-friendly.

CLERK/TREASURER'S REPORT

Clerk Bolton announced the Finance Committee has reviewed the most recent audit report for years 2010 and 2011. She is happy to report no major issues and it was reported the Village has corrected or is in the

process of correcting all findings from the previous audit report from 2008/2009. The only findings in this year's audit for 2010/2011 center around how additional revenue is reported to the County and how the Clerk obtains her Certificate to Amend Appropriations. Clerk Bolton mentioned the County Auditor has changed the procedure for reporting this revenue and asking appropriations to be increased accordingly. There was confusion on her part about the new procedure but she is taking steps to set up internal controls to make this process smooth and error free. Mayor Stacy indicated he was very pleased with the Audit results and believes it is a good one in his experience with various audits.

MAYOR'S REPORT

Mayor Stacy regretted to report right before the meeting he received bad news concerning the status of our back lot environmental testing issues. It appears we will have to remove about 80 to 170 cubic yards of dirt in the area where the underground tank was located and replace with clean soil. Terracon is going to work with BUSTR to be sure this is done by a certified contractor and we are able to pass the necessary inspection. Unfortunately, the estimated cost to remove/replace this soil is estimated by Terracon to be between \$11,500 to \$16,000. The cost for abandonment of the wells is less than \$1,000. Solicitor Hyle explained the procedure in order for us to obtain the final inspection paperwork necessary for us to move forward and get this issue behind us.

The Mayor reminded everyone the Taylor High School Homecoming Parade is next Friday night at 5:30 p.m. He also reminded everyone plans are moving forward for the Memorial Dedication for Jack Rininger's garden next to the Municipal Building for Veteran's Day, November 11, at 2:00 p.m.

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

Mayor Danny Stacy

Clerk/Treasurer Linda Bolton