

RECORD OF PROCEEDINGS

Minutes of VILLAGE OF CLEVES Council Meeting Held on December 9, 2021

Mayor Stephen Myers began the Council Meeting at 7:00 P.M. with the Pledge of Allegiance. Roll Call was taken. Mrs. Brady, Ms. Meister, Mrs. Myers, Mrs. Peter and Mr. Burns were present. Village Administrator Rahall and Solicitor Nicholas were also present.

Motion to Approve Previous Council Meeting Minutes from November 10, 2021 was made by Mr. Burns; seconded by Mrs. Brady.

Roll Call Vote: Mrs. Brady-Yes, Ms. Meister - Yes, Mrs. Myers - Abstained, Mrs. Peter- Yes and Mr. Burns - Yes

A Motion to Adopt of Pay Ordinance #12-2021 was made by Mrs. Myers; seconded Mrs. Peter.

ALL IN FAVOR.

A Motion to excuse Mr. Williams' absence was made by Mrs. Myers; seconded Mrs. Peter.

ALL IN FAVOR.

HEARING OF THE PUBLIC

Ms. Debbie Kastens, a resident of Bright Indiana, presented information to Council regarding Proposed Rules regarding Landfills that are being considered by the Hamilton County Commissioners. She stated the rules would cover items not considered by the Ohio EPA. She said the Rumpke Facility on Bond Rd. would affect Cleves Water and Schools. She said Rumpke had a track record of Clean Water Violations. She stated she is asking for the support of small towns in the area to help get these rules passed, saying landfills do not take into account all things.

Mr. Dale Oppenheimer asked about a sinking area along St. Rt. 264 and if it would be fixed by the contractor doing the repaving. Mr. Rahall said the final inspection of the St. Rt. 264 work was scheduled and if there were any issues they would be addressed then. Mrs. Myers asked if he was speaking about the area across from the apartment complex? He replied that was the area he was discussing. Service Director, Mr. John Knuf said that issue was a result of a gas line being installed and it was the Duke Energy contractor that would be responsible for the repairs, not ODOT.

Mr. Oppenheimer asked about communication with regards to the Levy, saying Council could have done something better. Mr. Rahall asked What specifically he was referent to. Mr. Oppenheimer stated there is another Levy up for renewal next fall, and this is hurting Cleves. Mayor Myers asked for more specific ideas, saying the Levy information was on the Village website and Nextdoor. Mr. Oppenheimer said that may not be the best and easiest way to share the information. Mrs. Peter stated she agreed it would be the best and easiest way for the information to be shared. Mayor Myers asked if Mr. Oppenheimer had any specific suggesting for Council to consider in the future. Mr. Oppenheimer suggested putting information in the Water Bills and holding informational meetings. Mrs. Myers reminded Mr. Oppenheimer they could not use Village funds to promote a Levy. Mr. Oppenheimer said the Levy was a new levy, to which Mrs. Myers said no, it was a renewal levy that was on in November and would be a new one now in 2022 since it failed in November 2021. Mr. Chuck Birkholtz interrupted from the audience, saying the levy could have been placed on an earlier ballot. Mrs. Myers said the Village had always placed the renewals on the ballot in the final year and they were just following previously set times. Ms. Meister stated that had always been the policy of Council. Mayor Myers asked Mr. Oppenheimer to continue if he had anything further to address Council about. Mr. Oppenheimer asked about a Certified Master Planner for the Village. Mr. Rahall said our Building inspector's firm had certified people on staff to meet our needs. Mr. Oppenheimer asked if we have a Zoning and Planning Committee and if so, who served on the Committee. Mr. Rahall said yes and the members were Councilwoman Myers, Councilman Williams, Mayor Myers, Mr. Rahall, and a resident of the Village.

Ms. Carrie Davis, a resident of Colerain Township, said she wanted to update Council on what had happened since her last address to Council. She discussed the Proposed Rules that the County Commissioners are considering. She stated that she and Sharon Lutz drafted the proposed rules and they were reviewed and recommended for approval by the Policy Committee by a vote of 5 in favor, 1 not in favor and one abstention.

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She said the Board of County Commissioners would be voting on the Proposed rules on December 16 and said Rumpke has said they will sue the County if they are passed. She stated that if the rules are not passed, that should the Village water supply be contaminated the Village would have to sue Rumpke at the Village expense. She said Mt. Healthy and Harrison had passed Resolutions in favor of the proposed rules and she is asking for the Council to make a motion or pass a resolution asking the Commissioners to adopt the Rules that are proposed. She said it must be done at tonight's meeting, or she was putting the Village in her box not supporting the proposed rules. She stated that Mr. Bill Rumpke III begged the Solid Waste Committee to hold off on the Rules. She stated that Health Commissioner, Greg Kesterman acknowledged that Rumpke was planning to apply for a permit to increase the allowable tonnage at the Bond Rd. site from 400 to 1,500 tons per day. Mayor Myers asked if Council wished to take up the question. Ms. Meister asked if the intent would be to support the Commissioners adopting the rules. Mrs. Myers asked if we had a copy of what other jurisdictions had passed. Mr. Nicholas said no. Ms. Davis said the Village could not afford to fight Rumpke but the County can. After the discussion

Ms. Meister moved that The Village of Cleves Support the Commissioners adopting the Solid Waste Rules. seconded Mrs. Myers. ALL IN FAVOR.
Mayor Myers said he would send a letter to the Commissioners informing them of the Village's support.

Mr. Chuck Birkholtz said he wanted to wait until the end of the meeting to speak. Mayor Myers reminded him that the Hearing of the Public was on the Agenda at this point, not later in the Agenda. He said there are a lot of things you can do regarding a levy. He said you can hold public meeting to educate the public on the needs. He said the Levy will now be a Replacement. Council will have to figure out the amount to request. Mr. Birkholtz said there is a process to set up a Committee to support the Levy. He said he had the information from the Board of Elections. He said Council can't say vote for the levy, but they can encourage residents to vote. He stated he felt putting the information on the website was the lazy way of providing the information. He said you can invite the News Media to cover the information meetings. He stated that he and his family had voted for the levy and that he was in favor of it. He thanked Ms. Meister for advancing the question regarding the landfill proposed rules. Mayor Myers asked Mr. Birkholtz if he was planning to volunteer to form a committee to support the levy to replace the levy that did not pass. He replied No. The Mayor and Mr. Birkholtz debated Mr. Birkholtz's public posts regarding the Village and if he felt that might have hurt the renewal levy in voters' minds. As the debate continued, Ms. Meister raised a Point of Order saying Council should return to the Agenda. There being no objections the meeting returned to the Agenda.

SOLICITOR'S REPORT

Resolution 18-2021: TO DECLARE THE NECESSITY OF A TAX OUTSIDE OF THE TEN-MILL LIMITATION AND TO REQUEST THAT THE HAMILTON COUNTY AUDITOR CERTIFY TO THE VILLAGE OF CLEVES THE TAX LEVY CALCULATIONS ENUMERATED IN SECTION 5705.03(B) OF THE OHIO REVISED CODE. Mr. Rahall and Mr. Brett explained that this was necessary to move to the next step should Council decide to place a levy on the May Primary Ballot. Mr., Brett explained that Council has the option of asking for a certification for 1-mil and then choosing the amount to be placed on the ballot in January or choosing a millage now that could be placed on the ballot in May. Ms. Meister stated she favored asking for a 1-mil amount and then discussing the actual levy amount after receiving the information. After the discussion:

Mrs. Myers moved to approve Resolution 18-2021 requesting the certification for the amount of 1-mil from the Hamilton County Auditor. seconded Ms. Meister. ALL IN FAVOR.

ORDINANCE NO. 4 – 2021: 2022 TEMPORARY APROPRIATION ORDINANCE VILLAGE OF CLEVES
(Revised Code Sec. 5705-38)

A Motion to Introduce Ordinance #4-2021 Setting the Temporary Appropriations for 2022 was made by Mrs. Myers; seconded by Mrs. Brady. **ALL IN FAVOR.**

A Motion to Suspend the Rules and Read by Title Only for Ordinance #4-2021 Setting the Temporary Appropriations for 2022 was made by Mrs. Myers; seconded by Mr. Burns. **ALL IN FAVOR.**

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A Motion to Adopt Ordinance #4-2021 Setting the Temporary Appropriations for 2022 was made by Mrs. Myers; seconded by Mrs. Brady. **ALL IN FAVOR.**

ORDINANCE 5 – 2021: AN ORDINANCE TO AMEND APPROPRIATION ORDINANCE 1-2021 TO MAKE ADJUSTMENTS TO THE ANNUAL APPROPRIATIONS FOR THE VILLAGE DECLARING AN EMERGENCY
Mr. Brett explained that the adjustment was necessary to account for the OPWC Loan obtained to fund the rehabilitations of the Rittenhouse Water Tank.

A Motion to Introduce Ordinance #5-2021 2022 to amend Ordinance 1-2021 to make adjustments to the Annual Appropriations for the Village, declaring an emergency was made by Mrs. Myers; seconded by Mrs. Peter. **ALL IN FAVOR.**

A Motion to Suspend the Rules and Read by Title Only for Ordinance #5-2021 to amend Ordinance 1-2021 to make adjustments to the Annual Appropriations for the Village, declaring an emergency was made by Mrs. Myers; seconded by Mr. Burns. **ALL IN FAVOR.**

A Motion to Adopt Ordinance #5-2021 to amend Ordinance 1-2021 to make adjustments to the Annual Appropriations for the Village, declaring an emergency was made by Mrs. Myers; seconded by Mrs. Brady. **ALL IN FAVOR.**

ORDINANCE NO. 6 – 2021: ORDINANCE AUTHORIZING THE SERVICE DIRECTOR AND ADMINISTRATOR TO ADVERTISE FOR BIDS FOR A CONTRACT FOR THE REPAIR OF THE JACKSON DELL COURT STORM SEWER, AND DECLARING AN EMERGENCY

Mr. Knuf explained the project and the need to address the issue at this time.

A Motion to Introduce Ordinance #6-2021 authorizing the Service Director and Administrator to advertise for Bids for a Contract for the Repair of the Jackson Dell Court Storm Sewer, and declaring an Emergency was made by Mrs. Myers; seconded by Ms. Meister. **ALL IN FAVOR.**

A Motion to Suspend the Rules and Read by Title Only for Ordinance #6-2021 authorizing the Service Director and Administrator to advertise for Bids for a Contract for the Repair of the Jackson Dell Court Storm Sewer, and declaring an Emergency was made by Mrs. Myers; seconded by Mrs. Meister. **ALL IN FAVOR.**

A Motion to Adopt Ordinance #6-2021 authorizing the Service Director and Administrator to advertise for Bids for a Contract for the Repair of the Jackson Dell Court Storm Sewer, and declaring an Emergency was made by Mrs. Myers; seconded by Ms. Meister. **ALL IN FAVOR.**

DEPARTMENTAL REPORTS

POLICE

Sgt. Mike Carney provided the following information. The statistics for 2021 included YTD 1884 calls for service, 591 which were considered non-billable. The year to date calls include 211 criminal reports, 55 non-criminal calls, 22 auto accidents and 38 citations have been issued.

FIRE

Fire Chief Brien Lacy provided the following department run totals for the Village for November: 1 Fire detail, and 32 EMS details. The department totals for YTD were 29 Fire details and 148 EMS details. He noted that he had sent information to Administrator Rahall and some of the information was useful to the We Thrive Committee if the Village participated in the Board of Health program. The Chief said the Department had completed 35 hours of training including training for the NFPA Drone FFA requirements. He said a pilot's license was required to operate the drone. The chief thanked Mr. Burns for coordinating Sant's arrival time for the Christmas in the Village event and thanked Mrs. Peter for her service to the community.

SERVICE

Service Director Knuf said they had spent most of their time putting up Christmas Lights and preparing for the Christmas walk. In addition, he said the trucks had been set up for winter, with the salt spreading equipment installed and safety checks completed. Mr. Burns asked if there were any issues with sewer grates needing

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adjustments before snow plowing. Mr. Knuf said no. He stated the Soccer Tournament had went very well. He said the final grass cutting of the year was complete.

WATER

Superintendent, Mr. Eric Winhusen was not in attendance. Administrator Rahall said 22 million gallons were pumped in November. He also said Mr. Winhusen had several main breaks with the change in the temperatures. They are also waiting on parts, which are backordered for Hydrants and meter replacements.

VILLAGE ADMINISTRATOR'S REPORT

Village Administrator, Mr. Mike Rahall said the paving on St. Rt. 264 was in essence completed with a final inspection to be completed soon. He thanked everyone for their help to make the Christmas Walk a success. Mr. Rahall thanked Mrs. Peter for her service on Council, saying she would be missed. Mr. Burns asked if there was any update on the Sherriff's Contract. Mr. Rahall said we are still operating on a verbal extension of our contract at this time, as is Miami Township and North Bend. Mr. Burns asked if we were negotiating or just waiting. Mr. Rahall said Major Kettelman was still trying to arrange a western agreement with the 4 western Townships and the 2 Villages. Burns asked which Townships. Mr. Rahall said Harrison, Crosby, Whitewater and Miami. Ms. Meister asked about the signage at the Roundabout and if there was any additional signage available to clarify the No Left Turn signage. Mr. Knuf said that sign had been up for a year since the original request to install it and that there is one other standard sign available but it did not indicate the traffic flow direction. Ms. Meister said she was recently informed by a resident that they felt the Roundabout was working very well in controlling the traffic flow for the school.

COUNCIL REPORTS

Mayor Myers stated that the Parks Committee was the only Committee to meet in December.

PARKS

Mr. Burns said the Committee meeting was limited to the blacktop grindings from St. Rt. 264 which were going to be used to upgrade some of the parking areas in the park. He said they are being stored now and will be spread out in the spring. Mrs. Myers asked if there were any specific plans for their use and should we be worried about flooding washing the grindings away. Mr. Knuf said the grindings would be rolled in place and as the summer weather heats up they should meld together to prevent them from being washed away. Mayor Myers asked if the material was stored in piles and if the area that they will be used in will require prep work. Mr. Burns said the Mayor was correct, the area will be leveled and then the grindings will be spread out. He said the remainder of the meeting was about the Christmas Walk. He thanked everyone who helped. He said there were three Prize Box Winners, one from Addyston and 2 from the Village. He said there were about half the number of submissions for the prizes this year.

The Mayor asked if anyone else had any updates, and there were none. Mr. Burns asked if Committee assignments should be made now so Committees could meet before the January Council Meeting. Ms. Meister said especially Finance. A Committee meeting for finance was discussed and a consensus was to discuss the Finance committee business, especially the Levy mils, as a Committee of Council as a Whole as an Agenda Item for January.

Mayors Report

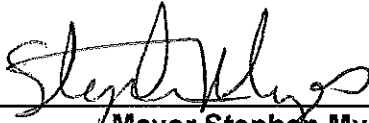
Mayor Myers extended his thanks to Mrs. Peter, who did not seek re-election, and is completing her term as of the end of the year. He also thanked Mr. Burns for his work to make the Christmas Walk a success. He thanked Mr. Knuf and Mr. Rahall for their help as well. He announced that the next scheduled meeting of Council is set for January 12, 2022.

There being no further business:

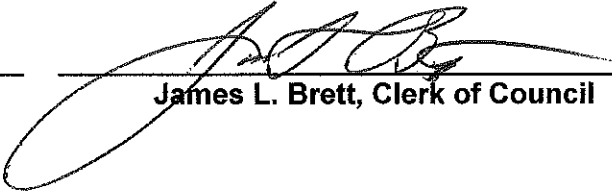
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A Motion to Adjourn the Council Meeting at 8:11 P.M. was made by Mrs. Myers; seconded by Mrs. Brady.
ALL IN FAVOR.



Mayor Stephen Myers



James L. Brett, Clerk of Council