

The Council Meeting held on May 11, 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 also present.

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
A Motion to Approve Previous Council Minutes	Santen	Richardson	All Yeas
A Motion to Pay Warrants & Vouchers and Adopt Pay Ord #8 & #9-2011	Santen	Richardson	All Yeas

### SOLICITOR'S REPORT

Solicitor Hyle asked Council to review several items of legislation. Following discussion, Council took the following action:

#### ORDINANCE # 5 – 2011

#### **Approving & Adopting 2011 Ohio Basic Code**

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
A Motion to Introduce Ordinance #5-2011	Santen	Stacy	All Yeas
Suspend rules, Read by Title Only	Santen	Stacy	All Yeas
A Motion to Adopt Ordinance #5-2011	Santen	Stacy	All Yeas

#### RESOLUTION #11 – 2011

#### **Authorizing Contract w/Kona Ice for Park**

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
A Motion to Adopt Resolution #11-2011	Richardson	Santen	All Yeas

#### RESOLUTION #12 – 2011

#### **Approving Contract for Easement-GMRC Proj**

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
A Motion to Adopt Resolution #12-2011	Richardson	Stacy	All Yeas

### CLERK'S REPORT

Ms. Bolton had nothing to report other than to indicated work will begin soon on 2012 Budget preparation in anticipation of the July due date.

### DEPARTMENTAL REPORTS

**Police Chief Renner** congratulated Council and those who worked so hard getting the word out to residents to help pass the operating levy. He reviewed the detail reports for April. Chief Renner also wanted to reinforce that the fatality on E. State Road occurred on the repaved part of E. State, not the part scheduled for improvement this year. He has also been working with parade organizers for the special plans for this year's Memorial Day Parade. The parade is expected to last longer than previous years and he is making special arrangements to block and detour E. State Road traffic during the parade. Lastly, he asked Council to approve the appointment of a new auxiliary officer. **A Motion to Appoint Maria Rensing to the Cleves Police Auxiliary with a One-Year Probation was made by Haas; seconded by Richardson. ALL YEAS.**

**Miami Township Fire Chief Ober** reviewed April run totals for the Village and let Council know his department would be working to identify abandoned structures throughout the Village and marking them so as to easily identify them for safety reasons if a fire structure call would be made. He also informed Council he had received a call from the BMX organization about their big race in June and have asked for an EMT presence at this race.

At this time Mayor Sutton informed Council about the 1983 Ford truck and explained the training benefits it may hold for various Fire Departments. He also explained he had received some interest from the public willing to bid on it should Council decide to place this vehicle out for bid. A discussion was held about the training value of this truck and the advantages to donating this vehicle for training purposes. Following discussion, **A Motion to Donate the 1983 Ford Fire Truck to Miami Township for Fire Training Purposes was made by Stacy; seconded by Richardson. ALL YEAS.**

Lastly, Chief Ober reminded everyone about the open house and dedicated being held next Saturday at the new Miami Township firehouse and facility.

**Street Commissioner Harold Duncan** began his report by mentioning only 3 of the 14 streetlights reported to Duke Energy for repair have been fixed. He also asked Council to approve the spending of \$240 to fix the Gazebo railing which was vandalized. Following discussion, **A Motion to Approve the Spending of \$240 to Fix the Gazebo was made by Stacy; seconded by Haas. ALL YEAS.**

Other topics brought up by Mr. Duncan were: Complaints coming in about mud runoff at Mt. Nebo and Timberline; Start up on St. Rt. 264 Improvements to begin approximately two weeks after duke Energy is done with their work; and delays with Blondeau project with the contractor being given 60 days to complete or he may face penalties. Commissioner Duncan also reported on the problem with the sink hole in the parking lot of The Round Table and informed Council it would cost \$6,665 to repair the damage. Following discussion, **A Motion to Approve \$6,665 from Investment Monies to Repair Sink Hole on S. Miami by Round Table Restaurant was made by Meyers; seconded by Nichols. ALL YEAS.**

Mr. Santen asked how long E. State would be detoured for the street improvement project and Mr. Duncan indicated for about five months. A discussion was held about this issue.

At this time, Mayor Sutton acknowledged a resident, Mr. Paul Fritch, who addressed Council concerning several drainage issues at North Miami. Mr. Fritch wanted to know who owned the storm water drains in the rear of his property and was told by the Three River's School District now owns that property. Further discussion was held about these problems with the Mayor promising that our Engineers, JMA, will be down taking elevations to figure out the best way to correct drainage problem in the front of their properties by the road. Also addressing Council were the Weimers, residents of North Miami also having flooding issues who expressed they believe the size drainage pipes promised by the WalMart developers were never installed, with smaller pipes being installed instead. The Mayor explained with WalMart no longer in the picture with the development any promises made by them are irrelevant. Further discussion was held and it was reported that JMA does not believe a catch basin will help resolve the problems at this point. Solicitor Hyle did inform the residents our Engineer's were working with Council on resolving this issue and are hoping to take action soon. Mayor Sutton promised to have a detailed plan in place by June 8<sup>th</sup> meeting.

A resident, Ron Meister, was acknowledged and reported on his plans for this year's Memorial Day Parade.

## **COUNCIL REPORTS**

**Street Committee Chair Danny Stacy** asked if we were still in possession of an ambulance and can we get rid of it. Mayor reported that we are and he is working on it. He also reported we are having roofing problems at the Municipal Building and need to seriously consider getting the current roof replaced before we have too much water damage. He will be getting estimates. He then outlined the plans to complete the expansion of the current Maintenance facilities in two phases with the first phase being the construction of the small addition to the current structure which would include office & meeting space and a bathroom. He felt we could get this done for around \$15,800. Possible cost for a pole barn structure on the property was around \$18,000. This new small addition would have siding to match the current building. A discussion was held and following, **A Motion to**

**Approve the Spending of \$17,000 to Construct an Addition to the Current Maintenance Building from the \$200,000 Earmarked for the Maintenance Building made by Stacy; seconded by Haas. ALL YEAS.**

Mayor Sutton did indicated the demolition of the existing old Water Works building is scheduled to take place in the future but no concrete plans have been made at this time for the demolition. There is some debate now between the Water Works and the Mayor over ownership of this facility now that the Fire Department is no longer housed there and there is an issue over the removal and/or relocation of a current water tap at this location which provides bulk water to customers of the Water Works. Further discussion was held among Council about this issue. Street Commissioner wanted Council to know he appreciates the help he gets from the Water Works and he wanted them to know he has never been turned down we has asked for their help. The Mayor indicated he would continue to work with the Water Works to get these issues resolved.

Mr. Stacy asked Council to consider a formal motion to set aside the monies from investment to cover the engineering and seed costs for the Timea Street Project. He reminded them we would receive \$487,000 in grant money for this project. Following discussion, **A Motion to appropriate \$80,000 to Cover Engineering and Seed Monies for the Timea Street Project were made by Stacy; seconded by Richardson. ALL YEAS.**

*Finance Committee Chair Linda Haas* indicated the Finance Committee had met prior to tonight's meeting and the main topic of discussion was the possible reinstatement of salaries for Village employees back to their rates prior to the 10% salary reductions that went into effect in 2011 with the failure of the operating levy in 2010. **A Motion to Reinstatement Employee Salaries to the Rates in Effect Prior to 10% Reduction to be Effective First Pay Period in 2012 made by Haas.** Prior to a second being made, a discussion began about various issues concerning salary increases. The Mayor expressed his opinion the Maintenance personnel should have their salaries reinstated immediately. Further discussion was held about whether or not elected officials would be included in the reinstatement as well as Mayor's Court personnel. Mayor's Court official salaries were not cut by a percentage, but instead were reduced based on a reduced Mayor's Court schedule. It was decided Finance would hold an addition Finance Meeting on June 8<sup>th</sup> at 6:15 p.m. to review figures and determine whether or not it is feasible to reinstate some salaries this year. **Ms. Haas agreed to rescind her motion at this time.**

*Public Safety Committee Chair Bev Meyers* was pleased Chief Renner had addressed the traffic control issues on St. Rt 264 for the upcoming parade. Ms. Meyers also wished to appoint someone to oversee the school project to be sure we are kept in the loop on all facets of the construction of the new school. **A Motion to Appoint John Santen to Oversee the Construction of the new Three Rivers School was made by Meyers; seconded by Nichols. A discussion was held about this appointment and who was best suited to represent the Village for this project. Following discussion, the Motion was voted on with the following results: Meyers, Yea; Haas, Yea; Santen, Yea; Richardson, Yea; Nichols, Yea; Stacy, Abstain. Motion Passed.**

*Park Committee Chair Dawn Richardson* reported we have experience a lot of flooding over at the Park. She has received good feedback on the current flood cleanup efforts going on at the Park. At this time she asked the Police Chief if we were having problems with nails in the back lot of the Municipal Bldg. Chief Renner said at one time we were, but current he is having no problems with the cruisers and nails at this time. It was reported we hope to get the back lot paved as soon as possible. The Clerk, Linda Bolton, did indicate she only parked in the back lot one time and has had 3 of her 4 tires repaired. She did indicate it may just be coincidental.

*Planning and Zoning Committee Chair John Santen* reported on the Planning and Zoning Meeting held and indicated a hearing had been held on an appeal filed by a resident who had received a Notice of Violation on his property and he wants more time to cleanup his property. He will be given some addition time to clean up the property. He also mentioned Planning was working on rewording sections of the Zoning code that pertained to RV's, trailers, and the parking of these vehicles. The owner of property at 159 E. Main would be surveying property next to him for us to donate. Bloc House sign on building is too close to highway and ODOT has the authority to prohibit the signage. Lastly, the property owner on Mt. Nebo has until June to finish his restoration.

**Public Works Utility Committee Chair Nancy Nichols** informed Council her Committee had met to review Garbage Guidelines and Procedures to help clarify some issues concerning whether or not a property owner can shut off garbage service for periods of time when not in residence and reinstate upon return. She indicated a copy of the proposed guidelines would be forward to Frank Hyle and she hoped to have something for Council's review before next Council Meeting. She then asked Council to reconsider the issue of carrying over vacation time and/or buying out some vacation time for the Water Works Superintendent who has restrictions upon him by the Ohio Revised Code as to how many days he may be away from the Water supply. A discussion was held amongst Council concerning the ramifications of changing the employee manual for one employee and the likelihood of finding appropriate backup for this position so the Superintendent can take a week's vacation at a time. The Mayor reminded Council this issue was raised in the past when a Committee of Council reviewed possible employee manual changes and they decided not to change the manual for one employee. He said he would not allow further discussion to be held on this issue.

Ms. Nichols then indicated she wished to move some of the flower pots at the park back into the Village prior to the Memorial Day Parade in an effort to make things look nice in the Village for the Parade. The Clerk indicated Council had appropriated \$500 this year for beautification and flowers for the pots. A discussion was held and the Mayor announced he was going to refuse to allow Maintenance to move the flower pots back into the Village because it was not long ago they had been instructed to move the pots from the Village over to the park. Further discussion was held about the pots.

**RESOLUTION #13 – 2011**

**Relocation of Flower Pots from Park to Village**

	<u>Made By</u>	<u>Seconded By</u>	<u>RESULTS</u>
A Motion to Adopt Resolution #13-2011 Meyers, Yea; Haas, Ney; Santen, Abstain; Richardson, Yea; Nichols, Yea; Stacy, Ney. Resolution did not pass with majority of Council. (3) Yeas, (2) Ney and (1) Abstention.	Nichols	Richardson	*Below

**MAYOR'S REPORT**

Mayor Sutton reported he was dealing with an issue concerning the removal of fuel tanks in the lot in the back of the Municipal Building and the State of Ohio not being able to find the necessary inspection paperwork that would go along with the removal of these tanks. Chief Ober reported he believed we would have to follow through with obtaining this inspection and would have to pay to have it tested. He also indicated he was checking into the parking of a large tri-axel truck on N. Miami by Scott Street and our Ordinance that prohibits the parking of Commercial vehicles on the streets. A discussion was held about current weight limits on North and South Miami.

Lastly, the Mayor appointed a committee to look into the possibility of hiring a Village Administrator. He indicated many Mayors' before him have talked about it and it never went any further and he wishes for a committee to review the procedures and determine if they wish to further pursue the issue. He appointed Mr. Stacy, Ms. Meyers and Mr. Santen to participate in this Committee and they agreed. A few questions were asked and it was reported the creation of a Village Administrator would eliminate the position of Street Commissioner, the elected positions of the Board of Public Affairs but not the elected position of Clerk/Treasurer. The Mayor indicated what he had in mind would not be a full-time position.

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

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Mayor Shawn Sutton

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Clerk/Treasurer Linda Bolton

