The Council Meeting held on May 23, 2012 was called to order by Mayor Stacy with the Pledge to the Flag. Members of Council present: Meister, Meyers, Nichols, Pastrick, Randall and Santen. Clerk/Treasurer Bolton was present as was Solicitor Hyle.

	<u>Made By</u>	Seconded By	<u>RESULTS</u>
<b>A Motion to Approve Previous Council Minutes</b>	Santen	Nichols	ALL YEAS
Motion to Pay Warrants & Vouchers and Adopt			
Pay Ordinance # 9- 2012.	Santen	Nichols	ALL YEAS

At this time, Mayor Stacy recognized Street Commissioner Duncan who promptly introduced Jeff Muenchen from Pavement Management. Mr. Muenchen explained some of the problems they had on Montieth due to the large amount of rain which caused an overage on the Montieth Street Project of \$6,842.00. A discussion as held about this and following discussion, A Motion to Approve the Payment of \$6,842.00 to Pavement Management for Overage Costs on Montieth to be Taken from the Investment Monies made by Meyers; seconded by Randall. (Pastrick, Yea; Nichols, Yea; Meister, Yea; Santen, Ney; Randall, Yea; Meyers, Yea). Motion passed 5 to 1.

### **SOLICITOR'S REPORT**

Solicitor Hyle has several items of legislative business for Council. A second reading was due on Ordinance #8-2012 regarding Howell Street. Other items concern the old TIF, the newly established TIF, and status of Park Fund designation. First to be addressed was the second reading on Ordinance making Howell Street a one-way. The Clerk indicated she had spoken with new Manager of PNC and explained the impact this change would have on their drive-thru customers. They said they would send something to the Village in writing if they had objections after reviewing the plans. Ms. Pastrick clarified she's been wanting to go door-to-door to the local businesses impacted by the new skate park but is a little behind schedule due to her medical issue. She indicated she is not trying to sneak anything past anyone, plans have been in the works for a special press release announcing the skate park for a while. Mayor Stacy said he has spoken with Township Trustees Joe Sykes and Jack Rinninger Jr. regarding the proposed skate park.

Frank Hyle went on to describe the Ordinance rescinding the old TIF and fully described the new TIF. He also indicated the State Auditor's office wanted the legislation concerning the Park Fund designation to be an Ordinance instead of a Resolution. Following discussion, Council took action on the following items:

#### ORDINANCE #8 – 2012 MAKING HOWELL STREET A ONE-WAY

A Motion to Read Ordinance #8-2012 as a second reading made by Pastrick; seconded by Nichols. (Pastrick, Yea; Nichols, Yea; Meister, Yea; Santen, Ney; Randall, Yea; Meyers, Yea). Ordinance passed by Second Ready by vote of 5 to 1.

# ORDINANCE #9 – 2012 TERMINATING CERTAIN EXEMPTIONS FROM REAL PROPERTY TAX GRANTED BY ORD #9-2009.

A Motion to Introduce Ord #9-2012 as a first reading made by Santen, seconded by Nichols. ALL YEAS.

# ORDINANCE #10 – 2012 DECLARING IMPROVEMENT TO PARCELS OF REAL PROPERTY LOCATED IN CLEVES TO BE A PUBLIC PURPOSE UNDER SECTION 5709.40(B) OF THE ORC. (NEW TIF)

A Motion to Introduce Ord #10-2012 as a first reading made by Santen, seconded by Nichols. ALL YEAS.

# ORDINANCE #11 – 2012 AUTHORIZING PARK FEES & REQUESTING ITS OWN FUND

	FIRST	SECOND	RESULT
A Motion to Introduce Ord#11-2012	Santen	Nichols	ALL YEA
A Motion to Suspend Rules Read by Title Only	Santen	Nichols	ALL YEA
A Motion to Adopt Ord #11-2012	Santen	Nichols	ALL YEA

Finishing up his legal reports, Solicitor Hyle informed Council he believes we must place our own issue on the ballot in November if we wish to join the township in their electric and gas aggregation plans. He will prepare the legislation if we wish to move forward. The owner of the property at 500 Mt. Nebo is slowly complying to our requests to bring the structure up to code and he would not recommend the Village moving forward at this time with any plans to demolish. Mr. Santen also mentioned he has not received any HIP Loan Application paperwork yet for 80 E. State.

# **COMMITTEE UPDATES**

Ms. Pastrick, Finance Committee Chair, reviewed the Finance Committee's minutes from last meeting and their recommendation to have five possible levy amounts certified to the County Auditor: 0.8 mill, 2.3 mill, 2.5 mill, 2.9 mill, 3.3 mill. Finance would also like to plan for community meetings this summer and early fall to help residents understand the financial status of the Village. Finance also approved the engineering cost of \$19,500 for application of grant for the box culvert replacement on Porter. Following discussion of Council, A Motion to Approve the Payment of \$19,500 in Engineering Fees from Investment Monies for the Porter Street Box Culvert Replacement made by Randall; seconded by Meister. ALL YEAS.

Ms. Pastrick finished with an update on the progress of the new skate park made possible by the "We Thrive" grant awarded to the Village by Hamilton County. She reported on the type and cost of fencing for the park and the Clerk had a question about the fencing along N. Miami. It was decided a follow up meeting of "We Thrive" Committee would be scheduled.

*Ms. Nichols, Safety Committee Chair*, reported the restoration of the flower pot donated to the Village by the late Judy Harrell is complete. As for the memorial garden for Jack Rinninger, she expects the memorial rock to be delivered Friday. She needs to weed the area and asked for help from anyone who is able to assist her.

Ms. Meister, Public Works Water Committee Chair, reported the Water Works was reevaluating job descriptions and expects to have them ready by next meeting. As to the on-going issue concerning water leak billing issues, the Water Works has cited ORC 61.03 as another basis for their policy regarding billing customers for the water leaks that occur outside the home before the meters. Jim Wasserbauer is going to be constructing an explanation in writing. A couple of fire hydrants are currently being fixed and a discussion was held about a water leak at Martha Street which has not yet been fixed. The Fire Department is scheduling their hydrant checks soon.

As to the Communication Committee, Megan Randall and Geri Meister will be the only Village administrators for the Facebook page. Steve Meyers will be handling the website and a discussion was held about who currently had the passwords to post on the website and it was determined John Santen and Linda Bolton are the only two who currently have access to make changes and post. Mr. Meyers was given the password but was having difficulty achieving access. Mr. Santen suggested we establish a policy of removing inappropriate and inaccurate postings when they appear. A discuss was held about this issue.

*Mr. Santen, Chair of the Planning Committee*, had some questions and concerns about the cost and feasibility of our establishing on own PUD. Mayor Stacy indicated he is looking for the best way for TheVillage to maintain control and establish the conditions for future development in the Village. At this time a discussion was held about the differences between issuing variances, actually changing our Zoning code and establishing a PUD for certain areas around the Village. The Mayor announced he is holding a special Public Information

Meeting concerning the potential development on Cooper Road. Lastly, Mr. Santen indicated he would read section 61.03 of the ORC concerning water leak billing issues.

Ms. Megan Randall, Street Committee Chair, reported initially she has posted the Chief's Crime Report on the Village's Facebook page. She has emailed Timea residents who had concerns about flooding of their creek banks and has not yet heard from them. The final Park Brochure has been designed with all the ads requested in time for the fall season at the Park. Ms. Pastrick asked what the final ad revenue was for the ads and the Clerk indicated she would get the figure together but she believes it was enough to pay for the printing of the brochure.

*Ms. Bev Meyers, Park Committee Chair*, indicated the Plant Exchange went well. Mayor Stacy indicated the pots look good and Ms. Meyers asked if Maintenance could move the pots down by Mt. Nebo. The Mayor said he would get with Harold. At this time a discussion was held about better promoting the Canal Tunnel.

Mayor Stacy mentioned he and Bev had met with Emily Roberts of the Regional Chamber of Commerce and Bev reported the Water Works has agreed to pay half of the membership dues since they will benefit financially from the energy cost savings. Ms. Roberts has estimated the Village to saving between \$10,000 and \$20,000 in energy costs with their membership savings and this program will not interfere with any future aggregation the Village considers for its residents. Savings on gasoline cost can also be achieved by utilizing Shell Gas and setting up an account and will complement sales tax savings. Other areas where they could possible assist the Village and save us money is in the area of Workman's Compensation, Safety Educational Programs, Health Care Insurance with Humana, and savings with the purchase of office supplies from Office Depot. Following discussion, A Motion to Join the Regional Chamber of Commerce for the Cost of \$1100 to be Split with Water Works made by Santen; seconded by Meyers. ALL YEAS.

### **MAYOR'S REPORT**

Mayor Stacy reported on the status of the environmental report on the back parking lot issue at the Municipal Building. He is also exploring possible parking and fencing scenarios for the back lot once the cleanup of the back lot is complete. The Mayor will be acquiring fencing quotes and security camera pricing once plans are finalized. An informational public meeting for the community concerning possible development on Cooper Road has been scheduled for May 30<sup>th</sup> at 7:00 p.m. and everyone is welcome. A Special Meeting of Planning has been scheduled for May 31<sup>st</sup> at 7:00 p.m. to discuss special conditions and variances for potential development on Cooper Road.

He asked Council to consider participating in the Memorial Day Parade together and reminded everyone Parade is scheduled to begin around 9:00 a.m. on Memorial Day.

Ms. Nichols asked about an email she was given concerning car tracks on Soccer fields at Cleves Community Park and she also expressed concerns about missing fencing around the BMX track and a potential safety concern for park patrons walking on the Hike 'N Bike trail. Clerk Bolton indicated she had also read the email and is going to schedule meeting with the volunteers who maintain the soccer goals to address their concerns. Ms. Bolton also explained the BMX track was maintained by the local BMX association and fence repair had been discussed in the past and they had no funds to repair the fencing. Ms. Bolton was not sure how the fence issue related to a safety concern for walkers on the Hike 'n Bike trail, but she would look into it.

A Motion to Adjourn made by Santen; seconded by Nichols. ALL YEAS.		
Mayor Danny Stacy	Clerk/Treasurer Linda Bolton	