

RECORD OF PROCEEDINGS

Minutes of VILLAGE OF CLEVES Council Meeting Held on July 13, 2022

Mayor Stephen Myers began the Council Meeting at 7:00 P.M. with the Pledge of Allegiance.

Roll Call was taken. Ms. Boyce, Mr. Williams, Ms. Meister, Mrs. Myers, Mr. Hume, Mr. Burns were present. Solicitor Nicholas was also present. Mr. Rahall was not present.

Motion to Approve Previous Council Meeting Minutes from June 8, 2022 with the correction of the date Mr. Hume's term ends, was made by Ms. Boyce; seconded by Mrs. Myers. Ms. Meister & Mr. Burns both abstained.
ALL IN FAVOR

A Motion to Adopt of Pay Ordinance #7-2022 was made by Mrs. Myers; seconded Mr. Burns.
ALL IN FAVOR.

Mayor Myers began the meeting by updating Council on 119 North Miami. He stated that the Hamilton County Board of Health had been onsite today (July 13, 2022) for a reinspection off the property. He stated he had met with Sgt. Carney and Mr. Brett to discuss the options to move forward with the clean-up of the trash on the property. The result of that meeting was Mr. Brett contacting Travis Sealey at the property and working out an agreement for the Village to provide a dumpster to remove the trash, supervised by the Service Department. Mr. Brett was informed that the owners insurance company had approved his claim from the fire. The cost of the dumpster will be submitted to the insurance company.

HEARING OF THE PUBLIC

Mayor Myers said he would lift the 3-minute limit on members of the public addressing Council if there were no objections. Hearing none the Hearing of the Public began with:

Ms. Monica Maddy, 118 Porter Street, stated she knew they were there at 119 North Miami, and she gets blamed for things. She wants him to leave her alone. She did not identify who "they" were, who "blamed" her, or who she wanted to "leave her alone".

Ms. Melissa Alejandro, 634 Coleberry Ct., stated that the Village needs to go Constitutional. She asked what is going on in the world, saying we are in big trouble. She stated she was upset that we are part of the World Economic Form.

Ms. Carrie Bernard, Public Library Manager, discussed current programs at the library including a contest which involves an entry for every 5 items checked out. Each entry provides an opportunity for a chance to win a prize. A question, from the people in attendance, was asked about the free food program. She responded the free lunch program was a Covid Funded program, and was no long available. Ms. Boyce thanked her for her service to the community

Mayor Myers stated that Sgt. Carney had another commitment and he would like to move the Police department report up to this position in the Agenda. There were no Objections.

POLICE

Sgt. Mike Carney provided the following information. The statistics for June, 2022 included 148 calls for service, 34 which were considered non-billable. The calls included 6 criminal reports, 1, non-criminal, 2 auto accidents and 2 citations having been issued for the month. He added a follow up on the property at 119 N. Miami. He stated that Mr. Travis Sealey had been at the property that morning when the Board of Health and the Sheriff's Environmental Officer were there and he had agreed to remove the shed that is on the property. Mr. Sealy also said he had told the homeless person who was staying on the property they had to leave. Sgt. Carney said they had agreed to arrest any unauthorized trespassers on the property. He stated he told Mr. Sealy he was offering his assistance in the clean up and getting the homeless removed as an olive branch, hoping we could move forward for the betterment of the entire community. Ms. Maddy interrupted asking if she could have an olive branch? The Sgt. Answered yes!

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SOLICITOR'S REPORT

RESOLUTION 6-2022: A RESOLUTION AUTHORIZING THE VILLAGE OF CLEVES, HAMILTON COUNTY IN THE State of Ohio COOPERATIVE PURCHASING PROGRAM

Fiscal Officer, Jim Brett, explained that in order to qualify for the reduced pricing for a mower purchased by the Water Works, we had to be a member of the State Purchasing Program.

A Motion to approve Resolution 6-2022 was made by Mrs. Myers. Seconded by Ms. Boyce. **ALL IN FAVOR**

RESOLUTION NO. 7- 2022: 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

Fiscal Officer, Jim Brett, explained that in order to place the renewal of the 3.9 mil levy on the Ballot, this resolution had to be sent to the Hamilton County Auditor to request the amount that the Levy will generate.

A Motion to approve Resolution 7-2022 was made by Mrs. Myers. Seconded by Mr. Burns. **ALL IN FAVOR**

RESOLUTION 8 – 2022: TO SUBMIT TO THE HAMILTON COUNTY BOARD OF ELECTIONS A CURRENT GENERAL OPERATING EXPENSES TAX LEVY TO BE VOTED UPON BY THE ELECTORS OF THE VILLAGE OF CLEVES AT THE November 8, 2022 GENERAL ELECTION

A Motion to approve Resolution 8-2022 was made by Mrs. Myers. Seconded by Mr. Williams. **ALL IN FAVOR**

RESOLUTION NO. 9 – 2022: RESOLUTION APPROVING THE 2023 TAX BUDGET

Fiscal Officer, Jim Brett, explained that this is a requirement annually. The Tax budget hearing was held prior to tonight's Council Meeting.

A Motion to approve Resolution 9-2022 was made by Mrs. Myers. Seconded by Ms. Boyce. **ALL IN FAVOR**

RESOLUTION NO. 10 – 2022: RESOLUTION CREATING A SEPERATE FUND FOR RECEIPTS FROM THE ONEOHIO OPIOID SETTLEMENT

Fiscal Officer, Jim Brett, explained that the Ohio State auditors Office had suggested that all governing bodies pass a Resolution directing that the Funds received from the OneOhio Opioid Settlement be placed in a separate fund and be spent in accordance with the requirements of the funds. He apologized for the late notice, saying he had just received the information the day before the meeting.

A Motion to approve Resolution 10-2022 was made by Mrs. Myers. Seconded by Mr. Williams. **ALL IN FAVOR**

ORDINANCE NO. 4 – 2022: ORDINANCE REPEALING ORDINANCE 13-2012 AND ENACTING REGULATIONS ON CHRONIC NUISANCES

Solicitor Doug Nicholas explained the Ordinance. Council discussed the Ordinance and agreed on setting the look back period in Section 2., (a) at 12 months, and the Civil penalties in Section 4. (b) A-D as follows:

A. For the fourth bill within a two-year period, an additional assessment against the premises of five hundred dollars (\$500.00) shall be imposed;

B. For the fifth bill within a two-year period, an additional assessment against the premises of one thousand dollars (\$1000.00) shall be imposed;

C. For the sixth bill within a two-year period, an additional assessment against the premises of one thousand five hundred dollars (\$1500.00) shall be imposed;

D. For each bill after the sixth bill within a two-year period, an assessment against the premises of two thousand dollars (\$2,000.00) shall be imposed.

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A Motion to Introduce Ordinance No. 4-2022, an ORDINANCE REPEALING ORDINANCE 13-2012 AND ENACTING REGULATIONS ON CHRONIC NUISANCES was made by Mrs. Myers; seconded by Ms. Meister. **ALL IN FAVOR.**

A Motion to Suspend the Rules and Read by Title Only for an Ordinance No. 4-2022, ORDINANCE REPEALING ORDINANCE 13-2012 AND ENACTING REGULATIONS ON CHRONIC NUISANCES was made by Mrs. Myers; seconded by Ms. Meister. **ALL IN FAVOR.**

A Motion to Adopt Ordinance No. 4-2022, an ORDINANCE REPEALING ORDINANCE 13-2012 AND ENACTING REGULATIONS ON CHRONIC NUISANCES was made by Mrs. Myers; seconded by Ms. Meister. **ALL IN FAVOR.**

ORDINANCE NO. 5 – 2022: ORDINANCE AUTHORIZING SALE OF REAL PROPERTY OWNED BY WATERWORKS

Solicitor Nicholas explained that this was the site of the former Water Tower that had been removed. He stated Mr. Rahall has contacted Coldwell Banker and they will be listing the property for sale. He was asked if there was a minimum bid established. He said no, but we had the right to reject any offers we considered not acceptable.

A Motion to Introduce Ordinance No. 5-2022, an ORDINANCE AUTHORIZING SALE OF REAL PROPERTY OWNED BY WATERWORKS was made by Mrs. Myers; seconded by Mr. Williams. **ALL IN FAVOR.**

A Motion to Suspend the Rules and Read by Title Only for an Ordinance No. 4-2022, an ORDINANCE AUTHORIZING SALE OF REAL PROPERTY OWNED BY WATERWORKS was made by Mrs. Myers; seconded by Mr. Williams. **ALL IN FAVOR.**

A Motion to Adopt Ordinance No. 4-2022, an ORDINANCE AUTHORIZING SALE OF REAL PROPERTY OWNED BY WATERWORKS was made by Mrs. Myers; seconded by Mr. Williams. **ALL IN FAVOR.**

ORDINANCE NO. 6 – 2022: TO AUTHORIZE THE DISPOSITION OF PROPERTY THAT IS UNNEEDED, OBSOLETE, OR UNFIT FOR MUNICIPAL USE

Solicitor Nicholas said this was to authorize the sale of a Crown Victoria and Ford Explorer previously used by the Village Police Department. Ms. Meister stated she was not in favor of selling the Vehicles until we have a firm contract with the Hamilton County Sheriff's Department. Mr. Williams said the Crown Victoria had over 100,000 miles on it and had been a backup previously. He also said the Explorer was not a Police Equipped Vehicle, that it was a take home car for a former Chief and was not equipped for on duty service.

A Motion to Introduce Ordinance No. 6-2022, TO AUTHORIZE THE DISPOSITION OF PROPERTY THAT IS UNNEEDED, OBSOLETE, OR UNFIT FOR MUNICIPAL USE was made by Mrs. Myers; seconded by Ms. Boyce. **Roll Call Vote was taken as follows: Ms. Boyce – Yes, Mr. Williams – Yes, Ms. Meister – No, Mrs. Myers – Yes, Mr. Hume – Yes, Mr. Burns – Yes.**

A Motion to Suspend the Rules and Read by Title Only Ordinance No. 6-2022, TO AUTHORIZE THE DISPOSITION OF PROPERTY THAT IS UNNEEDED, OBSOLETE, OR UNFIT FOR MUNICIPAL USE was made by Mrs. Myers; seconded by Mr. Burns. **Roll Call Vote was taken as follows: Ms. Boyce – Yes, Mr. Williams – Yes, Ms. Meister – No, Mrs. Myers – Yes, Mr. Hume – Yes, Mr. Burns – Yes.**

A Motion to Adopt Ordinance No. 4-2022, TO AUTHORIZE THE DISPOSITION OF PROPERTY THAT IS UNNEEDED, OBSOLETE, OR UNFIT FOR MUNICIPAL USE was made by Mrs. Myers; seconded by Mr. Hume. **Roll Call Vote was taken as follows: Ms. Boyce – Yes, Mr. Williams – Yes, Ms. Meister – No, Mrs. Myers – Yes, Mr. Hume – Yes, Mr. Burns – Yes.** The Ordinance being Adopted by a 5 – 1 Vote.

ORDINANCE NO. 7 – 2022: ORDINANCE AUTHORIZING SALE OF REAL PROPERTY

Solicitor Nicholas explained that this is to authorize the sale of the Property at 207 North Miami Ave which was acquired through the Port Authority of Greater Cincinnati. He said the property will be listed by Coldwell Banker as well as the Water Tower property previously discussed.

A Motion to Introduce Ordinance No. 7-2022, an ORDINANCE AUTHORIZING SALE OF REAL PROPERTY was made by Mrs. Myers; seconded by Ms. Boyce. **ALL IN FAVOR.**

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A Motion to Suspend the Rules and Read by Title Only for an Ordinance No. 7-2022, an ORDINANCE AUTHORIZING SALE OF REAL PROPERTY was made by Mrs. Myers; seconded by Ms. Boyce.

ALL IN FAVOR.

A Motion to Adopt Ordinance No. 7-2022, an ORDINANCE AUTHORIZING SALE OF REAL PROPERTY was made by Mrs. Myers; seconded by Ms. Boyce.

ALL IN FAVOR.

DEPARTMENTAL REPORTS

POLICE

Mayor Myers said that Sgt. Mike Carney had presented his report earlier. There was no further discussion.

FIRE

Fire Chief Brien Lacy was not in attendance. It was noted that the previous months run information was included in this months Council Packet. It was not available at the June Meeting.

SERVICE

Service Director Knuf said the new Bat Wing Mower for the Parks had been delivered. He noted that the pricing was through the State Purchasing Pricing which saved us at least \$10,000 dollars. He said the Pre-Construction Meeting for the South Miami Ave project was held on the 29th and was expected to start soon. Ms. Meister asked Mr. Knuf to contact her to look at Harry Lynn Alley and Morgan Street. Mr. Knuf said he would set a time to meet her.

WATER

Superintendent, Mr. Eric Winhusen stated 25.5 million gallons were pumped in June. Mr. Winhusen informed Council that approximately 5 months ago we got wind that a gravel company was looking at the property behind the well field on Kilby Rd to mine. He stated that Mr. Brett knows the owners and set up a meeting to discuss the property. The Owner is willing to sell a Conservation Easement as opposed to allowing the property to be mined. He said since then we have been in negotiations with the owner and the Oxbow Conservation Agency to work out an agreement. He said the current discussion would have the Village paying for a larger portion of the upfront cost, but The Oxbow would assume ownership and the long-term maintenance and oversight of the conservation easement. He said the initial cost of purchasing the property was expected to be over 1.5 million dollars. He said we are currently looking at an initial investment of much less. He said we would also retain the right to purchase the property from The Oxbow for a small amount should they cease to be an Agency overseeing Conservation Easements. Mr. Burns asked about the issues should a mining operation go in. Mr. Winhusen explained the potential contamination of the aquifer if the ground water is opened up. Mr. Burns asked if there was a way to get all the communities we serve to request a restriction be placed on the use of the property. Mr. Winhusen said we could, but Whitewater Township is unzoned which makes any restrictions difficult. Mr. Winhusen also explained how the contamination of the old wellfield due to a leak in a Gulf / Chevron Pipeline facilitated the moving of the water works wells to their current sight. Ms. Alejandro interrupted asking in the village put fluoride in the water. Mr. Winhusen said yes. She asked why. He stated it was an Ohio EPA Requirement. She stated we should be a part of the Constitution movement. To stop these requirements.

VILLAGE ADMINISTRATOR'S REPORT

Village Administrator, Mr. Mike Rahall, was not in attendance. Mayor Myers said the Property issues at 119 N. Miami were the major items he is working with at this time.

COUNCIL COMMITTEE REPORTS

Parks

Mr. Burns said it was a typical meeting. He said the Ball Field dirt was discussed and the delays with the new Playground Equipment being delayed due to material shortages. He stated fill dirt was being brought in from the Roy Rogers site and would be used to fill low spots. He also said areas that blacktop grindings from the South

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Miami Project could be place to add parking was discussed. Mr. Burns also said the Committee is planning to work on archiving the history of the Parks. Ms. Boyce updated the Yard of the Month Program. Mr. Rahall reported at the meeting that the parking areas were being reviewed to allow more parking for Soccer Tournaments. Mayor Myers said a larger Map of the Park was being looked into for the Committee to discuss items and also asked Mr. Knuf about the Ball Field Dirt. Mr. Knuf said as soon as it is available it will be delivered. The material is not available at this time.

Mr. Travis Sealey, a resident at 119 N. Miami interjected that the Skate Park needed maintenance and he thought it should be shut down until repairs are made. He said he used to take care of the maintenance as part of the "We Thrive" Committee and he felt it needed repairs. He also said the alley next to his property between his property and the Motel is not dedicated and he said he would like to see it closed to through traffic. Mayor Myers said we would look into it on who is responsible, but we were off our Agenda. Mr. Hume said he would look at the skate park saying he had significant experience with skateboarding. Mr. Sealey also added that he was going to take care of his place at 119 N. Miami.

Finance

Mr. Brett reported on the finance Committee meeting. He said the discussion revolved around the need for the renewal of the 3.9 Mil Levy. He stated there was also a webinar webinar he attended at the request of the Mayor. He said the webinar dealt with communicating with residents so they had a better understanding of the needs of the Community and the reason Levies were needed to provide the services to meet those needs. Ms. Boyce suggested possibly holding a Town Hall type meeting to discuss the Levy needs of the Village with Residents. Mr. Burns asked what the real difference is between a Town Hall and regular Meeting. He asked if there was a legal difference. Mr. Nicholas said no matter what you call it, it's a meeting. Ms. Myers said we had little response to having any input on a Levy Committee, how can we get more participation? Ms. Meister said she thinks the public does not think we are listening. Ms. Myers said she was in favor, but wondered how we keep a meeting like that constructive. Ms. Myers suggested we accept questions prior to the meeting so we could answer them at the meeting. She said she feels it's frustrating for people to ask questions and then have to wait for us to research the answers. She would like to be able to provide the answers at the beginning of that type of meeting. She said that may answer questions some people didn't submit prior to the meeting and allow them to think of other questions after hearing those questions and answers. Burns said he felt that this is how our 5-year budget plan could start. Ms. Meister also added that the Village cannot continue to operate without this levy renewal and the other levy that failed. The alternative of an income tax was mentioned but did not gather any endorsements at this time. Ms. Linda Bolton added from the audience that she would be willing to work on a Committee to support the levy. Mr. Burns said he agreed that having specific questions in advance would be a benefit. Ms. Bolton also complimented the Council's restraint and professionalism in dealing with the Public at this evenings meeting. She said it was refreshing to see.

Mayors Report

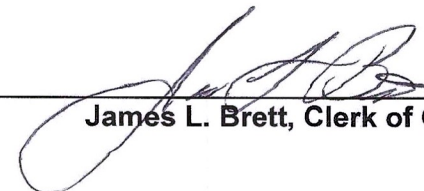
Mayor Myers said he had nothing to add at this time.

There being no further business:

A Motion to Adjourn the Council Meeting at 8:45 P.M. was made by Mrs. Myers; seconded by Ms. Meister. **ALL IN FAVOR**



Mayor Stephen Myers



James L. Brett, Clerk of Council