

VILLAGE OF GREENHILLS
REGULAR COUNCIL MEETING
APRIL 24, 2018
MINUTES

A meeting of the Council of the Village of Greenhills was called to order on Tuesday, April 24, 2018 at 7:00 p.m. by Mayor David Moore. Present were: Mayor Moore, and Messrs. Glenn Drees, Jeff Halter and Jack Lee and Ms. Melanie Hermes and Maria Waltherr. Also present: were Municipal Manager Evonne Kovach, Law Director Jeff Forbes and Clerk of Council Kathy Lives.

MOMENT OF SILENT REFLECTION/PRAYER/ PLEDGE OF ALLEGIANCE TO THE FLAG

After a prayer led by Ms. Waltherr, the Pledge of Allegiance to the Flag of the United States of America was recited.

APPROVAL OF MINUTES

The March 27, 2018 regular Council meeting and the April 10, 2018 Council meeting/work session minutes were approved as submitted.

RESIDENTS TO ADDRESS COUNCIL

Ms. Jennifer Nasser, 8 Bachman, presented photos of neighboring properties that are in need of repair; the Municipal Manager will follow up possible violations.

Mr. Anthony Schuler, 20 Ashby Street, referenced the March 27, 2018 Council meeting and took issue that one speaker, who spoke as an individual in support of the Cincinnati-Hamilton County Library Tax Levy, spoke for 13 minutes while other speakers were limited to three minutes.

Ms. Pat Andwan, 32 Chalmers, called attention to the April 10, 2018 informational meeting regarding property tax value complaints and noted her perceived lack of decorum during this gathering. She referenced the Board of Revision evaluation complaints which were the subject of the April 10, 2018 meeting. She named and stated the undervalued amounts of some of the properties that are on her list. With that, Ms. Andwan's speaking time expired.

Ms. Sandra Walter, 5808 Leslie Drive, Fairfield, Ohio and member of Messiah Lutheran Church, solicited Council's input on community service projects with which the members of the church could be of assistance. These could be for the church members alone or with other organizations or churches. The Municipal Manager will follow up on this generous offer.

REPORTS OF VILLAGE OFFICIALS

Municipal Manager – Evonne Kovach

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Provided a detailed list of public records requests for the first quarter of the year.

Tree bids were let and received, and Gregory Forrest Lester was the lowest and best bid.

The Village received an approximately \$3000 history grant to beginning scanning historic building plans for placement on line for electronic public access.

The Village of Greenhills Codified Ordinances has been updated through March 28, 2018 and is on line for public access.

Called attention to the Finance Agreement between Greenhills and Golf Manor dealing with time commitment, duties and compensation, which is on the agenda later in the meeting for Council's consideration.

A joint meeting of the Council and Planning Commission is scheduled on May 8, 2018, 7:00 p.m., in Council Chambers. The purpose of the joint meeting is to discuss historic district issues.

Grass notices have been distributed and the process has begun.

Street repair bids have been let and due date for opening is May 3, 2018.

In answer to a question by Mr. Lee, Ms. Kovach indicated some of the oak trees have been planted in celebration of the Village's 80th anniversary.

Law Director – Jeff Forbes

HB 478 – MICRO WIRELESS FACILITIES. In response to a successful lawsuit overturning recent legislation related to regulation of micro wireless facilities in municipal right of way, HB 478 was introduced and ultimately adopted. It is currently waiting for the Governor's signature. The previous regulations took away almost all ability to regulate these facilities in municipal right of way. The law was held to be unconstitutional as it violated the single subject rule of the Ohio Constitution. HB 478 was a stand-alone bill to address the same topic. This new version that was passed is much more acceptable to municipalities, and was negotiated with wireless carriers and municipal representatives.

SB 239 — REGIONAL COUNCIL OF GOVERNMENTS. This bill would restrict RITA and its member municipalities from engaging in any paid communications as a council of governments which attempts to influence taxpayers' decisions to opt-in to reporting and remitting municipal net profit tax to the Ohio Department of Taxation. Proposed language has been submitted to the Chairman of the Ohio Senate's Government Oversight and Reform Committee, with the language to be considered by this Committee at a hearing on Wednesday, April 11, 2018 at 10:00 a.m. as an amendment to Senate Bill 239. Don Smith, Executive Director of RITA, will be testifying at the hearing in opposition to this proposed amendment.

Other Items of Interest:

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The HB 49 (Centralized Collection) lawsuit has been appealed. The trial court denied a stay of the judgment. The coalition of municipal plaintiffs requested a stay from the court of appeals which also denied. At this point, the appeal case will be scheduled for briefs and oral argument before the Tenth District Court of Appeals.

Referenced a previously passed bill that severely limited municipalities ability to regulate small cell facilities in the right-of-way, which led to a lawsuit by a coalition of municipalities; the trial court ruled this law unconstitutional because it was rolled in with about seven other matters. Now HB 478, a stand-alone bill, has passed and is ready for the governor's signature. HB 478 is better than the law that was struck down and is much more acceptable to municipalities. In reply to a question asked by Mr. Lee, Mr. Forbes indicated the home rule option was not addressed in the new HB 478.

In reply to a question asked by Ms. Waltherr, Mr. Forbes said he has no information on HB 228, stand your ground bill.

Clerk of Council – Kathy Lives

The April Community Calendar and Ordinance Nos. 2018-02-L&R and 2018-03-L&R and Resolution Nos. 2018-08-F and 2018-09-F were posted as required.

The Law Director's written report for the March 27, 2018 Council meeting was forwarded to the Mayor, members of Council and the Village Manager.

Notice of Council's support of the Hamilton County Library Levy was forwarded to the appropriate library officials.

The Hamilton County Board of Elections and the Office of the Secretary of State were notified of Mr. Jeff Covode's resignation from the Council of the Village of Greenhills.

Chief of Police – Neil Ferdelman

On March 29, 2018, Greenhills Police Officer Michael Willis received a 2018 Award of Excellence from the Mothers Against Drunk Driving and AAA. Officer Willis had the highest number of arrests for Operating a Vehicle under the Influence (OVI), making nine of a total of 17 OVI arrests in the department.

A 64-year-old Greenhills resident was arrested on Saturday, April 5, 2018 and charged with multiple incidents of Criminal Damaging. These relate to numerous incidents of cars being damaged by being marked with a marker. All of the vehicles were parked in driveways near the sidewalk in the "I" section of Greenhills. The suspect, Robert Nelsen, also lives in the "I" section. The incidents occurred or were reported between March 18th and March 23rd. The department issued a Crime Alert on March 23rd concerning these crimes, and multiple residents assisted by providing information. Mr. Nelsen will be arraigned on the second-degree misdemeanor charges in Hamilton County Municipal Court on April 23rd.

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On February 16, 2018, Police Officer Zzach Clark represented the department by attending the funerals of Westerville Police Officers Anthony Morelli and Eric Joering, who were both killed in the line of duty on February 10, 2018.

Work is continuing to replace the department's older policy manual. Out of 61 new General Orders, all but four are now complete. They are being reviewed by Village officers for their input and have both state standards and standards from the Commission on Accreditation for Law Enforcement Agencies included in them. The intent is to issue the new policy manual by summer after all officers have been trained in the new procedures.

The Greenhills Police Department was re-accredited for a four-year period last March by the Commission on Accreditation for Law Enforcement Agencies (CALEA) during their Commission meeting in Mobile, Alabama. At that same meeting, the Commission adopted a new version of law enforcement standards, the first complete revision since 2005. Although not required to immediately move to the new version, The Department chose to adopt the newest standards to stay up to date with state of the art law enforcement standards.

Two recent visitors to the Greenhills Police Department took a tour of the station, and decided they liked the police chief's chair. Their dad is Police Officer Phillip Means, and the young men visited while they were on a field day with their dad. Visitors are always welcome.

During the month of March, the department investigated five accidents (down from ten in March of 2017), one Part 1 crime (down from three last March), and 243 other incidents (up from 151 last March). Of a total of 609 contacts (494 last March), 221 were dispatched or received by telephone as compared to 257 last March, and 388 were self-initiated by police officers as compared to 237 last March. The department provided assistance to the public in 116 instances (103 times last March), assisted other agencies 32 times (up from 29 times last March), and made 43 criminal arrests (compared to 41 last July) and 70 traffic arrests (82 last March). Each crime was analyzed for geographic, temporal, and other factors.

Ms. Waltherr thanked the officers who checked the Commons prior to the Easter Egg Hunt. Chief Ferdelman noted the Service Department also checked the area for potentially harmful debris.

Mayor – David Moore, Court Receipts

Court receipts for March 2018 – Village of Greenhills - \$12,864.00; State of Ohio - \$2,633.50; Hamilton County \$94.50; total \$15,592.00

COMMITTEE REPORTS

Recreation and Cable Television – Maria Waltherr

Reported the next meeting of the Waycross Community Media Board of Directors is on June 13, 2018, 7:00 p.m., at the Waycross Community Studio on Waycross Road.

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The Memorial Day Parade is scheduled on May 28, 2018, 10:30 a.m., starting at the American Legion Post parking lot, south on Winton Road, ending at the Commons.

Arbor Day Celebration will take place on April 27, 2018, 11:00 a.m., Marquardt House on Winton Road.

The first Concert on the Commons will be held on May 30, 2018, on the Commons.

Jim Miller Day will be celebrated on June 6, 2018.

Music has been secured for the *Harvest Fest*.

Finance and Audit – Glenn Drees

The theme of the 2018 budget is “plan your work and work your plan”. Year-to-date revenue is \$41,000 ahead of last year; \$10,000 of this amount from real estate taxes and \$25,000 from income taxes. The Fund Balance is somewhat higher than last year, but will decrease as the year goes by. The budget remains steady and within the ranges set in the plan.

Inter-Governmental Affairs, Laws and Rules – Jack Lee

The Laws and Rules Committee met on April 23, 2018 to review the following items: shopping center signage, license agreement, private golf cart release form, and proposed changes relative to abandoned and junk vehicles. The next meeting is scheduled on May 21, 2018, 9:00 a.m., Municipal Building.

Community Development – Jeff Halter

The Community Development Committee met on April 5, 2018.

Stated he and David Lumdsen attended an independent study in the spirit of student creativity by the students of DAP, University of Cincinnati Design School.

Thanked Messiah Lutheran Church for their generous offer of support in terms of community service.

Referenced areas of the Zoning Code and noted items brought forth by citizens are taken seriously.

Services and Streets

The Municipal Manager stated a Municipal Road Funds allocation has been received for the next phase of the Winton Road improvements.

Safety – Melanie Hermes

The Safety Committee met earlier in the day at 5:15 p.m. Considered Community Development Block Grant funding possibility as it relates to a request from a resident. Information on this matter will be

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shared with the resident on an ongoing basis. Also discussed were: red light legislation, which is not something of interest to the committee; Bike Rodeo; Coffee with a Cop; possibility of a limited Police Academy; and General Orders in the Police Department. The meeting adjourned at 5:52 p.m. after an executive session to discuss the compensation of public employees. The next Safety Committee is scheduled on June 26, 2018, 5:15 p.m., Municipal Building.

In follow up to a question from Ms. Waltherr earlier in the meeting, Mr. Forbes explained HB 228, stand your ground bill, was introduced in the House of Representative on May 16, 2017; on May 23, 2017, the bill was referred to a committee with no further action taken to date.

Mr. Halter stated red light cameras should be viewed not as an income producing aspect, but from a safety issue and offered his support for the cameras. Mayor Moore indicated he would forward a report on the issue to Mr. Halter for his review.

NEW BUSINESS

1. RESOLUTION NO. 2018-10-F

Resolution Making Supplemental Appropriations and Transfers was read in full by Mr. Drees.

Mr. Drees moved to adopt, seconded by Ms. Waltherr.

Kovach – These funds are from unused funds from last year for tree removals/plantings and emergency prunings.

Voting as follows: “Aye” – Drees, Halter, Hermes, Lee, and Waltherr; “No” – none.
 Resolution No. 2018-10-F adopted 5-0 by roll call vote.

RESOLUTION NO. 2018-11-S&S

Resolution Authorizing Assessments on Certain Properties in the Village of Greenhills was read in full by Mr. Lee.

Mr. Lee moved to adopt, seconded by Mr. Drees.

No discussion.

Voting as follows: “Aye” – Drees, Halter, Hermes, Lee, and Waltherr; “No” – none.
 Resolution No. 2018-11-S&S adopted 5-0 by roll call vote.

2. RESOLUTION NO. 2018-12-S&S

Resolution Authorizing the Municipal Manager to Enter into a Contract with Gregory Forrest Lester, Inc. for Tree and Stump Removals was read in full by Ms. Waltherr.

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Ms. Waltherr moved to adopt, seconded by Mr. Lee.

No discussion.

Voting as follows: "Aye" – Drees, Halter, Hermes, Lee, and Waltherr; "No" – none.
 Resolution No. 2018-12-S&S adopted 5-0 by roll call vote.

3. RESOLUTION NO. 2018-13-F

Authorizing the Municipal Manager to Enter into an Amended Shared Service Agreement with the Village of Golf Manor for Financial Services in full by Mr. Drees.

Mr. Drees moved to adopt, seconded by Ms. Waltherr.

No discussion.

Voting as follows: "Aye" – Drees, Halter, Hermes, Lee, and Waltherr; "No" – none.
 Resolution No. 2018-13-F adopted 5-0 by roll call vote.

4. RESOLUTION NO. 2018-14-L&R

Resolution Authorizing the Village Clerk to forward to the Greenhills Planning Commission a Proposed Amendment to the Greenhills Zoning Code Regarding the Prohibition of Medical Marijuana for Review and Recommendation was read in full by Mr. Lee

Mr. Lee moved to adopt, seconded by Ms. Waltherr.

No discussion.

Voting as follows: "Aye" – Drees, Halter, Hermes, Lee, and Waltherr; "No" – none.
 Resolution No. 2018-14-L&R adopted 5-0 by roll call vote.

5. Mr. Drees moved, seconded by Mr. Lee, to authorize the Village Solicitor to prepare and submit to the Hamilton County Board of Revisions counter-complaints for properties located within the Village of Greenhills for which a 2017 valuation complaint was filed. No discussion. Motion carried by voice vote.

6. Ms. Hermes moved, seconded by Mr. Lee moved to appoint a public official.

Ms. Hermes moved, seconded by Mr. Lee, to amend the motion to strike to ~~appoint a public official~~ and to insert TO CONVENE AN EXECUTIVE SESSION TO DISCUSS THE APPOINTMENT OF A PUBLIC OFFICIAL AFTER TAKING UP THE CALENDAR ITEM. No discussion. Motion to amend adopted by majority voice vote.

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Voting on the main motion, as adopted, to convene an executive session to discuss the appointment of a public official after taking up the Calendar item: "Aye" – Drees, Halter, Hermes, Lee, Waltherr; "No" – none. Motion carried 5-0 by roll call vote.

CALENDAR

Arbor Day, April 27, 2018, 11:00 a.m., Marquardt House on Winton Road

Planning Commission, May 8, 2018, 6:30 p.m., Municipal Building

Joint meeting of Council meeting/work session and Planning Commission, May 8, 2018, 7:00 p.m., Municipal Building

Laws and Rules Committee, May 21, 2018, 9:00 a.m., Municipal Building

Memorial Day Parade, May 28, 2018, 10:30 a.m., starts at the American Legion Post parking lot, south on Winton Road, ends at the Commons

Concert on the Commons, May 30, 2018, Commons

Waycross Community Media Board of Directors meeting, June 14, 2018, 7:00 p.m.

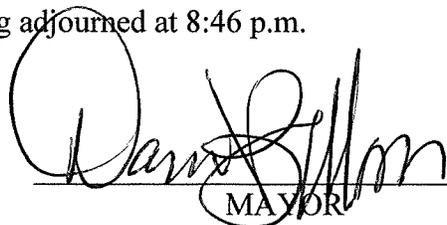
Safety Committee meeting, June 26, 2018, 5:15 p.m., Municipal Building

Golf Course is now OPEN

Pool sign ups and membership applications are available on the Village of Greenhills website.

At 8:10 p.m., an executive session convened to discuss the appointment of a public official. At 8:46 p.m. and after it was stated no official action was taken, the executive session adjourned.

With no further business forthcoming, the meeting adjourned at 8:46 p.m.


 MAYOR


 CLERK OF COUNCIL